



**TO:** The Honorable Members of the Board of Regents

**FROM:** Christopher J. Halpin, Secretary

**SUBJECT:** Summary of the January 2024 Meeting

**DATE:** February 1, 2024

**AUTHORIZATION(S):**

### **SUMMARY**

#### **Issue for Decision**

Should the Board of Regents approve the Summary of the January 2024 Meeting 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 2024 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 Regent's Items**

Not Applicable.

**Recommendation**

It is recommended that the Board of Regents take the following action:

VOTED: That the Summary of the January 2024 Meeting of the Board of Regents of The University of the State of New York be approved.

**Timetable for Implementation**

Effective February 13, 2024.



**SUMMARY OF THE JANUARY 2024 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 8 and 9, 2024***

***Christopher J. Halpin, 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 in Albany on Monday, January 8<sup>th</sup> at 9:00 a.m. in the State Education Building pursuant to a call to duty sent to each Regent.

### **MEETING OF THE FULL BOARD, Monday, January 8<sup>th</sup> at 9:00 a.m.**

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

Lester W. Young, Jr., *Chancellor*  
Roger Tilles  
Christine D. Cea  
James E. Cottrell  
Judith Chin  
Luis O. Reyes  
Frances G. Wills  
Shino Tanikawa  
Roger P. Catania  
Adrian I. Hale

Also present were Commissioner, Betty A. Rosa, Executive Deputy Commissioner, Sharon Cates-Williams, Senior Deputy Commissioner for Education Policy, Jeff Matteson, Counsel and Deputy Commissioner for Legal Affairs, Daniel Morton-Bentley, and Secretary, Board of Regents, Christopher J. Halpin. Vice Chancellor Josephine Victoria Finn, Regents Wade S. Norwood, Catherine Collins, Susan W. Mittler, and Aramina Vega Ferrer were absent and excused.

### **ACTION ITEM**

#### **Executive Session Motion**

**MOVED**, that the Board of Regents convene in executive session on Tuesday, January 9<sup>th</sup> at 10:10 am to discuss litigation matters.

|                     |   |
|---------------------|---|
| <b>Motion by:</b>   | Regent Christine D. Cea   |
| <b>Seconded by:</b> | Regent James E. Cottrell  |
| <b>Action:</b>      | Motion passed unanimously. Regent Roger Tilles and Regent Luis O. Reyes were absent for the vote. |

## **PRESENTATION**

### **Statewide Longitudinal Data System (SLDS) Project**

Jason Harmon, Dr. Yufan Huang, Heather Klusendorf, and Mike St. John presented on the \$3.75 million grant award received from USDE that is supporting Phase 1 of an SLDS project focused on advancing efforts to integrate data from P-12, higher education, and workforce to help NYS answer critical policy- and program-level questions (Attachment I).

Chancellor adjourned the meeting.

**MEETING OF THE FULL BOARD, Tuesday, January 9<sup>th</sup> at 10:35 a.m.**

**Board Members in Attendance:**

Lester W. Young, Jr., *Chancellor*  
Roger Tilles  
Christine D. Cea  
Wade S. Norwood  
James E. Cottrell  
Judith Chin  
Luis O. Reyes  
Frances G. Wills  
Shino Tanikawa  
Roger P. Catania  
Adrian I. Hale

Also present were Commissioner, Betty A. Rosa, Executive Deputy Commissioner, Sharon Cates-Williams, Senior Deputy Commissioner for Education Policy, Jeff Matteson, Counsel and Deputy Commissioner for Legal Affairs, Daniel Morton-Bentley, and Secretary, Board of Regents, Christopher J. Halpin. Vice Chancellor Josephine Victoria Finn, Regents Catherine Collins, Susan W. Mittler, and Aramina Vega Ferrer were absent and excused.

**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 2023 Meeting of the Board of Regents  
BR (A) 2**

**MOVED**, that the Summary of the December 2023 Meeting of the Board of Regents of The University of the State of New York be approved.

**Motion by:** Regent Christine D. Cea  
**Seconded by:** Regent James E. Cottrell  
**Action:** Motion passed unanimously.

**State Education Department December 2023 Fiscal Report  
BR (A) 3**

**MOVED**, that the Board of Regents approve the State Education Department December 2023 Fiscal Report as presented.

**Motion by:** Regent Roger Tilles  
**Seconded by:** Regent Frances G. Wills  
**Action:** Motion passed unanimously.

**DISCUSSION ITEM**

**Proposed Amendment of Sections 3.23 and 3.26 of the Rules of the Board of Regents Relating to Fees for Certificates of Existence and for Copies of Charter Actions and Consent to Incorporation  
BR (D) 1**

Daniel Morton-Bentley will presented revisions to the proposed amendment regarding consents to incorporation pursuant to Education Law §216.

**ACTION ITEMS**

**PROGRAM AREA CONSENT ITEMS**

**Cultural Education**

**National Science Foundation Grant Transfer  
BR (CA) 1**

**MOVED**, that the transfer of James Lendemer’s National Science Foundation Grant to the USNY Regents Research Fund be approved.

**Higher Education/P-12 Education**

**Proposed Amendment of Sections 80-2.9, 80-4.3, and 80-5.18 of the Regulations of the Commissioner of Education Relating to Flexibilities for the Supplementary Certificate and Supplementary Bilingual Education Extension Requirements in Response to the Influx of Recently Arrived and Asylum-Seeking Students  
BR (CA) 2**

**MOVED**, that sections 80-2.9, 80-4.3, and 80-5.18 of the Regulations of the Commissioner of Education be amended, as submitted, effective January 24, 2024.

**Higher Education/Professional Practice**

**Designation of Regents Physician Shortage Areas  
BR (CA) 3 - REVISED**

**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 9, 2024.

**Higher Education**

**Proposed Amendment of Sections 3.12, 3.14, and 13.11 and Repeal of Part 4 of the Rules of the Board of Regents and Amendment of Section 52.23 of the Regulations of the Commissioner of Education relating to Regents Accreditation  
BR (CA) 4**

**MOVED**, that sections 3.12, 3.14, and 13.11 of the Rules of the Board of Regents be amended, Part 4 of the Rules of the Board of Regents be repealed, and section 52.23 of the Regulations of the Commissioner of Education be amended, as submitted, effective January 24, 2024.

**Proposed Amendment of Section 30-1.2 of the Rules of the Board of Regents Relating to the Computer Science Tenure Area  
BR (CA) 5**

**MOVED**, that section 30-1.2 of the Rules of the Board of Regents be amended, as submitted, effective January 24, 2024.

**Proposed Amendment of Section 80-3.12 of the Regulations of the Commissioner of Education Relating to the Requirements for Certification as a School Counselor through Individual Evaluation  
BR (CA) 6**

**MOVED**, that section 80-3.12 of the Regulations of the Commissioner of Education be amended, as submitted, effective January 24, 2024.

**P-12 Education**

**Proposed Amendment of Section 100.13 of the Regulations of the Commissioner of Education Relating to Contracts for Excellence and Class Size Reduction in the City School District of the City of New York  
BR (CA) 7**

**MOVED**, that section 100.13 of the Regulations of the Commissioner of Education be amended, as submitted, effective January 24, 2024.

**Proposed Amendment of Sections 100.19 and 100.21 of the Regulations of the Commissioner of Education Relating to Rebuilding the Every Student Succeeds Act (ESSA) Accountability System using 2022–2023 and 2023–2024 School Year Results  
BR (CA) 8**



**MOVED**, that sections 100.19 and 100.21 of the Regulations of the Commissioner of Education be amended, as submitted, effective January 24, 2024.

**Proposed Amendment of Section 154-2.3 of the Regulations of the Commissioner of Education Relating to the Timeline for Initial Enrollment or Reentry Identification and Parent Notification, Orientation, and Placement of English Language Learners (ELLs)**  
**BR (CA) 9**

**MOVED**, that section 154-2.3(g) of the Regulations of the Commissioner of Education be amended, as submitted, effective January 24, 2024.

**Proposed Amendment of Sections 275.2, 275.7, 275.9, 275.11, 276.9, 277.1, and 277.2 of the Regulations of the Commissioner of Education Relating to Appeals to the Commissioner of Education under Education Law §§ 306 and 310**  
**BR (CA) 10**

**MOVED**, that sections 275.2, 275.7, 275.9, 275.11, 276.9, 277.1, and 277.2 of the Regulations of the Commissioner of Education be amended, as submitted, effective January 24, 2024.

