



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 March 2017 Meetings
DATE: March 30, 2017

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

Issue for Decision

Review of the Summary of the March 2017 Meetings of the Board of Regents.

Proposed Handling

Approval of the Summary of March 2017 meetings.

Procedural History

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

Recommendation

Approval of the Summary of the March 2017 meetings.

Timetable for Implementation

Effective April 4, 2017.

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



SUMMARY OF THE MARCH 2017 MEETINGS

OF THE BOARD OF REGENTS

OF

THE UNIVERSITY OF THE STATE OF NEW YORK

Held at the State Education Building

Albany, New York

March 13, 2017

and

Held at Mercy College

Dobbs Ferry, New York

March 27, 2017

***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, March 13, 2017 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

MEETING OF THE FULL BOARD, Monday, March 13th at 9:00 a.m.

Board Members in Attendance:

Betty A. Rosa, Chancellor
T. Andrew Brown, Vice Chancellor
James R. Tallon, Jr.
Lester W. Young, Jr.
Christine D. Cea
Wade S. Norwood
Kathleen M. Cashin
James E. Cottrell
Josephine Victoria Finn
Judith Chin
Beverly L. Ouderkirk
Catherine Collins
Judith Johnson
Nan Eileen Mead
Elizabeth S. Hakanson
Luis O. Reyes

Also present were Commissioner of Education, MaryEllen Elia, Executive Deputy Commissioner, Elizabeth Berlin, Counsel and Deputy Commissioner for Legal Affairs, Alison B. Bianchi, and the Secretary, Board of Regents, Anthony Lofrumento. Regent Roger Tilles was absent and excused.

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

ACTION ITEM

Executive Session Motion

MOVED, that the Board of Regents convene in executive session, Monday, March 13th at 5:15 pm to discuss litigation matters.

Motion by: Vice Chancellor T. Andrew Brown
Seconded by: Regent Christine D. Cea
Action: Motion carried unanimously

Chancellor Betty A. Rosa and Commissioner Elia recognized and thanked the New York State Parent Teacher Association (PTA).

PRESENTATION

Review of the Graduation Rate for the 2012 Cohort that Successfully Graduated in 2016

Commissioner Elia presented high school graduation rates based on the cohort of students entering grade 9 in 2012. These graduation rates reflect the achievement of the third cohort of students who entered grade 9 following New York's adoption of the higher learning standards. (Attachments I and II.)

DISCUSSION

Update on the East Ramapo Central School District BR (D) 1

Monitors Chuck Szuberla and John Sipple provided an overview of the actions and activities occurring within the East Ramapo Central School District (Attachment III.)

Chancellor Betty A. Rosa adjourned the meeting.

The Board of Regents of The University of the State of New York held a public session on Monday, March 13, 2017 at 5:30 p.m. pursuant to a call to duty sent to each Regent.

Board Members in Attendance:

Betty A. Rosa, Chancellor
T. Andrew Brown, Vice Chancellor
James R. Tallon, Jr.
Lester W. Young, Jr.
Christine D. Cea
Wade S. Norwood
Kathleen M. Cashin
James E. Cottrell
Judith Chin
Beverly L. Ouderkirk
Catherine Collins
Judith Johnson
Nan Eileen Mead
Elizabeth S. Hakanson
Luis O. Reyes

Also present were Commissioner of Education, MaryEllen Elia, Executive Deputy Commissioner, Elizabeth Berlin, Counsel and Deputy Commissioner for Legal Affairs, Alison B. Bianchi, and the Secretary, Board of Regents, Anthony Lofrumento. Regents Roger Tilles and Josephine Victoria Finn were absent and excused.

Chancellor Betty A. Rosa called the meeting to order at 5:30 p.m. and asked Regent Tallon to provide thoughts for a moment of reflection.

ACTION ITEMS

**Charter Applications
BR (A) 1 - REVISED**

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

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

Motion by: Regent James R. Tallon, Jr.
Seconded by: Regent Christine D. Cea
Action: Motion carried unanimously.

PROGRAM AREA CONSENT ITEMS

Adult Career and Continuing Education Services (ACCES)

Appointment to the New York State Rehabilitation Council BR (CA) 1

MOVED, that Ellice Switzer be appointed as voting member for a term beginning March 2017 and ending December 31, 2019.

Higher Education

Amendment of Section 80-1.6 of the Regulations of the Commissioner of Education to Automatically Extend the Time Validity of Certain Expired Provisional, Initial or Transitional Certificates for Three Years if a Candidate Meets Certain Criteria and is Unable to Complete the Requirements for the Initial, Permanent or Professional Certificate in a Timely Manner BR (CA) 2

MOVED, that section 80-1.6 of the Regulations of the Commissioner of Education is amended, effective March 29, 2017.

Conferral of Degrees: New York Studio School of Drawing, Painting & Sculpture; Dowling College; Globe Institute of Technology; Taylor Business Institute BR (CA) 3

MOVED, that the Board of Regents confer upon the following individuals, who have completed the requirements for registered degree programs at the New York Studio School of Drawing, Painting, & Sculpture; Dowling College; Globe Institute of Technology; and Taylor Business Institute the respective degrees as listed below:

New York Studio School of Drawing, Painting & Sculpture

The following students have completed the requirements for the Master of Fine Arts (M.F.A.) award:

Jiang, Weixian
Lee, Man Yan Sophy
Mills, Katelynn Lora
Peter-Toltz, Marie
Sanford-Ross, Lori

Dowling College

The following students have completed the requirements for their respective awards as indicated:

Master of Science (M.S.)

Baumann, Melissa
Esposito, Peter James
Ketterer, Anthony
Orlando, Vincent
Wolf, Daniel Michael

Bachelor of Science (B.S.)

Dove, Francesca
Turner, Shamus M.

Globe Institute of Technology

The following students have completed the requirements for their respective awards as indicated:

Bachelor of Technology (B. Tech.)

Alam, Md Nure
Munni, Takia

Bachelor of Business Administration (B.B.A.)

Tapia, Smily

Associate in Applied Science (A.A.S.)

Lelcaj, Alma
Ozuni, Violeta

Taylor Business Institute

The following student has completed the requirements for the Associate in Occupational Studies (A.O.S.) award:

Solis, Yolanda

Clarification of Effective Date of the Board of Regents January 10, 2017 Determination to Deny Renewal of Accreditation to Bramson ORT College BR (CA) 4

MOVED, that the Board of Regents clarify that its January 10, 2017 determination to deny renewal of institutional accreditation to Bramson ORT College became effective on February 20, 2017.

**State University of New York at Stony Brook: Regents Authorization to Award the
Master of Health Administration (M.H.A.) Degree
BR (CA) 5**

MOVED, that the Board of Regents authorize State University of New York at Stony Brook to award the Master of Health Administration (M.H.A.) degree on students who successfully complete registered programs at the University effective March 14, 2017.

**Pace University: Master Plan Amendment, Ph.D. in Nursing
BR (CA) 6**

MOVED, that the Board of Regents approve a master plan amendment to authorize Pace University to offer its first doctoral program in the Health Professions discipline. The amendment will be effective until March 14, 2018, unless the Department registers the Ph.D. in Nursing program prior to that date, in which case master plan amendment shall be without term.

**Hartwick College (Oneonta, New York): Master Plan Amendment to offer a Master
of Science degree program in Translational Biomedical Research Management
BR (CA) 7**

MOVED, the Board of Regents approves a master plan amendment to authorize Hartwick College to offer a Master of Science (M.S.) degree program in Translational Biomedical Research Management.

**Proposed Amendment of Section 3.56 of the Rules of the Board of Regents to
Establish Fees and Procedures for Out-of-State Institutions Seeking to Operate
with a Physical Presence in New York State
BR (CA) 8**

MOVED, that Section 3.56 of the Rules of the Board of Regents be amended, effective March 29, 2017.

P-12 Education

**Amendment to Sections 30-3.4 and 30-3.5 of the Rules of the Board of Regents
Relating to the Calculation of Scores for Student Learning Objectives in the
Student Performance Category of Annual Professional Performance Reviews for
Teachers and Principals in the City School District of the City of New York
BR (CA) 9**

MOVED, that sections 30-3.4 and 30-3.5 of the Rules of the Board of Regents shall be amended, as submitted, effective March 14, 2017, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare in order to immediately adopt the proposed amendment to provide

additional flexibility for the City School District of the City of New York to calculate scores and ratings for student learning objectives pursuant to a methodology approved by the Commissioner in its annual professional performance review (APPR) plan so that it can be used in the 2016-2017 school year once an annual professional performance review plan is approved by the Commissioner and to further ensure that the emergency rule adopted at the October 2016 Regents meeting is in effect until it can be adopted as a permanent rule; and further

MOVED, that sections 30-3.4 and 30-3.5 of the Rules of the Board of Regents shall be amended, as submitted, effective March 29, 2017.

**Proposed Amendment of Sections 52.21, 100.2(j) and Part 80 of the
Commissioner's Regulations Relating to School Counseling, Certification
Requirements for School Counselors and Program Registration Requirements for
School Counseling Preparation Programs
BR (CA) 10**

MOVED, that the Department file a Notice of Revised Rule Making in the State Register with the amendments described to Sections 52.21, 100.2(j) and Part 80 of the Commissioner's Regulations for publication on or about March 29, 2017.

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 Regents approve the proposed (re)appointments.

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

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

**Regents Permission to Operate in New York State:
Yale University Nurse Practitioner Programs
BR (CA) 13**

MOVED, that the Regents approve the proposed renewals for permission to operate effective February 14, 2017, which authorizes Yale University to use six clinical agencies and one private practitioner to place a total of 12 nurse practitioner students per calendar year in New York for supervised clinical learning experiences.

**The State University College of Agriculture and Technology at Morrisville,
Norwich Campus – Master Plan Amendment for Associate in Applied Science
(A.A.S.) Degree Program in Nursing
BR (CA) 14**

MOVED, that the Board of Regents approve an amendment to the State University of New York master plan authorizing State University of New York College at Morrisville to offer its first program in the Health Professions discipline, an Associate in Applied Science (A.A.S.) degree in Nursing, at the Norwich campus. The amendment will be effective until February 15, 2018, unless the Department registers the program prior to that date, in which case master plan amendment shall be without term.

MOVED, that the Regents approve the consent agenda items.

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

STANDING COMMITTEE REPORTS

ADULT CAREER AND CONTINUING EDUCATION SERVICES (ACCES)

Your ACCES Committee held its scheduled meeting on March 13, 2017. All members were present, with the exception of Regent Tilles, who was excused.

MATTERS NOT REQUIRING BOARD ACTION

Update on Pathways to a High School Equivalency (HSE) Diploma

Your committee was provided with an update on the three pathways to a New York State High School Equivalency Diploma: National External Diploma Program (NEDP); College Credits; and, High School Equivalency Exam – TASC™ test.

- NEDP, which is the third pathway to the State HSE diploma, is a competency-based, applied performance assessment system where students must demonstrate one hundred percent mastery of tasks that mirror real life and work situations. After the student completes all tasks, a final evaluation is done by an NEDP reviewer and if approved, the student is granted a New York State high school equivalency diploma.
- College Credits is the second pathway in which a student must complete 24 credit hours of college-level courses. Once courses are complete, a student sends the application to NYSED for review and once approved, is granted a State HSE diploma.

- The Test Assessing Secondary Completion (TASC™) is the primary pathway to a High School Equivalency Diploma in New York State. The TASC™ test is available in both paper and computer-based format, and is composed of five subtest sections: Reading, Writing, Mathematics, Science, and Social Studies. It is available in English and Spanish languages, and braille, large print and audio formats. After the test is administered, the test information is transmitted to the vendor for scoring. Upon completion of scoring, the vendor delivers results to NYSED, whereupon NYSED conducts a final evaluation to determine whether the tester has earned a HSE diploma. NYSED then sends a diploma or a failing transcript to the tester.

The three pathways to a HSE diploma provide equitable access points and a diverse means by which New Yorkers can earn HSE credentials. The alignment of the HSE exam with the Adult Education College and Career Readiness Standards and the evidence-based NEDP pathway undergird the strength and viability of the New York State HSE diploma in both postsecondary and workforce environments.

AUDITS/BUDGET AND FINANCE

Your Committee on Audits/Budget and Finance had its scheduled meeting on March 13, 2017. Regent Josephine Finn, Chair of the Audits/Budget and Finance Committee, submitted the following written report. In attendance were committee members: Regent Finn, Chair, Regent Collins, Regent Hakanson, Regent Mead, Regent Ouderkirk, Regent Tallon and Regent Young.

Regents, in addition to Audits/Budget Committee Members, in attendance were: Chancellor Rosa, Vice Chancellor Brown, Regents Cashin, Cea, Cottrell and Johnson, as well as, Commissioner Elia and Executive Deputy Commissioner Berlin.

ITEMS FOR DISCUSSION

Chair's Remarks: Regent Finn welcomed everyone. She introduced Beth Berlin, Executive Deputy Commissioner, to present the State Aid for Library Construction and Coordinator proposed amendments of Section 90.12 and 90.18 and February 2017 Fiscal Report and Sharon Cates-Williams, Deputy Commissioner, to present the Board of Regents Oversight of Financial Accountability Report.

State Aid for Library Construction and Coordinator

Our Executive Deputy Commissioner presented the proposed amendments of Section 90.12 and 90.18 of the Commissioner of Education. Proposed amendments of 90.12 State Aid for Library Construction are necessary to conform the Commissioner's Regulations to changes made to Education Law section 273-a by Chapter 498 of the Laws of 2011, Chapter 148 of the Laws of 2014, and Chapter 480 of the Laws of 2015. Amendments to the regulation will address provisions in the law that enable the use of State funds to purchase vacant land, that enable approved projects serving

economically disadvantaged communities to be funded up to seventy-five percent of eligible project costs, and that make the installation and infrastructure of broadband services an approved project cost. In addition, amendments will clarify wording related to eligible and ineligible project costs. Proposed amendments of 90.18 School Library Systems are necessary to clarify certain terminology relating to school library systems in BOCES and the Big Five city school districts. The proposed amendment conforms certain terms relating to school library systems to other, corresponding provisions of the Commissioner's Regulations.

2016 Fiscal Report

Our Executive Deputy Commissioner provided the Members with the February fiscal report that reflects actual expenditures through February 28, 2017 and projected expenditures through the lapse period ending June 30, 2017. Extensive spending controls continue for all funds. General Fund spending plans reflect the amounts appropriated in the 2016-17 enacted budget. General Fund accounts are in structural balance. Special Revenue accounts are all in structural balance on a current year basis and the accumulated negative balance in the Cultural Education Account is projected to remain at a negative \$3.6 million. Federal Funds reflect current year plans for two year grant awards.

Completed Audits

The Department's Internal Audit Workgroup reviewed thirty-five audits that are being presented to the Committee this month. Three audits were issued by the Office of Audit Services, one by the Office of the New York City Comptroller, and thirty-one by the Office of the New York State Comptroller (OSC). Twenty-five audits were of school districts, three of Boards of Cooperative Educational Services (BOCES), three of charter schools, three providers of special education services, and one audit of the State Education Department.

The findings were in the areas of banking, budget/financial reporting, claims processing, conflict of interest/internal controls, extra-classroom activity fund, information technology, payroll/leave accruals, procurement, Reimbursable Cost Manual compliance, segregation of duties, employment preparation education program, new hires, school lunch program, special education, and Universal Pre-Kindergarten program. Deputy Commissioner, Sharon Cates-Williams, gave a brief overview of the following audits:

Office of Audit Services

East Ramapo Central School District School Lunch Fund

- \$724,616 adjustment (3.4% of \$21.5 million reported in costs).

- District officials charged \$724,616 (or 13% of the sample) in expenditures to the school lunch program that should not have been reimbursed because they were not approved or were undocumented.

The report's recommendations focused on District officials establishing communications with the Department's Child Nutrition Unit to obtain instructions for repaying the \$724,616 that was overbilled and ensuring that adequate supporting documentation is maintained for all expenditures charged to the school lunch fund.

New York City Montessori Charter School Special Education Program

- Regents approved Charter.
- \$87,134 adjustment (12.3% of \$709,500 revenue directly related to special education).
- Officials did not ensure all special education students with an IEP received an annual review.
- Montessori overbilled NYCDOE \$87,134 in special education services.
- Nine students received special education instruction from teachers who were not certified in special education by New York State.

The report's recommendations focused on School officials following up to ensure that all special education students with an IEP have an annual review, providing reconciliations to NYCDOE, repaying \$87,134 that was overbilled, and ensuring teachers who provide special education instruction are appropriately certified or licensed.

Office of NYC Comptroller Audit

Success Academy Charter School Oversight of Financial Operations

- SUNY approved Charter.
- \$624,342 adjustment (3.4% of \$18.3 million paid in management fees).
- Duplicative payments were made to the Network for services required by the Management Agreement in exchange for its 15% management fee.

The report's recommendations focused on School officials recouping \$624,342 paid to Network for expenses charged to the School that should have been included in the Network's management fee.

Office of the New York State Comptroller

Aim High Children's Services

- \$616,906 adjustment (6.4% of \$9.7 million reported in reimbursable costs on the CFR).
- Ineligible costs included \$501,085 payment for services that were unsupported.
- Lack of sufficient documentation.

The report's recommendations focused on School officials ensuring that costs reported on future CFRs comply with Manual requirements and ensuring that costs charged to SED programs are appropriate and valid.

Hebrew Institute for the Deaf and Exceptional Children

- \$774,122 adjustment (7% of \$11 million reported in reimbursable costs on the CFR).
- Ineligible costs include \$194,438 in bonuses, \$132,377 excessive executive payments, and \$22,024 in checks written to the Executive Director.

The report's recommendations focused on Hebrew Institute's officials ensuring that costs reported on future CFRs comply with all Manual requirements.

State Education Department Universal Pre-Kindergarten Program

- The Department does not directly monitor UPK providers for health and safety.
- The Department relies on the school district operating the UPK program or the Office of Children and Family Services to ensure that UPK providers are complying with health and safety requirements.

The report's recommendations focused on State Education Department officials developing requirements and issuing formal guidance for school districts to follow when performing health and safety inspections of UPK facilities and implementing a structured system to monitor school districts' oversight and inspections of health and safety compliance of all UPK providers.

Vertus Charter School Conflict of Interest and Information Technology

- Regent approved Charter.
- The Board did not ensure that School officials and employees did not have a prohibited interest in the School's contracts.
- Certain provisions of the School's bylaws and code of ethics appear to be inconsistent with the Charter and General Municipal Law (GML).
- School officials have not implemented appropriate information technology (IT) policies and procedures.
-

The report's recommendations focused on the Board and School officials consulting with the School's legal counsel to address inconsistencies between the School's bylaws, code of ethics and its charter and GML, and adopting comprehensive policies governing the School's IT operations including, but not limited to, user access, acceptable use, and breach notification.

HIGHER EDUCATION

Your Higher Education Committee held its scheduled meeting on March 13, 2017. All members were present.

ACTION ITEMS

Proposed Amendments to Part 80 of the Commissioner's Regulations Related to the Elimination of the Academic Literacy Skills Test (ALST) for Teacher Certification and to Remove Unnecessary References to the Liberal Arts and Sciences Test (LAST)

Staff presented an emergency action with proposed amendments to the Regulations to implement the recommendations of the edTPA Task Force related to the elimination of the ALST. The proposed amendment eliminates the requirement that candidates must take and pass the ALST for teacher certification. At the same time, the Department has made technical amendments to Part 80 to eliminate references to the LAST, which is no longer required for teacher certification, and to eliminate references to certificate titles that no longer exist. The proposed amendment also extends the safety net for the edTPA until June 30, 2018 or until a new passing score is approved by the Commissioner after recommendations from a standard setting panel (whichever is earlier). The Department also discussed proposed modifications to the EAS exam which would replace current constructed response items on the exam with a revised portion that assesses both a candidate's ability to teach a diverse student body as well as his/her literacy skills. VOTED: That Part 80 of the Regulations of the Commissioner of Education be amended, as submitted, effective March 14, 2017, as an emergency action to preserve the general welfare by ensuring that candidates who are applying for an initial certificate as a classroom teacher are aware that they are no longer required to take and pass the ALST to become certified. Vice Chancellor Brown abstained. The proposed amendment will become effective as an emergency rule effective March 14, 2017. Following the 45-day public comment period, it is anticipated that the proposed amendment will be adopted as a permanent rule at the July 2017 Regents meeting and will become effective August 2, 2017. **HE (A) 1**

MOTION FOR ACTION BY FULL BOARD

Madam Chancellor and Colleagues: Your Higher Education Committee recommends, and we move, that the Board of Regents act affirmatively upon each recommendation in the written report of the Committee's deliberations at its meeting on March 13, 2017, copies of which have been distributed to each member of the Board of Regents.

OTHER MATTERS NOT REQUIRING BOARD ACTION

Proposed Amendment to Section 80-1.5 of the Commissioner's Regulations Relating to the Establishment of a Multiple Measures Review Process for the edTPA

Your Committee discussed an amendment to Section 80-1.5 of the Regulations of the Commissioner of Education to make available, for those candidates who take the edTPA after a new passing score has been established and implemented, access to a “multiple-measures review process” if they fail to receive a passing score on the edTPA but fall within one standard deviation (as determined by the standard setting committee) below the new passing score, provided they meet additional requirements outlined in the regulations. To be eligible for this process, candidates must: (1) fall within one standard deviation below the new passing score, (2) have a minimum GPA of 3.0, and (3) must pass all other exams (or available safety nets) required for the teaching certificate they are seeking. Recommendation(s) from college/university faculty who have been responsible for the teacher candidate’s clinical practice, recommendations from the teacher candidate’s cooperating teacher(s) and recommendations from faculty and cooperating teachers or other qualified individual, as determined by the Department must also be submitted for consideration by the panel. Until the new edTPA passing score is established and the multiple measures review process is implemented, the edTPA safety net will remain in effect (this is presented in a separate emergency action by the Department). The Department also discussed “next steps” related to all recommendations from the edTPA Task Force that do not require regulatory amendments at this time. Following the 45-day public comment period required under the State Administrative Procedure Act, it is anticipated that the proposed amendment will be adopted by the Board of Regents at its July 2017 meeting. If adopted at the July 2017 meeting, the proposed amendment will become effective on August 2, 2017.

Consent Agenda

The Board of Regents acted on the following consent agenda items at their March 13, 2017 meeting.

- **Amendment of Section 80-1.6 of the Regulations of the Commissioner of Education to Automatically Extend the Time Validity of Certain Expired Provisional, Initial or Transitional Certificates for Three Years if a Candidate Meets Certain Criteria and is Unable to Complete the Requirements for the Initial, Permanent or Professional Certificate in a Timely Manner.** Proposed amendment to the regulations to allow increased flexibility for individuals seeking an extension of their initial certification. This amendment was presented for discussion at the October 2016 meeting. After expiration of the 45-day public comment period, no public comment was received, and is now being presented to the Full Board for adoption as a permanent rule. BR (CA) 2
- **Conferral of Degrees: New York Studio School of Drawing, Painting & Sculpture; Dowling College; Globe Institute of Technology; Taylor Business Institute.** Department staff recommended that the Regents confer degrees upon students successfully completing their program at New York Studio School of Drawing, Painting & Sculpture, Globe Institute of Technology, Taylor Business Institute and Dowling College. BR (CA) 3

- **Clarification of Effective Date of the Board of Regents January 10, 2017 Determination to Deny Renewal of Accreditation to Bramson ORT College.** To clarify the effective date in its final determination dated January 10, 2017 to deny renewal of institutional accreditation of Bramson ORT College. BR (CA) 4
- **State University of New York at Stony Brook: Regents Authorization to Award the Master of Health Administration (M.H.A.) Degree.** Regents authorization needed to award new degree. BR (CA) 5
- **Pace University: Master Plan Amendment, Ph.D. in Nursing.** Regents authorization needed. BR (CA) 6
- **Hartwick College (Oneonta, New York): Master Plan Amendment to Offer a Master of Science Degree Program in Translational Biomedical Research Management.** Regents authorization needed. BR (CA) 7
- **Proposed Amendment of Section 3.56 of the Rules of the Board of Regents to Establish Fees and Procedures for Out-of-State Institutions Seeking to Operate with a Physical Presence in New York State.** (CA) 8

P-12 EDUCATION

Your P-12 Education Committee held its scheduled meeting on March 13, 2017. All members were present, except for Regent Tilles, who was excused.

ACTION ITEMS

Charter School Actions

Renewal Decision for a Charter School Authorized by the Board of Regents [P-12 (A) 1]

Your Committee recommends that the Board of Regents denies the renewal application for the Rochester Career Mentoring Charter School, that the board of trustees of the Rochester Career Mentoring Charter School be provided notice of this action and that its charter will terminate upon the expiration of its current charter term on June 30, 2017, and that the board of trustees of the Rochester Career Mentoring Charter School is directed to take all steps necessary to close the School in accordance with its charter and the School closure procedures of the Department and cease instruction as of June 30, 2017; including but not limited to the immediate provision of notice of this nonrenewal action to the parents of existing students of the Charter School, the parents of any students in the Charter School's most recent lottery and the parents of students on the Charter School's waiting list, provision for the orderly transfer of student records to the

Rochester City School District and disposition of the Charter School's assets in accordance with Education Law §2851(2)(t). Regent Mead abstained from the vote.

Renewal Decisions for Charter Schools Authorized by the Board of Regents [P-12 (A) 4]

Your Committee recommends that the Board of Regents finds that, the Democracy Prep Endurance 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 Democracy Prep Endurance Charter School and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2022. Regent Mead abstained from the vote for Democracy Prep Endurance Charter School.

Your Committee recommends that the Board of Regents finds that, the Evergreen 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 Evergreen Charter School and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2022.

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

Your Committee recommends that the Board of Regents finds that, the Neighborhood Charter School of Harlem: (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 Neighborhood Charter School of Harlem and 11 that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2022.

Your Committee recommends that the Board of Regents finds that, the New Visions Charter High School for Advanced Math and Science II: (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 New Visions Charter High School for Advanced Math and Science II and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2022.

Your Committee recommends that the Board of Regents finds that, the Northside Charter High 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 Northside Charter High School and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2022.

Your Committee recommends that the Board of Regents finds that, the Riverhead 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 Riverhead Charter School and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2022.

Your Committee recommends that the Board of Regents finds that, the Rochester Academy Charter School: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of this article; and (4) granting the application would have a significant educational benefit to the 12 students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the Rochester Academy Charter School and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2022.

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

Your Committee recommends that the Board of Regents finds that, the Health Sciences 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 Health Sciences Charter School and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2020. This is a short term renewal. The charter authorizer will conduct monitoring and oversight throughout the charter term to ensure the school is in compliance with their charter and the authorizer approved Performance Framework.

Your Committee recommends that the Board of Regents finds that, the New Visions Charter High School for the Humanities II: (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 New Visions Charter High School for the Humanities II and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2020. This is a short term renewal. The charter authorizer will conduct monitoring and oversight throughout the charter term to ensure the school is in compliance with their charter and the authorizer approved Performance Framework.

Your Committee recommends that the Board of Regents finds that, the Southside Academy Charter School: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of this article; 13 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 Southside Academy Charter School and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2020. This is a short term renewal. The charter authorizer will conduct monitoring and oversight throughout the charter term to ensure the school is in compliance with their charter and the authorizer approved Performance Framework.

Your Committee recommends that the Board of Regents finds that, the Urban Choice 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 Urban Choice Charter School and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2020. This is a short term renewal. The charter authorizer will conduct monitoring and oversight throughout the charter term to ensure the school is in compliance with their charter and the authorizer approved Performance Framework.

Revision to Charters Authorized by the Board of Regents [P-12 (A) 5]

Your Committee recommends that the Board of Regents finds that: (1) the charter school meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the charter school can demonstrate the ability to operate in an educationally and fiscally sound manner; (3) granting the request to amend the charter is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) granting the request to amend the charter will have a significant educational benefit to the students expected to attend the charter school, and

the Board of Regents therefore approves the charter revision for American Dream Charter School and amends the provisional charter accordingly.

Your Committee recommends that the Board of Regents finds that: (1) the charter school meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, 10 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 South Bronx Classical Charter School and amends the provisional charter accordingly.

Merger Revisions to Charters Authorized by the Board of Regents [P-12 (A) 6]

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

Your Committee recommends that pursuant to the authority contained in Education Law §§223 and 2853(1)(b-1)

1. Brooklyn Laboratory Charter School be and hereby is merged with Brooklyn Laboratory Charter High School, with Brooklyn Laboratory Charter School as the surviving education corporation under the amended name Brooklyn Laboratory Charter Schools.
2. Brooklyn Laboratory Charter School, the surviving corporation, shall continue to 8 administer the educational operations and purposes of the constituent corporations in the same manner as they presently exist.
3. The separate existence of Brooklyn Laboratory Charter School and Brooklyn Laboratory Charter High School hereby ceases, and Brooklyn Laboratory Charter School, the surviving corporation under the amended name Brooklyn Laboratory Charter Schools is hereby vested with all the rights, privileges, immunities, powers and authority possessed by or granted by law to each of the constituent corporations. All assets and liabilities of the respective constituent corporations are hereby assets and liabilities of such surviving corporation. All property, real, personal and mixed and all debts to each of the corporations on whatever account are hereby attached to Brooklyn Laboratory

Charter School, the surviving corporation under the amended name Brooklyn Laboratory Charter Schools, and may be enforced against it to the same extent as if the debts, liabilities and duties had been incurred or contracted by it.

4. The merged corporation shall operate under the provisional charter granted to Brooklyn Laboratory Charter School under the amended name Brooklyn Laboratory Charter Schools, which is hereby amended to authorize the operation of two public charter schools as follows:

- i. Brooklyn Laboratory Charter School; and
- ii. Brooklyn Laboratory Charter High School

5. The merger herein shall take effect on July 1, 2017.

Your Committee further recommends that the Board of Regents finds that: (1) Brooklyn Laboratory Charter Schools meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) Brooklyn Laboratory Charter Schools can demonstrate the ability to operate in an educationally and fiscally sound manner; (3) granting the request to revise 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 revise the charter would have a significant educational benefit to the students expected to attend the schools operated by Brooklyn Laboratory Charter Schools, and the Board of Regents therefore approves the charter revision and amends the provisional charter accordingly.

Revisions to Charters Authorized by New York City Department of Education Chancellor [P-12 (A) 7]

Your Committee recommends that the Board of Regents finds that: (1) the charter school meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the charter school can demonstrate the ability to operate in an educationally and fiscally sound manner; (3) granting the request to revise 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 12 Education Law; and (4) granting the request to revise the charter would 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 Brooklyn Scholars Charter School, as proposed by the Chancellor of the New York City Department of Education and amends the provisional charter accordingly.

Your Committee recommends that the Board of Regents finds that: (1) the charter school meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the charter school can demonstrate the ability to operate in an educationally and fiscally sound manner; (3) granting the request to revise 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 revise the charter would 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 Coney Island Preparatory Public Charter School, as proposed by the Chancellor of the New York City Department of Education and amends the provisional charter accordingly.

Your Committee recommends that the Board of Regents finds that: (1) the charter school meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the charter school can demonstrate the ability to operate in an educationally and fiscally sound manner; (3) granting the request to revise 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 revise the charter would 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 VOICE Charter School of New York, as proposed by the Chancellor of the New York City Department of Education and amends the provisional charter accordingly.

Regent Collins abstained from the vote for all three schools. Regent Reyes voted in opposition of Brooklyn Scholars Charter School and Coney Island Preparatory Public Charter School.

Renewals to Charters Authorized by Chancellor of the New York City Department of Education (NYCDOE) [P-12 (A) 8-REVISED]

Your Committee recommend 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 Rochdale Early Advantage 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, 2022.

Your Committee recommends 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 Teaching Firms of America Professional

Preparatory 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, 2022.

Your Committee recommends 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 New Heights Academy 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, 2020. This is a short term renewal. The charter authorizer will conduct monitoring and oversight throughout the charter term to ensure the school is in compliance with their charter and the authorizer approved Performance Framework.

Other Action Items

Establish Criteria for the Approval of Pathway Assessments in Languages other than English (LOTE) [P-12 (A) 2]

Your Committee recommends that subdivisions (f) and (mm) of Section 100.2 of the Commissioner's Regulations be amended and that subclause (1) of clause (f) of subparagraph (i) of paragraph (5) of subdivision (a) of Section 100.5 be amended, effective March 14, 2017, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare in order to ensure that there is an appropriate set of criteria by which assessments in Languages other than English can be evaluated and approved to be used to meet assessment requirements for graduation.

School Health Services [P-12 (A) 3]

Your Committee recommends that section 136.6 of the Regulations of the Commissioner be amended, as submitted, effective March 28, 2017, 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 establish standards for the provision, maintenance and administration of epinephrine auto-injectors pursuant to Public Health Law §3000-c, as amended by Chapter 373 of the Laws of 2016, and thus ensure the timely implementation of the statute on its effective date.

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 March 13, 2017, copies of which have been distributed to each Regent.

MATTERS NOT REQUIRING BOARD ACTION

My Brother's Keeper (MBK) Symposium Update – the Committee was presented with an update from the February 17, 2017 MBK Symposium. Regent Young provided an overview of the Symposium, which included over 200 representatives from around the state from areas of higher education, secondary education, teaching, and community organizations. An ongoing survey has been sent to participants and the survey results received so far indicate that the high point of the Symposium included the Youth Forum and the Fireside Chat with Superintendents. A state team is being assembled that will include representatives from education, juvenile and justice, and the health fields to attend a two and a half day forum to replicate the work done thus far around the state. The Committee asked to be notified of the location of local symposiums that are happening around the state. The next scheduled local symposium will be held on April 4 in Yonkers.

SED Guidance to Districts to Support Immigrant Students – the Committee was updated on two documents recently sent to the field. One is a joint letter from Attorney General Eric T. Schneiderman and Commissioner Elia which talks about recent immigration-related actions and the treatment of undocumented children. The second is guidance issued by Senior Deputy Commissioner Jhone Ebert regarding the Dignity for All Students Act (“DASA”) in light of reports involving incidents of harassment in schools across the country in recent weeks. Both documents were distributed to the field on February 27, 2017.

Eligibility for Participation in Interscholastic Athletics [P-12 (D) 1] – the Committee discussed proposed amendments to regulations that establish the parameters for participation in interscholastic athletic competition for students in grades 7 through 12. Currently, a school district may choose to permit certain students to compete at a level of competition deemed appropriate to their physiological maturity, physical fitness, and skill level in relationship to other students at the desired level of competition. The standards by which such participation is permitted are commonly referred to as the Athletic Placement Process (APP). The APP, which was last updated in 2015, provides a protocol for districts that choose to allow students in grades 7 and 8 to play at the high school level, or for students in grades 9-12 to participate at the middle school level. Additionally, the proposed amendments speak to the duration of competition, which limits the participation of students in high school athletic competition to four consecutive seasons commencing with the student's entry into the ninth grade and prior to graduation. An extension of duration of competition may be granted if sufficient evidence demonstrates that the student's failure to enter competition during one or more seasons was directly caused by illness or accident, and such illness or accident will require the student to attend school for one or more additional semesters to graduate. It is proposed that the regulations be amended to add “or documented social/emotional condition or documented social/emotional circumstances beyond the control of the pupil” to the circumstance of a student's failure to enter competition. The Committee made a

recommendation that notification be made to parents of the eligibility issues that may arise if the family moves out of state. It is anticipated that the proposed rule will be presented for adoption in June.

Consent Agenda

The Board of Regents will take action on the following consent agenda item at their March 13, 2017 meeting.

- Regulations relating to the Calculation of Scores for Student Learning Objectives in the Student Performance Category of APPR for Teachers and Principals in the City School District of the City of New York
- Regulations Relating to School Counseling.

PROFESSIONAL PRACTICE

Your Professional Practice Committee held its scheduled meeting on March 13, 2017. All members were present. Chancellor Betty A. Rosa and Regent Nan Eileen Mead 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 11 cases. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 75 consent order applications and 28 surrender applications be granted, and further recommends that 1 summary suspension application be granted, and 1 summary suspension application be denied. [PPC EXS (A) 1-3, 9]

In the case of Maryann P. Hanlon a/k/a Maryann Noble a/k/a Mary Ann Scagel, Registered Professional Nurse, Calendar No. 28894, we recommend that the recommendation of the Regents Review Committee be accepted and be clarified in one respect as follows: the word “did” set forth as the last word of the eighth line of the first full paragraph on page 5 of the report of the Regents Review Committee be deemed deleted.

In the case of James B. Ehrlein, Pharmacist, Calendar No. 28384, we recommend that the recommendation of the Regents Review Committee be accepted and be clarified in one respect as follows: the year “2010” set forth in the first line of the last paragraph on

page 2 of the report of the Regents Review Committee be deemed deleted and the year “2014” be deemed substituted in lieu thereof.

