



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 2020 Meeting  
**DATE:** January 30, 2020  
**AUTHORIZATION(S):** *Sharon L. Takee*

### SUMMARY

#### **Issue for Decision**

Should the Board of Regents approve the Summary of the January 2020 Meetings of the Board of Regents?

#### **Reason(s) for Consideration**

Not applicable.

#### **Proposed Handling**

This issue will come before the Full Board for action at its February 2020 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.

#### **Background Information**

Not applicable.

#### **Related Regents Items**

Not applicable.

**Recommendation**

Approval of the Summary of the January 2020 meetings.

**VOTED**, that the Summary of the January 2020 Meetings of the Board of Regents of The University of the State of New York be approved.

**Timetable for Implementation**

Effective February 11, 2020.



**SUMMARY OF THE JANUARY 2020 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 13 and 14, 2020***

***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 13, 2020 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

### **MEETING OF THE FULL BOARD, Monday, January 13<sup>th</sup> at 9:00 a.m.**

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

Betty A. Rosa, *Chancellor*  
T. Andrew Brown, *Vice Chancellor*  
Roger Tilles  
Lester W. Young, Jr.  
Wade S. Norwood  
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 Interim Commissioner, Shannon L. Tahoe; Acting Counsel and Deputy Commissioner for Legal Affairs, Aaron Baldwin; and, Secretary, Board of Regents, Anthony Lofrumento. Regent Christine D. Cea was absent and excused.

### **ACTION ITEM**

#### **Executive Session Motion**

**MOVED**, that the Board of Regents convene in executive session on Monday, January 13<sup>th</sup> at 4:00 p.m. to discuss litigation and personnel matters.

**Motion by:** Vice Chancellor T. Andrew Brown  
**Seconded by:** Regent Susan W. Mittler  
**Action:** Motion carried unanimously.

Regent Josephine Victoria Finn provided words of reflection to open the meeting.

**DISCUSSION ITEM**

**Regional Information Meeting (RIM) Materials for Graduation Measures Regional  
Workgroup Meetings  
BR (D) 1**

Kimberly Wilkins, Deputy Commissioner, P-12 Instructional Support and Emily DeSantis, Assistant Commissioner, Public Affairs discussed an updated timeline and Regional Information Meeting (RIM) Materials for the 2020 Regional Meetings. (Attachment I.)

Chancellor Betty A. Rosa adjourned the meeting.

**MEETING OF THE FULL BOARD, Tuesday, January 14<sup>th</sup> at 11:15 a.m.**

**Board Members in Attendance:**

Betty A. Rosa, *Chancellor*  
T. Andrew Brown, *Vice Chancellor*  
Roger Tilles  
Lester W. Young, Jr.  
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 Interim Commissioner, Shannon L. Tahoe; Acting Counsel and Deputy Commissioner for Legal Affairs, Aaron Baldwin; and, Secretary, Board of Regents, Anthony Lofrumento. Regents Christine D. Cea and Wade S. Norwood were absent and excused.

Regent Nan Eileen Mead provided words of reflection to open the meeting.

Chancellor Rosa acknowledged Long Island University President Dr. Kimberly Cline, Rochester Superintendent Terry Dade and students from School in the Square Charter School.

**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 2019 Meeting of the Board of Regents**

**BR (A) 2**

**MOVED**, that the Summary of the December 2019 Meeting of the Board of Regents of The University of the State of New York be approved.

**Motion by:** Regent Kathleen M. Cashin  
**Seconded by:** Regent Judith Chin  
**Action:** Motion carried unanimously.

## **PROGRAM AREA CONSENT ITEMS**

### **Higher Education**

#### **Conferral of Degrees: Dowling College BR (CA) 1**

**MOVED**, that the Board of Regents confer upon the following individuals, who have completed the requirements for registered degree programs at Dowling College, the respective degree as listed below.

#### **Dowling College**

The following student has completed the requirements for the respective award as indicated:

*Master of Science (M.S.)*  
Robinson, Melissa Marie

*Bachelor of Business Administration (B.B.A.)*  
Tilton, Elizabeth Margaret

#### **Permission to Operate: George Washington University Law School BR (CA) 2**

**MOVED**, that the Board of Regents grant George Washington University permission to offer courses applicable to its Juris Doctorate (J.D.) program in New York City, known as GW Law in New York, effective January 14, 2020 and ending on January 30, 2025.

