



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: Christopher J. Halpin, Acting Secretary

SUBJECT: Summary of the July 2021 Meeting

DATE: September 2, 2021

AUTHORIZATION(S):

SUMMARY

Issue for Decision

Should the Board of Regents approve the Summary of the July 2021 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 September 2021 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

Approval of the Summary of the July 2021 meeting.

VOTED, that the Summary of the July 2021 Meeting of the Board of Regents of The University of the State of New York be approved.

Timetable for Implementation

Effective September 14, 2021.



SUMMARY OF THE JULY 2021 MEETING

OF THE BOARD OF REGENTS

OF

THE UNIVERSITY OF THE STATE OF NEW YORK

***Held at the State Education Building
Albany, New York and by Video Conference***

July 12 and 13, 2021

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

PROFESSIONAL PRACTICE COMMITTEE MEETING

The Professional Practice Committee held its scheduled meeting on July 12, 2021. All members were present in-person or participated by video conference. Chancellor Lester W. Young, Jr., and Regent Kathleen M. Cashin also attended the meeting, but did not vote on any case or action (See Professional Practice Committee Report on page 9).

P-12 EDUCATION COMMITTEE MEETING

The P-12 Education Committee held its scheduled meeting on July 12, 2021. All members were present. Regent Turner and Regent Ferrer attended as well (See P-12 Education Committee Report on page 7).

THE BOARD OF REGENTS

The Board of Regents of The University of the State of New York held a public session in Albany and by video conference on Monday, July 12th at 10:10 a.m. pursuant to a call to duty sent to each Regent.

MEETING OF THE FULL BOARD, Monday, July 12th at 10:10 a.m.

Board Members in Attendance:

Lester W. Young, Jr., *Chancellor*
Josephine Victoria Finn, *Vice Chancellor*
Roger Tilles
Christine D. Cea
Wade S. Norwood
Kathleen M. Cashin
James E. Cottrell
Judith Chin
Beverly L. Ouderkirk
Catherine Collins
Nan Eileen Mead
Elizabeth S. Hakanson
Luis O. Reyes
Susan W. Mittler
Frances G. Wills
Ruth B. Turner
Aramina Vega Ferrer

Also present were Commissioner, Betty A. Rosa; Executive Deputy Commissioner, Sharon Cates-Williams, Counsel and Deputy Commissioner for Legal Affairs, Daniel Morton-Bentley; and Acting Secretary, Board of Regents, Christopher J. Halpin.

Regent Roger Tilles provided the moment of reflection.

ACTION ITEM

Proposed Amendment to Sections 52.30, 63.9, 70.4, 74.6, 75.2, 75.5, 76.2, 79-9.3, 79-10.3, 79-11.3, 79-12.3, 80-5.3, 80-5.4, 83.5, 87.2, 87.5, 145-2.15, 155.17, 200.5, 200.6, and 279.15 of the Regulations of the Commissioner of Education Relating to Addressing the COVID-19 Crisis BR (A) 4

MOVED, that sections 52.30, 63.9, 70.4, 74.6, 75.2, 75.5, 76.2, 79-9.3, 79-10.3, 79-11.3, 79-12.3, 80-5.3, 80-5.4, 83.5, 87.2, 87.5, 145-2.15, 155.17, 200.5, 200.6, 279.15 of the Regulations of the Commissioner of Education be amended, as submitted, effective July 13, 2021, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the public health and general welfare in order to immediately provide flexibility for certain regulatory requirements in response to the COVID-19 crisis (Attachment I).

Motion by: Regent Judith Chin
Seconded by: Regent Christine D. Cea
Action: Motion carried. Regent Collins was absent from the vote.

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 June 2021 Meeting of the Board of Regents BR (A) 2

MOVED, that the Summary of the June 2021 Meeting of the Board of Regents of The University of the State of New York be approved.

Motion by: Regent Christine D. Cea
Seconded by: Regent James E. Cottrell
Action: Motion passed. Regent Tilles was absent for the vote.

PROGRAM AREA CONSENT ITEMS

Office of Counsel

Interim Action by Standing Committees BR (CA) 1

MOVED, that the Standing Committees of the Board of Regents, be and they hereby are, authorized to take interim action for the Board of Regents during the period commencing on July 13, 2021 and ending on September 12, 2021 and that any such action shall be reported to the Board at its meeting on September 13-14, 2021.