These recommendations are made following the review of 116 cases involving thirty-one registered professional nurses, seventeen licensed practical nurses, fourteen licensed practical nurses who are also registered professional nurses, six pharmacists, five certified public accountants, four pharmacies, three architects, three massage therapists, three professional engineers, two chiropractors, two clinical laboratory technologists, two dentists, one acupuncturist, one architecture professional limited liability company, one licensed clinical social worker, one licensed master social worker, one optometrist, one psychologist, one public accountancy professional corporation, one registered professional nurse who is also a nurse practitioner (Psychiatry), and one respiratory therapist.

Restorations

Your Committee recommends the following:

That the application of Michael L. Akyuz for the restoration of his license to practice as a podiatrist in New York State be denied. [PPC EXS (A) 4]

That the application of Bernadette Boamah for the restoration of her licenses to practice as a Licensed Practical Nurse and a Registered Professional Nurse in New York State be denied. [PPC EXS (A) 5]

That the application of Alexander Rozenberg for the restoration of his license to practice as a physician in New York State be granted. [PPC EXS (A) 6]

That the surrender of Faye Thomas’s license to practice as a licensed practical nurse in the State of New York be stayed; that she be placed on probation for a period of one year; and that, upon successful completion of probation, her license be fully restored. [PPC EXS (A) 7]

Long-Term Clinical Clerkships [PPC EXS (A) 8]

Your Committee recommends the following: That the application of Medical University of the Americas (MUA) to place students in long-term clinical clerkships in New York be approved, in accordance with and subject to the recommendations of the Advisory Committee on Long-term Clinical Clerkships.

That the application of The University of Queensland to place students in long-term clinical clerkships in New York be approved, in accordance with and subject to the recommendations of the Advisory Committee on Long-term Clinical Clerkships.

That the application of Universidad Autonoma De Guadalajara to place students in long-term clinical clerkships in New York be approved, in accordance with and subject to the recommendations of the Advisory Committee on Long-term Clinical Clerkships.

Approvals

Regulations: Execution by Registered Professional Nurses of Non-Patient Specific Orders to Screen Individuals at Increased Risk of Syphilis, Gonorrhea and/or Chlamydia Infections

Your Committee recommends the following: That subdivision (g) of section 64.7 of the Regulations of the Commissioner of Education be added, as submitted, effective March 14, 2017, as an emergency rule 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 Regulations of the Commissioner of Education to immediately implement the requirements of Chapter 502 of the Laws of 2016, which authorizes registered professional nurses to execute non-patient specific orders prescribed by a licensed physician or a certified nurse practitioner to screen individuals at increased risk of syphilis, gonorrhea and/or chlamydia infections. [PPC (A) 1]

Regulations: Execution by Licensed Pharmacists of Non-Patient Specific Orders to Dispense Drugs to Prevent Human Immunodeficiency Virus (HIV) Infections in Persons Who May Have Been Exposed to HIV

Your Committee recommends the following: That sections 60.12 and 63.13 and subdivision (h) of section 64.5 of the Regulations of the Commissioner of Education be added, as submitted, effective March 14, 2017, as an emergency rule 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 Regulations of the Commissioner of Education to immediately implement the requirements of Chapter 502 of the Laws of 2016, which authorizes licensed pharmacists to execute non-patient specific orders prescribed by a licensed physician or a certified nurse practitioner to dispense medications to prevent HIV infection following a potential HIV exposure. [PPC (A) 2-REVISED]

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 March 13, 2017, copies of which have been distributed to each Regent, with Regent Catherine Collins abstaining in the matter of the long term clinical clerkships.

MATTERS NOT REQUIRING BOARD ACTION

Your Committee discussed several topics of interest, including:

- Deputy Commissioner's Report/Update
- Full Board Consent Agenda Items
 - Board (Re)Appointments
 - Licensing Petitions
 - State University College at Morrisville – MPA for A.A.S. degree in Nursing
 - PTO: Yale University Nurse Practitioner

MOVED, that the Committees Reports be approved.

Motion by: Regent James R. Tallon, Jr.
Seconded by: Regent Elizabeth S. Hakanson
Action: Motion carried unanimously.

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

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

Motion by: Regent Lester W. Young, Jr.
Seconded by: Regent Judith Chin
Action: Motion carried unanimously.

APPOINTMENT

**Appointment of Deputy Commissioner of the Office of Cultural Education
BR (A) 4**

MOVED, that the Board of Regents approve the appointment of Mark Schaming to the position of Deputy Commissioner effective March 14, 2017.

Motion by: Regent Beverly L. Ouderkirk
Seconded by: Regent Christine D. Cea
Action: Motion carried unanimously.

ACKNOWLEDGEMENTS

Regent James R. Tallon, Jr.

Brian Cechnicki provided comments on his 15 years of service on the Board. Regent Young provided comments on behalf of the Board honoring Regent Tallon's service to the children and families of New York State. Regent Tallon provided closing remarks on his 15 year tenure on the Board.

Chancellor Betty A. Rosa turned the gavel over to Regent Tallon to adjourn the meeting.

THE BOARD OF REGENTS

The Board of Regents of The University of the State of New York held a public session on Monday, March 27, 2017 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

MEETING OF THE FULL BOARD, Monday, March 27th at 9:00 a.m.

Board Members in Attendance:

Betty A. Rosa, Chancellor
Roger Tilles
Lester W. Young, Jr.
Josephine Victoria Finn
Judith Chin
Beverly L. Ouderkirk
Judith Johnson
Nan Eileen Mead
Elizabeth S. Hakanson
Luis O. Reyes

Also present were Commissioner of Education, MaryEllen Elia, Executive Deputy Commissioner, Elizabeth Berlin, Counsel and Deputy Commissioner for Legal Affairs, Alison B. Bianchi, and the Secretary, Board of Regents, Anthony Lofrumento. Vice Chancellor T. Andrew Brown and Regents James R. Tallon, Jr., Christine D. Cea, Wade S. Norwood, Kathleen M. Cashin, James E. Cottrell and Catherine Collins were absent and excused.

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

Mercy College President Tim Hall welcomed the Board and all to their campus.

Every Student Succeeds Act (ESSA) Retreat

(Attachments IV, V, VI, VII VIII IX and X)

Presenters: Commissioner Elia, Ira Schwartz, Linda Darling-Hammond, Scott Marion and Jennifer Dunn

Summary of the Board of Regents Every Student Succeeds Act (ESSA) Retreat

March 27, 2017

The meeting opened with Chancellor Rosa reading the mission and goal statement to support the ESSA state plan development.

Commissioner Elia provided an update on the status of ESSA, including the implications of the repeal of rulemaking pertaining to the provisions of ESSA related to data reporting, accountability, and the State consolidated application. The Commissioner reported out the results of the Survey on Possible Indicators of School Quality Student Success that was completed by over 2,400 persons. The Commissioner also reviewed the preliminary results from the Winter Regional ESSA meetings that are open to the public and are intended to solicit public input on a series of questions related to the development of the draft plan. The Commissioner also provided an overview of the timeline for development of the State's ESSA plan, which includes time for the Department to gather public comment on the draft plan. It is anticipated that the Regents will be asked at their May meeting to approve the issuance of a draft plan for public comment, at their July meeting to approve the submission of the plan to the Governor for review, and at their September meeting to approve the final plan for submission to the United States Department of Education.

Following the Commissioner, national experts Linda Darling-Hammond, President of the Learning Policy Institute at Stanford University, and Scott Marion, President of the National Center for Improvement of Education Assessment, reviewed a vision for education in New York State that ensures equity in our schools and a Theory of Action to help realize that vision. Some of the Regents expressed their interest in having high school readiness, community engagement, and civic readiness included over time as indicators of School Quality and Student Success in the state plan. The experts discussed the relationship between and among the different tiers of indicators (i.e., indicators used for accountability, indicators reported by the state to support district and school planning, indicators used at the local level, and indicators used to measure the effectiveness of the state's strategies) and the relationship between and among the indicators that are used for accountability determinations. It is important that there is alignment and consistency throughout the tiers of indicators. Discussion followed on assigning indicators to tiers, methods for aggregating indicators that are used for accountability, and producing overall determinations that differentiate among schools.

Board members, SED staff, and public attendees then broke out into three different groups: Effective Educators, School Improvement/Intervention Strategies, and Innovative Assessment Demonstration Authority. Discussion leaders briefly reported back to the full board regarding the conversations that took place in the breakout groups. Chancellor Rosa and Commissioner Elia closed the day by thanking the national experts, staff, and those in attendance for a very productive meeting. The Regents on April 4 will continue the discussions began at this meeting and receive a presentation on the implications of ESSA for the future of the State assessment system.

Appendix I
NEW YORK STATE BOARD OF REGENTS CHARTER ACTIONS

Name of Institution	Program Area	County (City/Town) of Location	Description of Charter Action(s)
Allegany County Historical Society	CE	Allegany (Wellsville)	Amend charter to change the corporate address to 11 East Greenwood Street, PO Box 252, Andover, NY 14806.
Belden Noble Memorial Library of Essex	CE	Essex (Essex)	Amend charter to change method of appointment of trustees to be election by members of the board of trustees and to change the trustee term length to be three years.
Bergen Historical Society	CE	Genesee (Bergen)	Extend provisional charter for five years.
Claverack Historical Society	CE	Columbia (Claverack)	Grant a provisional charter for five years.
Community Free Library	CE	Orleans (Holley)	Amend charter to specify the number of trustees to be not less than five nor more than fifteen and to specify the trustee term length to be three years.
Hammer Pictures	CE	Queens (Astoria)	Grant a Regents certificate of incorporation.
Hazeltine Public Library	CE	Chautauqua (Busti)	Amend charter to: - specify the number of trustees to be not less than five nor more than fifteen; - designate Commissioner as agent for service; and - update IRS dissolution language.
Hendrick I. Lott House Preservation Association	CE	New York (Manhattan)	Extend provisional charter for five years.
Jefferson Historical Society	CE	Schoharie (Jefferson)	Amend, replace, and restate the provisional charter as a Regents certificate of incorporation.
The Meserve-Kunhardt Foundation	CE	Westchester (Pleasantville)	Extend provisional charter for five years.

Museum of Contemporary African Diasporian Arts (MoCADA)	CE	Kings (Brooklyn)	Extend provisional charter for five years.
The Museum of Food and Drink	CE	New York (Manhattan)	Amend charter to change the corporate address to 62 Bayard Street, Brooklyn, NY 11222 and extend provisional charter for five years
The Museum of Public Relations	CE	New York (Manhattan)	Extend provisional charter for five years.
New York City Fire Museum	CE	New York (Manhattan)	Merge with The Friends of the New York City Fire Department Collection, Inc. with the New York City Fire Museum as the surviving corporation.
New York State Historical Association	CE	Otsego (Cooperstown)	Amend charter to: <ul style="list-style-type: none"> - revise corporate purposes; - change the corporate name to Fenimore Art Museum; - designate Commissioner as agent for service; and - update IRS dissolution language.
Phelps Community Memorial Library	CE	Ontario (Phelps)	Amend charter to change the corporate name to "Phelps Library".
The Pittsburg, Shawmut, and Northern Railroad Company Historical Society	CE	Allegany (Angelic)	Extend provisional charter for five years.
R.T. Elethorp Historical Society	CE	St. Lawrence (Hammond)	Amend charter to change the corporate name to Hammond Historical Museum and to update the purpose clause to operate and maintain a museum.
The Society of New Concord	CE	Columbia (East Chatham)	Amend, replace, and restate the provisional charter as a Regents certificate of incorporation.
The Town of Bleecker Historical Society	CE	Fulton (Bleecker)	Amend the charter to change the corporate name to Bleecker Historical Society and extend provisional charter for five years.
Wawarsing Historical Society and Knife Museum	CE	Ulster (Napanoch)	Extend provisional charter for five years in lieu of granting an absolute charter.

West Hurley Public Library	CE	Ulster (West Hurley)	Amend charter to specify the number of trustees to be not less than seven nor more than eleven.
All Saints Elementary of Tipperary Hill	P12	Onondaga (Syracuse)	Grant an absolute charter.
Canope Academy	P12	Kings (Brooklyn)	Grant provisional charter for three years.
Cathedral School of St. John the Divine	P12	New York (Manhattan)	Grant an absolute charter in the first instance.
Catskill Mountains Educational Center	P12	Delaware (Stamford)	Amend certificate of incorporation to change the corporate name to "Catskill Mountains Education Corporation" and to remove purpose clause language regarding a center or centers and related facilities.
Mesivta Ahavas Hatorah	P12	Rockland (Spring Valley)	Extend provisional charter for three years.
Montessori School @ Old Field	P12	Suffolk (Setauket)	Grant provisional charter for three years.
Mother Teresa Academy	P12	Saratoga (Clifton Park)	Amend charter to add authority operate a grade one and extend provisional charter for three years.
New York Military Academy	P12	Orange (Cornwall-on-Hudson)	Amend charter to reflect specific requirements regarding the composition of the board of trustees.
Resurrection Episcopal Day School	P12	New York (Manhattan)	Grant an absolute charter.
Hartwick College	HE	Otsego (Oneonta)	Amend charter to add authority to confer the Master of Science (M.S.) degree.

Appendix II

REGENTS ACTIONS IN 116 PROFESSIONAL DISCIPLINE CASES AND 4 RESTORATION PETITIONS

March 13, 2017

The Board of Regents announced disciplinary actions resulting in the summary suspension of 1 registration, revocation of 1 license, surrender of 27 licenses and 1 certificate, and 86 other disciplinary actions, including 1 reconsideration. The penalty indicated for each case relates solely to the misconduct set forth in that particular case.

In addition, the Board acted upon 4 restoration petitions.

I. SUMMARY SUSPENSION

Pharmacy

Fallon Wellness Pharmacy, L.L.C.; Pharmacy; 1057 Troy Schenectady Road, Latham, NY 12110; Reg. No. 319871; Cal. No. 29431; Application for summary suspension granted.

II. REVOCATION AND SURRENDERS

Chiropractic

Constontino Charles Giordano; Clifton, NJ 07013; Lic. No. 009151; Cal. No. 29393; Application to surrender license granted. Summary: Licensee did not contest the charge of inappropriately touching a female patient.

Massage Therapy

Erich Arthur Gruhne; Bronx, NY 10453; Lic. No. 027542; Cal. No. 29048; Application to surrender license granted. Summary: Licensee did not contest the charge of inappropriately touching and kissing a female client without her consent.

Nursing

Nasreen Khan; Registered Professional Nurse; New York, NY 10025-2186; Lic. No. 295831; Cal. No. 29254; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Grand Larceny in the 4th Degree.

Catherine Vitello; Registered Professional Nurse; Palm Coast, FL 32164; Lic. No. 501954; Cal. No. 29277; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Possessing with the Intent to Distribute and Distributing Fentanyl and Hydrocodone.

Audra Elizabeth Jones; Registered Professional Nurse; Cincinnati, OH 45249; Lic. No. 641909; Cal. No. 29330; Application to surrender license granted. Summary: Licensee did not contest the charge of having been convicted of a crime in the state of Ohio.

Gloria Ann Ponce De Leon; Registered Professional Nurse; Tulsa, OK 74145; Lic. No. 327392; Cal. No. 29340; Application to surrender license granted. Summary: Licensee admitted to the charge of having been disciplined in the state of Oklahoma.

Ronda Earl; Licensed Practical Nurse; Elmira, NY 14901; Lic. No. 276846; Cal. No. 29352; Application to surrender license granted. Summary: Licensee admitted to charges of physical abuse of a patient and having been convicted of Grand Larceny in the 4th Degree.

Tara Christine Marsala a/k/a Tara Christine Peat; Licensed Practical Nurse; White City, OR 97503; Lic. No. 270148; Cal. No. 29369; Application to surrender license granted. Summary: Licensee admitted to the charge of failing to properly conduct CPR while working as a nurse in the State of California, by not making greater efforts to clear a patient's airway, not performing mouth-to-mouth breathing, and by stopping compressions without directing another staff person to assist with continuing compressions.

Aisha M. Babilonia; Registered Professional Nurse; Brooklyn, NY 11233; Lic. No. 673136; Cal. No. 29371; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Conspiracy to Commit Stalking, a felony.

Crystyna Kobylecky; Licensed Practical Nurse, Registered Professional Nurse; Washingtonville, NY 10992; Lic. Nos. 244335, 512360; Cal. Nos. 29381, 29382; Application to surrender licenses granted. Summary: Licensee admitted to the charge of withdrawing medications for patient administration when there was no physician's order for said medications, on more than one occasion, and failing to account for the disposition of said medications by administration, wastage or otherwise.

Kristen Marie Bogdon; Licensed Practical Nurse; Tonawanda, NY 14150; Lic. No. 231502; Cal. No. 29384; Application to surrender license granted. Summary: Licensee admitted to charges of having been convicted of Criminal Trespass in the 2nd Degree, Criminal Possession of a Controlled Substance in the 7th Degree, Attempted Endangering the Welfare of a Child, Attempted Burglary in the 2nd Degree, Criminal Mischief in the 4th Degree, and Criminal Trespass in the 3rd Degree.

Megan A. Pedagno; Licensed Practical Nurse; Mastic, NY 11950; Lic. No. 284746; Cal. No. 29389; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Falsifying Business Records in the 2nd Degree, a class A misdemeanor and Offering a False Instrument for Filing in the 2nd Degree, a class A misdemeanor.

Lisa D. Hurley; Registered Professional Nurse; Haynesville, LA 71038; Lic. No. 520115; Cal. No. 29392; Application to surrender license granted. Summary: Licensee did not contest the charge of, in the State of Mississippi, obtaining a controlled substance by unauthorized means.

Stacey Ingram; Registered Professional Nurse; Madison, MS 39110; Lic. No. 600967; Cal. No. 29396; Application to surrender license granted. Summary: Licensee did not contest the charge of having been found guilty of improper professional practice or professional misconduct by a duly authorized disciplinary agency of another state (Mississippi).

James Singh; Licensed Practical Nurse; Olathe, KS 66061; Lic. No. 265685; Cal. No. 29397; Application to surrender license granted. Summary: Licensee did not contest the charge of having been found guilty of improper professional practice or professional misconduct by a duly authorized disciplinary agency of another state (Kansas).

Elizabeth Sanchez Funtanilla; Licensed Practical Nurse; Harlington, TX 78550; Lic. No. 214039; Cal. No. 29398; Application to surrender license granted. Summary: Licensee admitted to the charge of having been found guilty of unprofessional conduct in the State of Texas, which conduct would be considered practicing the profession of nursing with negligence on more than one occasion, if committed in New York State.

Yousef Mohd Abu Ajamieh; Registered Professional Nurse; Anaheim, CA 92804; Lic. No. 528110; Cal. No. 29422; Application to surrender license granted. Summary: Licensee admitted to the charge of failing to document, in a patient's medical record, an incident of patient-initiated sexual misconduct.

Maureen E. Jackman; Registered Professional Nurse; Westminster, CO 80031; Lic. No. 293192; Cal. No. 29433; Application to surrender license granted. Summary: Licensee did not contest the charge of practicing the profession of nursing as a registered professional nurse while having an expired license in the State of Colorado.

Laura Ann DeLauder a/k/a Laura Ann Daly; Licensed Practical Nurse; Willis, TX 77378; Lic. No. 209714; Cal. No. 29434; Application to surrender license granted. Summary: Licensee did not contest charges of diverting narcotics while employed as a licensed practical nurse in the State of West Virginia and submitting a registration renewal application which falsely stated that she had not had any disciplinary action taken against her license.

Paul M. Colton; Registered Professional Nurse, Nurse Practitioner (Psychiatry); King George, VA 22485-0508; Lic. No. 504869, Cert. No. 401313; Cal. Nos. 29439, 29440; Application to surrender license and to surrender certificate granted. Summary: Licensee admitted to the charge of prescribing approximately 33 controlled medications without holding an authorization to prescribe in Virginia.

Barbara Ann Bain; Registered Professional Nurse; Vallejo, CA 94591; Lic. No. 354040; Cal. No. 29441; Application to surrender license granted. Summary: Licensee admitted to charges of having been convicted of Sending a Controlled Substance to a Prisoner in California, a felony, which, if committed within this state, would have constituted a crime under New York State Law, Attempting to Promote Prison Contraband in the 1st Degree, a class E felony; and stealing controlled drugs from medical facilities in the State of Washington.

Optometry

Norman Sadowsky; Rego Park, NY 11374-2231; Lic. No. 002546; Cal. No. 29366; Application to surrender license granted. Summary: Licensee did not contest the charge of permitting an unlicensed individual to practice the profession of optometry in his office.

Pharmacy

James B. Ehrlein; Pharmacist; Franklin Square, NY 11010; Lic. No. 042904; Cal. No. 28384; Found guilty of professional misconduct; Penalty: Revocation.

Valerie Lee; Pharmacist; New York, NY 10002; Lic. No. 048637; Cal. No. 29388; Application to surrender license granted. Summary: Licensee admitted to the charge of stealing drugs, mainly controlled substances, while employed as a staff pharmacist at two pharmacies, from each of the pharmacies, totaling approximately 3,800 pills.

Public Accountancy

MD Hyder Alam; Certified Public Accountant; Jamaica, NY 11432; Lic. No. 101483; Cal. No. 28039; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Attempted Grand Larceny in the 4th Degree, a class A misdemeanor.

Joseph Karl Muller; Certified Public Accountant; Ayer, MA 01432; Lic. No. 061066; Cal. No. 28754; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Financial Institution Fraud and Aggravated Identity Theft, both felonies.

Social Work

Keith L. Herbert; Licensed Clinical Social Worker; Kingston, NY 12401-7425; Lic. No. 024623; Cal. No. 29332; Application to surrender license granted. Summary: Licensee did not contest the charge of boundary violations with a client and negligent care and treatment.

III. OTHER REGENTS DISCIPLINARY ACTIONS

Acupuncture

John Allen Crawford; Rochester, NY 14606; Lic. No. 005567; Cal. No. 29265; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Architecture

David L. Businelli; Staten Island, NY 10304; Lic. No. 025074; Cal. No. 29112; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$2,500 fine.

Studio 16 Architecture PLLC; 16 Flagg Place, Staten Island, NY 10304; Cal. No. 29113; Application for consent order granted; Penalty agreed upon: \$2,500 fine payable within 30 days.

William Robert Mitchell; Westhampton Beach, NY 11978; Lic. No. 026530; Cal. No. 29175; Application for consent order granted; Penalty agreed upon: 6 month actual suspension, 18 month stayed suspension, following service of 6 month actual suspension, 2 years probation.

Jock DeBoer; Staten Island, NY 10301; Lic. No. 029623; Cal. No. 29268; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$1,500 fine.

Chiropractic

John Allen Crawford; Rochester, NY 14606; Lic. No. 012576; Cal. No. 29264; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation.

Clinical Laboratory Technology

Jyotika Parikh; Clinical Laboratory Technologist; North Woodmere, NY 11581-3514; Lic. No. 000861; Cal. No. 26497; Application for consent order granted; Penalty agreed upon: 6 month actual suspension, 18 month stayed suspension, after service of actual suspension, 2 years probation.

Matthew Mashurov a/k/a Dimitry Mashurov a/k/a Matteo Mashurov; Clinical Laboratory Technologist; Valley Stream, NY 11581-3538; Lic. No. 015140; Cal. No. 28720; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 24 months probation.

Dentistry

Gilbert Y. Kim; Dentist; Oakland Gardens, NY 11364-2434; Lic. No. 037981; Cal. No. 28173; Found guilty of professional misconduct; Penalty: 3 year suspension, probation 3 years to commence subsequent to termination of suspension and upon actual return to practice.

Hugh Morton Musof; Dentist; East Setauket, NY 11733-2944; Lic. No. 023867; Cal. No. 29235; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 24 months probation, \$2,500 fine.

Engineering and Land Surveying

Fruma Narov; Professional Engineer; Forest Hills, NY 11375; Lic. No. 057977; Cal. No. 28390; Application for consent order granted; Penalty agreed upon: 6 month actual suspension, 18 month stayed suspension, following service of 6 month actual suspension, 2 years probation, \$5,000 fine.

Gregory Mazur; Professional Engineer; Alameda, CA 94501; Lic. No. 084297; Cal. No. 29410; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$1,500 fine.

Maqsood Ahmed Faruqi; Professional Engineer; Jackson, NJ 08527; Lic. No. 071297; Cal. No. 29419; Application for consent order granted; Penalty agreed upon: 12 month actual suspension, 48 month stayed suspension, 5 years probation, \$10,000 fine.

Massage Therapy

Robert John Miccoli; Syracuse, NY 13219; Lic. No. 027482; Cal. No. 28834; Found guilty of professional misconduct; Penalty: 2 year suspension, execution of last 21 months of suspension stayed.

Krystal Leigh Conlan; North Tonawanda, NY 14120; Lic. No. 022412; Cal. No. 28881; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Nursing

Melissa Ann Clayton a/k/a Melissa Ann Van Duser; Licensed Practical Nurse, Registered Professional Nurse; Pawleys Island, SC 29585; Lic. Nos. 249095, 527302; Cal. Nos. 26625, 26626; Found guilty of professional misconduct; Penalty: 2 year suspension, execution of suspension stayed, probation 2 years.

Dorothy I. Faulkner; Registered Professional Nurse; Nassau, NY 12123; Lic. No. 635882; Cal. No. 27123; Found guilty of professional misconduct; Penalty: 2 year suspension, execution of suspension stayed, probation 2 years.

Debra Lynn Mattoon; Licensed Practical Nurse; Oakfield, NY 14125; Lic. No. 300437; Cal. No. 28305; Found guilty of professional misconduct; Penalty: \$1,000 fine, indefinite suspension for a minimum of 12 months and until fit to practice, probation 2 years to commence subsequent to termination of suspension and upon actual return to practice.

Cinda Romano Ogden a/k/a Cinda D. Reid; Registered Professional Nurse; Geneva, NY 14456; Lic. No. 558534; Cal. No. 28460; 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.

Marie Carmel Loiseau; Licensed Practical Nurse; Valley Stream, NY 11580-1321; Lic. No. 192149; Cal. No. 28513; Application for consent order granted; Penalty agreed upon: 6 month actual suspension, 18 month stayed suspension, 24 months probation.

Rachel L. Waltz; Registered Professional Nurse; Phelps, NY 14532; Lic. No. 648480; Cal. No. 28522; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$500 fine.

Jacqueline M. Osuch; Registered Professional Nurse; Port St. Lucie, FL 34952; Lic. No. 634732; Cal. No. 28815; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation to commence upon return to practice in the State of New York.

Michele A. Case; Registered Professional Nurse; Akron, NY 14001; Lic. No. 527222; Cal. No. 28840; Found guilty of professional misconduct; Penalty: \$2,500 fine, 1 year suspension, probation 2 years to commence subsequent to termination of suspension and upon actual return to practice.

Melissa Tejada; Licensed Practical Nurse, Registered Professional Nurse; Manorville, NY 11949; Lic. Nos. 275343, 632246; Cal. Nos. 28885, 28886; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$1,000 fine.

Maryann P. Hanlon a/k/a Maryann Noble a/k/a Mary Ann Scagel; Registered Professional Nurse; Riverhead, NY 11901; Lic. No. 548287; Cal. No. 28894; Found guilty of professional misconduct; Penalty: 1 year suspension, execution of suspension stayed, probation 1 year concurrent with stayed suspension.

Andrise F. LaDouceur; Registered Professional Nurse; Elmont, NY 11003; Lic. No. 459948; Cal. No. 28966; Application for consent order granted; Penalty agreed upon: 2 month actual suspension, 22 month stayed suspension, 24 months probation, \$500 fine.

Margarita R. Mendoza; Registered Professional Nurse; Massapequa, NY 11758; Lic. No. 579431; Cal. No. 28977; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Corinne L. Barnett; Licensed Practical Nurse; Wellsville, NY 14895; Lic. No. 298764; Cal. No. 29040; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Stephanie Lynn Gammon; Licensed Practical Nurse, Registered Professional Nurse; Lisbon, NY 13658; Lic. Nos. 277178, 657457; Cal. Nos. 29077, 29078; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Kerwin Dominick Napoles; Licensed Practical Nurse, Registered Professional Nurse; Freeport, NY 11520; Lic. Nos. 269673, 540027; Cal. Nos. 29088, 29089; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Y-Juian Claudia Hui; Registered Professional Nurse; Fresh Meadows, NY 11365; Lic. No. 586683; Cal. No. 29090; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$250 fine.

Angela Pauline McNeill; Registered Professional Nurse; Port Jefferson Station, NY 11776; Lic. No. 673958; Cal. No. 29091; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Bridget Antoinette Hay a/k/a Bridget A. Hay; Licensed Practical Nurse, Registered Professional Nurse; Valley Stream, NY 11580; Lic. Nos. 260259, 547557; Cal. Nos. 29092, 29093; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Lisa L. Kullack a/k/a Lisa Lynn Kullack; Licensed Practical Nurse, Registered Professional Nurse; Islip, NY 11751; Lic. Nos. 232548, 542972; Cal. Nos. 29096, 29097; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Gloria Marie Stark a/k/a Gloria M. Stark; Licensed Practical Nurse, Registered Professional Nurse; Oceanside, NY 11572-4532; Lic. Nos. 186897, 396373; Cal. Nos. 29098, 29099; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 24 months probation.

Meghan Nora Menart; Registered Professional Nurse; Bay Shore, NY 11706-7849; Lic. No. 687241; Cal. No. 29103; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Donna Marie Obrien; Licensed Practical Nurse, Registered Professional Nurse; Valley Stream, NY 11581; Lic. Nos. 130756, 327696; Cal. Nos. 29114, 29157; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Constance Theresa Sullivan a/k/a Constance T. Sullivan; Licensed Practical Nurse, Registered Professional Nurse; Baldwin, NY 11510; Lic. Nos. 117115, 405544; Cal. Nos. 29146, 29147; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Kimberly Melissa Altaro; Registered Professional Nurse; Franklin Square, NY 11010; Lic. No. 622528; Cal. No. 29151; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Janet Agbaku a/k/a Janet A. Agbaku; Licensed Practical Nurse, Registered Professional Nurse; Brooklyn, NY 11213; Lic. Nos. 261018, 563575; Cal. Nos. 29159, 29160; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$500 fine.

Christina Marie Deisenroth; Registered Professional Nurse; Rochester, NY 14626; Lic. No. 667725; Cal. No. 29166; Application for consent order granted; Penalty agreed upon: 2 month actual suspension, 22 month stayed suspension, 2 years probation to commence upon return to practice, \$250 fine payable within 6 months.

Patricia T. Minni; Registered Professional Nurse; Spencerport, NY 14559; Lic. No. 653938; Cal. No. 29170; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 24 months and until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine payable within 6 months, Order to supersede prior Order No. 27823.

Myriam Aristilde-Bernard; Registered Professional Nurse; Elmont, NY 11003; Lic. No. 464463; Cal. No. 29174; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Funmilayo Omobola Momoh; Licensed Practical Nurse; Brooklyn, NY 11212-2355; Lic. No. 318368; Cal. No. 29176; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 24 months probation.

Nicole Marie Forster; Registered Professional Nurse; Glen Head, NY 11545-1804; Lic. No. 609138; Cal. No. 29180; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 24 months probation, \$500 fine.

Robin Maya Soto; Registered Professional Nurse; Newfield, NY 14867; Lic. No. 536113; Cal. No. 29185; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Tanya Marie Johnson; Licensed Practical Nurse; Greene, NY 13778-1027; Lic. No. 310619; Cal. No. 29192; Application for consent order granted; Penalty agreed upon: 9 month actual suspension, 15 month stayed suspension, 2 years probation to commence upon return to practice.

Kimberly Johanne Nicholoff; Licensed Practical Nurse; Buffalo, NY 14220; Lic. No. 314742; Cal. No. 29198; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Doreen Marie Devlin; Licensed Practical Nurse, Registered Professional Nurse; Brightwaters, NY 11718; Lic. Nos. 218280, 659299; Cal. Nos. 29209, 29208; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 24 months probation.

Maria Isabel Cruz; Licensed Practical Nurse; Newburgh, NY 12550; Lic. No. 223962; Cal. No. 29211; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 24 months probation, \$500 fine.

Deborah K. Lynch; Licensed Practical Nurse, Registered Professional Nurse; Babylon, NY 11702; Lic. Nos. 126382, 360143; Cal. Nos. 29217, 29218; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$250 fine.

Beth Renee DeCorte; Licensed Practical Nurse; Macedon, NY 14502; Lic. No. 275541; Cal. No. 29241; Application for consent order granted; Penalty agreed upon: 2 month actual suspension, 22 month stayed suspension, 2 years probation, \$500 fine.

Melissa L. Pileggi; Licensed Practical Nurse; Albion, NY 14411-9399; Lic. No. 292248; Cal. No. 29246; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for a minimum of 3 months and until successful participation in 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.

Thani Harripersaud; Licensed Practical Nurse; Schenectady, NY 12303; Lic. No. 284777; Cal. No. 29302; Application for consent order granted; Penalty agreed upon: 9 month actual suspension, 15 month stayed suspension, 2 years probation to commence upon return to practice.

Andrea Jessica Martin; Registered Professional Nurse; Schenectady, NY 12304; Lic. No. 639997; Cal. No. 29331; 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.

Maria Luisa S. Guzman; Registered Professional Nurse; Chula Vista, CA 91913; Lic. No. 478989; Cal. No. 29368; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 2 years probation to commence upon return to practice in the State of New York, \$500 fine payable within 30 days.

Anna Maria Iannello; Registered Professional Nurse; Englewood, CO 80110; Lic. No. 457544; Cal. No. 29412; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation to commence upon return to practice in the State of New York.

Pharmacy

Phillip E. Petoniak; Pharmacist; East Aurora, NY 14052; Lic. No. 030288; Cal. No. 28661; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, following service of actual suspension, 2 years probation, \$1,000 fine.

Divino Pharmacy Corp.; Pharmacy; 30 East Kingsbridge Road, Bronx, NY 10468; Reg. No. 030525; Cal. No. 29024; Application for consent order granted; Penalty agreed upon: \$5,000 fine payable within 30 days.

CAF Pharmacy, Inc. d/b/a Caribbean-American Family Pharmacy; Pharmacy; 3424 Church Avenue, Brooklyn, NY 11203; Reg. No. 032476; Cal. No. 29042; Application for consent order granted; Penalty agreed upon: \$2,500 fine, 1 year probation.

Fakhrul Huda; Pharmacist; Brooklyn, NY 11203; Lic. No. 043566; Cal. No. 29043; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$2,500 fine.

Abraham Harooni; Pharmacist; Great Neck, NY 11024; Lic. No. 036725; Cal. No. 29181; Application for consent order granted; Penalty agreed upon: Censure and Reprimand, 1 year probation, \$5,000 fine.

Syntho Pharmaceuticals, Inc; Pharmacy; 230 Sherwood Avenue, Farmingdale, NY 11735; Reg. No. 026828; Cal. No. 29184; Application for consent order granted; Penalty agreed upon: \$2,500 fine, 1 year probation.

Henry P. Cunningham; Pharmacist; Brooklyn, NY 11225; Lic. No. 035353; Cal. No. 29213; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$7,500 fine.

Psychology

Elizabeth Louise Beauchamp; Rexford, NY 12148; Lic. No. 012034; Cal. No. 29260; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Public Accountancy

Stacey C. Manuel; Certified Public Accountant; Yonkers, NY 10701; Lic. No. 092468; Cal. No. 29142; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

John B. Renda; Certified Public Accountant; North Tonawanda, NY 14120-3704; Lic. No. 052313; Cal. No. 29229; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$2,500 fine.

Paritz & Company, PA P.C.; 15 Warren Street - Suite 25, Hackensack, NJ 07601; Cal. No. 29312; Application for consent order granted; Penalty agreed upon: Censure & Reprimand, \$4,000 fine payable within 30 days.

Andrew Kent Loggia; Certified Public Accountant; New York, NY 10028; Lic. No. 080261; Cal. No. 29344; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Respiratory Therapy

Shelton Earl Kimmons; Respiratory Therapist; Port Jervis, NY 12771; Lic. No. 000362; Cal. No. 29138; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Social Work

Benjamin P. Clark; Licensed Master Social Worker; Holtsville, NY 11742; Lic. No. 078914; Cal. No. 28978; Application for consent order granted; Penalty agreed upon: 1 year actual suspension, following service of actual suspension, 2 years probation.

IV. RECONSIDERATION

Anthony Joseph Cutolo; Licensed Practical Nurse, Registered Professional Nurse; Lindenhurst, NY 11757-3752; Lic. Nos. 285105, 616633; Cal. Nos. 29335, 29336; Application for reconsideration granted: Vote & Order under Cal. Nos. 28082, 28083, modified nunc pro tunc, Term of Probation numbered four amended.

V. RESTORATIONS

The Board of Regents voted on March 13, 2017 to deny the application for restoration of the podiatrist license of Michael L. Akyuz, Rochester, NY. Dr. Akyuz's license was surrendered May 17, 2010.

The Board of Regents voted on March 13, 2017 to deny the application for restoration of the licensed practical nurse and registered professional nurse licenses of Bernadette Boamah, Valley Stream, NY. Ms. Boamah's licenses were surrendered March 22, 2010.

The Board of Regents voted on March 13, 2017 to grant the application for restoration of the physician license of Alexander Rozenberg, Brooklyn, NY. Dr. Rozenberg's license was revoked December 17, 2010.

