



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

**TO:** The Honorable the Members of the Board of Regents  
**FROM:** Tony Lofrumento *Anthony Lofrumento Jr*  
**SUBJECT:** Summary of the January 2016 Meeting

**DATE:** February 16, 2016

**AUTHORIZATION(S):** *Mary Ellen Elin*

**Executive Summary**

**Issue for Decision**

Review of the Summary of the January 2016 Meeting of the Board of Regents.

**Proposed Handling**

Approval of the Summary of January 2016 meeting.

**Procedural History**

This document summarizes the actions of the Board of Regents during the monthly meeting and is brought before the Board the following month for approval.

**Recommendation**

Approval of the Summary of the January 2016 meeting.

**Timetable for Implementation**

Effective February 23, 2016.

**VOTED**, that the Summary of the January 2016 Meeting of the Board of Regents of The University of the State of New York be approved.



**SUMMARY OF THE JANUARY 2016 MEETING**

**OF THE BOARD OF REGENTS**

**OF**

**THE UNIVERSITY OF THE STATE OF NEW YORK**

***Held at the State Education Building***

***Albany, New York***

***January 11 and 12, 2016***

***Anthony Lofrumento, Secretary  
Board of Regents***

## ***THE BOARD OF REGENTS***

The Board of Regents of The University of the State of New York held a public session on Monday, January 11, 2016 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

### **MEETING OF THE FULL BOARD, Monday, January 11<sup>th</sup> at 9:00 a.m.**

#### **Board Members in Attendance:**

Merryl H. Tisch, Chancellor  
Anthony S. Bottar, Vice Chancellor  
James R. Tallon, Jr.  
Roger Tilles  
Charles R. Bendit  
Betty A. Rosa  
Lester W. Young, Jr.  
Kathleen M. Cashin  
James E. Cottrell  
T. Andrew Brown  
Josephine Victoria Finn  
Judith Chin  
Beverly Ouderkirk  
Catherine Collins  
Judith Johnson

Also present were Commissioner of Education, MaryEllen Elia, Executive Deputy Commissioner, Elizabeth Berlin, Counsel, Deputy Commissioner for Legal Affairs, Richard J. Trautwein, and the Secretary, Board of Regents, Anthony Lofrumento. Regents Christine D. Cea and Wade S. Norwood were absent and excused.

Chancellor Merryl H. Tisch called the meeting to order at 9:00 a.m.

#### **DISCUSSION ITEM**

##### **Expanding Graduation Pathways for All Students BR (D) 1**

Commissioner MaryEllen Elia led a discussion and presentation (Attachment I) on expanding graduation pathways for all students.

Chancellor Merryl H. Tisch adjourned the meeting.

**MEETING OF THE FULL BOARD, Tuesday, January 12<sup>th</sup> at 11:00 a.m.**

**Board Members in Attendance:**

Merryl H. Tisch, Chancellor  
Anthony S. Bottar, Vice Chancellor  
James R. Tallon, Jr.  
Roger Tilles  
Charles R. Bendit  
Betty A. Rosa  
Lester W. Young, Jr.  
Wade S. Norwood  
Kathleen M. Cashin  
James E. Cottrell  
T. Andrew Brown  
Josephine Victoria Finn  
Judith Chin  
Beverly Ouderkirk  
Catherine Collins  
Judith Johnson

Also present were Commissioner of Education, MaryEllen Elia, Executive Deputy Commissioner, Elizabeth Berlin, Counsel, Deputy Commissioner for Legal Affairs, Richard J. Trautwein, and the Secretary, Board of Regents, Anthony Lofrumento. Regent Christine D. Cea was absent and excused.

Chancellor Merryl H. Tisch called the meeting to order at 11:00 a.m.

At the beginning of the meeting, Chancellor Tisch invited two long-time staff who will retire after the January meeting to open the meeting; James Delorenzo, Assistant Commissioner, Office of Special Education and Tom Dunn, Director, Office of Communications.

Regent Young provided tributes to two individuals who passed away since the December Board Meeting, Judge Judith Kaye, the first woman to serve on the New York State Court of Appeals and who also served as Chief Judge; and Norman McConney, Jr., long time Chief of Staff for Assemblyman Arthur O. Eve, who used his connection to the legislative power broker from Buffalo to advance educational opportunities for minority students across the state.

**ACTION ITEMS**

**Charter Applications  
BR (A) 1**

**MOVED**, that the Board of Regents approve each application in accordance with the recommendations contained in the summary table (see Appendix I).

**Summary of the December 2015 Meeting of the Board of Regents  
BR (A) 2**

**MOVED**, that the Summary of the December 2015 Meeting of the Board of Regents of The University of the State of New York be approved.

**Motion by:** Regent Charles R. Bendit  
**Seconded by:** Regent Roger Tilles  
**Action:** Motion carried unanimously.

**PROGRAM AREA CONSENT ITEMS**

**Higher Education**

**The City University of New York Baruch College: Regents Authorization to award  
the Master of International Affairs (M.I.A.) Degree  
BR (CA) 1**

**MOVED**, that the Board of Regents authorize the CUNY Board of Trustees to award the Master of International Affairs (M.I.A.) degree on students who successfully complete registered programs at CUNY Baruch College effective January 12, 2016.

**Wells College: Master Plan Amendment to offer a Bachelor of Science in  
Business program  
BR (CA) 2**

**MOVED**, that the Board of Regents approve a master plan amendment to authorize Wells College to offer a program in Business leading to a Bachelor of Science (B.S.) degree. The amendment will be effective until January 12, 2017, unless the Department registers the program prior to that date, in which case master plan amendment shall be without term.

**Proposed Amendment of Section 52.21 of the Regulations of the Commissioner  
of Education Relating to Minimum Admission Standards for Graduate-Level  
Teacher and Educational Leadership Programs and Requirements for the  
Suspension and/or Deregistration of Certain Programs with Completers Who Fail  
to Achieve a Minimum Pass Rate on Certification Examinations for Three  
Consecutive Years  
BR (CA) 10**

**MOVED**, that clause (l) of subparagraph (i) of paragraph (2) of subdivision (b) of section 52.21 of the Regulations of the Commissioner of Education be added, and that subclause (3) of clause (b) of subparagraph (iv) of paragraph (2) of subdivision (b) of

section 52.21 of the Regulations of the Commissioner of Education be renumbered as subclause (4) and a new subclause (3) be added, as submitted, effective February 14, 2016, as an emergency action, upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare, in order to ensure that the emergency rule adopted at the December 2015 Regents meeting remains continuously in effect until it can take effect as a permanent rule.

### **Professional Practice**

**(Re)Appointments of Members to the State Boards for the Professions and  
(Re)Appointments of Extended Members to the State Boards for the Professions  
for Service on Licensure Disciplinary and/or Licensure Restoration and Moral  
Character Panels  
BR (CA) 3**

**MOVED**, that the Regents approve the proposed (re)appointments.

**Report of the Committee on the Professions Regarding Licensing Petitions  
BR (CA) 4**

**MOVED**, that the Regents approve the recommendations of the Committee on the Professions regarding licensing petitions.

**Proposed Amendment to Section 63.10 of the Regulations of the Commissioner  
of Education Relating to Collaborative Drug Therapy Management for  
Pharmacists  
BR (CA) 5**

**MOVED**, that section 63.10 of the Regulations of the Commissioner of Education be amended as submitted, effective February 15, 2016, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the public health and general welfare to ensure that the emergency rule adopted at the November 2015 Regents meeting remains continuously in effect until the proposed rule can be presented for adoption and take effect as a permanent rule.

### **P-12 Education**

**Addition of Section 100.19 to the Regulations of the Commissioner Relating to  
School Receivership  
BR (CA) 6**

**MOVED**, that section 100.19 of the Regulations of the Commissioner of Education is added, as submitted, effective February 22, 2016, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare in order to ensure that the emergency rule adopted

at the December 2015 Regents meeting remains continuously in effect until it can be presented for permanent adoption and take effect as a permanent rule.

**(Please note separate action taken on BR (A) 7)**

**Amendment of Subpart 30-2 and Addition of a New Subpart 30-3 to the Rules of the Board of Regents and Section 100.2(o) of the Commissioner's Regulations, Relating to Annual Professional Performance Reviews of Classroom Teachers and Building Principals to Implement Subparts D and E of Part EE of Chapter 56 of the Laws of 2015  
BR (CA) 7**

**MOVED**, that the Title of Subpart 30-2, subdivisions (b) and (d) of section 30-2.1, subdivision (c) of section 30-2.11 of the Rules of the Board of Regents and subdivision (o) of section 100.2 of the Commissioner's regulations be amended and a new section 30-2.13 and Subpart 30-3 of the Rules of the Board of Regents be added, as submitted, effective January 23, 2016, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare in order to timely implement the provisions of Subpart E of Part EE of Chapter 56 of the Laws of 2015 relating to a new annual evaluation system for classroom teachers and building principals and thereby ensure that school districts and BOCES may timely implement the new evaluation requirements for classroom teachers and building principals in accordance with the statute and to ensure that the emergency rule adopted at the June meeting and revised at the September and November 2015 meetings remains continuously in effect until it can be adopted as a permanent rule; and

**MOVED**, that subdivision (c) of section 30-2.11 of the Rules of the Board of Regents and subdivision (o) of section 100.2 of the Commissioner's regulations be amended and a new section 30-2.13 and Subpart 30-3 of the Rules of the Board of Regents be added, as submitted, effective January 27, 2016.

**(Please note separate action taken on BR (A) 8)**

**Proposed Amendment of Section 100.2(c)(11) of the Commissioner's Regulations to Allow an Exemption of a Student with a Disability from the Requirement for Instruction in Hands-only Cardiopulmonary Resuscitation and the Use of Automated External Defibrillators  
BR (CA) 8**

**MOVED**, that a new subparagraph (iv) of paragraph (11) of subdivision (c) of section 100.2 of the Regulations of the Commissioner be added as submitted, effective February 15, 2016, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare in order to ensure the emergency action adopted at the November 2015 Regents meeting remains continuously in effect until it can be presented for adoption and take effect as a permanent rule.

**Proposed amendment of §100.5(g)(1)(i) of the Commissioner's Regulations  
relating to the transition to the Regents Examination in English Language Arts  
(Common Core)  
BR (CA) 9**

**MOVED**, that subparagraph (i) of paragraph (1) of subdivision (g) of section 100.5 of the Commissioner's Regulations be amended as submitted, effective January 27, 2016; and it is further

**MOVED**, that subparagraph (i) of paragraph (1) of subdivision (g) of section 100.5 of the Commissioner's Regulations be amended as submitted, effective January 25, 2016, as an emergency measure upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare in order to ensure that the emergency rule adopted at the October 2015 Regents meeting remains continuously in effect until the effective date of its adoption as a permanent rule.

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***Regarding BR (CA) 8***

**MOVED**, that the Proposed Amendment of Section 100.2(c)(11) of the Commissioner's Regulations to Allow an Exemption of a Student with a Disability from the Requirement for Instruction in Hands-only Cardiopulmonary Resuscitation and the Use of Automated External Defibrillators [BR (CA) 8] be removed from consideration at this meeting, for future consideration.

**Motion by:** Regent James E. Cottrell

**Seconded by:** Regent Roger Tilles

**Action:** Motion carried unanimously.

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***Regarding BR (CA) 7***

**MOVED**, that the Amendment of Subpart 30-2 and Addition of a New Subpart 30-3 to the Rules of the Board of Regents and Section 100.2(o) of the Commissioner's Regulations, Relating to Annual Professional Performance Reviews of Classroom Teachers and Building Principals to Implement Subparts D and E of Part EE of Chapter 56 of the Laws of 2015 [BR (CA) 7] be acted upon on as a stand-alone item, separate from the program area consent agenda items.

**Motion by:** Regent Roger Tilles

**Seconded by:** Regent Charles R. Bendit

**Action:** Motion carried unanimously.

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**Amendment of Subpart 30-2 and Addition of a New Subpart 30-3 to the Rules of the Board of Regents and Section 100.2(o) of the Commissioner's Regulations, Relating to Annual Professional Performance Reviews of Classroom Teachers and Building Principals to Implement Subparts D and E of Part EE of Chapter 56 of the Laws of 2015  
BR (CA) 7**

**MOVED**, to have a vote on only BR (CA) 7, separate from the remainder of the program area consent agenda items.

**Motion by:** Regent Roger Tilles

**Seconded by:** Regent Charles R. Bendit

**Action:** Motion carried.

**MOVED**, that the Title of Subpart 30-2, subdivisions (b) and (d) of section 30-2.1, subdivision (c) of section 30-2.11 of the Rules of the Board of Regents and subdivision (o) of section 100.2 of the Commissioner's regulations be amended and a new section 30-2.13 and Subpart 30-3 of the Rules of the Board of Regents be added, as submitted, effective January 23, 2016, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare in order to timely implement the provisions of Subpart E of Part EE of Chapter 56 of the Laws of 2015 relating to a new annual evaluation system for classroom teachers and building principals and thereby ensure that school districts and BOCES may timely implement the new evaluation requirements for classroom teachers and building principals in accordance with the statute and to ensure that the emergency rule adopted at the June meeting and revised at the September and November 2015 meetings remains continuously in effect until it can be adopted as a permanent rule; and

**MOVED**, that subdivision (c) of section 30-2.11 of the Rules of the Board of Regents and subdivision (o) of section 100.2 of the Commissioner's regulations be amended and a new section 30-2.13 and Subpart 30-3 of the Rules of the Board of Regents be added, as submitted, effective January 27, 2016.