Higher Education

Proposed Amendment of Section 80-1.5 of the Regulations of the Commissioner of Education Relating to Extending the edTPA Safety Net in Response to the COVID-19 Crisis BR (CA) 2

MOVED, that section 80-1.5 of the Regulations of the Commissioner of Education be amended, as submitted, effective July 28, 2021.

Proposed Amendment to Section 80-5.9 of the Regulations of the Commissioner of Education Relating to the Eligibility of School Psychology Candidates for the Internship Certificate BR (CA) 3

MOVED, that section 80-5.9 of the Regulations of the Commissioner of Education be amended, as submitted, effective July 28, 2021.

Master Plan Amendment Applications BR (CA) 4

MOVED, that the Board of Regents approved each master plan amendment application on the summary table.

Proposed Amendment to Sections 52.21, 57-4.5, and 80-1.13 of the Regulations of the Commissioner of Education Relating to Permitting the Dignity for All Students Act (DASA) Training to Be Provided Entirely Online Due to the COVID-19 Crisis BR (CA) 5

MOVED, that sections 52.21, 57-4.5, and 80-1.13 of the Regulations of the Commissioner of Education be amended, as submitted, effective September 6, 2021, as an emergency action upon a finding by the Board of Regents that such action is

necessary for the preservation of the general welfare and public health to permit DASA training to be provided entirely online through December 31, 2021, whether or not a State of emergency for the COVID-19 crisis exists, and to ensure that the emergency action taken at the June 2021 meeting remains continuously in effect.

P-12 Education

Proposed Amendment to Section 100.2(ee) of the Regulations of the Commissioner of Education Relating to Providing Flexibility for the Two-Step Identification Process for Academic Intervention Services (AIS) for Students Who Will Be Enrolled in Grades 3-8 for the 2021-2022 School Year in Response to the COVID-19 Crisis BR (CA) 6

MOVED, that section 100.2(ee) of the Regulations of the Commissioner of Education be amended, as submitted, effective September 6, 2021, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the public health and general welfare to immediately provide flexibility for the two-step identification process for academic intervention services (AIS) for students who will be enrolled in grades 3-8 for the 2021-2022 school year in response to the COVID-19 crisis.

Proposed Amendment to Sections 100.4, 100.10 and 175.5 of the Regulations of the Commissioner of Education Relating to Addressing the COVID-19 Crisis BR (CA) 7

MOVED, that sections 100.4, 100.10 and 175.5 of the Regulations of the Commissioner of Education be amended, as submitted, effective July 28, 2021.

Proposed Amendment to Sections 100.2(c), 100.5(h), and 136.3 of the Regulations of the Commissioner of Education Relating to Providing Flexibility for Hands-only CPR Instruction, the New York State Seal of Biliteracy, and Health Examinations and Certificates in Response to the COVID-19 Crisis BR (CA) 8

MOVED, that sections 100.2(c), 100.5(h), and 136.3 of the Regulations of the Commissioner of Education be amended, as submitted, effective August 9, 2021, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the public health and general welfare in order to immediately provide flexibility for certain regulatory requirements in response to the COVID-19 crisis and to ensure the emergency action taken at the May 2021 meeting remains continuously in effect.

**Proposed Amendment to Section 155.17 of the Regulations of the Commissioner of Education Relating to District-wide School Safety Plans
BR (CA) 9**

MOVED, that section 155.17 of the Regulations of the Commissioner of Education be amended, as submitted, effective July 28, 2021.

**Proposed Technical Amendment to Section 100.2(gg)(8) of the Regulations of the Commissioner of Education Relating to the Uniform Violent or Disruptive Incident Reporting System, Also Known as the School Safety and Educational Climate Reporting System
BR (CA) 10**

MOVED, that section 100.2(gg)(8) of the Regulations of the Commissioner of Education be amended, as submitted, effective July 13, 2021, 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 make a technical correction to ensure that the amendments to the Commissioner's regulations adopted at the April 2021 meeting are properly administered pursuant to the policies established by the Board of Regents.

**Proposed Amendment to Section 135.4 of the Regulations of the Commissioner of Education Relating to High School Students' Eligibility to Participate in Interscholastic Competition Until the Conclusion of the Interscholastic Athletic Spring Season
BR (CA) 11**

MOVED, that section 135.4 of the Regulations of the Commissioner of Education be amended, as submitted, effective July 28, 2021.