The Board of Regents voted on March 13, 2017 to stay the execution of the order of surrender of the licensed practical nurse license of Faye Thomas, Rochester, NY, to place her on probation for one year under specified terms and conditions, and upon successful completion of probation, to fully restore her license. Ms. Thomas' license was originally surrendered October 19, 2009.



New York State
EDUCATION DEPARTMENT

Knowledge > Skill > Opportunity

June Graduation Rates for 2012 Cohort

March 13, 2017



ATTACHMENT I

June Graduation Rate Highlights – 2012 Cohort

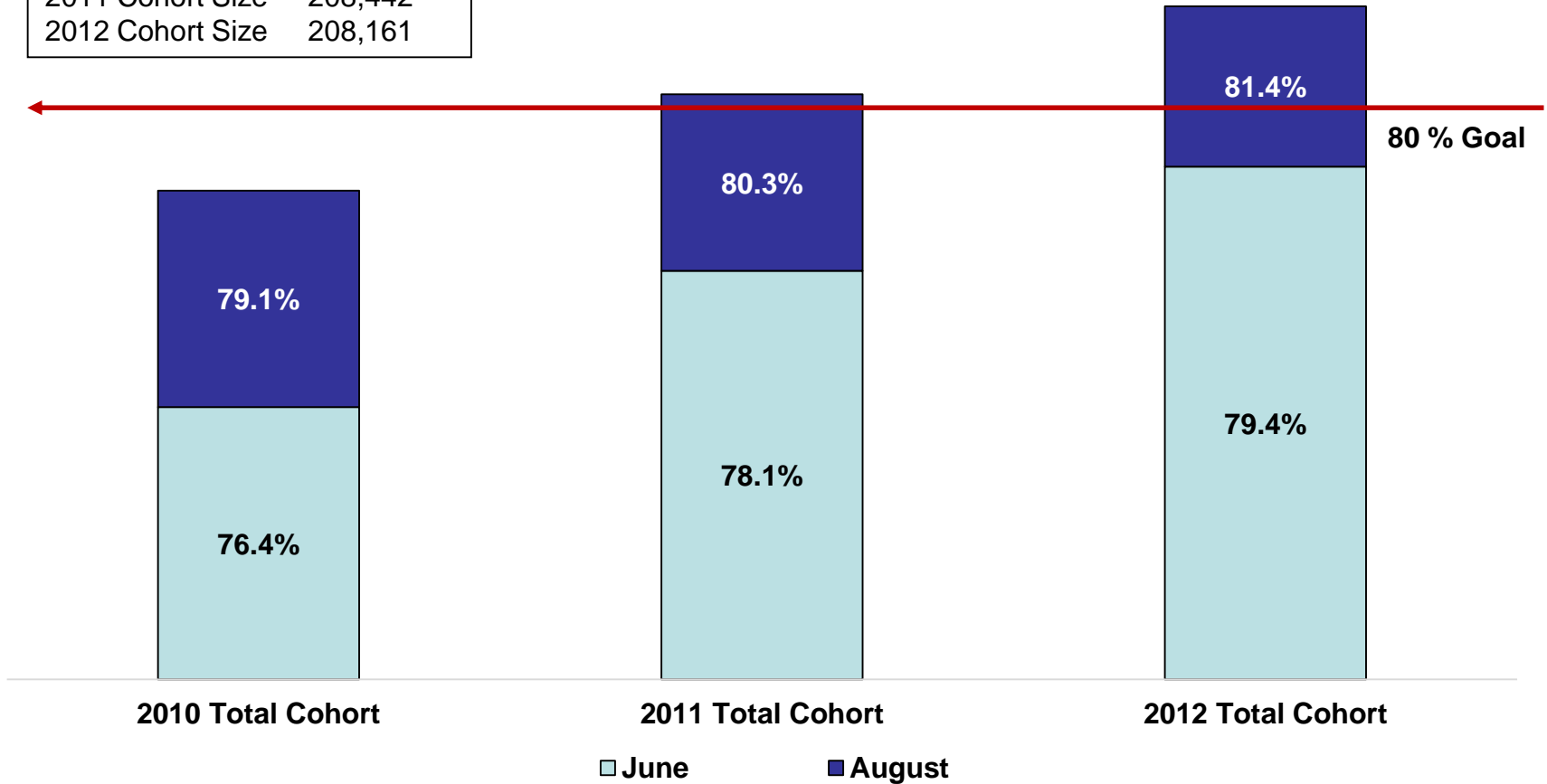
- **Cohort 2012 June graduation rate up 1.3 percentage points to 79.4%**
- **Continues the upward trend and is 12 percentage points higher than it was for the 2002 cohort (67.2%)**
- **All Big 5 school districts had graduation rate growth that exceeded the statewide average but all remain below the overall statewide average**
- **Achievement gaps persist**

Graduation Rate

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

2010 Cohort Size	212,000
2011 Cohort Size	208,442
2012 Cohort Size	208,161

Total Public



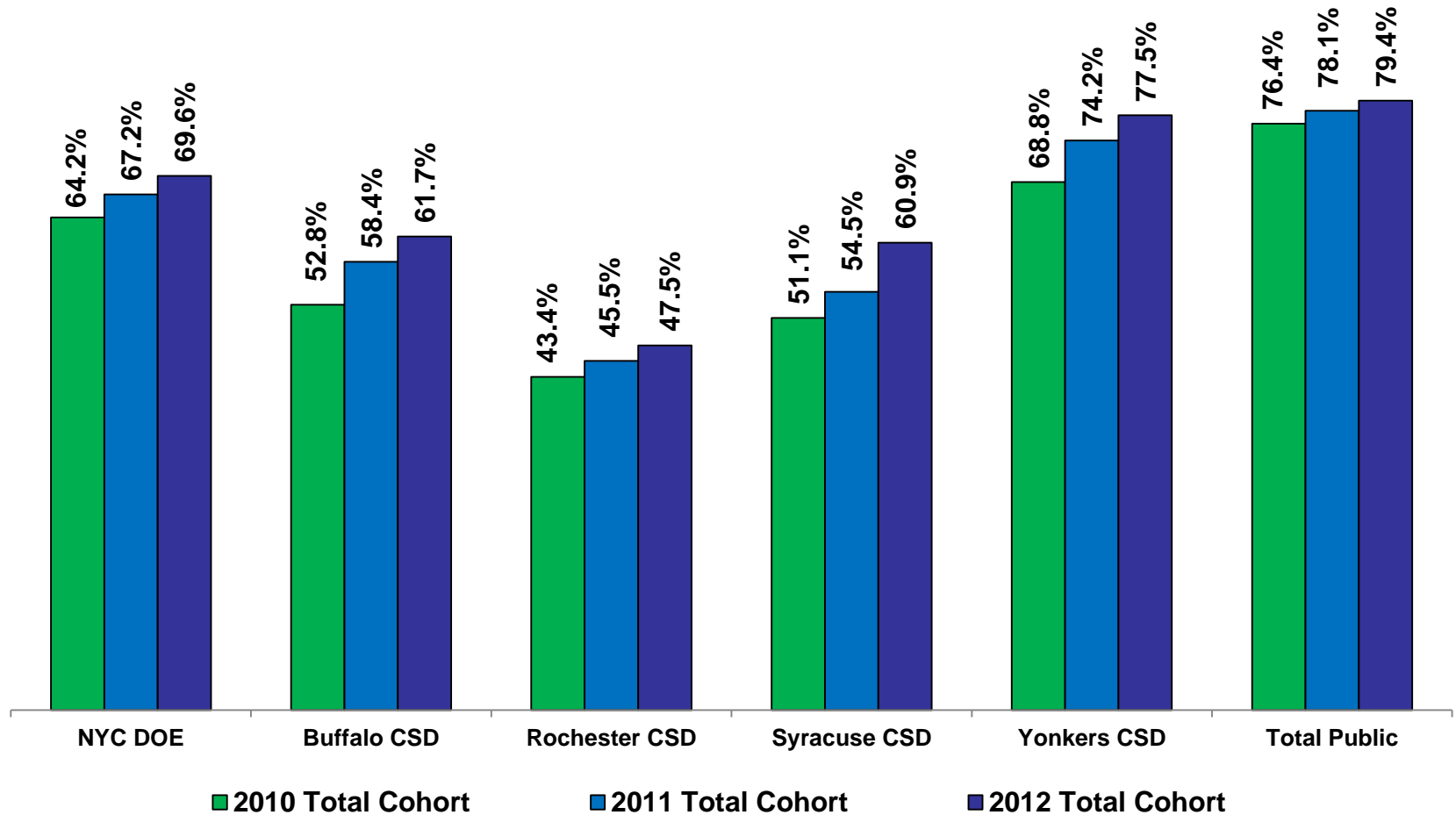
2012 Cohort 4-Year Statewide Outcomes through June and August

Cohort Size is 208,161 students		June	August
Diploma Earned	Regents Diploma	44.0%	45.5%
	Regents Diploma with Advanced Designation	31.1%	31.2%
	Local Diploma	4.2%	4.7%
	Total Graduation Rate	79.4%	81.4%
Non-Diploma Credentials	Career Development & Occupational Studies	0.4%	0.4%
	Skills and Achievement	0.3%	0.3%
	Previously earned IEP diploma*	0.02%	0.02%
Still Enrolled		12.7%	10.7%
Dropped out		6.4%	6.4%
Transferred to an Approved High School Equivalency Program		0.5%	0.5%

- Beginning with the 2013-14 school year, IEP diplomas were no longer available. Students with disabilities may become members of a graduation cohort based upon their date of birth and these students earned IEP diplomas prior to the 2013-14 school year.
- Due to rounding, numbers may not add up to 100%.

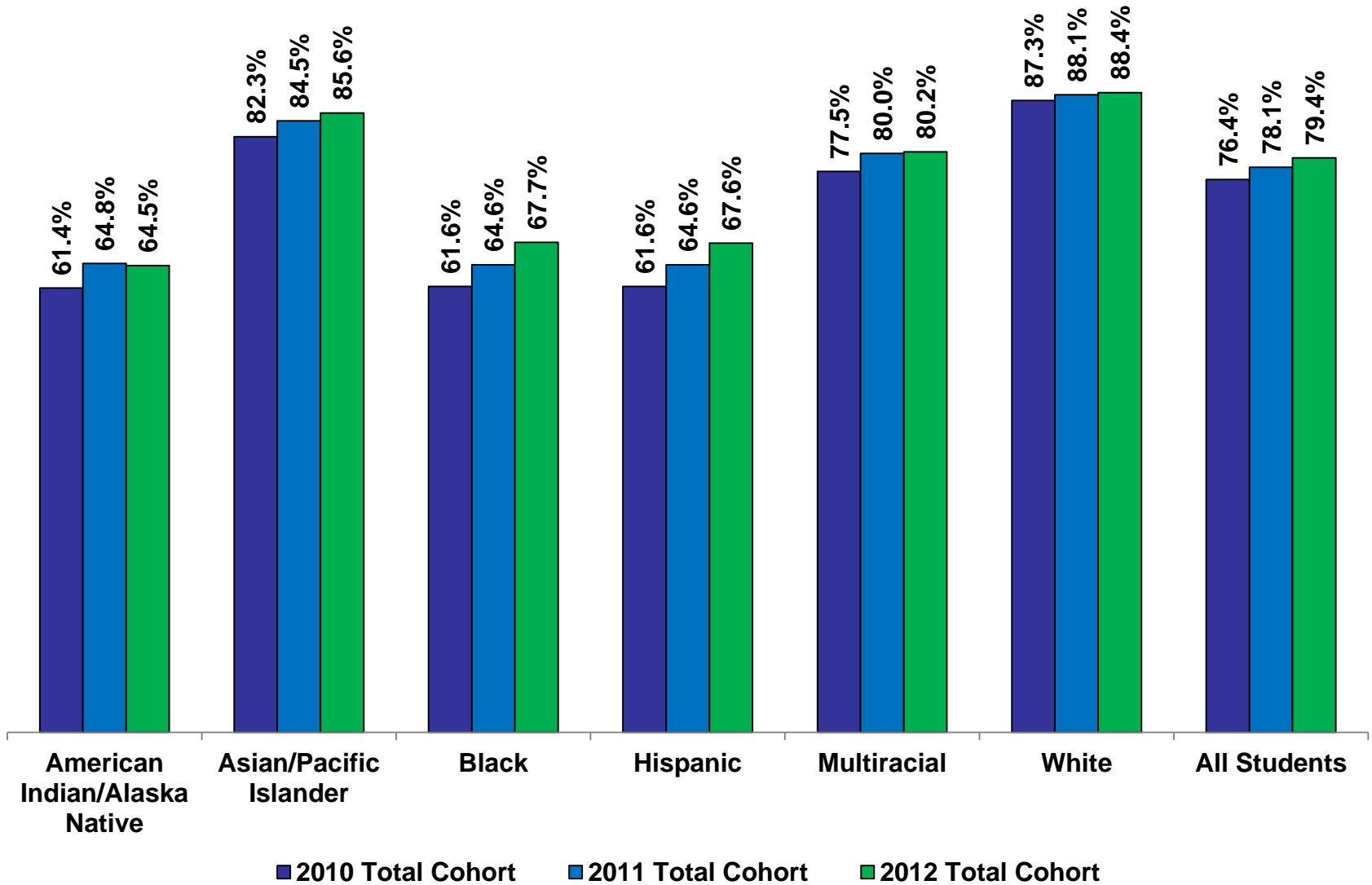
Big 5 Graduation Rates

Percentage of Graduates After 4 Years Through June, All Students



• These data points reflect the data submitted, verified and certified by schools and districts as of August 26, 2016. Any Data discrepancies at the local level must first be resolved locally and then resubmitted to NYSED.

2010, 2011 and 2012 4-Year Graduation Rates by Race/Ethnicity – June



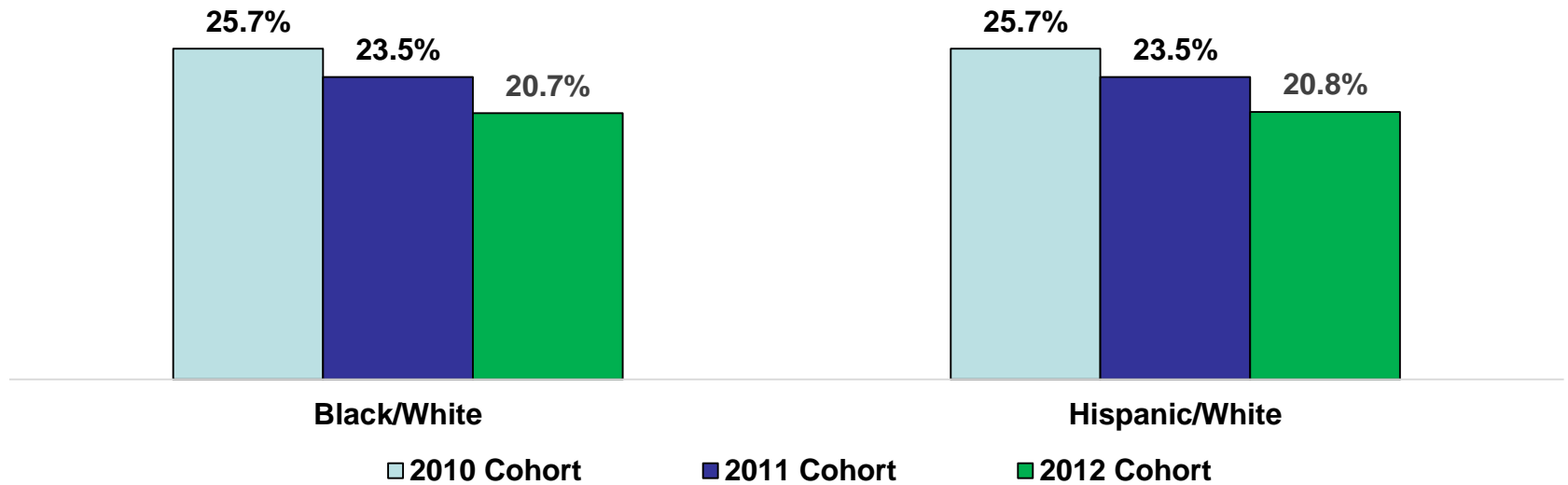
Statewide, the graduation rate achievement gap by racial/ethnic group persists, particularly for the Advanced Designation Diploma

All Students in Public Schools After 4 Years Results Through June

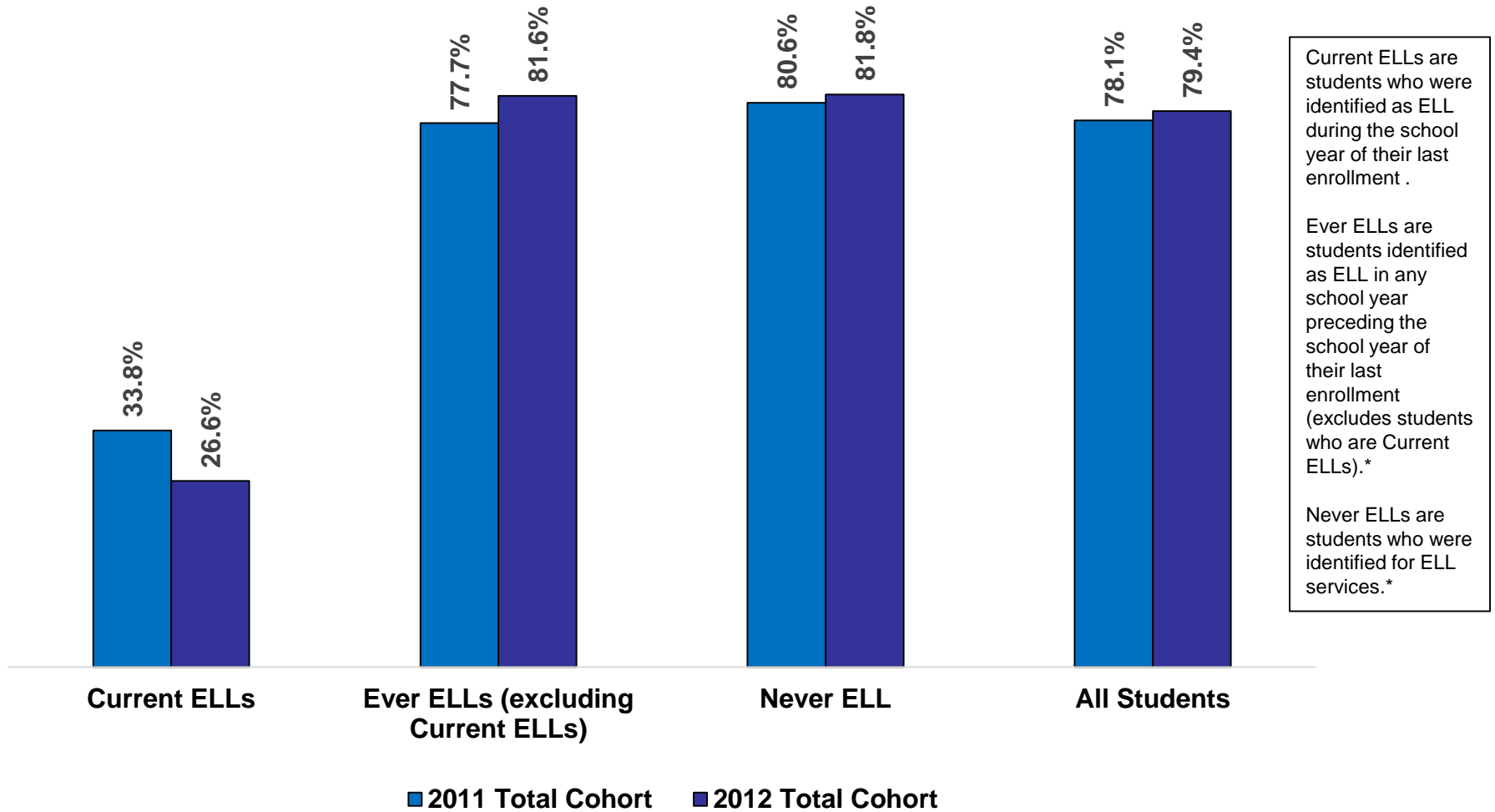
	Black Cohort Members	Hispanic Cohort Members	White Cohort Members
Regents Diploma	51.0%	48.9%	41.0%
Regents Diploma with Advanced Designation	10.3%	13.9%	43.7%
Local Diploma	6.4%	4.8%	3.8%
Total Graduates	67.7%	67.6%	88.4%
Still Enrolled	21.5%	20.3%	6.3%
Non-Diploma Credentials (CDOS, Skills & Achievement, previously earned IEP)	0.9%	0.7%	0.8%
Dropped out	8.8%	10.5%	4.0%
Transferred to an Approved High School Equivalency Program	0.8%	0.8%	0.4%

Closing the Achievement Gap

Difference in Graduation Rate Between Black and Hispanic Students Compared to White Students

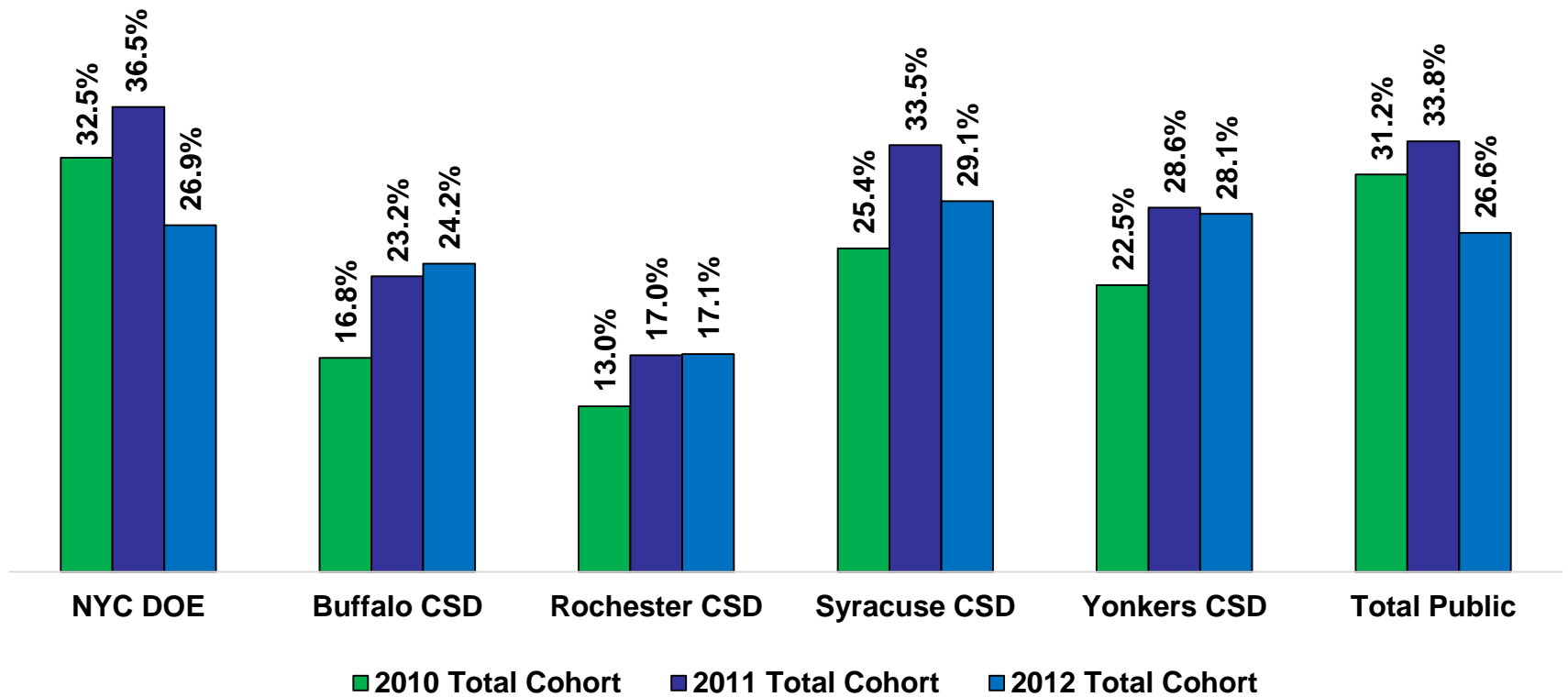


English Language Learner Graduation Rates



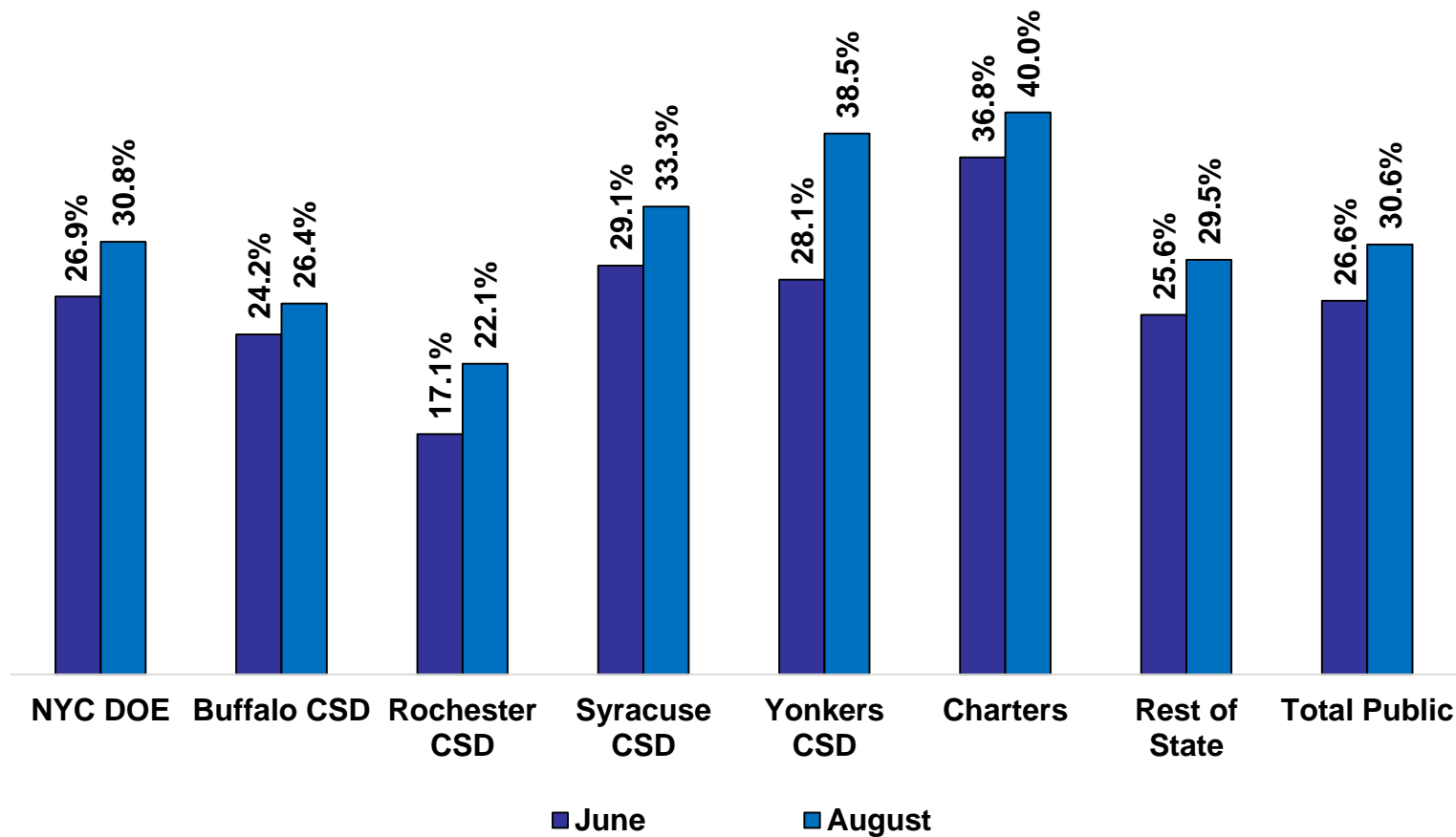
* Data are available for the 2005-06 to 2015-16 school years only. Therefore, students who received ELL services prior to 2005-06 are not identified as Ever ELL. These data points reflect the data submitted, verified and certified by schools and districts as of August 26, 2016. Any Data discrepancies at the local level must first be resolved locally and then resubmitted to NYSED.

Current English Language Learners: Big 5 2010, 2011 and 2012 Total Cohort, Graduation Rate after 4 years – June



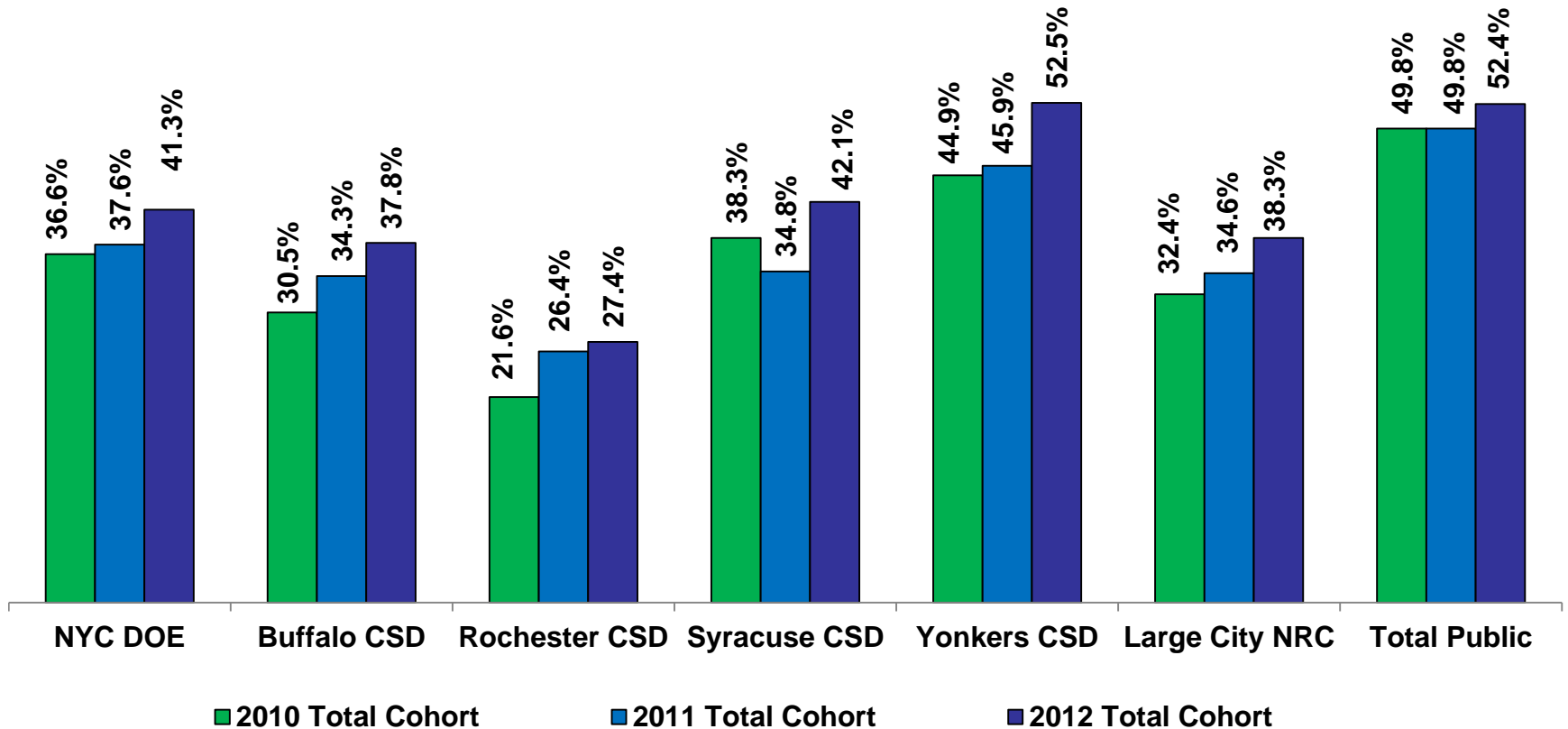
English Language Learners: 2012 Total Cohort, June and August Graduates after 4 Years

Rest of State
excludes NYC
and Charters



Graduation Rate for Students with Disabilities

Percentage of Graduates After 4 Years Through June, Students with Disabilities



Year-to-year changes in percentages will be affected by very small cohort sizes.

