



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 May 2015 Meetings
DATE: June 8, 2015
AUTHORIZATION(S): *Elizabeth R Berlin*

Executive Summary

Issue for Decision

Review of the Summary of the May 2015 Meetings of the Board of Regents.

Proposed Handling

Approval of the Summary of May 2015 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 May 2015 meetings.

Timetable for Implementation

Effective June 16, 2015.

VOTED, that the Summary of the May 2015 Meetings of the Board of Regents of The University of the State of New York be approved.



SUMMARY OF THE MAY 2015 MEETINGS

OF THE BOARD OF REGENTS

OF

THE UNIVERSITY OF THE STATE OF NEW YORK

***Held at United Way of NYC Offices
Board of Regents Search Committee Meetings
New York, New York
May 11 and 12, 2015***

and

Held at the State Education Building

***Albany, New York
May 18 and 19, 2015***

and

***Albany, New York
May 26, 2015***

***and by video conference from Buffalo, Middletown, New York City
and Rochester***

***Anthony Lofrumento, Secretary
Board of Regents***

**SEARCH COMMITTEE
OF THE
THE BOARD OF REGENTS**

MEETING OF THE BOARD OF REGENTS SEARCH COMMITTEE
Monday, May 11th at 9:00 a.m.

Search Committee Members in Attendance:

Anthony S. Bottar, Vice Chancellor, Search Committee Chair
Roger Tilles
Betty A. Rosa
Lester W. Young, Jr.
Christine D. Cea
T. Andrew Brown
Josephine Victoria Finn

Also present were Chancellor Merryl H. Tisch, Deputy Counsel for Legal Affairs, Alison Bianchi, and the Secretary, Board of Regents, Anthony Lofrumento.

Vice Chancellor Anthony S. Bottar called the meeting to order at 9:00 a.m.

ACTION ITEM

Executive Session Motion

MOVED, that the Regents Search Committee convene in executive session on Monday, May 11, 2015 commencing at 9:00 a.m. for the purpose of discussing a personnel matter.

Motion by:	Vice Chancellor Anthony S. Bottar
Seconded by:	Regent Josephine Victoria Finn
Action:	Motion carried unanimously. Regent Betty A. Rosa was absent from the vote and excused. (All members were present for the executive session.)

**SEARCH COMMITTEE
OF THE
THE BOARD OF REGENTS**

MEETING OF THE BOARD OF REGENTS SEARCH COMMITTEE
Tuesday, May 12th at 9:00 a.m.

Search Committee Members in Attendance:

Anthony S. Bottar, Vice Chancellor, Search Committee Chair
Roger Tilles
Betty A. Rosa
Lester W. Young, Jr.
Christine D. Cea
T. Andrew Brown
Josephine Victoria Finn

Also present were Chancellor Merryl H. Tisch, Deputy Counsel for Legal Affairs, Alison Bianchi, and the Secretary, Board of Regents, Anthony Lofrumento.

Vice Chancellor Anthony S. Bottar called the meeting to order at 9:00 a.m.

ACTION ITEM

Executive Session Motion

MOVED, that the Regents Search Committee convene in executive session on Tuesday, May 12, 2015 commencing at 9:00 a.m. for the purpose of discussing a personnel matter.

Motion by:	Vice Chancellor Anthony S. Bottar
Seconded by:	Regent Lester W. Young, Jr.
Action:	Motion carried unanimously. Regent Betty A. Rosa was absent from the vote and excused. (All members were present for the executive session.)

THE BOARD OF REGENTS

The Board of Regents of The University of the State of New York held a public session on Monday, May 18, 2015 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

MEETING OF THE FULL BOARD, Monday, May 18th at 9:00 a.m.

Board Members in Attendance:

Merryl H. Tisch, Chancellor
Anthony S. Bottar, Vice Chancellor
Roger Tilles
Charles R. Bendit
Betty A. Rosa
Lester W. Young, Jr.
Christine D. Cea
Wade S. Norwood
Kathleen M. Cashin
James E. Cottrell
T. Andrew Brown
Josephine Victoria Finn
Judith Chin
Beverly Ouderkirk
Catherine Collins
Judith Johnson

Also present were the Acting Commissioner of Education, Elizabeth Berlin, Counsel, Deputy Commissioner for Legal Affairs, Richard J. Trautwein, and the Secretary, Board of Regents, Anthony Lofrumento. Regent James R. Tallon, Jr. was absent and excused.

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

ACTION ITEM

Executive Session Motion

MOVED, that the Board of Regents convene in executive session on Tuesday, May 19, 2015 at 11:55 a.m. to discuss personnel matters.

Motion by:	Vice Chancellor Anthony S. Bottar
Seconded by:	Regent Christine D. Cea
Action:	Motion carried unanimously

DISCUSSION ITEM

Testing Reduction Report

Senior Deputy Commissioner Ken Wagner presented a report on testing reduction (Attachment I).

Chancellor Merryl H. Tisch adjourned the meeting.

MEETING OF THE FULL BOARD, Tuesday, May 19th at 11:40 a.m.

Board Members in Attendance:

Merryl H. Tisch, Chancellor
Anthony S. Bottar, Vice Chancellor
Roger Tilles
Betty A. Rosa
Lester W. Young, Jr.
Christine D. Cea
Wade S. Norwood
Kathleen M. Cashin
James E. Cottrell
T. Andrew Brown
Josephine Victoria Finn
Judith Chin
Beverly Ouderkirk
Catherine Collins
Judith Johnson

Also present were the Acting Commissioner of Education, Elizabeth Berlin, Counsel, Deputy Commissioner for Legal Affairs, Richard J. Trautwein, and the Secretary, Board of Regents, Anthony Lofrumento. Regents James R. Tallon, Jr. and Charles R. Bendit were absent and excused.

Chancellor Merryl H. Tisch called the meeting to order at 11:40 a.m.

ACTION ITEMS

Charter Applications

BR (A) 1

MOVED, that the Board of Regents approve each application in accordance with the recommendations contained in the summary table (see Appendix I).

Summary of the April 2015 Meeting of the Board of Regents

BR (A) 2

MOVED, that the Summary of the April 2015 Meeting of the Board of Regents of The University of the State of New York be approved.

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

PROGRAM AREA CONSENT ITEMS

Higher Education

**Adoption of Section 80-1.6 of the Regulations of the Commissioner of Education to Extend the Time Validity of an Expired Initial, Transitional and/or Conditional Initial Certificate for Up to One Additional Year if a Candidate Took One of the Revised Content Specialty Tests (CSTs) Required for His/Her Certificate Title and Did Not Receive a Score During a Timeframe Prescribed by the Commissioner
BR (CA) 1**

MOVED, that subdivision (c) of section 80-1.6 of the Regulations of the Commissioner of Education be amended, as submitted, effective June 3, 2015.