**Motion by:** Regent Roger Tilles

**Seconded by:** Regent Charles R. Bendit

**Action:** Regents Betty A. Rosa, Kathleen M. Cashin, Judith Chin, Beverly Ouderkirk, Catherine Collins and Judith Johnson opposed. Motion carried.

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***Regarding Consent Agenda items except BR (CA) 7 and BR (CA) 8:***

**MOVED**, that the Regents approve the consent agenda items, except BR (CA) 7 and BR (CA) 8, which were voted on separately.

**Motion by:** Regent Roger Tilles  
**Seconded by:** Regent T. Andrew Brown  
**Action:** Motion carried unanimously.

## **STANDING COMMITTEE REPORTS**

### **ADULT CAREER AND CONTINUING EDUCATION SERVICES (ACCES)**

Your ACCES Committee held its scheduled meeting on January 11, 2016. All members were present, with the exception of Regent Cea and Regent Norwood, who were excused.

#### **Matters Not Requiring Board Action**

Bridge to College and Careers Pilot Program – Your committee was provided with a panel presentation on the foundational background of Bridge to College and Careers Pilot Program in support of the Regents \$10 million state budget request. Information was presented on the range and functions of bridge programs, key components, and the challenges and critical capacity needed for success.

John Hunt presented on LaGuardia's High School Equivalency Bridge to College and Career Program in Health, Business and Science, including MDRC's evaluation, and showcased LaGuardia's Integrated Basic Education and Skills Training programs.

Johnny Lozada presented about his experience as a student in LaGuardia's Bridge to College and Career Program. He earned his diploma in 2011, with support from the Bridge program, and then transitioned into college earning an Associate's Degree at LaGuardia Community College and then a Bachelor of Science degree in Applied Psychology at NYU in May 2015.

Susan Diemart presented on Orleans Niagara BOCES bridge program for undereducated and underemployed youth and adults in Niagara and Orleans Counties. She described key partnerships with Niagara County and Erie Community Colleges and Niagara and Orleans County Departments of Social Services and treatment courts and connecting with and leveraging multiple funding streams.

### **AUDITS/BUDGET AND FINANCE**

The Regents Committee on Audits/Budget and Finance met yesterday, as scheduled. Regents Brown, Tilles, Bendit, Rosa, Cashin, Cottrell, Johnson, Ouderkirk, and Tallon were in attendance.

## **Items Discussed**

### **Completed Audits**

The Internal Audit Workgroup (IAWG) reviewed the twelve audits that are being presented to the Committee this month. All audits were issued by the Office of the State Comptroller (OSC). Nine audits were of school districts and three audits were of special education services providers.

The findings were in the areas of capital assets, claims processing, financial reporting, budgeting, art education requirements, Consolidated Fiscal Reporting (CFR) compliance, the school lunch program, and tax certiorari.

Deputy Commissioner, Sharon Cates-Williams, gave the Committee members a synopsis of audits that were reviewed by the IAWG and were presented for calendar year 2015. She also presented a comparison of the 2015 versus 2014 calendar year on the differences in the number of audits that were completed between the two years, most specifically with charter schools.

### **Executive Budget Overview and 2016 Fiscal Report**

Our Chief Financial Officer provided the Members with an overview of the December 2015 Fiscal Report. Extensive spending controls continue for all funds. The General Fund spending reflects the amounts appropriated in the 2015-16 enacted budget. General Fund accounts are in structural balance. Special Revenue accounts are all in structural balance on a current year basis and the accumulated negative balance in the Cultural Education Account is projected to be reduced by approximately \$500,000.

## **CULTURAL EDUCATION**

Your Committee on Cultural Education Committee had its scheduled meeting on January 11, 2016. Regent Roger Tilles, Chair of the Cultural Education Committee, submitted the following written report. In attendance were committee members: Regent Tilles, Chair, Regent Johnson, Regent Bendit, Regent Chin, Regent Cottrell, Regent Brown and Regent Ouderkirk. Absent Regents: Regent Cea, Regent Finn. In addition to CE Committee Members, in attendance were Commissioner Elia and Executive Deputy Commissioner Berlin

### **Items For Discussion**

Chair's Remarks: Regent Tilles welcomed everyone and opened the meeting. The meeting was turned over to Mark Schaming, Director of the New York State Museum who introduced the first item for discussion.

### **Supporting Graduate Student Research**

Dr. John Hart, Director of Research and Collections with the NYS Museum, briefed the committee on a program that began in 2001 under a Memorandum of Agreement

(MOA) between SED and the University at Albany School of Arts and Sciences, in which the New York State Museum offers fellowships to Ph.D. students to carry out their dissertation research at the Museum under the guidance of one of its curators. Dr. Jeremy Kirchman, Curator of Ornithology, discussed with the Regents why student fellows are vitally important for research at the Museum. In addition to their research, students have the opportunity to participate in curatorial activities, adding specimens to the collections, contributing to the cultural of scholarship and learning at the Museum, participating in public programs, exhibits, and student training. Students have completed their degrees in anthropology, biology, and history. Presently there are six students participating in the program. Alyssa FitzGerald, a current student fellow shared with the Regents her research relating to the breeding range of boreal birds. Regent Rosa asked if there was adequate diverse participation in the program. Dr. Kirchman expressed that although the program is based on the student diversity and pool of candidates in the University at Albany program there has been interest from high school students, with diverse backgrounds, in the Museum's after school program. Commissioner Elia was encouraged by a recent school visit by staff within the Cultural Resources Survey Program to discuss local field work by Museum Archeologists and expressed interest in additional opportunities for student and adult learning.

***POSTPONED Until February CE Committee Meeting:***

**Increasing Online Access to Archival Materials**

Maria Holden, Bureau Chief of Archival Services with the NYS Archives, will brief the committee on an active program of digitization the New York State Archives has had since 1995. This program of digitization creates electronic versions of records including digital versions of photographs, maps, drawings and documents dating from the colonial Dutch period to present day and are all made available for researchers online. Staff reviewed the online resources of the State Archives and highlighted several significant research activities that have been made possible through online access to the collections of the Archives.

**HIGHER EDUCATION**

Your Higher Education Committee held its scheduled meeting on January 12, 2016. All members were present with the exception of Regent Cea who was absent and excused.

**Action Items**

**Creation of a Safety Net for Candidates who take and fail Part Two: Mathematics of the new Multi-Subject: Secondary Teachers Grade 7 - Grade 12 Content Specialty Test which is required for Students with Disabilities – Grades 7-12 - Generalist Teacher Certification**

The Committee reviewed the proposed amendment to Part 80 of the Commissioner's Regulations to provide a safety net for candidates who take and fail Part Two: Mathematics of the new Multi-Subject Secondary Teachers Grade 7-12 Content

Specialty Test which is required for Students with Disabilities – Grades 7-12 – Generalist Teacher Certification. Your Committee voted: That subdivision (c) of Section 80-1.5 of the Rules of the Board of Regents be amended, as submitted, effective January 19, 2016, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare in order to ensure that teacher candidates who will be applying for certification prior to June 30, 2016, have timely and sufficient notice of the safety net option available to them if they take and pass Parts One and Three, but fail Part Two of the Multi-Subject Content Specialty Test (7-12) so that they may apply for an initial certificate. It is anticipated that the proposed amendment will be presented to the Board of Regents for permanent adoption at the April 2016 Regents meeting. If the proposed amendment is adopted at the April meeting, the proposed amendment will become permanent on May 4, 2016. HE (A) 3

**Renewal of Institutional Accreditation: The Elmezzi Graduate School of Molecular Medicine**

Your Committee reviewed the accreditation renewal application and voted: That the Board of Regents renew the accreditation of the Elmezzi Graduate School of Molecular Medicine with conditions for a period of five years, with the provision that updates on responses to all recommendations are addressed in the institution's required annual reports, with particular attention to formalizing and implementing the noted assessment mechanisms. (Regent Tilles recused himself from the vote on this matter). HE (A) 2

**Renewal of Institutional Accreditation: The American Museum of Natural History – Richard Gilder Graduate School**

Your Committee reviewed the accreditation renewal application and voted: That the Board of Regents renew the accreditation of the American Museum of Natural History - Richard Gilder Graduate School for a period of ten years. HE (A) 1

**MOTION FOR ACTION BY FULL BOARD**

Madam Chancellor and Colleagues: Your Higher Education Committee recommends, and we move, that the Board of Regents act affirmatively upon each recommendation in the written report of the Committee's deliberations at its meeting on January 12, 2016, copies of which have been distributed to each member of the Board of Regents.

Other matters not requiring action:

**Overview of edTPA**

Your Committee received an overview of the Teacher Performance Assessment (edTPA). The overview included how the edTPA was developed, the requirements for candidates, as well as outcomes in New York State. The Committee requested additional data and recommendations on possible revisions or alternatives to the current performance assessment. The Committee suggested including the original edTPA Task Force in this work. HE (D) 1

## **Consent Agenda**

The Board of Regents will take action on the following consent agenda items at their January 12, 2016 meeting.

- Proposed Amendment of Section 52.21 of the Regulations of the Commissioner of Education Relating to Minimum Admission Standards for Graduate-Level Teacher and Educational Leadership Programs and Requirements for the Suspension and/or Deregistration of Certain Programs with Completers Who Fail to Achieve a Minimum Pass Rate on Certification Examinations for Three Consecutive Years.
- Wells College: Master Plan Amendment to offer a Bachelor of Science in Business program
- The City University of New York Baruch College: Regents Authorization to award the Master of International Affairs (M.I.A.) Degree

## **P-12 EDUCATION**

Your P-12 Education Committee held its scheduled meeting on January 11, 2016. All members were present, except for Regents Cea and Norwood, who were excused.

### **Matters Not Requiring Board Action**

**Seal of Biliteracy [P-12 (D) 1]** – the Committee discussed proposed regulations relating to the New York State Seal of Biliteracy. In January 2014, the Board of Regents approved the implementation of a year-long pilot program. The Seal of Biliteracy pilot program afforded districts and individual schools an opportunity to develop innovative ways of measuring and creating an approved path to attaining the Seal of Biliteracy, inform statewide policy development, and share best practices. Six districts and twenty individual schools voluntarily participated in the pilot. Discussion focused on the criteria for awarding the Seal of Biliteracy and the evaluation of the student knowledge to ensure that all the criteria have been met. The proposed regulations set forth the minimum requirement for students earning a NYS Regents diploma and the NYS Seal of Biliteracy. Additionally, students seeking to earn a NYS Seal of Biliteracy must earn three points in each of the following two areas: proficiency in English and proficiency in a World Language. It is anticipated that the proposed rule will come back to the Regents for adoption at their March meeting.

The following representatives from pilot districts presented to the Committee and discussed their Seal of Biliteracy programs:

*Candace Black*

Pilot representative (East Irondequoit), Seal of Biliteracy committee member and New York State Association of Foreign Language Teachers (NYSAFLT) President  
International Baccalaureate (IB) Coordinator - NBCT French

Eastridge High School  
East Irondequoit Central School District

*Francesco Fratto*

SSB Committee member and former NYSAFLT President  
Director of World Languages, Immersion & English as a New Language  
Herricks Union Free School District

*Denise Goñez-Santos*

Director, Regional Bilingual Education Resource Network (RBE-RN) West

*Pietro Mendola*

Pilot Representative (Buffalo City Schools)  
Supervisor of World Languages,  
Department of Curriculum Assessment and Instruction, Buffalo City Schools

**Educational Programs to Incarcerated and Detained Youth [P-12 (D) 2]** – staff provided an overview of current education law and regulations that pertain to detained and incarcerated youth. The Committee discussed the role of the State Agencies (OCFS, DOCCS and county/municipal jails) responsible for detained and incarcerated youth and the educational programs they offer. Also discussed were the many challenges associated with providing educational programs to these youth. With the agreement of the Board of Regents, staff will engage with stakeholders for the purpose of developing recommendations regarding changes to Commissioner’s Regulations including, but not limited to instructional time, professional development, the development of educational plans, enrichment activities and CTE, and/or state law for consideration by the Board of Regents later in 2016.

**State level Review of Impartial Hearing Officer Determinations for Students With Disabilities [P-12 (D) 3]** – the Committee discussed proposed amendments to Commissioner’s Regulations needed to correct citations and references, to provide clarification of the procedures concerning appeals of impartial hearing officer decisions to a State Review Officer, and to expedite and otherwise facilitate the processing of petitions for review to State Review Officers. It is anticipated that the proposed amendments will be presented to the Regents for adoption at the April 2016 meeting.

### **Consent Agenda**

The Board of Regents will take action on the following consent agenda items at their January 12, 2016 meeting.