### **P-12 Education**

#### **Petition of the City School District of the City of Binghamton for Consent to Exceed the Constitutional Debt Limit BR (CA) 3**

**MOVED**, that the Board of Regents hereby gives consent to the issuance of bonds and/or bond anticipation notes by the Board of Education of the City School District of the City of Binghamton in the total amount not to exceed \$28,303,184 for the capital improvement projects consisting of the reconstruction of and construction of

improvements to various school district facilities, including site improvements, original furnishings, equipment, machinery, apparatus, appurtenances and other improvements and costs incidental thereto and energy efficiency improvements necessary or appropriate in connection therewith, in excess of the constitutional debt limit of said school district.

**Proposed Amendment to Sections 155.1, 155.2, 155.3, 155.4, and 155.8 of the Regulations of the Commissioner of Education Relating to Educational Facilities to Implement Sections 52-b, 52-e, and 52-f of Part YYY of Chapter 59 of the Laws of 2019  
BR (CA) 4**

**MOVED**, that Sections 155.1, 155.2, 155.3, 155.4, and 155.8 of the Regulations of the Commissioner of Education be amended, as submitted, effective January 29, 2020.

**Proposed Amendment to Section 175.5 of the Regulations of the Commissioner of Education Providing for a Waiver for up to Four School Years (2018-2019, 2019-2020, 2020-2021 and/or 2021-2022) for Certain School Districts That Cannot Meet the Minimum Instructional Hours Because of Safety and/or Scheduling Issues  
BR (CA) 5**

**MOVED**, that Section 175.5 of the Regulations of the Commissioner of Education be amended, as submitted, effective January 29, 2020.

**Registration of Two Religious and Independent High Schools Visited in 2019  
BR (CA) 6**

**MOVED**, that the following schools, which participated in the 2019 nonpublic high school registration program, be registered:

<b>School</b>	<b>County</b>	<b>Recommended Status</b>
Fei Tian Academy of the Arts	Orange	Registered
Hillside Children's Center – Snell Farms Campus School	Steuben	Registered

**Amendment of Subparts 30-2 and 30-3 of the Rules of the Board of Regents Relating to Annual Professional Performance Reviews (APPR) of Classroom Teachers and Building Principals to Implement Chapter 59 of the Laws of 2019  
BR (CA) 14**

**MOVED**, that the existing Subpart 30-2 is repealed, that the existing Subpart 30-3 be renumbered to Subpart 30-2, that the title of the new Subpart 30-2 and Section 30-2.1 are amended, and addition of a new Subpart 30-3 of the Rules of the Board of Regents be added as an emergency action, effective February 8, 2020, 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 Section 52-m of Part YYY of Chapter 59 of the Laws of 2019 relating to a revised annual teacher and principal evaluation system.



**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) 7**

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

**Report of the Committee on the Professions Regarding Licensing Petitions  
BR (CA) 8**

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

**The City University of New York, New York City College of Technology:  
Authorization to Award the Bachelor of Architecture (B.Arch.) Degree  
BR (CA) 9**

**MOVED**, that the Board of Regents authorize The City University of New York, New York City College of Technology to award the B.Arch. degree on duly qualified students successfully completing the registered Architecture program.

**Designation of Regents Physician Shortage Areas (RPSAs)  
BR (CA) 10**

**MOVED**, that the Board of Regents approve the changes to the list of designated physician shortage areas in the Regents Designated Physician Shortage Areas in New York State Report, as described in Attachment A, effective January 14, 2020.

**Long Island University, CW Post Campus: Master Plan Amendment to offer a  
Doctor of Veterinary Medicine (D.V.M.) degree program in Veterinary Medicine  
BR (CA) 11**

**MOVED**, that the Board of Regents approve an amendment to the master plan of LIU to authorize the University to offer the D.V.M. program in Veterinary Medicine at its C.W. Post Campus. This amendment will be effective until January 31, 2021, unless the Department registers the program prior to that date, in which case master plan amendment shall be without term.

**Proposed Amendment to Section 29.2 of the Rules of the Board of Regents and  
Sections 52.26, 61.9, 61.11, 61.12, 61.13 and 61.14 of the Regulations of the  
Commissioner of Education Relating to the Profession of Registered Dental  
Assisting**

## **BR (CA) 12**

**MOVED**, that section 29.2 of the Rules of the Board of Regents and sections 52.26, 61.9, 61.11, 61.12, 61.13 and 61.14 of the Regulations of the Commissioner of Education be added, as submitted, effective February 3, 2020, 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 immediately conform the Rules of the Board of Regents and the Regulations of the Commissioner of Education to the requirements of Chapter 390 of the Laws of 2019, which changed the title of profession of the profession from certified dental assisting to registered dental assisting and to ensure that the emergency adoption taken at the November meeting remains in effect until the proposed rule can be permanently adopted.