**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) 11 - REVISED**

**MOVED**, that the Board of Regents approve the proposed (Re)Appointments of Members to the State Boards for the Professions and (Re)Appointments of Extended Members to the State Boards for the Professions.

**Report of the Committee on the Professions Regarding Licensing Petitions and Degree Conferrals**  
**BR (CA) 12**

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

**Proposed Amendment of Section 70.4 of the Regulations of the Commissioner of Education Relating to Licensing Examinations in the Profession of Public Accountancy**  
**BR (CA) 13**

**MOVED**, that section 70.4 of the Regulations of the Commissioner of Education be amended, as submitted, effective February 12, 2024, 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 conform the Commissioner's regulations to the

national CPA licensing exam standards that are anticipated in or around January 2024, to remain consistent with other jurisdictions, and to ensure that the emergency action taken at the November 2023 meeting remains continuously in effect.

**Proposed Amendment to Section 79-13.5 of the Regulations of the Commissioner of Education Relating to Requirements for Restricted Licenses for Clinical Laboratory Technologists in Molecular Testing  
BR (CA) 14**

**MOVED**, that section 79-13.5 of the Regulations of the Commissioner of Education be amended, as submitted, effective January 24, 2024.

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

**Motion by:** Regent Roger Tilles  
**Seconded by:** Regent Judith Chin  
**Action:** Motion passed unanimously.

**STANDING COMMITTEE REPORTS**

**CULTURAL EDUCATION**

**Cultural Education Committee Members:**

Regent Tilles, Co-Chair, Regent Ferrer, Co-Chair, Regent Cea, Regent Cottrell, Regent Collins, Regent Reyes, Regent Mittler, Regent Wills, Regent Tanikawa, Regent Catania, and Regent Hale

The Cultural Education Committee held its scheduled meeting on Monday, January 8, 2024. All members were present except Regent Aramina V. Ferrer, Regent Susan W. Mittler, and Regent Catherine Collins, who were excused. Chancellor Lester W. Young and Regent Wade S. Norwood also attended the meeting.

**MATTERS NOT REQUIRING BOARD ACTION**

**Deputy Commissioner Report** – Department staff presented a report on the upcoming exhibition of the 1862 Preliminary Emancipation Proclamation and select pages from the speech Dr. Martin Luther King, Jr. delivered in New York City in September 1962 to commemorate the 100th anniversary of the document. This new exhibition, The Moral Arc Toward Freedom, will be open to the public on Tuesday, February 13 through Sunday, March 3, 2024. In support of the opening of this new exhibition, a public program featuring New York State Poet Patricia Spears Jones, historian Dr. Jennifer Burns, and New York State Museum curator Dr. Jennifer Lemak will be held on Thursday, February 15, 2024, at the Huxley Theater. This event is co-sponsored by the New York State Education Department’s Office of Cultural Education and the New York State Writers Institute.

**State Aid for Libraries** – Department staff presented on the array of library aid programs administered by the New York State Library (NYSL) and the significant benefit of this aid to

libraries of all types. Staff provided a brief overview of the New York State Library which is comprised of three divisions: the Regent Joseph E. Bowman Jr. Research Library, the Talking Book and Braille Library (TBBL), and the Division of Library Development.

The NYSL administers approximately \$100 million in State aid to libraries and \$34 million in aid for library construction. To advance equity and improve services for lifelong learning, this aid supports public library systems, school library systems, tribal libraries and a variety of conservation/preservation and other statewide programs.

**OCE/P-20 Collaborations** – Department staff presented on the status of collaborative programs and resources from the Office of Cultural Education and P-20. Topics covered during the presentation included: Solar Eclipse Resources for K-12 Classrooms; an overview of the Something Terrible Happened to Joey screening and panel event with families, educators, and mental health professionals from across New York State to discuss surviving and thriving after childhood trauma; P-3 Cultural Education Toolkit for younger students; Digital Resource Kit; updates regarding the Seal of Civic Readiness +1 Pathway; and expanded learning opportunities. The presentation concluded with an overview of the value and necessity of continuing the collaborative efforts between the Office of Cultural Education and P-20 in the furtherance of building connections that will help students to engage in their local community, its resources, and cultural institutions.

Consent Agenda - Finally, Department staff presented an overview of a Consent Agenda item related to the transfer of a National Science Foundation grant to the USNY Regents Research Fund.

## **HIGHER EDUCATION**

### **Regents Committee on Higher Education Members:**

Regent Collins, Chair, Regent Cea, Regent Norwood, Regent Cottrell, Regent Chin, Regent Reyes, Regent Mittler, Regent Wills, Regent Ferrer, Regent Tanikawa, and Regent Catania.

The Higher Education Committee held its scheduled meeting on January 8, 2024. All members were present except Regent Catherine Collins, Regent Susan W. Mittler and Regent Aramina Vega Ferrer who were excused. Chancellor Lester W. Young, Jr., chaired the meeting.

## **MATTERS NOT REQUIRING BOARD ACTION**

**Update on the Statewide Plan for Higher Education** - Department staff provided information on the proposed composition of the Advisory Council, the topics that the sectors will consider in writing their master plans, and a working timeline for developing the plan.

**Proposed Amendment of Section 3.59 of the Rules of the Board of Regents Relating to Provisions for Mergers, Consolidation, and Membership with Highly Qualified Out-of-State Institutions of Higher Education [HE (D) 1]** - Department staff presented proposed amendments to provide for a streamlined approach to mergers, consolidations, and memberships with highly qualified out-of-state Institutions of Higher Education.

Deputy Commissioner William Murphy reviewed the items on the Consent Agenda.

## **P-12 EDUCATION**

### **Regents Committee on P-12 Education:**

Vice Chancellor Finn, Co-Chair, Regent Chin, Co-Chair, Regent Tilles, Regent Cea, Regent Norwood, Regent Cottrell, Regent Wills, Regent Ferrer, Regent Tanikawa, Regent Catania, and Regent Hale.

The P-12 Education Committee held its scheduled meeting on January 8, 2024. All members were present except Vice Chancellor Josephine Victoria Finn and Regent Aramina Vega Ferrer, who were excused. Chancellor Lester W. Young, Jr., and Regent Luis O. Reyes also attended the meeting but did not vote on the action items.

## **MATTERS NOT REQUIRING BOARD ACTION**

**Math and Financial Literacy Presentations** - Department staff and guest speakers presented innovative impactful practices in math and financial literacy instruction.

Deputy Commissioner Jason Harmon reviewed the items on the Consent Agenda.

## **PROFESSIONAL PRACTICE**

### **Regents Committee on Professional Practice:**

Regent Norwood, Co-Chair, Regent Cottrell, Co-Chair, Vice Chancellor Finn, Regent Cea, Regent Collins, Regent Wills, Regent Catania, and Regent Hale.

The Professional Practice Committee held its scheduled meeting on January 9, 2024. All members were present except for Vice Chancellor Josephine Victoria Finn and Regent Catherine Collins, who were excused. Chancellor Lester W. Young, Regent Luis O. Reyes, Regent Roger Tilles, Regent Judith J. Chin, and Regent Shino Tanikawa also attended the meeting, but did not vote on any action.

## **ACTION ITEMS**

### **Professional Discipline Cases [PCC EXS (A) 1 – 3; 5]**

The 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 four cases. In addition, the Committee recommends, upon the recommendation of the Committee on the Professions, that 29 consent order applications and 17 surrender applications be granted, and further recommends that 1 summary suspension application be granted.

These recommendations are made following the review of 51 cases involving seventeen registered professional nurses, nine licensed practical nurses, seven certified public accountants, two dentists, two veterinarians, one CPA professional service corporation,

one dental hygienist, one licensed master social worker who is also a licensed clinical social worker, one licensed practical nurse who is also a registered professional nurse, one massage therapist, one pharmacy, one psychologist, one registered professional nurse who is also certified as a nurse practitioner in Adult Health, one veterinary technician who is also a veterinarian, and one veterinary technician.

### **Restoration [PPC EXS (A) 4]**

The Committee recommends that the application of Mellissa Thompson for the restoration of her license to practice as a Registered Professional Nurse in New York State be denied.