- School Receivership
- Annual Professional Performance Reviews
- CPR Instruction for Students with Disabilities
- Transition to the Regents Examination in English Language Arts (Common Core)

## **PROFESSIONAL PRACTICE**

Your Professional Practice Committee held its scheduled meeting on January 11, 2016. All members were present, except Regents Christine D. Cea and Wade S. Norwood, who were excused. Regent James R. Tallon, Jr., Regent Kathleen M. Cashin, Regent Beverly L. Ouderkirk, and Regent Judith Johnson were also present, but did not vote on any case or action.

### **Action Items**

#### **Professional Discipline Cases**

Your Committee recommends that the reports of the Regents Review Committees, including rulings, findings of fact, determinations as to guilt, and recommendations, by unanimous or majority vote, contained in those reports which have been distributed to you, be accepted in 6 cases. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 34 consent order applications and 16 surrender applications be granted.

In the case of Maria Elizabeth Diute, Registered Professional Nurse, Calendar No. 27134, we recommend that the report of the Regents Review Committee be corrected as follows: the date of the meeting of the Regents Review Committee in this matter shown in the third paragraph on page 5 of such report as "August 23, 2012" be deemed corrected to read the correct meeting date for the Regents Review Committee in this matter of "October 30, 2015".

These recommendations are made following the review of 56 cases involving fourteen registered professional nurses, twelve licensed practical nurses, four licensed practical nurses who are also registered professional nurses, four pharmacists, two dentists, two massage therapists, two pharmacies, one acupuncturist, one architect, one chiropractor, one clinical laboratory technician, one licensed clinical social worker, one licensed master social worker, one licensed practical nurse who is also a registered professional nurse and a nurse practitioner (Family Health), one physical therapist, one podiatrist, and one professional engineer.

#### **Restorations**

Your Committee recommends the following: That the application of Vladimir Kirkorov for the restoration of his license to practice as a physician in New York State be denied. [PPC EXS (A) 4]

#### **Approvals**

Regulations: Continuing Education Requirements for Licensed Mental Health Counselors [PPC (A) 1] - Your Committee recommends the following: That a new section 79-9.8 of the Regulations of the Commissioner of Education be added, as submitted, effective January 1, 2017.



Regulations: Continuing Education Requirements for Licensed Marriage and Family Therapists [PPC (A) 2] - Your Committee recommends the following: That a new section 79-10.8 of the Regulations of the Commissioner of Education be added, as submitted, effective January 1, 2017.

Regulations: Continuing Education Requirements for Licensed Creative Arts Therapists [PPC (A) 3] - Your Committee recommends the following: That a new section 79-11.8 of the Regulations of the Commissioner of Education be added, as submitted, effective January 1, 2017.

Regulations: Continuing Education Requirements for Licensed Psychoanalysts [PPC (A) 4] - Your Committee recommends the following: That a new section 79-12.8 of the Regulations of the Commissioner of Education be added, as submitted, effective January 1, 2017.

### **Motion for Action by Full Board**

Madam Chancellor and Colleagues: Your Professional Practice Committee recommends, and we move, that the Board of Regents act affirmatively upon each recommendation in the written report of the Committee's deliberations at its meeting on January 11, 2016, copies of which have been distributed to each Regent.

### **Matters Not Requiring Board Action**

Your Committee discussed several topics of interest, including:

- Deputy Commissioner's Report/Update
- Full Board Consent Agenda Items
- Board (Re)Appointments
- RRC Appointments

**Motion by:** Vice Chancellor Anthony S. Bottar

**Seconded by:** Regent Wade S. Norwood

**Action:** Motion carried unanimously.

### **State Education Department December 2015 Fiscal Report BR (A) 3**

**MOVED**, that the Board accepts the December 2015 State Education Department Fiscal Report as presented.

**Motion by:** Regent Roger Tilles

**Seconded by:** Regent Charles R. Bendit

**Action:** Motion carried unanimously.

## **CLOSING REMARKS**

Regent Betty A Rosa provided remarks, thanking James Delorenzo for his service to the Department and his work with “abled” students.

Commissioner MaryEllen Elia provided remarks, thanking Tom Dunn for his service to the Department.

Chancellor Merryl H. Tisch adjourned the meeting.

**Appendix I**  
**NEW YORK STATE BOARD OF REGENTS CHARTER ACTIONS**

<b>Name of Institution</b>	<b>Program Area</b>	<b>County of Location</b>	<b>Description of Charter Action(s)</b>
Fort Ann Historical Society	CE	Washington	Amend the charter to expand the purposes to operate as heritage center and extend charter for five years.
George Eastman House	CE	Monroe	Amend charter to change the corporate name to "George Eastman Museum".
John W. Jones Museum	CE	Chemung	Extend provisional charter for five years.
The Museum for African Art	CE	Queens	Extend provisional charter for five years.
Schoharie Colonial Heritage Association	CE	Schoharie	Amend charter to add authority to operate historical museums.
Town of Diana Historical Museum	CE	Lewis	Extend provisional charter for five years.
Catholic Academy of Niagara Falls	P12	Niagara	Extend provisional charter for three years.
The McCarton School	P12	New York	Amend charter to change the corporate name to "The Keswell School".
Our Lady of Good Success	P12	Suffolk	Extend provisional charter for three years.
Rockland Jewish Academy	P12	Rockland	Grant an absolute charter.
St. Aloysius Regional School	P12	Erie	Extend provisional charter for three years.
The Speyer Legacy School	P12	New York	Extend provisional charter for three years

## **Appendix II**

### **REGENTS ACTIONS IN 56 PROFESSIONAL DISCIPLINE CASES AND 1 RESTORATION PETITION**

**January 11 - 12, 2016**

The Board of Regents announced disciplinary actions resulting in the revocation of 1 license, surrender of 16 licenses, and 39 other disciplinary actions. The penalty indicated for each case relates solely to the misconduct set forth in that particular case. In addition, the Board acted upon 1 restoration petition.

#### **I. REVOCATION AND SURRENDERS**

##### **Acupuncture**

Mark Alex Mandel a/k/a Mark A. Mandel; Commack, NY 11725-5221; Lic. No. 001016; Cal. No. 28595; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Forcible Touching, a Class A misdemeanor.

##### **Chiropractic**

Mark Alex Mandel a/k/a Mark A. Mandel; Commack, NY 11725-5221; Lic. No. 002058; Cal. No. 28594; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Forcible Touching, a Class A misdemeanor.

##### **Dentistry**

Charles J. Lobel; Dentist; Norwalk, CT 06855; Lic. No. 031042; Cal. No. 28651; Application to surrender license granted. Summary: Licensee admitted to the charge of inappropriately prescribing controlled substances and failing to maintain proper records in the State of Connecticut.

Jeffrey B. Kravitz; Dentist; Lynnfield, MA 01940; Lic. No. 034860; Cal. No. 28652; Application to surrender license granted. Summary: Licensee admitted to the charge of extracting two of a patient's teeth while failing to obtain informed consent for oral conscious sedation and failing to document the amount of anesthesia, patient's responsiveness and condition; and performing bone grafting on another patient without ordering appropriate diagnostic imaging prior to treatment, and failing to assess the condition of another of this patient's teeth and providing inappropriate treatment for a particular tooth.

##### **Engineering and Land Surveying**

Richard Kasparian; Professional Engineer; Manhasset, NY 11030; Lic. No. 049819; Cal. No. 28654; Application to surrender license granted. Summary: Licensee admitted to

the charge of having committed the grossly negligent failure to comply with a substantial provision of New York State local law governing the practice of the profession of professional engineering, in that, in his position as professional engineer and laboratory director, he certified to the New York City Department of Buildings the truth and accuracy of concrete testing reports prepared by his laboratory for properties in New York City despite the fact that the laboratory did not hold the Department of Buildings license required to conduct such tests and make such reports, in violation of New York City Administrative Code Article 28-406.

## **Massage Therapy**

Daniel F. Lee; Ellicottville, NY 14731; Lic. No. 019601; Cal. No. 28559; Application to surrender license granted. Summary: Licensee admitted to charges of having been convicted of Forcible Touching, a Class A misdemeanor and having practiced the profession of massage therapy with moral unfitness.

## **Nursing**

Mary I. Julian; Licensed Practical Nurse; Wales Center, NY 14169; Lic. No. 238928; Cal. No. 28560; Application to surrender license granted. Summary: Licensee did not contest the charge of failing to follow a physician order for morphine.

Amy Elizabeth Deangelis-Martin a/k/a Amy Deangelis-Martin; Licensed Practical Nurse; Saugerties, NY 12477-2230; Lic. No. 285726; Cal. No. 28577; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Endangering the Welfare of an Incompetent or Physically Disabled Person in the 2nd Degree, a misdemeanor.

Raquel M. Bouton; Licensed Practical Nurse; Farmingville, NY 11738; Lic. No. 303300; Cal. No. 28613; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Endangering the Welfare of an Incompetent or Physically Disabled Person, a misdemeanor.

Paula R. Pillo a/k/a Paula Recchio a/k/a Paula Kalmbacher; Licensed Practical Nurse; Byron, NY 14422-9501; Lic. No. 248161; Cal. No. 28617; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Criminal Possession of a Controlled Substance in the 5th Degree.

Linda J. Masse a/k/a Linda J. Graham; Licensed Practical Nurse; Schenectady, NY 12306; Lic. No. 281166; Cal. No. 28620; Application to surrender license granted. Summary: Licensee admitted to charges of stealing prescriptions and obtaining narcotics and having been convicted of Criminal Possession of a Forged Instrument in the 2nd Degree.

Jay Franco Cruz Salazar; Registered Professional Nurse; Taylors, SC 29687; Lic. No. 564856; Cal. No. 28656; Application to surrender license granted. Summary: Licensee admitted to the charge of, during the period of November to December, 2011, while

employed as a nurse, he took Dilaudid from a hospital's drug supply several times for his own use.

Susan J. Abele; Registered Professional Nurse; Charleston, SC 29414; Lic. No. 277590; Cal. No. 28663; Application to surrender license granted. Summary: Licensee admitted to the charge of having twice been convicted of shoplifting in the state of Arizona; which if committed in New York State would constitute Petit Larceny, a class A misdemeanor.

### **Pharmacy**

Nageswara R. Maruri a/k/a Nageswara Reddy Maruri; Pharmacist; West Orange, NJ 07052; Lic. No. 032865; Cal. No. 28653; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Conspiracy to Commit Wire Fraud and Health Care Fraud, a felony.

### **Physical Therapy**

Jay B. Kain; Physical Therapist; Great Barrington, MA 01230; Lic. No. 023436; Cal. No. 28650; Application to surrender license granted. Summary: Licensee admitted to the charge of failing to maintain appropriate professional boundaries with two patients in the Commonwealth of Massachusetts.

### **Social Work**

Curtis Wayne Newsome; Licensed Master Social Worker; Binghamton, NY 13905; Lic. No. 085756; Cal. No. 27914; Found guilty of professional misconduct; Penalty: Revocation.

Evelyn Shirley Wilson; Licensed Clinical Social Worker; Rincon, GA 31326-8802; Lic. No. 035525; Cal. No. 28658; Application to surrender license granted. Summary: Licensee admitted to the charge of failing to keep adequate client progress notes and proper patient records over a period of at least five years; having billings that contained inaccurate dates of services; and failing to conform record keeping to appropriate practices in the State of New Jersey.

## **II. OTHER REGENTS DISCIPLINARY ACTIONS**

### **Architecture**

Warren Antonio James; New York, NY 10029-2671; Lic. No. 023919; Cal. No. 28336; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

## **Clinical Laboratory Technology Practice**

Richard De Leon; Clinical Laboratory Technician; Bronx, NY 10462; Cert. No. 001709; Cal. No. 27684; Found guilty of professional misconduct; Penalty: \$1,250 fine.

## **Massage Therapy**

Brenna L. Osborn; Caledonia, NY 14423-1231; Lic. No. 025346; Cal. No. 28236; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

## **Nursing**

Robert James DeForge, Jr.; Registered Professional Nurse; East Syracuse, NY 13057; Lic. No. 517763; Cal. No. 26619; Application for consent order granted; Penalty agreed upon: 6 month actual suspension, 6 month stayed suspension, 1 year probation, \$500 fine.

Beth Marguerite Coleman; Licensed Practical Nurse, Registered Professional Nurse; Athens, PA 18810-1214; Lic. Nos. 269759, 604800; Cal. Nos. 27014, 27015; Found guilty of professional misconduct; Penalty: Indefinite suspension for a minimum of six months and until fit to practice, probation 2 years to commence subsequent to termination of suspensions and upon actual return to practice, \$1,000 fine.

Maria Elizabeth Diute; Registered Professional Nurse; Johnson City, NY 13790; Lic. No. 604605; Cal. No. 27134; Found guilty of professional misconduct; Penalty: \$500 fine, indefinite suspension for a minimum of three months and until fit to practice, partial suspension in certain area until completion of certain course in said certain area, probation 2 years to commence subsequent to termination of actual suspension and upon actual return to practice.

