



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: Anthony Lofrumento
SUBJECT: Summary of the February 2013 Meeting
DATE: March 4, 2013

AUTHORIZATION(S):

John B. G. G.
Executive Summary

Issue for Decision

Review of the Summary of the February 2013 Meeting of the Board of Regents.

Proposed Handling

Approval of the Summary of February 2013 meeting.

Procedural History

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

Recommendation

Approval of the Summary of the February 2013 meeting.

Timetable for Implementation

Effective March 12, 2013.

VOTED, that the Summary of the February 2013 Meeting of the Board of Regents of The University of the State of New York be approved.



**SUMMARY OF THE FEBRUARY 2013 MEETING
OF THE BOARD OF REGENTS
OF
THE UNIVERSITY OF THE STATE OF NEW YORK**

Held at the State Education Building

Albany, New York

February 11 and 12, 2013

***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, February 11 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

MEETING OF THE FULL BOARD, Monday, February 11 at 9:00 a.m.

Board Members in Attendance:

Chancellor Merryl H. Tisch
Vice Chancellor Anthony S. Bottar
Robert M. Bennett, Chancellor Emeritus
Geraldine D. Chapey
James R. Tallon, Jr.
Roger Tilles
Charles R. Bendit
Betty A. Rosa
Lester W. Young, Jr.
Christine D. Cea
Wade S. Norwood
James O. Jackson
Kathleen M. Cashin
James E. Cottrell
T. Andrew Brown

Also present were the Commissioner of Education, John B. King Jr., Executive Deputy Commissioner, Elizabeth Berlin, Counsel, Deputy Commissioner for Legal Affairs, Richard J. Trautwein, and the Secretary, Board of Regents, Anthony Lofrumento. Regents James C. Dawson and Harry Phillips, 3rd were absent and excused.

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

ACTION ITEMS

Executive Session Motion

MOVED, that the Board of Regents convene in executive session on Tuesday, February 12, 2013 at 8:30 a.m. to discuss litigation and personnel matters.

Motion by: Chancellor Emeritus Robert M. Bennett
Seconded by: Regent Roger Tilles
Action: Motion carried unanimously

UPDATES

APPR Update

Commissioner John B. King Jr. provided the Board with an update on APPR.

SUNY/CUNY Reports to the Legislature on Remediation

Commissioner John B. King Jr. provided the Board with a presentation on SUNY/CUNY Reports to the Legislature on Remediation (see Attachment I).

During the presentation on the SUNY/CUNY remediation reports the Chancellor asked that the Regents Priorities include a slide on the Education Equity for DREAMers bill and the DACA Transition Fund. (Reflected in the Attachment I)

Chancellor Merryl H. Tisch adjourned the meeting at 10:00 a.m.

MEETING OF THE FULL BOARD, Tuesday, February 12 at 11:30 a.m.

Board Members in Attendance:

Chancellor Merryl H. Tisch
Vice Chancellor Anthony S. Bottar
Robert M. Bennett, Chancellor Emeritus
Geraldine D. Chapey
James R. Tallon, Jr.
Roger Tilles
Charles R. Bendit
Betty A. Rosa
Lester W. Young, Jr.
Christine D. Cea
Wade S. Norwood
James O. Jackson
Kathleen M. Cashin
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T. Andrew Brown

Also present were the Commissioner of Education, John B. King Jr., Executive Deputy Commissioner, Elizabeth Berlin, Counsel and Deputy Commissioner for Legal Affairs, Richard J. Trautwein, and the Secretary, Board of Regents, Anthony Lofrumento. Regents James C. Dawson and Harry Phillips, 3rd were absent and excused.

Chancellor Merryl H. Tisch called the meeting to order at 11:30 a.m.

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 January 2013 Meeting of the Board of Regents
BR (A) 2**

MOVED, that the Summary of the January 2013 Meeting of the Board of Regents of The University of the State of New York be approved.