**Proposed Amendment of Part 30 of the Rules of the Board of Regents and Part 80 and Sections 52.21, 100.1, 100.2, 100.4, 100.5, 100.7, 151-2.2, 154-2.2, 154-2.3, and 154-2.10 of the Regulations of the Commissioner of Education Relating to World Languages
BR (CA) 12**

MOVED, that Part 30 of the Rules of the Board of Regents and Part 80 and sections 52.21, 100.1, 100.2, 100.4, 100.5, 100.7, 151-2.2, 154-2.2, 154-2.3, and 154-2.10 of the Regulations of the Commissioner of Education be amended, as submitted, effective July 28, 2021.

**Proposed Amendment to Sections 52.21, 60.6, 61.19, 80-1.2, 80-3.7, 100.1, 100.2, 100.4, 100.5, 100.6, 100.7, 100.19 and 151-1.3 and the addition of Section 80-5.27 to the Regulations of the Commissioner of Education Relating to Addressing the COVID-19 Crisis
BR (CA) 17**

MOVED, that sections 52.21, 60.6, 61.19, 80-1.2, 80-3.7, 100.1, 100.2, 100.4, 100.5, 100.6, 100.7, 100.19 and 151-1.3 be amended and a new section 80-5.27 be added, as submitted, as an emergency measure, effective August 7, 2021, upon a finding by the Board of Regents that such action is necessary for the preservation of public health and the general welfare in order to immediately provide flexibility to certain regulatory requirements in response to the COVID-19 crisis and to ensure the emergency action taken at the June 2021 Regents meeting remains continuously in effect.

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) 13**

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

**Report of the Committee on the Professions Regarding Licensing Petitions
BR (CA) 14**

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

**Proposed Addition of Section 52.49 to and Amendment of Sections 68.4 and 68.6 of the Regulations of the Commissioner of Education Relating to the Licensure Requirements for Land Surveyors
BR (CA) 15**

MOVED, that section 52.49 be added, and sections 68.4 and 68.6 be amended, as submitted, effective July 28, 2021.

**Proposed Technical Amendment to Section 60.2 of the Regulations of the Commissioner of Education Relating to the Term Limits for Members of the Advisory Committee on Long-Term Clinical Clerkships
BR (CA) 16**

MOVED, that section 60.2 of the Regulations of the Commissioner of Education be amended, as submitted, effective July, 2021, 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 make a technical correction to ensure that the amendments to the Commissioner’s regulations adopted at the June 2020 meeting are properly administered pursuant to the policies established by the Board of Regents.

MOVED, that the Regents approve the consent agenda items.

Motion by: Regent James E. Cottrell
Seconded by: Regent Frances G. Wills
Action: Motion passed. Regent Tilles was absent for the vote.

STANDING COMMITTEE REPORTS

P-12 EDUCATION

Your P-12 Education Committee held its scheduled meeting on July 12, 2021. All members were present.

ACTION ITEMS

Proposed Charter Actions for Charters Authorized by the Trustees of the State University of New York [P-12 (A) 1]

Your Committee recommends that the Board of Regents return the proposed charters for Boys Preparatory Charter School of New York, Girls Preparatory Charter School of New York, and Girls Preparatory Charter School of the Bronx, schools operated by Public Prep Charter School Academies; and Brilla College Preparatory Charter School, a school operated by Brilla College Preparatory Charter Schools, to the Trustees of the State University of New York for reconsideration, with the following comment and recommendation, “The Regents are unable to make the required findings in accordance with Education Law §2852(2), including, but not limited to, the findings that (a) the charter schools described in the application meet the requirements set out in this article and all other applicable laws, rules and regulations; and (b) the applicants can demonstrate the ability to operate the schools in an educationally and fiscally sound manner. In addition, in accordance with Education Law §2852(9) there are no charters available for issuance in New York City. Although the proposed charter actions are identified as revisions, the nature of the proposed charter actions and a review of supporting documentation evidence the creation of a new charter high school, in potential violation of the law. The proposed charter actions must be abandoned.”

The motion passed. Regent Collins abstained from the vote.

MOTION FOR ACTION BY FULL BOARD

Mr. 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 July 12, 2021, copies of which have been distributed to each Regent.

Consent Agenda

The Board of Regents took action on the following consent agenda item at its July 2021 meeting.