Dawn Marie Corrigan a/k/a Dawn M. Corrigan a/k/a Dawn Corrigan; Licensed Practical Nurse; Patchogue, NY 11772, Baiting Hollow, NY 11933-2620; Lic. No. 260400; Cal. No. 27957; Found guilty of professional misconduct; Penalty: 2 year suspension, execution of last 21 months of suspension stayed, probation 2 years to commence subsequent to termination of actual suspension and upon actual return to practice.

Steffan Kuttikadu; Registered Professional Nurse; Queens Village, NY 11428-1707; Lic. No. 584348; Cal. No. 28105; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation.

Marcus Ortiz; Licensed Practical Nurse; Bronx, NY 10473; Lic. No. 268699; Cal. No. 28121; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 2 years probation, \$1,000 fine.

Andrell J. Leppanen a/k/a Andrell Leppanen; Licensed Practical Nurse; Schenectady, NY 12303-1105; Lic. No. 285829; Cal. No. 28254; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine.

Glenda Sue Christian; Licensed Practical Nurse; Town of Porter Youngstown, NY 14174; Lic. No. 220516; Cal. No. 28261; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 2 years probation.

Amy Lynn Teller; Licensed Practical Nurse, Registered Professional Nurse, Nurse Practitioner (Family Health); Marilla, NY 14102; Lic. Nos. 250743, 495688, Cert. No. 334925; Cal. Nos. 28264, 28265, 28266; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Dawn Marie Smith a/k/a Dawn Marie Czamara; Licensed Practical Nurse, Registered Professional Nurse; Sugar Grove, PA 16350; Lic. Nos. 230361, 478387; Cal. Nos. 28273, 28274; Application for consent order granted; Penalty agreed upon: Indefinite actual suspensions until fit to practice, upon termination of suspensions, 2 years probation to commence upon return to practice in the State of New York, \$500 fine payable within 3 months.

Elizabeth Rodriguez; Licensed Practical Nurse; Buffalo, NY 14213; Lic. No. 209116; Cal. No. 28313; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$250 fine.

Stephanie Michelle Ratanski; Registered Professional Nurse; Patchogue, NY 11772; Lic. No. 614550; Cal. No. 28319; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Linda Lou Saunders; Licensed Practical Nurse, Registered Professional Nurse; Wellsville, NY 14895; Lic. Nos. 229889, 456482; Cal. Nos. 28332, 28331; Application for consent order granted; Penalty agreed upon: 2 year stayed suspensions, 2 years probation, \$500 fine.

Ryan Elizabeth Rupp; Registered Professional Nurse; Buffalo, NY 14211; Lic. No. 625755; Cal. No. 28333; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Jessica Jean Tanner; Registered Professional Nurse; Parish, NY 13131; Lic. No. 534558; Cal. No. 28335; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.



Charles William Hendrickson; Registered Professional Nurse; Roscoe, NY 12776; Lic. No. 499301; Cal. No. 28340; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Margaret Jean Hurley; Licensed Practical Nurse, Registered Professional Nurse; Albany, NY 12210; Lic. Nos. 303815, 667081; Cal. Nos. 28359, 28360; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Pierre R. Jeune; Registered Professional Nurse; Hudson, NY 12534-3505; Lic. No. 554224; Cal. No. 28386; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Amy Victoria Dederich; Registered Professional Nurse; Savannah, GA 31401; Lic. No. 632063; Cal. No. 28389; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation to commence upon return to practice in the State of New York, \$500 fine.

Allison Renee Cheverino; Registered Professional Nurse; Medford, NY 11763-3123; Lic. No. 603346; Cal. No. 28406; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Jennifer Ann Burch; Licensed Practical Nurse; Hudson, NY 12534; Lic. No. 287253; Cal. No. 28434; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 2 years probation to commence upon return to practice, \$500 fine payable within 6 months.

Krista Ann Rule; Registered Professional Nurse; Morrisonville, NY 12962; Lic. No. 577030; Cal. No. 28435; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, 2 years probation to commence upon return to practice.

Mikra Stacian Parchment; Licensed Practical Nurse; Sahuarita, AZ 85629; Lic. No. 271129; Cal. No. 28441; Application for consent order granted; Penalty agreed upon: Censure and Reprimand, 1 year probation to commence upon return to practice in the State of New York, \$500 fine payable within six months.

Amanda Joy Anderson; Registered Professional Nurse; New York, NY 10009; Lic. No. 623773; Cal. No. 28616; Application for consent order granted; Penalty agreed upon: 3 year stayed suspension, 3 years probation.

## **Pharmacy**

Rite Aid of New York, Inc.; Pharmacy; 226 West Bridge Street, Catskill, NY 12414; Reg. No. 016626; Cal. No. 28040; Application for consent order granted; Penalty agreed upon: Censure and Reprimand, \$1,000 fine payable within 3 months.

Teare L. Korbul; Pharmacist; Grand Gorge, NY 12434; Lic. No. 048311; Cal. No. 28259; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 3 months and until mentally and physically fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine payable within 6 months.

Cottage Pharmacy And Surgical Inc.; Pharmacy; 8285 Jericho Turnpike, Woodbury, NY 11797; Reg. No. 030881; Cal. No. 28298; Application for consent order granted; Penalty agreed upon: \$5,000 fine, 2 years probation.

Kenneth Villani; Pharmacist; Woodbury, NY 11797-1806; Lic. No. 029406; Cal. No. 28299; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$5,000 fine.

Gregory Winglosky; Pharmacist; Mount Pleasant, SC 29466; Lic. No. 042949; Cal. No. 28442; Application for consent order granted; Penalty agreed upon: 2 month actual suspension, 22 month stayed suspension, 2 years probation to commence upon return to practice in the State of New York, \$500 fine payable within 90 days.

### **Podiatry**

Michael Joseph Ianniello; Sea Bright, NJ 07760; Lic. No. 004395; Cal. No. 28334; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$750 fine.

### **III. RESTORATION**

The Board of Regents voted on January 12, 2016 to deny the application for restoration of the physician license of Vladimir Kirkorov, Staten Island, NY. Dr. Kirkorov's license was originally revoked effective March 10, 2008.

**engage** ny

Our Students. Their Moment.

# **Expanding Graduation Pathways for All Students**

**Board of Regents Meeting**

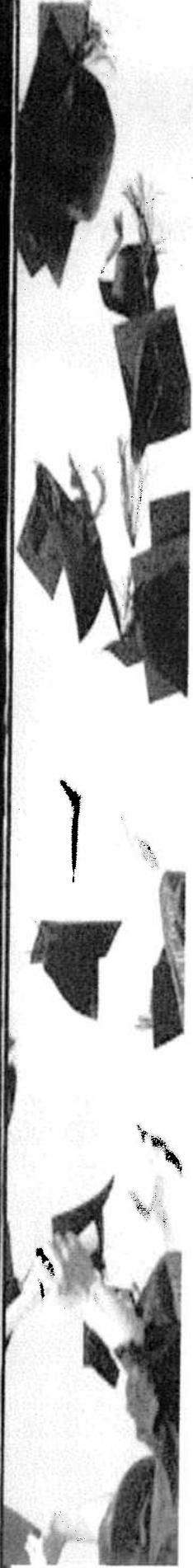
**January 2016**



**ATTACHMENT I**



# Student Population



**General  
Education  
Students**

**Students  
with  
Disabilities**

**English  
Language  
Learners**

**Gifted and  
Talented**

**Homeless**

**Incarcerated  
Youth**

**Foster care**

## Expanding Pathways to Graduation for all Students in New York State

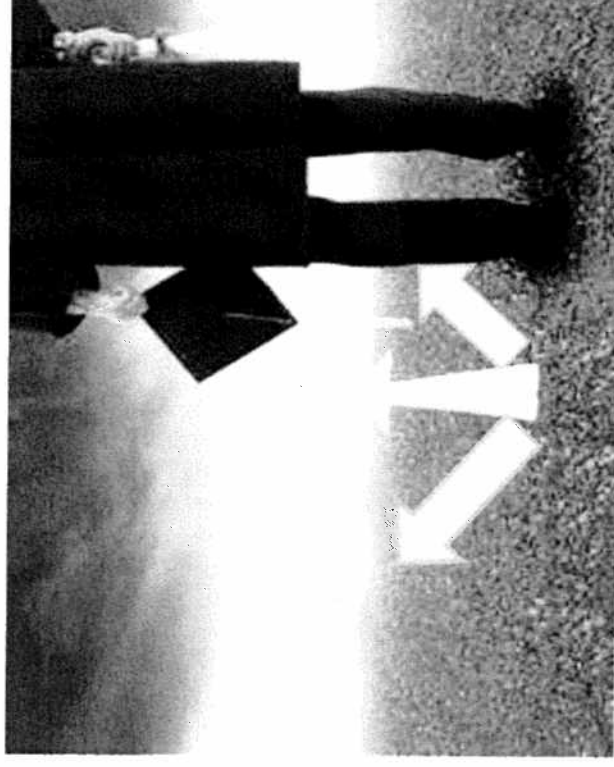
The Board of Regents has been committed to providing multiple pathways for all students to graduate with a high school diploma. This item provides options for expanding our current opportunities for graduation and a vision for moving toward a rigorous differentiated approach which includes project-based assessment for all students.



# Graduation

## 2011 Cohort Graduation Data

- Expanding Pathways
- Review Current Appeal Process
- Career Development & Occupational Studies Credential
- Project-Based Assessments



## WHERE ARE WE NOW?

- Our data for this year indicates that 78.1% of our students graduated in 4 years as of June 2015.
- This data reflects an improvement of 1.7 percentage points over the past year, but it also reflects that there are a significant percentage of students who do not graduate within 4 years or who drop out of school.

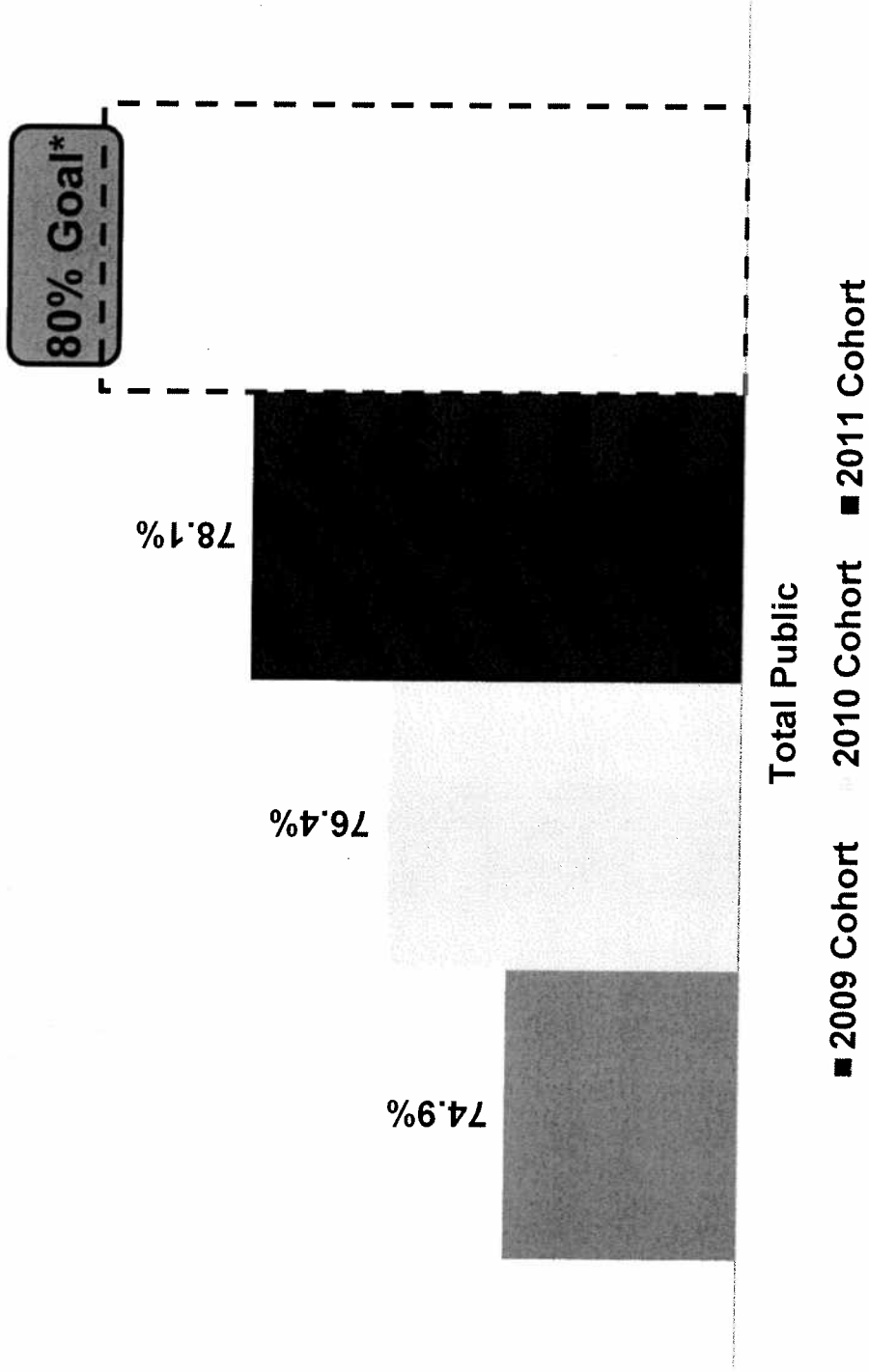


# Graduation Rates



# Graduation Rates

Percentage of Students Graduating in June with a Local, Regents, or Regents with Advanced Designation Diploma After 4 Years.