Motion by: Regent Roger Tilles
Seconded by: Regent James R. Tallon, Jr.
Action: Motion carried unanimously

PROGRAM AREA CONSENT ITEMS

Higher Education

**Unification Theological Seminary: Master plan amendment to authorize the Seminary to offer a Bachelor of Arts (B.A.) Degree Program in World Religions and Philosophy
BR (CA) 1**

MOVED, that the Board of Regents approve a master plan amendment to authorize the Unification Theological Seminary to offer a Bachelor of Arts (B.A.) degree program in World Religions and Philosophy.

**State University College at Buffalo: Regents Authorization to Award the Master of Music (Mus.M.) Degree
BR (CA) 2**

MOVED, that the Board of Regents authorize the State University of New York Board of Trustees to award the Master of Music (Mus. M.) degree on students successfully completing registered programs at the State University College at Buffalo effective February 12, 2013.

Professional Practice

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

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

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

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

Motion by: Chancellor Emeritus Robert M. Bennett
Seconded by: Regent James E. Cottrell
Action: Motion carried unanimously

STANDING COMMITTEE REPORTS

P-12 EDUCATION

Your P-12 Education Committee held its scheduled meeting on February 11, 2013. All members were present except for Regents Dawson and Phillips, who were excused.

ACTION ITEMS

Charter School Renewals

VOTED: That the Board of Regents finds that, the **Aloma D. Johnson Fruit Belt Community Charter School**: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the Aloma D. Johnson Fruit Belt Community Charter School and that a renewal charter be issued, and that is provisional charter be extended for a term up through and including June 30, 2016.

VOTED: That the Board of Regents finds that, the **Charter School of Educational Excellence**: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the Charter School of Educational Excellence and that a renewal charter be issued, and that is provisional charter be extended for a term up through and including June 30, 2018.

VOTED: That the Board of Regents finds that, the **La Cima Charter School**: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the La Cima Charter School and that a renewal charter be issued, and that is provisional charter be extended for a term up through and including June 30, 2016. [P-12 (A) 1]

Short-term Renewals for 5 Charter Schools Authorized by the Chancellor of the NYCDOE

VOTED: That the Board of Regents finds that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) 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) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues the renewal charter of the NYC Charter High School for Architecture, Engineering and Construction Industries as proposed by the Chancellor of the New York City Department of Education, and that its provisional charter be extended for a term up through and including June 30, 2013.

VOTED: That the Board of Regents finds that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) 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) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues the renewal charter of the Bronx Academy of Promise Charter School as proposed by the Chancellor of the New York City Department of Education, and that its provisional charter be extended for a term up through and including June 30, 2013.

VOTED: That the Board of Regents finds that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) 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) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues the renewal charter of the Bronx Global Learning Institute for Girls Charter School as proposed by the Chancellor of the New York City Department of Education, and that its provisional charter be extended for a term up through and including June 30, 2013.

VOTED: That the Board of Regents finds that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) 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) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves

and issues the renewal charter of the Future Leaders Institute Charter School as proposed by the Chancellor of the New York City Department of Education, and that its provisional charter be extended for a term up through and including June 30, 2013.

VOTED: That the Board of Regents finds that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) 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) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues the renewal charter of the South Bronx Charter School for International Cultures and the Arts as proposed by the Chancellor of the New York City Department of Education, and that its provisional charter be extended for a term up through and including June 30, 2013. [P-12 (A) 2]

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 February 12, 2013, copies of which have been distributed to each Regent.

MATTERS NOT REQUIRING BOARD ACTION

Update on Early Learning Initiatives – The Regents have developed a comprehensive approach to increasing access to high quality early learning opportunities for our neediest children. At this month's Committee meeting, the Regents were provided with additional information requested at a previous meeting relating to the percentage of prekindergarten (PK) children being served by school districts, as well as data pertaining to the provision of full-day kindergarten. The Committee was also provided with an update on the QUALITYstarsNY program and how it supports the Regents Reform Agenda for Early Learning Outcomes identified in Race to the Top. This initiative is intended to strengthen the quality of early childhood programs in high need school districts and provide parents with tools to identify high quality early learning environments. [P-12 (D) 1]