- COVID IX - Proposed Amendment to Sections 100.4, 100.10 and 175.5 of the Regulations of the Commissioner of Education Relating to Addressing the COVID-19 Crisis
- COVID X – Proposed Amendment to Sections 100.2(c), 100.5(h), and 136.3 of the Regulations of the Commissioner of Education Relating to Providing Flexibility for Hands-only CPR Instruction, the New York State Seal of Biliteracy, and Health Examinations and Certificates in Response to the COVID-19 Crisis
- COVID II - Proposed Amendment to Sections 52.21, 60.6, 61.19, 80-1.2, 80-3.7, 100.1, 100.2, 100.4, 100.5, 100.6, 100.7, 100.19 and 151-1.3 and the addition of Section 80-5.27 to the Regulations of the Commissioner of Education Relating to Addressing the COVID-19 Crisis
- Proposed Amendment to Section 100.2(ee) of the Regulations of the Commissioner of Education Relating to Providing Flexibility for the Two-Step Identification Process for Academic Intervention Services (AIS) for Students Who Will Be Enrolled in Grades 3-8 for the 2021-2022 School Year in Response to the COVID-19 Crisis (2nd Emergency Action)
- Proposed Amendment to Section 135.4 of the Commissioner's Regulations Related to Eligibility for Interscholastic Athletics (Emergency Adoption)
- Proposed Amendments to Section 155.17 of the Commissioner's Regulations Regarding District-wide Safety Plans (Emergency Adoption)
- Proposed Amendments to Sections 52.21, 100.2(d), and 100.5 and Parts 30 and 80 of the Regulations of the Commissioner of Education Relating to World Languages
- Proposed Technical Amendment to Section 100.2(gg)(8) of the Regulations of the Commissioner of Education Relating to the Uniform Violent or Disruptive Incident Reporting System, Also Known as the School Safety and Educational Climate Report

PROFESSIONAL PRACTICE

Your Professional Practice Committee held its scheduled meeting on July 12, 2021. All members were present in-person or participated by video conference call. Chancellor Lester W. Young, Jr., and Regent Kathleen M. Cashin also attended the meeting, 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 1 case. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 33 consent order applications and 4 surrender applications be granted, with Regent Catherine Collins abstaining from all consent order cases.

These recommendations are made following the review of 38 cases involving eleven registered professional nurses, eight licensed practical nurses, three licensed clinical social workers, two certified public accountants, two dentists, two licensed practical nurses who are also registered professional nurses, one acupuncturist, one architect, one dental hygienist, one licensed mental health counselor, one pharmacy, one professional engineer, and one registered professional nurse who is also a nurse practitioner (Family Health).

Restoration

Your Committee recommends the following:

That the application of Peter Corines for the restoration of his license to practice as a Physician in New York State be denied at this time. [PPC EXS (A) 4]

MOTION FOR ACTION BY FULL BOARD

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 July 12, 2021, 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/Conferral of Degrees
 - Proposed Addition of Section 52.49 to and Amendment of Sections 68.4 and 68.6 of the Regulations of the Commissioner of Education Relating to the Licensure Requirements for Land Surveyors
 - Proposed Technical Amendment to Section 60.2 of the Regulations of the Commissioner of Education Relating to the Term Limits for Members of the Advisory Committee on Long-Term Clinical Clerkships

MOVED, that the Committee Reports be approved.

Motion by: Regent Christine D. Cea
Seconded by: Regent Elizabeth S. Hakanson
Action: Motion passed. Regent Tilles was absent for the vote.

**State Education Department June 2021 Fiscal Report
BR (A) 3**

MOVED, that Board of Regents accept the June 2021 State Education Department Fiscal Report as presented.

Motion by: Regent Judith Chin
Seconded by: Regent Nan Eileen Mead
Action: Motion passed. Regent Tilles was absent for the vote.

Chancellor Young adjourned the meeting.

Appendix I
NEW YORK STATE BOARD OF REGENTS CHARTER ACTIONS

Name of Institution	Program Area	County (City/Town) of Location	Description of Charter Action(s)
Albany Firefighters Museum	CE	Albany (Albany)	Extend the provisional charter for five years.
The American Indian Ritual Object Repatriation Foundation	CE	New York (New York)	Dissolve charter and approval to distribute remaining assets to Native American Rights Fund (NARF) a NFP corporation formed under the Laws of the District of Columbia.
Canaan Historical Society	CE	Columbia (Canaan)	Amend charter to include dissolution language.
The Experience Haverstraw African American Connection	CE	Rockland (Haverstraw)	Grant provisional charter for five years.
The Jazz Gallery	CE	New York (New York)	Extend provisional charter for five years.
Peconic Public Broadcasting	CE	Suffolk (Southampton)	Dissolve the charter.
The Museum of Prints and Printmaking	CE	Schenectady (Schenectady)	Extend provisional charter for five years.
Osceola Public Library	CE	Lewis (Osceola)	Extend provisional charter for five years.
Ronald S. Lauder/Neue Galerie New York	CE	New York (New York)	Consent to filing of certificates of assumed names "Cafe Sabarsky" and "Cafe Fledermaus".
Town of Sodus Historical Society	CE	Wayne (Sodus)	Extend provisional charter for five years.
ARS Holding	P12	New York (New York)	Grant provisional charter for three years.
Catholic School Region of Rockland	P12	New York (New York)	Amend charter to delete school location, Sacred Heart School.
Good Shepard Catholic Academy	P12	Kings (Brooklyn)	Extend provisional charter for three years.
HeartShare Education Center	P12	Kings (Brooklyn)	Amend charter to updates purposes clause to include Title VIII disclaimer and extend for three years.
Milestones Children's Center	P12	Jefferson (Watertown)	Extend provisional charter for three years.