**Appointment and Reappointments to the State Professional Standards and Practices Board for Teaching
BR (CA) 2**

MOVED, that the Board of Regents approve the following appointments to the State Professional Standards and Practices Board for Teaching: Jack Boak (public member), Charles Giglio (teacher member), Yvette Malavé Diaz (public member), and Therese Torchon (teacher member), each for a four-year term beginning July 1, 2015 and ending June 30, 2019; Pilar Sokol (public member) with an unexpired term ending on June 30, 2016; and April Bedford (higher education member) with an unexpired term ending June 30, 2017.

MOVED, that the Board of Regents approve the following reappointments to the State Professional Standards and Practices Board for Teaching: Kathleen DaBoll-Lavoie (higher education member) (co-chair) to complete the term beginning July 1, 2015 and ending June 30, 2019; Margaret Madden (higher education member) to complete the term beginning July 1, 2015 and ending June 30, 2019; Ruth Pagerey (higher education member) to complete the term beginning July 1, 2015 and ending June 30, 2019; Ellen Sullivan (public member) to complete the term beginning July 1, 2015 and ending June 30, 2019; and James Vasquez (teacher member) to complete the term beginning July 1, 2015 and ending June 30, 2019

**The City University of New York – Hunter College: Master Plan Amendment to Offer a Doctoral Program in Instructional Leadership and Award the Doctor of Education (Ed.D) Degree
BR (CA) 3**

MOVED, that the Board of Regents approve a master plan amendment to authorize The City University of New York Hunter College to offer a doctoral program in Instructional Leadership and the authorization to award Doctor of Education (Ed.D.) degree.

**Master Plan Amendment: State University of New York Polytechnic Institute,
Ph.D. in Nanoscale Engineering and Ph.D. in Nanoscale Sciences
BR (CA) 4**

MOVED, that the Board of Regents approve an amendment to the master plan of the State University of New York to authorize SUNY Polytechnic Institute to offer its first doctoral programs, consisting of Ph.D. programs in Nanoscale Engineering and in Nanoscale Science. The amendment will be effective until April 30, 2016, unless the Department registers the programs prior to that date, in which case master plan amendment shall be without term.

**Touro College Middletown: Master Plan Amendment to offer a Master of Science
(M.S.) Degree in Interdisciplinary Studies in Biological and Physical Sciences
BR (CA) 5**

MOVED, that the Board of Regents approve a master plan amendment to authorize Touro College to offer its first master's degree in the discipline of Biological Sciences at the branch campus in Middletown. This amendment will be effective until May 31, 2016, unless the Department registers the program prior to that date, in which case master plan amendment shall be without term.

P-12 Education

**Graduation Requirements for English Language Learners
BR (CA) 6**

MOVED, that That paragraph (7) of subdivision (d) of section 100.5 of the Regulations of the Commissioner of Education be amended as submitted, effective June 3, 2015.

**Petition of the City School District of the City of Binghamton for Consent to
Exceed the Constitutional Debt Limit
BR (CA) 7**

MOVED, that the Board of Regents hereby give consent to the issuance of bonds and/or bond anticipation notes by the Board of Education of the City School District of the City of Binghamton in an amount not to exceed \$11,100,000 for the reconstruction of and construction of improvements to various School District facilities, including site improvements, original furnishings, equipment, machinery, apparatus, appurtenances and other improvements and the issuance of such bonds and/or bond anticipation notes in excess of the constitutional debt limit of said school district.

**Proposed Amendment of Section 100.2(y) of the Commissioner's Regulations,
Relating to Student Enrollment
BR (CA) 8**

MOVED, that subdivision (y) of section 100.2 of the Regulations of the Commissioner is amended as submitted, effective June 13, 2015, 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 ensure that the emergency rule adopted at the April 2014 Regents meeting remains continuously in effect until the proposed rule can be presented for adoption and take effect as a permanent rule.

**Proposed Amendment of section 100.5 of the Commissioner' Regulations,
Relating to Advanced Designation Diploma and Pathway Requirements
BR (CA) 9**

MOVED, That clause (f) of subparagraph (i) of paragraph (5) of subdivision (a), subparagraph (v) of paragraph (7) of subdivision (b), and paragraph (2) of subdivision (g) of section 100.5 of the Regulations of the Commissioner of Education be amended as submitted, effective June 15, 2015, upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare to ensure that the emergency rule adopted at the March 2015 Regents meeting remains continuously in effect until the proposed rule can be presented for adoption and take effect as a permanent rule.

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) 10**

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

**Report of the Committee on the Professions Regarding Licensing Petitions
BR (CA) 11 - REVISED**

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

Motion by:	Regent Wade S. Norwood
Seconded by:	Regent Kathleen M. Cashin (Regent Judith Johnson abstained from the vote on Proposed Amendment of Section 100.2(y) of the Commissioner's Regulations, Relating to Student Enrollment - BR (CA) 8)
Action:	Motion carried.

STANDING COMMITTEE REPORTS

ADULT CAREER AND CONTINUING EDUCATION SERVICES (ACCES)

Your ACCES Committee held its scheduled meeting on May 19, 2015. All members were present.

MATTERS NOT REQUIRING BOARD ACTION

Update on the new High School Equivalency exam – Test Assessing Secondary Completion™ (TASC) – the Committee was provided an update on the TASC™ test for High School Equivalency (HSE), which was implemented in January, 2014. Since that time, New York State began administering the TASC Forms A, B, and C. In mid-March 2015, testing on Forms A, B, and C ceased as new Forms D, E, and F were finalized for testing. Also in March 2015, CTB/McGraw-Hill launched a new computerized registration and scheduling system to help ensure accurate data collection and the equitable distribution of test forms.

In January 2015, thirty Master Teachers were trained in high-emphasis science concepts, and in March 2015, another thirty received professional development in math, which is the TASC subtest that is the most challenging for New York State examinees to pass. These Master Teachers are working with the Regional Adult Education Network center directors to provide this information and national standards training in their regions. To date, over one thousand adult education teachers have received training on instructional approaches from the Master Teachers. In addition, to support our instructors of adult education and test center administrators, SED, in conjunction with CTB-McGraw-Hill, has been providing regional training and informational webinars and communicating with test centers on the annual developments with the TASC test.

Overall, the first year of the new HSE has been a success, however, SED continues to face challenges in supporting this new, more rigorous national test that measures career/college readiness standards.

HIGHER EDUCATION

Your Higher Education Committee held its scheduled meeting on May 18, 2015.

Action Items

Change in Scope of Institutional Accreditation: Phillips Beth Israel School of Nursing.

Your Committee reviewed the request for a change in the scope of institutional accreditation for Phillips Beth Israel School of Nursing and recommend that the Board of Regents approve a change in scope of the institutional accreditation of Phillips Beth Israel School of Nursing, in recognition of the institution's new authority to prepare and deliver the liberal arts and sciences components of the School's programs.

Proposed Amendment of Section 145-2.2 of the Regulations of the Commissioner of Education to Establish Standards for Students to Be Reinstated to the Status of Good Academic Standing in Order to Resume Receiving Awards that were Previously Suspended under the Tuition Assistance Program.