CTE Technical Skills Assessment Review Panel Update – The Committee was updated on the work of the CTE Technical Skills Assessment Review Panel and outcomes from their first meeting which was held in New York City on January 10, 2013. At the meeting a set of working criteria was developed to be used in the initial selection of technical assessment review. Pradeep Kotamraju, Deputy Director of the National Research Center for CTE and graduate students from the University of Louisville, Kentucky will prioritize selected assessments using the criteria and provide the expert advisory panel with the initial group of assessments for review, discussion and final selection. The Committee recommends that the expert advisory panel continue its work

to determine which technical assessments should be recommended to the Blue Ribbon Commission along with a methodology to be used for future assessment approvals. The CTE Technical Assessment Expert Advisory Panel is scheduled to meet again tentatively in April 2013 to finalize the criteria and agree on the initial set of selected technical assessments for recommendation. It is anticipated that the Blue Ribbon Commission will make its recommendations to the Board of Regents for consideration in June 2013. [P-12 (D) 2]

Bilingual Common Core Progressions – The Committee was updated on the development of the Bilingual Common Core Progressions and the development of a Theoretical Foundations document. The Bilingual Common Core Progressions provide a roadmap for teachers to ensure that students who are learning a new language and/or developing their home language meet the Common Core Learning Standards. The Theoretical Foundations document details the research and states explicitly the theory of language development that is the foundation of the Bilingual Common Core Progressions. The sample Progressions, Theoretical Foundations document, and a Teacher's Guide were posted for public comment on EngageNY.org. Once a complete set of Progressions are created, the Department will conduct another public review and comment period in spring 2013. The Department is seeking to complete the writing of the Progressions by the summer of 2013 to present to the Regents for their consideration. [P-12 (D) 3]

Dignity Act Regulations – The Committee discussed proposed amendments to regulations relating to Dignity Act Coordinator and School Employee Training programs. It is anticipated that the proposed amendment will be presented for action at the May Regents meeting. [P-12 (D) 4]

PROFESSIONAL PRACTICE

Your Professional Practice Committee held its scheduled meeting on February 11, 2013. All Committee members were present, except Regent Harry Phillips, 3rd, who was excused.

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 25 consent order applications and 4 surrender applications be granted. [PPC EXS (A) 1-3]

These recommendations are made following the review of 33 cases involving twelve registered professional nurses, four licensed practical nurses, three licensed practical

nurses who are also registered professional nurses, two dentists, two pharmacists, two podiatrists, one certified public accountant, one clinical laboratory technician, one landscape architect, one massage therapist, and one podiatric professional corporation.

Restorations

Your Committee recommends that the application of John Gelfand for the restoration of his license to practice as a physician in New York State be denied. [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 February 11, 2013, 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 [Oral] – The Deputy Commissioner reported on the following items:

- Full Board Consent Agenda Items
 - Board (Re)Appointments
 - Licensing Petitions
- Updates on OP Initiatives
 - Technology Update
 - Staffing/Productivity Update
 - Update on Online Learning in the Professions
 - Coordination Between OP and Higher Education and Between OP and P-12 Education on Issues of Common Interest

Update on Professional Licensing [PPC (D) 1] – Susan Naccarato, Acting Director, Division of Professional Licensing Services, and William Murphy, Director, Division of Professional Education, presented information to the Committee updating them on the professional licensing and registration processes of the Office of the Professions.

AUDITS/BUDGET AND FINANCE

The Regents Committee on Audits/Budget and Finance met as scheduled yesterday February 11, 2013. Chancellor Tisch, and Regents Bendit, Cea, Cottrell, Tallon, Tilles and Young were in attendance.

Co-Chair's Remarks: Regent Chapey welcomed everyone and stressed the importance of utilizing information in audit findings as a tool for change.

ITEMS FOR DISCUSSION

2013-14 Executive Budget Update

Our Chief Financial Officer (CFO) briefed the Committee members on the highlights of the proposed Executive Budget. Our Executive Deputy Commissioner briefed the Committee members on the components of the Executive Budget that will impact the area of Special Education.

January 2013 Fiscal Report

The CFO briefed the members. General Fund accounts are in structural balance with the exception of the Tenured Teacher Hearings (TTH) account. Although fiscal and programmatic reforms were included in the enacted state budget, there continues to be a deficit of an estimated \$9 million in unpaid bills due to chronic under-funding of this program after new case claims are paid will be used for prior year claims.

