



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 2018 Meeting
DATE: February 1, 2018
AUTHORIZATION(S): *Margellen Ecia*

Executive Summary

Issue for Decision

Review of the Summary of the January 2018 Meetings of the Board of Regents.

Proposed Handling

Approval of the Summary of January 2018 meetings.

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 2018 meetings.

Timetable for Implementation

Effective February 13, 2018.

VOTED, that the Summary of the January 2018 Meetings of the Board of Regents of The University of the State of New York be approved.



SUMMARY OF THE JANUARY 2018 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 22 and 23, 2018

***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 22, 2018 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

MEETING OF THE FULL BOARD, Monday, January 22nd at 9:00 a.m.

Board Members in Attendance:

Betty A. Rosa, Chancellor
Roger Tilles
Lester W. Young, Jr.
Christine D. Cea
Kathleen M. Cashin
James E. Cottrell
Josephine Victoria Finn
Judith Chin
Beverly L. Ouderkirk
Catherine Collins
Nan Eileen Mead
Elizabeth S. Hakanson
Luis O. Reyes
Susan W. Mittler

Also present were Commissioner of Education, MaryEllen Elia, Executive Deputy Commissioner, Elizabeth Berlin, Counsel and Deputy Commissioner for Legal Affairs, Alison B. Bianchi, and the Secretary, Board of Regents, Anthony Lofrumento. Vice Chancellor T. Andrew Brown, and Regents Wade S. Norwood and Judith Johnson were absent and excused.

Chancellor Betty A. Rosa called the meeting to order at 9:00 a.m. and asked Regent Cea to provide thoughts for a moment of reflection.

Chancellor Rosa introduced a new, ongoing feature at the beginning of the Board meeting called 'The Focus of Our Work.' The Chancellor will select from short video clips of local programs/activities that feature children and young people highlighting what is going on across the state. The Regent who provided the clip will introduce the piece.

This month Regent Finn provided a My Brother's Keeper Production, Practicing for the Monticello High School Ski Trip created by Michael Regan.

ACTION ITEM

Executive Session Motion

MOVED, that the Board of Regents convene in executive session, Tuesday, Tuesday, January 23 at 11:35 a.m. to discuss personnel and litigation matters.

Motion by: Regent Roger Tilles
Seconded by: Regent Nan Eileen Mead
Action: Motion carried unanimously.

PRESENTATION

Every Student Succeeds Act (ESSA)

Angélica Infante-Green and Ira Schwartz presented the USDE review and approval of New York's Every Student Succeeds Act (ESSA) State Plan (Attachment I).

Chancellor Betty A. Rosa adjourned the meeting.

MEETING OF THE BOARD OF REGENTS – Executive Session
Tuesday, January 23, 2018 at 11:20 a.m.

Board Members in Attendance:

Betty A. Rosa, Chancellor
Roger Tilles
Lester W. Young, Jr.
Christine D. Cea
Kathleen M. Cashin
James E. Cottrell
Josephine Victoria Finn
Judith Chin
Beverly L. Ouderkirk
Catherine Collins
Nan Eileen Mead
Elizabeth S. Hakanson
Luis O. Reyes
Susan W. Mittler

Vice Chancellor T. Andrew Brown, and Regent Judith Johnson were absent and excused.

RESOLUTION

VOTED: That the Board of Regents adopt the following resolution:

WHEREAS, on July 26, 2017, the SUNY Charter Schools Committee published a Notice of Proposed Rule Making in the State Register regarding the Governance, Structure and Operations of SUNY Authorized Charter Schools Pertaining to Teacher Compliance (SUN-30-17-00024-P);

WHEREAS, on September 7, 2017, Chancellor Rosa and Commissioner Elia submitted joint comments describing the legal and educational policy concerns regarding the proposed regulation;

WHEREAS, at its September 11-12, 2017 meeting, the Board of Regents adopted a resolution expressing the Board's agreement with and support for the educational policy and legal concerns stated in Chancellor Rosa and Commissioner Elia's September 7, 2017 joint comments on the proposed regulation and encouraging the SUNY Charter Schools Committee to withdraw the proposed regulations immediately; and

WHEREAS, SUNY Charter Schools Committee adopted revised regulations without requesting additional public comment, effective December 20, 2017;

NOW THEREFORE, be it hereby resolved that the Board of Regents authorizes the State Education Department's Office of Counsel to take all necessary actions to commence

litigation pursuant to Article 78 of the Civil Practice Law and Rules challenging such regulation and the SUNY Charter Schools Committee's actions in promulgating them on behalf of the Board of Regents and the State Education Department, and Chancellor Betty A. Rosa and Commissioner MaryEllen Elia, in their official capacities (Attachment II.)

Motion by: Regent Roger Tilles
Seconded by: Regent Kathleen M. Cashin
Action: Motion carried unanimously.

MEETING OF THE FULL BOARD, Tuesday, January 23rd at 11:50 a.m.

Board Members in Attendance:

Betty A. Rosa, Chancellor
Roger Tilles
Lester W. Young, Jr.
Wade S. Norwood
Kathleen M. Cashin
Josephine Victoria Finn
Judith Chin
Beverly L. Ouderkirk
Catherine Collins
Nan Eileen Mead
Elizabeth S. Hakanson
Susan W. Mittler

Also present were Commissioner of Education, MaryEllen Elia, Executive Deputy Commissioner, Elizabeth Berlin, Counsel and Deputy Commissioner for Legal Affairs, Alison B. Bianchi, and the Secretary, Board of Regents, Anthony Lofrumento. Vice Chancellor T. Andrew Brown, and Regents Christine D. Cea, James E. Cottrell, Judith Johnson and Luis O. Reyes were absent and excused.