## **Proposed Addition of Section 60.13 to the Regulations of the Commissioner of Education Relating to Permitting Physicians Who Are Licensed in Another State or Territory to Provide Medical Services to Athletes and Team Personnel in New York State BR (CA) 13**

**MOVED**, that section 60.13 of the Regulations of the Commissioner of Education be added, as submitted, effective February 3, 2020, 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 immediately conform the Regulations of the Commissioner of Education to the requirements of Chapter 519 of the Laws of 2018 and Chapter 199 of the Laws of 2019, which permit physicians who are licensed in another state or territory to provide medical services to athletes and team personnel in New York State, as long as certain requirements are met and to ensure that the emergency adoption taken at the November meeting remains in effect until the proposed rule can be permanently adopted.

**MOVED**, that the Regents approve the consent agenda items.

**Motion by:** Regent James E. Cottrell  
**Seconded by:** Regent Josephine Victoria Finn  
**Action:** Motion passed unanimously. Regent Roger Tilles recused himself from the Long Island University [BR (CA) 11] vote.

## **STANDING COMMITTEE REPORTS**

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

Your Adult Career and Continuing Education Services (ACCES) Committee held a meeting on January 13, 2020. All members were present, except for Regent Cea, who was excused.

#### **MATTERS NOT REQUIRING BOARD ACTION**

**Workforce Innovation and Opportunity Act (WIOA) 2020 Combined State Plan** – The Committee was provided with information on the development of the New York State 2020 WIOA Combined State Plan. Under WIOA, states are required to develop a strategic plan every four years that focuses on strengthening and improving their respective workforces. The draft 2020 WIOA Combined State Plan builds on the previous plans efforts to improve and strengthen New York State’s workforce development system. New York State envisions a unified workforce development system that is regionally coordinated and programmatically seamless, delivering workforce training, business services, and statewide job linkages to all New Yorkers. To implement New York’s vision and goals, the partners have and will continue to seek several strategies for the One-Stop Career Center System. These ensure all partners work together to align and coordinate services, providing job seekers and businesses seamless service delivery. In the draft 2020 WIOA Combined State Plan, the partners will continue to work together to implement strategies to further build upon successes and the vision of a unified workforce development system inclusive of education, training and businesses.

### **HIGHER EDUCATION**

Your Higher Education Committee held its scheduled meeting on January 14, 2020. All members were present except Regent Cea, who was excused.

#### **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 14, 2020, copies of which have been distributed to each member of the Board of Regents.

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

**Update on the Implementation of the edTPA Teacher Certification Requirement in New York State.** Your Committee heard Department staff present an update on the implementation of the edTPA teacher certification requirement in New York State, including a summary of the reconvened edTPA Task Force work, recommendations made at that

time, and changes that resulted from the recommendations. VOTED: The Committee voted to freeze all subject area New York State edTPA passing scores recommended by the standard-setting panel at the 2018-2019 levels and extend them through January 1, 2020 through December 31, 2021.

**Proposed Amendment to Section 80-1.6 of the Regulations of the Commissioner of Education to Allow a Time Extension for the Initial Reissuance and Provisional Renewal.** Your Committee discussed proposed amendments to Section 80-1.6 that will allow educators who hold an Initial certificate, Initial Reissuance, Provisional certificate, or Provisional Renewal to receive one Time Extension after the issuance of their first Initial or Provisional certificate. 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 at its May 2020 meeting. If adopted at the May 2020 meeting, the proposed amendment will become effective on May 20, 2020.

#### **Matters Requiring Board Action:**

**Proposed Amendments to Sections 80-3.15 and 80-4.3 of the Regulations of the Commissioner of Education Relating to the Addition of Subject Areas to the Limited Extension and Statement of Continued Eligibility (SOCE) for Certain Teachers of Students with Disabilities and Technical Amendments to the Limited Extension, SOCE, and Subject Area Extensions in Grades 7-12 for Certain Teachers of Students with Disabilities.** Your Committee discussed whether the Board of Regents should approve the amendments to the Commissioner's Regulations to add general science and languages other than English to the list of subject areas for the limited extension and SOCE for certain teachers of students with disabilities as well as proposed technical amendments to add certain special education certificate titles to the list of titles eligible for the limited extension, SOCE, and subject area extension in grades 7-12 for certain teacher of student teachers with disabilities. VOTED: that the Board of Regents approve the amendments to Sections 80-3.15 and 80-4.3 of the Commissioner's Regulations, as submitted, effective January 29, 2020.