Revenue accounts are all in structural balance on a current year basis and the accumulated negative balance in the Cultural Education Account is being reduced by approximately \$700,000.

Completed Audits

The Committee was presented with fifteen audits this month. Twelve of the audits were issued by the Office of the State Comptroller (OSC) two by the Comptroller of the City of New York, and one by the Office of Audit Services (OAS). Six of the audits were highlighted for the members of the Committee and Department actions were described. The findings were in the areas of procurement, financial reporting, claims processing, information technology, payroll, conflicts of interest, tuition assistance program and a school improvement grant.

CULTURAL EDUCATION

Regent Roger Tilles, Chair of the Cultural Education Committee, submitted the following written report. Your Committee on Cultural Education Committee had its scheduled meeting on February 12, 2013.

In attendance were committee members: Regents Tilles, Bendit, Rosa Cea, Jackson Cottrell, and Brown. Absent: Regent Dawson.

In addition to CE Committee Members, in attendance were: Chancellor Tisch, Vice Chancellor Bottar, Regents Tallon and Cashin and Commissioner King and Executive Deputy Commissioner Berlin.

ITEMS FOR DISCUSSION

Chair's Remarks: Regent Tilles welcomed everyone and opened the meeting. Regent Tilles briefly reported on a meeting with Museum staff that was held on February 11, indicating that staff are getting a lot of support from the Department for the application and administration of research grants. Regent Tilles also reported that the Museum Advisory Committee will be meeting in New York at the Museum of Natural History on March 1. Regent Tilles provided Deputy Commissioner Cannell with a number of items that he would like to add to the agenda for the Advisory Council meeting.

Focus Presentation on Ornithological Research and Education Activities

Dr. Jeremy Kirchman, Curator of Ornithology, provided a presentation on the Museum's ornithology collection, how it is used and how it is maintained. He also spoke about the recent acquisition of elements of the Eaton collection and how some specimens from this collection are being used to support research in the genetic diversity of the spruce grouse population in the Adirondack Mountains. Members of the committee commented on the excellent presentation style and useful and relevant information that Mr. Kirchman provided.

HIGHER EDUCATION

Your Higher Education Committee held its scheduled meeting on February 12, 2013.

Action Items

The 2012-2020 Statewide Plan for Higher Education. Your Committee reviewed the final draft of the Statewide Plan for Higher Education. Staff provided a summary of the key points of the two public hearings held, the comments received from the Board, and the additions and/or changes made as a result of this input. Your Committee recommends the Board approve the 2012-2020 Statewide Plan for Higher Education.

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 February 12, 2013, copies of which have been distributed to each member of the Board of Regents.

Other matters not requiring action:

Proposed amendments to Section 52.21 and Part 80 and the addition of a new Subpart 57-4. Your Committee discussed proposed amendments related to requirements for coursework or training in harassment, bullying and discrimination prevention and intervention as prescribed by the Dignity for All Students Act. We anticipate that the regulations will be brought to this Committee for approval at the May 2013 meeting.

Update on Educating All Students Certification Examination. The Committee received an update on the EAS assessment which will test the knowledge of candidates who wish to be certified as teachers or school building leaders in NYS. The framework for the Educating All Students test addresses five competencies: Diverse Student Populations, English Language Learners, Students with Disabilities and Other Special Learning Needs, Teacher Responsibilities, and School-Home Relationships. The exam also focuses on effective strategies for promoting positive home-school relationships.

ADULT CAREER AND CONTINUING EDUCATION (ACCES)

Your ACCES Committee held its scheduled meeting on February 11, 2013. All members were present, with the exception of Chancellor Emeritus Bennett and Regent Norwood, who were excused. Additional members of the Board attending where: Regent Tallon, Regent Cottrell, and Regent Brown

MATTERS NOT REQUIRING BOARD ACTION

Update on High School Equivalency Request for Proposal (RFP) – The Committee was provided an update on our progress to assure that a viable pathway to the State High School Equivalency diploma remains available on January 2, 2014 when the new, computer based GED[®] test is implemented. Two RFP's were issued on November 28, 2012 followed by a bidders' conference on December 7, 2012. In both RFPs, the vendor would be responsible for the development, printing, scoring of the test and transfer of test scores to SED. The vendor would also be responsible for secure shipping and downloading of test materials to the existing 269 SED approved testing centers. The deadline for submitting applications for the RFP was January 11, 2013. The results of the RFP and the recommended winning bid will be available soon. Once an award is made, SED will enter into a contract on April 1, 2013 with the winning vendor and commence development of the new test to be ready for full implementation by January 2, 2014.