ACTION ITEM

**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 2017 Meetings of the Board of Regents
BR (A) 2**

MOVED, that the Summary of the December 2017 Meetings of the Board of Regents of The University of the State of New York be approved.

Motion by: Regent Roger Tilles
Seconded by: Regent Wade S. Norwood
Action: Motion carried unanimously. Regent Roger Tilles recused himself from the Long Island University charter application vote.

PROGRAM AREA CONSENT ITEMS

Higher Education

**Proposed Amendment to §52.21, §80-6.3 and §154-2.3 and Addition of a New §80-5.25 to the Regulations of the Commissioner of Education to Establish a Transitional H Pathway for Holders of a New York State License as a Certified Public Accountant to Pursue a School District Business Leader Certificate
BR (CA) 1**

MOVED, that §52.21, §80-6.3 and §154-2.3 be amended and a new §80-5.25 be added to the Regulations of the Commissioner of Education, effective February 7, 2018.

**Proposed Amendment to §80-3.10 of the Regulations of the Commissioner of Education Related to Requirements for Certificates in the Educational Leadership Service
BR (CA) 2**

MOVED, that §80-3.10 of the Regulations of the Commissioner of Education be amended, as submitted, effective February 7, 2018.

**Proposed Amendment to Add a New §80-5.26 of the Regulations of the Commissioner of Education to Allow a Temporary Certificate for Teachers Displaced from Puerto Rico and/or Another U.S. Territory as a Result of Hurricane Maria to Teach in New York State
BR (CA) 3**

MOVED, that §80-5.26 of the Regulations of the Commissioner of Education be added, as submitted, February 7, 2018.

**Proposed Amendment to §80-6.1 of the Regulations of the Commissioner of Education Relating to Continuing Teacher and Leader Education for Teachers in Nonpublic Schools to Implement Chapter 311 of the Laws of 2017
BR (CA) 4**

MOVED, that §80-6.1 of the Regulations of the Commissioner be amended, as submitted, effective February 7, 2018.

**Renewal of Permission to Operate in New York State: New Brunswick Theological Seminary
BR (CA) 5**

MOVED, that that the Board of Regents renew the Permission to Operate for New Brunswick Theological Seminary to offer courses from its Master of Arts (M.A.) degree program and Master of Divinity (M.Div.) degree program under the terms of its agreement with St. John's University. This permission, effective retroactive to January 1, 2018, is

granted for a period beginning January 1, 2018 and extending through December 31, 2022.

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) 6**

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

**Report of the Committee on the Professions Regarding Licensing Petitions
BR (CA) 7**

MOVED, that the Regents approve the recommendations of the Committee on the Professions regarding licensing petitions and degree conferrals.

**Proposed Amendment of §29.10 of the Rules of the Board of Regents and §70.7,
§70.8 and §70.10 of the Regulations of the Commissioner of Education Relating to
the Mandatory Peer Review Program in Public Accountancy
BR (CA) 8**

MOVED, that subdivision (a) of §29.10 of the Rules of the Board of Regents and subdivision (a) of §70.7, subdivision (f) of §70.8 and §70.10 of the Regulations of the Commissioner of Education be amended, as submitted, effective February 12, 2018, 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 2017 meeting remains continuously in effect until the proposed rule can be presented for adoption and take effect as a permanent rule.

**Proposed Amendment of Section 29.2 of the Rules of the Board of Regents and
Addition of §52.48, §79-20.4 and §79-20.5 to the Regulations of the Commissioner
of Education Relating to the Licensing of Licensed Pathologists' Assistants
BR (CA) 9**

MOVED, that subdivision (a) of §29.2 of the Rules of the Board of Regents be amended and §52.48, §79-20.4 and §79-20.5 of the Regulations of the Commissioner of Education be added, as submitted, effective February 26, 2018, 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 2017 Regents meeting remains continuously in effect until the proposed rule can be presented for adoption and take effect as a permanent rule.

**Proposed Amendment of Section 70.10 of the Regulations of the Commissioner of Education Relating to the Mandatory Peer Review Program in Public Accountancy
BR (CA) 10**

MOVED, that paragraph (5) of subdivision (b) of §70.10 of the Regulations of the Commissioner of Education be amended, as submitted, effective February 7, 2018.

**Proposed Amendment of §75.2 of the Regulations of the Commissioner of Education Relating to the Limited License in Speech-Language Pathology
BR (CA) 11**

MOVED, that subdivision (d) of §75.2 of the Regulations of the Commissioner of Education be added, as submitted, effective February 17, 2018.

**Proposed Amendment of §76.5 of the Regulations of the Commissioner of Education Relating to the Definition of Occupational Therapy Practice
BR (CA) 12**

MOVED, that §76.5 of the Regulations of the Commissioner of Education be amended, as submitted, effective February 7, 2018.

**Regents Permission to Operate in New York State:
Mansfield University
BR (CA) 13**

MOVED, that the Regents approve the proposed renewal for permission to operate effective January 11, 2018 which authorizes Mansfield University to place a total of 30 students per calendar year in New York for supervised clinical learning experiences.

MOVED, that the Regents approve the consent agenda items.

Motion by: Regent Elizabeth S. Hakanson
Seconded by: Regent Judith Chin
Action: Motion carried unanimously.

STANDING COMMITTEE REPORTS

CULTURAL EDUCATION

Your Committee on Cultural Education had its scheduled meeting on January 22, 2018. Regent Roger Tilles, Chair of the Cultural Education Committee, submitted the following written report. In attendance were committee members: Regent Tilles, Chair, Regent Cea,

Regent Cottrell (absent), Regent Chin, Regent Johnson (absent), Regent Ouderkirk and Regent Mead. Regents, in addition to CE Committee Members, in attendance were: Chancellor Rosa, Regent Collins, Regent Cashin, and Regent Mittler. Also in attendance were Commissioner Elia, Executive Deputy Commissioner Berlin, and Counsel and Deputy Commissioner for Legal Affairs Alison Bianchi.