Your Committee discussed amending Section 145-2.2 and recommend that subparagraph (ii) of paragraph (2) of subdivision (b) of section 145-2.2 of the Regulations of the Commissioner of Education is repealed and a new subparagraph (ii) of paragraph (2) of subdivision (b) of section 145-2.2 of the Regulations of the Commissioner of Education is added, effective June 3, 2015, as submitted.

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 May 19, 2015, copies of which have been distributed to each member of the Board of Regents.

Other matters not requiring action:

Additional Changes to Education Law Contained in the Enacted 2015-16 Budget Relating to Higher Education that May Require Regulatory Changes.

Your Committee discussed possible regulatory amendments required as a result of changes to the Education Law enacted as part of the 2015-16 New York State Budget. The major changes that may require regulatory action are: Graduate Level Teacher and Leader Preparation Program Admission Standards, Suspension and Deregistration; Foster Youth College Success Initiative; and Teacher Tenure Hearings.

P-12 EDUCATION

Your P-12 Education Committee held its scheduled meeting on May 18 and May 19, 2015. All members were present, except for Regent Tallon, who was excused.

ACTION ITEMS

Renewal Decisions for Charter Schools Authorized by the NYCDOE [P-12 (A) 1]

Your Committee recommends that the Board of Regents finds that, Bronx Community Charter School: (1) meets the requirements set out in Article 56 of the Education Law,

and all other applicable laws, rules and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues the renewal charter of Bronx Community Charter School as proposed by the Chancellor of the New York City Department of Education, and extends its provisional charter for a term up through and including June 30, 2020.

Your Committee recommends that the Board of Regents finds that, Democracy Prep 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 and issues the renewal charter of Democracy Prep Charter School as proposed by the Chancellor of the New York City Department of Education, and extends its provisional charter for a term up through and including June 30, 2020.

Your Committee recommends that the Board of Regents finds that, Hyde Leadership 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 and issues the renewal charter of Hyde Leadership Charter School as proposed by the Chancellor of the New York City Department of Education, and extends its provisional charter for a term up through and including June 30, 2018.

Your Committee recommends that the Board of Regents finds that, South Bronx Classical 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 and issues the renewal charter of South Bronx

Classical Charter School as proposed by the Chancellor of the New York City Department of Education, and extends its provisional charter for a term up through and including June 30, 2019.

Renewal Decision for a Charter School Authorized by the Board of Regents [P-12 (A) 2]
Your Committee recommends that the Board of Regents finds that, the Genesee Community Charter School: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the Genesee Community 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.

Revisions to a Charter Authorized by the Board of Regents [P-12 (A) 3]
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 Charter High School for Law and Social Justice and amends the provisional charter accordingly.

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 May 19, 2015, copies of which have been distributed to each Regent.

MATTERS NOT REQUIRING BOARD ACTION

APPR Discussion – the Committee discussed a summary of the information received from stakeholders and experts as well as options for the Board to consider as the Department prepares regulations related to teacher and principal evaluation. Specifically, the Committee examined the Guiding Principles and discussed recommendations relating to Observations and Student Performance. The Committee also reviewed the Evaluation Matrix, as mandated under current statute. Department staff will consider the recommendations made by the Regents as they prepare proposed

regulations to be presented at the June meeting. A draft position paper will also be presented in June for the Committee to review.

Smart Schools Bond Act Update [P-12 (D) 1] – the Committee discussed the Smart Schools Bond Act which authorizes the issuance of \$2 billion of general obligation bonds to finance improved educational technology and infrastructure to improve learning and opportunity for students throughout the State. It also requires school districts to develop and receive approval of their Smart Schools Investment Plan from the Smart Schools Review Board, which is comprised of the Chancellor of the State University of New York, the Director of the Budget and the Commissioner of the State Education Department. School districts are also required to consult with parents, teachers, students, community members, and other stakeholders in developing their investment plan. Districts will begin submitting their investment plan via the Department Web Portal for review and approval on or before June 15.

My Brother's Keeper [P-12 (D) 2] – the Committee discussed “My Brother's Keeper” initiative to address persistent opportunity gaps faced by young men of color and ensure that all young people can reach their full potential. My Brother's Keeper is focused on six milestones:

- Getting a Healthy Start and Entering School Ready to Learn
- Reading at Grade Level by Third Grade
- Graduating from High School Ready for College and Career
- Completing postsecondary education or training
- Successfully Entering the Workforce
- Keeping Kids on Track and Giving Them Second Chances

The Committee recommends that the Department establish a workgroup to articulate the alignment between My Brother's Keeper and the New York State reform agenda and report back to the Board this summer with recommendations.

Expulsion and Suspension of Children, Ages 3-5, from Regular Early Childhood and Special Education Programs [P-12 (D) 3] – the Committee discussed the federal Policy Statement on Expulsion and Suspension in Early Childhood Settings. The policy statement has raised awareness of problematic issues, provided recommendations to states and programs, and identified sources to assist in the effort. Staff made the following recommendations:

- Establish statewide policies to reduce and ultimately eliminate expulsions and suspensions of preschool students;
- Develop statewide guidance and disseminate it to each preschool program in the State;
- Build capacity to collect data to inform statewide guidance and identify trends;
- Provide regional professional development to preschool providers on positive and multi-tiered levels of behavior support.

School Receivership [P-12 (D) 4] – the Committee discussed a recommendation to amend Commissioner's regulations relating to school receivership in order to implement Section 211-f of Education Law as added by Chapter 56 of the laws of 2015. The proposed amendments designate current Priority Schools that have been in the most severe accountability status since the 2006-07 school years as persistently failing schools and vests the superintendent of the district with the powers of an independent receiver. The Committee reviewed the recommended changes to the regulations and directed the Department to consult with stakeholders regarding the new draft regulations in order to solicit their feedback and recommendations prior to Department staff submitting proposed emergency regulation to the Board of Regents at its June meeting.

Consent Agenda

The Board of Regents will take action on the following consent agenda items at their May 19, 2015 meeting.

- Graduation Requirements for English Language Learners
- Petition of the City School District of the City of Binghamton for Consent to Exceed the Constitutional Debt Limit
- Regulations Relating to Student Enrollment
- Regulations Relating to Advanced Designation Diploma and Pathway Requirements

P-12 EDUCATION/ HIGHER EDUCATION JOINT COMMITTEE

Your P-12 Education Committee and Higher Education Committee held a joint meeting on May 18, 2015

Action Item

Creation of Safety Nets for Candidates Who Take the New Teacher Certification Examinations (ALST, EAS and the Redeveloped CSTs) and an Extension of the Safety Net for the edTPA. Your Committees discussed amending Part 80 of the Commissioner's Regulations to provide a safety net for candidates who take the new teacher certification examinations.