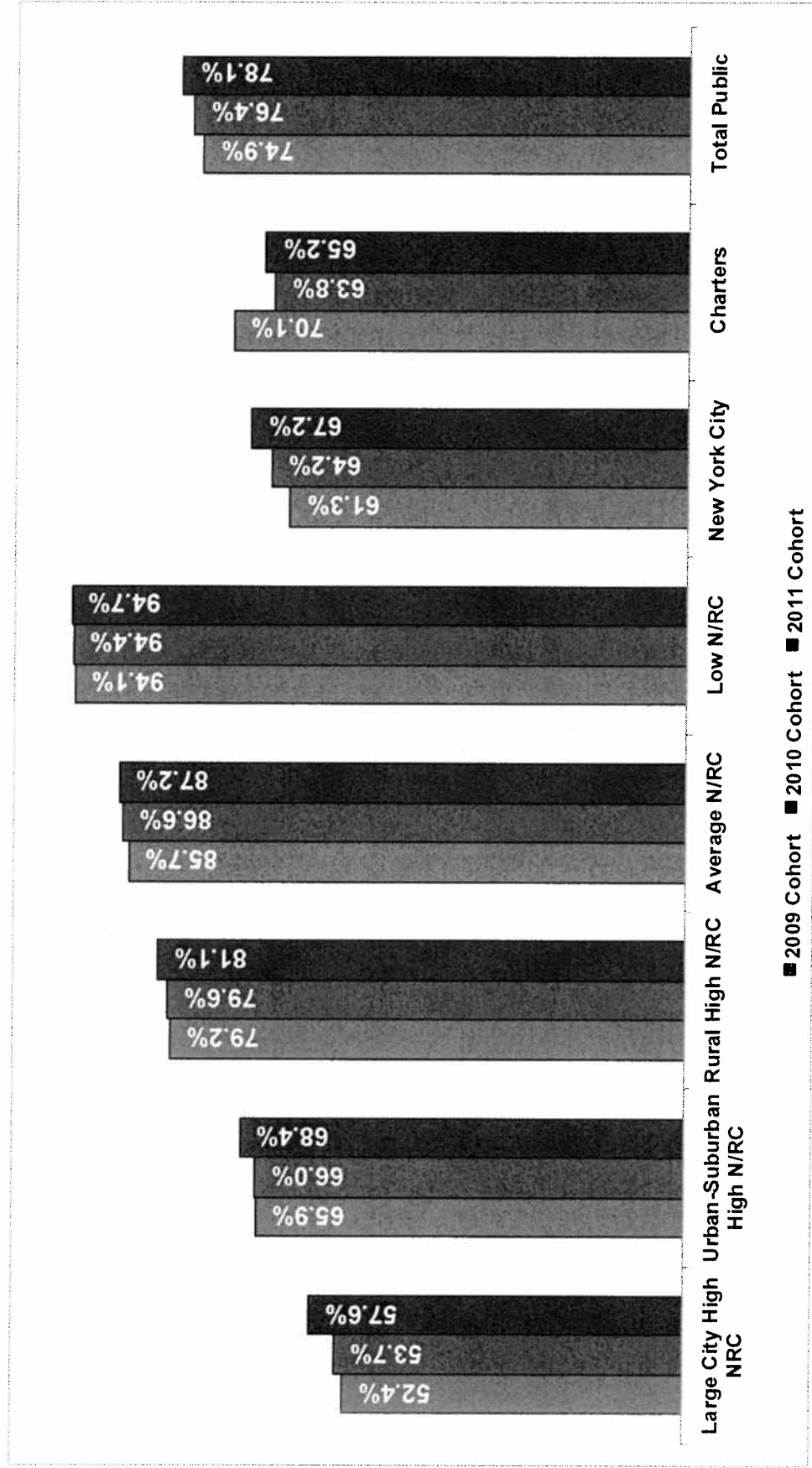


## 4-Year Statewide Outcomes, through June and August for the 2011 Cohort

	June	August
<b>Diploma Earned</b>		
Local Diploma	3.8%	4.2%
Regents Diploma	42.8%	44.5%
Regents Diploma with Advanced Designation	31.5%	31.6%
<b>Total Graduation Rate</b>	<b>78.1%</b>	<b>80.3%</b>
Career Development & Occupational Studies	0.6%	0.5%
Skills and Achievement	0.3%	0.3%
Previously earned IEP Diploma*	0.1%	0.1%
<b>Still Enrolled</b>	<b>13.6%</b>	<b>11.4%</b>
<b>Dropped Out</b>	<b>6.6%</b>	<b>6.6%</b>
<b>Transferred to an Approved High School Equivalency Program</b>	<b>0.6%</b>	<b>0.6%</b>

\* Beginning with the 2013-14 school year, IEP diplomas were no longer available. Students with disabilities may become members of a graduation cohort based upon their date of birth and these students earned IEP diplomas prior to the 2013-14 school year.

Graduation rates for high-need urban/suburban and rural districts have increased over the past three years. Average- and low-need districts have the highest graduation rates.



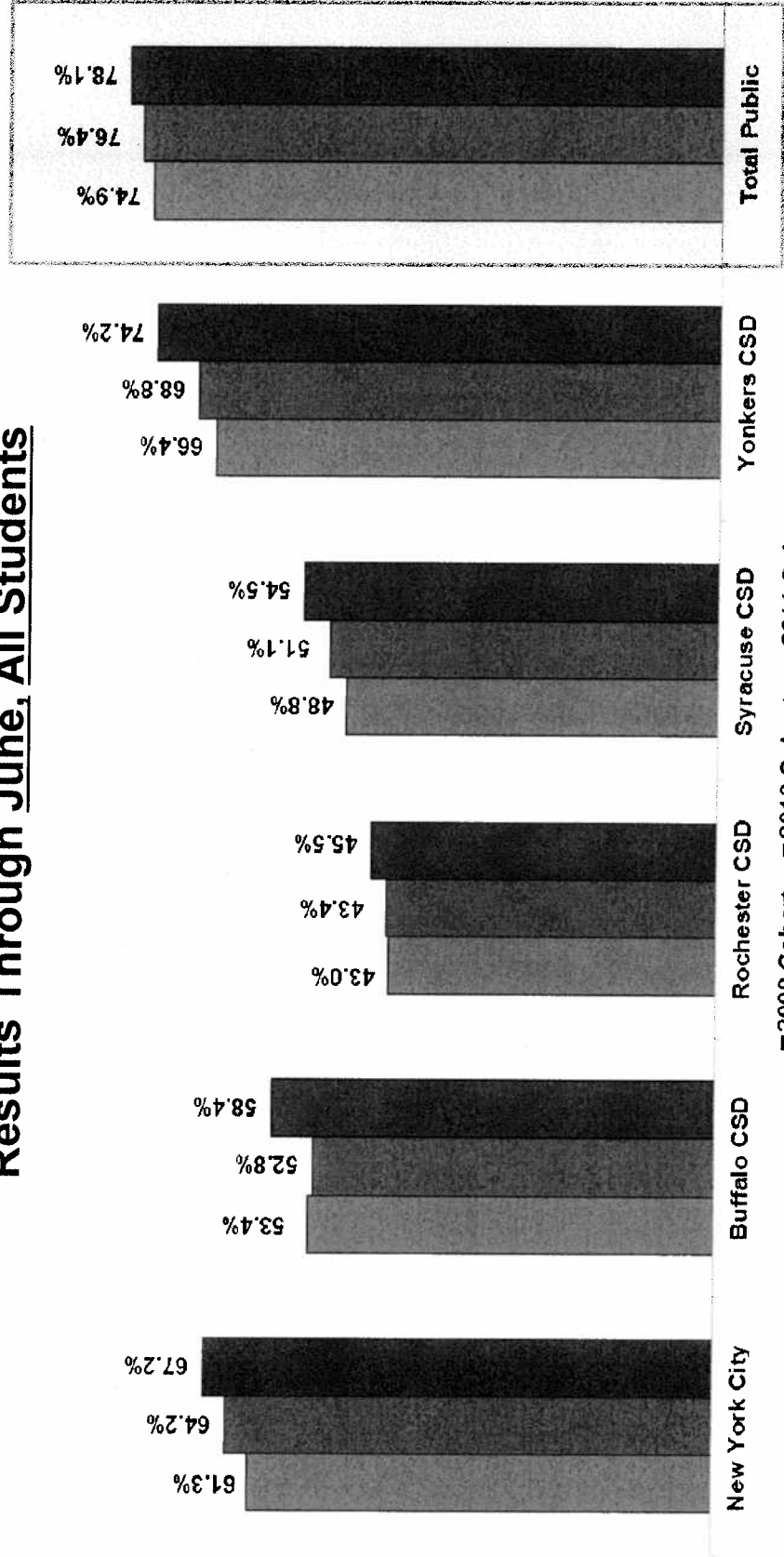
• Large City High NRC = Buffalo, Rochester, Syracuse, and Yonkers combined.

• These data points reflect the data submitted, verified and certified by schools and districts as of August 28, 2015. Any Data discrepancies at the local level must first be resolved locally and then resubmitted to the NYSED.

The graduation rate for the 2011 cohort is 78.1%, which is 12 percentage points higher than it was for the 2001 cohort (65.8%) and 1.7 percentage points higher than last year's cohort (76.4%).

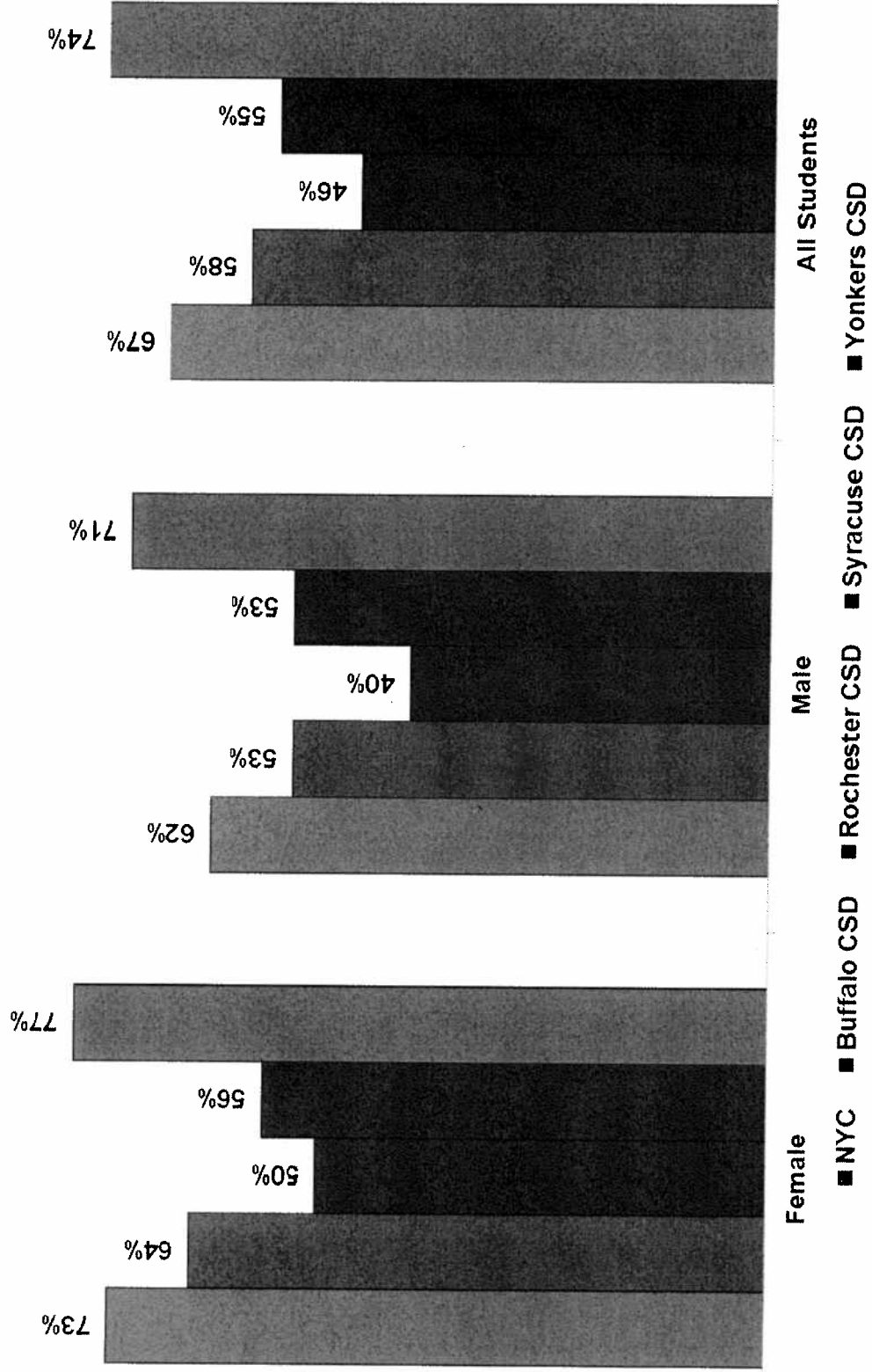
## Percentage of Students Graduating with a Local, Regents, or Regents with Advanced Designation Diploma After 4 Years

