



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

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

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

**SUBJECT:** Summary of the May 2023 Meeting

**DATE:** June 1, 2023

**AUTHORIZATION(S):**

**SUMMARY**

**Issue for Decision**

Should the Board of Regents approve the Summary of the May 2023 Meeting of the Board of Regents?

**Reason(s) for Consideration**

Not applicable.

**Proposed Handling**

This issue will come before the Full Board for action at its May 2023 meeting.

**Procedural History**

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

**Background Information**

Not applicable.

**Related Regents Items**

Not applicable.

**Recommendation**

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

VOTED: That the Summary of the May 2023 Meeting of the Board of Regents of The University of the State of New York be approved.

**Timetable for Implementation**

Effective June 13, 2023.



**SUMMARY OF THE MAY 2023 MEETING**

**OF THE BOARD OF REGENTS**

**OF**

**THE UNIVERSITY OF THE STATE OF NEW YORK**

***Held at the State Education Building  
Albany, New York***

***May 15 and 16, 2023***

***Christopher J. Halpin, Secretary  
Board of Regents***

## THE BOARD OF REGENTS

The Board of Regents of The University of the State of New York held a public session in Albany on Monday, May 15 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

### MEETING OF THE FULL BOARD, Monday, May 15 at 9:00 a.m.

#### Board Members in Attendance:

Lester W. Young, Jr., *Chancellor*  
Josephine Victoria Finn, *Vice Chancellor*  
Roger Tilles  
Christine D. Cea  
Wade S. Norwood  
Judith Chin  
Catherine Collins  
Luis O. Reyes  
Susan W. Mittler  
Frances G. Wills  
Aramina Vega Ferrer  
Shino Tanikawa  
Roger P. Catania  
Adrian I. Hale

Also present were Commissioner, Betty A. Rosa, Executive Deputy Commissioner, Sharon Cates-Williams, Senior Deputy Commissioner for Education Policy, James Baldwin, Counsel and Deputy Commissioner for Legal Affairs, Daniel Morton-Bentley, and Secretary, Board of Regents, Christopher J. Halpin. Regents Kathleen M. Cashin, James E. Cottrell and Elizabeth S. Hakanson were absent and excused.

### ACTION ITEM

#### **Executive Session Motion**

**MOVED**, that the Board of Regents convene in executive session on Monday, May 15th at 4:50 pm to discuss personnel matters and Tuesday, May 16th at 10:10 am to discuss litigation matters.

**Motion by:** Vice Chancellor Josephine Victoria Finn  
**Seconded by:** Regent Roger Tilles  
**Action:** Motion passed. Regents Wade S. Norwood was absent for the vote.

## **PRESENTATION**

### **Adult Career and Continuing Education Services (ACCES) Pre-Employment Transition Services**

Ceylane Meyers-Ruff, Darlene Fittizzi-Tanski, Independent Job Developer, Alexis Graham, Independent Job Developer, Ashley Rich, Student at Saratoga Springs High School, Paige Campana, The ARC Erie County, Pamela Cronyn, The ARC Erie County, Toni Iacobelli, Staten Island Transition and College Access Center, Tyler West, Student at Susan E. Wagner High School, and Paris Rich, Upstate Caring Partners presented information on Pre-Employment Transition Services provided to students with disabilities. This included a panel of students and services providers. (Attachment I).

Chancellor adjourned the meeting.

**MEETING OF THE FULL BOARD, Tuesday, May 16 at 10:30 a.m.**

**Board Members in Attendance:**

Lester W. Young, Jr., *Chancellor*  
Roger Tilles  
Christine D. Cea  
Wade S. Norwood  
Judith Chin  
Catherine Collins  
Luis O. Reyes  
Susan W. Mittler  
Frances G. Wills  
Aramina Vega Ferrer  
Shino Tanikawa  
Roger P. Catania  
Adrian I. Hale

Also present were Commissioner, Betty A. Rosa, Executive Deputy Commissioner, Sharon Cates-Williams, Senior Deputy Commissioner for Education Policy, James Baldwin, Counsel and Deputy Commissioner for Legal Affairs, Daniel Morton-Bentley, and Secretary, Board of Regents, Christopher J. Halpin. Vice Chancellor Josephine Victoria Finn and Regents Kathleen M. Cashin, James E. Cottrell and Elizabeth S. Hakanson were absent and excused.