#### **Consent Agenda**

The Board of Regents acted on the following consent agenda item at the January 2020 meeting.

- **Permission to Operate – George Washington University.** The Board of Regents granted George Washington University permission to offer courses applicable to its Juris Doctorate (J.D.) program in New York City, known as GW Law in New York, effective January 14, 2020 and ending on January 30, 2025.
- **Conferral of Degrees – Dowling College.** The Board of Regents approved the conferral of the respective degrees upon listed individuals who have completed the requirements for registered degree programs at Dowling College.

## **P-12 EDUCATION**

Your P-12 Education Committee held its scheduled meeting on January 13, 2020. All members were present except for Regent Cea, who was excused.

### **ACTION ITEMS**

#### **Revision to a Charter Authorized by the Board of Regents – School in the Square Public Charter School [P-12 (A) 1]**

Your Committee recommends that the Board of Regents find 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 School in the Square Public Charter School and amends the provisional charter accordingly.

The motion passed. Regents Cashin, Collins, and Mittler abstained from the vote.

#### **Charter Schools: Renewals to Charters Authorized by the Trustees of the State University of New York [P-12 (A) 2]**

Your Committee recommends that the Board of Regents return the proposed charters for Kings Collegiate Charter School, Leadership Preparatory Bedford Stuyvesant Charter School, and Leadership Preparatory Brownsville Charter School to the Trustees of the State University of New York for reconsideration with the following comment and recommendation: Approving the renewal of any charter school years before the expiration of the charter does not allow timely review of the school's educational and fiscal soundness, community support, legal compliance, or means by which the school will meet or exceed enrollment and retention targets for students with disabilities, English language learners, and students who are eligible applicants for the free and reduced price lunch program. The charters should be abandoned, and the schools should be directed to resubmit the application no earlier than one year prior to the expiration of the charter term.

The motion passed.

#### **Proposed Addition of Section 170.14 of the Regulations of the Commissioner of Education Relating to Financial Transparency Reporting Requirements [P-12 (A) 3]**

Your Committee recommends that the Board of Regents take the following action: that section 170.14 of the Regulations of the Commissioner of Education be amended, as submitted, effective January 14, 2020, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare to immediately conform the Regulations of the Commissioner of Education to the

requirements of the Every Student Succeeds Act, which requires each school district to submit a financial transparency report for inclusion in its report card beginning with actual expenditures from the 2018-19 school year and to immediately notify school districts of their obligation to file such report.

The motion passed.

**Conditional Approval of the Learning Standards for Computer Science and Digital Fluency [P-12 (A) 4]**

Your Committee recommends that the Board of Regents conditionally approves the learning standards for the new discipline of Computer Science and Digital Fluency, with the requirement that Department staff take the immediate next steps as outlined in the Board of Regents item.

The motion passed.

**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 14, 2020, copies of which have been distributed to each Regent.

**MATTERS NOT REQUIRING BOARD ACTION**

**Special Education Disability Classification “Emotional Disturbance” [P-12 (D) 1]**

Your Committee discussed replacing the term “emotional disturbance” in section 200.1(zz)(4) of the Commissioner’s Regulations. It is recommended that stakeholder input be sought on this recommendation, including suggestions for replacement terms, with subsequent proposed amendment to section 200.1(zz)(4) of the Commissioner’s Regulations.

**Proposed Amendment to §119.3 of the Regulations of the Commissioner of Education for Complying with the Every Student Succeeds Acts (ESSA) Financial Transparency Requirement and Other Data Reporting Requirements with Respect to Charter Schools [P-12 (D) 2]**

Your Committee discussed amending current regulations to provide additional guidance and clarity to the charter sector, ensure that the regulations reflect the current Department data naming conventions, include updated reporting requirements, and help to ensure that the Department obtains information necessary to comply with federal and State reporting requirements for all schools.

**Expanding the Pool of Applicants to Serve as Impartial Hearing Officers to Hear Special Education Due Process Complaints Filed in New York City [P-12 (D) 3]**

Your Committee discussed expanding the pool of applicants to hear special education due process complaints filed in New York City. NYSED will continue to engage stakeholders in discussions on expanding the pool of qualified IHOs in New York City and other issues relating to the special education due process system and will come back to you in the next couple of months with proposed regulatory changes.