Your Committees recommend that Sections 52.21, 80-1.5, 80-3.3, 80-3.4 and 80-5.13 of the Regulations of the Commissioner of Education be amended, as submitted, effective May 19, 2015, 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 teacher candidates who will be applying for certification prior to June 30, 2016, have timely and sufficient notice of the safety net options available to them so that they may receive an initial certificate. The emergency rule will become effective May 19, 2015. It is anticipated that the proposed amendment will be adopted by the Board of Regents as a permanent rule at their September 2015 meeting. If adopted at the

September 2015 meeting, the proposed amendment will become effective as a permanent rule on October 7, 2015.

MOTION FOR ACTION BY FULL BOARD

Madam Chancellor and Colleagues: Your Higher Education Committee and P-12 Education Committee recommend, and we move, that the Board of Regents act affirmatively upon each recommendation in the written report of the Committee's deliberations at its meeting on May 19, 2015, copies of which have been distributed to each member of the Board of Regents.

PROFESSIONAL PRACTICE

Your Professional Practice Committee held its scheduled meeting on May 19, 2015. All members were present. Chancellor Merryl H. Tisch and Regent Kathleen M. Cashin were also present, but did not vote on any case or action.

ACTION ITEMS

Professional Discipline Cases

Your Committee recommends that the reports of the Regents Review Committees, including rulings, findings of fact, determinations as to guilt, and recommendations, by unanimous or majority vote, contained in those reports which have been distributed to you, be accepted in 7 cases. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 44 consent order applications and 12 surrender applications be granted. [PPC EXS (A) 1-3]

In the case of Maureen Riley Holka, Registered Professional Nurse, Calendar No. 27649, we recommend that, effective on the effective date of the Vote and Order in this matter dated April 14, 2015, said Original Vote and Order in this matter be ratified in all respects, except that the identity of respondent's profession on line two of page two of the Application For Consent Order, be deemed corrected as follows: the title "registered professional nurse" be deemed substituted in lieu of the title "licensed practical nurse" on said line and page, and the corrected penalty imposed on respondent in this matter thus relates to respondent's "license to practice as a registered professional nurse in the State of New York"; and that the determination rendered on April 14, 2015 shall otherwise remain in full force and effect.

In the case of Edward Jeremy Cabildo, Registered Professional Nurse, Calendar No. 27863, Regent James E. Cottrell abstained.

These recommendations are made following the review of 63 cases involving twenty-three licensed practical nurses, nineteen registered professional nurses, five licensed practical nurses who are also registered professional nurses, three certified public

accountants, three dentists, one land surveyor, one licensed master social worker, one licensed mental health counselor, one ophthalmic dispenser, and one professional engineer.

Restorations

Your Committee recommends the following:

That the application of Chaim Citronenbaum for the restoration of his license to practice as a physician in New York State be denied; [PPC EXS (A) 4]

That the application of Magalie Remy for the restoration of her licenses to practice as a registered professional nurse and as a licensed practical nurse in the State of New York be denied; [PPC EXS (A) 5]

That the application of Richard Soscia for the restoration of his license to practice as a certified public accountant in New York State be denied. [PPC EXS (A) 6]

Approvals

Regulations: Continuing Education Requirements for Optometrists Certified to Use Therapeutic Pharmaceutical Agents – Your Committee recommends the following:

That subparagraph (i) of paragraph (1) of subdivision (b) of section 66.6 of the Regulations of the Commissioner of Education be amended, as submitted, effective June 3, 2015. [PPC (A) 1]

Regulations: Requirements for Medical Physics Education Programs and Eligibility for a Limited Permit in a Specialty Area of Medical Physics– Your Committee recommends the following:

That subdivision (b) of section 52.31 and paragraph (2) of subdivision (a) of section 79-8.5 of the Regulations of the Commissioner of Education are amended, and section 79-8.6 of the Regulations of the Commissioner of Education is repealed, as submitted, effective June 3, 2015. [PPC (A) 2]

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 May 19, 2015, copies of which have been distributed to each Regent.

MATTERS NOT REQUIRING BOARD ACTION

Your Committee discussed several topics of interest, including:

Deputy Commissioner's Report/Update

- Full Board Consent Agenda Items
 - Board (Re)Appointments
 - Licensing Petitions

MOVED, that the Committee Reports be approved.

Motion by: Regent James E. Cottrell
Seconded by: Regent Christine D. Cea
Action: Motion carried.

State Education Department April 2015 Fiscal Report BR (A) 3

MOVED, that the Board accepts the April 2015 State Education Department Fiscal Report as presented.

Motion by: Regent Lester W. Young, Jr.
Seconded by: Regent James E. Cottrell
Action: Motion carried

Chancellor Merryl H. Tisch adjourned the meeting.

MEETING OF THE FULL BOARD, Tuesday, May 26th at 12:00 p.m.

Board Members in Attendance:

Merryl H. Tisch, Chancellor
Anthony S. Bottar, Vice Chancellor
James R. Tallon, Jr.
Roger Tilles
Betty A. Rosa
Lester W. Young, Jr.
Christine D. Cea
Wade S. Norwood
Kathleen M. Cashin
James E. Cottrell
T. Andrew Brown
Josephine Victoria Finn
Judith Chin
Beverly Ouderkirk
Catherine Collins
Judith Johnson

Also present were the Acting Commissioner of Education, Elizabeth Berlin, Counsel, Deputy Commissioner for Legal Affairs, Richard J. Trautwein, and the Secretary, Board of Regents, Anthony Lofrumento. Regent Charles R. Bendit was absent and excused.

Chancellor Merryl H. Tisch called the meeting to order at 12:00 p.m.

ACTION ITEM

Executive Session Motion

MOVED, that the Board of Regents convene in executive session on Tuesday, May 26, 2015 at 12:05 p.m. to discuss personnel matters.

Motion by:	Vice Chancellor Anthony S. Bottar
Seconded by:	Regent Roger Tilles
Action:	Motion carried unanimously

MEETING OF THE FULL BOARD, Tuesday, May 26th at 3:40 p.m.

Board Members in Attendance:

Merryl H. Tisch, Chancellor
Anthony S. Bottar, Vice Chancellor
James R. Tallon, Jr.
Roger Tilles
Betty A. Rosa
Lester W. Young, Jr.
Christine D. Cea
Wade S. Norwood
Kathleen M. Cashin
James E. Cottrell
T. Andrew Brown
Josephine Victoria Finn
Judith Chin
Beverly Ouderkirk
Catherine Collins
Judith Johnson

Also present were the Acting Commissioner of Education, Elizabeth Berlin, Deputy Counsel for Legal Affairs, Alison Bianchi and the Secretary, Board of Regents, Anthony Lofrumento. Regent Charles R. Bendit and Counsel, Deputy Commissioner for Legal Affairs, Richard J. Trautwein were absent and excused.

Chancellor Merryl H. Tisch called the meeting to order at 3:50 p.m.