**SCHOLARSHIP AND AWARD PRESENTATIONS**

**2023 Vice Chancellor Emerita Adelaide L. Sanford Scholarship Presentation**

Chancellor Young lead the presentation of the Vice Chancellor Emerita Adelaide L. Sanford Scholarships and welcomed Vice Chancellor Emerita Adelaide L. Sanford. Vice Chancellor Emerita Adelaide L. Sanford provided comments the importance of education.

Anael Alston, Assistant Commissioner of the Office of Access, Opportunity and Community Engagement, introduced the following 2023 Vice Chancellor Emerita Adelaide L. Sanford Scholarship Recipients.

The first recipient was Gabrielle Cayo, from Brooklyn Technical High School. Gabrielle plans on attending the University of Pennsylvania and continuing her educational advocacy work.

The second recipient was Sethe Newman, from Ossining High School. Sethe plans on attending Florida Institute of Technology to study Aeronautical Science and become a pilot.

### **2023 Chancellor Joseph W. McGovern and Regent VanderVeer Scholarship Awards**

Sharon Cates-Williams announced the recipient of the Chancellor Joseph W. McGovern Scholarship Award, Bridget McLoughlin.

The Chancellor McGovern Scholarship is awarded annually thanks to an endowed contribution from former Chancellor Joseph McGovern. This scholarship is awarded to a graduating senior of a current New York State Education Department employee to help finance their higher education.

Bridget is the daughter of Julie McLoughlin, in the Office of the Professions. Bridget will be attending St. Michael's College this fall where she will study Environmental Science and Political Science, after which she plans to attend law school and pursue a career as an environmental attorney.

Sharon Cates-Williams then announced the recipient of the Regent VanderVeer Scholarship, Brianna Langenbach.

The Margaret Snow VanderVeer Trust Fund provides scholarships to high school graduates who are the child or dependent of an employee of the State Education Department or the Board of Regents. The scholarship assists the student in obtaining a postsecondary education. The Regent VanderVeer Scholarship emphasizes hard work in and out of the classroom, the candidate's background and long-range goals, and financial need.

Brianna is the daughter of Rachael Langenbach, who works in the Office of Human Resources Management. Brianna will be attending SUNY Polytechnic Institute this fall in a joint program with St. Elizabeth's College where she will pursue a Nursing degree to eventually become a Nurse Anesthetist.

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

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

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

**DISCUSSION ITEM**

**Fiscal Report for April 2023  
BR (D) 1**

Christina Coughlin discussed the status of the April 2023 report.

**PROGRAM AREA CONSENT ITEMS**

**Higher Education**

**Proposed Amendment of Sections 52.21 and 80-3.7 of the Regulations of the  
Commissioner of Education Relating to the Student Teaching Requirements for  
Registered Teacher Preparation Programs and Through the Individual Evaluation  
Pathway to Certification  
BR (CA) 1**

**MOVED**, that sections 52.21 and 80-3.7 of the Regulations of the Commissioner of Education be amended, as submitted, effective May 31, 2023.

**Proposed Amendment of Sections 80-3.10, 80-5.8, 80-5.20, and 80-5.23 of the  
Regulations of the Commissioner of Education Relating to Educator Certification  
for Candidates from Another State or Territory of the United States or the District  
of Columbia  
BR (CA) 2**

**MOVED**, that sections 80-3.10, 80-5.8, 80-5.20, and 80-5.23 of the Regulations of the Commissioner of Education be amended, as submitted, effective May 31, 2023.



**P-12 Education**

**Petition of the City School District of the City of Niagara Falls for Consent to Exceed the Constitutional Debt Limit  
BR (CA) 4**

**MOVED**, that Board of Regents hereby gives consent to the issuance of bonds and/or bond anticipation notes by the Board of Education of the City School District of the City of Niagara Falls in excess of the constitutional debt limit of said school district, in an amount not to exceed \$29,342,500 to be used to fund the reconstruction of and improvements to school facilities including site work, equipment, furnishings, machinery, and apparatus.

**Proposed Amendment of Section 200.1(x) and 200.5 of the Regulations of the Commissioner of Education Relating to Special Education Due Process System Procedures  
BR (CA) 5**

**MOVED**, that section 200.1(x) and 200.5 of the Regulations of the Commissioner of Education be amended, as submitted, effective May 31, 2023.