## **Consent Agenda**

The Board of Regents will take action on the following consent agenda items at its January meeting:

- Permission to Exceed the Constitutional Debt Limit: Binghamton CSD
- Building Condition Survey
- Regulations Relating to Waivers for Districts Unable to Meet Minimum Instructional Hours Because of Safety and/or Scheduling (Permanent Adoption)
- Registration of Religious and Independent High Schools
- Annual Professional Performance Reviews (APPR) of Classroom Teachers and Building Principals

## **P-12 EDUCATION/HIGHER EDUCATION JOINT COMMITTEE**

Your P-12 Education and Higher Education Committees held their scheduled joint meeting on January 13, 2020. All members were present except for Regent Cea, who was excused.

### **ACTION ITEMS**

#### **Proposed Adoption of Part 121 to the Regulations of the Commissioner of Education Relating to Data Privacy and Security of Student Data and Certain Annual Professional Performance Review Data [P-12/HE (A) 1]**

Your Committees recommend that the Regulations of the Commissioner of Education be amended to add a new Part 121, as submitted, effective January 29, 2020.

The motion passed.

### **MOTION FOR ACTION BY FULL BOARD**

Madam Chancellor and Colleagues: Your P-12 Education and Higher Education Committees recommend, 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 14, 2020, copies of which have been distributed to each Regent.

## **PROFESSIONAL PRACTICE**

Your Professional Practice Committee held its scheduled meeting on January 14, 2020. All members were present except Regent Cea. Chancellor Betty A. Rosa and Regent Cashin 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 4 cases. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 36 consent order applications and 3 surrender applications be granted.

In the cases of Patricia Jean Kendall a/k/a Patricia J. Kendall-Cargill, Registered Professional Nurse and Nurse Practitioner (Family Health), Calendar Nos. 31116 & 31117, we recommend that the determination rendered by the Board of Regents in these matters on December 10, 2019 to grant the Application For Consent Order submitted by respondent be corrected and clarified, that, notwithstanding anything else to the contrary, these matters were considered on the regular consent application calendar before the Board of Regents, were not severed and separated, and were approved as requested, and that the determination, with Regent Catherine Collins abstaining, to grant this consent application remains in effect as of the effective date of the Vote and Order that was issued with respect to the December 10, 2019 determination of the Board of Regents in these matters.

These recommendations are made following the review of 43 cases involving eleven registered professional nurses, eight licensed practical nurses, four licensed practical nurses who are also registered professional nurses, four pharmacies, three pharmacists, two licensed master social workers, one architect, one certified dietitian-nutritionist, one licensed clinical social worker, one licensed mental health counselor, one physical therapist, one professional engineer, and one veterinarian.

### **Restorations**

Your Committee recommends the following:

That the application of Jack Cohen for the restoration of his license to practice as a Podiatrist in New York State be denied at this time. [PPC EXS (A) 4]

That the application of Zahid Nazir for the restoration of his license to practice as a Physician in New York State be denied at this time. [PPC EXS (A) 4]

## **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 14, 2020, 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
- Conferral of Degrees/Licensing Petitions
- Long Island University, CW Post Campus: Master Plan Amendment to offer a Doctor of Veterinary Medicine (D.V.M.) degree program in Veterinary Medicine
- The City University of New York, New York City College of Technology: Authorization to Award the Bachelor of Architecture (B.Arch.) Degree
- Designation of Regents Physician Shortage Areas
- Proposed Amendment to Section 29.2 of the Rules of the Board of Regents and Sections 52.26, 61.9, 61.11, 61.12, 61.13 and 61.14 of the Regulations of the Commissioner of Education Relating to the Profession of Registered Dental Assisting (2nd Emergency Action)
- Proposed Addition of Section 60.13 to the Regulations of the Commissioner of Education Relating to Permitting Physicians Who Are Licensed in Another State or Territory to Provide Medical Services to Athletes and Team Personnel in New York State (2nd Emergency Action)

### **Proposed Amendment to Sections 69.1, 69.2 and 69.3 of the Regulations of the Commissioner of Education Relating to the Education, Experience, Examination and Endorsement Requirements for Licensure as an Architect (Discussion)**

Since this proposed amendment, which more closely aligns the New York State architect licensure requirements with national standards and streamlines the licensure by endorsement process, was discussed at the September 2019 meeting, revisions have been made to it to clarify the text and intent of the proposed rule. The revised proposed amendment will be published in the State Register and subject 45-day public comment period.