ACTION ITEM

Appointment

VOTED, that the Board of Regents elect MaryEllen Elia as Commissioner of Education and President of the University of the State of New York, effective July 6, 2015 or as soon as practicable thereafter, at an annual salary of \$250,000 computed as follows: \$136,000 for her position as Commissioner of Education and \$114,000 for her position as President of the University of the State of New York.

Motion by:	Vice Chancellor Anthony S. Bottar
Seconded by:	Regent Roger Tilles
Absent:	Regent Charles R. Bendit
Action:	Unanimous approval.

Chancellor Merryl H. Tisch adjourned the meeting.

Appendix I
NEW YORK STATE BOARD OF REGENTS CHARTER ACTIONS

Name of Institution	Program Area	County of Location	Description of Charter Action(s)
Champlain Valley Transportation Museum	CE	Clinton	Merge with Imaginarium Children's Museum, an education corporation, with The Champlain Valley Transportation Museum as the surviving corporation with new restated purposes.
George C. Bullis Memorial Library	CE	Orange	Dissolve provisional charter and approval to distribute assets to the Village of Maybrook for use in the Village of Maybrook Community Center.
The Meserve-Kunhardt Foundation	CE	Westchester	Consent to filing of certificate of assumed name "Gordon Parks Legacy Films".
Millbrook Free Library	CE	Dutchess	Amend charter to change the corporate name to "Millbrook Library".
Museum of Historic and Contemporary Humor	CE	New York	Dissolve provisional charter.
North Chatham Free Library	CE	Columbia	Amend charter to designate the number of trustees to be not less than nine nor more than twenty-one.
The Oakdale Historical Society	CE	Suffolk	Grant provisional charter for five years.
Osceola Public Library	CE	Lewis	Amend charter to: <ul style="list-style-type: none"> • designate the library's service area to be coterminous with the Town of Osceola; • update IRS dissolution language; and extend the charter for five years.
Blessed Sacrament Catholic Academy	P-12	Kings	Grant provisional charter for three years.
Cathedral Preparatory High School and Seminary	P12	Queens	Grant provisional charter for five years.
Good Shepard Catholic Academy	P12	Kings	Grant provisional charter for three years.

Holy Family Catholic Academy	P-12	Queens	Grant provisional charter for three years.
Immaculate Conception Catholic Academy	P-12	Queens	Grant provisional charter for three years.
Mary Queen of Heaven Catholic Academy	P-12	Kings	Grant provisional charter for three years.
Mazel Day School	P12	Kings	Grant a provisional charter for three years, with operation of school conditional upon receipt of a certificate of occupancy.
Our Lady of Grace Catholic Academy	P-12	Kings	Grant provisional charter for three years.
Our Lady Queen of Martyrs Catholic Academy	P-12	Queens	Grant provisional charter for three years.
Queen of All Saints Catholic Academy	P-12	Kings	Grant provisional charter for three years.
St. Andrew Avellino Catholic Academy	P-12	Queens	Grant provisional charter for three years.
St. Bartholomew Catholic Academy	P-12	Queens	Grant provisional charter for three years.
St. Bernard Catholic Academy	P-12	Kings	Grant provisional charter for three years.
St. Leo Catholic Academy	P-12	Queens	Grant provisional charter for three years.
St. Mark Catholic Academy	P-12	Kings	Grant provisional charter for three years.
St. Mary Gate of Heaven Catholic Academy	P-12	Queens	Grant provisional charter for three years.
St. Nicholas of Tolentine Catholic Academy	P-12	Queens	Grant provisional charter for three years.
Medaille College	HE	Erie	Amend charter to restate purpose clause.
Memorial School of Nursing	HE/OP	Albany	Amend charter to change the corporate name to "Memorial College of Nursing".
Touro College	HE/OP	New York	Amend charter to add authority to confer the Master of Science degree (M.S.) at the Middletown campus and consent to filing of certificate of assumed name "Touro College Jacob D. Fuchsberg Law Center".

COM Affiliation, Inc.	OP	Bronx	Consent to file certificate of amendment under Not-for-Profit Corporation Law to change name to Albert Einstein College of Medicine and amend corporate purposes, for purposes of transitioning operation of such College from Yeshiva University to the corporation.
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Appendix II

REGENTS ACTIONS IN 63 PROFESSIONAL DISCIPLINE CASES AND 3 RESTORATION PETITIONS

May 18 - 19, 2015

The Board of Regents announced disciplinary actions resulting in the revocation of 1 license, the surrender of 12 licenses, one of which was originally a certificate, and 50 other disciplinary actions. The penalty indicated for each case relates solely to the misconduct set forth in that particular case. In addition, the Board acted upon 3 restoration petitions.

I. REVOCATION AND SURRENDERS

Nursing

Michael Sabo; Registered Professional Nurse; Comstock, NY 12821-0051; Lic. No. 550886; Cal. No. 27526; Found guilty of professional misconduct; Penalty: Revocation.

Danielle A. Norman; Licensed Practical Nurse; Mt. Sinai, NY 11766-2222; Lic. No. 307892; Cal. No. 27818; Application to surrender license granted. Summary: Licensee did not contest charges of having failed to administer a medication in accordance with a physician's order and having failed to record the administration of medications.

James E. Mescal a/k/a James Mescal; Registered Professional Nurse; Louisville, KY 40202; Lic. No. 330734; Cal. No. 27967; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted in Texas of misdemeanor Driving While Intoxicated.

Joseph C. Paul; Licensed Practical Nurse; Spring Valley, NY 10977-5740; Lic. No. 285439; Cal. No. 28054; Application to surrender license granted. Summary: Licensee admitted to charges of having physically abused a patient and having made false or misleading statements after the abuse incident.

Amanda A. Montgomery; Licensed Practical Nurse; Massena, NY 13662; Lic. No. 248490; Cal. No. 28073; Application to surrender license granted. Summary: Licensee admitted to charges of drug diversion and of having been convicted of Willful Violation of Health Laws.

Patricia Maureen Dupree a/k/a Patricia Dupree-Holmes; Registered Professional Nurse; Forest Hills, NY 11375; Lic. No. 501210; Cal. No. 28089; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Criminal Trespass in the 2nd Degree, a class A misdemeanor.

James Michael Joos; Registered Professional Nurse; Peekskill, NY 10566; Lic. No. 445636; Cal. No. 28103; Application to surrender license granted. Summary: Licensee

admitted to the charge of having been a habitual user of crack cocaine during the period of July to August 2014.

Matthew Phillip Piegari; Registered Professional Nurse; Jamesport, NY 11947-0202; Lic. No. 576070; Cal. No. 28149; Application to surrender license granted. Summary: Licensee did not contest the allegation of having administered the controlled drug Haldol 0.2 ml by injection, as a chemical restraint, to a resident of a residential health care facility, who was unable to care for herself due to her primary psychiatric diagnoses, when there was no physician's order for said drug to be administered to said resident.