**The Registration of a Religious and Independent High School Visited in the Spring of 2023  
BR (CA) 6**

**MOVED**, that the following school, which had requested high school registration in the spring of 2021, has been visited then and received pending registration, be registered:

<b>School</b>	<b>County</b>	<b>Recommended Status</b>
Wellspring Schools	Queens	Registered

**Professional Practice**

**(Re)Appointments of Members to the State Boards for the Professions and (Re)Appointments of Extended Members to the State Boards for the Professions for Service on Licensure Disciplinary and/or Licensure Restoration and Moral Character Panels  
BR (CA) 7**

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

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

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

**Berkeley College: Regents authorization to award the Bachelor of Fine Arts degree and Master Plan Amendment to offer a Bachelor of Fine Arts Program in Interior Design  
BR (CA) 9**

**MOVED**, that the Board of Regents authorize Berkeley College to award the BFA degree and approve a master plan amendment to authorize the College to offer the BFA program in Interior Design. This amendment will be effective until June 2023, unless the Department registers the program prior to that date, in which case the master plan amendment shall be without term.

**Proposed Repeal of Section 66.6 and Addition of a New Section 66.6 to the Regulations of the Commissioner of Education Relating to the Continuing Education Requirements for Licensed Optometrists Certified to Prescribe and Use Therapeutic Pharmaceutical Agents  
BR (CA) 10**

**MOVED**, that section 66.6 of the Regulations of the Commissioner of Education be repealed and a new section 66.6 of the Regulations of the Commissioner of Education be added, as submitted, effective May 31, 2023.

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

**Motion by:** Regent Roger Tilles  
**Seconded by:** Regent Aramina Vega Ferrer  
**Action:** Motion passed unanimously.

**STANDING COMMITTEE REPORTS**

**HIGHER EDUCATION**

The Higher Education Committee held its scheduled meeting on May 15, 2023. All members were present except Co-Chair Regent Kathleen M. Cashin and Regent James E. Cottrell, who were excused. Chancellor Lester W. Young, Jr., Regent Roger Tilles, and Regent Adrian I. Hale also attended the meeting but did not vote on any action.

## **ACTION ITEMS**

### **Proposed Amendment to Section 80-5.3 of the Regulations of the Commissioner of Education Relating to Extending the Flexibility for Incidental Teaching [HE (A) 1] -**

Department staff presented proposed regulatory amendments to the Commissioner's regulations for adoption as an emergency rule to extend the flexibility for incidental teaching where certified teachers can teach up to 10 classroom hours a week in a subject area not covered by their certificate through the 2023-2024 school year.

The Committee recommends that section 80-5.3 of the Regulations of the Commissioner of Education be amended, effective May 16, 2023, as an emergency rule upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare to continue allowing certified teachers to teach up to 10 classroom hours a week in a subject area not covered by their certificate for the 2023-2024 school year to address teacher shortages.

The motion passed unanimously.

## **MATTERS NOT REQUIRING BOARD ACTION**

### **Proposed Amendment of Section 80-5.4 of the Regulations of the Commissioner of Education Relating to the Employment of Substitute Teachers [HE (D) 1] -**

Department staff presented proposed regulatory amendments to permit substitute teachers to be employed by a school district or BOCES beyond the 40-day limit during a school year under certain conditions.

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

## **P-12 EDUCATION**

The P-12 Education Committee held its scheduled meeting on May 15, 2023. All members were present except for Regent Kathleen M. Cashin and Regent James E. Cottrell.

Chancellor Lester W. Young, Jr., Regents Catherine Collins, Luis O. Reyes, Susan W. Mittler, and Adrian I. Hale also attended the meeting but did not vote on the action items.

## **ACTION ITEMS**

**Revision to Charters Authorized by the Board of Regents [P-12 (A) 1] -** Department staff recommended that the Board of Regents approve a charter revision for the following charter school authorized by the Board of Regents pursuant to Article 56 of the Education Law (the NYS Charter Schools Act):

- Renaissance Academy Charter School of the Arts – add summer school program beginning in the 2023-2024 school year.

The Committee recommends that the Board of Regents finds that (1) the Renaissance Academy Charter School of the Arts 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 Renaissance Academy Charter School of the Arts and amends the provisional charter accordingly.

The motion passed unanimously.