### **Proposed Amendment to Section 61.18 of the Regulations of the Commissioner of Education Relating to the Residency Requirement for Dental Licensure (Discussion)**

The proposed amendment adds dental anesthesiology to the list of accredited residency programs in a specialty of dentistry that can be used to meet the residency program requirement for dental licensure. The proposed amendment further conforms the regulation to national standards because, on March 11, 2019, the National Commission on Recognition of Dental Specialties and Certifying Boards recognized the new specialty of dental anesthesiology, which joined nine other ADA-recognized dental specialties.

**MOVED**, that the Committee Reports be approved.

**Motion by:** Regent Susan W. Mittler  
**Seconded by:** Regent Elizabeth S. Hakanson  
**Action:** Motion carried unanimously.

**State Education Department December 2019 Fiscal Report  
BR (A) 3**

**MOVED**, that the Board accepts the December 2019 State Education Department Fiscal Report as presented.

**Motion by:** Regent Elizabeth S. Hakanson  
**Seconded by:** Regent Nan Eileen Mead  
**Action:** Motion carried unanimously.

Chancellor Rosa adjourned the meeting.

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

<b>Name of Institution</b>	<b>Program Area</b>	<b>County (City/Town) of Location</b>	<b>Description of Charter Action(s)</b>
Avon Free Library	CE	Livingston (Avon)	Amend charter to: <ul style="list-style-type: none"> <li>• specify the trustee range to be not less than five nor more than fifteen;</li> <li>• specify the trustee term length to be three years; and</li> <li>• update IRS dissolution language.</li> </ul>
Buffalo Irish Genealogical Society	CE	Erie (Buffalo)	Grant an absolute charter.
The Buffalo Transportation Pierce- Arrow Museum	CE	Erie (Buffalo)	Grant an absolute charter.
The Cultural Museum of African Art-The Eric Edwards Collection	CE	Kings (Brooklyn)	Extend provisional charter for five years.
Honeoye-Richmond Historical Society	CE	Ontario (Honeoye)	Grant an absolute charter.
The Hudson River Museum of Westchester	CE	Westchester (Yonkers)	Amend charter to increase the trustee range to be no more than 30.
Moffat Library of Washingtonville	CE	Orange (Washingtonville)	Amend charter to specify the trustee range to be not less than five nor more than fifteen and delete certain trustee vacancy language from paragraph 3 of the provisional charter.
National September 11 Memorial and Museum at the World Trade Center	CE	New York (New York)	Rescind the October 8, 2019 merger action of the Board of Regents containing an immediate effective date of the merger, and restate and amend nunc pro tunc to October 8, 2019 with the effective date of the merger to be December 31, 2019 at 11:59 pm.
Patterson Historical Society	CE	Putnam (Patterson)	Grant an absolute charter.

Snug Harbor Cultural Center and Botanical Garden	CE	Richmond (Staten Island)	Extend provisional charter for five years.
Washington Street Historical Society	CE	Queens (Belle Harbor)	Amend charter to change the corporate address.
Wyoming Free Circulating Library Association	CE	Wyoming (Wyoming)	Amend charter to: specify the trustee range to be not less than five nor more than fifteen; • specify the trustee term length to be five years; • designate the library's service area to be coterminous with the Wyoming Central School District; and • update IRS dissolution language.
Ardor School for Passion-Based Learning	P12	Kings (Brooklyn)	Grant provisional charter for three years.
Catholic School Region of the Northwest and South Bronx	P12	New York (New York)	Amend charter to delete school location, St. Joseph School.
German School Brooklyn	P12	Kings (Brooklyn)	Amend charter to expand and restate purposes.
The Gillen Brewer School	P12	New York (New York)	Amend charter to expand and restate purposes.
The Hagedorn Little Village School	P12	Nassau (Seaford)	Amend charter to expand and restate purposes.
San Miguel Academy of Newburg	P12	Orange (Newburgh)	Extend provisional charter for three years.
Long Island University	OP	Nassau (Brookville)	Amend charter to add authority to confer the Doctor of Veterinary Medicine (D.V.M.) degree.
New York Institute of Technology	OP	New York (New York)	Amend charter to add authority to confer the Doctor of Occupational Therapy (O.T.D.) degree.
The Sages Colleges	HE/OP	Rensselaer (Troy)	Amend charter to change the corporate name to "Russell Sage College."

## **Appendix II**

### **REGENTS ACTIONS IN 43 PROFESSIONAL DISCIPLINE CASES AND 2 RESTORATION PETITIONS**

**January 14, 2020**

The Board of Regents announced disciplinary actions resulting in the surrender of 3 licenses and 40 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. SURRENDERS**

##### **Nursing**

Linda J. Borden; Licensed Practical Nurse, Registered Professional Nurse; Sanford, FL 32771; Lic. Nos. 176830, 378272; Cal. Nos. 31727, 31728; Application to surrender licenses granted. Summary: Licensee did not contest the charge of, in the State of Arizona, misrepresenting her employment history on an application for employment and failing to disclose that she was previously terminated.