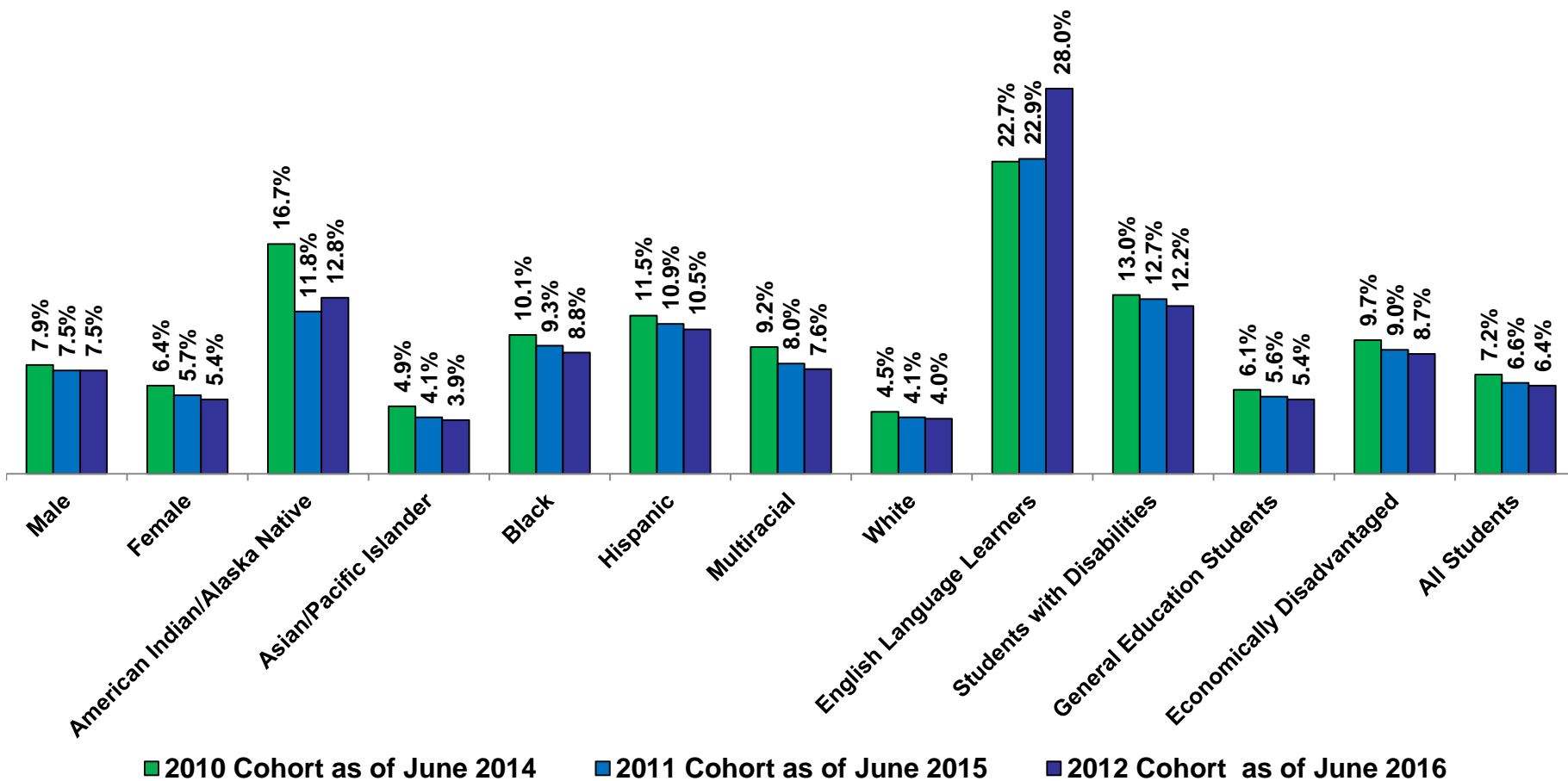
Students with Disabilities: 2010, 2011 and 2012 Cohorts – June

Students with Disabilities in Public Schools After 4 Years Results Through June

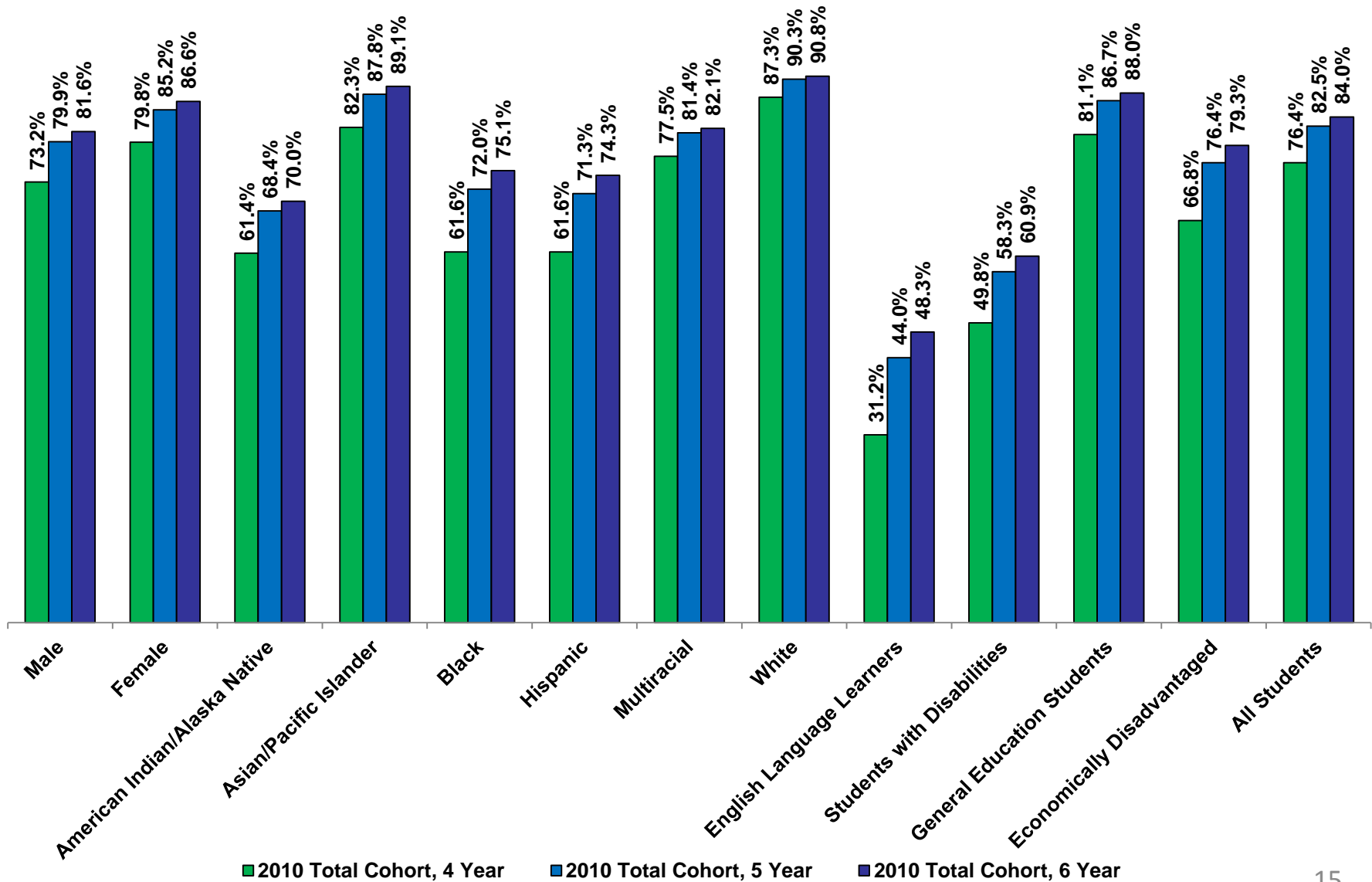
	2010 Total Cohort	2011 Total Cohort	2012 Total Cohort
Regents Diploma	24.5%	27.1%	28.6%
Regents Diploma with Advanced Designation	2.9%	3.0%	3.0%
Local Diploma	22.5%	19.7%	20.8%
Total Graduates	49.8%	49.8%	52.4%
Still Enrolled	29.8%	30.1%	29.4%
Non-Diploma Credentials (CDOS, Skills & Achievement, previously earned IEP diploma)	5.8%	6.1%	4.6%
Dropped out	13.0%	12.7%	12.2%
Transferred to an Approved High School Equivalency Program	1.1%	1.0%	1.0%

Dropout Rates after 4 Years by Subgroup

2010 Cohort Size	212,000
2011 Cohort Size	208,442
2012 Cohort Size	208,161



2010 Cohort Graduation Rate after 4, 5 and 6 Years by Subgroup



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

Regents Actions on Multiple Pathways to Graduation

- **January 2015: Approved multiple assessment pathways in:**
 - Arts
 - Languages Other Than English
 - Career/Technical Education
 - Humanities
 - Science, Technology, Engineering and Mathematics (STEM)
- **March 2016: Acted to make more students eligible for the appeal process**

Regents Actions on Multiple Pathways to Graduation

- **June 2016: Established a new Career Development Occupational Studies (CDOS) graduation pathway**
- **June 2016: Authorized superintendents to make a determination on the academic proficiency of certain students with disabilities seeking to graduate with a local diploma**
- **2016-17: Started requiring districts to report data on multiple pathways to graduation**

Conclusion

- **Additional work is still needed to close achievement gaps**
- **Overall statewide graduation rate continues to rise, with gains in urban districts**
- **NYS met its 80% August graduation rate goal this year**



ATTACHMENT II

New York State Education Department Talking Points re: New York City Department of Education (3/2017)

GRADUATION AND DROPOUT RATE

- The graduation rate for New York City's English Language Learners (ELLs)/Multilingual Learners (MLLs) declined by an alarming 9.6 percentage points from the previous year for the 2012 cohort, from 36.5% to 26.9%.
 - Due to the high number of ELLs/MLLs concentrated in New York City, this drove the overall New York State (NYS) ELL/MLL graduation rate to decline by 7.2 percentage points from 33.8% to 26.6%.
- The dropout rate for New York City's ELLs/MLLs also increased by 5.4 percentage points for ELLs/MLLs from the previous year for the 2012 cohort, from 21.6% to 27%.
 - This also drove the overall NYS dropout rate to increase by 5.1 percentage points from 22.9% to 28%.
- The declining graduation rate and increasing dropout rate of NYC DOE's ELLs/MLLs is extremely problematic.

CORRECTIVE ACTION PLAN

- The New York City Department of Education (NYC DOE) has been under corrective action with NYSED since 2011 to address the areas listed below:
 - Programs and Services for ELLs
 - Identification and placement of ELLs and Parent Information
 - Certified Teachers and Staffing
 - Accountability
- NYC DOE's Corrective Action Plan requires Quarterly Reports to NYSED.
 - NYC DOE's Quarterly Reports do not show significant progress toward CAP goals – in fact, NYC DOE appears to be sliding away from compliance on some issues.
 - Also, while NYC DOE's Quarterly Reports have improved over time, completeness and accuracy of data have been consistent problems for NYC DOE.

UNSERVED STUDENTS

- Large amounts of data were missing from Quarterly Reports, preventing NYSED from doing a comprehensive analysis of NYC DOE's progress.
- Erroneous data on unserved students was submitted and required cleanup after submission.

Number & Percentage of ELLs/MLLs Not Served in NYC from 2013-14 to 2015-16

	2013-2014			2014-2015			2015-2016		
	# not served	% not served	Total ELLs/MLLs	# not served	% not served	Total ELLs/MLLs	# not served	% not served	Total ELLs/MLLs
Number of ELLs unserved	*966	0.6%	155,301	3,551	2.30%	152,455	5,897	4%	150,762

*Reported in NYC DOE's CR Part 154 data report

TIMELY ADMINISTRATION OF NYSITELL

- For the past two years, NYC DOE has also informed NYSED that its data on the number of students tested on time with the New York State Identification Test for English Language Learners (NYSITELL) is wrong and needs to be cleaned up.
- NYC DOE's consistently high number of students who don't take the NYSITELL on time is also worrisome, as is the fact that this number also seems to be rising over time.

% Timely Tested on NYSITELL in NYC from 2013-14 to 2015-16

	2013-2014	2014-2015	2015-2016
% Timely Tested on NYSITELL	Not reported	92.6%	88%

*Reported on the CR-Part 154 data

Total Number of ELLs/MLLs in NYC 2013-14 to 2015-16

	2013-2014	2014-2015	2015-2016
NYC	158,094	157,919	152,343

*Reported on SIRS

- NYSED is also worried about NYC DOE's ability to track if and how students are being served or given the NYSITELL on time while data corrections take place.

BILINGUAL PROGRAMS

- It's good that NYC DOE is planning to open more new Bilingual Programs next school year, but this still falls short of the CAP goal to open new Bilingual Programs.
- NYSED is concerned that despite opening new bilingual programs, the total number of bilingual programs operated by NYCDOE seems to be declining, not increasing, over time.

NYC DOE Bilingual Programs 2013-14 to 2016-17

Year	Bilingual Education Programs	# of ELLs with Bilingual Program Participation	% of all ELLs with Bilingual Program Participation
2013-2014 SY	490	NA	19.9%
2014-2015 SY	446	26,997	17.7%
2015-2016 SY	444	28,812	20.12%
2016-2017 SY	434*	25,665*	16.6%

*Updated based on November 2016 submission from 405 programs, and 25,088 ELLs with bilingual participation

- NYCDOE has been giving additional funding for over 6 years to schools that demonstrated interest in Bilingual Programs and in recent years the focus has been to open primarily Dual Language programs.
- We appreciate the DOE's efforts; and, they should continue this practice. However, they need to focus on schools based on student and community needs to open a bilingual program. As you can see in their press release, they are only planning to open one Bilingual program in all of The Bronx. The Bronx is one of the boroughs with the greatest need for bilingual programs and Assembly Members have been requesting that that borough's needs are met.
 - *Part 154-2.3(d)(2) states that "Each school district in which the sum of each school's Annual Estimate of Enrollment of English Language Learners equals 20 or more English Language Learners of the same grade level, all of whom have the same home language that is other than English, shall provide a sufficient number of Bilingual Education programs in the district in the following school year, such that there are Bilingual Education programs available in the district for at least seventy percent (70%) of the estimated English Language Learners students who share the same home language other than English and grade level districtwide.*

OTHER ELL SERVICE AND ACCESS ISSUES

- NYC DOE submits data that indicate newly-enrolled ELLs/MLLs are identified as "Choice Not Received" for Bilingual Programs or are identified as "Choice Not Received" for English as a New Language (ENL).
- There are issues with ELLs in Young Adult Borough Center (YABC) programs and District 79 not been provided ELL/MLL services.
- The number of current and former ELLs/MLLs accepted to specialized high schools remains very low.
- NYC DOE also has issues submitting data on the ability of ELLs/MLLs with Individualized Education Programs (IEPs) to access bilingual education and ENL services addressing their needs.

APPOINTMENT OF A MONITOR FOR NYC DOE

- NYC DOE's alarming 9.6 percentage point decline in its ELL/MLL graduation rate, paired with a 5.4 percentage point increase in the dropout rate of its ELLs/MLLs, is a sign that NYC is in urgent need of monitoring and support. This dropout rate is unacceptable.
- NYC DOE has already been continuously under corrective action with NYSED regarding ELL/MLL issues for approximately 6 years, since 2011.
- As evidenced by the data submitted in its August Quarterly Report, NYC DOE remains unable to show significant progress in its CAP goals.
 - In fact, NYC DOE appears to be moving away from compliance on some issues.
- Therefore, NYSED should appoint an independent Monitor to oversee NYC DOE, as it has in the past with school districts such as East Ramapo.
 - A Monitor can support NYC DOE in continuing to identify areas in need of improvement and more successfully meet CAP goals, as well as to address grave concerns raised by its ELL/MLL graduation and dropout rates.
 - NYCDOE should also create a plan that details the preventative measures that will be taken to address the dropout rate crisis.

ATTACHMENT III



A New Beginning: **A Report on the East Ramapo** **Central School District**

March 13, 2017

Key Findings

- Parents care strongly about their children getting a quality education
- Chapter 89 of the Laws of 2016 is making a difference
- Improved instructional leadership is in place
 - Formative assessments and data analysis
 - Professional development strengthened
 - Academic performance varies across subjects and student subgroups
- Balanced budget but on a thin cushion
 - Improved fiscal stress status
 - Better financial controls and systems are in place
- \$59 million capital project a first step on renovating facilities
- Students are poorer, more ELL, but enrollment is growing – for now.
- Significant work remains to be done by the board to gain the trust of the community and rebuild the academic, student support and extracurricular programs

Chapter 89 Laws of 2016

- Long-term (2016-2020) strategic academic plan;
- Long-term fiscal improvement plan; and
- Expenditure plan outlining the use of the \$3 million in legislative grants

\$3 Million in Legislative Grants

- Full-day kindergarten classes for all students
 - Adds both monolingual and bilingual Kindergarten teachers
- Partial restoration elementary arts programs:
 - Dance Preps for grades K and 1
 - General Music Preps for grades 2 and 3
 - Theatre Prep for grade 4
 - Art Preps for grades 4, 5 and 6
 - Enrichment periods for grades 4, 5 and 6 in the orchestra, instrumental music, band, and chorus

Academic Accountability

(14 schools plus Early Childhood Center)

	Focus	Priority
GRANDVIEW ELEMENTARY SCHOOL	✓	
MARGETTS ELEMENTARY SCHOOL	✓	
CHESTNUT RIDGE MIDDLE SCHOOL		✓
SPRING VALLEY HIGH SCHOOL	✓	
POMONA MIDDLE SCHOOL	✓	
ELMWOOD ELEMENTARY SCHOOL	✓	
RAMAPO HIGH SCHOOL	✓	
ELDORADO ELEMENTARY SCHOOL	✓	

Building Academic Systems

- New Director of Bilingual Education and World Languages
- New Interim Assistant Superintendent for Special Education
- STAR-Renaissance formative assessments aligned with the New York tests administered once every six weeks;
- Formative assessment parent reports;
- Increases in professional development opportunities for teachers and principals;
- New collaborative planning time for elementary teachers;
- New high expectations for all students and educators; and
- Continued support for enhanced course offerings.

Fiscal Condition

- Comptroller DiNapoli says the East Ramapo Central School District has gone from "significant" fiscal stress in June 2015 to "moderate" levels in June 2016 (87% to 67% to 57%)¹
- In June 2016, the District had an unassigned fund balance of \$4,150,436
- New systems reduced spending by \$1.3 million without impacting academic programs

Note 1: January 25, 2017 Comptroller's press release

Fiscal Improvement Plan

- Decisions for hiring new staff are made after a thorough assessment of budgeted resources and realistic costs projections;
- Monthly budgetary reports show underspent and overspent amounts for each budgetary account;
- Implements every internal auditor's recommendation this fiscal year;
- Requires written instead of verbal quotations for items not subject to competitive bidding;
- Monitor, analyze and assess on an annual basis the District's long-term liabilities including but not limited to compensated absences;
- Implement during the 2016-17 school year the State Monitors' recommendation to explore longer-term transportation contracts with public approval while a third large-scale busing contractor is also being sought to enhance competition for services; and
- Board of Education adopted a new accounting policy.

\$59 Million: Capital Improvements

- Window replacements at Spring Valley HS, Summit Park, Ramapo HS, Fleetwood, Chestnut Ridge MS, Kakiat and Administration building. Window hardware replacements at Eldorado, Hempstead, Elmwood and Lime Kiln;
- Roof replacements or renovations at the District's 14 schools and Administration Building. Skylight replacement at Chestnut Ridge MS and Kakiat;
- Boiler replacements in Fleetwood, Pomona MS, Summit Park, Chestnut Ridge MS, Grandview, Hempstead, Elmwood, Kakiat, Lime Kiln, Ramapo HS, Eldorado and Administration Building;
- Replacement of heating/ventilation units at Lime Kiln, Eldorado and Chestnut Ridge MS;
- Bleacher replacement at high school athletic fields, broken sidewalk replacements, installation of artificial turf fields at the high schools;
- Upgraded security system, renovations in K-8 classrooms to add science labs and special education classrooms and installation of a Wi-Fi network for every classroom and office; and
- Replace windows and doors at Kakiat and Fleetwood.

Challenges

- Rebuilding trust in the school board and healing community divisions
- Undesignated fund balance less than 2% of the budget
- Rebuilding adequate local financial support
- Rapidly expanding ELL population and need for quality teachers and programs
- Providing supplemental educational services to prepare all students for enriched coursework

Ongoing Work

1. Review curriculum and instructional practices
2. Develop the 2017-18 School Budget and a sustainable five-year fiscal plan
3. Review textbook purchase orders and inventory
4. Focus on the performance of English Language Learners and Special Education Students
5. Identify resources for providing supplementary educational services
6. Improve the efficiency of the student transportation system
7. Study options for the weighting of nonpublic students in state aid formulas
8. Monitor the school renovation work, ensure the District maximizes state building aid and addresses concerns from the public
9. Review of all major contracts and have begun reviewing the contracts and the request for proposals to procure the contracts

Recommendations

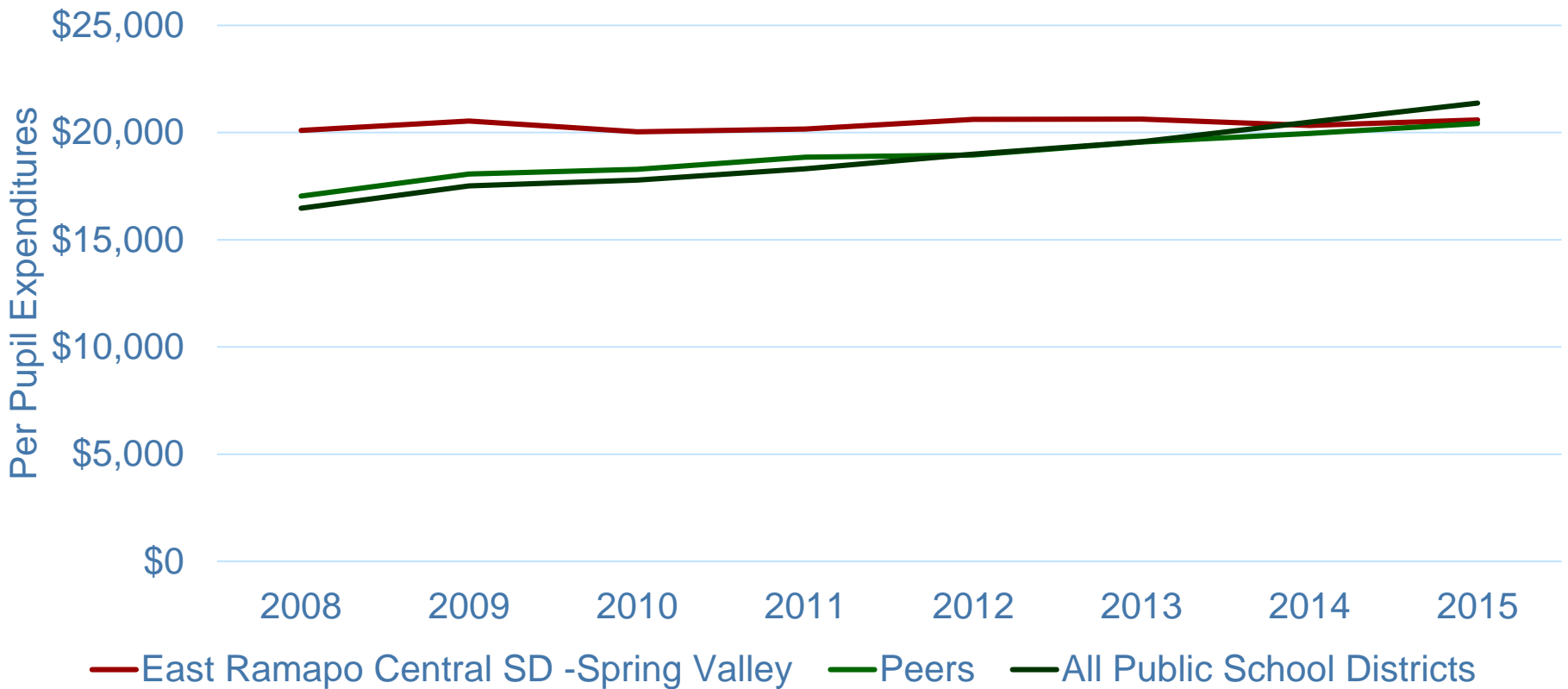
- Continuation of state monitors with emphasis on improving teaching and learning for all students, increasing transparency and communication with the community
- Continuation of \$3 million in legislative grants
 - Kindergarten students will generate additional foundation aid as the formula is phased-in
 - Additional aid and savings due to systems improvements should be directed towards new programs

Appendix

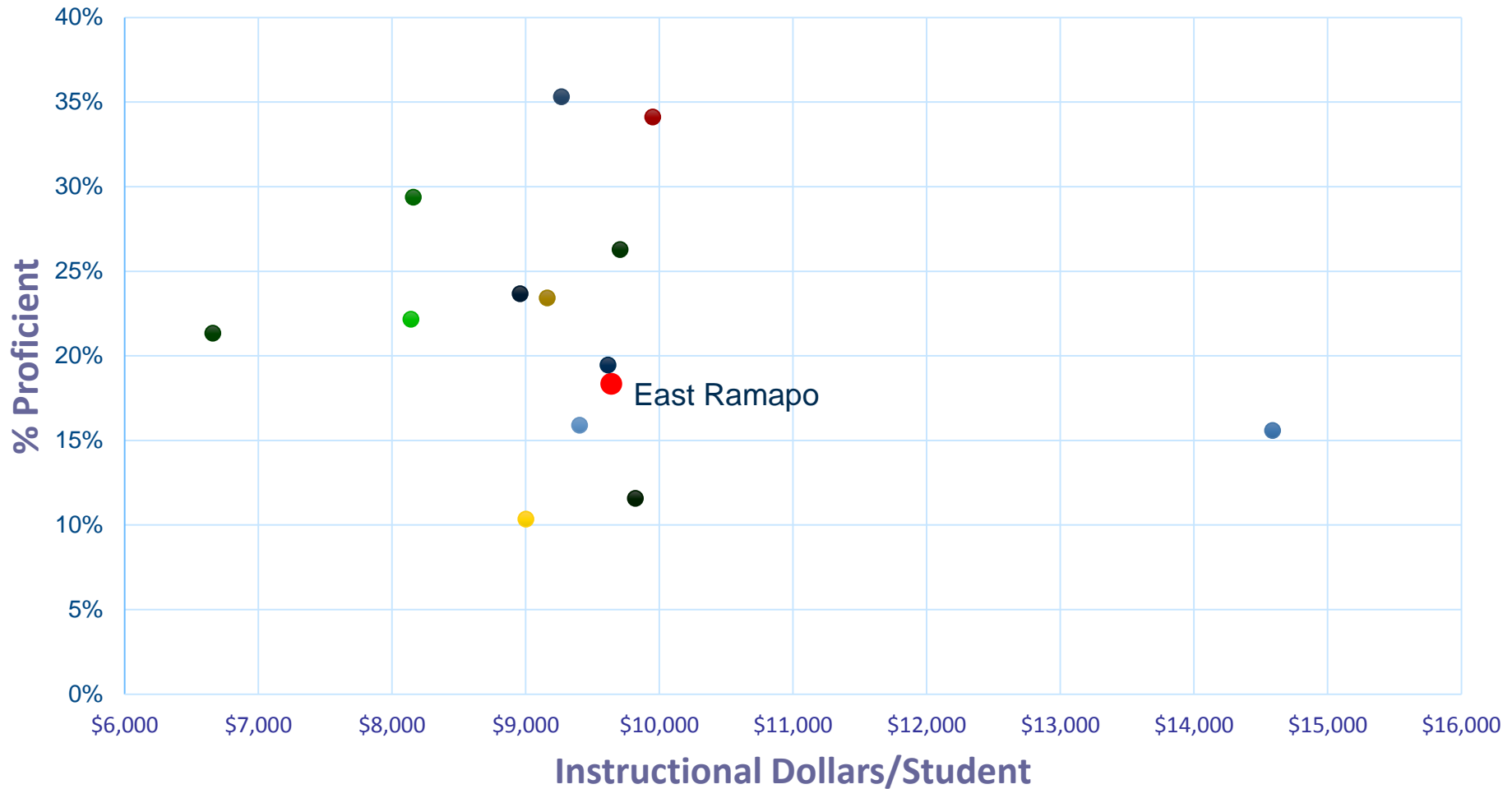
- Benchmarking
 - Spending
 - Academic Proficiency
 - Dropout Rate
- Demographic Changes
- Enrollment
- Budget votes and tax rates
- Fund balance and local effort

General Fund Expenditures Per Pupil (minus Transportation, Books, Special Education) vs. Peers

- Where once ERCSD outspent peers, they now slightly underspend

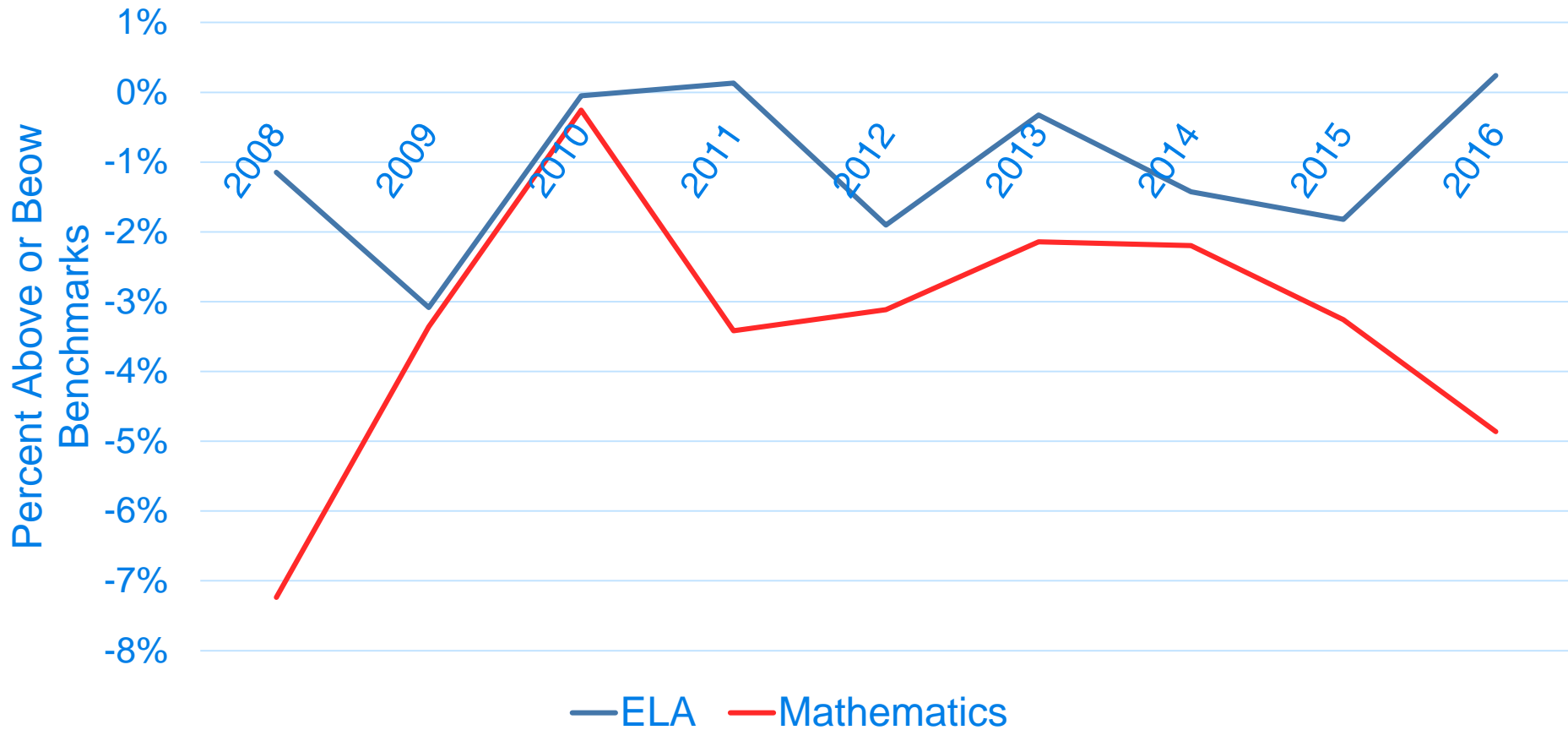


3-8 Proficiency by Regional Cost-Adjusted Expenditures



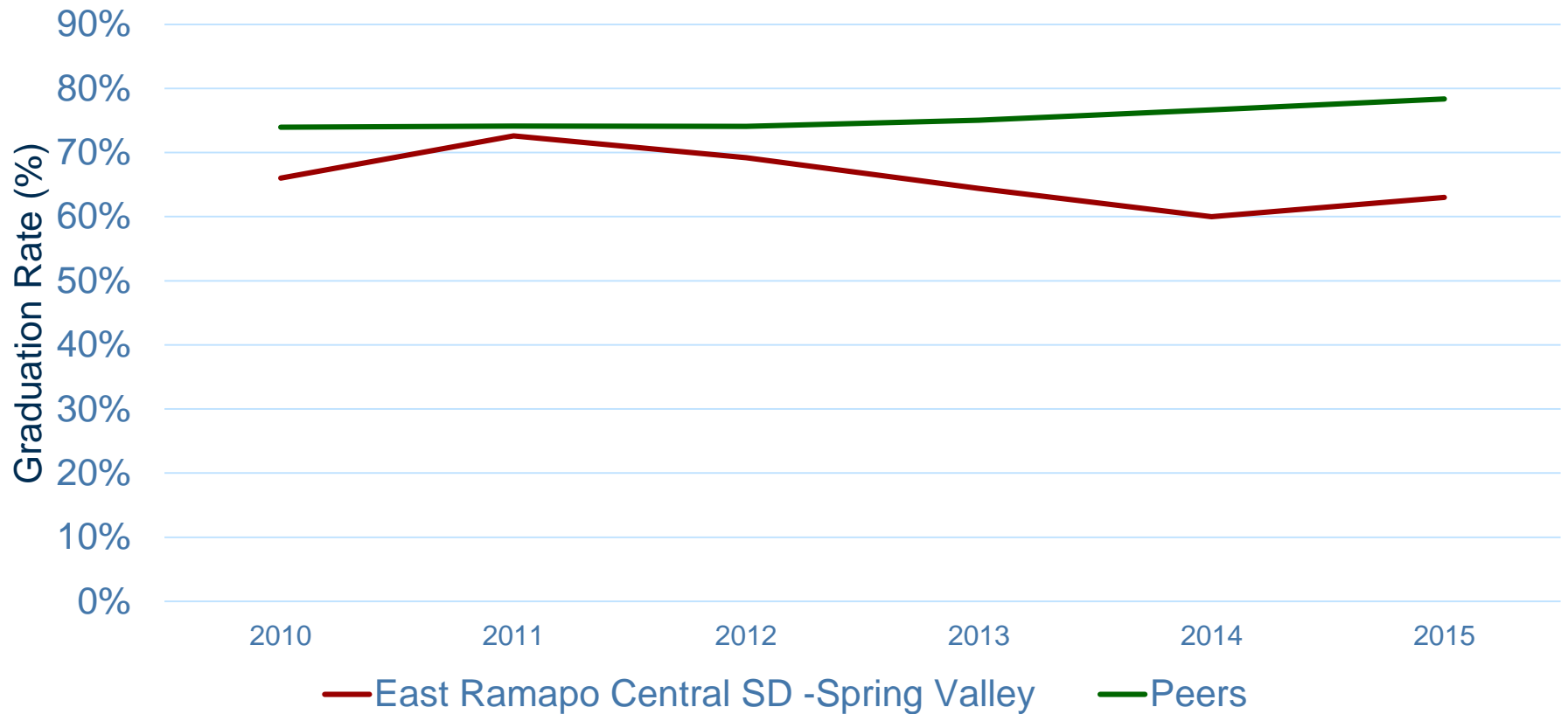
3-8 Achievement Relative to Benchmark Districts

ELA performance better than Mathematics

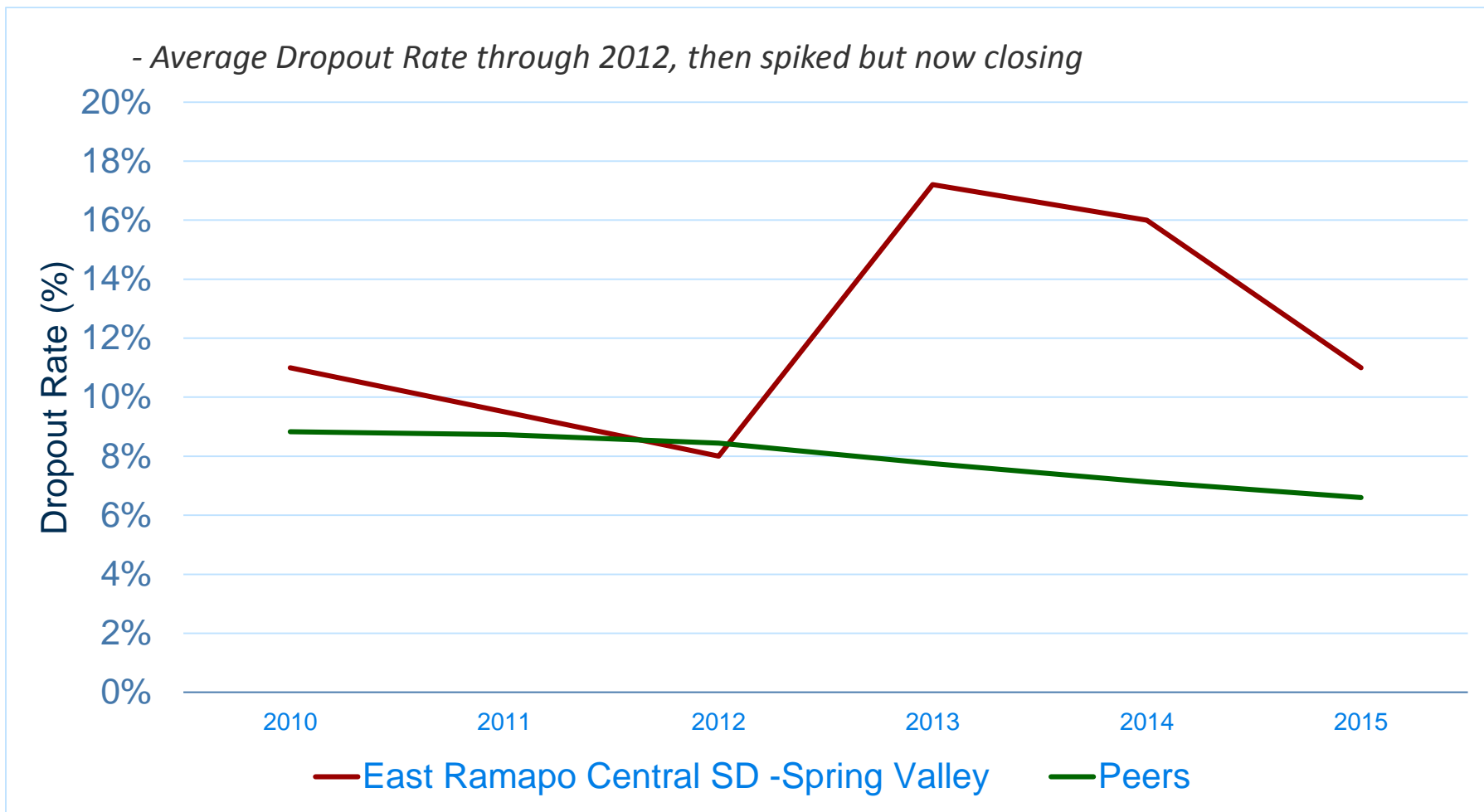


Graduation Rate vs. Peers

- Average in 2011, dropped substantially through 2014, now recovering



Dropout Rate vs. Peers

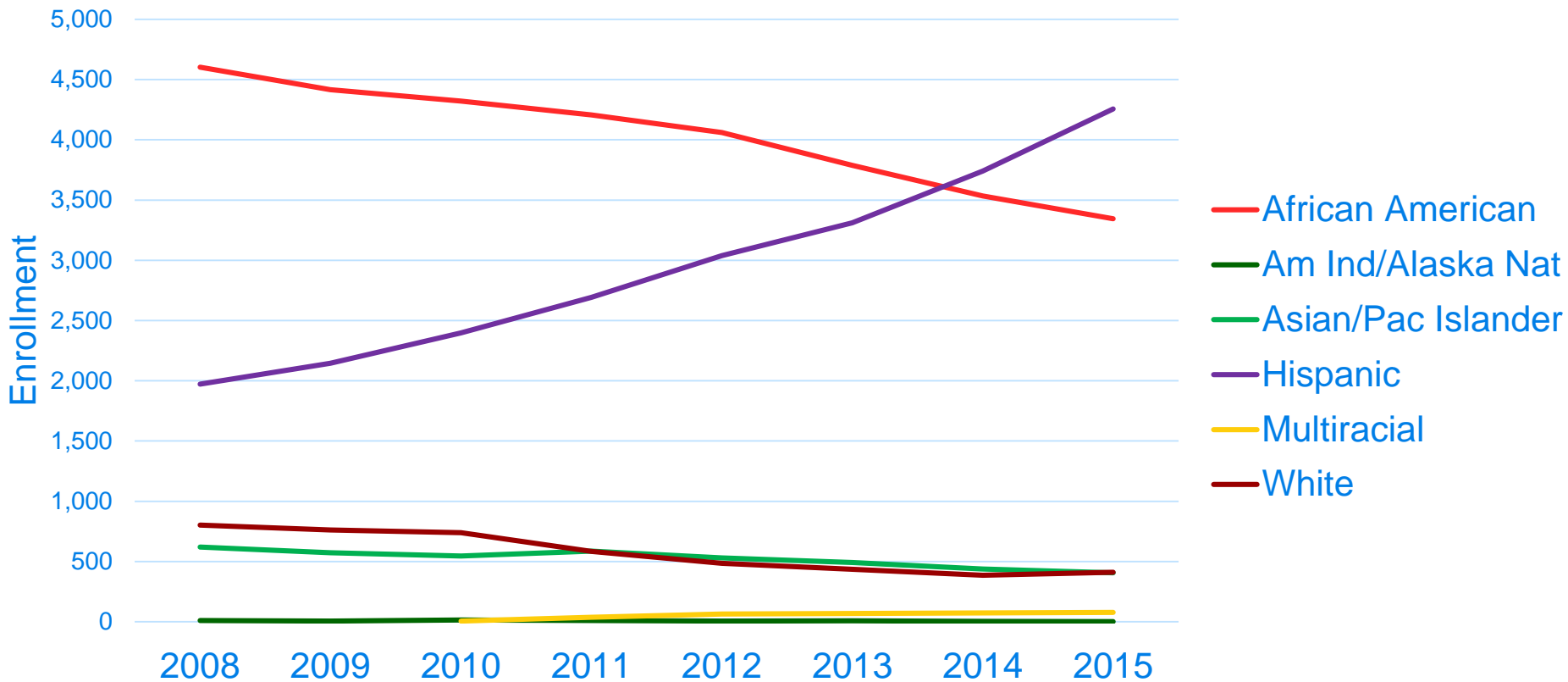


Achievement – Relative to Benchmarks

- 3-8 ELA – Comparable
- 3-8 Math – Below Peers
- English Regents – 5% above peers, better for children above the free or reduced price lunch threshold
- Living Environment – Had been above, now average.
- Chemistry & Physics – well below average