**Renewal Recommendations for Charter Schools Authorized by the New York City Department of Education [P-12 (A) 2]** - Department staff, in conjunction with NYCDOE staff, presented recommendations for charter renewals from the NYC DOE Chancellor. The NYC DOE Chancellor recommended that the Board of Regents approve charter renewals for the following charter schools authorized by the NYC DOE Chancellor pursuant to Article 56 of the Education Law (the NYS Charter Schools Act):

- Cultural Arts Academy Charter School at Spring Creek (NYC CSD 18) – three-year renewal with conditions;
- Hyde Leadership Charter School (NYC CSD 19 – Brooklyn – five-year renewal with conditions; and
- South Bronx Charter School for International Cultures and the Arts (NYC CSD 7) – four-year renewal with conditions.

The Committee recommends that the Board of Regents finds that Hyde Leadership Charter School – Brooklyn (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 Hyde Leadership Charter School – Brooklyn as proposed by the Chancellor of the New York City Department of Education, and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2028.

The Committee recommends that the Board of Regents finds that South Bronx Charter School for International Cultures and the Arts (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 South Bronx Charter School for International Cultures and the Arts as proposed by the Chancellor of the New York City Department of Education, and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2027.

The Committee recommends that the Board of Regents finds that Cultural Arts Academy Charter School at Spring Creek (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 Cultural Arts Academy Charter School at Spring Creek as proposed by the Chancellor of the New York City Department of Education, and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2026.

The motion passed. Regent Tanikawa opposed.

**Renewal Recommendations for Charter Schools Authorized by the Board of Regents** [P-12 (A) 3] - Department staff recommended that the Board of Regents approve charter renewals for the following charter schools authorized by the Board of Regents pursuant to Article 56 of the Education Law (the NYS Charter Schools Act):

- Charter School of Educational Excellence (Yonkers Public Schools) – five-year renewal and revisions to its vision statement, mission, key design elements;
- Genesee Community Charter School (Rochester City School District) – four-year renewal and revisions to amend its organizational chart;
- New American Academy Charter School (The) (NYC CSD 18) – two-year renewal and revision to amend the school’s mission;
- South Bronx Early College Academy Charter School (NYC CSD 8) – four-year renewal; and
- Unity Preparatory Charter School of Brooklyn (NYC CSD 13) – four-year renewal and revisions to amend its organizational chart and Key Design Elements.

The Committee recommends that the Board of Regents finds that Charter School of Educational Excellence: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules, and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound

manner; (3) granting the application is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of Section twenty-eight hundred fifty of this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents, therefore, approves the renewal application of Charter School of Educational Excellence and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2028.

The Committee recommends that the Board of Regents finds that 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 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, 2027.

The Committee recommends that the Board of Regents finds that New American Academy Charter School (The): (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 New American Academy Charter School (The) and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2025.

The Committee recommends that the Board of Regents finds that South Bronx Early College 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 South Bronx Early College 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, 2027.

The Committee recommends that the Board of Regents finds that Unity Preparatory Charter School of Brooklyn (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 Unity Preparatory Charter School of Brooklyn and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2027.

There was a motion to sever Unity Preparatory Charter School of Brooklyn from the package of the five schools listed above. Regent Tanikawa made the motion, and Regent Tilles seconded it. The motion carried unanimously.

The members voted on the four remaining renewals. The motion passed unanimously.

The members voted on the renewal for Unity Preparatory Charter School of Brooklyn. The motion carried; Regent Tilles and Regent Tanikawa voted no.

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

The P-12 Education Committee recommends, and we move, that at its meeting on May 16, 2023, the Board of Regents act affirmatively upon each recommendation in the written report of the Committee's deliberations, copies of which have been distributed to each Regent.

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

**Proposed Technical Amendment of Sections 100.1, 100.2, 100.3, 100.4, 100.5, 100.6, and 100.21 of the Regulations of the Commissioner of Education Relating to Updating to Reflect Current New York State Learning Standards [P-12 (D) 1] -** Department staff presented proposed technical amendments to the Commissioner's Regulations that are necessary to ensure the regulations reflect current P-12 Learning Standards.

Deputy Commissioner Angelique Johnson-Dingle reviewed the items on the Consent Agenda.

### **PROFESSIONAL PRACTICE**

The Professional Practice Committee held its scheduled meeting on May 16, 2023. All members were present except Vice Chancellor Josephine Victoria Finn, Regent James E.