Name of Institution	Program Area	County (City/Town) of Location	Description of Charter Action(s)
Noah's Ark Community Preschool	P12	Steuben (Avoca)	Extend provisional charter for three years.
Our Lady of Grace Catholic Academy	P12	Kings (Brooklyn)	Extend provisional charter for three years.
Our Lady of Guadalupe Catholic School of Long Island	P12	Suffolk (Islip/Deer Park)	Grant a provisional charter for three years.
Our Lady of Trust School	P12	Kings (Brooklyn)	Amend charter to change the corporate name to "Our Lady of Trust Catholic Academy" and extend for three years.
Parker-Jordan Christian Academy	P12	Allegany (Wellsville)	Grant a provisional charter for one year, with operation of school conditional upon receipt of a certificate of occupancy and fire inspection report.
The Quad Preparatory School	P12	New York (New York)	Amend charter to change the corporate address, expand purposes and extend for three years.
Robert C. Parker School	P12	Rensselaer (Wynantskill)	Amend charter to operate a preschool program.
The Ryken Educational Center	P12	Kings (Brooklyn)	Correct June 7, 2021 action to remove the name change amendment and reflect the provisional charter be extended for three years nunc pro tunc.
St. Anselm Catholic Academy	P12	Kings (Brooklyn)	Amend the provisional charter to change the corporate name "Bay Ridge Catholic Academy".
St. Sebastian Catholic Academy	P12	Queens (Woodside)	Extend provisional charter for three years.
Staten Island Hebrew Academy	P12	Richmond (Staten Island)	Amend charter to expand the purposes to operate a high school and extend for three years.
The College of Saint Rose	HE	Albany (Albany)	Amend charter to add authority to confer the Bachelor of Business Administration (B.B.A.) degree.
Mercy College	HE	Westchester (Dobbs Ferry)	Amend charter to remove the Yorktown Heights, Yonkers, Peekskill, and White Plains branch campuses effective June 30, 2021.

Appendix II

REGENTS ACTIONS IN 38 PROFESSIONAL DISCIPLINE CASES AND 1 RESTORATION PETITION

JULY 12, 2021

The Board of Regents announced disciplinary actions resulting in the surrender of 4 licenses, and 34 other disciplinary actions. The penalty indicated for each case relates solely to the misconduct set forth in that particular case. In addition, the Board acted upon 1 restoration petition.

I. SURRENDERS

Nursing

Helena Murray; Licensed Practical Nurse; Bronx, NY 10469; Lic. No. 215007; Cal. No. 32292; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Petit Larceny, a class A misdemeanor.

Sharon Charlene Holmes; Registered Professional Nurse; Mobile, AL 36603; Lic. No. 546657; Cal. No. 32444; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Reckless Driving, a misdemeanor, in the State of California; and the charge of reporting to work as a nurse at a hospital operating room, in an intoxicated condition, in the State of California.

Hamelie Elizabeth Desty; Licensed Practical Nurse; Ocala, FL 34473-4704; Lic. No. 274966; Cal. No. 32506; Application to surrender license granted. Summary: Licensee admitted to the charge of failure to adhere to proper wasting procedures for controlled substances.

Public Accountancy

Michael Charles Sabatino; Certified Public Accountant; Oyster Bay, NY 11771-1177; Lic. No. 058853; Cal. No. 32529; Application to surrender license granted. Summary: Licensee admitted to the charge of approving the improper receipt of undisclosed compensation in the form of a wide range of perquisites, personal expense reimbursements, and other items of value.

II. OTHER REGENTS DISCIPLINARY ACTIONS

Acupuncture

Ilya Kogan; Acupuncturist; Watchung, NJ 07069; Lic. No. 001865; Cal. No. 32548; Application for consent order granted; Penalty agreed upon: 6 months actual suspension, 18 months stayed suspension, 2 years probation.