MOVED, that the Committee Reports be approved.

Motion by: Chancellor Emeritus Robert M. Bennett
Seconded by: Regent Betty A. Rosa
Action: Motion carried unanimously

State Education Department December 2012 Fiscal Report BR (A) 3

MOVED, that accept the January 2013 State Education Department Fiscal Report as presented.

Motion by: Chancellor Emeritus Robert M. Bennett
Seconded by: Regent Geraldine D. Chapey
Action: Motion carried unanimously

Chancellor Merryl H. Tisch adjourned the meeting at 12:00 p.m.

Appendix I
NEW YORK STATE BOARD OF REGENTS CHARTER ACTIONS

Name of Institution	Program Area	County of Location	Description of Charter Action(s)
The Battery Heritage Foundation at Watson House	CE	New York	Grant a Regents certificate of incorporation.
Cornelius Vanderbilt Whitney Long Lake Library	CE	Hamilton	Dissolve charter and approval to distribute assets to Cornelius Vanderbilt Whitney Long Lake Library, a school district public library.
Cornerstone Masonic Historical Society	CE	Orange	Extend provisional charter for five years.
Friends of the Rochester Public Library	CE	Monroe	Dissolve charter and approval to distribute assets to the Rundel Library Foundation.
The Harpersfield Historical Society	CE	Delaware	Extend provisional charter for five years.
Hornell Erie Depot Museum	CE	Steuben	Grant provisional charter for five years.
Military Vehicle Museum of Greater Rochester	CE	Monroe	Amend, replace, and restate the provisional charter as a Regents certificate of incorporation, including a change of name to "The Historical Society of Western New York".
Museum of American Armor	CE	Nassau	Grant provisional charter for five years.
Taylor Historical Society	CE	Cortland	Amend charter to change corporate address and extend provisional charter for five years.
Tioga County Historical Society	CE	Tioga	Consolidate with "Tioga County Historical Society, Inc.", a New York NFP corporation, with the Tioga County Historical Society, as the survivor.
Academy of Holy Names	P-12	Albany	Amend charter to add authority to operate a pre-kindergarten program.
Bright Star Academy	P-12	Nassau	Grant an absolute charter.
The Children's Center for Early Learning	P-12	Kings	Extend provisional charter for three years.

DeSales Catholic School	P-12	Niagara	<p>Amend charter to:</p> <ul style="list-style-type: none"> delete and replace section 3 of the charter relating to the composition of the board of trustees; delete and replace section 11 of the charter concerning dissolution to reflect recommendation that the distribution of any remaining assets for the support of Catholic education for the community served by the corporation or, in the alternative, for the Diocese of Buffalo; <p>and extend the provisional charter for five years.</p>
Evangel Christian School	P-12	Queens	Consent to filing of certificate of assumed name "Evangel International School".
The Geneva School of Manhattan	P-12	New York	Amend charter to change corporate address and extend the provisional charter for five years.
MSUP Elementary School	P-12	Nassau	Amend charter to add authority to operate a day care program and extend the provisional charter for three years.
The New Amsterdam School	P-12	New York	Grant provisional charter for three years and consolidate with "Friends of the New Amsterdam School, Inc.", a New York NFP corporation, with The New Amsterdam School, as the survivor.
Our Lady of Lourdes Catholic Academy	P-12	Queens	Grant provisional charter for three years.
Our Lady of Mercy Catholic Academy	P-12	Queens	Grant provisional charter for three years.
Our Lady of Mercy High School of Rochester	P-12	Monroe	Amend charter to change corporate name to "Our Lady of Mercy School for Young Women".