##### **Physical Therapy**

Lisbeth Guerra; Physical Therapist; Pembroke Pines, FL 33025-5760; Lic. No. 025889; Cal. No. 31589; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Conspiracy to Commit Health Care Fraud, a Felony.

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

##### **Architecture**

Genaro Rafael Urueta; Architect; Albertson, NY 11507; Lic. No. 035610; Cal. No. 31393; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$2,500 fine.

##### **Dietetics and Nutrition**

Andrew Scott Tepper; Dietitian-Nutritionist; Westtown, NY 10998-0202; Lic. No. 006485; Cal. No. 31312; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, 2 years probation.

## **Engineering, Land Surveying and Geology**

Vincent Nantista; Professional Engineer; Mt. Sinai, NY 11766; Lic. No. 043097; Cal. No. 30948 Found guilty of professional misconduct; Penalty: 6 months actual suspension, 18 months stayed suspension, 2 years probation, \$5,000 fine.

## **Mental Health Practitioner**

Paula Pesh Cohen; Licensed Mental Health Counselor; New York, NY 10024-5553; Lic. No. 002349; Cal. No. 31474; Application for consent order granted; Penalty agreed upon: Censure and reprimand, 1 year probation, \$1,500 fine.

## **Nursing**

Tera M. Poles a/k/a Tera Poles; Licensed Practical Nurse; Lancaster, TX 75134, Rochester, NY 14613; Lic. No. 301672; Cal. No. 29590; Found guilty of professional misconduct; Penalty: 6 months actual suspension, 18 months stayed suspension, upon return to practice in the State of New York, 2 years probation, \$500 fine.

Traci Renee Schultz a/k/a Traci Renee Becker; Registered Professional Nurse; Rochester, NY 14612; Lic. No. 578168; Cal. No. 30117; Found guilty of professional misconduct; Penalty: Actual suspension of at least 2 months and until alcohol abuse-free and fit to practice. Upon return to practice, 2 years probation, \$500 fine.

Caroline Ruth Ferris a/k/a Caroline Ruth Sandrow; Registered Professional Nurse; Islip Terrace, NY 11752; Lic. No. 372072; Cal. No. 30689; Found guilty of violation of probation; Penalty: Penalty supersedes penalty previously imposed under Order No. 29449, 6 months actual suspension, 18 months stayed suspension, 2 years probation to commence upon effective date of the service of the Order and to run concurrent with suspension, \$500 fine.

Lynda Rose Hardy; Registered Professional Nurse; Dublin, OH 43017; Lic. No. 340907; Cal. No. 30848; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension. Upon return to practice in the State of New York, 1 year probation, \$500 fine.

Jennifer Kulubor Ross Jallah; Licensed Practical Nurse, Registered Professional Nurse; Hurst, TX 76053; Lic. Nos. 285371, 653514; Cal. Nos. 31199, 31200; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension. Upon return to practice in the State of New York, 2 years probation, \$500 fine.

Dianna Maria Sheehan; Registered Professional Nurse; Sicklerville, NJ 08081; Lic. No. 725833; Cal. No. 31212; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension. Upon return to practice in the State of New York, 2 years probation, \$500 fine.

Idara Emmanuel Udo; Licensed Practical Nurse, Registered Professional Nurse; Oakley, CA 94561; Lic. Nos. 246693, 496709; Cal. Nos. 31260, 31261; Application for consent order granted; Penalty agreed upon: 3 months actual suspension, 21 months stayed suspension. Upon return to practice in the State of New York, 2 years probation, \$500 fine.

Raeann K. Jupin; Licensed Practical Nurse; Auburn, NY 13021; Lic. No. 327453; Cal. Nos. 31288; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Kendall Tara Grohman; Registered Professional Nurse; Locust Valley, NY 11560-0078; Lic. No. 630771; Cal. No. 31292; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Carroll Ann Helena Clarke-Pilgrim; Licensed Practical Nurse; Rosedale, NY 11422; Lic. No. 325710; Cal. No. 31367; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, 20 hours public service, \$500 fine.

Ashley Dione Sims; Licensed Practical Nurse; Charlotte, NC 28269; Lic. No. 319641; Cal. No. 31370; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$250 fine.