Marie Elizabeth Green; Registered Professional Nurse; Mesa, AZ 85201; Lic. No. 286583; Cal. No. 28150; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Driving While Intoxicated in Arizona.

Yolanda D. Jemison a/k/a Yolanda Jemison Mitchell; Licensed Practical Nurse; Irmo, SC 29063; Lic. No. 275597; Cal. No. 28151; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Driving While Intoxicated, an unclassified misdemeanor.

Rosemarie Brooks; Licensed Practical Nurse; Bronx, NY 10466-2016; Lic. No. 269420; Cal. No. 28157; Application to surrender license granted. Summary: Licensee admitted to the charge of having willfully physically abused a patient.

Elizabeth Mayer Jenkins a/k/a Elizabeth M. Jenkins a/k/a Elizabeth Mayer; Registered Professional Nurse; Mission Viejo, CA 92691; Lic. No. 374291; Cal. No. 28166; Application to surrender license granted. Summary: Licensee did not contest the charge of having been convicted in California of Driving While Intoxicated, a misdemeanor.

Public Accountancy

Vincent Richard Sena; Certified Public Accountant; Eastport, NY 11941; Lic. (Cert.) No. 026818; Cal. No. 27869; Application to surrender license (certificate) granted. Summary: Licensee did not contest charges of not being independent with regard to an audit and having made a false response to the Ethics Charging Authority of the AICPA/NYSSCPA regarding said audit engagement.

II. OTHER REGENTS DISCIPLINARY ACTIONS

Dentistry

Marc S. Pomerantz; Dentist; Massapequa, NY 11758; Lic. No. 034430; Cal. No. 27709; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$7,500 fine.

Sheri Beth Glazer; Dentist; Smithtown, NY 11787; Lic. No. 048924; Cal. No. 27808; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$2,500 fine.

Ewa Marcinkiewicz-O'Brien; Dentist; Montclair, NJ 07042; Lic. No. 045008; Cal. No. 28152; 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, \$1,500 fine payable within 6 months.

Engineering and Land Suverying

Ty Justus Hagen; Professional Engineer; St. Paul, MN 55121-0364; Lic. No. 076731; Cal. No. 28142; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation to commence upon return to practice in the State of New York, \$2,500 fine payable within 6 months.

Neville Vince Ramsay; Land Surveyor; Bronx, NY 10469; Lic. No. 050294; Cal. No. 27890; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$5,000 fine.

Mental Health Practitioners

Carrie J. Medley; Licensed Mental Health Counselor; Rochester, NY 14620; Lic. No. 004850; Cal. No. 27352; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 18 months and until mentally fit to practice, upon termination of suspension, 2 years probation, \$500 fine payable within 3 months.

Nursing

Karen Alyce Burden a/k/a Karen Alyce Freeman; Licensed Practical Nurse; Utica, NY 13502; Lic. No. 275112; Cal. No. 27330; Application for consent order granted; Penalty agreed upon: 2 month actual suspension, 22 month stayed suspension, 2 years probation.

Shandrell R. Dawson; Licensed Practical Nurse; Rochester, NY 14609; Lic. No. 261389; Cal. No. 27377; Found guilty of professional misconduct; Penalty: 3 year suspension, execution of last 24 months of suspension stayed, upon service of Order, probation 5 years to run concurrently with period of suspension and to commence when actual period of suspension commences.

Kerene Hibbert; Registered Professional Nurse; Brooklyn, NY 11226; Lic. No. 535140; Cal. No. 27445; Found guilty of professional misconduct; Penalty: 2 year suspension, execution of last 23 months of suspension stayed, probation 2 years to run concurrently with period of suspension and to commence when actual period of suspension commences.

Lori A. Trader; Licensed Practical Nurse; Leroy, NY 14482; Lic. No. 306729; Cal. No. 27605; 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.

Patricia Ann Heavey; Registered Professional Nurse; East Meadow, NY 11554-3513; Lic. No. 497081; Cal. No. 27655; Found guilty of violation of probation; Penalty: Penalty supersedes penalty previously imposed under Order No. 24715, \$500 fine, 2 year suspension, execution of last 1 year of suspension stayed, upon service of Order, probation 2 years to run concurrently with period of suspension and to commence when actual period of suspension commences.

Carson Fred Fanning; Registered Professional Nurse; Richland, NY 13144-4413; Lic. No. 631638; Cal. No. 27680; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Nancy Nero a/k/a Nancy Newhard; Licensed Practical Nurse, Registered Professional Nurse; Rensselaer, NY 12144-3822; Lic. Nos. 242346, 525615; Cal. Nos. 27721, 27720; Found guilty of violation of probation; Penalty: Penalty supersedes penalty previously imposed under Order Nos. 25985 and 25986, 1 year suspension to run concurrently, upon service of Order, probation 1 year.

Kathleen Melissa Pritchard; Licensed Practical Nurse; Farmington, NY 14425; Lic. No. 275277; Cal. No. 27724; Found guilty of violation of probation; Penalty: Penalty supersedes penalty previously imposed under Order No. 25698, 1 year suspension to be imposed concurrently, upon service of Order, probation 1 year.

Michael Anthony Ostuni; Registered Professional Nurse; Bethpage, NY 11714-6004; Lic. No. 595085; Cal. No. 27813; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Kathy A. Lopez; Licensed Practical Nurse, Registered Professional Nurse; New York, NY 10003; Lic. Nos. 202161, 418328; Cal. Nos. 27815, 27816; Application for consent order granted; Penalty agreed upon: \$500 fine payable within 1 month, 1 year probation to commence upon return to practice in the State of New York.

Zoë Eden; Licensed Practical Nurse; Potsdam, NY 13676; Lic. No. 302715; Cal. No. 27824; 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, \$500 fine.

Carolyn Yvonne Lawson; Licensed Practical Nurse; Killbuck, NY 14748; Lic. No. 232691; Cal. No. 27845; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$250 fine.

Katherine R. Falzetta; Registered Professional Nurse; Plattsburgh, NY 12901; Lic. No. 645348; Cal. No. 27854; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Edward Jeremy Cabildo; Registered Professional Nurse; Valley Stream, NY 11580-1225; Lic. No. 623086; Cal. No. 27863; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 2 years probation.

Casey A. Koster; Registered Professional Nurse; Rochester, NY 14624-1030; Lic. No. 654634; Cal. No. 27875; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Tish M. Ellison a/k/a Tish York; Licensed Practical Nurse; Bath, NY 14810; Lic. No. 288580; Cal. No. 27884; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$250 fine payable within 6 months.

Kimberly C. Whitbeck; Licensed Practical Nurse, Registered Professional Nurse; Canandaigua, NY 14424; Lic. Nos. 275756, 593075; Cal. Nos. 27888, 27887; Application for consent order granted; Penalty agreed upon: Indefinite actual suspensions until fit to practice, upon termination of suspensions, 2 years probation to commence upon return to practice, \$500 fine payable within 6 months.