ITEMS FOR DISCUSSION

Chair's Remarks: Regent Tilles welcomed everyone and introduced Deputy Commissioner Mark Schaming. Deputy Commissioner Schaming provided a brief report on Office of Cultural Education news and activities including: On January 7, the New York State Summer School of the Arts (NYSSSA) was honored for their outstanding work and commitment to furthering educational theatre by the New York State Theater Education Association (NYSTEA). Molly Hennighausen, Director of NYSSSA accepted the award. On January 12, fifty Haudenosaunee wooden and cornhusk masks from the Seneca Nation and Tonawanda Seneca Nation currently housed in NYSM Ethnology Collections were repatriated to both nations. Most of these masks entered the collection in 1898 and the early 1900s. On January 23, the State Museum will host another Science Café at The Hollow Bar and Kitchen, in Albany. Tomorrow's session, titled Coming into the Country: The First New Yorkers and the Ice Age Landscapes of New York, will be presented by Curator of Archaeology Dr. Jonathan Lothrop. This year as part of the STATEMAP program, the New York State Geological Survey (NYSGS) compiled and finished the Surficial Geologic Map of Onondaga County. The maps provide valuable information on the natural history, the distribution of soils and hydrology and serve as an educational resource for a wide audience ranging from school teachers to county planning officials.

Documentary Heritage and Preservation Services for New York's Collecting Organizations [CE (D) 1]

The State Archives and State Library jointly provide training, outreach and technical advisory services to non-government organizations that preserve and make available documentary materials. In 2016 the State Archives and State Library together launched the Documentary Heritage and Preservation Services for New York (DHPSNY) to coordinate support for preservation of and access to historically valuable materials. Robert Clark the Director of Archives at the Rockefeller Archive Center and Chair of the New York State Historical Records Advisory Board and Duane Watson the Curator at the Wilderstein Historic Site provided a summary of services that have been provided to the field and highlighted the impacts and outcomes from several repositories across New York.

HIGHER EDUCATION

Your Higher Education Committee held its scheduled meeting on January 23, 2018. All members were present with the exception of Vice Chancellor Brown and Regent Johnson.

ACTION ITEMS

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 23, 2018, copies of which have been distributed to each member of the Board of Regents.

Matters Not Requiring Board Action

Professional Standards and Practices Board (PSPB) Annual Report - New York State Professional Standards and Practices Board for Teaching (PSPB) co-chairs Debra Calvino and Kathleen DaBoll-Lavoie presented a report on the activities of the PSPB. HE (D) 2

Update on New York State's Participation in the State Authorization Reciprocity Agreement (SARA) - Your Committee heard a presentation from Department staff on New York State's participation in the State Authorization Reciprocity Agreement (SARA). Each year, the Department evaluates the implementation of SARA and reports back to the Committee. This report includes information related to initial institution reviews, the development of consumer protections and consumer guidance, Federal regulations related to SARA, and an overall assessment of the past year as well as next steps. HE (D) 3

Proposed Amendment to Section 52.21 of the Commissioner's Regulations Related to Accreditation - Your Committee discussed a proposed amendment to Subpart 4-2 of the Rules of the Board of Regents and Section 52.21 of the Regulations of the Commissioner of Education related to the continuous accreditation requirement for education preparation providers. This amendment will allow institutions that are currently accredited by NCATE, TEAC, or CAEP to apply for accreditation through an accrediting association that is seeking recognition from CHEA or USDE, but has not yet achieved recognition status, and still meet the "continuous accreditation requirement" set forth in Section 52.21 of the Commissioner's Regulations. Following the 60-day public comment period required under the State Administrative Procedure Act, it is anticipated that the proposed amendment will come back to the Board of Regents at its May 2018 meeting. If adopted at the May 2018 meeting, the proposed amendment will become effective on May 23, 2018. HE (D) 1

Proposed Amendment for Emergency Action to Section 52.21 of the Commissioner's Regulations Related to Graduate Admission Examination Requirements - Your Committee approved a proposed emergency amendment to related to the Graduate Admission Examination Requirements. The proposed emergency amendment implements Chapter 454 of the Laws of 2017 which was signed into Law by the Governor on December 13, 2017. The amendment removes the requirement from the Commissioner's Regulations for certified teachers and school administrators who already

hold a graduate degree to take either the GRE or a substantially equivalent admission examination. The proposed amendment will become effective as an emergency rule on January 23, 2018. Following the 60-day public comment period required under the State Administrative Procedure Act, it is anticipated that the proposed amendment will be presented to the Board of Regents for adoption as a permanent rule at its May 2018 meeting. HE (A) 1

Proposed Amendment to Section 80-1.5 of the Commissioner's Regulations Related to Certification Exam Safety Nets - Your Committee discussed a proposed amendment to Section 80-1.5 of the Regulations of the Commissioner related to safety nets for teacher certification exams. The amendment will eliminate the requirement that candidates must complete all other certification requirements on or before June 30, 2018 to be eligible to use one or more of the safety nets. The amendment also extends the safety net for Part Two: Mathematics of the Multi-Subject Grade 7-12 Content Specialty Test until such time that a revised Part Two becomes operational. Following the 60-day public comment period required under the State Administrative Procedure Act, it is anticipated that the proposed amendment will come back to the Board of Regents at its May 2018 meeting. If adopted at the May 2018 meeting, the proposed amendment will become effective on May 23, 2018. HE (D) 4

Matters Requiring Board Action

Consent Agenda

The Board of Regents acted on the following consent agenda items at the January 2018 meeting.