### **Proposed Amendment to Section 29.2 of the Rules of the Board of Regents and Addition of Subpart 79-21 to the Regulations of the Commissioner of Education Relating to General Misconduct Provisions for the Health Professions and Requirements for Histotechnologist Licensure [PPC (A) - 1 REVISED (1/8/2024)]**

Department staff presented for emergency action proposed amendments to the Regents Rules and the Commissioner's regulations to conform them to Chapter 446 of the Laws of 2022, which effective January 21, 2024, establishes the new clinical laboratory technology profession of histotechnologist and establishes the licensure requirements for it. The proposed amendments also add the histotechnologist and other clinical laboratory professions to the list of health professionals subject to the general misconduct provisions in 29.2.

The Committee recommends that section 29.2 of the Rules of the Board of Regents be amended, as submitted, and subpart 79-21 of the Regulations of the Commissioner of Education be added, as submitted, effective January 21, 2024, as an emergency action, upon the finding by the Board of Regents that such action is necessary for the preservation of the public health and general welfare in order to timely implement the provisions of section 10 of Chapter 446 of the Laws of 2022, effective January 21, 2024, and to immediately clarify that clinical laboratory technology professions are subject to the general misconduct provisions for health professions.

The motion passed unanimously.

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

The 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 9, 2024, copies of which have been distributed to each Regent.

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

**Proposed Repeal of Sections 52.38, 52.39, 52.40, and 52.41 and Addition of New Sections 52.38, 52.39, 52.40, 52.41 and 52.42 to the Regulations of the Commissioner of Education Relating to the Requirements for Registration of Curricula of Licensure Qualifying Education Programs for the Professions of Clinical Laboratory Technologist, Cytotechnologist, Clinical Laboratory Technician, Histotechnician and Histotechnologist [PPC (D) 1]** – Department staff presented

proposed amendments to the Commissioner’s regulations to conform them to Chapter 446 of the Laws of 2022 by establishing the requirements for the registration of curricula that are aligned to the multiple pathways that lead to licensure in the clinical laboratory professions.

**Update on Progress for the Office of the Professions (OP) Modernization Program, the Multi-Year, Multi-Project Program to Modernize All Licensing and Renewal Activity for Title VIII Professionals in New York State** – Department staff presented a comprehensive overview to the Regents, highlighting the current progress of the OP Modernization Program. The presentation will delve into how the new system is strategically designed to enhance the licensure process and renewal activities for professionals across more than 50 professions in New York State.

Deputy Commissioner Sarah Benson reviewed the items on the Consent Agenda.

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

**Motion by:** Regent Roger Tilles  
**Seconded by:** Regent Judith Chin  
**Action:** Motion passed unanimously.

Chancellor Young adjourned the meeting.

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

| <b>Name of Institution</b>                       | <b>Program Area</b> | <b>County of Location (City/Town)</b> | <b>Description of Charter Action(s)</b>   |
|--|---------------------|---------------------------------------|---|
| Chappaqua Central School District Public Library | CE                  | Westchester (Chappaqua)               | Amend charter to specify the trustee term length to be three years.   |
| Stillwater Public Library                        | CE                  | Saratoga (Stillwater)                 | Grant an absolute charter.  |
| The Strong-Cuevas Sculpture Foundation           | CE                  | Nassau (Amagansett)                   | Grant provisional charter for five years.   |
| The Westhampton Beach Historical Society         | CE                  | Suffolk (Westhampton Beach)           | Amend charter to change the corporate name to "The Greater Westhampton Historical Museum" and the corporate purposes.                   |
| Blue School                                      | P12                 | New York (New York)                   | Dissolve provisional charter and approval to store remaining student records with the New York City Department of Education District 2. |
| Northern Academy of the Arts                     | P12                 | Orange (Middletown)                   | Grant an absolute charter.  |
| Yeshiva Har Torah                                | P12                 | New York (New York)                   | Amend purposes and add authority to operate at two locations in Little Neck, New York.  |
| Yeshivat Kinyan Torah                            | P12                 | Kings (Brooklyn)                      | Grant provisional charter for three years.  |
| Hofstra University                               | OP                  | Nassau (Hempstead)                    | Amend charter to add authority to confer the Doctor of Physical Therapy (D.P.T.) degree.  |

## **Appendix II**

### **REGENTS ACTIONS IN 51 PROFESSIONAL DISCIPLINE CASES AND 1 RESTORATION PETITION January 8 - 9, 2024**

The Board of Regents announced disciplinary actions resulting in the summary suspension of 1 license, revocation of 2 licenses, surrender of 17 licenses, and 31 other disciplinary actions. The penalty indicated for each case relates solely to the misconduct set forth in that particular case. In addition, the Board acted upon 1 restoration petition.

#### **I. SUMMARY SUSPENSION**

##### **Nursing**

Nicole Marie Guilds; Registered Professional Nurse; Webster, NY 14580; Lic. No. 672397; Cal. No. 34049; Application for summary suspension granted.

#### **II. REVOCATIONS & SURRENDERS**

##### **Massage Therapy**

Adam Borys; Massage Therapist; Brooklyn, NY 11237, Ridgewood, NY 11385, South Salem, NY 10590; Lic. No. 030401; Cal. No. 33613; Found guilty of professional misconduct; Penalty: Revocation.

##### **Nursing**

Lynn M. Ritz; Licensed Practical Nurse; Boonville, NY 13309; Lic. No. 269793; Cal. No. 31748; Found guilty of professional misconduct; Penalty: Revocation.

Stephen G. Ognibene; Registered Professional Nurse; Batavia, NY 14020; Lic. No. 520179; Cal. No. 33654; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Criminal Contempt in the 2nd Degree, a misdemeanor.

Oskar Victorino Dehitta; Licensed Practical Nurse, Registered Professional Nurse; Atlanta, GA 30350-4846; Lic. Nos. 240739, 506818; Cal. Nos. 33800, 33801; Application to surrender licenses granted. Summary: Licensee did not contest the charge of, in the State of California, inappropriately touching two patients recovering from back surgery.

Ila Anne Sharko; Licensed Practical Nurse; Medford, NY 11763-1324; Lic. No. 307375; Cal. No. 33854; Application to surrender license granted. Summary: Licensee admitted to failing to complete continuing education consisting of coursework in medication administration, ethics, patient communication, and empathy/compassion, and failing to answer and submit quarterly questionnaires as requested by the Department, as required by the terms of probation imposed by the Board of Regents in Order No. 32616.



Adam John Boone; Registered Professional Nurse; Byron Center, MI 49315; Lic. No. 792783; Cal. No. 33872; Application to surrender license granted. Summary: Licensee did not contest the charge of misappropriating drugs from an employer or patient in the State of South Carolina, which if committed in New York State, would constitute professional misconduct under New York State Education Law section 6509(2).

Rebecca Friend Osborne; Registered Professional Nurse; Galax, VA 24333-2316; Lic. No. 698627; Cal. No. 33874; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Simple Assault in the State of North Carolina, a misdemeanor, which if committed in New York State, would constitute Assault in the 3rd Degree, a class A misdemeanor; having been convicted of Larceny in the State of North Carolina, a misdemeanor, which if committed in New York State, would constitute Grand Larceny in the Third Degree, a class D felony; and having been convicted of Driving While Intoxicated in the State of North Carolina, a misdemeanor, which if committed in New York State, would constitute an unclassified misdemeanor.

Lauren Sheree Lindsey; Registered Professional Nurse; Austin, TX 78745; Lic. No. 695575; Cal. No. 33899; Application to surrender license granted. Summary: Licensee did not contest the charge of having withdrawn narcotics from the medication dispensing system without a valid physician's order and having failed to properly document the wastage of these withdrawals.

Patrick Wayne McNamara; Registered Professional Nurse; Moravia, NY 13118-0054; Lic. No. 488410; Cal. No. 33904; Application to surrender license granted. Summary: Licensee did not contest the charge of boundary violations.

Nancy Baskerville; Registered Professional Nurse; Detroit, MI 48204; Lic. No. 616900; Cal. No. 33907; Application to surrender license granted. Summary: Licensee did not contest the charge of an Arizona discipline for making a false statement, which if committed in New York State, would constitute professional misconduct under New York Education Law section 6509(9) and section 29.1(b)(6) of the Rules of the Board of Regents (8 N.Y.C.R.R.).