Architecture

Michael Kontoudis; Architect; New York, NY 10001; Lic. No. 019815; Cal. No. 32346; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$2,500 fine.

Dentistry

Babak Robert Ghalili; Dentist; New York, NY 10022; Lic. No. 043014; Cal. No. 32341; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$2,000 fine.

Lisa Manfredo; Dental Hygienist; Massapequa Park, NY 11762; Lic. No. 018749; Cal. No. 32383; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$250 fine.

Barry Howard Steinberg; Dentist; Hudson, NY 12534-4408; Lic. No. 038378; Cal. No. 32438; Application for consent order granted; Penalty agreed upon: Censure and reprimand, \$2,500 fine.

Engineering, Land Surveying and Geology

Michael Patrick Burnetter; Professional Engineer; Burnt Hills, NY 12027; Lic. No. 069894; Cal. No. 32191; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon return to practice, 2 years probation.

Mental Health Practitioners

Gerald Wayne Bethea; Licensed Mental Health Counselor; Inwood, NY 11096; Lic. No. 003346; Cal. No. 32517; Application for consent order granted; Penalty agreed upon: 9 months actual suspension, 15 months stayed suspension, upon return to practice, 2 years probation.

Nursing

Dustin Thomas Britcher; Licensed Practical Nurse; Schenectady, NY 12303, Schenectady, NY 12306; Lic. No. 325612; Cal. No. 31746; Found guilty of professional misconduct; Penalty: Indefinite actual suspension for no less than 1 year and until fit to practice, upon return to practice, 4 years probation.

Nichole Wilson; Registered Professional Nurse; Brooklyn, NY 11209; Lic. No. 735463; Cal. No. 31931; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, upon return to practice, 2 years probation, \$500 fine.

Susana Pangilinan Arellano; Registered Professional Nurse; Milford, CT 06460; Lic. No. 653423; Cal. No. 32015; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Nancy Anne Mottram; Registered Professional Nurse; Queensbury, NY 12804; Lic. No. 425109; Cal. No. 32036; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Eric Frey; Registered Professional Nurse; Rochester, NY 14609; Lic. No. 745166; Cal. No. 32051; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Frances LaPiedra; Licensed Practical Nurse, Registered Professional Nurse; Staten Island, NY 10312; Lic. Nos. 189606, 404564; Cal. Nos. 32132, 32133; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Ingrid H. Betancur; Licensed Practical Nurse; Campbell Hall, NY 10916-1740; Lic. No. 292747; Cal. No. 32205; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon return to practice, 2 years probation, \$500 fine.

Melody Calley; Registered Professional Nurse; Joshua Tree, CA 92252-2452; Lic. No. 646414; Cal. No. 32212; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, upon return to practice in New York State, 2 years probation, \$1,500 fine.

Janice A. Vaughn-Young; Licensed Practical Nurse, Registered Professional Nurse; Oxford, NY 13830; Lic. Nos. 248078, 533710; Cal. Nos. 32239, 32234; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Gillian Mary Nelson a/k/a Gillian McGuire; Licensed Practical Nurse; Snellville, GA 30078-2567; Lic. No. 258849; Cal. No. 32255; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, upon return to practice in New York State, 1 year probation, \$250 fine.

Justin Reuel Washington; Licensed Practical Nurse; Buffalo, NY 14211; Lic. No. 297860; Cal. No. 32281; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$250 fine.

Wendy Marie Belica; Registered Professional Nurse; Hamburg, NY 14075; Lic. No. 652875; Cal. No. 32286; Application for consent order granted; Penalty agreed upon: Censure and reprimand, \$500 fine.

Matt Powell Barkley; Registered Professional Nurse; Valley Head, AL 35989; Lic. No. 411211; Cal. No. 32288; Application for consent order granted; Penalty agreed upon: 2 months actual suspension, 22 months stayed suspension, upon return to practice in New York State, 2 years probation, \$500 fine.

Sean P. Tuff; Licensed Practical Nurse; East Syracuse, NY 13057-1239; Lic. No. 293588; Cal. No. 32306; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Lara Lynn Busch; Registered Professional Nurse, Nurse Practitioner (Family Health); Webster, NY 14580; Lic. No. 550634, Cert. No. 340333; Cal. Nos. 32309, 32310; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation.