- **Proposed Amendment to Section 52.21, 80-6.3 and 154-2.3 and Addition of a New Section 80-5.25 to the Regulations of the Commissioner of Education to Establish a Transitional H Pathway for Holders of a New York State License as a Certified Public Accountant to Pursue a School District Business Leader Certificate** - The Board approved an amendment to Section 52.21, 80-6.3 and 154-2.3 and an addition of a new Section 80-5.25 to the Commissioner's Regulations. BR (CA) 1
- **Proposed Amendment to Section 80-3.10 of the Regulations of the Commissioner of Education Related to Requirements for Certificates in the Educational Leadership Service** - The Board approved an amendment to Section 80-3.10 of the regulations which will require that candidates who complete an out-of-state leadership program to complete such program at a higher education institution accredited by a regional accrediting body recognized by the U.S. Department of Education and that the program lead to an initial certificate in the jurisdiction in which the higher education institution is located. BR (CA) 2
- **Proposed Amendment to Add a New Section 80-2.26 to the Regulations of the Commissioner of Education to Allow Teachers Displaced from Puerto Rico and/or Another U.S. Territory as a Result of Hurricane Maria to Teach in New York State** - The Board approved an amendment to add a new Section 80-

5.26 to the Commissioner's Regulations to allow for a temporary certificate for teachers who have been displaced from Puerto Rico and/or other U.S. territories as a result of Hurricane Maria to teach in New York upon meeting certain requirements. BR (CA) 3

- **Proposed Amendment to Section 80-6.1 of the Regulations of the Commissioner of Education Relating to Continuing Teacher and Leader Education (CTLE)** - The Board approved an amendment to Section 80-6.1 of the Commissioner's Regulations related to CTLE requirements for teachers in nonpublic schools to implement Chapter 311 of the Laws of 2017. BR (CA) 4
- **Renewal of Permission to Operate in New York State for New Brunswick Theological Seminary** - The Board approved a renewal of permission to operate in New York State for New Brunswick Theological Seminary. BR (CA) 5

P-12 EDUCATION

Your P-12 Education Committee held its scheduled meeting on January 22, 2018. All members were present, except for Vice Chancellor Brown, Regent Norwood, and Regent Johnson, who were excused.

ACTION ITEMS

Revision to a Charter Authorized by the Board of Regents [P-12 (A) 1]

Your Committee recommends that the Board of Regents finds that: (1) the charter school meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the charter school can demonstrate the ability to operate in an educationally and fiscally sound manner; (3) granting the request to amend the charter is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) granting the request to amend the charter will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the charter revision for the Charter School of Educational Excellence and amends the provisional charter accordingly. Motion passed. Regent Mittler was in opposition; Regents Collins, Mead, and Reyes abstained.

Renewal Recommendations for Charter Schools Authorized by the Board of Regents [P-12 (A) 2 REVISED]

Your Committee recommends that the Board of Regents finds that, the Charter School of Educational Excellence: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of this article; and (4) granting the application would have a significant

educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the Charter School of Educational Excellence and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2023. Motion passed. Regents Collins, Mead, and Reyes abstained.

Your Committee recommends that the Board of Regents finds that, the Great Oaks Charter School: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the Great Oaks Charter School and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2022. Motion passed. Regent Collins abstained.

Your Committee recommends that the Board of Regents finds that, the Harlem Hebrew Language Academy Charter School: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of this article; and (4) granting the application would have a significant 7 educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the Harlem Hebrew Language Academy Charter School and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2022. Motion passed. Regents Collins and Reyes abstained.

Your Committee recommends that the Board of Regents finds that, the Utica Academy of Science Charter School: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the Utica Academy of Science Charter School and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2023. Motion passed. Regents Collins, Mead, and Mittler abstained.

MOTION FOR ACTION BY FULL BOARD

Madam Chancellor and Colleagues: Your P-12 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 23, 2018, copies of which have been distributed to each Regent.

MATTERS NOT REQUIRING BOARD ACTION

Senior Deputy Commissioner's Report – Senior Deputy Commissioner Jhone Ebert updated the Committee on the following important initiative.

- **Arts Assessment Pathway** – On January 16, Chancellor Rosa, Regent Tilles, Regent Johnson, Commissioner Elia, and other SED staff held a meeting to discuss the Arts pathway to graduation. Carolyn Adams and Kathy Colletti, from the Blue Ribbon Committee on the Arts were also in attendance.
- **Professional Learning Team (PLT)** – On January 9, the Professional Learning Team, led by Senior Deputy Commissioner Jhone Ebert, held their second meeting at the Capital Region BOCES to discuss strategies around the rollout of the Next Generation Learning Standards. The group will have the final roadmap in place by February 1.

Innovative Strategies to Maximize Access to the Federal Child Nutrition Programs [P-12 (D) 1] – the Committee was provided with an update regarding the Department's efforts to expand access to all federal child nutrition programs and to optimize technology to improve program integrity, efficiency, transparency, and the availability of services. NYSED is responsible for administering one of the largest National School Lunch Programs and the largest Summer Food Service Program in the country. New York State schools and summer sponsors annually receive more than \$1 billion in federal reimbursements for meals prepared and served to children. These funds not only support the local economy but provide New York State children access to quality nutritious foods that promote normal growth, development, and readiness to learn. SED's Child Nutrition Program Administration (CNPA) staff work closely with school administrators, business officials, and foodservice personnel to provide training, technical assistance, and guidance to assist schools in providing the highest level of services to their students. SED will continue to maximize efforts to engage sustainable program partnerships, and expand community awareness to increase participation and access to these vital programs.

Commissioner's Regulations Relating to Health Education [P-12 (D) 2] – the Committee discussed proposed amendments to regulations that conform Commissioner's regulations to Education Law §804 as amended by Chapter 390 of the Laws of 2016 and Chapter 1 of the Laws of 2017. The amendments clarify that required health education in schools must include instruction in mental health. The statutory amendments further provide that such instruction shall be designed to enhance student understanding, attitudes, and behaviors that promote health, well-being, and human dignity. The proposed amendments to Commissioner's regulations additionally require

instruction on the prevention and detection of certain cancers. Committee members requested a review of who will be teaching these new standards.