Ashlea Kay Brannan; Registered Professional Nurse; Gulf Shores, AL 36542; Lic. No. 709000; Cal. No. 33949; Application to surrender license granted. Summary: Licensee did not contest the charge of using illegal substances.

Charnjit Singh Bains; Registered Professional Nurse; New Milford, CT 06776; Lic. No. 790052; Cal. No. 33973; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Unlawful Restraint in the 1st Degree, a class A misdemeanor, in the state of Connecticut, which if committed in New York State would constitute Unlawful Imprisonment in the 1st Degree, a class E felony; and Forcible Touching, a class A misdemeanor.

David Harold Crowley; Registered Professional Nurse; Braintree, MA 02184; Lic. No. 655849; Cal. No. 33977; Application to surrender license granted. Summary: Licensee did not contest the charge of using illegal substances.

Tina Maria Sumner; Registered Professional Nurse; Springfield, MO 65802; Lic. No. 750491; Cal. No. 33942; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of, in the State of Missouri, being convicted of two counts of Statutory Rape in the 2nd Degree, a class D felony, which if committed in New York State, would constitute Rape in the 3rd Degree, a class E felony.

Michelle Cuffee; Licensed Practical Nurse; Norfolk, VA 23505; Lic. No. 225170; Cal. No. 33985; Application to surrender license granted. Summary: Licensee did not contest the charge of Virginia discipline.

### **Public Accountancy**

Steven Mark Etkind; Certified Public Accountant; New York, NY 10021; Lic. No. 061494; Cal. No. 32373; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Tax Evasion, an unclassified felony.

Mary Elizabeth Ewanechko; Certified Public Accountant; Victor, NY 14564; Lic. No. 068427; Cal. No. 33822; Application to surrender license granted. Summary: Licensee did not contest the charge of failing to comply with the mandatory continuing education requirements.

Scott M. Schecter; Certified Public Accountant; Rye, NY 10580; Lic. No. 042166; Cal. No. 33847; Application to surrender license granted. Summary: Licensee did not contest the charge of willfully failing to timely complete mandatory continuing education requirements.

## **III. OTHER REGENTS DISCIPLINARY ACTIONS**

### **Dentistry**

Irina Vaiman Kessler; Dentist; New York, NY 10021; Lic. No. 046342; Cal. No. 33547; Application for consent order granted; Penalty agreed upon: Censure and reprimand, 1 year probation, \$500 fine.

Cristina V. Masso; Dentist; Peekskill, NY 10566; Lic. No. 046792; Cal. No. 33708; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$1,000 fine.

Melissa Linda Gee; Dental Hygienist; Staten Island, NY 10312-3416; Lic. No. 026714; Cal. No. 33831; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

### **Nursing**

Susan V. Osborn; Registered Professional Nurse; Horseheads, NY 14845; Lic. No. 453396; Cal. No. 32057; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, 100 hours public service.

Ryan D. Kinnally; Registered Professional Nurse; Rush, NY 14543; Lic. No. 626384; Cal. No. 32062; Found guilty of professional misconduct; Penalty: Indefinite actual suspension for no less than 6 months and until fit to practice, upon return to practice, 2 years probation.

Francine Paulette Francioli a/k/a Francine P. Whittaker; Licensed Practical Nurse; Wilson, NY 14172-9697; Lic. No. 289365; Cal. No. 32321; Found guilty of violation of probation; Penalty: Indefinite actual suspension for no less than 2 months and until completion of coursework in ethics, 2 years probation.

Valerie Ismael; Registered Professional Nurse; Farmingdale, NY 11735; Lic. No. 709249; Cal. No. 33184; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Laura Gabrielle Simons; Licensed Practical Nurse; Livonia, NY 14487; Lic. No. 317374; Cal. No. 33512; Application for consent order granted; Penalty agreed upon: 2 months actual suspension, 22 months stayed suspension, upon return to practice, 2 years probation, \$500 fine.

Heidi Hitchman-Harmann; Licensed Practical Nurse; Hermon, NY 13652; Lic. No. 286214; Cal. No. 33680; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Tatiana C. Portela a/k/a Tatiana Portela; Registered Professional Nurse, Nurse Practitioner (Adult Health); Frisco, TX 75035; Lic. No. 577095, Cert. No. 307045; Cal. Nos. 33762, 33763; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$1,000 fine.

Sarah Ann Rene Preston; Licensed Practical Nurse; Hornell, NY 14843; Lic. No. 329523; Cal. No. 33780; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon return to practice, 2 years probation, \$500 fine.

Donna E. Hasil; Registered Professional Nurse; Astoria, NY 11106; Lic. No. 324887; Cal. No. 33840; Application for consent order granted; Penalty agreed upon: 3 months actual suspension, 21 months stayed suspension, 2 years probation, \$500 fine.

Victoria Lynn Adams; Licensed Practical Nurse; Rochester, NY 14620; Lic. No. 337487; Cal. No. 33913; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Cory Bloom Burns; Registered Professional Nurse; Hamburg, NY 14075; Lic. No. 663418; Cal. No. 33927; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon return to practice, 2 years probation.

Taj Uddin Ahmad; Registered Professional Nurse; Staten Island, NY 10314-0000; Lic. No. 713203; Cal. No. 33929; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Sashanna Christina De Freitas; Licensed Practical Nurse; Brooklyn, NY 11207; Lic. No. 327358; Cal. No. 33930; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, 2 years probation.

### **Pharmacy**

Rapid Drugs Inc., Pharmacy; Pharmacy; Woodside, NY 11377; Reg. No. 038327; Cal. No. 33684; Application for consent order granted; Penalty agreed upon: \$5,000 fine.

### **Psychology**

Edward Harrison Dewey; Psychologist; Washington, DC 20016; Lic. No. 016405; Cal. No. 33520; Application for consent order granted; Penalty agreed upon: Censure and reprimand, \$2,500 fine.

### **Public Accountancy**

Steven H. Ballin a/k/a Steven Ballin; Certified Public Accountant; Valley Stream, NY 11580; Lic. No. 038609; Cal. No. 33307; Application for consent order granted; Penalty agreed upon: 6 months actual suspension, 18 months stayed suspension, 2 years probation, \$5,000 fine.

Andrea Ruth Doane; Certified Public Accountant; Clermont, FL 34711; Lic. No. 092384; Cal. No. 33543; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$1,000 fine.

Ken Erdheim CPA PC; Professional Service Corporation; Woodmere, NY 11598; Cal. No. 33570; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$2,500 fine.

Alison Gould Yablonowitz; Certified Public Accountant; Scotch Plains, NJ 07076; Lic. No. 081347; Cal. No. 33824; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$3,000 fine.

Shawn C. Rogers; Certified Public Accountant; Robbinsville, NJ 08690; Lic. No. 092690; Cal. No. 33825; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$1,000 fine.

### **Social Work**

Gregory James Mahoney; Licensed Master Social Worker, Licensed Clinical Social Worker; Bay Shore, NY 11706; Lic. Nos. 080921, 083249; Cal. Nos. 33788, 33789; Application for consent order granted; Penalty agreed upon: 6 months actual suspension, 18 months stayed suspension, 2 years probation, \$1,000 fine.

## **Veterinary Medicine**

Patrick Saeyoon Kim; Veterinarian; Little Neck, NY 11362; Lic. No. 008911; Cal. No. 33475; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$1,000 fine.

Michael R. Miller; Veterinary Technician, Veterinarian; Oneida, NY 13421; Lic. Nos. 004271, 011726; Cal. Nos. 33652, 33653; Application for consent order granted; Penalty agreed upon: 1 year actual suspension, 1 year stayed suspension, upon return to practice, 2 years probation.

Lynn McGreevy; Veterinary Technician; Malvern, NY 11565; Lic. No. 010627; Cal. No. 33911; Application for consent order granted; Penalty agreed upon: 3 months actual suspension, 21 months stayed suspension, 2 years probation.

Jeffrey Richard Hess; Veterinarian; Elma, NY 14059; Lic. No. 015807; Cal. No. 33944; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$1,000 fine.