Pascack Valley Learning Center	P-12	Nassau	Amend charter to: <ul style="list-style-type: none"> • add authority to operate grades third, fourth and fifth; • change corporate address; and extend provisional charter for three years.
Pinnacle Organization	P-12	Oswego	Extend provisional charter for three years.
St. Anselm Catholic Academy	P-12	Kings	Grant provisional charter for three years.
St. Camillus Catholic Academy	P-12	Queens	Grant provisional charter for three years.
St. Clare Catholic Academy	P-12	Queens	Grant provisional charter for three years.
St. Patrick Catholic Academy	P-12	Kings	Grant provisional charter for three years.
St. Rose of Lima Catholic Academy	P-12	Queens	Grant provisional charter for three years.
The King's College	HE	New York	Consent to filing of certificate of assumed name "NYC Intern".

Appendix II

REGENTS ACTIONS IN 33 PROFESSIONAL DISCIPLINE CASES AND 1 RESTORATION PETITION

February 11 - 12, 2013

The Board of Regents announced disciplinary actions resulting in the revocation of 1 license, the surrender of 4 licenses, and 28 other disciplinary actions. The penalty indicated for each case relates solely to the misconduct set forth in that particular case. In addition, the Board acted upon 1 restoration petition.

I. REVOCATION AND SURRENDERS

Dentistry

Gerald A. Zupkoff; Dentist; Hewlett, NY 11557; Lic. No. 021704; Cal. No. 26472; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Medical Assistance Provider; Prohibited Practice, a class E felony.

Nursing

Arthur W. Wheeler; Registered Professional Nurse; East Elmhurst, NY 11370; Lic. No. 256992; Cal. No. 26138; Found guilty of professional misconduct; Penalty: Revocation.

Dana Marie Dougherty; Registered Professional Nurse; Dumont, NJ 07628; Lic. No. 551166; Cal. No. 26449; Application to surrender license granted. Summary: Licensee admitted to the charge that, on several separate occasions, she withdrew the wrong dose from the Pyxis machine for the medication Heparin for use in preparing an IV Saline solution, causing the resulting solutions to be under-dosed for Heparin.

Maria Theresa Ogtong-Tynan; Registered Professional Nurse; Fort Lee, NJ 07024; Lic. No. 425761; Cal. No. 26508; Application to surrender license granted. Summary: Licensee did not contest the charge of practicing nursing while her ability to care for her patients was impaired by debilitating pain and limitation of movement arising from her severe degenerative back condition.

Pharmacy

V. Rao Veeramachaneni; Pharmacist; Brooklyn, NY 11234; Lic. No. 029970; Cal. No. 26530; Application to surrender license granted. Summary: Licensee did not contest the allegations that, between January 1, 2004 and March 30, 2009, he submitted, and caused to be submitted, claims to Medicaid for prescription drugs that were never dispensed; and submitted, and caused to be submitted, claims to Medicaid for prescription drugs that were diverted prescription drugs from lawful distribution.

II. OTHER REGENTS DISCIPLINARY ACTIONS

Clinical Laboratory Technology Practice

Chris Morel; Clinical Laboratory Technician; New York, NY 10024; Cert. No. 000494; Cal. No. 26494; Application for consent order granted; Penalty agreed upon: 6 month actual suspension, 18 month stayed suspension, 24 months probation, \$1,000 fine.

Dentistry

Harry Satin; Dentist; Valley Stream, NY 11580; Lic. No. 034200; Cal. No. 26521; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Landscape Architecture

Guy Charles Winig; Hillsdale, NY 12529; Lic. No. 001314; Cal. No. 26499; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation to commence upon return to practice.

Massage Therapy

Amy E. La Forte; Albany, NY 12202; Lic. No. 017290; Cal. No. 26359; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation.

Nursing

Kristin Cerminaro; Licensed Practical Nurse; Farmingville, NY 11738-2231; Lic. No. 298867; Cal. No. 25499; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation.

Sean Dewey Brown; Licensed Practical Nurse, Registered Professional Nurse; East Moriches, NY 11940; Lic. Nos. 249702, 514117; Cal. Nos. 25816, 25815; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until successfully complete course of therapy and treatment and until fit to practice, upon termination of suspension, 2 years probation to commence if and when return to practice.