Danielle Armetta a/k/a Danielle Armetta-Dibs; Licensed Practical Nurse, Registered Professional Nurse; Staten Island, NY 10312; Lic. Nos. 265613, 532081; Cal. Nos. 31375, 31376; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Dale J. Doyle; Licensed Practical Nurse; Fairport, NY 14450; Lic. No. 232268; Cal. No. 31390; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Funmilola Mary Taiwo; Registered Professional Nurse; Far Rockaway, NY 11691-2200; Lic. No. 618809; Cal. No. 31399; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation.

Victor David Gonzalez; Registered Professional Nurse; Cazenovia, NY 13035; Lic. No. 617071; Cal. No. 31406; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Gina E. Gray; Registered Professional Nurse; Rochester, NY 14624; Lic. No. 491492; Cal. No. 31417; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Meghan Patricia Schule; Registered Professional Nurse; Lynbrook, NY 11563-1132; Lic. No. 682735; Cal. No. 31434; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

William Matthew Casiere; Licensed Practical Nurse; Saugerties, NY 12477; Lic. No. 323050; Cal. No. 31436; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

AnnMarie Rajczewski a/k/a AnnMarie Morgan; Licensed Practical Nurse; Albany, NY 12205; Lic. No. 302087; Cal. No. 31444; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$250 fine.

Lucia Foster; Licensed Practical Nurse; Newark, NY 14513-1507; Lic. No. 278453; Cal. No. 31463; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation.

John Leslie Matheny; Registered Professional Nurse; Ooltewah, TN 37363; Lic. No. 475208; Cal. No. 31466; Application for consent order granted; Penalty agreed upon: 4 months actual suspension, 20 months stayed suspension. Upon return to practice in the State of New York, 2 years probation, \$500 fine.

Jacqueline Maria Rincon; Registered Professional Nurse; Deer Park, NY 11729; Lic. No. 741288; Cal. No. 31633; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension of at least 1 month and until successful participation in course of therapy and treatment and until fit to practice. Upon return to practice, 2 years probation.

## **Pharmacy**

Catskill Pharmacy Inc.; Pharmacy; Kerhonkson, NY 12446-0626; Reg. No. 024863; Cal. No. 30026; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$5,000 fine.

Nisar Pharmacy, Inc.; Pharmacy; Bronx, NY 10451; Reg. No. 021733; Cal. No. 31005; Application for consent order granted; Penalty agreed upon: Censure and reprimand, 2 years probation, \$5,000 fine.

Bhaskar Gunjupali; Pharmacist; Riverhead, NY 11901; Lic. No. 050981; Cal. No. 31179; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$1,500 fine.

Vevi Pharmacy, Inc., d/b/a Barth's Drug Store; Pharmacy; Riverhead, NY 11901; Reg. No. 034370; Cal. No. 31180; Application for consent order granted; Penalty agreed upon: \$1,500 fine.

Specialty RX Inc.; Pharmacy; Ridgefield, NJ 07660; Reg. No. 026830; Cal. 31471; Application for consent order granted; Penalty agreed upon: \$10,000 fine.



Hungyi Liu; Pharmacist; Flushing, NY 11367; Lic. No. 062109; Cal. No. 31476; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$3,000 fine.

Gregory Scott Mack; Pharmacist; Centerport, NY 11721; Lic. No. 038445; Cal. No. 31512; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

### **Social Work**

Denise M. Spagnola; Licensed Clinical Social Worker; Frankfort, NY 13340; Lic. No. 055950; Cal. No. 31304; Application for consent order granted; Penalty agreed upon: Censure and reprimand, 1 year probation, \$500 fine.

Kirstin Hope Vales; Licensed Master Social Worker; Katonah, NY 10536; Lic. No. 099423; Cal. No. 31357; Application for consent order granted; Penalty agreed upon: 2 years actual suspension, 2 years probation.

Patti L. Pottorff; Licensed Master Social Worker; Elmira, NY 14904; Lic. No. 079296; Cal. No. 31426; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice. Upon return to practice, 2 years probation.

### **Veterinary Medicine**

Steven R. Weinstein; Veterinarian; Howard Beach, NY 11414; Lic. No. 004137; Cal. No. 31315; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$2,500 fine.

### **III. RESTORATIONS**

The Board of Regents voted on January 14, 2020 to deny the application for restoration of the podiatry license of Jack Cohen, Brooklyn, NY. Dr. Cohen's license was revoked on April 27, 1999.

The Board of Regents voted on January 14, 2020 to deny the application for restoration of the physician license of Zahid Nazir, Latham, NY. Dr. Nazir's license was surrendered on November 6, 2012.