Cottrell, and Regent Elizabeth S. Hakanson, who were excused. Chancellor Lester W. Young, Jr., Regent Roger Tilles, Regent Judith Chin, Regent Luis O. Reyes, Regent Susan W. Mittler, Regent Aramina Vega Ferrer, Regent Shino Tanikawa, and Regent Adrian I. Hale also attended the meeting, but did not vote on any action.

## **ACTION ITEMS**

### **Professional Discipline Cases [PCC EXS (A) 1-4]**

The Committee recommends that the reports of the Regents Review Committees, including rulings, findings of fact, determinations as to guilt, and recommendations, by unanimous or majority vote, contained in those reports which have been distributed to you, be accepted in 5 cases. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 21 consent order applications, 17 surrender applications be granted, and further recommends that 1 summary suspension application be granted.

These recommendations are made following the review of 43 cases involving seven licensed practical nurses, seven registered professional nurses, four pharmacists, three dentists, three licensed practical nurses who are also registered professional nurses, two certified public accountants, two licensed practical nurses who are also registered professional nurses who are also nurse practitioners in Family Health, two veterinarians, one athletic trainer, one certified public accountancy professional service corporation, one licensed master social worker, one registered professional nurse who is also a nurse practitioner in Adult Health, and one speech-language pathologist.

**Proposed Revised Amendment of Section 61.18 of the Regulations of the Commissioner of Education Relating to the Residency Program Requirement for Dental Licensure [PPC (A) 1]** - Department staff presented for emergency adoption revised proposed amendments to Section 61.18 of the Commissioner's regulations to conform them to Chapter 613 of the Laws of 2022 (Chapter 613), which became effective 11/21/22. In response to public comment, the Department has made substantial revisions to the proposed rule by removing obsolete provisions regarding the formal written outcome assessment that accredited residency programs must include. These provisions have been removed since the procedures listed in it are no longer necessary as accrediting standards are now substantially more stringent. The revised proposed amendments add language to the Commissioner's regulations to continue to require that the assessment include a written statement by the residency program director attesting that the applicant has successfully completed the accredited residency program and is, in the director's judgment, competent to practice general dentistry or a specialty of dentistry.

The Committee recommends that section 61.18 of the Regulations of the Commissioner of Education be amended, as submitted, effective May 16, 2023, as an emergency action, upon the finding by the Board of Regents that such action is necessary for the preservation of the public health and general welfare in order to timely implement the



provisions of Chapter 613 of the Laws of 2022, which became effective November 21, 2022, and to ensure that the emergency action taken at the March 2023 meeting remains continuously in effect.

The motion passed unanimously.

**Proposed Amendment of Section 69.2 of the Regulations of the Commissioner of Education Relating to Licensing Examination and Testing Accommodations in the Profession of Architecture [PPC (A) 2]** - Department staff presented for emergency action proposed amendments to 69.2 of the Commissioner's regulations to conform New York State's architect licensure requirements with national standards set by the National Council of Architectural Registration Boards by amending the examination content requirements and retention of credit provisions and permitting English as a second language testing accommodations for the Architect Registration Examination.

The Committee recommends that section 69.2 of the Regulations of the Commissioner of Education be amended, as submitted, effective May 16, 2023, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare to immediately conform the Regulations of the Commissioner of Education to the national licensing and testing accommodations standards in the profession of architecture.

The motion passed unanimously.

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

The Professional Practice Committee recommends, and we move, that the Board of Regents act affirmatively upon each recommendation in the written report of the Committee's deliberations at its meeting on May 16, 2023, copies of which have been distributed to each Regent.

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

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

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

**Motion by:** Regent Aramina Vega Ferrer  
**Seconded by:** Regent Frances G. Wills  
**Action:** Motion passed unanimously.

Chancellor Young adjourned the meeting.