## **IV. RESTORATION**

The Board of Regents voted on January 9, 2024 to deny the application for restoration of the registered professional nurse license of Mellissa L. Thompson, Poughkeepsie, NY 12605. Ms. Thompson's was revoked on November 16, 2010.

# **ATTACHMENT I**

## **New York State Education Department's P20W Statewide Longitudinal Data System (SLDS) Initiative**

### **Phase 1 - Expanding Infrastructure and Improving Interoperability**

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**A Presentation to the Board of Regents  
January 2024**



New York State  
**EDUCATION DEPARTMENT**  
Knowledge > Skill > Opportunity

# What is an SLDS?

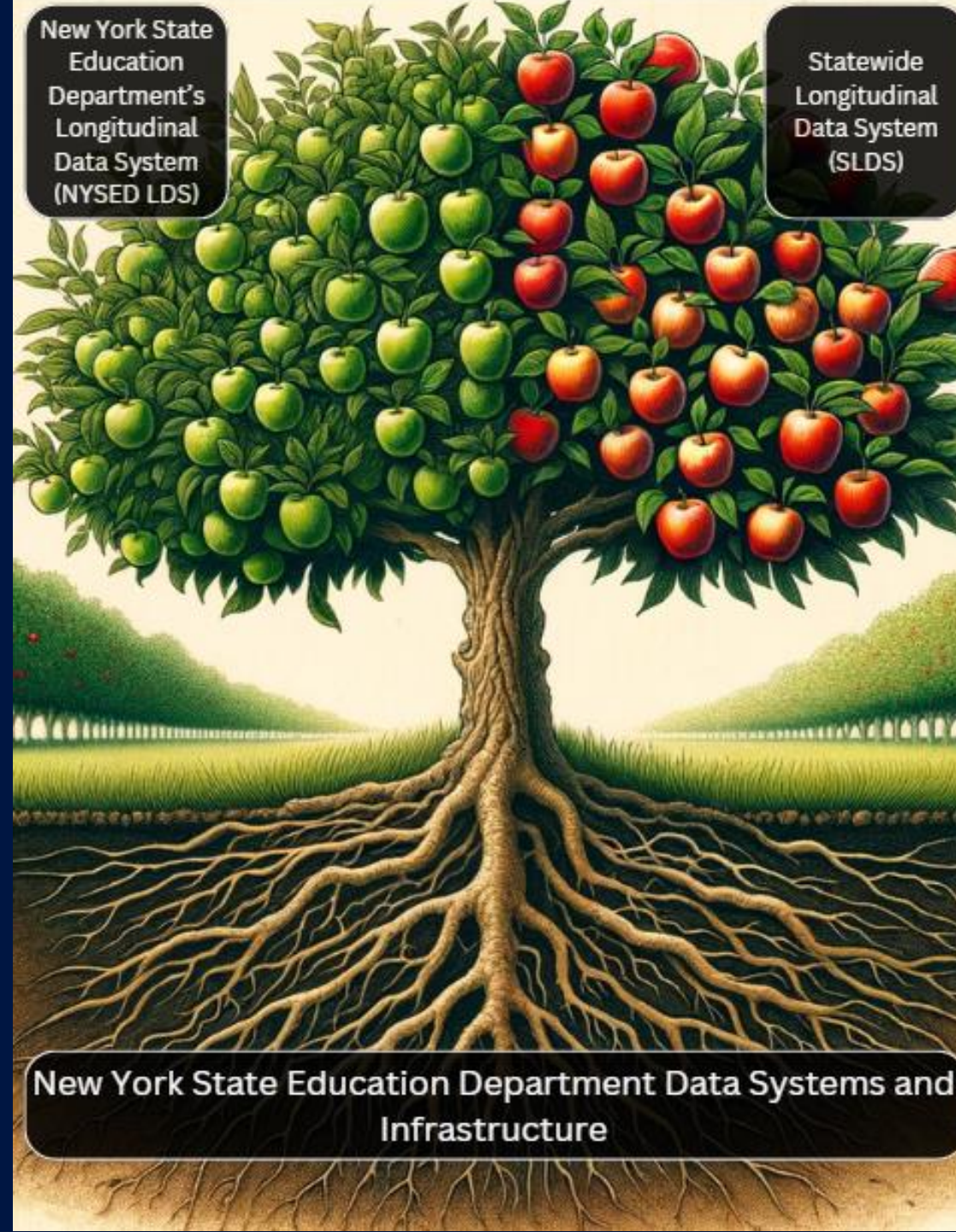
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A comprehensive system that integrates data from P-12, higher education, workforce, and other relevant data sets

- **Purpose:**
  - Answer critical questions
  - Inform decision making
  - Guide policy development to improve education outcomes
- **Critical Components:**
  - Data governance and data usage strategies
  - Technical infrastructure for security and data sharing
  - Sustainable support for long-term maintenance

# NYS Education Department LDS vs Statewide LDS and the Importance of Our IT Systems

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# Growing an SLDS

Current \$3.75m Grant

\$10.5m Appropriation

Integration of Statewide  
Data Systems



IT Data System and Infrastructure Needs Expand

# Current State of NYSED's LDS

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What we have now:



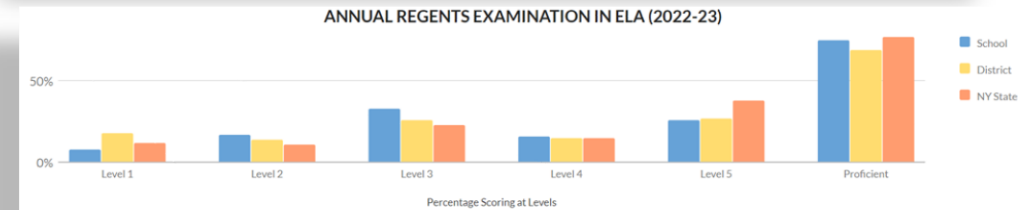
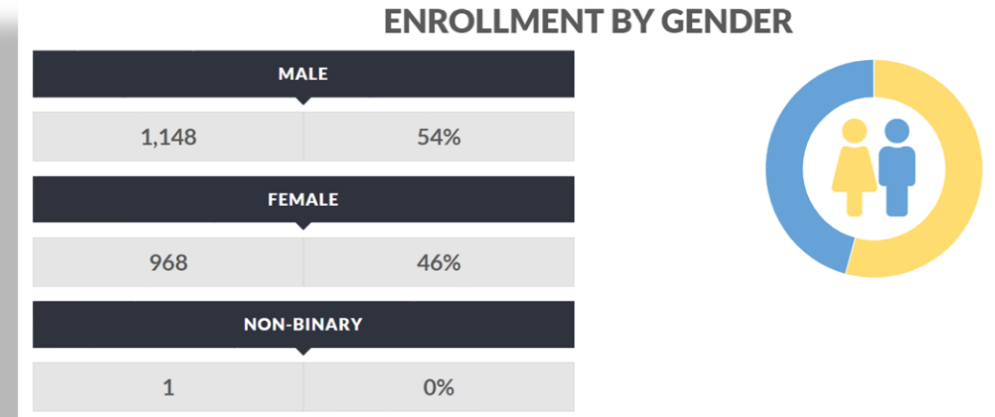
What we dream to build:



# Current State of NYSED's LDS

We have a robust P-12 data warehouse with some postsecondary data to meet reporting needs. However:

- Disparate, siloed, and aged technical infrastructure must be addressed
- Expansion is necessary for higher education and workforce data
- Previous unsuccessful attempts resulted in missed opportunities

















| Subgroup                   | Tested | Level 1 |     | Level 2 |     | Level 3 |     | Level 4 |     | Level 5 |     | Proficient (Levels 3 & Above) |     |
|----------------------------|--------|---------|-----|---------|-----|---------|-----|---------|-----|---------|-----|-------------------------------|-----|
|                            |        | #       | %   | #       | %   | #       | %   | #       | %   | #       | %   | #                             | %   |
| All Students               | 427    | 36      | 8%  | 71      | 17% | 139     | 33% | 70      | 16% | 111     | 26% | 320                           | 75% |
| Female                     | 198    | 7       | 4%  | 31      | 16% | 67      | 34% | 32      | 16% | 61      | 31% | 160                           | 81% |
| Male                       | 229    | 29      | 13% | 40      | 17% | 72      | 31% | 38      | 17% | 50      | 22% | 160                           | 70% |
| General Education Students | 359    | 31      | 9%  | 48      | 13% | 118     | 33% | 61      | 17% | 101     | 28% | 280                           | 78% |
| Students with Disabilities | 68     | 5       | 7%  | 23      | 34% | 21      | 31% | 9       | 13% | 10      | 15% | 40                            | 59% |