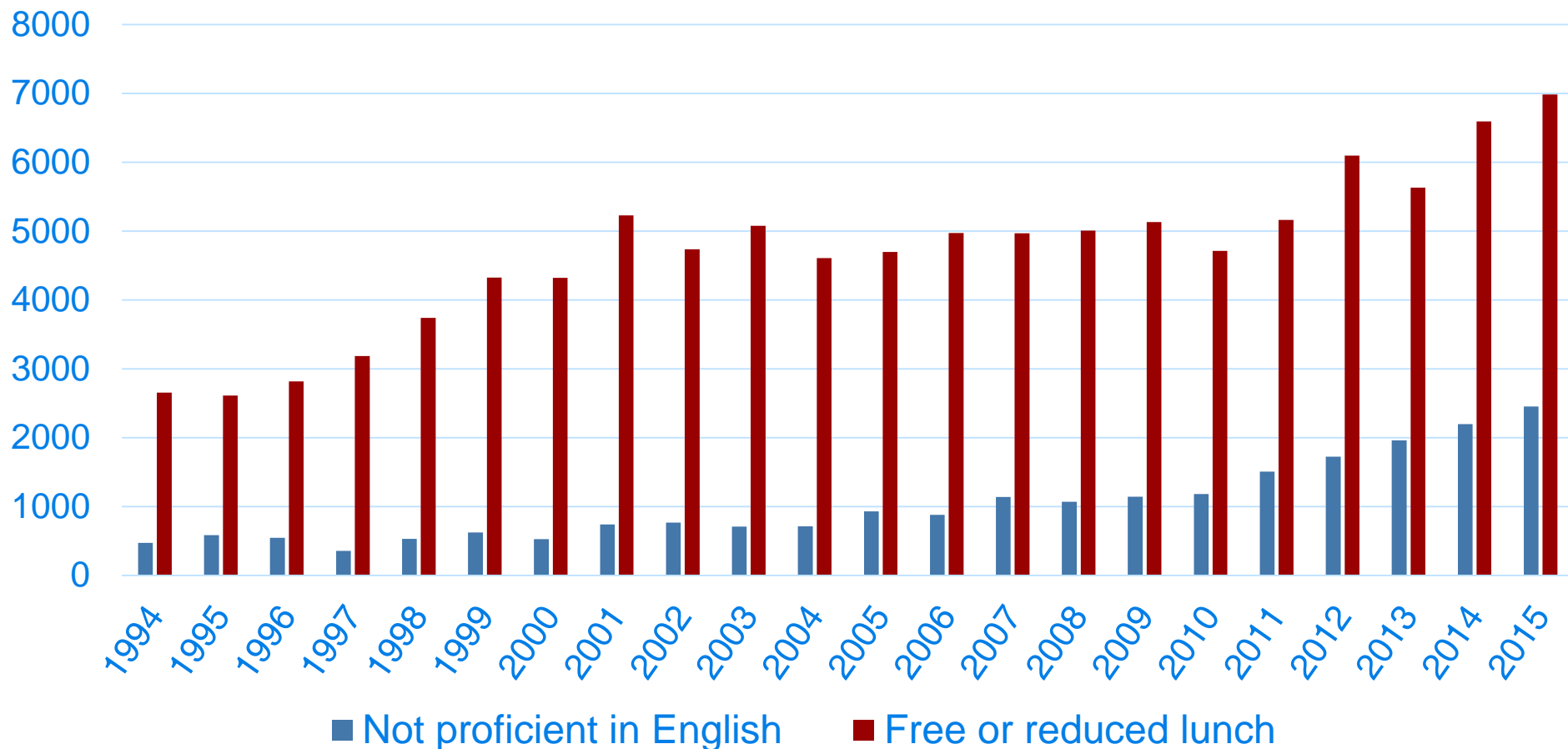
Demographic Changes

ERCSD Enrollment by Race 2008-2015
- The ERCSD become majority Hispanic.



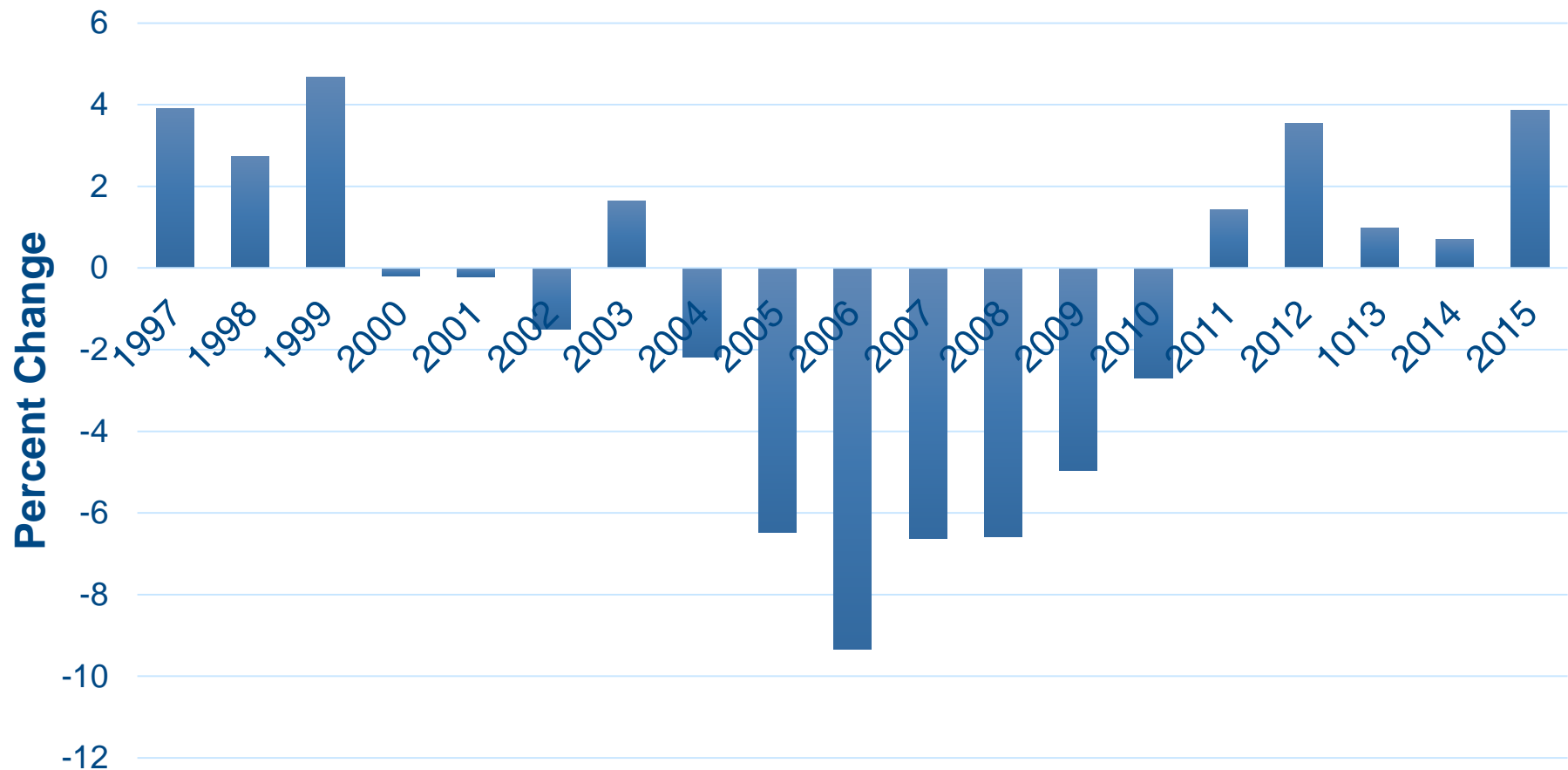
Demographic Changes

Poverty and English Language Learner Enrollments



Enrollment Change

Average Three-Year Change in K-12 Enrollment

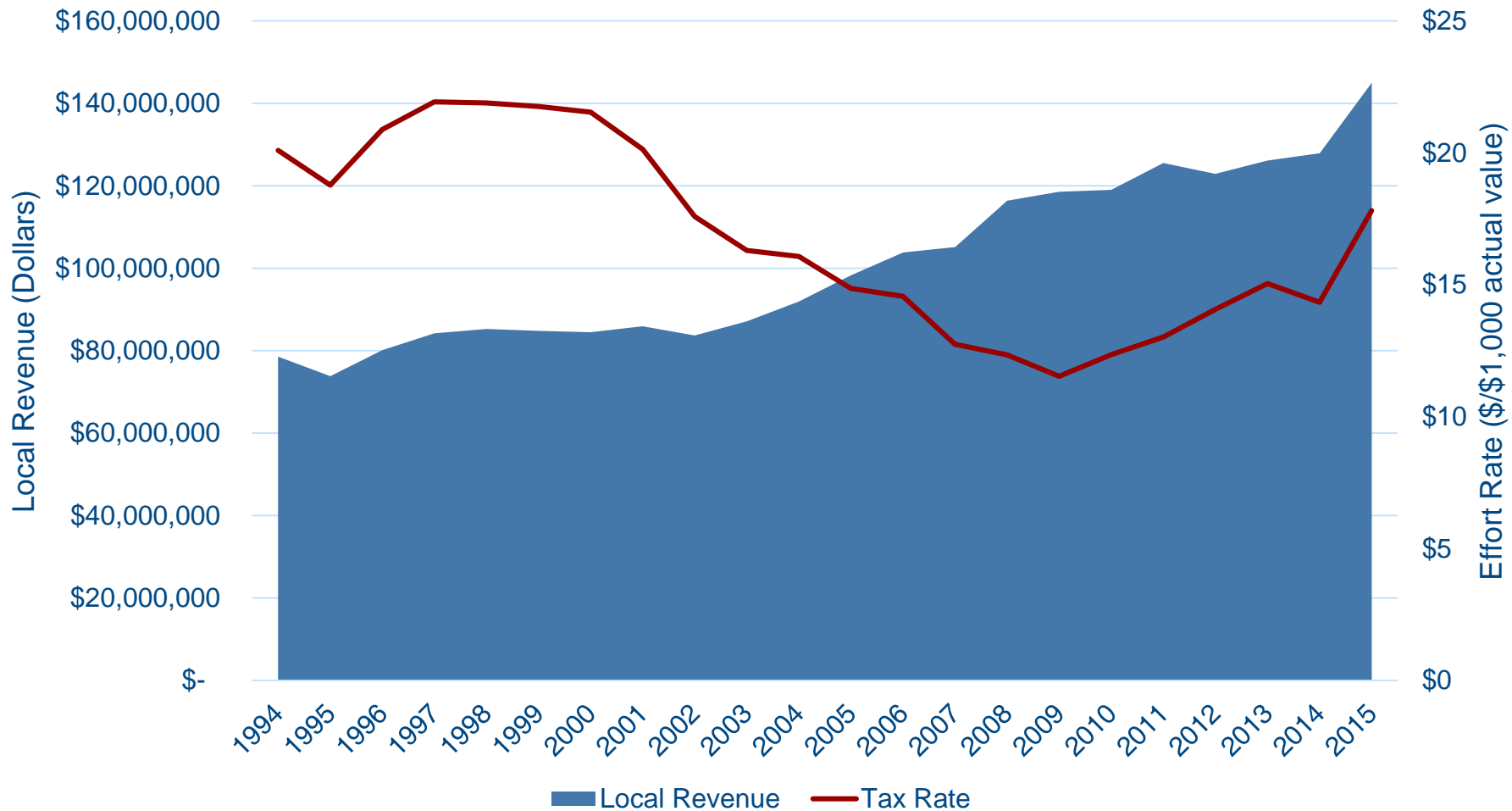


Cost of Defeated Budget Votes

Budget re-votes/contingency budgets: 2005-06 to 2012-13

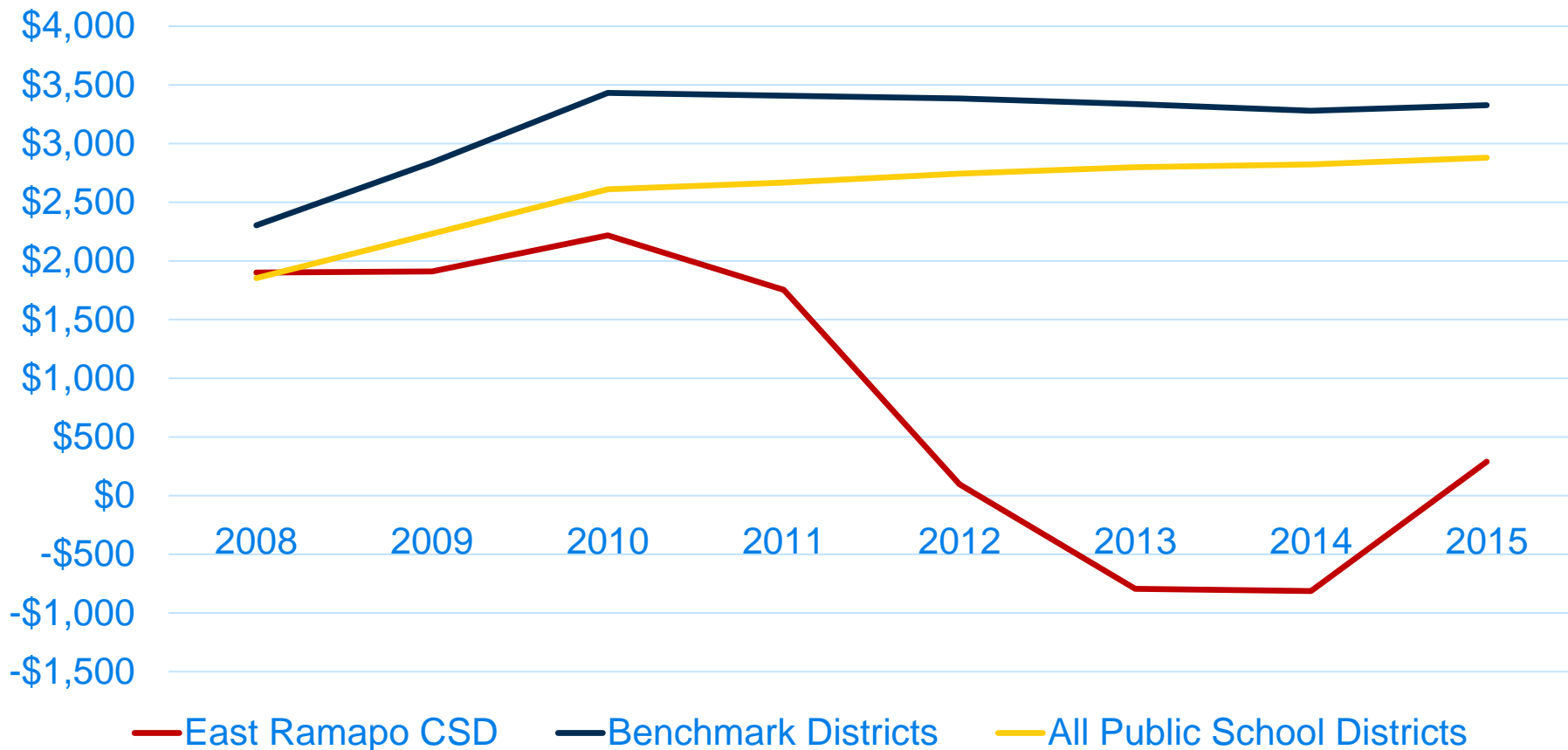
- May 2004-05 budget voted down.
 - Adopted (June) budget (-1,835,294)
- May 2005-06 budget voted down.
 - Adopted (June) budget (-\$1,708,000)
- May 2008-09 budget voted down.
 - Contingent budget, no 2nd vote (-\$716,078)
- May 2010-11 budget voted down.
 - Adopted (June) budget (-\$2,778,287)
- May 2011-12 budget voted down.
 - Contingent budget no 2nd vote (-\$1,637,580)
- May 2012-13 budget voted down.
 - Same budget was offered to the voters with no cuts
- Total “Lost” dollars from budget rejections **-\$ 8,675,264**

Local Tax Levy vs. Tax Rate



Fund Balance Per Pupil (2008-2015)

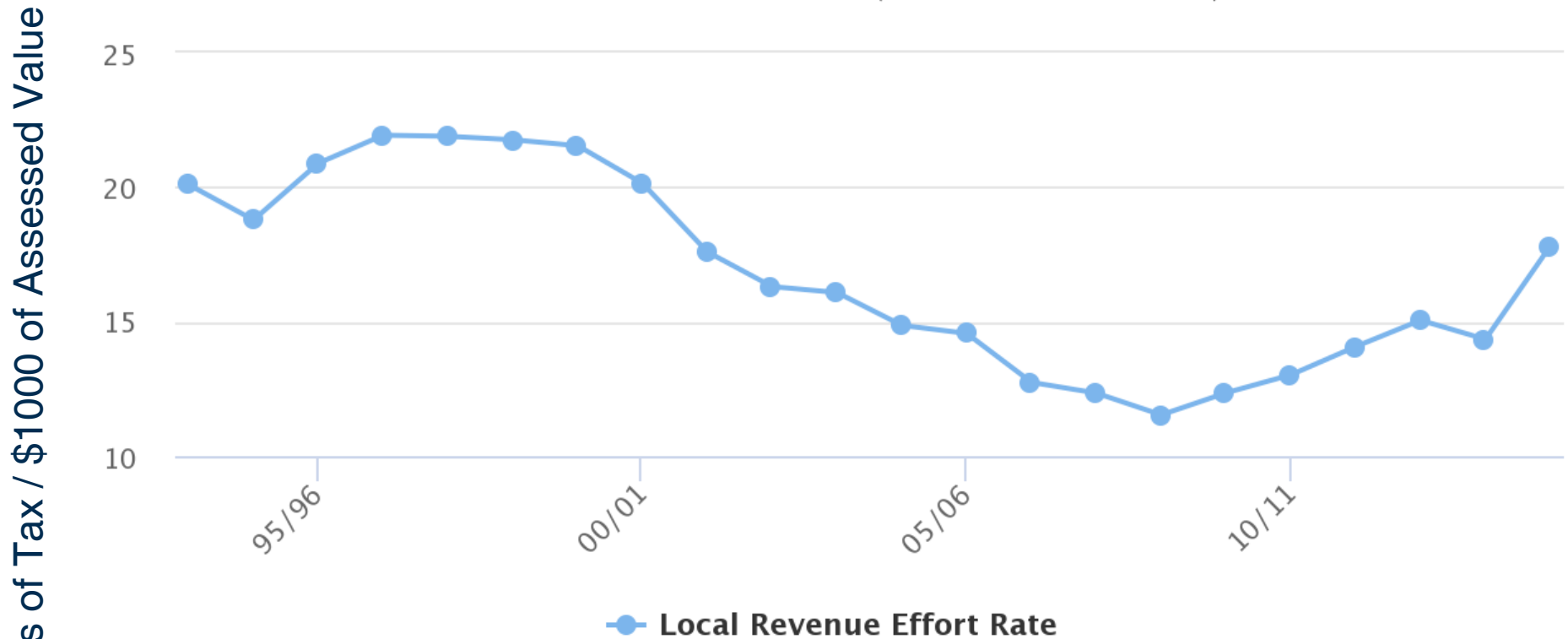
After Loss, now recovering



Local Revenue Effort Rate (LRER)

(dollars/thousand dollars actual value)

EAST RAMAPO CSD (SPRING VALLEY)











Data source: NYSED Fiscal Analysis and Research Unit

Made through Cornell Program on Applied Demographics

LRER (Tax Rate) Across their BOCES

(dollars/thousand dollars actual value)

BOCES ROCKLAND

	10/11	11/12	12/13	13/14	14/15
EAST RAMAPO CSD (SPRING VALLEY)	13.02	14.07	15.05	14.34	17.81 
CLARKSTOWN CSD	12.82	15.54	15.65	15.42	17.94 
HAVERSTRAW-STONY POINT CSD (NORTH RO	21.82	24.99	26.18	25.13	31.22 
NANUET UFSD	16.91	23.19	23.43	21.35	26.56 
NYACK UFSD	16.27	19.15	19.53	19.24	21.54 
PEARL RIVER UFSD	16.13	19.40	19.16	19.54	21.05 
RAMAPO CSD (SUFFERN)	17.72	20.37	21.87	21.06	23.97 
SOUTH ORANGETOWN CSD	15.13	18.08	18.97	18.26	20.05 

ATTACHMENT IV



engage^{ny}

Our Students. Their Moment.

Status of the Every Student Succeeds Act (ESSA)

Commissioner MaryEllen Elia
March 27, 2017

ESSA Update

State Plan Development Work Thus Far

School Quality & Student Success Indicators Survey

Winter Regional ESSA Open Meetings

Work Moving Forward: ESSA State Plan Timeline

ESSA Updates

- The Every Student Succeeds Act (ESSA) remains in effect.
- Rulemaking pertaining to the assessment provisions of ESSA are now final and in effect.
- Draft rulemaking regarding the supplement not supplant provisions of ESSA were withdrawn in January 2017 by the Obama administration.
- On February 7, 2017, the House of Representatives voted to repeal the rule making pertaining to accountability, data reporting, and state plans. On March 9, 2017, the Senate also voted to repeal this rulemaking. Once this Joint Congressional Resolution is signed by the President, The United States Department of Education is prohibited from issuing similar regulations to replace those repealed.
- The dates for submission of State plans remain April and September 2017. A revised state template was provided by USDE to states on March 13.

Overview of Development of State ESSA Plan: A multi-pronged approach

- Submit plan in September 2017, not in April 2017.
- Use both a “Wikipedia” and “Encyclopedia” approach to prepare a plan for Regents consideration:
 - Wikipedia (Stakeholder Engagement):
 - Title I Committee of Practitioners
 - ESSA Think Tank
 - Regional Meetings
 - Surveys
 - Encyclopedia (Expert Advice):
 - United States Department of Education
 - Council of Chief State School Officers (CCSSO)
 - Brustein & Manasevit – a law firm recognized for its federal education regulatory and legislative practice
 - National Experts (e.g., Linda Darling-Hammond, Kenji Hakuta, Scott Marion, NYS Assessment TAC)

Work Thus Far

- ✓ Developed draft Characteristics of Highly Effective Schools, Guiding Principles, and High Concept Ideas to serve as basis for development of the ESSA state plan.
 - Surveyed Think Tank, COPs and the field for feedback on these documents.
- ✓ Fall Statewide Regional ESSA Invitational Meetings
- ✓ Survey on Possible Indicators of School Quality and Student Success
- ✓ Winter Statewide Regional ESSA Open Meetings
- ✓ Survey on Winter Regional ESSA Questions

Survey of School Quality and Student Success Indicators

- The New York State Education Department issued a Survey on Potential Indicators of School Quality and Student Success.
- The survey was released to the field on February 21, 2017.
- This survey gathered feedback from stakeholders on which indicator(s) of school quality and/or student success should be included in the methodology to differentiate among schools and make school accountability decisions.
- The survey was translated into Spanish, Chinese, and Arabic.
- Responses were accepted through March 21, 2017.

Equity Indicators

- Virtually all indicators can be an equity indicator as long as the results are reported and compared by subgroups. The goal is to eliminate gaps between and among all groups of students.
 - Participation and Success in Advanced Coursework
 - Percentage of students in a high school cohort who have taken advanced courses (e.g. AP, IB, dual credit courses) and percent who have achieved specified scores on nationally recognized assessments or earned college credit
 - Access to Specific Learning Opportunities
 - Student access to types of courses and curriculum (e.g., preschool, STEM, and the arts)
 - Access to Highly Effective Teachers
 - Percent of fully certified / effective teachers
 - Percent of in-field teachers in each school

School quality and Student Success Indicator Options: *Current indicators (18 options)*

Current

Future

Indicators that are available for implementation beginning with the 2017-18 school year results

Student engagement

- Chronic absenteeism
- Student attendance
- Student suspension rate (out of school)

Student access to and completion of advanced coursework

- Student enrollment in and successful completion of dual-credit coursework
- Student participation in Advanced Placement (AP), International Baccalaureate (IB) and honors courses

Postsecondary readiness

- Promotion rates
- High school credit accumulation
- High school success index
- Student completion of required credits by year to determine “on track” status
- Student participation in and successful completion of Career and Technical Education (CTE) courses
- Student participation in and performance on college entrance and/or college placement exams
- Student successful completion of required courses for graduation
- Student success on Regents exams

School climate and safety

- School safety

Educator engagement

- Teacher attendance
- Teacher turnover

Other (state choice)

- Student access to highly qualified teachers
- Teacher certification/effectiveness

School Quality and Student Success Indicator Options: *Potential future indicators (21 options)*

Future

Indicators that are not available now for implementation with the 2017-18 school year results, but that the Department may develop for future implementation

Student engagement

- Student access to engaging coursework (e.g., project-based learning, wide selection of offerings)
- Student access to and/or participation in arts education
- Student access to and/or participation in Science, Technology, Engineering, Arts, Math (STEAM) curriculum
- Student access to and/or participation in a full educational program that includes Science, Arts, Music, and Physical Education

Other (state choice)

- Opportunity to learn indicators (e.g., class sizes; guidance counselors; many other possibilities)
- Parent and community engagement
- Student access to high quality materials
- Student access to and/or participation in quality early learning programs
- Bilingualism rate
- Lost time
- Middle school success index

School climate and safety

- Student access to safe and clean facilities
- School climate surveys
- Health factors impacting student learning

Educator engagement

- Teacher access to professional learning opportunities that support effective teaching strategies
- Teacher access to a variety of professional learning activities that meet teacher needs in various stages of development

Postsecondary readiness

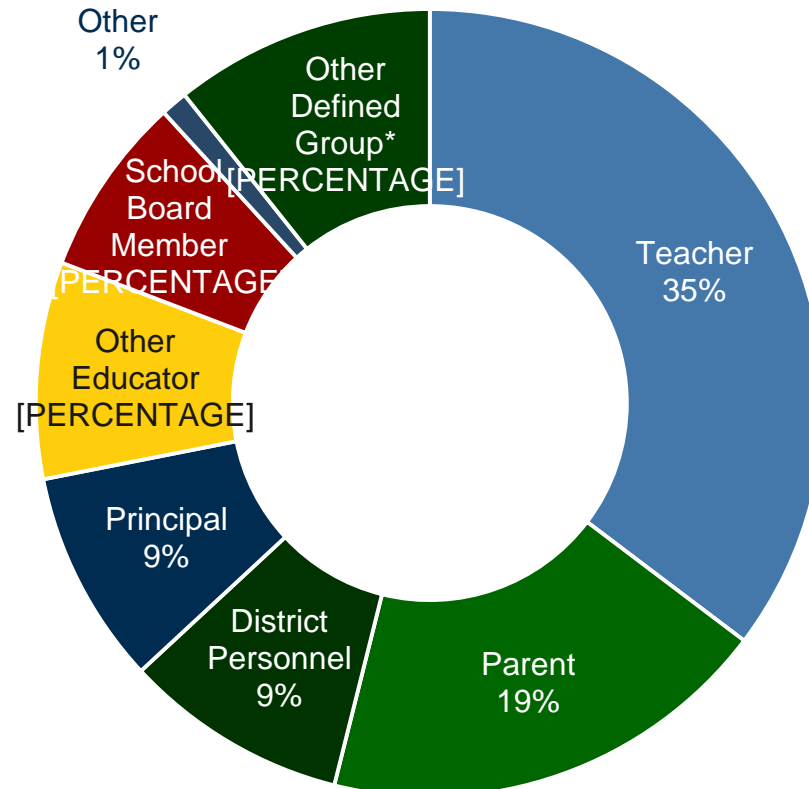
- Career readiness
- Post-graduation outcomes
- Postsecondary enrollment rates
- Postsecondary persistence rates
- Student attainment of certificates and/or licenses

Survey of Possible Indicators of School Quality and/or Student Success - Respondent Statistics

Please identify the stakeholder group to which you consider yourself most affiliated:

Survey Statistics

- Opened on February 23, 2017
- Closed on March 21, 2017
- Overall number of responses = 2,377



*Other Defined Group includes: Other Individual Answers (7.5%), Civil Rights Organization Representative (0.4%), Community Based Organization Representative (1.7%), Government Official (0.6%), and Student (0.5%)

Key Findings: *Current School Quality and Student Success Indicator Options*

Current

Future

Analysis of the survey results reveals:



The **top 5 most supported current indicator options** include:

1. Student successful completion of required courses for graduation (77%)
2. Chronic absenteeism (67%)
3. High school success index (66%)
4. Student participation in and successful completion of CTE courses (64%)
5. School safety (63%)



The **top 5 most opposed current indicators options** include:

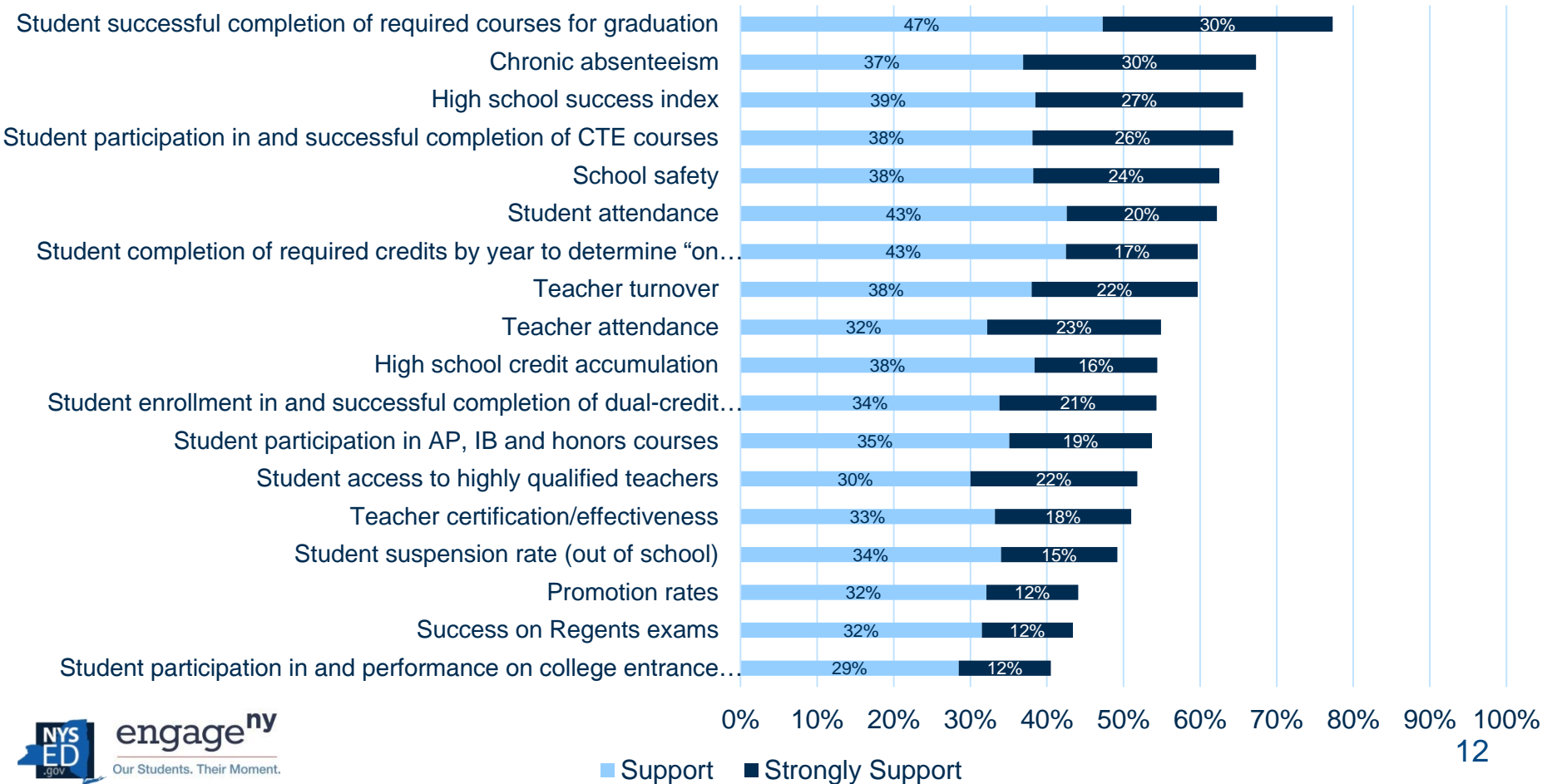
1. Student participation in and performance on college entrance and/or college placement exams (32%)
2. Success on Regents exams (31%)
3. Promotion rates (30%)
4. Student suspension rate (out of school) (27%), tied with:
Teacher attendance (27%)

- There is **significant overlap between the current indicator options that survey respondents most supported** and the **indicators they rated as most important to be used for differentiating among schools** for the purpose of making school accountability decisions, including:
 - Chronic absenteeism
 - Student attendance
 - Student successful completion of required courses for graduation
 - High school success index
 - School safety
 - Student completion of required credits by year to determine “on track” status

Current School Quality and Student Success Indicator Options: *Percent of respondents who support + strongly support*

Current Future

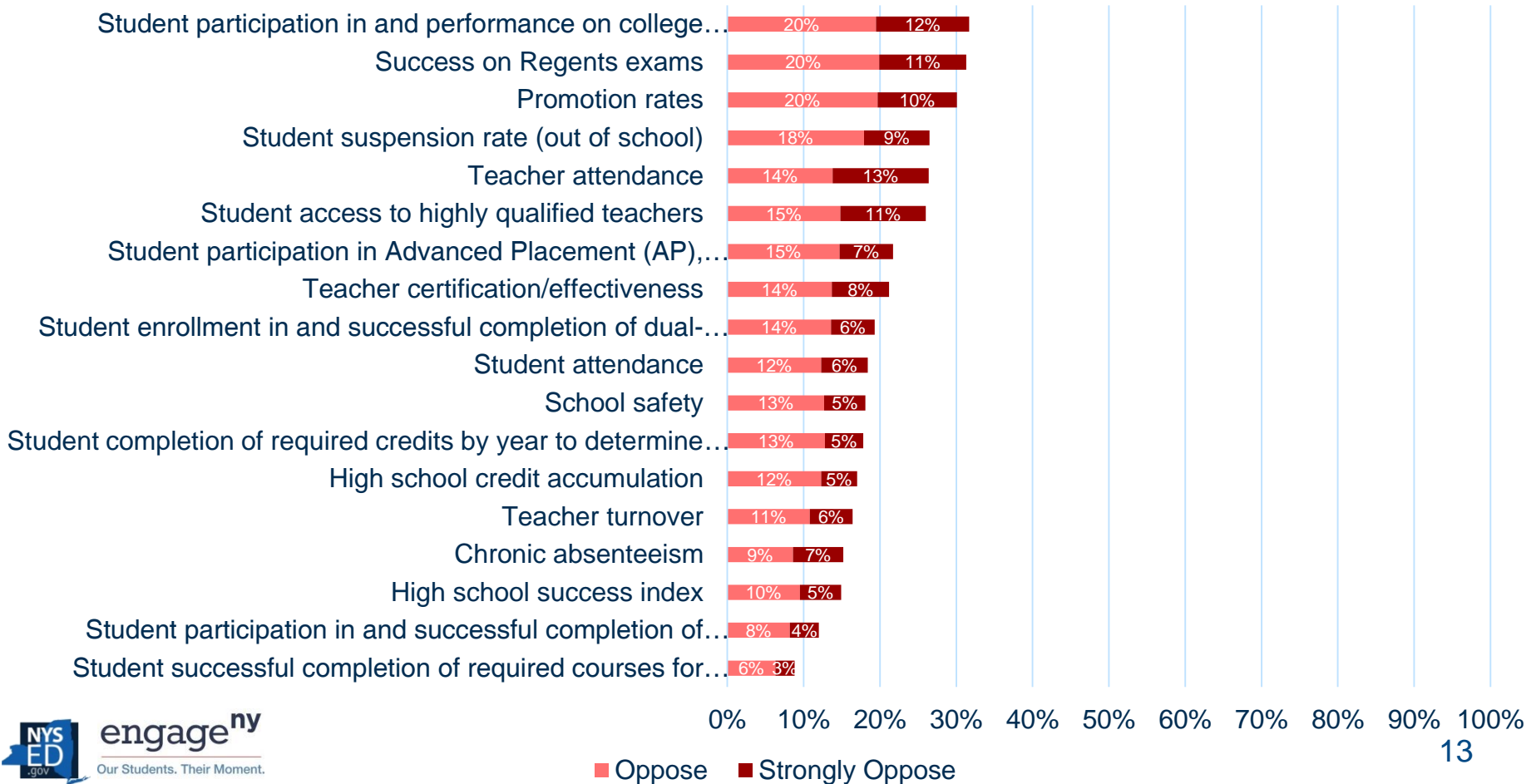
Please review each indicator, and specify whether you believe the indicator should be used (in combination with the required academic and graduation indicators) in making determinations about the accountability status of schools, beginning with the 2017-18 school year results.