P-12 EDUCATION/ADULT CAREER AND CONTINUING EDUCATION SERVICES (ACCES) JOINT MEETING

Your P-12 Education and ACCES Committees held a joint meeting on January 22, 2018. All members were present, with the exception of Vice Chancellor Brown, Regent Johnson and Regent Norwood, who were excused.

MATTERS NOT REQUIRING BOARD ACTION

Proposed Amendment of Section 100.7 of the Regulations of the Commissioner of Education Relating to a New Pathway to a New York State High School Equivalency Diploma – After further review of the proposed regulation presented to the Board in October 2017 and in an effort to address the feedback received, additional revisions are being presented to the Committee on the proposed amendment to regulations for a new pathway to a NYS High School Equivalency (HSE) Diploma. Currently, in New York State, there are three pathways toward earning a HSE diploma: TASC™ testing (Test Assessing Secondary Completion); approved 24-College-Credit Program; and National External Diploma Program (NEDP). A fourth pathway would allow students who have passed Regents examinations in Mathematics, English language Arts, Social Studies and/or Science, the opportunity to substitute those passing scores on a maximum of four of the five corresponding TASC™ subtests (Mathematics, Reading, Writing, Social Studies, and Science.) This new pathway will provide equitable access points and a diverse means by which New Yorkers can earn a HSE diploma. The ability to use passing Regents examination scores toward earning a HSE diploma will expand the opportunity for high school students at risk of dropping out as well as students with disabilities to stay engaged with their education and offer an incentive for meeting graduation requirements to those whose circumstances may not allow for completion of high school.

If the committee approves this amendment and following the 30-day public comment period, the proposed amendment will be presented to the Board of Regents for permanent adoption at the April 2018 meeting, and the proposed amendment will become effective as a permanent rule on April 25, 2018. In addition, the Department will collect data regarding the implementation of the proposed amendment and will provide the Board of Regents with a review of the proposed amendment and its implementation in one year.

P-12 EDUCATION/HIGHER EDUCATION JOINT MEETING

Your P-12 Education and Higher Education Committees held their scheduled meeting on January 22, 2018. All members were present, except for Vice Chancellor Brown, Regent Norwood and Regent Johnson, who were excused.

MATTERS NOT REQUIRING BOARD ACTION

Update on Culturally Responsive-Sustaining Practices [P-12/HE (D) 1] – the Committee was provided with an update on work that is currently planned for Culturally Responsive-Sustaining Practices. The goal of the Board and the Department is for cultural responsiveness to be infused into all district and school instruction and engagement practices. New York will develop resources related to this work from the ground up. A draft definition of culturally responsive education was presented to the Board in December, and this definition will be refined to reflect current thinking in culturally responsive education. The Department also plans to develop a set of principles and a framework for culturally responsive education and practices at multiple levels of the education system, including at the district, school, and classroom levels and including the Department.

The Department will convene an advisory group made up of leaders in the field of cultural responsiveness to inform and guide the development of this work. The advisory group will help the Department to develop its set of principles that will in turn guide the framework for culturally responsive practices. The Department will also develop materials and resources for educators and parents, and a comprehensive implementation plan, including strategies for professional development and parent and family engagement. Feedback will be collected from offices within the Department, district leaders, educators, parents, students, and the broader education community, and then incorporated into the framework to ensure that it captures as much stakeholder input as possible.

PROFESSIONAL PRACTICE

Your Professional Practice Committee held its scheduled meeting on January 23, 2018. All Committee members were present. Chancellor Betty A. Rosa was 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 3 cases, with Regent Josephine Victoria Finn and Regent Catherine Collins both abstaining in all three of those cases. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 30 consent order applications and 18 surrender applications be granted, and further recommends that 1 summary suspension application be granted.

In the case of Md Shamim A. Akond a/k/a Shamim A. Akond a/k/a Shamin Akond, Professional Engineer, Cal. No. 28191, we recommend that the report of the Regents Review Committee be corrected as follows: the name of the respondent shown in the caption, header, and body of the report be deemed corrected to show respondent's name is Md Shamim A. Akond a/k/a Shamim A. Akond a/k/a Shamin Akond.

These recommendations are made following the review of 52 cases involving seventeen registered professional nurses, thirteen licensed practical nurses, four professional engineers, three dentists, three psychologists, two certified public accountants, two licensed practical nurses who are also registered professional nurses, two pharmacists, one chiropractor, one licensed mental health counselor, one pharmacy, and one veterinary technician.

Restorations

Your Committee recommends the following:

That the application of Scott D. Geise for the restoration of his license to practice as a Dentist in New York State be granted. [PPC EXS (A) 5]

That the application of Jay Kirshner for the restoration of his license to practice as a Pharmacist in New York State be denied. [PPC EXS (A) 6]

Long-Term Clinical Clerkships [PPC EXS (A) 4]

Your Committee recommends the following: That the application of the University of Debrecen, Faculty of Medicine, Hungary to place students in long-term clinical clerkships in New York be approved, in accordance with and subject to the recommendations of the Advisory Committee on Long-term Clinical Clerkships.