# Current State of NYSED's LDS

USDE lists 14 SLDS requirements to assist with status review:

- One item, “Secure Access to Data,” is considered “Complete”
- Seven items, including “Governance,” “Privacy Protection,” and “Data Quality,” are rated as “Currently in progress” or as early stage
- Six items, including “Institutional Support,” “Sustainability,” and “Enterprise-wide Architecture,” are rated with the status of “Has not begun”

Exhibit 1: SLDS Requirements & NYS Status

| SLDS Requirements      |  | NYS Status            |   |
|------------------------|--|-----------------------|---|
| 1. Governance & Policy | a. Needs and Uses                            | Currently in progress |    |
|                        | b. Governance                                | Currently in progress |    |
|                        | c. Institutional Support                     | Has not begun         |    |
|                        | d. Sustainability                            | Has not begun         |    |
| 2. Technical           | a. Federal Reporting                         | Currently in progress |    |
|                        | b. Privacy Protection and Data Accessibility | Currently in progress |    |
|                        | c. Interoperability                          | Has not begun         |    |
|                        | d. Data Quality                              | Currently in progress |    |
|                        | e. Enterprise-wide Architecture              | Has not begun         |    |
| 3. Data Use            | a. Secure Access                             | Complete              |    |
|                        | b. Data Use Deliverables                     | Currently in progress |   |
|                        | c. Evaluation                                | Has not begun         |  |
|                        | d. Partnerships with Research Community      | Currently in progress |  |
|                        | e. Sustainability Plan                       | Has not begun         |  |

# SLDS 2023 Grant: Award Summary

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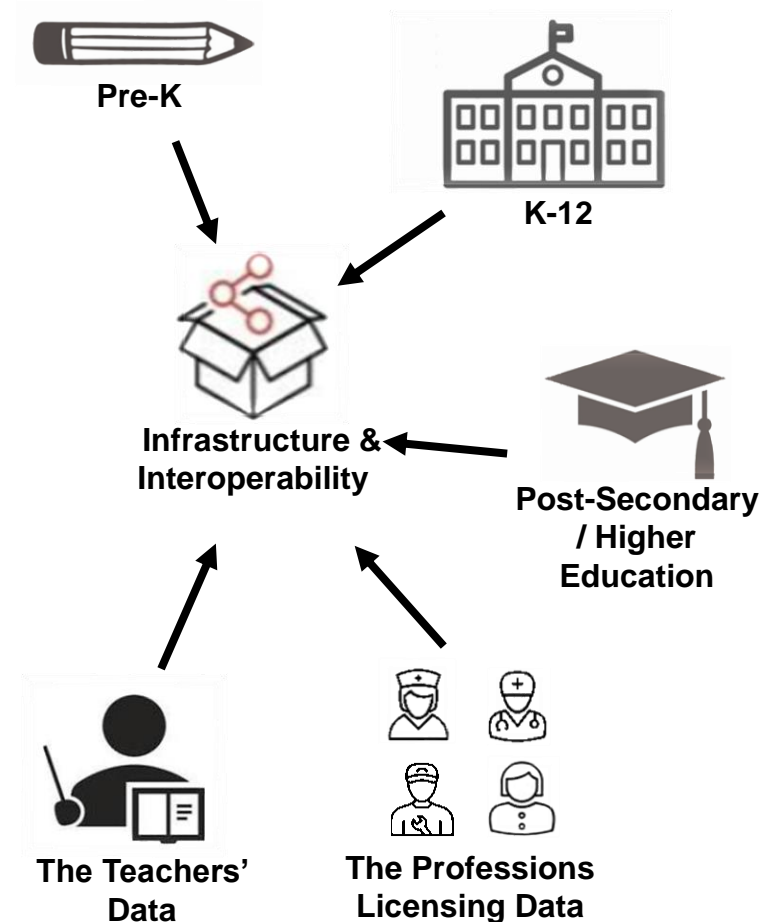
NYSED has received a four-year \$3.75 million grant award from USDE in support of an SLDS project focusing on the priority of “Infrastructure and Interoperability.”

- Infrastructure: update, expand, and develop technical infrastructure to support an SED LDS
  - On-going: Student identification system in P-12 data warehouse
  - Proposed: Data integration and storage infrastructure
- Interoperability: create linkages of data elements

# SLDS 2023 Grant: Proof of Concept

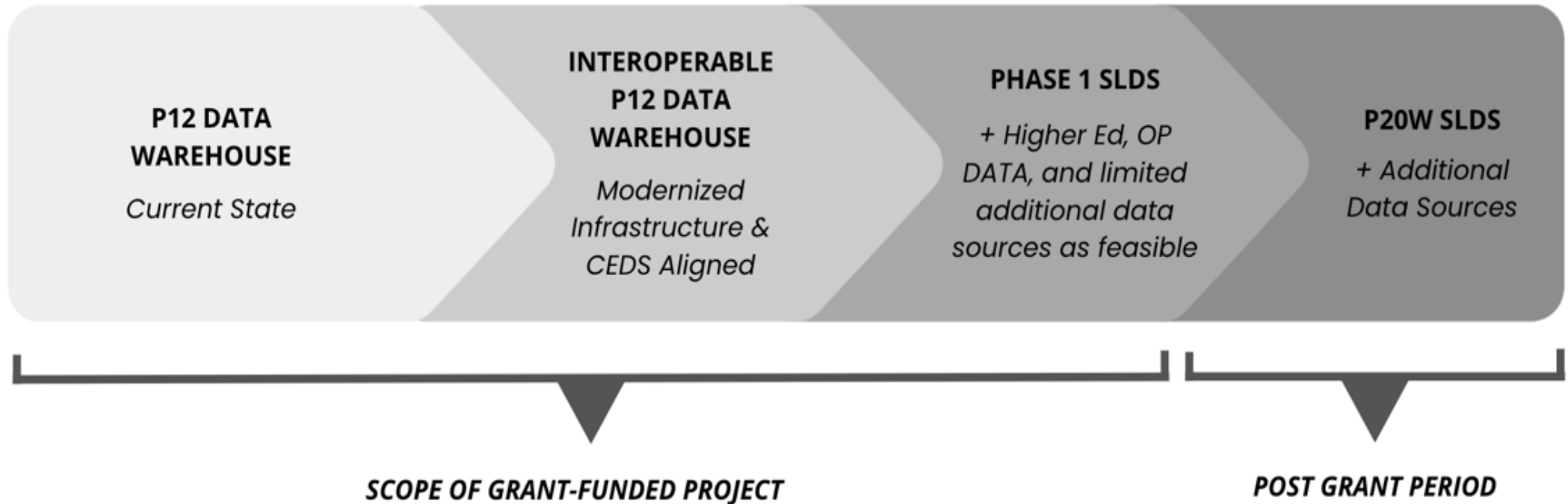
Overarching goal: To demonstrate the “Proof of Concept” and a pathway to success:

- Connect P-12 data warehouse to data from the Office of the Professions and the Office of Teaching Initiatives
- Link P-12 data warehouse to the systems of SUNY and CUNY
- Demonstrate data visualization through expanded infrastructure and technical solution