Zoraida Santana; Licensed Practical Nurse; Rochester, NY 14606; Lic. No. 309892; Cal. No. 27895; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$250 fine.

Yvonne M. Jones; Licensed Practical Nurse; Elmira, NY 14904-1947; Lic. No. 309035; Cal. No. 27896; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$250 fine.

Lori Marie Osborn; Licensed Practical Nurse; Hallstead, PA 18822; Lic. No. 267743; Cal. No. 27899; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Margaret E. Butcher; Licensed Practical Nurse; Brockport, NY 14420; Lic. No. 253653; Cal. No. 27900; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$250 fine.

Heidi Bowens; Licensed Practical Nurse; Buffalo, NY 14215; Lic. No. 281857; Cal. No. 27905; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Deborah M. Piekarski; Licensed Practical Nurse; Latham, NY 12110; Lic. No. 146565; Cal. No. 27915; 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.

Daniel Lee Eifert; Licensed Practical Nurse; Lockport, NY 14094-2228; Lic. No. 276416; Cal. No. 27918; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Alison Ruth McQuade; Registered Professional Nurse; Saranac Lake, NY 12983; Lic. No. 594151; Cal. No. 27920; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 6 months and until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine.

Patricia Ann Stines a/k/a Patricia A. Stines; Registered Professional Nurse; Medford, NY 11763; Lic. No. 398985; Cal. 27931; Application for consent order granted; Penalty agreed upon: 24 month stayed suspension, 24 months probation, \$500 fine.

Joshua Caleb Farnham; Registered Professional Nurse; Canisteo, NY 14823; Lic. No. 566331; Cal. No. 27933; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Stephanie Gilmore; Licensed Practical Nurse; Troy, NY 12180; Lic. No. 311067; Cal. No. 27934; Application for consent order granted; Penalty agreed upon: 1 year probation.

Charles Francis Satterley Jr; Licensed Practical Nurse, Registered Professional Nurse; Brookhaven, NY 11719; Lic. Nos. 230589, 520260; Cal. Nos. 27953, 27954; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Karen Rizzo; Licensed Practical Nurse; North Granville, NY 12854-0088; Lic. No. 199767; Cal. No. 27959; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation to be tolled until return to practice, \$250 fine.

Tina Marie Mulready; Licensed Practical Nurse; Queensbury, NY 12804; Lic. No. 274652; Cal. No. 27964; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until mentally and physically fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine.

Susan Rebecca Evers; Registered Professional Nurse; Delmar, NY 12054; Lic. No. 370619; Cal. No. 27976; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Nana N. Antwi; Licensed Practical Nurse; Rome, NY 13440-4662; Lic. No. 310576; Cal. No. 27979; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Marjhorie Jazbeth Bazan; Registered Professional Nurse; New York, NY 10029; Lic. No. 666616; Cal. No. 28001; Application for consent order granted; Penalty agreed upon: 2 month actual suspension, 22 month stayed suspension, 2 years probation, \$500 fine.

Thelma Harty; Licensed Practical Nurse, Registered Professional Nurse; Merrick, NY 11566; Lic. Nos. 178536, 390071; Cal. Nos. 28127, 28128; Application for consent order granted; Penalty agreed upon: 12 month actual suspension, 12 month stayed suspension, 2 years probation, \$1,500 fine.

Ophthalmic Dispensing

Gordon T. Lambiase; Penfield, NY 14526; Lic. No. 006684; Cal. No. 27114; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 11 month stayed suspension, 1 year probation, \$500 fine.

Public Accountancy

Allan Treuhaft; Certified Public Accountant; Brooklyn, NY 11229; Lic. No. 037927; Cal. No. 27848; Application for consent order granted; Penalty agreed upon: Partial actual suspension in certain area until successful completion of course of retraining in said certain area, following termination of partial actual suspension, 2 years probation, \$2,500 fine payable within 2 months.

Michael M. Friedman; Certified Public Accountant; Brooklyn, NY 11210-4533; Lic. No. 042670; Cal. No. 27956; Application for consent order granted; Penalty agreed upon: Partial actual suspension in certain area until successful completion of course of retraining in said certain area, following termination of partial actual suspension, 2 years probation, \$1,500 fine payable within 2 months.

Social Work

Wilbert Carl Roberts-Alexandrov; Licensed Master Social Worker; Stillwater, NY 12170; Lic. No. 054414; Cal. No. 27926; 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 3 months.

III. RESTORATIONS

The Board of Regents voted on May 19, 2015 to deny the application for restoration of the physician license of Chaim Citronenbaum, Monsey, NY. Dr. Citronenbaum's license was originally revoked August 12, 2002.

The Board of Regents voted on May 19, 2015 to deny the application for restoration of the licensed practical nurse and registered professional nurse licenses of Magalie Remy, Brooklyn, NY. Ms. Remy's licenses were originally surrendered August 1, 2007.

The Board of Regents voted on May 19, 2015 to deny the application for restoration of the certified public accountant license of Richard Soscia, Campbell Hall, NY. Mr. Soscia's license was originally surrendered September 17, 1999.

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Testing Reduction Report

ATTACHMENT I



Overview – Report Requirements

The enacted budget requires the Chancellor to submit a testing reduction report to the Legislature and Governor by June 1, 2015.

The purpose of today's discussion is to gather Board input for this report.

The report must outline recommendations that:

- Reduce the amount of state and local student testing;
- Improve the quality of the tests; and
- Minimize classroom preparation, student stress, and student anxiety.

Overview – Next Steps

The Department will convene an advisory group to recommend enhancements to the next generation of assessments.

These next generation assessments will maintain high learning standards and support great teaching, accountability, and meaningful measures of student progress, while reducing the amount of testing and test prep, improving test quality, and reducing student and adult stress.

Next generation assessments should include:

- More performance-based tasks that closely align with classroom instruction;
- Adaptive testing, which reduces test time by adapting test administration to the pattern of student responses to more quickly assess the level of knowledge and skills.

Overview – Our Current Tests Support Instruction

(see <http://www.p12.nysed.gov/irs/memos/2015/July1-Release-of-Instructional-Reports--2015-04-29.pdf>)

The Department will continue to make instructionally-relevant information from State assessments available to educators and parents), including:

- Instructional reports for educators that include information about each student's response to each (100%) of the test questions, including whether the student answered the question correctly and the learning standard(s) measured by the question. These reports allow comparisons at the item, cluster, and standard levels for students, classroom, schools, districts, and regions of the state. The reports will be available July 1 to allow educators to use this information for summer curriculum writing, professional development, and planning activities.
- Once the test questions are released (50% currently, with more to be released as funds allow), additional educator reports will be available to allow analysis of the reasons for student incorrect responses on released items.
- Statewide parent reports are available following score release, which provide information about student strengths and areas in need of additional support, including the performance level, scale score, and sub-scores (reading, writing, and grade-level math clusters). Additional parent reports are being developed locally in different regions of the state.