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 23, 2018, 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
- Licensing Petitions
- Permission to Operate – Mansfield University
- Proposed Amendment of §29.10 of the Rules of the Board of Regents and §70.7, §70.8 and §70.10 of the Regulations of the Commissioner of Education Relating to the Mandatory Peer Review Program in Public Accountancy (2nd Emergency)
- Proposed Amendment of §29.2 of the Rules of the Board of Regents and Addition of §52.48, §79-20.4 and §79-20.5 to the Regulations of the Commissioner of Education Relating to the Licensing of Licensed Pathologists' Assistants (2nd Emergency)
- Proposed Amendment of §70.10 of the Regulations of the Commissioner of Education Relating to the Mandatory Peer Review Program in Public Accountancy (Permanent Adoption)
- Proposed Amendment of §75.2 of the Regulations of the Commissioner of Education Relating to the Limited License in Speech-Language Pathology (Permanent Adoption)
- Proposed Amendment of §76.5 of the Regulations of the Commissioner of Education Relating to the Definition of Occupational Therapy Practice (Permanent Adoption)

MOVED, that the Committee Reports be approved.

Motion by: Regent Wade S. Norwood
Seconded by: Regent Judith Chin
Action: Motion carried unanimously.

**State Education Department December 2017 Fiscal Report
BR (A) 3**

MOVED, that the Board accepts the December 2017 State Education Department Fiscal Report as presented.

Motion by: Regent Josephine Victoria Finn
Seconded by: Regent Kathleen M. Cashin
Action: Motion carried unanimously.

**Designation of a Professional Conduct Officer
BR (A) 6**

MOVED, that the Board of Regents designate George Ding as professional conduct officer.

Motion by: Regent Catherine Collins
Seconded by: Regent Josephine Victoria Finn
Action: Motion carried. Regent Judith Chin recused herself from the vote.

Chancellor Rosa adjourned the meeting.

Appendix I
NEW YORK STATE BOARD OF REGENTS CHARTER ACTIONS

Name of Institution	Program Area	County (City/Town) of Location	Description of Charter Action(s)
Amagansett Life-Saving and Coast Guard Station Society	CE	Suffolk (Amagansett)	Merge with Amagansett Life-Saving and Coast Guard Station Society, Inc. with Amagansett Life-Saving and Coast Guard Station Society as the surviving corporation.
American Maple Museum	CE	Lewis (Croghan)	Amend charter to change the corporate name to "International Maple Museum Centre".
DeRuyter Free Library	CE	Madison (DeRuyter)	Amend charter to specify the number of trustees to be not less than five nor more than fifteen and trustee term length to be five years.
Greater Astoria Historical Society	CE	Queens (Astoria)	Grant an absolute charter.
Hobart Historical Society	CE	Delaware (Hobart)	Extend provisional charter for five years.
The People's Museum	CE	Queens (Astoria)	Extend provisional charter for five years.
Richmond Memorial Library	CE	Genesee (Batavia)	Amend charter to specify the number of trustees to be not less than five nor more than fifteen.
Russian History Foundation	CE	Herkimer (Jordanville)	Grant provisional charter for five years.
Suspension Bridge Village Preservation	CE	Niagara (Niagara Falls)	Grant Regents certificate of incorporation.
Town of Niagara Farmland Conservancy	CE	Niagara (Niagara Falls)	Grant Regents certificate of incorporation.
Warren County Historical Society	CE	Warren (Queensbury)	Amend charter to change the corporate address.
The Kinder Club Pond	P12	Suffolk (Centerpoint)	Extend provisional charter for three years.
Merokee Day School	P12	Nassau (Merrick)	Amend charter to change the corporate address.
The Neumann Classical School	P12	Westchester (Tuckahoe)	Amend charter to add authority to operate grades one through eight.
New York Center for Child Development	P12	New York (New York)	Grant an absolute charter.
Trumansburg Community Nursery School	P12	Trumansburg (Tompkins)	Extend provisional charter for three years.

Long Island University	HE	Nassau (Brookville)	Amend charter to add authority to confer the Bachelor of Business Administration (B.B.A.) degree.
Utica College	HE	Oneida (Utica)	Amend charter to add authority to confer the Master of Health Administration (M.H.A.) degree.

Appendix II

REGENTS ACTIONS IN 54 PROFESSIONAL DISCIPLINE CASES AND 2 RESTORATION PETITIONS

January 22 - 23, 2018

The Board of Regents announced disciplinary actions resulting in the summary suspension of 1 license, revocation of 1 license, surrender of 18 licenses, and 32 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 2 restoration petitions.

I. SUMMARY SUSPENSION

Mental Health Practitioners

Brett Klersfeld; Licensed Mental Health Counselor; Canaan, NY 12029; Lic. No. 003523; Cal. No. 30287; Application for summary suspension granted.

II. REVOCATION AND SURRENDERS

Dentistry

Gilberto Apolinar Nuñez; Dentist; Altona, NY 12910-2090; Lic. No. 050655; Cal. No. 29376; Found guilty of professional misconduct; Penalty: Revocation.

Michael Kevin Oros; Dentist; Avon, NY 14414; Lic. No. 040155; Cal. No. 30170; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Attempted Grand Larceny in the 4th Degree.

Engineering, Land Surveying and Geology

Saiban Endra Mahamooth a/k/a Saiban Mahamooth; Professional Engineer; Somerset, NJ 08873; Lic. No. 082425; Cal. No. 30035; Application to surrender license granted.

Summary: Licensee admitted to the charge of having been convicted of Aggravated Harassment in the 2nd Degree, a class A misdemeanor.

Nursing

Barbara Ann Trujillo; Registered Professional Nurse; Spokane, WA 99205-7068; Lic. No. 448265; Cal. No. 29768; Application to surrender license granted. Summary: Licensee admitted to the charge of having been found guilty of professional misconduct in the State

of California, where the conduct if committed in New York would constitute practicing the profession of nursing fraudulently and unprofessional conduct, failing to maintain accurate patient records.

Alana Thomas; Registered Professional Nurse; Corpus Christi, TX 78413; Lic. No. 507706; Cal. No. 29970; Application to surrender license granted. Summary: Licensee admitted to the charge of having been found guilty of professional misconduct in Texas, where the conduct if committed in New York would constitute unprofessional conduct, practicing the profession of nursing while the ability to practice is impaired by mental disability.