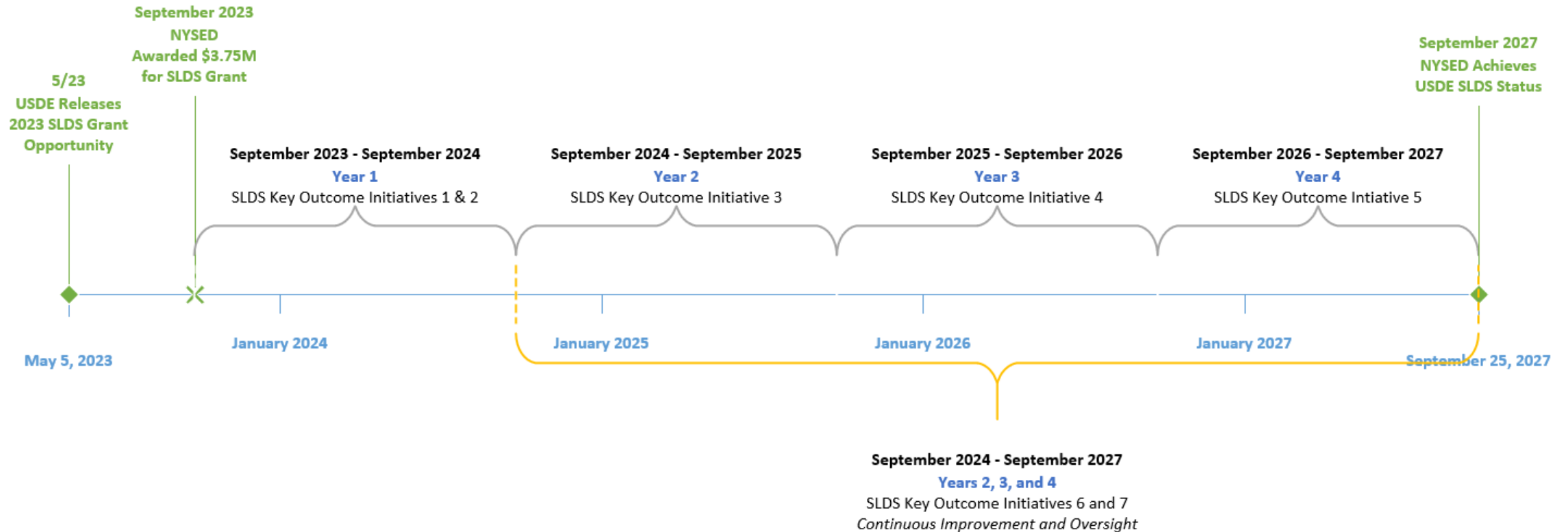
# SLDS 2023: Scope of Work

CONTINUUM OF DEVELOPMENT  
New York State P20W SLDS



# SLDS 2023 Grant: Work Plan

## NYSED SLDS Timeline by Key Outcome Initiatives





# SLDS 2023 Grant: Professions

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Registered Nurses

- NYSED OP Licensed more than 30,000 Nurses in NYS in 2022.

Licensure-Qualified Nursing Programs

- NYSED OP authorizes more than 100 RN programs.

RNs Who Graduated from NYS High Schools

- This subset of RNs will allow us to review regional trends regarding where more students are successfully navigating to professional careers in nursing.

# SLDS 2023 Grant: Teachers

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Certified Teachers

- NYSED OTI certifies thousands of teachers annually with more than 200,000 certified public-school teachers active in 2023

Public Schools and Students

- NYSED IRS collects data on 700+ districts with more than 4,500 schools where ~2.5M students receive instruction

Teacher-Student Linkages

- The link between teachers and students in combination with teacher certifications will allow us to review regional trends where more students are successfully navigating to careers and college

# SLDS 2023 Grant: Key Outcome #1

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## Define and align mission and vision of the work for key stakeholders

- Work with the USDE State Support Team and learn from other state's SLDS experiences
- Engage key stakeholders in NYS
- Develop data privacy campaign and “myth buster” document



# SLDS 2023 Grant: Key Outcome #2

## Update policies and standard practices to support the SLDS

- Improve data governance program
- Develop data usage strategies
- Engage external state-level stakeholders in discussions about addressing possible legal limitations that diminish capacity for statewide data interoperability

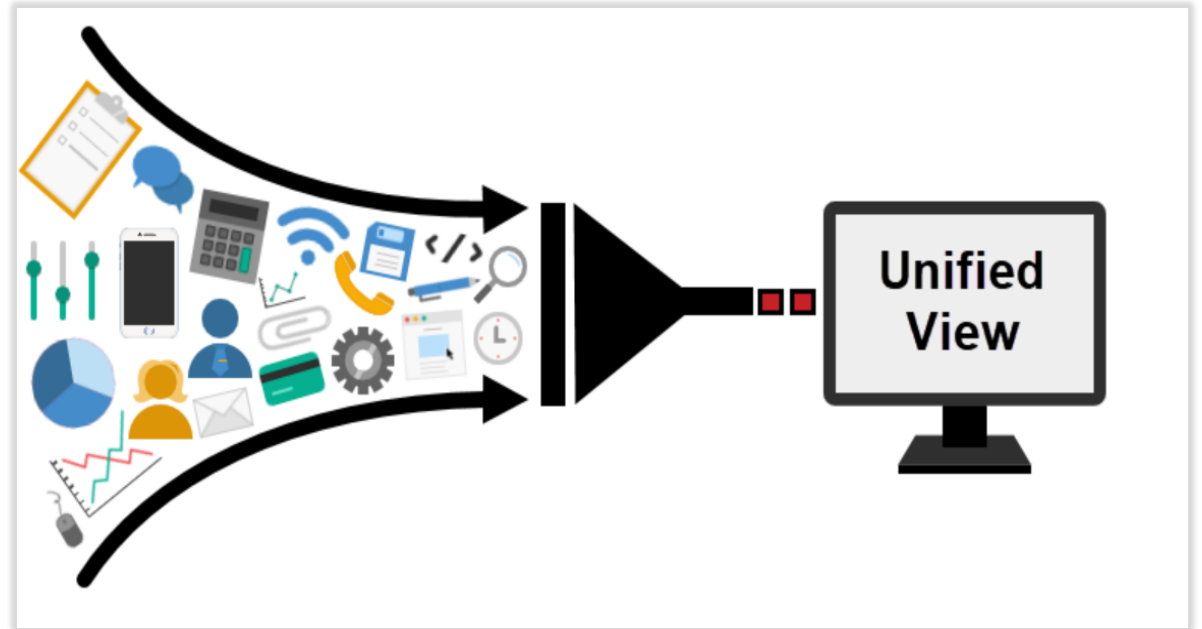


# SLDS 2023 Grant: Key Outcome #3

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## Finalize technical decisions related to infrastructure and interoperability

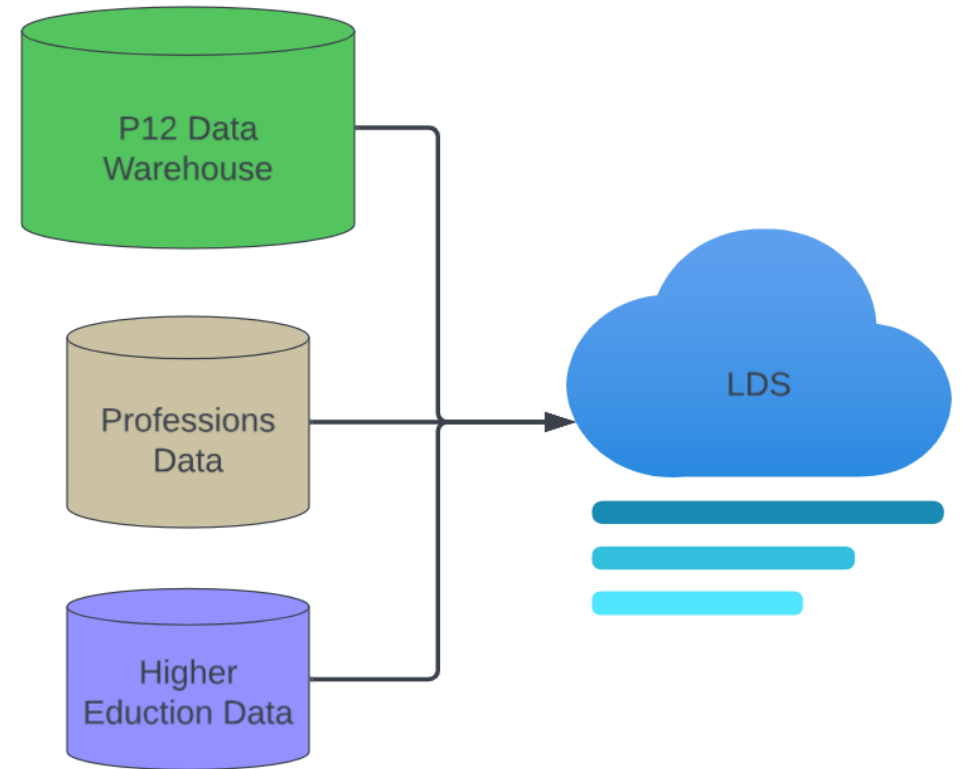
- Determine feasibility and best technical fit
- Conduct technology infrastructure analysis
- Research data visualization systems and platforms to identify the best fit