Current School Quality and Student Success Indicator Options: *Percent of respondents who oppose + strongly oppose*

Current Future


Please review each indicator, and specify whether you believe the indicator should be used (in combination with the required academic and graduation indicators) in making determinations about the accountability status of schools, beginning with the 2017-18 school year results.



Key Findings: *Potential Future School Quality and Student Success Indicator Options*


Future

Analysis of the survey results reveals:



The top 5 most supported Potential Future indicator options include:

1. Student access to and/or participation in a full educational program that includes Science, Arts, Music, and PE (85%)
2. Student access to and/or participation in STEAM curriculum (82%)
3. Student access to and/or participation in arts education (78%)
4. Student access to and/or participation in quality early learning programs (76%), tied with:
Opportunity to learn indicators (76%)



The top 5 most opposed potential future indicators options include:

1. Lost time (26%)
Health factors impacting student learning (26%)
Postsecondary persistence rates (26%)
4. Postsecondary enrollment rates (22%)
5. Bilingualism rate (20%)

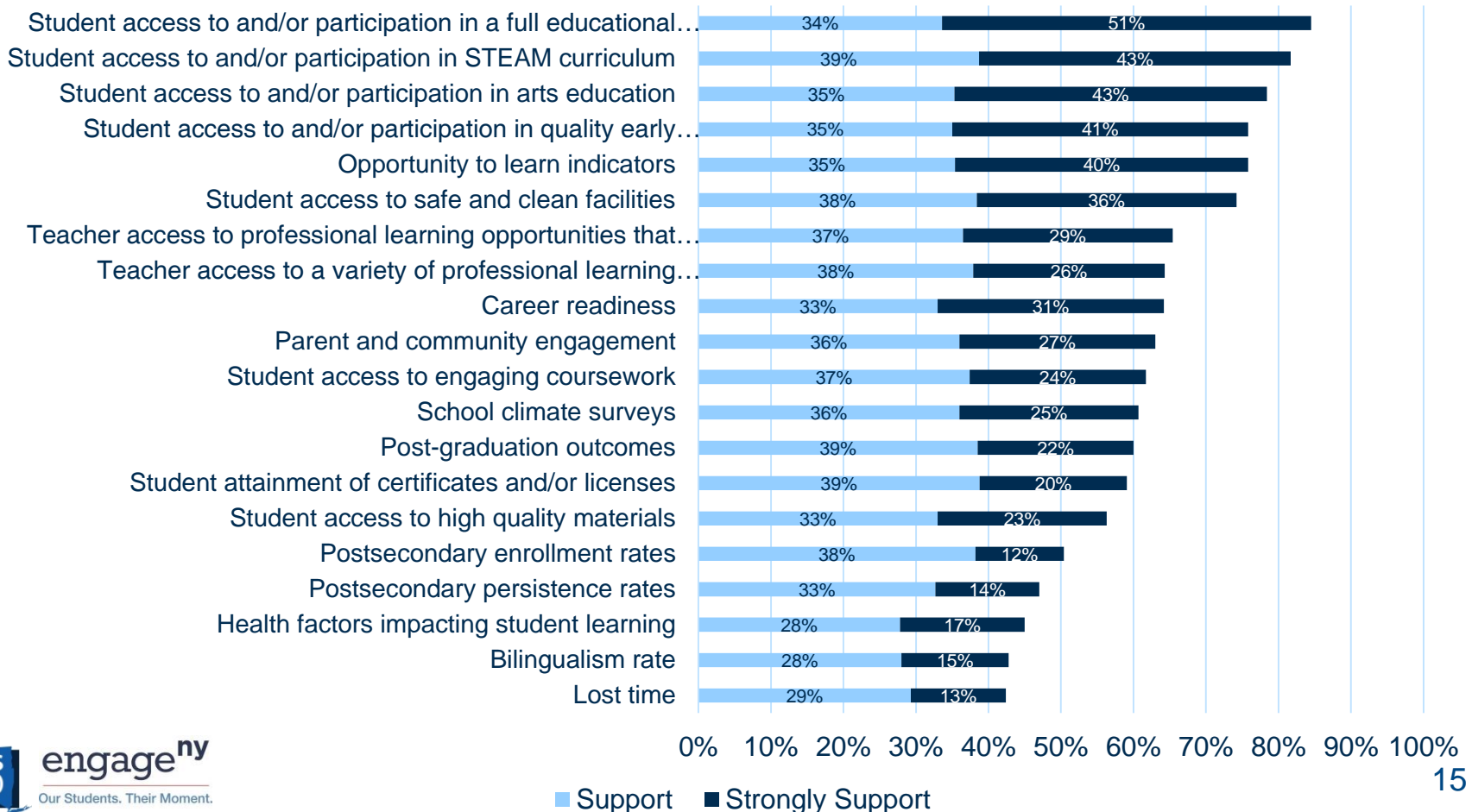
- Of the **potential future indicators that survey respondents supported the most and the ones they rated as most important** for including for school accountability decisions:
 - Opportunity to learn indicators (e.g., class sizes; guidance counselors; many other possibilities) ranked high both in terms of **support** and **importance** for inclusion in accountability systems
 - Indicators of “access” to experiences such as STEAM, early learning, arts and a well-rounded education ranked in both the top 10 for **support** and **importance** for inclusion in accountability systems
- There is **almost universally strong support for some of the student access to and/or participation in indicators** listed above; in fact, the **top 3 potential future options were more strongly supported than any of the current indicator options**

Potential future school quality and student success indicator options: *Percent of respondents who support + strongly support*

Current

Future

Please review each indicator, and specify whether you believe the indicator should be used (in combination with the required academic and graduation indicators) in making determinations about the accountability status of schools, beginning with the 2017-18 school year results.

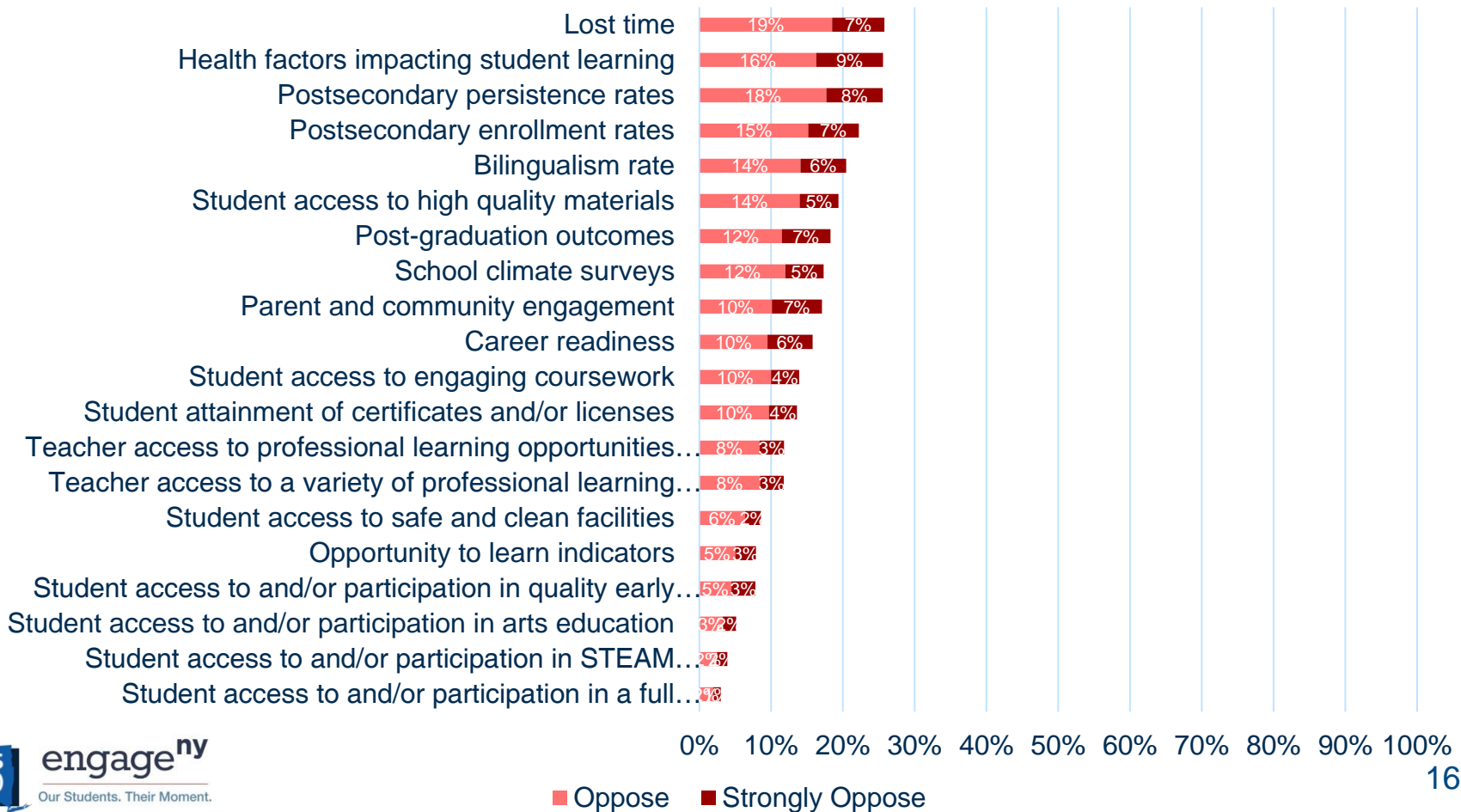


Potential future school quality and student success indicator options: *Percent of respondents who oppose + strongly oppose*

Current

Future

Please review each indicator, and specify whether you believe the indicator should be used (in combination with the required academic and graduation indicators) in making determinations about the accountability status of schools, beginning with the 2017-18 school year results.



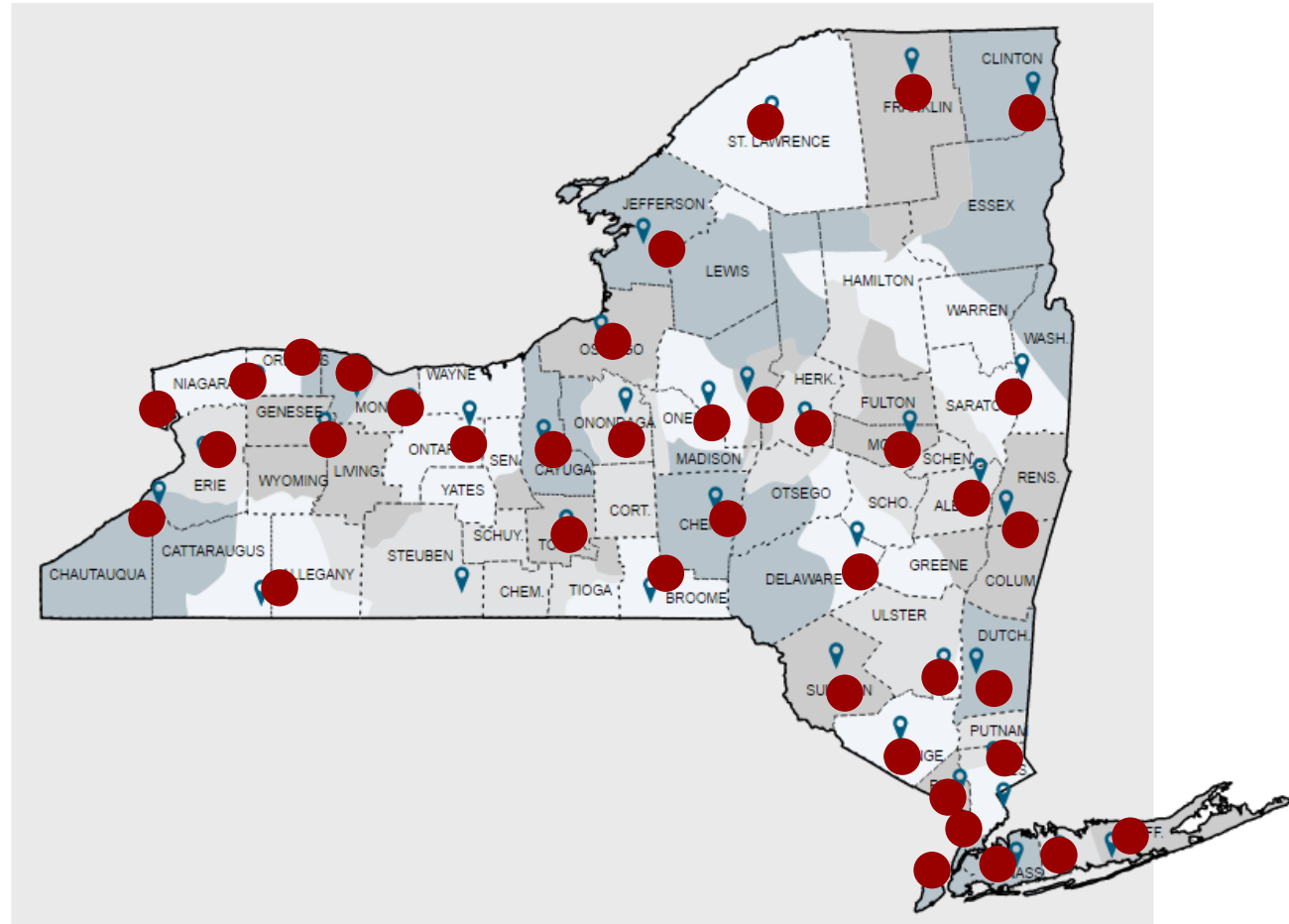
ESSA Winter Regional Meetings

- DS and Big Five superintendents are conducting a series of ESSA Regional Open Meetings through March 30.
- The meetings are geared to any combination of the following stakeholder groups: **School Board Members, Principals, District Staff, School Staff, Parents and the Public.**
- At each meeting, there are 14 questions in total posed. For each question, options under consideration by NYSED are presented. Attendees will be given an opportunity to complete a survey regarding the NYSED determined questions.
- The Department plans to provide the Board of Regents with a final summary of the feedback received at its April 2017 meeting. What follows is an interim report of the feedback, based on the meetings held to date.

ESSA Winter Regional Meetings Overview – Results to Date

Regional Meeting Statistics

- 39 regional meetings included in this analysis
- Over 1,000 participants
- Stakeholder groups invited to various meetings: Students, Parents, Teachers; School principals; School staff, District staff, Superintendents, Business representatives; Higher education staff; Statewide education organizations, General public



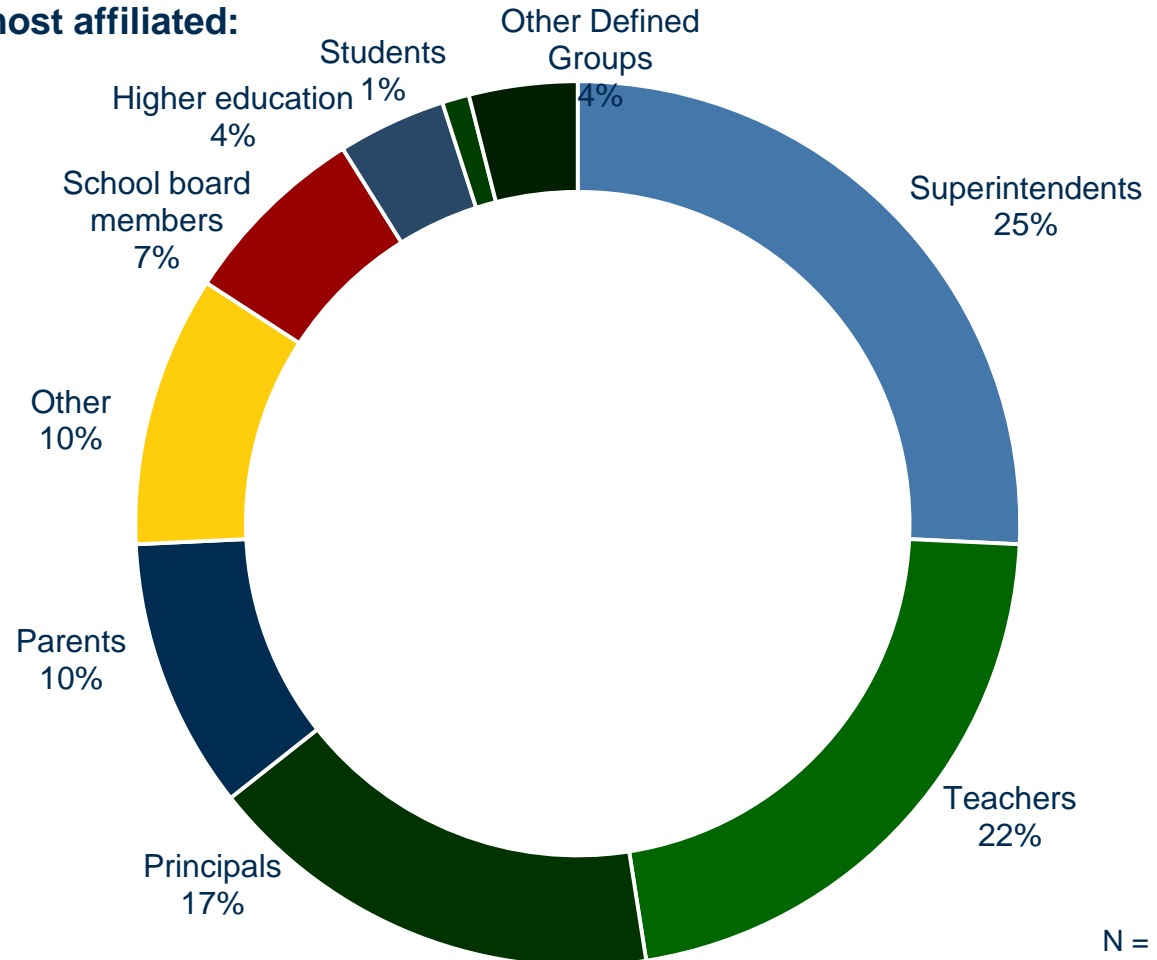
- = Regional meetings held
- 📍 = BOCES

ESSA Winter Regional Meetings: *Survey Respondents, to date*

Survey Statistics

- Opened on February 23, 2017
- Overall number of responses = 185

Please identify the stakeholder group to which you consider yourself most affiliated:



N = 178

Indicators:

Goals for + Use of results



- **Long-term goals for indicators**

- 57% of meeting participants preferred setting individualized long-term goals for each subgroup within each school that ensured gap-closing rather than set statewide goals that are the same for all schools.



- **Use of data from “Opportunity to Learn” indicators**

- There was strong support among meeting participants to both report results on these indicators (e.g., class size, ratio of school counselors to students) to the school, along with data on similar schools locally and statewide, and make this information publicly available.
- There was little support for using the indicators for accountability purposes, which is somewhat inconsistent with the results from the Survey on School Quality and Student Success.
- There were also a number of participants who thought the state shouldn’t do anything with the data.

School Performance Data and Use: *Measures + Use of Results to Differentiate School performance*



• Measures to differentiate school performance *

Elementary/Middle Level

- Growth in ELA and math
- Progress in ELA and math
- Achievement in ELA and math

High School

- Progress in ELA and math
- Graduation rate
- Achievement in ELA and math



• Use of indicator results to differentiate among schools

- Survey respondents wanted to create decision rules based on individual indicator results, rather than create single summative scores. Meeting feedback shows that respondents struggled with the question because they did not know what the decision rules or indicators would be. For some, summative scores seemed easiest to interpret.

Low-Performing Schools:

State strategies for principals + school choice options



- **State strategies to ensure that districts hire highly skilled principals for schools in the bottom 5% of the state**
 - None of the 8 potential strategies presented received more than 30% support from meeting participants
 - The most-supported option was not having additional conditions for principals of schools in bottom 5%



- **Top school choice options for students in the bottom 5% of schools** (in districts with Comprehensive Supports and Improvement Schools)
 - Approximately one-third of meeting participants supported two of the three options presented:
 - Be permitted to offer the option to transfer to EITHER a School in Good Standing OR a Targeted Support and Improvement School
 - Be permitted to offer the option to transfer to a Targeted Support and Improvement School only in instances when there are no schools in Good Standing serving students in that grade in the district
 - There was little support for restricting School Choice solely to Good Standing Schools.

Other:

Accountability for Students + Assessment



- **Accountability for students educated outside of the school district**
 - Most meeting participants said the results for these students should be assigned to students' home district, rather than their home school. (Note: This would be implemented by NY maintaining Focus District designations or some similar mechanism.)



- **Assessment**
 - Innovation Assessment Demonstration Authority
 - More than 85% of meeting participants said NY should apply for this authority, and a majority of participants expressed support for classroom-based performance assessments or project-based performance assessments.
 - ELA testing options for ELLs/MLLs
 - Most meeting participants suggested that all recently arrived English language learners (ELLs)/multi lingual learners (MLLs) within the first year of enrollment should be exempted from taking the ELA in year 1, and take the ELA in year 2 and onward to measure achievement and possible growth, as opposed to testing students in ELA in Year 1 and using their growth between Year 1 and 2 for accountability purposes.

Most critical areas of need for educators: *Preparation, initial supports and ongoing professional supports*

1. Preparation of new educators

1. Expanding programs that provide greater opportunities for candidates to apply the knowledge and skills they acquire in authentic settings
2. Identifying and recruiting promising candidates into educator preparation programs
3. Improving communication between districts/BOCES and institutions of higher education/preparatory programs, so that candidates are taking courses and pursuing certification in shortage areas

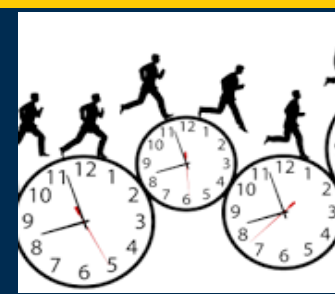
2. Mentoring, induction and other supports for early career educators

1. Encouraging districts/BOCES to adopt induction models that provide differentiated supports to educators during the first three years of their careers
2. Encouraging districts/BOCES to develop mentoring programs that provide educators with differentiated supports
3. Explicitly requiring that the mentoring experience span an educator's first 180 school days of employment

3. Ongoing professional support for educators, including opportunities for advancement (e.g., career ladders)

1. Encouraging districts/BOCES to adopt systems of professional development and supports that are tailored to specific needs of educators
2. Providing better professional learning and support for current and aspiring school building leaders
3. Tie: Developing programs focused on promoting effective educational leadership AND Assisting districts/BOCES to develop career ladders that enable educators with a demonstrated record of effectiveness to take on additional responsibilities

ESSA State Plan Timeline – February 2017 – June 2017



Timeline for Submission of ESSA Plan to USDE in September 2017

Activity	Date
Public Engagement – Survey and Regional Meetings Conducted.	February/March 2017
March and April Board of Regents Meetings – Continued discussion of ESSA plan.	March and April 2017
May 2017 Board of Regents Meeting – Staff will present draft plan and seek permission to release for public comment.	May 8 - 9, 2017
The Department will release the draft plan for public comment.	May 10 – June 9, 2017
Proposed weeks for Public Hearings on Draft Plan. Regional staff will gather public comments on the draft plan.	May 12 – June 9, 2017
State must submit fiscal year 2017 ESSA Assurances.	June 2017

ESSA State Plan Timeline – July 2017 – September 2017



Timeline for Submission of ESSA Plan to USDE in September 2017

Activity	Date
July 2017 Board of Regents Meeting – Staff will present any changes to the draft plan based on public comment, and request permission to send revised draft state plan to Governor.	July 11 - 12, 2017
Application with Governor for 30 days.	July 19 – August 18, 2017
September 2017 Board of Regents Meeting – Staff will seek approval to submit final state plan to USDE.	September 11 - 12, 2017
Deadline to submit ESSA State Plan to USDE.	September 18, 2017 (subject to Board discussion and agreement)

Please note: Timeline may change based on new presidential administration.

ATTACHMENT V



NYS Regents Retreat

March 14, 2017

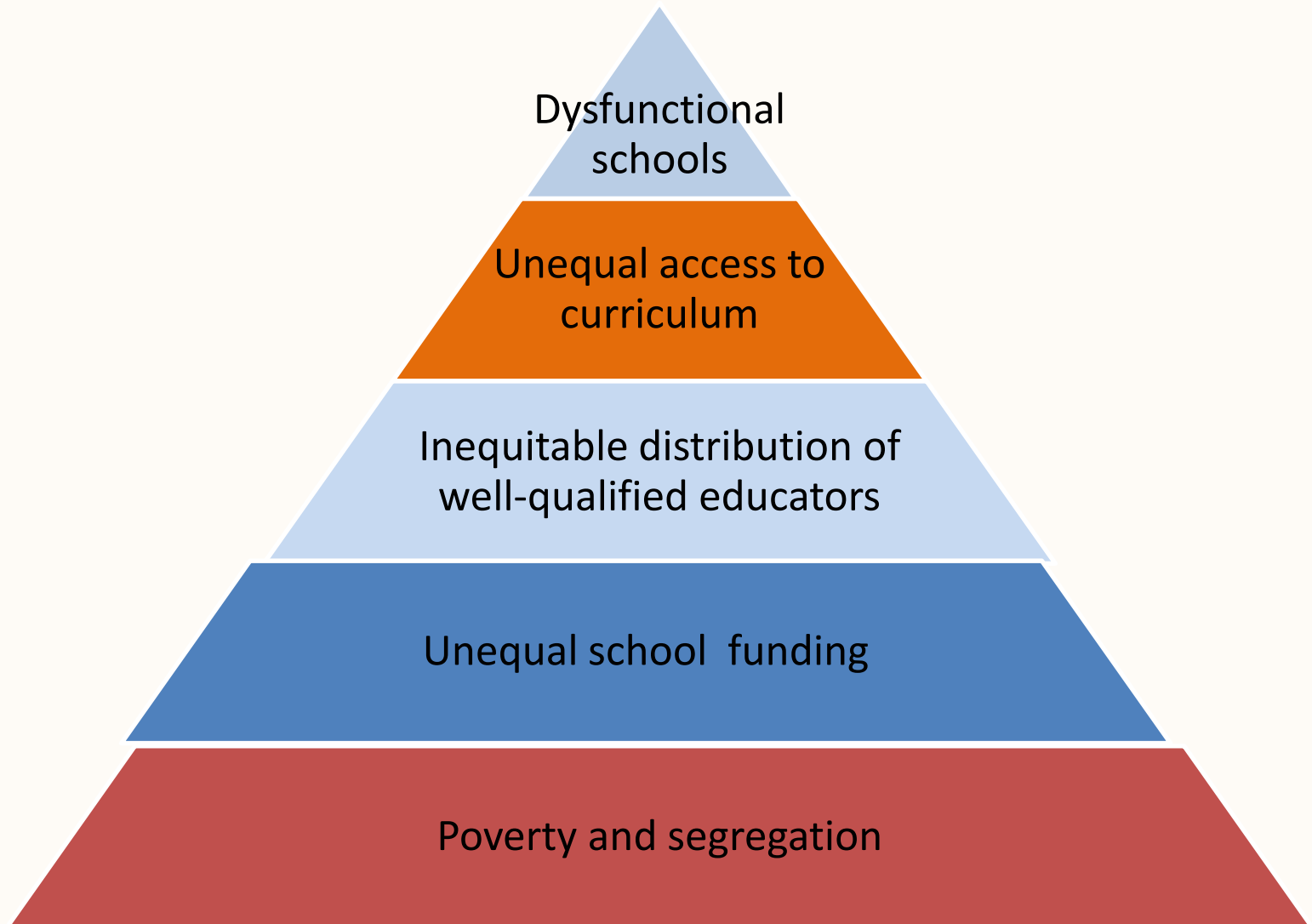
Building an Accountability and Assessment System under ESSA

WHAT IS YOUR VISION FOR NEW YORK
SCHOOLS AND STUDENTS?

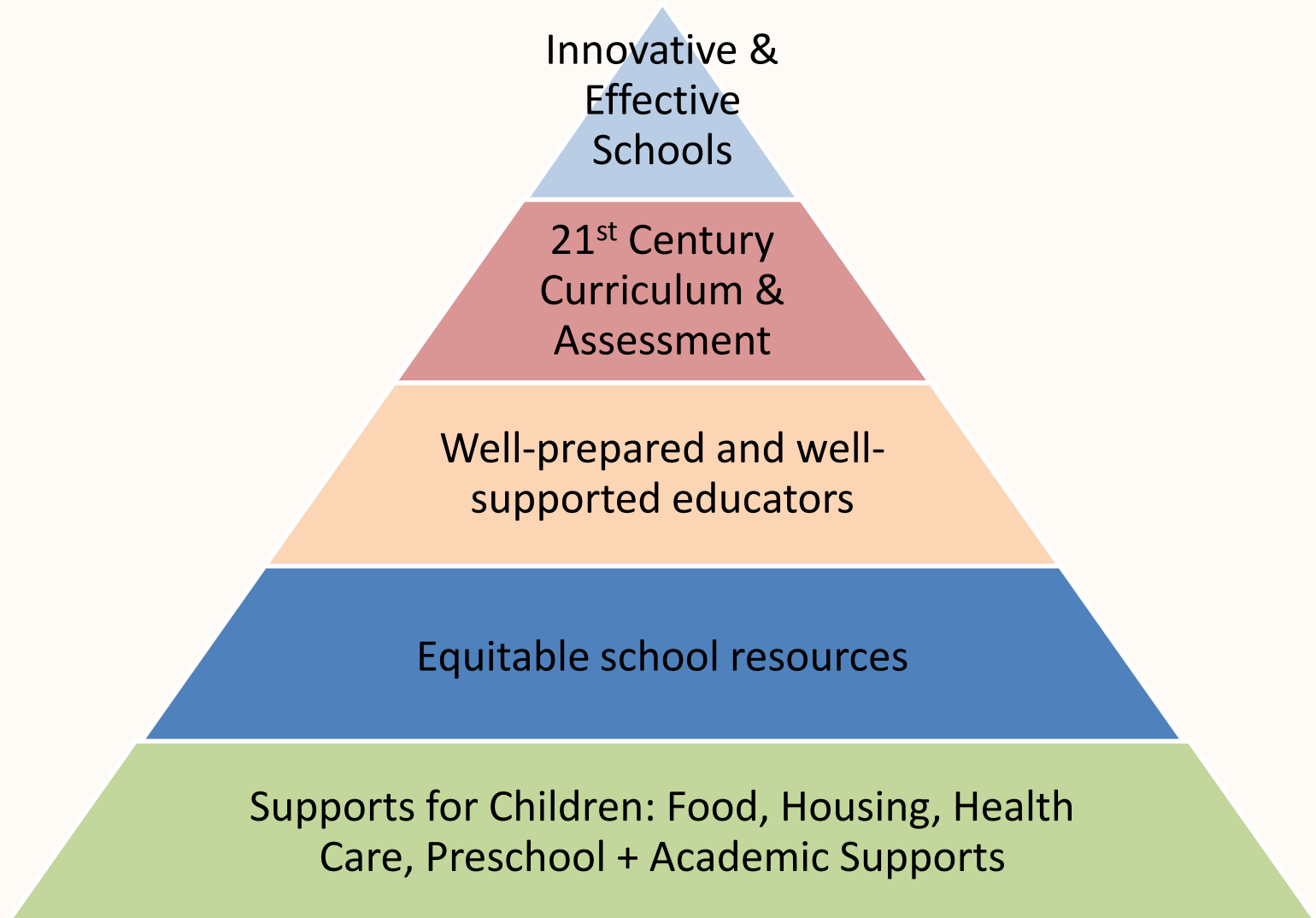
What are 2-3 things that are critical to your vision for NY schools?

- 1. _____
- 2. _____
- 3. _____

The Anatomy of Inequality



The Anatomy of Equity



Goals

The Accountability and Continuous Improvement system will:

1. Articulate the state's **expectations** for districts & schools and its **commitments** for how it will support schools;
2. Foster **quality and equity**;
3. Provide **useful information** that helps parents, districts, schools, and policymakers make important decisions;
4. Build **capacity** that allows educators, schools, and districts to be more effective;
5. Encourage **continuous improvement** focused on practices and outcomes that matter for student success;
6. Promote system-wide **learning and innovation**.

Other?

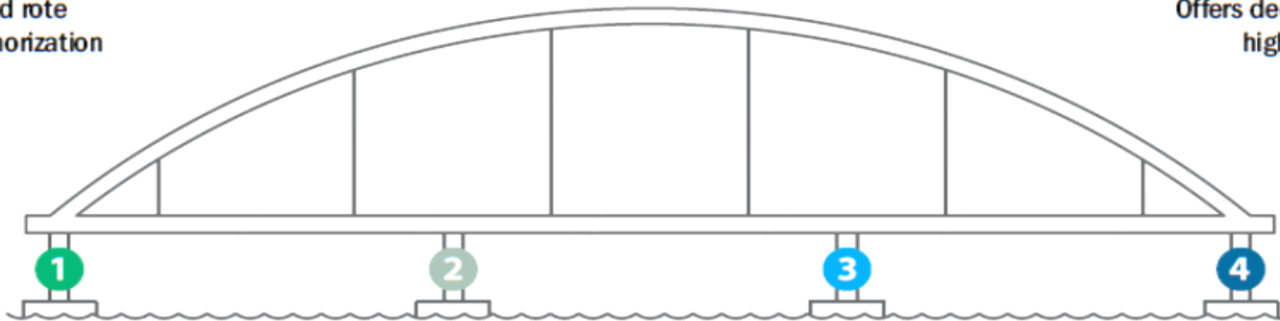
Where ESSA Provides Leverage

The Four Pillars of Opportunity

Bridging Equity Through the
Elementary and Secondary School Act

Factory Model

Relies on outdated rote
thinking and memorization



High-Quality
Curriculum &
Assessment



Multiple
Measures of
Success



Adequate,
Equitable
Resources

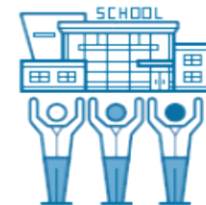


21st-Century Model

Offers deeper learning and
higher-order thinking



Proven
Interventions



THEORY OF ACTION

WHAT TO MEASURE?

How do you choose?