### Results Through June, All Students

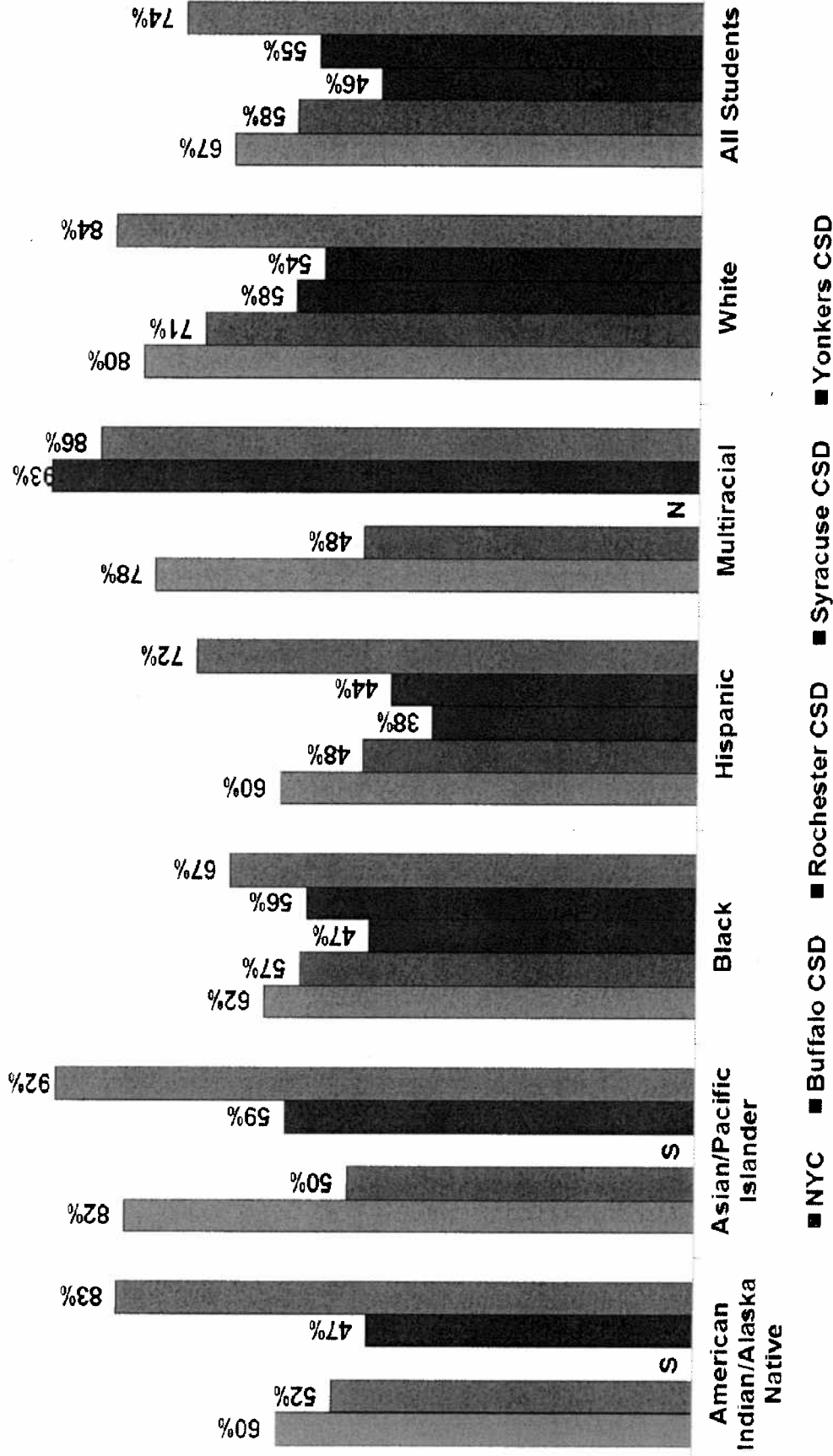


• These data points reflect the data submitted, verified and certified by schools and districts as of August 28, 2015. Any data discrepancies at the local level must first be resolved locally and then resubmitted to the NYSED.

# Big 5 Graduation Rates by Gender, 2011 Cohort - June



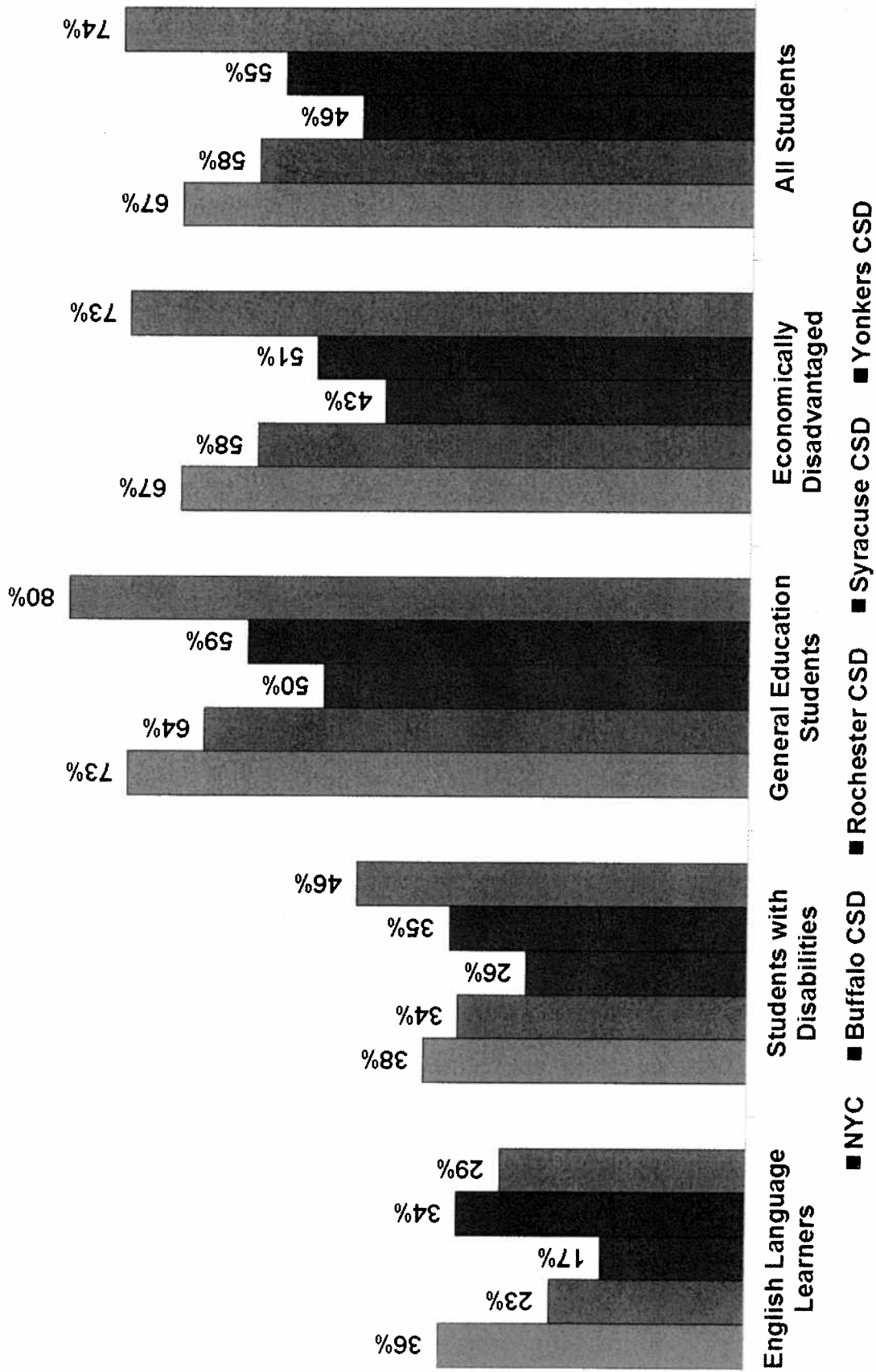
# Big 5 Graduation Rates by Race/Ethnicity, 2011 Cohort - June



N = N/A, when there are no students in this subgroup      S = Suppressed data\*

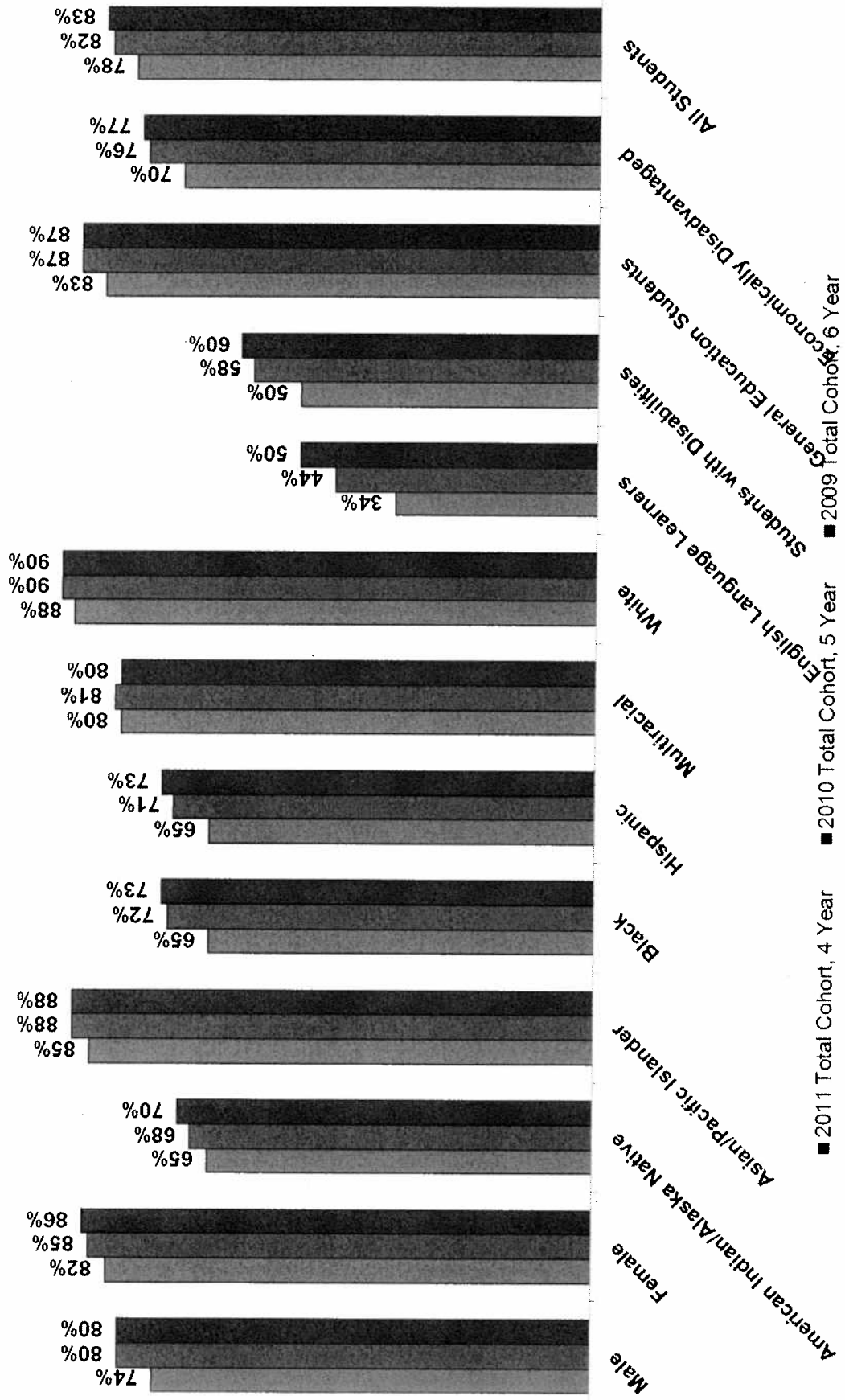
\*For groups with fewer than five students, the Department does not publish data. Percentages of tested students scoring at various levels are suppressed for that group and the next smallest group.