# SLDS 2023 Grant: Key Outcome #4

## Expand P-12 Data Warehouse infrastructure to support interoperability

- Modernize technologies (such as Cloud storage and Virtual Private Network/VPN tunnel)
- Implement matching mechanism among multiple data systems
- Develop visualization standards and report delivery standards and mechanisms



# SLDS 2023 Grant: Key Outcome #5

## Implement technological solution to include other statewide data sources in Phase 1 SLDS

- Pilot Phase 1 SLDS with Office of the Professions data
- Pilot Phase 1 SLDS with data from SUNY and CUNY
- Develop automated mechanism for matching P-12 data sets with other data sets

Master Table

| ID    | First Name | Last Name | Address 1    | Address 2 | Phone       | Nat ID     | State    | ZIP        | Birthdate  |
|-------|------------|-----------|--------------|-----------|-------------|------------|----------|------------|------------|
| 458   | John       | O'neel    | 16 M. St     | Null      | 516465+09   | 256489458  | Nyc      | 85001_     | 10/11/1988 |
| 2398  | Jonathan   | O'nil     |              | Norw1ch   | +1578698754 | #####      | _NY      |            |            |
| CL_96 |            | John O.   | Mekel Street | NY        | 00000       | 25648945-8 | NEW YORK | 85001NY    | OCT-11     |
| Null  | jOhny      | O'neal    | 16m1l        | Norwich   |             |            |          | 85001-4561 | 11/10/1988 |

# SLDS 2023 Grant: Key Outcome #6

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## Achieve continuous improvement through stakeholder input and feedback

- Stakeholder input for maintaining the privacy and security of student data
- New NYSED webpage for data submission requests, questions, and feedback
- Outreach campaign through NYSED's listservs, newsletters, and social media

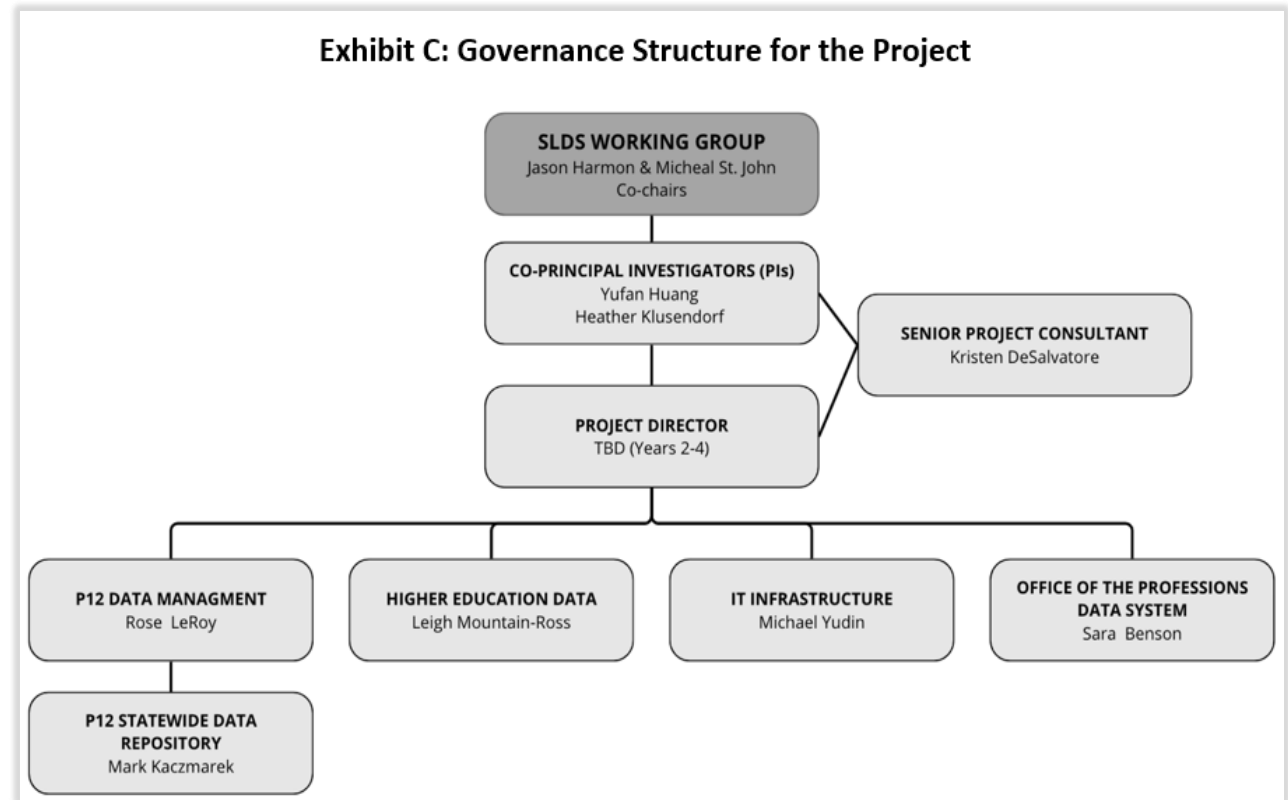




# SLDS 2023 Grant: Key Outcome #7

## Maintain proper oversight of the project through SLDS Working Group

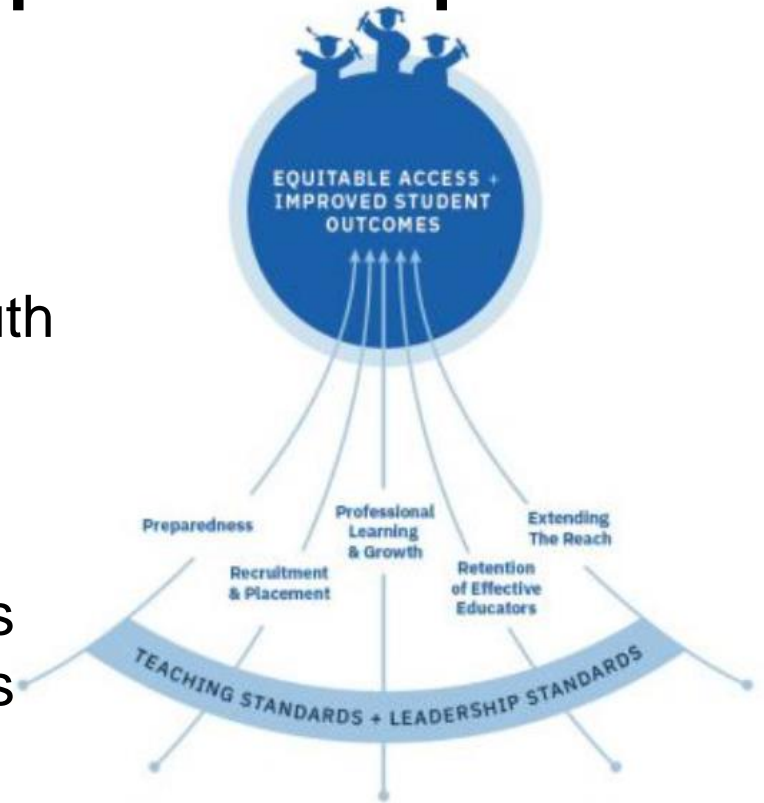
- Maintain mission & vision of the Phase 1 SLDS throughout the grant period
- Standard quarterly meetings and ad hoc meetings as needed
- Disparate, siloed, and aged technical infrastructure must be addressed



# SLDS 2023 Grant: Future Opportunities

**An SLDS should help to answer critical questions, inform decision making, and guide policy development to improve outcomes**

- Are changes to the teacher pipeline resulting in more teachers available in areas of need?
- Are improvements we have made for incarcerated youth to receive a diploma resulting in improved career and economic outcomes?
- Can we identify critical class and course taking patterns that improve the career and college outcomes for our students and make those learning opportunities available statewide?



# Questions?

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New York State  
EDUCATION DEPARTMENT

Knowledge > Skill > Opportunity