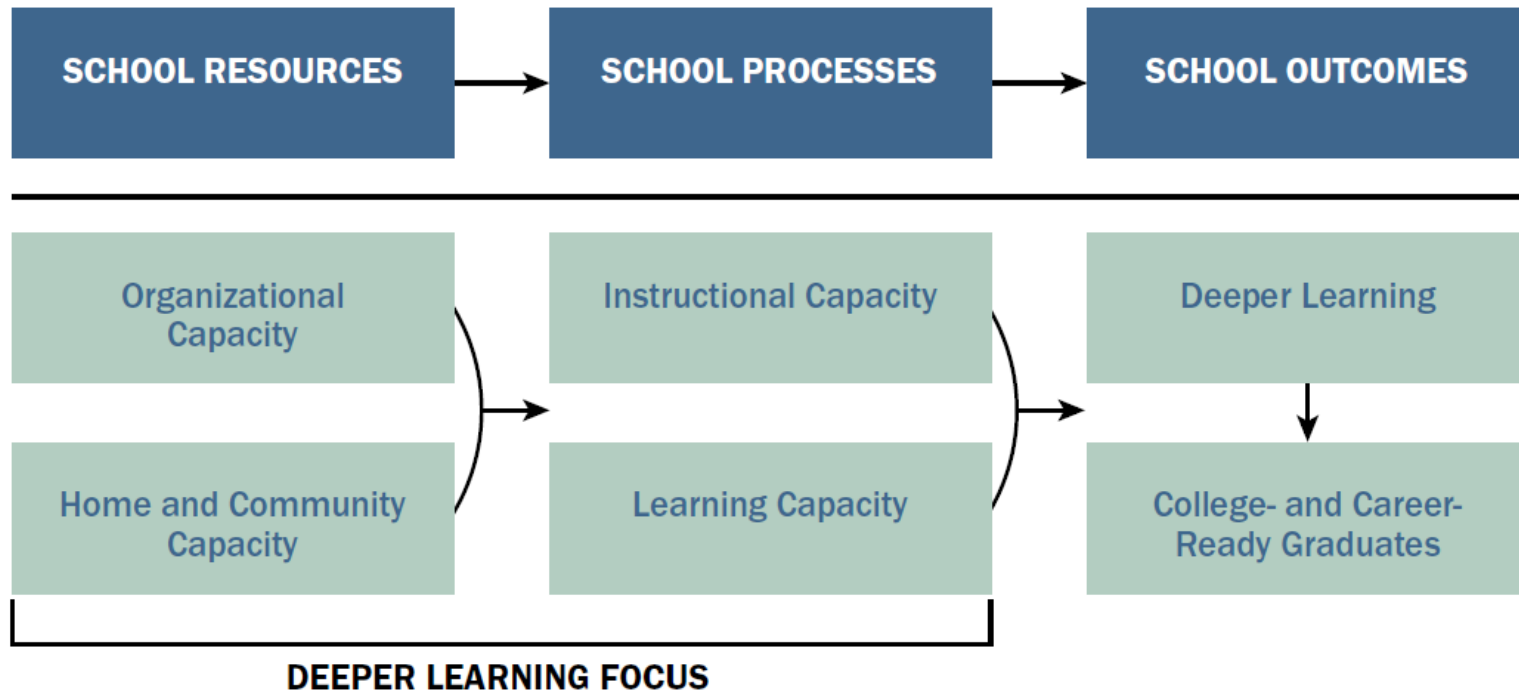
⇒ *What information is meaningful?
(To the state, to communities?)*

⇒ *How can that information be accurately measured
and responded to in ways that drive positive
behaviors?*



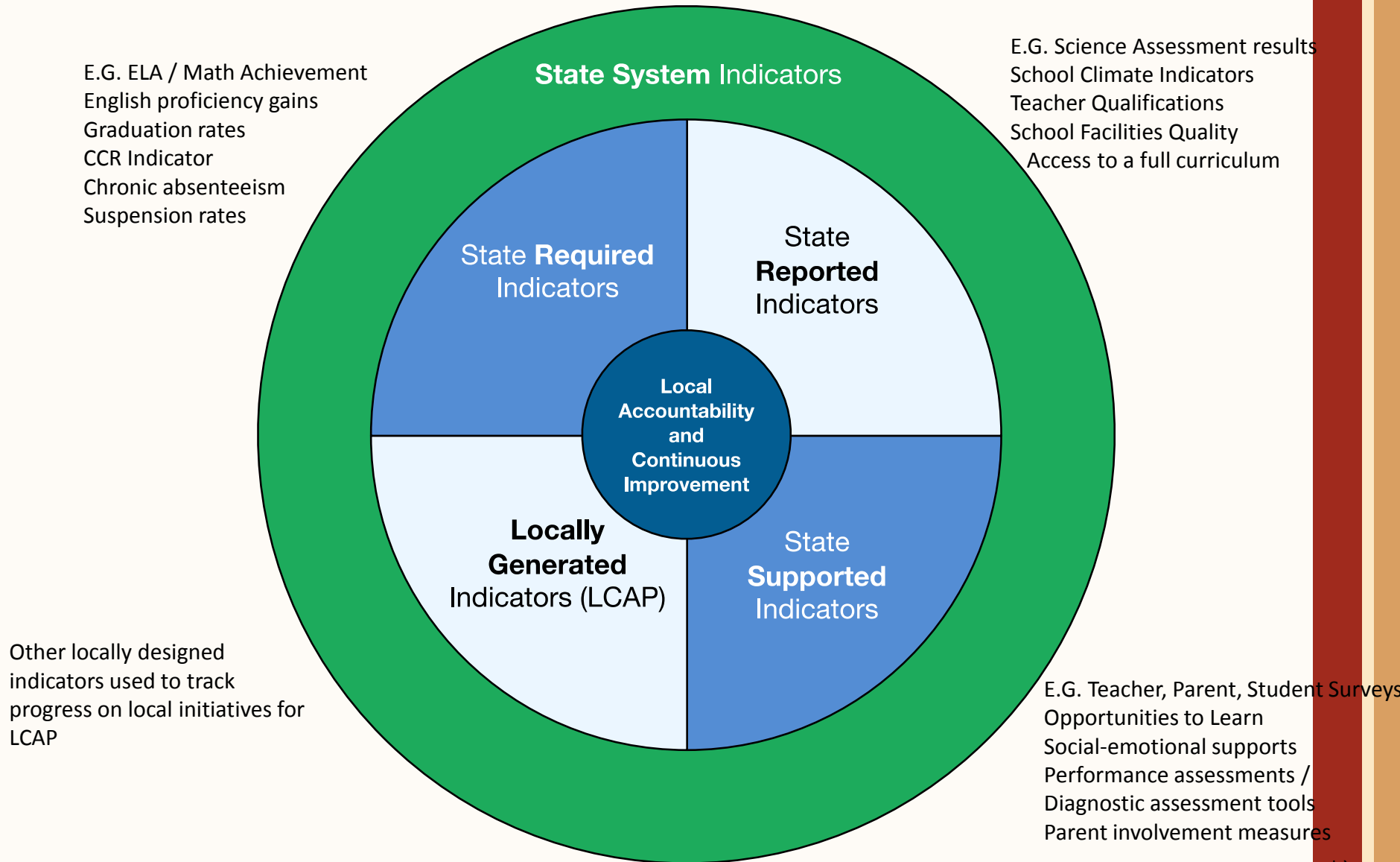
Thinking about the Relationship Among Indicators & Actions

Key Concepts in Next Generation Accountability



Source: Adapted from Adams et al. (2015b). *Next Generation School Accountability: A Report Commissioned by the Oklahoma State Department of Education*.

Different Types of Indicators



Tiers of Indicators

State-required, Used for Federal Accountability	Measures used for monitoring and identifying schools for intervention as required by ESSA. Data must meet ESSA's requirements: comparable, differentiates among schools, and reportable by student subgroup
State-reported	Measures available in a comparable way across districts and schools to inform ongoing evaluation and continuous improvement processes.
State-supported	Tools and measures provided by the state that districts or schools may choose to use to measure and improve teaching and learning.
Locally Developed	Indicators schools and districts may adopt for their own purposes to guide their monitoring and improvement efforts.

ESSA Required Measures

Academic Achievement

- English language arts and mathematics, 3-8 and once in HS

English Proficiency

- Progress / gains in achieving English proficiency

Another Academic Indicator



- Another academic indicator in elementary school
- 4-year adjusted cohort graduation rate (states can add extended rate)

At Least One Other Indicator

- E.g. School climate; opportunity to learn; readiness for post-secondary



Federal Accountability Indicators Must:

- Be able to be disaggregated by student subgroup*

	
Student surveys about school climate	Teacher surveys about school climate
Student enrollment or completion of advanced coursework	School-level course offerings

*ESSA Sec. 1111(c)(4)(B)(v)(II)(IV) suggests “educator engagement” as a possible measure for the “5th Indicator,” which seems to be a contradiction. Additional clarification will be needed.

- ⌘ Be able to meaningfully differentiate among schools

	
Chronic absenteeism	Average daily attendance (tends to be around 90% for all schools)

Connecticut

1. Academic achievement status measured by state assessments
2. Academic growth
3. Assessment participation rate
4. Chronic absenteeism
5. Preparation for postsecondary and career readiness – coursework
6. Preparation for postsecondary and career readiness – exams
7. Graduation – on track in ninth grade
8. Graduation – four-year adjusted cohort graduation rate – all students
9. Graduation – six-year adjusted cohort graduation rate – high needs
10. Postsecondary entrance rate – all students (college enrollment)
11. Physical fitness
12. Arts access

California

- Academic achievement (scale score) & growth combined: ELA and math
- English language proficiency gains
- Chronic absenteeism
- College & career ready index
- Graduation rate (4 & 5 year rates)
- School climate (survey) / Suspension rate

Maryland Tier 1 Academic Performance

SAMPLE SCHOOL ACCOUNTABILITY PROGRAM FOR HIGH SCHOOLS CONSISTENT WITH THE PROVISIONS IN SB871/HB978	
Academic Achievement 25%*	<div style="border: 1px solid black; background-color: #ADD8E6; padding: 5px; margin-bottom: 5px; text-align: center;">Proficiency for English/Language Arts, Math, Science, Government</div> <div style="border: 1px solid black; background-color: #ADD8E6; padding: 5px; margin-bottom: 5px; text-align: center;">Performance Level Composite for English/Language Arts, Math, Science, Govt</div> <div style="border: 1px solid black; background-color: #ADD8E6; padding: 5px; margin-bottom: 5px; text-align: center;">Participation for English/Language Arts, Math, Science, Government</div> <p style="text-align: center;">ALL 25%* OF THIS PROFICIENCY MEASURE IS BASED ON A COMBINATION OF PARCC/HSA/MISA TEST SCORES</p>
Graduation Rate 10%*	<div style="border: 1px solid black; background-color: #FFD700; padding: 5px; margin-bottom: 5px; text-align: center;">4-Year Adjusted Cohort Graduation Rate</div> <div style="border: 1px solid black; background-color: #FFD700; padding: 5px; margin-bottom: 5px; text-align: center;">5-Year Adjusted Cohort Graduation Rate</div> <div style="border: 1px solid black; background-color: #FFD700; padding: 5px; margin-bottom: 5px; text-align: center;">6-Year Adjusted Cohort Graduation Rate</div> <p style="text-align: center;">WHILE GRADUATION RATE IS NOT ONE TEST SCORE, THIS 10% IS CONTINGENT ON PARCC/HSA PERFORMANCE IN ORDER TO EARN A DIPLOMA</p>
English Language Proficiency 10%*	<div style="border: 1px solid black; background-color: #A9A9A9; padding: 5px; margin-bottom: 5px; text-align: center;">Progress in Achieving English Language Proficiency (K-12)</div> <p style="text-align: center;">ALL 10%* OF THIS PROFICIENCY MEASURE IS BASED ON ACCESS 2.0 TEST SCORES</p>
College and Career Readiness 10%*	<div style="border: 1px solid black; background-color: #ADD8E6; padding: 5px; margin-bottom: 5px; text-align: center;"> AP, IB, SAT, ACT Dual Enrollment Career Technical Education (CTE) Concentrator Postsecondary Enrollment </div> <p style="text-align: center;">IF USED AS AN ACADEMIC INDICATOR, CCR IS BASED ON PROFICIENCY IN TESTS ASSOCIATED WITH THESE COURSES (not simply participation in the courses) .</p>

Maryland Tier 1: School Quality and Student Supports (HS)

School Quality/
Student Success
**

School Climate Survey 10%

NOTE: School climate is required. The only requirement on weighting is that it is at least 10% of the composite calculation. 10% above is just a placeholder.

Well-rounded Education (EL)/On-Track in 9th Grade 15%

SB874/HB978 specifically allows the "On-Track in 9th Grade" measure, so long it is measured by credit completion of specific courses. It is expected MSDE will utilize that measure to the fullest extent possible, thereby changing the 55/45 split in high school to a weighting split closer to 70/30 or even 80/20 (as On-track + academic indicators are all student-outcome indicators). MSDE could weight that indicator as little as 10% and as much as 25% (if MSDE only has three SQSS measures for the high school framework).

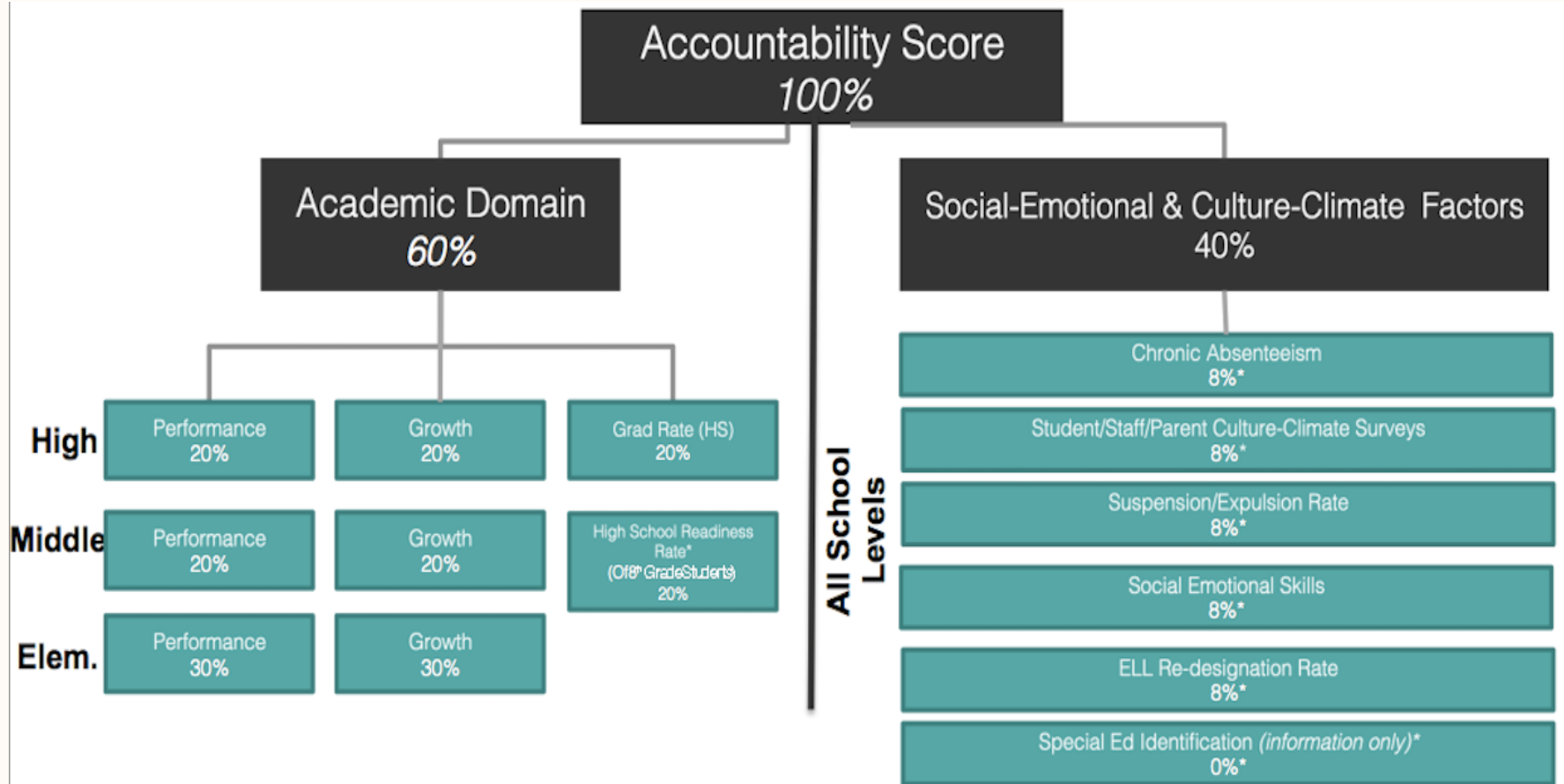
Access to Effective Teachers 10%

Chronic Absenteeism 10%

The other measures noted above reflect the current MSDE draft plan with placeholder weights, assuming "On-track" is included only at 15%. To comply with the law, the weighting of the other measures in this indicator can be set at any value as long as it is not less than 10% of the composite calculation.

CORE's Indicator System:

Used for Identification / Dashboard Used for Reporting



HOW TO MEASURE?

Next big questions ahead....

- How will the measures be combined to identify schools eligible for support?
- How will the measures be weighted across categories?
- How will the manner of combining indicators impact improvement supports and strategies?



Different logics about how to help schools improve

Focus on identifying and fixing “low performers”
and helping them to “measure up”

Goal = finding and improving bottom 5%

Focus on continuous improvement by all
schools, belief that the “next level of work”
is different in different schools

Goal = providing information for diagnosis and
opportunities for focused improvement

Identifying schools for Intervention and Assistance

In identifying schools for intensive assistance (at least once every three years), each of the academic indicators specified should be of “substantial weight.”

In the aggregate, the academic indicators must be of “greater weight” than the other school quality indicator(s).

Options

- Weighting indicators and combining into an index or single score for ranking schools
- Looking at indicators individually and using decision rules to determine when and where intervention is needed
- Combining both purposes by keeping the dashboard (rather than rankings) front and center, and weighting indicators for identification only each 3 years

ATTACHMENT VI

Accountability Purposes and Theories of Action

Scott Marion

Center for Assessment

New York Regents Retreat

What's the purpose of accountability systems?

- School accountability systems **must be designed** to:
 - Accurately characterize “**school effectiveness**”
 - To help identify schools in need of support to become more “effective”
 - **Incentivize the types of behaviors we think will lead to more effective schools**
 - **Avoid incentivizing inappropriate behaviors and other negative consequences**
- We must consider how our design and indicator selection supports these three principles

A Focus on Utility

- Accountability systems have been designed for “naming and shaming”
- But what’s the theory of change with such systems?
- We and others argue that accountability systems must be designed to improve the quality and effectiveness of schools and student learning
- How do we know if accountability systems can meet this utility goal?
 - Research evidence (including non-U.S. cases)
 - Coherent with a theory of action and change
 - Evaluation and continuous improvement
 - Thinking carefully through use cases (see attached handout)

Data-Driven Improvement and Accountability

[Andy Hargreaves and Henry Braun](#) outlined 5 key factors that influence the success or failure of improvement-based accountability systems:

1. *The nature and scope of the data employed by the improvement and accountability systems, as well as the relationships and interactions among them;*
2. *The types of indicators (summary statistics) used to track progress or to make comparisons among schools and districts;*
3. *The interactions between the improvement and accountability systems;*
4. *The kinds of consequences attached to high and low performance and how those consequences are distributed;*
5. *The culture and context of data use -- the ways in which data are collected, interpreted and acted upon by communities of educators, as well as by those who direct or regulate their work.*

Accountability is a Piece of the Puzzle

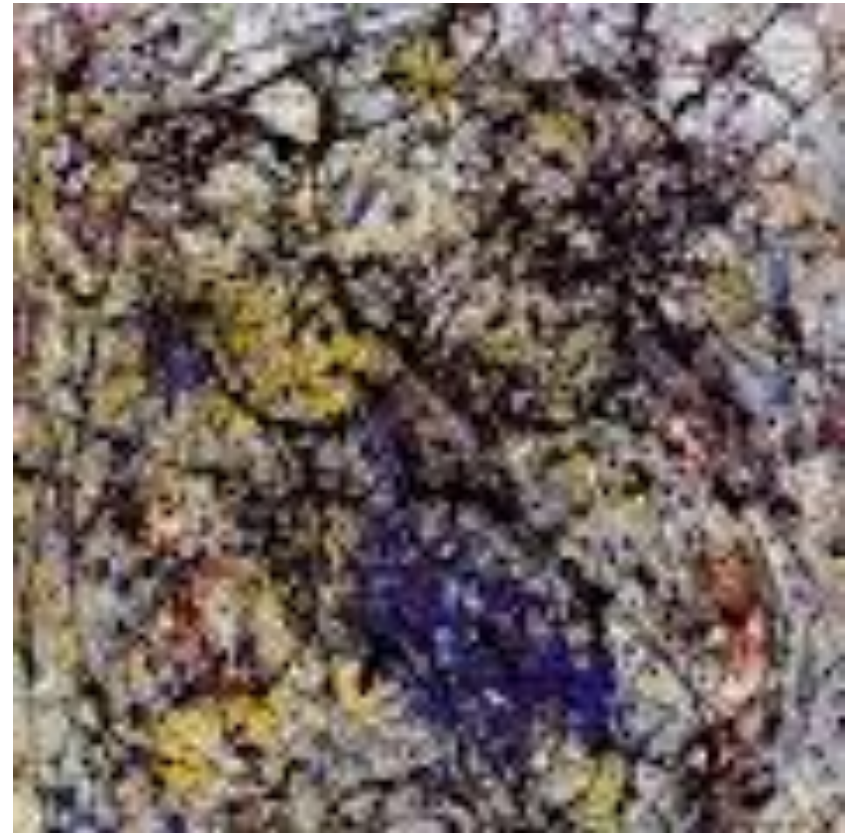
- Your goal statement is a clear reminder that accountability is just a relatively small, albeit visible, part of the educational system
- Accountability results will **NOT** solve funding disparities, but if well designed, accountability systems should shine a light on such contextual factors and on effective processes

Selecting Indicators

The selection of indicators must follow a **thoughtful process** tied to an **explicit theory of action** and our understanding of the educational system

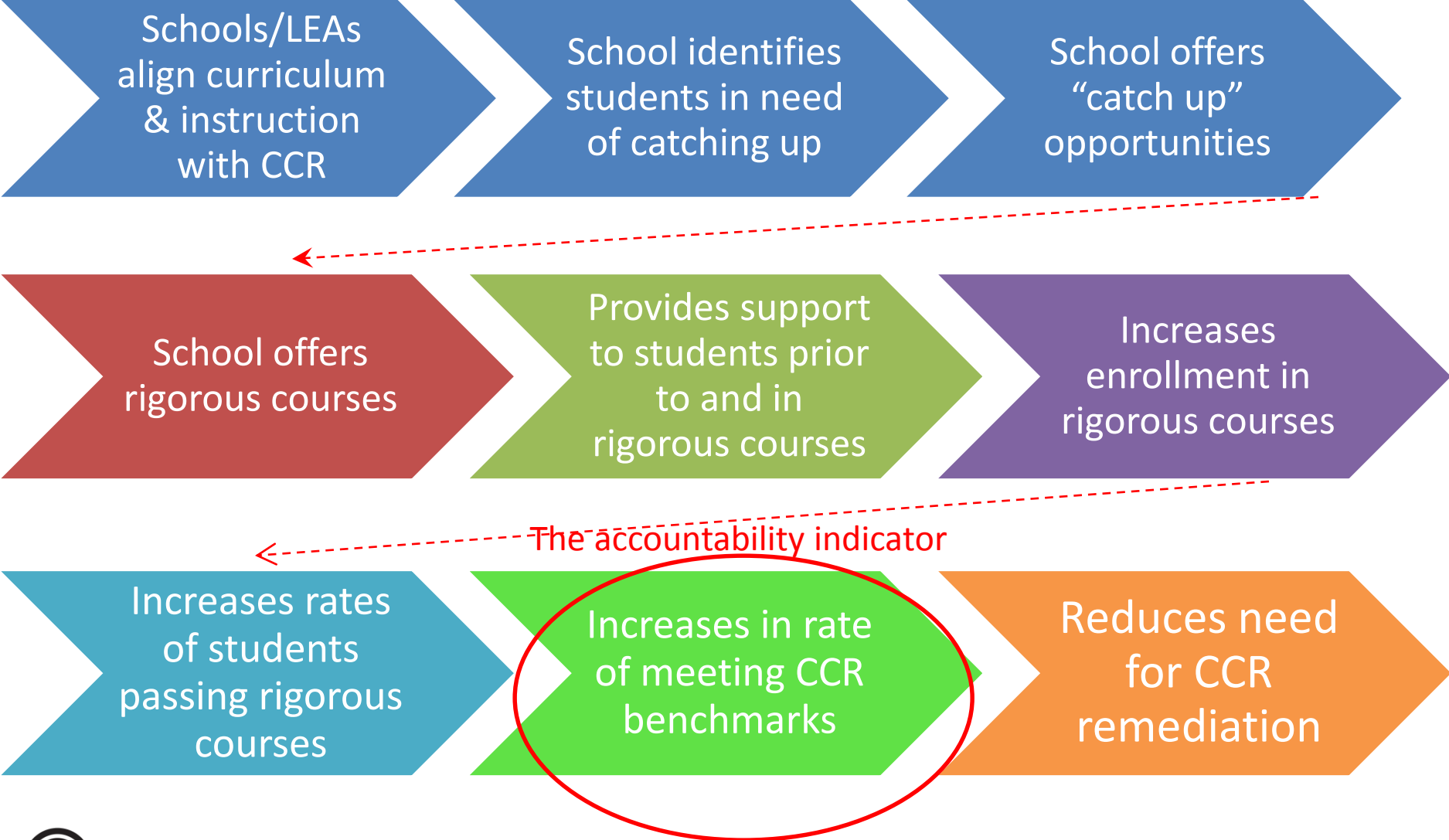
We're going to ask you to engage in such a process shortly

As a reminder, the following slide illustrates how a selected indicator fits within a theory of action



Jackson Pollack, Reflection of the Big Dipper (1947)

Reporting indicators on the way to a meaningful outcome



Selecting Indicators

We need to ask ourselves the following questions:

1. Is this indicator required (federal or state)?
2. To what degree can school personnel control changes in this indicator?
3. Is this an outcome, input, or process?
4. If schools improve on this indicator, what other downstream improvements should we see?
5. What are the potential (unintended) negative consequences associated with using this indicator?
6. Does this indicator add new information to the system?
7. Does the indicator have sufficient technical and policy properties:
 - a. Differentiates among schools and is comparable
 - b. Can be disaggregated for student groups
 - c. Is not easily corruptible
 - d. Data quality is reasonable or better

ATTACHMENT VII

Potential Tier I Accountability Indicators: Outcomes

Measures of Student Outcomes will be disaggregated to the subgroup level within a school and used as part of the process for differentiation of schools and identification of schools for improvement and support.

Indicator	Measure	Notes	Questions
Achievement: English Language Arts (ELA) Mathematics Science Social Studies (HS only)	<p>Performance Index - Index would give partial credit to students who are partially proficient and could give additional credit to students who are more than proficient.</p> <p>At the high school level, the ELA and math Performance Index would be based on a student's best performance on Regents exams or approved alternatives within four years after the student's entry into grade 9.</p>	<p>ELA and math required grades 3-8, plus once in HS. Science and Social Studies are not required. Depending on USDOE ruling, Science / SS might be counted as part of the academic set of indicators or as part of School Quality indicator set.</p>	<p>Should Science and Social Studies (which are optional) be reported in addition to ELA and math?</p> <p>Should results be reported along an index scale instead of only % proficient? [Note: Research suggests that measures focused on % proficient direct attention to the "bubble kids" near the cut score and away from students who have greater educational needs.] If so, should the index give greater credit to students who score 'advanced'?</p>
Growth: Student Progress: ELA and Math	<p>Individual Student Growth in ELA and Math – Could be measured by Student Growth Percentiles or another method that evaluates student growth.</p>	<p>ESSA requires that student growth or another measure of progress be used at the elementary / middle school level. A student growth measure is permitted, not required, at the high school level.</p>	<p>Should the accountability system include a growth indicator for individual student progress?</p> <p>If a growth indicator is used, should it be applied both at the elementary/middle and high school levels? (NY currently has a growth indicator at the high school level that is used for principal evaluation purposes, but not for school accountability.)</p>
School Progress	<p>Changes in Performance Index - Measured by change in school's Performance Index between two points in time.</p>	<p>Could be linked to long-term goals and measures of interim progress.</p>	<p>Should the accountability system include a progress indicator? Should status & growth be represented separately or as a combined measure in the system?</p>
English Learner Progress toward Proficiency	<p>Measure of student gains on the NYSESLAT across multiple levels on a proficiency scale.</p>	<p>Rulemaking requires grades 3-8 plus a single year in high school</p>	<p>Should NY start this measure at before grade 3 (at K or grade 1) as many states are doing?</p>
Graduation Rate	<p>4-year, 5-year, and/or 6-year adjusted extended year graduation rate measured as the % of students graduating with the diploma earned by the preponderance of students in the state.</p>	<p>4-year rate is required; 5 and 6 year rates are optional</p>	<p>How much should NY weight the 5- and 6- year graduation rate, if extended rates are used? [Note: Research suggests that crediting schools with extended graduation rates creates incentives to keep and bring back high-need students who cannot graduate in 4 years, rather than pushing them out.]</p>

Potential Tier I Accountability Indicators: School Quality or Student Success (SQSS)

Measures of School Quality and Student Success will be disaggregated to the subgroup level within a school and used as part of the process for differentiation of schools and identification of schools for improvement and support.

Indicator	Measure	Notes	Questions
Chronic Absenteeism ----- Attendance	Chronic absenteeism is often calculated as the percentage of students who miss 10% or more of school days. Definitions may also distinguish between excused and unexcused absences.	Highly rated in the public survey. Chronic absenteeism differentiates more effectively between schools than attendance.	Should NY consider using chronic absenteeism as part of its accountability system? If yes, should chronic absenteeism be defined as any absence from school?
High School Success Index	An Index based upon the percentage of students earning a high school equivalency diploma, a local or Regents diploma, or a Regents diploma with advanced designation, CTE endorsement or Seal of Biliteracy. Also possibly successful high school completion by students with severe disabilities.	One of top 5 in the public survey. Other indicators could be added to the index if desired. (See below.)	Should the state adopt a high school success index to use in the accountability system? What factors should receive the greatest weight?
Successful completion of coursework for graduation	Percentage of students in a high school cohort who have successfully completed all required coursework for graduation.	Highest ranked indicator in the survey. Could be added to the HS Success Index.	Should the state consider successful completion of graduation coursework as an indicator – either alone or as part of HS Success Index?
Participation and Success in Advanced Coursework	Percentage of students in a high school cohort who have taken advanced courses (e.g. AP, IB, dual credit courses) and % who have achieved specified scores on nationally recognized assessments or earned college credit.	Well rated in the public survey. Could be added to the HS Success Index or reported separately.	Should the state consider reporting participation and success in advanced coursework as an indicator – either alone or as part of a HS Success Index?
Completion of CTE Coursework Sequence ----- Completion of College Prep Coursework Sequence?	Percentage of students in a high school cohort who have successfully completed a series of CTE coursework [Note: Some states also include an indicator of completion of college prep coursework, aiming for all graduating students to have completed CTE, college prep, or both.]	Highly rated in the public survey. Could be added to the HS Success Index and/or participation in Advanced Coursework or reported separately.	Should the state consider reporting completion of a CTE coursework sequence as an indicator – either alone or as part of a HS Success Index and/or as part of a measure of advanced coursework? Should this coursework need to meet specified criteria (e.g., coherent sequence, work-based learning)? Should college prep coursework sequence also be considered?
Promotion Rates -----	% of students promoted Average credit accumulation per year	Less well rated in the public survey. Some are redundant with other indicators that are	Should any of these factors be considered for accountability indicators – either alone or as part of a HS Success Index?

High School Credit Accumulation or Completion of Required Credits	% of students reaching a specified # of credits	stronger measures. Could encourage 'social promotion' or weaker coursework.	Should any be considered as Tier 2 indicators (for statewide reporting?)
<u>Admissions test scores</u>	Average SAT or ACT test scores	Poorly rated in survey. Admissions test scores are less predictive of college success than course taking, class rank, and GPA. Use of this measure could create disincentives for schools to encourage more students to take the test.	Should college test scores be considered as an accountability indicator – either alone or as part of a HS Success Index—or as a Tier 2 indicator? [Note: Average scores are difficult to interpret because they are affected by the share of students taking the test.]
Success on Regents Exams	Average Regents Exam Scores or % of students passing different exams at specified levels or a performance index.	Less well rated in survey. Overlaps with required measures of high school performance in ELA and math. Already included in the HS Success Index where diploma levels are incorporated.	Should Regents exam scores be considered as an accountability indicator – either alone or as part of a HS Success Index? Should they be considered as Tier 2 indicators (for statewide reporting?)
High school readiness indicator	Can be measured as an index, like the HS Success Index. California's CORE districts report the percentage of 8th graders who meet the following criteria: grade point average (GPA) of 2.5 or better; attendance rate of 96% or better; no D's or F's in ELA or math; and no suspensions. ¹	Not rated in survey. Student-level indicators such as grades, attendance, and suspensions are predictive of dropping out of school. Can provide data about which students are at risk, allowing for early intervention, which research shows improves student graduation rates.	Should a high school readiness indicator be considered for development, initially as a Tier 2 indicator with the possibility of eventual inclusion in the accountability system?
Suspension Rates	Suspension rates can be reported as the percentage of students suspended at least once at a school or the total number of days of suspension or a combination of both.	Less well rated in survey. Strongly related to high school dropout / graduation. Can incentivize schools to reduce exclusion, introduce social-emotional learning, and restorative practices.	Should suspension rates be considered as an accountability indicator? Should suspension rates be considered as a Tier 2 indicator (for statewide reporting?)

Potential Tier 2 State-reported Indicators

Can be reported annually in a comparable form statewide and used for state and local accountability and continuous improvement. Alternatively, any of these could supported by the state with data or optional survey tools and reported locally (Tier 3). Most of the indicators below cannot be disaggregated to the student subgroup level and therefore would not be appropriate as Tier 1 measures for accountability purposes.

Indicator	Measure	Notes	Questions
School Safety	Can be reported as # of incidents / enrollment annually and/ or as the responses of students on a school climate survey about their experience of school safety.	Highly rated on the survey. Difficult to disaggregate as required for Tier 1 but could be reported in tier 2.	Should NY consider reporting incident rates as a Tier 2 indicator? Should NY consider developing a school climate survey for either local use or statewide use? (See Tier 3 discussion below.)
Teacher Turnover ----- Teacher Absences	% of teachers leaving each year Average # of teacher absences per year	Rated positively in the survey. Both are predictors of student achievement.	Should the state consider reporting teacher turnover and / or absences as Tier 2 indicators?
Teacher Professional Development	Can be reported as # of days of PD or, though teacher surveys, as access to kinds of PD, duration, topics, and satisfaction.	Many states use a statewide teacher survey. Could also be state-supported through a tool made available to locals.	Should the state consider reporting aspects of teacher learning opportunities or other teaching conditions as Tier 2 indicators, or providing an optional tool that LEAs could use locally (tier 3)?
Teaching Conditions	Teacher Survey, such as TELL or similar tool.		
Equity / Opportunity to Learn Indicators			
Student Access to Highly Qualified Teachers	% of fully certified / effective teachers % of in-field teachers in each school % experienced teachers (e.g. with 3+ years of experience)	Positively rated in the survey. Required as part of ESSA monitoring for comparability.	Which indicators of access to school resources and learning opportunities, should NY consider collecting and reporting as part of its system of equity indicators? Should NY consider collecting and reporting curriculum access data from schools or incorporating indicators of learning opportunities into surveys of students or teachers?
Access to Staffing Resources	Ratios of teachers / counselors / administrators / librarians, etc. to students Average class size by grade	Ratios for staff are readily available and reported federally. Class sizes would likely have to be reported from the school.	
Per Pupil School Funding	Could be reported by function (e.g., total, instructional, capital, non-capital) spending.	Per pupil expenditures must be reported at State, local educational agency, and school level as part of new ESSA fiscal transparency requirements.	
Access to Specific Learning Opportunities	Student access to types of courses / curriculum (e.g., preschool, full-day kindergarten, STEM, arts, physical education, history / social studies) measured either	Highly rated in Part 2 of survey. Learning opportunities indicators can require new data collection strategies but are	

	through school reports of hours taught, # of courses offered, or # of students enrolled, or through student survey results.	typically highly valued by parents and the public.	
Student Access to Safe and Clean Facilities	Measure typically relies on a state rating system of facilities.	Difficult if a state rating system does not already exist.	Should the state consider reporting on access to clean, safe facilities.
Other Outcome Indicators			
Post-Graduation Outcomes	Percentage of students going onto college or employment.	Often evaluated based on school leaving surveys, which can be inaccurate.	Should NY consider any additional post-graduation outcomes to be reported individually or as part of a HS success or postgraduate success index? If some indicators are desired, but do not currently have reliable data available, should the state consider developing data collection strategies, waiting for the field to develop them, or providing tools to locals for their own use?
Postsecondary Enrollment Rates	Percentage of students enrolling in 2- or 4-year colleges within set time after graduation.	Often evaluated using the college clearinghouse data for but it has limitations, including missing data, especially for immigrant students and those who attend private colleges or universities out of state.	
Postsecondary Persistence Rates	Percentage of students who persist to a 2 nd or 3 rd year of college.		
Student Attainment of Industry- Approved Licenses or Certificates	Percentage of students acquiring an industry-recognized license or certificate.	A number of states use an indicator like this as part of a college-career readiness index.	

Potential Tier 3 State-Supported Indicators

The state can support local districts by providing tools that may be used for local tracking, diagnostics, and improvement. The state might further choose to use these tools in schools that are identified for comprehensive or targeted intervention and assistance, as appropriate to school needs. None of these indicators are currently systemically collected statewide by the State Education Department.