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

<b>Name of Institution</b>	<b>Program Area</b>	<b>County (City/Town) of Location</b>	<b>Description of Charter Action(s)</b>
Hatzalah Museum	CE	Kings (Brooklyn)	Grant provisional charter for five years.
Italian American Museum	CE	New York (New York)	Extend provisional charter for five years.
NYC - Historic Floral District Museum	CE	New York (New York)	Grant provisional charter for five years.
New York Public History Trust	CE	Erie (Buffalo)	Grant a Regents certificate of incorporation.
Northeast Classic Car Museum	CE	Chenango (Norwich)	Extend provisional charter for five years.
Taylor Historical Society	CE	Cortland (Cincinnatus)	Extend provisional charter for five years.
DeSales Catholic School	P12	Niagara (Lockport)	Extend provisional charter for three years.
Mother Teresa Academy	P12	Saratoga (Clifton Park)	Amend charter to change the corporate address and extend provisional charter for three years.
Peace Academy	P12	Kings (Brooklyn)	Grant provisional charter for three years.
Smith Street Arts and Lettres	P12	Kings (Brooklyn)	Amend charter to change the corporate address and to add authority to operate a preschool.
Southern Tier Catholic School	P12	Cattaraugus (Olean)	Extend provisional charter for three years.
Manhattanville College	HE	Westchester (Harrison)	Amend charter to change the corporate name to "Manhattanville University".
The New York Hospital-Cornell Medical Center Alumni Council	OP	New York (New York)	Amend Regents certificate of incorporation to update IRS and dissolution language.

## Appendix II

### REGENTS ACTIONS IN 43 PROFESSIONAL DISCIPLINE CASES MAY 15 - 16, 2023

The Board of Regents announced disciplinary actions resulting in the summary suspension of 1 license, revocation of 1 certificate, surrender of 15 licenses and 2 certificates, and 24 other disciplinary actions. The penalty indicated for each case relates solely to the misconduct set forth in that particular case.

#### I. SUMMARY SUSPENSION

##### Chiropractic

Ronald Bernardini; Chiropractor; Lake Ronkonkoma, NY 11779; Lic. No. 002929; Cal. No. 33700; Application for summary suspension granted.

#### II. REVOCATION AND SURRENDERS

##### Athletic Training

Austin J.H. Pratt a/k/a Austin James Hallock Pratt; Athletic Trainer; Joint Base MDL, NJ 08640; Cert. No. 002584; Cal. No. 33342; Found guilty of professional misconduct; Penalty: Revocation.

##### Dentistry

Rhona Stanley; Dentist; Petaluma, CA 94952; Lic. No. 035318; Cal. No. 33426; Application to surrender license granted. Summary: Licensee did not contest that charge of failing to completely document a treatment plan.

##### Nursing

Francine Alexandra Kendzia; Registered Professional Nurse, Nurse Practitioner (Adult Health); Niagara Falls, NY 14304; Lic. No. 545979, Cert. No. 304850; Cal. Nos. 33225, 33224; Application to surrender license and to surrender certificate granted. Summary: Licensee admitted to the charge of having been convicted of Health Care Fraud.

Bautista Eustaquio Urriza Jr; Registered Professional Nurse; Caledonia, NY 14423; Lic. No. 570384; Cal. No. 33424; Application to surrender license granted. Summary: Licensee did not contest the charge of failing to suction a patient's tracheostomy tube for five hours, resulting in the patient's death.

Tammy Yvonne McQueen; Registered Professional Nurse; Charlotte, NC 28213; Lic. No. 614363; Cal. No. 33538; Application to surrender license granted. Summary: Licensee did not contest the charge of having been convicted of Driving with Unlawful Alcohol Concentration in South Carolina.

Kathleen A. Huston; Registered Professional Nurse; Grand Junction, CO 81507-9529; Lic. No. 521924; Cal. No. 33575; Application to surrender license granted. Summary: Licensee did not contest the charge of finding of professional misconduct by the Colorado Board of Registered Nursing, which if committed in New York State, would constitute professional misconduct for practicing the profession of nursing with negligence on more than one occasion, in violation of section 6509(2) of the New York State Education Law.

Kristi L. Swinton a/k/a Kristi L.C. Hecker a/k/a Kristi L.C. Searles a/k/a Kristi L.C. Hulse; Licensed Practical Nurse, Registered Professional Nurse, Nurse Practitioner (Family Health); Alplaus, NY 12008; Lic. Nos. 271944, 588726; Cert. No. 344139; Cal. Nos. 33585, 33587, 33586; Application to surrender licenses and to surrender certificate granted. Summary: Licensee did not contest the charge of practicing the profession of nursing with moral unfitness.

Heather Elizabeth Gilbert; Licensed Practical Nurse, Registered Professional Nurse; Williamsburgh, IA 52361-9416; Lic. Nos. 262619, 542241; Cal. Nos. 33596, 33595; Application to surrender licenses granted. Summary: Licensee did not contest the charge of documentation and medication errors in Vermont.