Mindy L. Davis; Licensed Practical Nurse; Syracuse, NY 13207; Lic. No. 303352; Cal. No. 30023; Application to surrender license granted. Summary: Licensee admitted to the charge of practicing the profession while license suspended.

Sharon Hart; Registered Professional Nurse; Northport, FL 34287-5434; Lic. No. 444908; Cal. No. 30046; Application to surrender license granted. Summary: Licensee did not contest the charge of finding of professional misconduct by the Florida Board of Nursing for being unable to practice nursing with reasonable skill and safety to patients by a result of any mental condition, which if committed in New York State, would constitute professional misconduct for practicing the profession of nursing while the ability to practice is impaired by a mental disability, in violation of section 6509(3) of the New York Education Law.

Todd Kaufman a/k/a Todd S. Kaufmann; Licensed Practical Nurse, Registered Professional Nurse; San Rafael, CA 94913-5701; Lic. Nos. 144631, 340012; Cal. Nos. 30048, 30059; Application to surrender licenses granted. Summary: Licensee admitted to the charge of having been found guilty of falsely representing on the internet being a certified nurse practitioner and an independent nurse practitioner, where the conduct if committed in New York, would constitute committing unprofessional conduct, offering to practice beyond the scope permitted by law.

Andrea Winebarger Royall; Registered Professional Nurse; Statesville, NC 28677; Lic. No. 570752; Cal. No. 30050; Application to surrender license granted. Summary: Licensee did not contest the charge of having been convicted of a California misdemeanor conviction for Driving While Intoxicated, which, if committed in New York, would also constitute the crime of Driving While Intoxicated, a misdemeanor.

Kathleen M. Daniels; Registered Professional Nurse; Cortland, NY 13045; Lic. No. 433322; Cal. No. 30075; Application to surrender license granted. Summary: Licensee admitted to charges of having been convicted of Petit Larceny; Criminal Possession of a Controlled Substance in the 7th Degree and diversion of controlled substances.

Yvette Chouloute; Licensed Practical Nurse; Roosevelt, NY 11575-2009; Lic. No. 188383; Cal. No. 30080; Application to surrender license granted. Summary: Licensee did not

contest the charge of making false entries in a patient record which a certified nurses aide had left blank.

Catherine Marie Castelli; Registered Professional Nurse; Camden, DE 19934; Lic. No. 349090; Cal. No. 30125; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Delaware criminal convictions.

Lisa Vernon; Registered Professional Nurse; Whittier, CA 90603; Lic. No. 537877; Cal. No. 30126; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of California criminal conviction.

Lori Ann Barber; Licensed Practical Nurse; Sayre, PA 18840; Lic. No. 251401; Cal. No. 30144; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Possession of a Controlled Substance in the Commonwealth of Pennsylvania, a misdemeanor.

Kenneth Daniel Cross; Registered Professional Nurse; Mobile, AL 36695-7464; Lic. No. 516890; Cal. No. 30145; Application to surrender license granted. Summary: Licensee did not contest the charge of in the State of Mississippi, submitting fraudulent prescription receipts for reimbursement.

Shirley Vachon Celestin; Registered Professional Nurse; Newport News, VA 23606; Lic. No. 315855; Cal. No. 30185; Application to surrender license granted. Summary: Licensee did not contest the charge of finding of professional misconduct by the New Jersey State Board of Nursing for engaging in gross negligence, which if committed in New York State, would constitute professional misconduct for practicing the profession of nursing with gross negligence on a particular occasion, in violation of section 6509(2) of the New York Education Law.

Psychology

Justin Miller; Psychologist; Rivervale, NJ 07675-5908; Lic. No. 018518; Cal. No. 30079; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Attempted Use of a Child in a Sexual Performance, a class D felony; Attempted Disseminating Indecent Material to Minors in the 1st Degree (15 counts), a class E felony, and Attempted Endangering the Welfare of a Child, a class B misdemeanor.

Kathleen McClear Hodgkiss; Psychologist; Pompton Lakes, NJ 07442; Lic. No. 018223; Cal. No. 30153; Application to surrender license granted. Summary: Licensee admitted to the charge of having been found guilty of professional misconduct by the New Jersey State Board of Psychological Examiners for sexual conduct with a client within 24 months after treatment which, if committed in New York State, constitute professional misconduct under Section 6509(9) of the Education Law and specifically Section 29.1(b)(5) of the Rules of the Board of Regents.

III. OTHER REGENTS DISCIPLINARY ACTIONS

Chiropractic

Maurice Daoud; Chiropractor; Palm Desert, CA 92260; Lic. No. 010444; Cal. No. 29678; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation to commence upon return to practice in the State of New York, \$2,500 fine payable within 3 months.

Dentistry

Ali John Jazayeri; Dentist; Irvine, CA 92614; Lic. No. 053328; Cal. 27910; Application for consent order granted; Penalty agreed upon: 2 month actual suspension, 22 months stayed suspension, 2 years probation to commence upon return to practice in the State of New York, \$3,000 fine payable within 30 days.

Engineering, Land Surveying and Geology

Md Shamim A. Akond a/k/a Shamim A. Akond a/k/a Shamin Akond; Professional Engineer; Astoria, NY 11105; Lic. No. 083353; Cal. No. 28191; Found guilty of professional misconduct; Penalty: 1 year suspension, execution of last 6 months of suspension stayed.

Thomas Donald Reilly a/k/a Thomas D. Reilly a/k/a Thomas Reilly; Professional Engineer; Smithtown, NY 11787; Lic. No. 043595; Cal. No. 28904; Found guilty of professional misconduct; Penalty: 1 year suspension, execution of last 11 months of suspension stayed.