Ruby A. Lopez; Registered Professional Nurse; Plainsboro, NJ 08536; Lic. No. 394838; Cal. No. 32326; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Amy K. Durant; Registered Professional Nurse; Lakeview, NY 14085; Lic. No. 668742; Cal. No. 32337; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Susheela Abraham Pattarumadathil; Registered Professional Nurse; Staten Island, NY 10314; Lic. No. 587711; Cal. No. 32354; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Alexander DiLorenzo; Licensed Practical Nurse; Syracuse, NY 13205; Lic. No. 311006; Cal. No. 32355; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Pharmacy

United Health Services Hospitals, Inc.; Pharmacy; Johnson City, NY 13790; Reg. No. 017211; Cal. No. 31777; Application for consent order granted; Penalty agreed upon: Censure and reprimand, \$20,000 fine.

Public Accountancy

Michael Gerald Bernstein; Certified Public Accountant; New York, NY 10028-6480; Lic. (Cert.) No. 024332; Cal. No. 32352; Application for consent order granted; Penalty agreed upon: Partial actual suspension for no less than 1 month, upon return to practice, 2 years probation, \$1,000 fine.

Social Work

Marie-Elena Hall Grosett; Licensed Clinical Social Worker; Cortlandt Manor, NY 10567; Lic. No. 034771; Cal. No. 32322; Application for consent order granted; Penalty agreed upon: 2 months actual suspension, 22 months stayed suspension, upon return to practice, 2 years probation, \$500 fine.

Judith Breny; Licensed Clinical Social Worker; Buffalo, NY 14216; Lic. No. 046071; Cal. No. 32327; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Victoria Vega; Licensed Clinical Social Worker; Jamaica, NY 11435-3601; Lic. No. 036404; Cal. No. 32382; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, 2 years probation, \$500 fine.

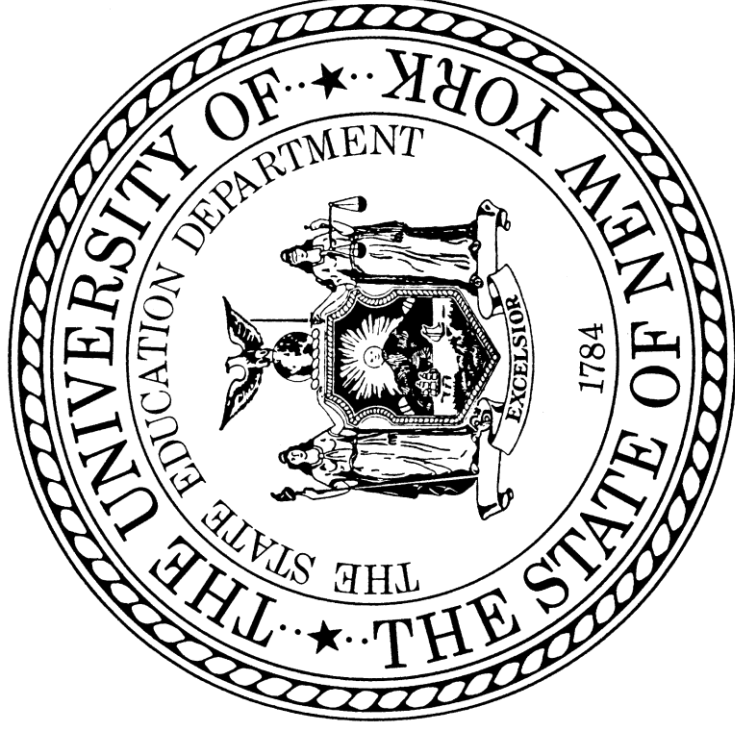
III. RESTORATION

The Board of Regents voted on July 12, 2021 to deny the application for restoration of the physician license of Peter Corines, Eastchester, NY. Dr. Corines' license was revoked on October 5, 1998.

ATTACHMENT I

COVID-19 Emergency Regulations Part XI

July 13, 2021



Higher Education: Incidental Teaching

State of Emergency Regulation Change: Extended incidental teaching from up to 5 classroom hours a week to up to 10 classroom hours a week during the 2020-21 school year.

Post-State of Emergency Proposed Action: Extend this incidental teaching flexibility through the 2021-22 school year.

Higher Education: Substitute Teaching

State of Emergency Regulation Change: Allowed substitute teachers who did not hold a valid certificate and were not working toward certification, but held a high school diploma or its equivalent, to be employed by a school district or BOCES for more than 40 days during the 2020-21 school year under certain circumstances.

Post-State of Emergency Proposed Action: Permit this flexibility again for the 2021-22 school year.

- Enables districts to continually address the teacher shortages exacerbated by the COVID-19 pandemic with substitute teachers.