Marissa Urraro; Licensed Practical Nurse; Northport, NY 11768-3107; Lic. No. 337289; Cal. No. 33615; Application to surrender license granted. Summary: Licensee did not contest the allegations of having acted in concert with others and created a Covid-19 vaccination record for patients without administering the said Covid-19 vaccination to patients.

## **Pharmacy**

Bruce C. Snipas; Pharmacist; West Islip, NY 11795; Lic. No. 033864; Cal. No. 33327; Application to surrender license granted. Summary: Licensee did not contest charges of failing to maintain sanitary conditions, and compounding drugs in an unsanitary area; permitting a pharmacy technician to compound pain cream without direct supervision; and improper labeling of mail order drug products without the correct name of the registered pharmacy.

Ho-Orr Lin; Pharmacist; Manhasset Hills, NY 11040; Lic. No. 035878; Cal. No. 33509; Application to surrender license granted. Summary: Licensee admitted to the charge of mistakenly administering a Procrit vaccine to a five-year-old child instead of a second dose of the Pfizer COVID-19 vaccine.

## **Public Accountancy**

Thomas William Whittle III; Certified Public Accountant; Gladstone, NJ 07934; Lic. No. 079726; Cal. No. 33479; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Conspiracy to Defraud the United States, a class D felony, Conspiracy to Commit Wire Fraud, a class C felony, and Wire Fraud, a class C felony.

## **Social Work**

Krista Marie Robertson; Licensed Master Social Worker; Endicott, NY 13760; Lic. No. 108791; Cal. No. 33601; Application to surrender license granted. Summary: Licensee admitted to the charge of sexual texting and boundary violations with clients.

## **Veterinary Medicine**

Kristian Sean Rhein; Veterinarian; Garden City, NY 11530; Lic. No. 009370; Cal. No. 33510; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Drug Adulteration and Misbranding, a felony.

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

### **Dentistry**

Bruce J. Milner; Dentist; Woodstock, NY 12498; Lic. No. 028311; Cal. No. 33445; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$1,000 fine.

Richard Scott Seaman; Dentist; New York, NY 10065; Lic. No. 040246; Cal. No. 33646; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$2,000 fine.

### **Nursing**

Marianne Cargill a/k/a Marianne DiMauro; Registered Professional Nurse; Cortland, NY 13045; Lic. No. 738956; Cal. No. 32021; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

William Mathew Casiere; Licensed Practical Nurse; Saugerties, NY 12477; Lic. No. 323050; Cal. No. 33090; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, upon return to practice, 2 years probation, \$250 fine.

Nora K. Doyle; Registered Professional Nurse; Fairport, NY 14450; Lic. No. 654284; Cal. No. 33127; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 1 month and until fit to practice, upon return to practice, 2 years probation, \$500 fine.

Brittney Leann Christensen; Registered Professional Nurse; Dundee, NY 14837; Lic. No. 691920; Cal. No. 33140; Application for consent order granted; Penalty agreed upon: 1 year actual suspension, 1 year stayed suspension, upon return to practice, 2 years probation, \$1,500 fine.

Alison Marion Elsheikh a/k/a Alison Elsheikh; Licensed Practical Nurse, Registered Professional Nurse, Nurse Practitioner (Family Health); Schenectady, NY 12309; Lic. Nos. 272750, 647580, Cert. No. 344661; Cal. Nos. 33150, 33151, 33152; Found guilty of professional misconduct; Penalty: Censure and reprimand.

Barbara Benfante a/k/a Barbara Ann Hynes; Registered Professional Nurse; Staten Island, NY 10307; Lic. No. 489137; Cal. No. 33305; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon return to practice, 2 years probation.

Danielle M. Caruana; Licensed Practical Nurse; Newark, NY 14513; Lic. No. 292639; Cal. No. 33419; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Vondi La'Shae Campbell; Licensed Practical Nurse; Rochester, NY 14619-2318; Lic. No. 317700; Cal. No. 33434; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Nerraw Akbar Black, Jr.; Licensed Practical Nurse; Schenectady, NY 12304; Lic. No. 327270; Cal. No. 33446; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Maria Lei Perry; Licensed Practical Nurse, Registered Professional Nurse; Green Island, NY 12183; Lic. Nos. 281895, 800338; Cal. Nos. 33486, 33487; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 1 month and until fit to practice, upon return to practice, 2 years probation, \$500 fine.