# Big 5 Graduation Rates by Subgroup, 2011 Cohort - June



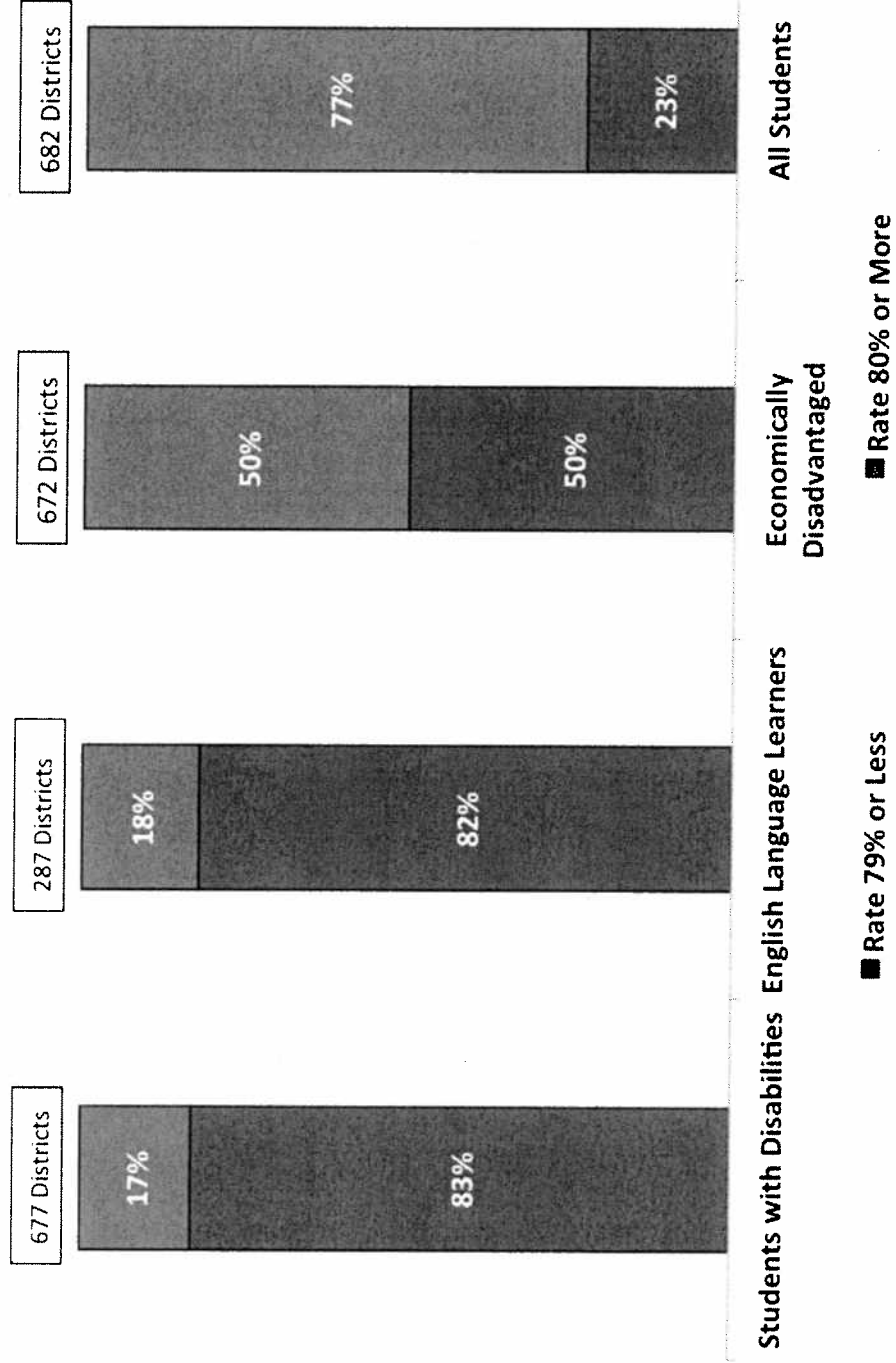


# 4, 5, and 6 Year Graduation Rates by Subgroup



5 and 6 year outcomes include cumulative data, including those students in the same cohort who graduated in previous years.

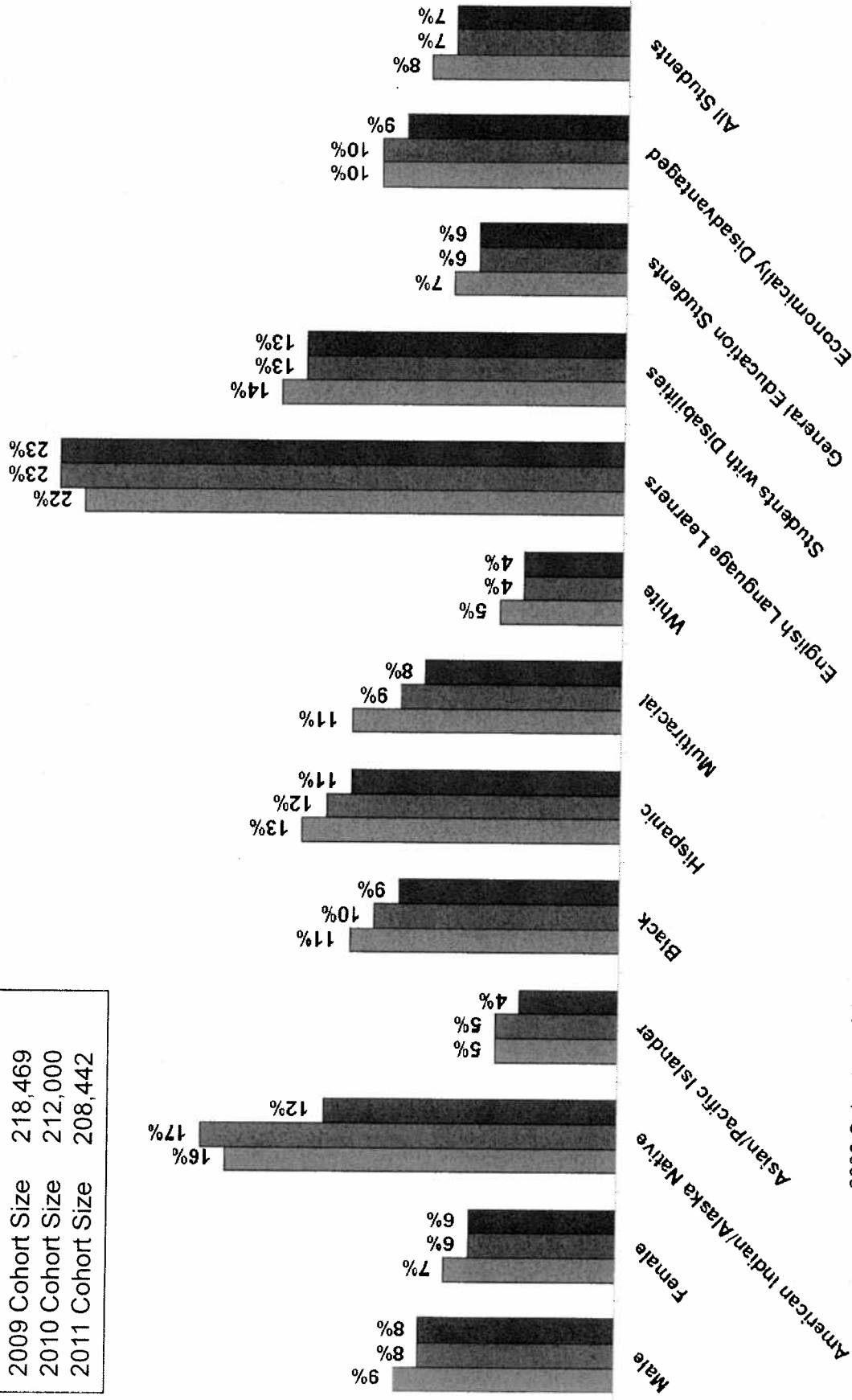
# Graduation Rate Distribution Across Districts by Subgroup 2011 4 Year Cohort, June



Note: Not all districts have student representation from each of the above subgroups

# Dropout Rates after 4 Years by Subgroup

2009 Cohort Size	218,469
2010 Cohort Size	212,000
2011 Cohort Size	208,442



# Diploma Types and Endorsements

All students must earn 22 diploma credits to earn a:

## Local Diploma

Pass 5 Assessments\*

2 Score Appeals (62-64) for all Students

or

ELA Score Appeal (55-61) for ELL's

or

1-2 Score Appeals (52-54) for Students with Disabilities

or

Low Pass or Compensatory Safety Net for Students with Disabilities

and

With or without a CTE Technical Endorsement

## Regents Diploma

Pass 5 Assessments\*

1 Score Appeal (62-64) for all students

or

With or Without Honors

and

With or Without a CTE Technical Endorsement

## Regents Diploma with Advanced Designation

Pass 8-9 Assessments\*

With or Without honors

and

With or Without Mastery in Math and/or Science

and

With or Without a CTE Technical Endorsement

\*Assessments include Regents Examinations, Department Approved Alternatives, Department Approved Pathway Assessments

# Current Appeal Process

**Under the following circumstances students can appeal to their superintendent to be allowed to graduate with a lower score on a Regents Exam. Students must:**

Score within 3 points of passing (62-64); and

Have taken the Regents Examination under appeal at least two times; and

Present evidence that the student has taken advantage of academic help provided by the school in the subject tested by the Regents Examination under appeal; and

Have an attendance rate of 95 percent; and

Passed the course for which the appeal is being sought; and

Be recommended for the appeal by the student's teacher or Department chairperson in the subject of the Regents examination under appeal

\*If one appeal is granted the student earns a Regents diploma. If two appeals are granted the student earns a local diploma.

## Proposed Appeal Process

- Permit students to appeal scores of 60-64 on up to two Regents examinations
- Review current attendance requirements
- Students who are granted 1 appeal by their district will earn a Regents diploma
- Students who are granted 2 appeals by their district will earn a local diploma

## Proposed Expansion of the Appeal Provision

# Analysis of Expanded Appeal Impact

If the **Expanded Appeal** option were implemented approximately

**4,800**  
additional  
students

From Cohort 2010 would meet testing requirements.

The impact would be significant for vulnerable subgroups.  
The number of students who meet testing requirements could increase by:

An additional 3,430 Economically Disadvantaged students

An additional 1,751 Hispanic students

An additional 1,580 Black students

917 ELL students

For the ELL Population, this would be an increase of almost 10% of students who meet testing requirements!

# Assessment Requirements

## Before Pathways (prior to June 2015)

### Required Examinations:

- 1 Math, 1 Science, English Language Arts, Global History and Geography, US History

## Current Pathways (June 2015 and thereafter)

All Students must pass one Regents examination in each discipline:

- Math
- Science
- Social Studies
- English Language Arts

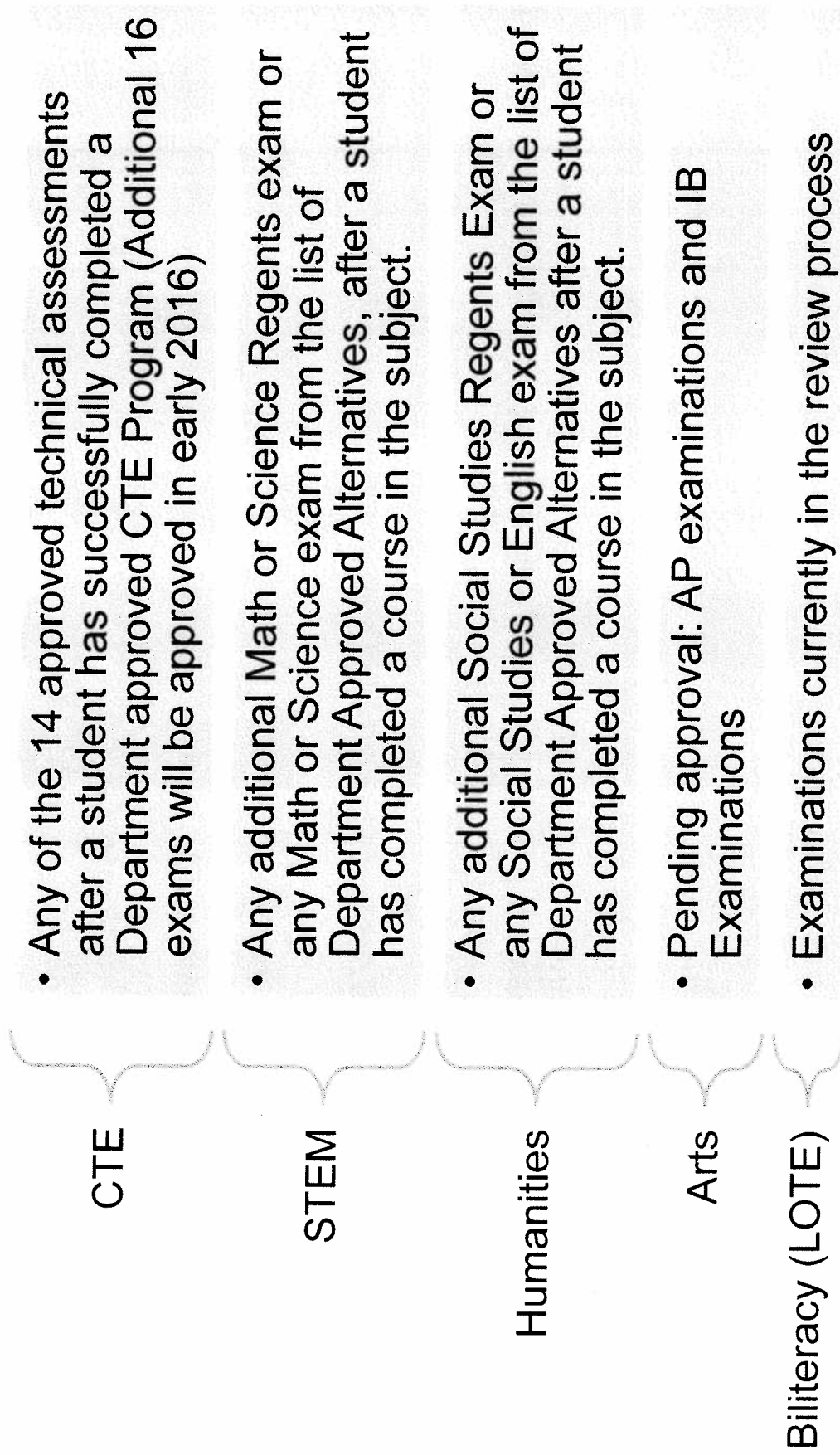


Choose one Pathway Assessment in:

- Science, Technology, Engineering, & Math (STEM)
- Humanities
- Arts
- Biliteracy (LOTE)
- Career & Technical Education (CTE)



# Current +1 Pathway Options

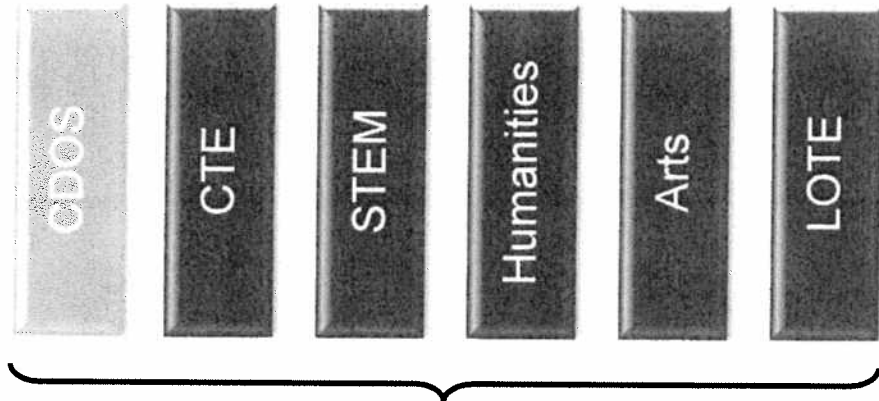


# Proposed Addition to 4 + 1 Pathway Option

4 Required Regents Examinations



+ 1



# CDOS Pathway Option

## To Earn a Regents\* Diploma Students Would:

- 22 diploma credits as required of all diplomas
- Complete

- 4 required Regents examinations; 1 in each discipline as required of all other pathways
- Pass

- All requirements to earn the CDOS Commencement Credential
- Complete

\*For students with disabilities, the safety net (compensatory option and low-pass option) and the appeal options for all students would remain available to demonstrate a passing score on the Regents examinations for purposes of graduation with a local diploma.

# CDOS: A Progression of Skill Development for Employability

## Career Majors:

- Career specific technical knowledge/skills

## Universal Foundation Skills (soft skills):

- Foundation skills and competencies essential for success in the workplace

## Integrated Learning:

- Academic knowledge and skills applied in the workplace and other settings

## Career Exploration:

- knowledgeable about the world of work,
- explore career options, and
- relate personal skills, abilities and aptitudes to future career decisions



**Technical Skills**



**Soft Skills**



**Applied Academics**



**Career Exploration**

# Current Requirements to Earn a CDOS Commencement Credential

- Career Plan
- Commencement level CDOS learning standards for:
  - Career Development
  - Integrated Learning
  - Universal Foundation Skills
- 216 hours of instruction in CTE and/or work-based learning (at least 54 hours must be in work-based learning)
- Employability Profile

**OR**

- Meet requirements for one of the nationally-recognized work readiness credentials
- National Work Readiness Credential;
  - SkillsUSA Work Force Ready Employability Assessment;
  - National Career Readiness Certificate WorkKeys - (ACT); and
  - Comprehensive Adult Student Assessment Systems Workforce Skills Certification System.

## Advantages to CDOS Pathway Option

Offers the CDOS credential to all students and expands the opportunity for students at risk of dropping out of school to graduate with a regular high school diploma and be prepared for the world of work.

Comparably educationally rigorous to other Pathways, and modeled after business & industry expectations.

Would further incentivize schools to continue to provide more students with access to CTE and work-based learning opportunities as well as instruction in the CDOS learning standards. These skills are essential for post-school success for all students.

Students would still be held to the same high standards and expected to pass the courses in the required subjects.

# Project-Based Assessments



## Project-Based Assessments (PBA)

An option for students who are unable to meet regular State assessment requirements to earn a high school diploma by passing a high quality standards-aligned project assessment.



## What is a Project-Based Assessment?

A set of activities a student completes independently of classroom instruction in order to demonstrate proficiency in a content area and meet State graduation requirements.

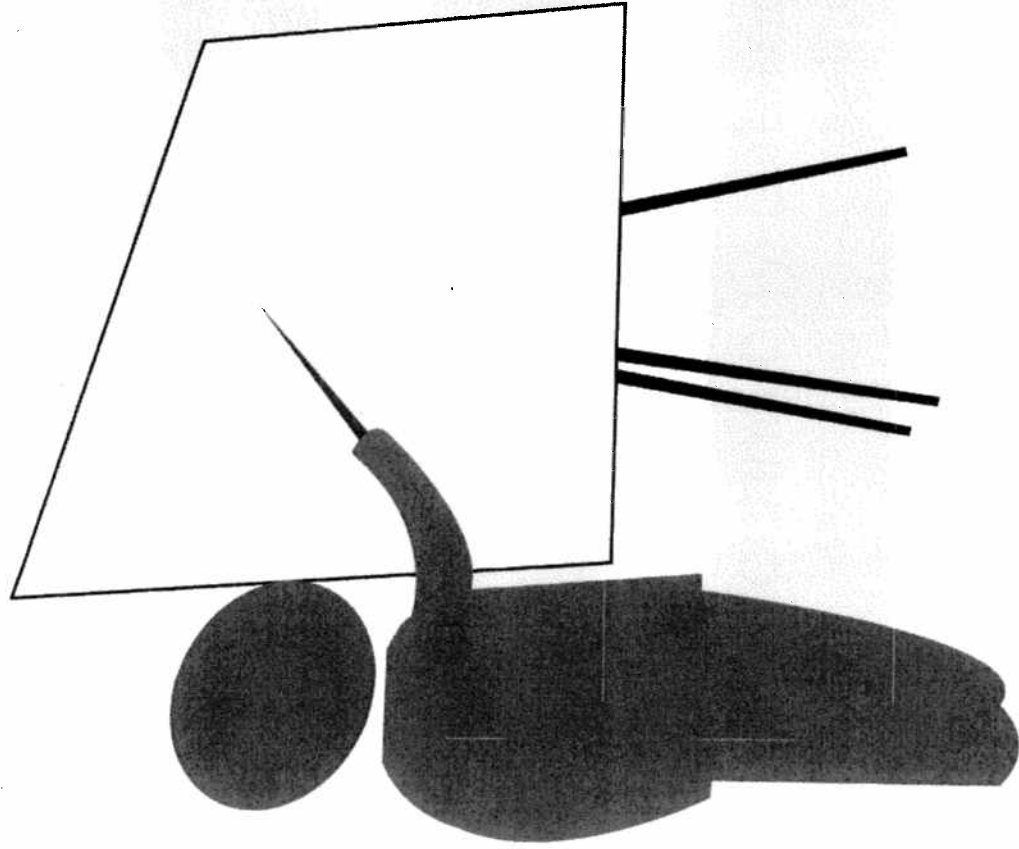
**Real-life projects** developed by teachers designed to measure the State's standards in the respective content areas.

Students are provided **supplemental, tutorial instruction**.

Assessment may be administered in a **computerized and supervised** testing situation.

**Scored by trained evaluators** based on a scoring rubric established by the State.

# Essential Components



Teacher-created  
tasks

Supported by  
tutorial instruction

Technology-enhanced  
delivery

## Teacher-created tasks

### Rigorous

- In NYS, these performance tasks would be of the same rigor as the corresponding Regents Exam, but will measure the standards in a different way.

### Standards-Based

- Educators are convened to create innovative performance tasks that measure the State's Learning Standards.

### High Quality

- Each project would be composed of multiple tasks that build upon one another and get increasingly more challenging as the student progresses through the project.

## **Supported by tutorial instruction**

**Schools must identify teachers who provide the student with continual support, resources, supervision, and just-in-time education to help the student master each component performance task that makes up the project-based assessment.**

## Technology-enhanced delivery

Assessment is delivered to and completed by students through a secure online portal rather than traditional paper-and-pencil methods.

The use of a technology portal would also aid in expedited scoring and the return of instructionally relevant information to the student and the student's teacher / tutor.

Through an online portal, the student would be able to experience innovative performance tasks and would be able to consistently interact with their teachers / tutors for support and guidance.

## Policy Considerations

- **Determine the conditions when a student who does not pass a Regents examination required for graduation may take a project-based assessment: (for example)**
  - **after two or more attempts to pass the required Regents exam**
- **Determine conditions student must have met prior to taking a project-based assessment: (for example)**
  - **taken and passed the course**
  - **met the attendance requirements of the school district**

# Resources Needed for Project-Based Assessments

## State

- Time for NYSED to support a task force comprised of New York stakeholders
- Resources to provide the secure online portal and to provide technical assistance and help-desk support to school districts administering PBAs
- Staff to develop the training and technical assistance resources to be posted on the Department's website
- Individuals to score PBAs

## District

- Tutorial staffing (teachers to provide supplemental instruction)
- Test administrators
- Scheduled time for students to work on their PBAs (e.g., some schools provide time during the summer; or after school)
- Computer-based technology for assessment administration

# Next Steps

## Appeal Process

1. Stakeholder discussion
2. Review the criteria for the Appeal process.
  - o Attendance
  - o Course completion
  - o Score band
3. Propose regulations

## CDOS Pathway

1. Stakeholder discussion
2. Propose regulations to make the CDOS Commencement Credential available to all students.
3. Propose regulations for CDOS 4 + 1 Pathway.



## Next Steps

### Project-Based Assessment

1. Establish a work plan and timetable for start-up and implementation.
2. Explore the fiscal resources necessary to develop and submit a plan for a project-based assessment program in New York State and, where necessary, seek funding.
3. Frame proposed policy for discussion

### Graduation Requirements

Expand resources and support for schools and parents to understand pathways available to students for graduation.

# Access to Data

Available data for NY STATE

Search for a School or District



View data for:

- State
- Counties
- BOCES
- Districts
- Schools
- Higher Education

## NY STATE Public School High School Graduation Rate (2014 - 15) - 4 Year Outcome as of June



Graduate data are reported for a 9th grade cohort for the first time at the end of June of the 4th year of high school. The graduation rate as of August of the 4th year, June of the 5th year, and June of the 6th year of high school are also calculated and available. For complete information on the types of diploma credentials which can be earned and the criteria for each see [diploma requirements](#).  
 Graduation Rate - Glossary of Terms

Filter this data

### Gender

- Female
- Male
- American Indian or Alaska Native
- Black or African American
- Hispanic or Latino
- Asian or Native Hawaiian/Other Pacific Islander
- White
- Multiracial

### Ethnicity

- NYC
- Buffalo, Rochester, Yonkers, Syracuse
- Urban-Suburban High Needs
- Rural High Needs
- Average Needs
- Low Needs
- Charters

### District Needs

### Cohort Groups

- 2011 4-year June Cohort
- 2011 4-year August Cohort
- 2010 5-year June Cohort
- 2009 5-year June Cohort

### English Proficiency Status

- English Proficient
- Limited English Proficient

### Disability Status

- General Education Students
- Students with Disabilities

### Economic Status

- Not Economically Disadvantaged
- Economically Disadvantaged

### Migrant Status

- Not Migrant
- Migrant

# Additional Resources

- All the data used in this presentation and additional data disaggregation can be found online at our public data site: <http://data.nysed.gov/>
- General information on assessments can be found at the Office of State Assessment's website: <http://www.p12.nysed.gov/assessment/>
- Information regarding Common Core Regents Examinations can be found at <http://www.p12.nysed.gov/assessment/commoncore/transitionccregents1113rev.pdf>
- Information on English Language programs can be found at the Office of Bilingual and World Languages' website: <http://www.p12.nysed.gov/biling/>
- Information on graduation requirements and safety net options for students with disabilities can be found on the Office of Special Education website at <http://www.p12.nysed.gov/specialed/gradrequirements/home.html>
- Information on the CDOS Commencement Credential guidance and information for parents and employers can be found at <http://www.p12.nysed.gov/specialed/gradrequirements/home.html>
- Information on Pennsylvania's Project-Based Assessments can be found at <https://www.pdesas.org/Page?pageId=1>