Higher Education: Special Education Teaching Assignments in Grades 7-12

The field is experiencing a shortage of special education teachers who are certified to teach students with disabilities in grades 7-12 during the COVID-19 pandemic.

Post-State of Emergency Proposed Action: Proposes to allow teachers who hold a valid certificate in Students with Disabilities (SWD)(Grades 1-6), SWD (Grades 5-9) generalist, or SWD (Grades 5-9) content specialist to teach students with disabilities in grades 7-12 during the 2021-22 school year, provided that they otherwise meet all certification requirements for the teaching assignment.

Higher Education: Ability-to-Benefit Test

State of Emergency Regulation Change: Allowed testing centers and institutions to administer and proctor the Ability-to-Benefit Test (ATB) remotely in accordance with federal requirement during the state of emergency.

Post-State of Emergency Proposed Action: Extend this flexibility and remove the language tying such amendment to the state of emergency.

- The requirement that the ATB test be administered and proctored in accordance with federal requirements remain.

P-12: Snow Day Reporting

State of Emergency Regulation Change: Offered a pilot program in 2020-21 allowing school districts to shift to remote instruction for days that a district would have otherwise closed due to a snow emergency.

Post-State of Emergency Proposed Action: Implement extending the school day pilot program through the 2021-22.

P-12: Special Education Due Process Hearings

State of Emergency Regulation Change: Allowed impartial hearing officers to extend due process cases for up to 60 days rather than 30 days.

Post-State of Emergency Proposed Action: Extend this regulatory flexibility as the COVID-19 crisis continues to affect witnesses, administrators, and parents' availability to partake in due process hearings.

Professions: Continuous Experience

State of Emergency Regulation Change: Allowed the Department to excuse the continuous experience requirements for speech language pathology, audiology, and occupational therapy where such continuous experience could not be completed due to the state of emergency.

Post-State of Emergency Proposed Action: Extend this flexibility for the continuous experience requirements for individuals impacted by the COVID-19 crisis.

Professions:

In-Person Supervision Experience Requirements

State of Emergency Regulation Change: Granted an exemption for in-person supervision experience requirements for licensed clinical social work, licensed master social work, mental health counseling, marriage and family counseling, creative arts therapy, and psychoanalysis where such in-person supervision could not be completed due to the state of emergency.

Post-State of Emergency Proposed Action: Continue this flexibility for in-person supervision experience requirements for individuals impacted by the COVID-19 crisis.

Professions: COVID-19 Vaccine Administration

Chapter 110 of the Laws of 2020 amended the Education Law to authorize licensed pharmacists to immunize patients against COVID-19.

Post-State of Emergency Proposed Action: Conform the Commissioner's regulations to law by adding the COVID-19 vaccine to the list of immunizations licensed pharmacists are authorized to administer.

- Pharmacists must be certified by the Department following completion of a satisfactory training program to administer the COVID-19 vaccination.

Professions: Public Accounting Examination Timeframe

State of Emergency Regulation Change: Accepted passing examination scores from Public Accounting applicants that are outside the required 18-month examination window where such examinations could not be completed within 18 months due to the state of emergency declared for the COVID-19 crisis.

Post-State of Emergency Proposed Action: Continue this flexibility for individuals who continue to be impacted by the COVID-19 crisis.

Professions: Social Work Experience Requirements

State of Emergency Regulation Change: Modified professional educational program requirements for professional licensure, to the extent authorized by law, if such requirements could not be successfully completed due to the State of emergency.

Post-State of Emergency Proposed Action: For the profession of Social Work, allow the Department to modify, to the extent authorized by law, the experience requirements for registered programs in licensed master social work and licensed clinical social work.

Part 83 and Part 87 Appeals

State of Emergency Regulation Change: Provided flexibility relating to Part 83 and Part 87 appeals and procedures, specifically the amendments:

- excused late submissions relating to due process procedures for prospective employees' clearance for employment;
- excused late submissions relating to appeals of the Department's determination to deny prospective school employees' clearance for employment; and
- amended the definition of "prospective school employee" to include any individual who will reasonably be expected to provide services which involve online communication or interaction directly to students under the age of 21.

Post-State of Emergency Proposed Action: Continue this flexibility for individuals impacted by the COVID-19 crisis.

Office of State Review

State of Emergency Regulation Change: Allowed State Review Officers to authorize certain filings through electronic means during the State of emergency.

Post-State of Emergency Proposed Action: Continue this flexibility to individuals impacted by the COVID-19 crisis.

Questions?