Megan Leigh Patrick a/k/a Megan Casciaro; Licensed Practical Nurse, Registered Professional Nurse; Columbus, GA 31907; Lic. Nos. 286601, 631054; Cal. Nos. 33505, 33506; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, upon return to practice in New York State, 2 years probation.

Michael Arthur Ryniker; Licensed Practical Nurse; Laurel, NY 11948; Lic. No. 337731; Cal. No. 33528; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

### **Pharmacy**

Daniel Burger; Pharmacist; Amherst, NY 14226-4646; Lic. No. 052547; Cal. No. 32684; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$2,500 fine.

Allison Mary Andrew a/k/a Allison Mary Reyngoudt; Pharmacist; Surprise, NY 12176; Lic. No. 056895; Cal. No. 33144; Application for consent order granted; Penalty agreed upon: Censure and reprimand, \$1,500 fine.

### **Public Accountancy**

Colella Accounting Firm C.P.A. PC a/k/a Colella CPA CO PC; Professional Service Corporation; Staten Island, NY 10309; Cal. No. 33360; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$10,000 fine.

George Yijian Xu; Certified Public Accountant; Great Neck, NY 11021; Lic. No. 081264; Cal. No. 33433; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$2,500 fine.

### **Speech-Language Pathology and Audiology**

Tina Kukelka; Speech-Language Pathologist; East Meadow, NY 11554; Lic. No. 002224; Cal. No. 33391; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, 2 years probation.

### **Veterinary Medicine**

Boaz Rogan; Veterinarian; Metuchen, NJ 08840; Lic. No. 005281; Cal. No. 33435; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$2,500 fine.

# ATTACHMENT I ACCES

## Pre-Employment Transition Services (Pre-ETS)

May 2023

Board of Regents Meeting



New York State

EDUCATION DEPARTMENT

Knowledge > Skill > Opportunity







# ACCES-Vocational Rehabilitation

15 District  
Offices  
and  
10 Satellite  
Offices

## Office Locations

- Albany
- Binghamton (Elmira)
- Buffalo
- Garden City
- Hauppauge (Riverhead)
- Malone
- Mid-Hudson (Middletown, Kingston and Poughkeepsie)
- New York City (6 offices)
- Rochester (Geneva and Geneseo)
- Syracuse
- Utica (Johnstown)
- White Plains (Rockland)

Over 700  
Staff

675 Contracted  
Vendors providing  
VR services



# Who Can Receive Pre-Employment Transition Services?

- Students enrolled in an educational program
- Age 14-21 years
- Have a Disability (IEP or 504 Plan)



### Job Exploration Counseling

- Vocational Interest Inventories
- Career Awareness
- Identification of Career Interests and Pathways
- Career Speakers

### Work-based Learning Experiences

- Internships
- Job Shadowing
- Volunteering
- Workplace Tours
- Career Mentorship
- Paid and non-paid Work Experience

### Counseling on Postsecondary Option

- Tour College Campuses
- Complete financial aid forms
- Learn about accommodations for college entrance exams
- Learn about vocational training

### Workplace Readiness Training

- Understand Employer Expectations
- Travel Skills
- Independent Living Skills
- Job Seeking Skills
- Interpersonal Skills
- Appropriate use of Social Media

### Self Advocacy

- Develop a Positive Self Identity
- Knowledge of Rights
- Financial Literacy Skills
- Leadership Skills
- How to Ask for an Accommodation



# PANEL DISCUSSION

## **Buffalo** - Summer Camp-Pre ETS Program and Workforce Training Center

- Pamela Cronyn and Paige Campana, ARC Erie
- Students

## **Utica** - High School Collaboration- Building Abilities and Skills for Employment (BASE) Program

- Paris Rich, Upstate Caring Partners

## **Staten Island** - NYCDOE Partnership

- Toni Iacobelli, State Island Transition and College Access Center
- Students from Susan Wagner High School

## **Albany**

- Alexis Graham, Independent Job Developer
- Darlene Fittizzi-Tanski, Independent Job Developer
- Ashley Rich Student - Saratoga High School

# Questions?



New York State  
EDUCATION DEPARTMENT  
Knowledge > Skill > Opportunity