Indicator	Measure	Notes	Questions
Surveys of Students, Teachers, and Parents			
School Climate Teaching and Learning Opportunities School Responsiveness	<p>Surveys completed by students, parents, and staff are a common measure of school climate and conditions, and can measure learning opportunities. Constructs often include</p> <ul style="list-style-type: none"> • perceptions of safety and belonging, • supports for teaching and learning, • learning opportunities • adult-student relationships, • the physical environment. <p>The NYC School Survey measures</p> <ul style="list-style-type: none"> • rigorous instruction • collaborative teachers • supportive environment • effective school leadership • strong family-community ties • trust.² <p>Staff surveys can examine staff time and opportunity for collaboration and professional learning, teaching conditions, support and trust. Parent surveys can include information on how responsive the school is their questions or their child’s needs.</p>	<p>A recent report reviewed 78 school climate studies and found that a positive school climate can mitigate the negative effects of poverty on academic achievement.³ Measures of staff collaboration and support and leadership are also a key predictors of teacher turnover and thus student success.⁴</p> <p>Can provide actionable data to schools for improvement.</p> <p>Student surveys can be included in the federally-required tier of indicators (tier 1), although teacher and parent indicators cannot.</p> <p>See Appendix 1: School Climate Survey Tools.</p>	<p>Should NY consider student surveys as data for Tier 1 accountability, Tier 2 state reporting, Tier 3, state-supported tools for local use and reporting, or Tier 4 local discretion?</p> <p>Should New York offer one or more student, teacher, and/or parent survey tools to local districts as options for their use?</p> <p>Should the state require, as some do, that local districts must use surveys of their choice and analyze them annually as part of a continuous improvement process?</p> <p>If local surveys are used, should they include a small number of common statewide questions?</p>
Parent Involvement and Engagement	<p>Parent engagement may be measured in many ways. A common measure is parent surveys, although other local measures might also be encouraged, such as evidence of participation in school leadership or other school events.</p>	<p>Positive family-program connections have been linked to greater academic motivation, grade promotion, and socio-emotional skills.⁵</p>	<p>Should NY provide survey tools or other measures to support locals in assessing parent involvement and engagement?</p>

Measures of Program Quality

Program quality (e.g., for preschool)	Observational tools such as the CLASS (early childhood programs), or program review protocols (like those used in VT and KY) can be used to evaluate the quality of programs.	Strong local observation / review tools can help set standards and guide ongoing improvement efforts.	Should the state make available program quality assessment tools for local use?
Integration of Students	A measure of the extent to which students of different subgroups (by race/ethnicity, socioeconomic status, English language learners and students with disabilities) are in schools and classrooms together relative to their presence in the district as a whole.	A district measure of integration could raise awareness of school & class assignment policies that may reinforce segregation.	Should the state suggest tools for local assessment of integration?
Professional Development Quality	Organizations like Learning Forward have created standards for evaluating professional development quality that can be made available to local districts to assess their offerings and strategies.	Self-assessments using standards grounded in the research can help develop shared understandings among stakeholders about design and conduct of professional learning or other district functions.	Should the state suggest tools for local assessment of professional development quality?

Measures of Student Learning

Authentic Measures of Student learning	<p>Tools for supporting performance assessment development, scoring, and use, such as portfolio guidelines, banks of performance tasks, and rubrics, are available through several sources, including the Performance Assessment Resource Bank https://www.performanceassessmentresourcebank.org/</p> <p>Some states provide recommendations for tools for assessing young children (PK – 2) with high-quality performance-based measures that offer strong information about student knowledge and skills, such as the Primary Language Record, the Developmental Reading Assessment, the Mathematics Assessment Resource Services.</p>	<p>States like NH, CO, VA, and others are supporting local districts in developing and using performance tasks, in part by using the resource bank and similar tools.</p> <p>States like CT and CA have supported local districts selection and use of high-quality tools for assessing young children. This can be a strategy to reduce state testing time, by embedding more fine-grained information at the local level.</p>	Should the state support local district selection and development of authentic assessments to give more information about students?
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Appendix 1: School Climate Survey Tools¹

Survey	Description	School climate constructs measured ⁶
<p>U.S. Department of Education School Climate Surveys (EDSCLS)</p> <p>Developed by American Institute for Research for USDOE</p>	<p>EDSCLS a national survey that is free and offers results in real time for states, districts, and schools. The survey is linked to a school climate improvement resource package to help schools interpret data and facilitate school discussion.⁷</p>	<ul style="list-style-type: none"> • Engagement (cultural and linguistic competence, relationships, school participation) • Safety (emotional safety, physical safety, bullying/cyberbullying) • Environment (physical environment, instructional environment, mental health, discipline)
<p>California School Climate, Health, and Learning Survey (CalSCHLS)</p> <p>Developed by WestEd for CDE</p>	<p>CalSCHLS includes a core set of survey items along with add-on modules for school climate, social and emotional learning, equity, cultural responsiveness, and the achievement gap.⁸ It has been used widely across California since it was a requirement for Title IV Safe and Drug- Free Community grants, and is currently administered by approximately 85% of districts in the state.⁹</p>	<ul style="list-style-type: none"> • School connectedness • School supports (caring relationships, high expectations, opportunities for meaningful participation) • Violence victimization and perpetration • Peer supports (caring relationships, high expectations) • SEL (problem-solving, self-efficacy, cooperation and communication, empathy, self-awareness)
<p>The 5 Essentials School Report</p> <p>Developer by U of Chicago Consortium on School Research</p>	<p>This study measures the extent to which schools have effective leaders, collaborative teachers, involved families, a supportive environment, and ambitious instruction. Schools in Chicago have administered a version of this survey for over 15 years.¹⁰ Schools may customize their survey.</p>	<ul style="list-style-type: none"> • Academic engagement • Academic press • Peer support for academic achievement • Teacher personal attention • Schoolwide future orientation • Student sense of belonging • Safety • Incidence of disciplinary action • Relationships (student-teacher trust, teacher personal support) • Student classroom behavior • Culture
<p>Tripod</p> <p>Developer: Ronald Ferguson, Harvard University</p>	<p>Tripod survey scores are available for schools, districts, and states, with data that is calibrated at the national level. Tripod's surveys were chosen as a measure in the Gates Foundation's Measures of Teaching project. The survey has been used by over</p>	<ul style="list-style-type: none"> • Instructional climate • Climate of safety and respect¹²

¹ To be included in this table, surveys needed to be widely used, strengths-based, normed with a population of students without disabilities, administered in less than 20 minutes, include an online platform, and have strong evidence of validity and reliability. All surveys were included in the U.S. Department of Education's Safe and Supportive Schools compendium, with the exception of the Tripod survey, which has also been externally validated. Source: Melnick, H., Cook-Harvey, C., Darling-Hammond, L. (Forthcoming). *Encouraging social and emotional learning in the context of new accountability*. Palo Alto, CA: Learning Policy Institute.

	100,000 teachers since 2001, and is currently administered statewide in Hawaii. ¹¹	
<p>Comprehensive School Climate Inventory (CSCI)</p> <p>Developer: National School Climate Council</p>	<p>This survey provides school-level analysis with accompanying action planning worksheets and recommendations for how school leaders can take action. Schools can customize it by adding items. It is used in schools across the country.¹³</p>	<ul style="list-style-type: none"> • Orderly school environment • Administration provides instructional leadership • Positive learning environment • Parent and community involvement Instruction is well-developed and implemented • Expectations for students • Collaboration between administration, faculty, and students
<p>Conditions for Learning Survey</p> <p>Developed by American Institutes for Research</p>	<p>This survey has a particular focus on school supports for learning, including SEL, as well as measuring the impact of school discipline reforms. It is conducted in schools across the nation and is used districtwide in Cleveland Metropolitan School District.¹⁴</p>	<ul style="list-style-type: none"> • A safe and respectful climate • Challenge/high expectations • Student support • Social and emotional learning

Endnotes

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- ¹ California Office to Reform Education (CORE) and the John W. Garner Center for Youth and their Communities. 2014, November. “High school readiness.” Retrieved on August 3, 2016, from <http://www.ousd.org/cms/lib07/CA01001176/Centricity/Domain/3154/High%20School%20Readiness%2011%2012%2014.pdf>.
- ² 2016 NYC School Survey report guide. (2016). New York City: NYC Department of Education. <http://schools.nyc.gov/NR/rdonlyres/CD687C0E-7798-4C5A-BCA7-D5AF2D24579F/0/2016NYCSchoolSurveyGuide.pdf>.
- ³ Berkowitz, R., Moore, H., Astor, R.A., & Benbenishty, R. (2016). A research synthesis of the associations between socioeconomic background, inequality, school climate, and academic achievement. *Review of Educational Research*, 0034654316669821.
- ⁴ Kraft, M. A., Marinell, W. H., & Shen-Wei Yee, D. (2016). School organizational contexts, teacher turnover, and student achievement: Evidence from panel data. *American Educational Research Journal*, 53(5), 1411–1449.; Johnson, S. M., Kraft, M. A., & Papay, J. P. (2012). How context matters in high-need schools: The effects of teachers’ working conditions on their professional satisfaction and their students’ achievement. *Teachers College Record*, 114(October 2012).
- ⁵ Sandra L. Christenson, “Families and Schools: Rights, Responsibilities, Resources, and Relationships,” *The Transition to Kindergarten*, ed. Robert C. Pianta and Martha J. Cox (Baltimore, MD: Paul H. Brookes Publishing Co., 2000), 143–177; P. Mantzicopoulos, “Flunking Kindergarten after Head Start: An Inquiry into the Contribution of Contextual and Individual Variables,” *Journal of Educational Psychology* 95, no. 2 (2003): 268–278; C. McWayne et al., “A Multivariate Examination of Parent Involvement and the Social and Academic Competencies of Urban Kindergarten Children,” *Psychology in the Schools*, 41, no. 3 (2004): 363–377.
- ⁶ Summary table of Office of Safe and Healthy Students approved school climate surveys. (2016). Washington, DC: American Institutes for Research.
- ⁷ National Center on Safe and Supportive Learning Environments. ED School Climate Surveys (EDSCLS). <https://safesupportivelearning.ed.gov/edscls>.
- ⁸ Hanson, T. & Voight, A. (September 2014). The appropriateness of a California student and staff survey for measuring school climate (REL 2014-039). Washington, DC: U.S. Department of Education, Institute of Education Sciences. <http://files.eric.ed.gov/fulltext/ED546900.pdf>; California Department of Education. (2005). What does getting results say about student health, supportive schools, and academic success? <http://www.cde.ca.gov/ls/he/at/documents/getresultsfs5.pdf>.
- ⁹ Benbenishty, R., Astor, R.A., Roziner, I., & Wrabel, S. (April 2016). Testing the causal links between school climate, school violence, and school academic performance: A cross-lagged panel autoregressive model. *Educational Researcher*, 45(3), 197–206. See also April 27, 2016 Memo. “California’s accountability and continuous improvement system—further analysis of potential key indicators.” <http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-apr16item02.doc>. *The U.S.* [The hyperlink extends to “The U.S.” here.] Department of Education has also found state surveys from Alaska, Arizona, Delaware, and Maryland to be valid and reliable measures.
- ¹⁰ Surveys of CPS schools. (n.d.). UChicago Consortium on School Research. <https://consortium.uchicago.edu/surveys>.
- ¹¹ *Districts and states*. (n.d.). Tripod. <http://tripoded.com/districts-states/>.
- ¹² Presentation given by Ron Ferguson to the Raikes Foundation, October 2016.
- ¹³ CSCI school report. (n.d.). National School Climate Center. <http://www.schoolclimate.org/programs/csci-report.php>.
- ¹⁴ AIR Conditions for Learning Surveys. (n.d.). National Clearinghouse on Supportive School Discipline. <http://supportiveschooldiscipline.org/resources/air-conditions-learning-surveys>.

ATTACHMENT VIII

Potential Tier I Accountability Indicators: Outcomes

Measures of Student Outcomes will be disaggregated to the subgroup level within a school and used as part of the process for differentiation of schools and identification of schools for improvement and support.

Indicator	Your Votes	Yes	No	Not sure	Weighting: 1) High 2) Moderate 3) Low	Questions / Issues / Concerns for Further Discussion
Achievement: English Language Arts (ELA) Mathematics Science Social Studies	Should results be reported using a Performance Index instead of only % proficient? (ESSA High Concept Idea Number 7)					If "Yes," should the Index give "extra credit" for students who score above proficient. (High Concept Idea Number 9)
	Should Science (Elem., Middle, HS) be included? (High Concept Idea Number 15)					
	Should Social Studies (HS) be included? (High Concept Idea Number 15)					
Growth: Student Progress	Should the accountability system include a measure of student growth in ELA and math at the elementary and middle school level? (High Concept Idea Number 10)					
School Progress	Should the accountability system include a school progress indicator? (i.e, a measure of the change in the Performance Index between two points in time.) (High Concept Idea Number 10)					
English Learner Progress toward Proficiency	Given that the system must include an indicator of English learner progress, what weighting should it have?					
Graduation Rate	Should NY include extended (5- and 6-year) graduation rates? (High Concept Idea Number 11)					
	Should these be weighted the same as the 4-year graduation rate?					

Potential Tier I Accountability Indicators: School Quality or Student Success (SQSS)

Indicator	How Well Does this Indicator fit with NY's theory of action & offer the right incentives for school improvement? (1-Very well, 2-Moderately Well, 3- Not so well)	Should the state consider as part of Tier 1 (accountability), Tier 2 (reporting), or not at all	Rank indicator's importance 1- Top rated to 5- Bottom rated	Questions, ideas, issues, or concerns
Chronic Absenteeism				
Attendance Rate				
High School Success Index (based on diploma type)				
Successful completion of coursework for graduation				
Participation and Success in Advanced Coursework, including dual college coursework				
Completion of CTE Coursework Sequence				
Completion of College Prep Coursework Sequence?				
Promotion Rates				
High School Credit Accumulation or Completion of Required Credits				
Admissions test scores				
Success on Regents Exams				
High school readiness indicator				
Suspension Rates				

Potential Tier II State-Reported Indicators

Indicator	How Well Does this Indicator fit with NY's theory of action & offer the right incentives for school improvement? (1-Very well, 2-Moderately Well, 3- Not so well)	Should the state consider as part of Tier 2 (state-reported), Tier 3 (state-supported) or not at all	Rank indicator's importance 1- Top rated to 5- Bottom rated	Questions, ideas, issues, or concerns
School Safety				
Teacher Turnover ----- Teacher Absences				
Teacher Professional Development				
Teaching Conditions				
Equity / Opportunity to Learn Indicators				
Student Access to Highly Qualified Teachers				
Teacher: Pupil Ratio				
Per Pupil School Funding				
Access to Specific Learning Opportunities				
Student Access to Safe and Clean Facilities				
Post-Graduation Outcomes				
Postsecondary Enrollment Rates				
Postsecondary Persistence Rates				
Student Attainment of Industry- Approved Licenses or Certificates				

ATTACHMENT IX

Putting in all Together: Annual Differentiation under ESSA

Scott Marion & Jenn Dunn
Center for Assessment

New York Regents Retreat

What does the law say?

“(C) ANNUAL MEANINGFUL DIFFERENTIATION.—Establish a system of meaningfully differentiating, on an annual basis, all public schools in the State, which shall—

“(i) be based on all indicators in the State’s accountability system under subparagraph (B), for all students and for each of subgroup of students, consistent with the requirements of such subparagraph;

“(ii) with respect to the indicators described in clauses (i) through (iv) of subparagraph (B) afford—

“(I) substantial weight to each such indicator; and

“(II) in the aggregate, much greater weight than is afforded to the indicator or indicators utilized by the State and described in subparagraph (B)(v), in the aggregate; and

“(iii) include differentiation of any such school in which any subgroup of students is consistently underperforming, as determined by the State, based on all indicators under subparagraph (B) and the system established under this subparagraph.

What does that mean?

- Subsequent sections of the law indicate that states must be able to produce three categories of schools:
 - Identified for comprehensive support and improvement
 - Identified for targeted support and improvement
 - Non-identified schools

- State can add other categories of schools, but it is not required!

- So how should we do this?

First order question

- Do we want to produce an overall rating for each school (e.g., Level 1-4, 1-5 stars, A-F)?

OR

- Do we want to avoid a single overall determination?
 - We could also produce an overall score (e.g., 560) without producing a rating?
- No matter which you choose, there are still a host of decisions that follow from this first decision...

Single Overall Rating

Take a few minutes to jot down some of the potential advantages and disadvantages of a single rating

Advantages

Disadvantages

No Overall Rating

Take a few minutes to jot down some of the potential advantages and disadvantages of not having a single overall rating

Advantages

Disadvantages

Single Overall Rating

Advantages

- Can be used to clearly identify lowest (or lower) performing schools
- Many stakeholders want just a quick overall indication of school quality
- Make it more likely that the media will report the state designations rather than creating their own overall ranking

Disadvantages

- May oversimplify a complex system
- The overall rating on its own does not provide actionable information for school personnel
- May mask specific areas of concern or recognition

No Overall Rating

Advantages

- Presents a picture of the strengths and weakness of the school
- Allows stakeholders to hone in on the areas in need of improvement
- May allow for more accurate identification of schools based on specific needs
- Avoids overly simplistic ranking of schools

Disadvantages

- Not as intuitively understandable for stakeholders wanting a sense of overall quality
- Leaves the inferences about the quality of the school open to multiple interpretations (may be an advantage too)
- May mask specific areas of concern or recognition
- Still need a way to ID schools for CSI and TSI

Additional issues

- The ways in which we decide to produce the overall rating, including weighting of the indicators, could lead to noticeably different results
- If we decide not to produce a single overall determination, we still cannot avoid aggregation decisions...

How to decide...

- How do the type of reports we produce fit with your theory of action?
 - What approach will have the higher utility value?
- What do the stakeholder want?
 - We should play out some used cases for the variety of stakeholders?

Use Cases

- Think about the various stakeholders and how they might use the accountability results. For each stakeholder group, indicate whether they would want an overall rating or summative score, indicator ratings only, or both and WHY?
 - Parents/students
 - Teachers
 - School leaders
 - District administrators
 - State education leaders
 - Business and community members
 - Politicians

Methods for producing overall determinations

If the desire is to produce overall determinations, there are three general classes of methods for doing so

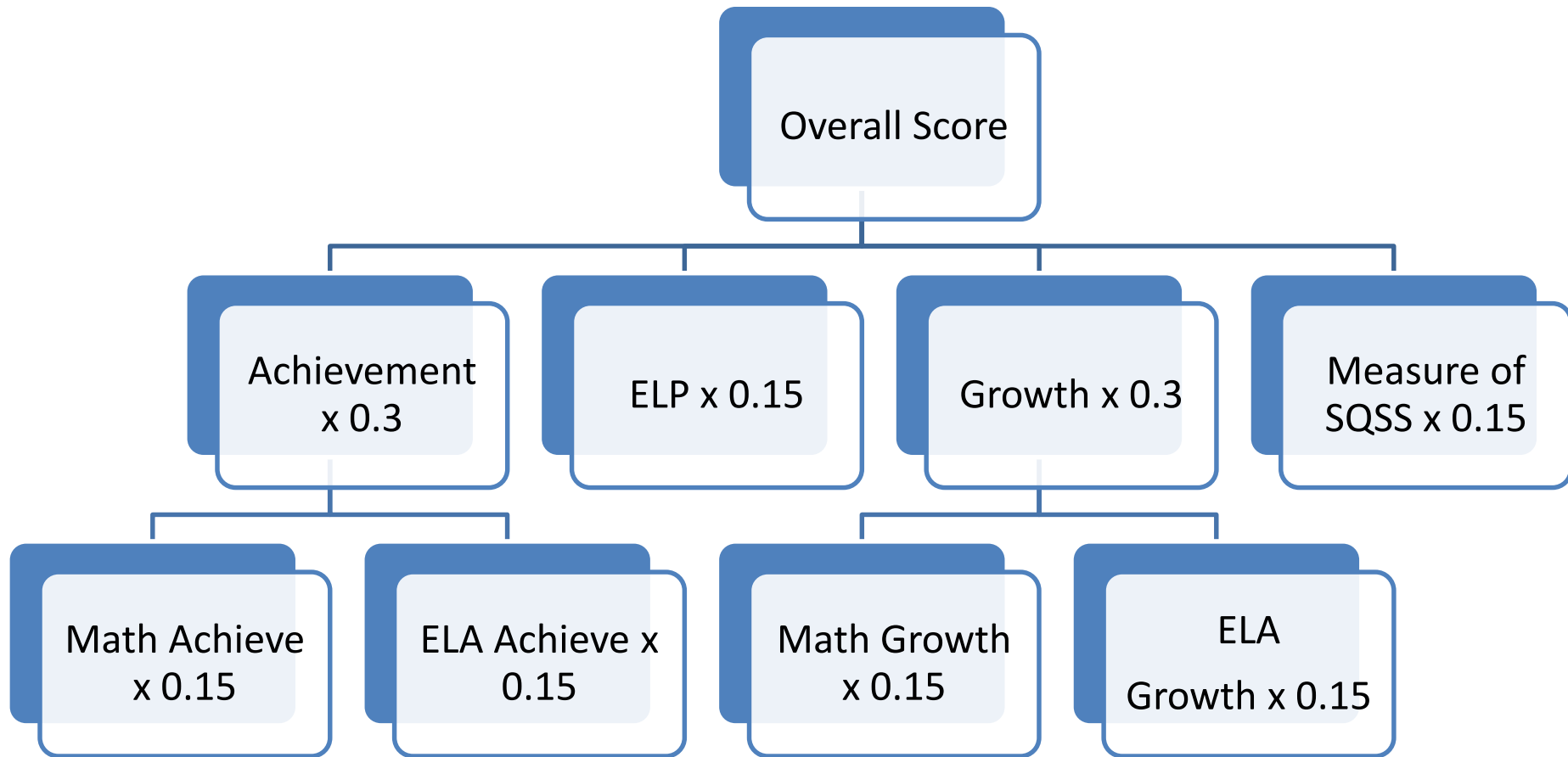
- Weighted Index or Composite
 - Decision Tables or Matrices
 - Profiles or Decision Rules
-
- As you have likely guessed, each approach has strengths and shortcomings..

Weighted Composite

- Most **commonly** used method among states right now
- Relatively easy to implement
- Results in a total score is often translated into an overall rating (but does not necessarily have to be)
- Assumes that the weights assigned (“nominal”) are the same as when the composite is calculated (“effective”) – This is usually wrong!
- Should employ a deliberative process (e.g., standard setting) to convert scores to ratings

- The following slides provides a typical example...

Weighted Composite



Decision table/matrix

- Easy to implement with two or three indicators; requires additional decision matrices with more than three indicators
- Explicitly reveals the values associated with any combination of indicators
- Stakeholders never experience an unexpected result
 - If you know the indicator values, you know the overall rating
- May be seen as restricting nuance or variance, but avoids over-interpretation of small differences
- Note: What follows are just some examples...

A Simple Two Indicator Decision Table

		Growth Level			
		Level 1	Level 2	Level 3	Level 4
Achievement Level	Level 1	Needs Support	Needs Support	Developing	Developing
	Level 2	Needs Support	Developing	Strong	Strong
	Level 3	Developing	Strong	Strong	Exemplary
	Level 4	Developing	Strong	Exemplary	Exemplary

NOTE: The values in the cells are just examples. Actual values would be determined through a deliberative process.

An Example of a Three-Indicator Table

Equity	Growth	Achievement		
		Below Target	Meets Target	Exceeds Target
Below Target	Below Target	Below Expectations		
	Meets Target			
	Exceeds Target			
Meets Target	Below Target			
	Meets Target		Meets Expectations	
	Exceeds Target			
Exceeds Target	Below Target			
	Meets Target			
	Exceeds Target			Exceeds Expectations

Combining multiple indicators using multiple matrices

	Equity			
ELP	Level 1	Level 2	Level 3	Level 4
Level 1	I	I	II	III
Level 2	I	II	III	IV
Level 3	II	II	III	IV
Level 4	II	II	III	IV

	Growth			
Equity/ ELP	Level 1	Level 2	Level 3	Level 4
Level 1	I	I	II	III
Level 2	I	II	III	IV
Level 3	II	II	III	IV
Level 4	II	II	III	IV

	Achievement			
Growth/ Equity	I	II	III	IV
I	Low	Low	Develop	Good
II	Low	Develop	Develop	Good
III	Develop	Develop	Good	Exemplary
IV	Develop	Good	Exemplary	Exemplary

Profiles or decision rules

- Similar to the decision tables, but would use all indicator values at once
- A set of decision rules used to evaluate school profiles (scores on the various indicators) against narrative descriptions of performance
- By working through this process, rules are established to place schools into various overall levels based on the constellation of indicator values

Profile/Decision Rules Example

School	Achievement	Growth	Graduation	ELP	Overall
A	4	4	4	4	Exemplary
B	3	3	3	3	Good
C	2	2	2	2	Developing
D	1	1	1	1	Low
E	4	3	4	3	??
F	3	2	2	3	??

As you can see, the homogeneous profiles are easy to evaluate. The heterogeneous profiles require the work of a deliberative body (e.g. Regents) to make and evaluate decisions.

What do you value?

- Which approaches do you think will have the most credibility with district and school leaders, policymakers, and the general public?
- Sometimes it is difficult to have both transparency and high technical quality. Which feature should be prioritized?
- Should this be an empirical decision largely by (once we settle on indicators) seeing how schools fare under the different approaches to shed light on how the different approaches work with NY data?

Regents Discussion and Recommendations

1. Do the Regents recommend for SED to pursue a system of reports that produces an overall rating for each school in the state (e.g., Level 1-4, ★ ★ , A-F) **beyond the ESSA-required identification of CSI, TSI**, and not identified?
2. Do the Regents recommend for SED to pursue a system of reports that produces an overall numeric score for each school in the state?
3. Do the Regents recommend for SED to pursue a system of reports that produces **BOTH** an overall numeric score and rating for each school in the state?

Regents Discussion and Recommendations

4. If the answer to number 2 OR 3 on the previous slide is **yes** (producing a numeric overall score), then some sort of weighted index is required such as the following:

Indicator	Performance	Weighting	Score
A	50	20	100
B	60	20	120
C	40	20	80
D	30	10	30
E	70	10	70
F	80	10	80
G	90	10	90
Total			570

Regents Discussion and Recommendations

5. If you recommend to produce an overall rating beyond the federal requirements, we have at least three choices:
 - a. A weighted index that will be used to create classifications—remember, this will result in a score that may be kept in the background
 - b. A multi-step decision matrix approach to create classifications—this can work fairly well with up to 4-5 indicators, but may get unwieldy with more than 5 indicators
 - c. A profile (decision rule) approach to create classifications—this might be the best approach if no total scores are desired and there is concern about a complex decision table system (although this is essentially a decision table in flat form)

Questions/Comments

- Other questions and comments?

ATTACHMENT X

Identification of School for Comprehensive and Targeted Support and Improvement under ESSA

Scott Marion & Jenn Dunn
Center for Assessment

New York Regents Retreat

Advance Organizer

- Provide an overview of ESSA requirements
- Discuss possible options for NY

Statute Related to Identification of Schools

- Based on the defined system of annual meaningful differentiation establish a State-determined methodology to identify schools in need of:
 - Comprehensive Support and Improvement or
 - Targeted Support and Improvement

Targeted Support and Improvement

Type of Schools	Description	Timeline for ID	Initial Year
Consistently Underperforming Subgroup(s)	Any school with one or more consistently underperforming subgroups	Annually	2019-2020
Low Performing Subgroup	Any school with a subgroup performing below the threshold for the all students group for the lowest 5% of Title I schools. These schools must receive additional targeted support under the law.	At least once every 3 years	2018-2019

Comprehensive Support and Improvement

Type of Schools	Description	Timeline for ID	Initial Year
Lowest Performing	Lowest 5% of Schools receiving Title I funds	At least once every 3 years	2018-2019
Low Graduation Rates	All public high schools in the state with graduation rates lower than 67%	At least once every 3 years	2018-2019
Chronically Low-Performing Subgroup(s)	Any Title I school previously identified for targeted support for a low-performing subgroup and did not improve during the state-determined number of years	At least once every 3 years	State determined

Identification for Comprehensive Support

- For each school identified, LEAs must work with the school and stakeholders to develop and implement an improvement plan that is:
 - informed by all indicators, includes evidence based interventions, is based on a school needs assessment, and identifies resources inequities
 - approved by the school, LEA and SEA; and is periodically monitored and reviewed by the state.
- LEA's may provide students in CSI schools with the option to transfer to another school
 - Should this be required in NY?
- “More rigorous State-determined action” if state defined exit-criteria are not met in a specified number of years
 - Should this include placing schools into State receivership?

ESSA Requirements Related to the Identification of Schools for Targeted Support

Consistently Underperforming Sub-Groups:

As part of a state's system of *annual* meaningful differentiation, the state shall establish a process for identifying public schools for which any subgroup of students is “consistently underperforming”

- using a definition determined by the state
- based on all indicators defined in 1111.(c)(4)(B) – academic achievement (and growth in HS, if applicable); academic progress/growth (for elementary and middle school); high school graduation rate; ELL progress toward achieving ELP; school quality or student success - AND the state accountability system
- where subgroups refer to accountability subgroups defined in (c)(1): economically disadvantaged; students from major ethnic/racial groups; children with disabilities; and English Learners

Implications of Identification

Schools identified as having one or more consistently underperforming sub-groups must work with stakeholders to develop a school improvement plan that is:

- Informed by all ESSA indicators and long term goals
- Includes evidence based interventions
- approved and monitored by the LEA
 - This represents an important change from NCLB and NCLB waivers
- designed to improve outcomes for sub-groups that led to identification, and
- result in additional action if the LEA's uniform exit criteria is not met within a specified number of years

ESSA Requirements Related to the Identification of Schools for Targeted Support

Low Performing Sub Groups:

- Starting with school year 2017-2018 , upon SEA notification, LEAs must *notify* any school having one or more sub-groups that would, on its own lead to identification of the school as a low performing school using the state’s methodology for annual meaningful determination, and therefore will receive *additional* targeted support.
- *Defined as schools having one or more sub-groups performing below the performance of all students in any school in the lowest performing 5%.*
 - *We need to explore the balance of under- and over-identification of schools*

Implications of Identification

- Creation of a school improvement plan, as previously defined, and
- Identification of the school for comprehensive support and improvement IF the school does not meet the state's exit criteria (for schools having low performing students) within a *state-determined* number of years
 - *referred to in the regulations as chronically low performing sub-group schools*

Defining Consistently Underperforming Sub Groups

1. What does it mean for a sub-group to be “**consistently underperforming**?”
2. How should ***underperforming*** be defined – relative to what?
3. Given the implications associated with identification for targeted support and improvement what is more detrimental - over or under identification (e.g., Type I vs. Type II error)?
 - In other words, should we protect against **potential over-identification** of schools for TSI or against **potential under-identification**?
 - **This is a big decision!!**

Identification for Comprehensive Support

- The law appears fairly straightforward here, but as we discussed in December and depending on what we decide in terms of an “overall rating,” we might have some different options other than simply identifying schools with the lowest 5% of total scores
- Here are two potential options, both of which are based on the notion that low achievement, combined with other factors, puts the children most at risk

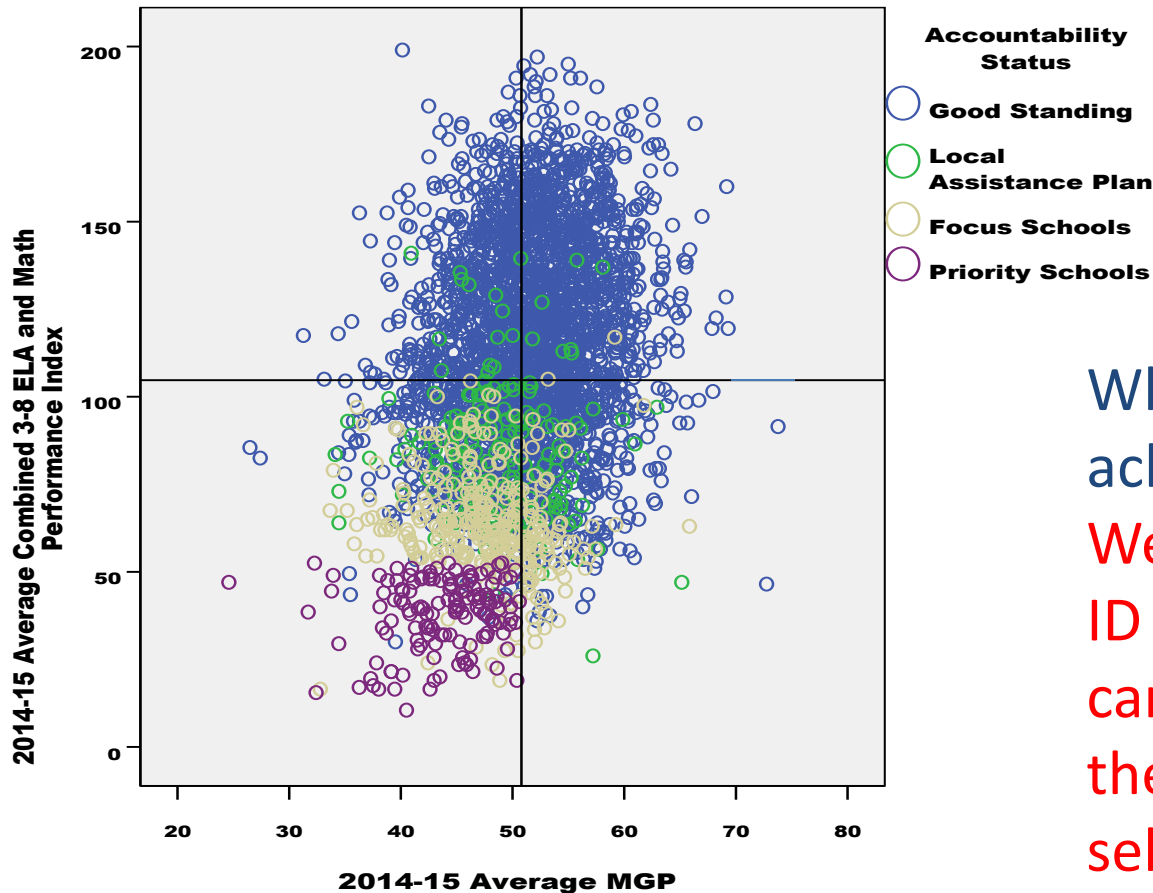
Potential CSI-Identification Approach #1

School	Achievement	Growth	Additional Indicator	ELP	Decision
A	Lowest 5%	Low	Low	Low	CSI
B	Lowest 5%	Low	Low	Low	CSI
C	Lowest 5%	Average	Low	Average	Potential TSI
D	Lowest 5%	Low	Average	Average	CSI
E	Lowest 5%	Low	High	High	Potential TSI
F	Lowest 5%	High	Average	Average	Good Standing?
G	Lowest 5%	High	Low	Low	Potential TSI

These are fictional profiles, but show how the first factor is achievement in the lowest 5%, but other indicators allow the school to be placed on a “watch” list or to avoid identification altogether.

Potential CSI ID approach #2 (growth & achievement)

Accountability Status of Elementary and Middle Schools Based on 2014-15 ELA and Math Achievement and Growth Results



What do we value:
achievement or growth?
We can adjust axis until we
ID 5% of Title I schools. We
can rely on signal-detection
theory to help fine-tune our
selection.

Potential CSI Approaches

- Which of these approaches, if either, make the most sense to you?
- Are there other approaches that we should consider?

Identification of Schools for Targeted Support

- This is trickier than identification of schools for comprehensive support
- **Key Question:** What criteria should NY use to identify “consistently underperforming” and “low performing” subgroups and, consequently, schools for Targeted Support and Intervention?
- To answer this question, you have to define your priorities with respect to a variety of factors:

Consistently Underperforming?

- How should we define “**consistently**” underperforming”?
 - **across multiple indicators** (e.g., a subgroup fails to perform at an expected level, or progress at an expected rate, across multiple indicators within a given year)
 - **across multiple years** (e.g., a subgroup fails to perform at an expected level, or progress at an expected rate, on one or more indicators across multiple years)
 - If defined in terms of performance over time, how many years should be considered? What factors/data should influence this determination?
 - how “**underperforming**” is defined and the amount and type of change necessary to move out of this classification

Low Performing or “Underperforming”

- How should we define “**underperforming?**”
 - Criterion Referenced: performance of sub-group relative to state-defined long term goals and interim progress measures for academic achievement, graduation rate, progress toward attainment of ELP or other state-selected indicators.
 - Norm Referenced: performance of sub-group relative to performance of the state, district or the school.
 - Must determine what norm group is most appropriate/reasonable given the type of information you are seeking and the characteristics of the school

Potential Approach

- TSI schools will include all schools that:
 - Have one or more subgroups that failed to make progress towards meeting subgroup achievement and/or graduation rate **targets for three consecutive years.**
- Schools will exit TSI identification when they:
 - The subgroup(s) leading the school to be identified for TSI support make progress towards meeting subgroup achievement and/or graduation rate targets.