Reduce Testing: Only Two Required State Tests Are Not Federal Mandates

- Federal law requires the following assessments:
 - Grades 3-8 English Language Arts (ELA) & Mathematics exams;
 - At least one Science exam in Grades 3-5, 6-9, and 10-12;
 - At least one High School ELA and Mathematics exam;
 - Additional assessments for English Language Learners; and
 - Alternate assessments for students with severe disabilities.
- There are only two required State tests that are not federal mandates*:
 - Regents Exam in US History & Government; and the
 - Regents Exam in Global History & Geography.**

*Some students may also be required to participate in field testing.

** For purposes of the social studies assessments required to earn a high school diploma, students who first enter grade nine in September 2011 and thereafter or who are otherwise eligible to receive a diploma in June 2015 and thereafter must pass either the Regents Exam in US History & Government or the Regents Exam in Global History & Geography.

Reduce Testing: Most other State and Local Tests Are Optional

- Optional State tests for advanced diploma and coursework purposes:
 - Additional Regents exams in mathematics and science.
- Optional local tests for instructional purposes:
 - Locally-selected diagnostic, interim, or benchmark assessments.
- Optional tests for APPR purposes:
 - State-designed supplemental assessments.

Reduce Testing: Regents Action

As part of its February 2014 report on Common Core implementation, a Regents workgroup made 19 recommendations, which were adopted by the full Board, including 12 related specifically to state and local assessments.

Reduce Testing: \$8.4 M Budget Request

- In order to address concerns from the public regarding testing time and the release of test questions, the Department has for several years requested funds to implement state-of-the-art printing and distribution processes for the Grades 3-8 tests.
 - By creating more versions of the tests, most field test questions could be embedded in the operational tests. This would substantially reduce the number of schools and students required to participate in stand-alone field tests.
 - In addition, the Department would be able to more rapidly build and maintain its test item bank, allowing for the release of significantly more test questions following test administration.

Reduce Testing: Regents Actions on Local Assessments

- **Teaching is the Core:** Teaching is the Core grants support local comprehensive reviews of testing practices to ensure that all locally-selected tests are necessary and contribute to the instructional program. Where districts choose to make material changes to reduce or eliminate unnecessary testing, the Department conducts expedited reviews of Annual Professional Performance Review (APPR) plans.
- **Eliminate traditional standardized tests in grades K-2:** Disapprove APPR plans beginning in 2014-15 that include administration of traditional standardized tests in grades K-2 and remove all grade K-2 assessments from the list of approved locally-selected student assessments for APPR purposes.
- **Establish a 1 percent cap on time for locally-selected standardized testing:** Limit the time students may spend on standardized tests to comply with districts' locally selected measures as part of APPR. (The federally required State assessments in grades 3-8 English Language Arts and Mathematics account for less than 1% of instructional time.)
- **Offer flexibility to districts to further reduce local testing time required by APPR:** Allow the use of school-wide, group, team, or linked measures for APPR purposes.

Reduce Testing: State Actions

In 2014, the Governor and Legislature codified many of the Regents recommendations into law, and included new provisions, including:

- Requiring SED to provide testing transparency reports to school districts that highlight local testing practices;
- Enacting a 2% cap on time spent on test preparation activities;
- Prohibiting placing grade 3-8 test results on official transcripts for five years;
- Prohibition against making promotion or placement decisions based solely or primarily on student performance on state assessments in grades 3-8; and
- Providing for expedited reviews of APPR plans where the only change was to reduce local testing time.

Reduce Testing: Future Options

If New York wished to further reduce testing time, there are other options:

- Adaptive testing could reduce testing time by adapting test administration to the pattern of student test responses to more quickly assess the level of knowledge and skills. This approach, however, requires a mature central and local technology infrastructure, requires a very large item bank at high development cost, and is not currently approvable by USED since it likely results in off-grade-level testing.
- The next generation of testing could include more performance-based tasks that closely align with classroom instruction, but this will require significant investments to ensure reliability, validity, and fairness standards.
- The tests could be shortened further if we stopped reliably measuring certain skills (i.e., reading, writing, problem-solving), stopped providing reliable instructional sub-score reports (e.g., reading and writing sub-score reports, which require more questions), and/or stopped measuring certain performance levels (e.g., Level 4 – Advanced, which requires additional test questions).

Ensure Test Quality: Educator Review

Every item:

- Is designed from scratch to measure one or more of the learning standards.
- Meets rigorous criteria developed by NYSED.
- Meets industry best practice for item quality, fairness and accessibility.
- Is reviewed multiple times in the development cycle by New York State certified teachers.
- Is field-tested to ensure quality and fairness for diverse learners, including students with disabilities and English language learners.

Reduce Test Stress: Regents Actions on State Assessments

- **Provide high school students more time to meet the Common Core standards:** Extended the phase-in for Common Core-aligned Regents examinations required for graduation so that the class of 2022 is the first that is required to pass English and mathematics Regents exams at the proficiency (college- and career-ready) level.
- **Eliminate high stakes for students:** Issued guidance indicating that (1) the Department neither requires nor encourages districts to make promotion or placement decisions using student performance on state assessments in grades 3- 8 even where permitted by law; and (2) if districts choose to consider state assessments in grades 3-8 when making promotion or placement decisions, they should make adjustments to ensure students are not negatively impacted by the Common Core transition and must use multiple measures - not grades 3-8 state assessment results alone.
- **Offer smarter testing options for students with disabilities and English language learners (ELLs):** Advocated for a federal ESEA waiver from the United States Education Department (USED) to allow students with severe disabilities who are not eligible for the alternate assessments to be assessed based on instructional level rather than chronological age and to allow English language learners to be assessed via the language acquisition test (NYSESLAT) rather than the English language arts exam for their first two years.

Reduce Test Stress: Ongoing Statewide Conversations

- **Conversations with students:** Help students understand that the purpose of testing is to understand what they know and can do and what they do not yet know or cannot yet do so the adults can provide additional assistance. Although meaningful learning will be challenging, demonstrating achievement through testing does not need to be an overly stressful process.
- **Conversations with teachers:** Acknowledge that, although new teacher evaluation systems provide a heightened context for test scores, stressful rote test preparation will not result in student learning or produce better test results on higher-order learning standards.
- **Conversations with parents:** Affirm parent concerns that the best education is wide not narrow, and the best tests are as short as possible while measuring the kinds of knowledge and skills we want for our children. We can and will work together to build better tests that help us better celebrate teaching and learning.

Next Steps

The testing reduction report law requires the Chancellor to work with students, parents, educators, school districts and other relevant stakeholders in preparing the report.

The statewide stakeholder organizations, as well as the Professional Standards Practice Board, have been asked to provide feedback and recommendations for inclusion in the report.

In addition, school visits and roundtables have been scheduled with members of the Board to solicit feedback and recommendations from parents and students.

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Our Students. Their Moment.

Thank You.