Mohamed Omar Mohamed; Professional Engineer; Elmhurst, NY 11373; Lic. No. 070642; Cal. No. 29841; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$2,500 fine.

Nursing

Schkera M. Smith; Licensed Practical Nurse; Syracuse, NY 13204; Lic. No. 287234; Cal. No. 28608; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$250 fine.

Matthew Michael Ryan; Licensed Practical Nurse, Registered Professional Nurse; Deposit, NY 13754-1127; Lic. Nos. 280140, 625623; Cal. Nos. 28743, 28742; Application for consent order granted; Penalty agreed upon: 2 years stayed suspensions, 2 years probation, \$750 fine.

Lisa A. Saviano; Registered Professional Nurse; East Chatham, NY 12060; Lic. No. 643986; Cal. No. 29087; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 11 months stayed suspension, 1 year probation, \$500 fine.

Ude Masaryk Calvaire; Registered Professional Nurse; Livingston, NY 12541; Lic. No. 671375; Cal. No. 29448; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Christine Marie Martuscello; Registered Professional Nurse; Elmira, NY 14905; Lic. No. 648714; Cal. No. 29656; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, 2 years probation to commence upon return to practice, \$500 fine payable within 6 months.

Kelly Anne Wescott; Licensed Practical Nurse; Albany, NY 12211; Lic. No. 273968; Cal. No. 29676; 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, \$250 fine payable within 4 months.

Brittani Lynne Johnson; Licensed Practical Nurse; Farmington, NY 14425; Lic. No. 316584; Cal. No. 29714; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation.

Jean Hoeller; Licensed Practical Nurse; Saugerties, NY 12477; Lic. No. 319341; Cal. No. 29780; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$250 fine.

Paul Accordino; Registered Professional Nurse; Chester, NY 10918; Lic. No. 512815; Cal. No. 29816; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, 24 months probation, \$1,000 fine.

Nadia Ward; Licensed Practical Nurse; Middletown, NY 10941; Lic. No. 302569; Cal. No. 29817; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, 24 months probation.

David Timothy Baron; Registered Professional Nurse; Jamestown, NY 14701; Lic. No. 557041; Cal. No. 29877; 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 payable within 9 months.

Robert T. Salisbury; Licensed Practical Nurse; Schenectady, NY 12309; Lic. No. 313342; Cal. No. 29887; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$250 fine.

Katherine Merchant; Licensed Practical Nurse; Mastic, NY 11950; Lic. No. 255969; Cal. No. 29890; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, 2 years probation.

Marlene Claudette Roper; Licensed Practical Nurse; Saint James, NY 11780-3164; Lic. No. 316777; Cal. No. 29891; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, 2 years probation.

Robert Joseph Couture, Jr.; Licensed Practical Nurse; Auburn, NY 13021; Lic. No. 311529; Cal. No. 29898; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$250 fine.

Carrie Marie Fitzsimons a/k/a Carrie M. Fitzsimons; Registered Professional Nurse; Newport, NY 13416; Lic. No. 595061; Cal. No. 29905; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Deborah Ann Ballou; Registered Professional Nurse; Cheektowaga, NY 14225; Lic. No. 574553; Cal. No. 29930; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 6 months and until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$1,000 fine payable within 6 months.

Maun D. Flanagan a/k/a Maun Flanagan Hunsberger; Registered Professional Nurse; Levittown, PA 19056; Lic. No. 387743; Cal. No. 29952; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for not 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 in the State of New York.

Desiree Ann Graziano; Licensed Practical Nurse; Stuyvesant, NY 12173; Lic. No. 261029; Cal. No. 29983; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 9 months and until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice.

Pharmacy

Fayyaz Rasheed; Pharmacist; Jamaica, NY 11432; Lic. No. 041233; Cal. No. 28897; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$7,500 fine.

Ralph Drugs, Inc. d/b/a Rio Drugs; Pharmacy; Brooklyn, NY 11233; Reg. No. 023128; Cal. No. 28898; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$7,500 fine.

Demetrios Papanakios; Pharmacist; East Meadow, NY 11554-4714; Lic. No. 053865; Cal. No. 29815; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, 50 hours public service, \$1,500 fine.

Psychology

Dennis John Foley; Psychologist; Rochester, NY 14620; Lic. No. 013862; Cal. No. 29848; Application for consent order granted; Penalty agreed upon: 5 month actual suspension, 19 month stayed suspension, 2 years probation to commence upon return to practice.

Public Accountancy

William John Lidell; Certified Public Accountant; Binghamton, NY 13901; Lic. No. 108436; Cal. No. 29883; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Eric Gino DeLuca; Certified Public Accountant; Guilderland, NY 12084-9775; Lic. No. 114955; Cal. No. 29967; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$750 fine.

Veterinary Medicine

Danielle M. Gomes a/k/a Danielle Gomes a/k/a Danielle Gomez a/k/a Danielle Melegos a/k/a Danielle M. Gomes-Pierce; Veterinary Technician; Warwick, NY 10990; Lic. No. 003162; Cal. No. 28915; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until successful participation in treatment and until fit to practice, upon termination of suspension, 2 years probation to commence if and when return to practice.

IV. RESTORATIONS

The Board of Regents voted on January 23, 2018 to stay the execution of the order of revocation of the dentist license of Scott D. Geise, Newfane, NY, to place him on probation for five years under specified terms and conditions, and upon successful completion of probation, to fully restore his license. Dr. Geise's license was revoked June 19, 2012.

The Board of Regents voted on January 23, 2018 to stay the execution of the order of surrender of the pharmacist license of Jay Kirshner, Roslyn Heights, NY, to place him on probation for five years under specified terms and conditions, and upon successful completion of probation, to fully restore his license. Mr. Kirshner's license was surrendered July 19, 2010.