Nancy Nero a/k/a Nancy Newhard; Licensed Practical Nurse, Registered Professional Nurse; Rensselaer, NY 12144; Lic. Nos. 242346, 525615; Cal. Nos. 25985, 25986; Found guilty of professional misconduct; Penalty: \$1,000 fine, 2 year suspension, execution of last year of suspension stayed, probation 2 years to run concurrent with period of suspension.

Shannon L. Pillion; Licensed Practical Nurse; Binghamton, NY 13905-3433; Lic. No. 265569; Cal. No. 26119; Found guilty of professional misconduct; Penalty: 2 year suspension, execution of suspension stayed, probation 2 years to run concurrent with period of stayed suspension.

Catherine F. Lugtu; Registered Professional Nurse; Port Washington, NY 11050; Lic. No. 513856; Cal. No. 26167; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation.

Rachel Cratsley; Registered Professional Nurse; Romulus, NY 14541-9576; Lic. No. 601635; Cal. No. 26323; Application for consent order granted; Penalty agreed upon: 2 year suspension, 2 years probation to commence upon return to practice, \$500 fine.

Kellie Eileen Burk; Licensed Practical Nurse, Registered Professional Nurse; East Islip, NY 11730-1310; Lic. Nos. 256216, 564949; Cal. Nos. 26336, 26337; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Michael Peter Bernardi; Registered Professional Nurse; Schenectady, NY 12303; Lic. No. 630370; Cal. No. 26376; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine payable within 6 months.

Lisa Jane Cordaro; Registered Professional Nurse; Valley Cottage, NY 10989; Lic. No. 518938; Cal. No. 26387; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Darlene Ann Whitney; Registered Professional Nurse; Delmar, NY 12054; Lic. No. 471028; Cal. No. 26388; Application for consent order granted; Penalty agreed upon: 2 month actual suspension, 10 month stayed suspension, 1 year probation.

Terrence James Berke; Licensed Practical Nurse; Hilton, NY 14468; Lic. No. 297672; Cal. No. 26395; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$250 fine.

Joseph F. Twardowski; Registered Professional Nurse; Tonawanda, NY 14223; Lic. No. 386695; Cal. No. 26402; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 11 month stayed suspension, 1 year probation, \$500 fine.

Antoinette L. Maria; Registered Professional Nurse; Elmira, NY 14904; Lic. No. 621471; Cal. No. 26403; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Jamie T. Webster a/k/a Jamie Todd Webster; Licensed Practical Nurse; Elmira, NY 14901; Lic. No. 294908; Cal. No. 26421; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Christine E. Ayres; Registered Professional Nurse; Stanley, NY 14561; Lic. No. 513384; Cal. No. 26444; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Cheryl Lynn Pedone; Registered Professional Nurse; Burnt Hills, NY 12027; Lic. No. 444976; Cal. No. 26500; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine.

Pharmacy

Vishal R. Patel; Pharmacist; New York, NY 10001; Lic. No. 055379; Cal. No. 26539; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$5,000 fine.

Podiatry

Thomas Barbaro; New Hyde Park, NY 11040; Lic. No. 004360; Cal. No. 24726; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$10,000 fine.

Thomas Barbaro, DPM, PC; 706 Jericho Turnpike, New Hyde Park, NY 11040; Cal. No. 26282; Application for consent order granted; Penalty agreed upon: \$10,000 fine payable within 6 months.

John DeStefano; Whitestone, NY 11357-4135; Lic. No. 006355; Cal. No. 26430; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 24 months probation, \$3,000 fine.

Public Accountancy

James Craig Taylor; Certified Public Accountant; Hauppauge, NY 11788; Lic. No. 048851; Cal. No. 26461; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$750 fine.

III. RESTORATION

The Board of Regents voted on February 12, 2013 to deny the application for restoration of the physician license of John Gelfand, Bayside, New York. Dr. Gelfand's license was originally surrendered May 30, 2006.

Sweeney's license was originally surrendered March 15, 2005.