

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

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

**FROM:** Anthony Lofrumento

**SUBJECT:** Summary of the May 2011 Meeting

**DATE:** June 14, 2011

**AUTHORIZATION(S):** 

#### **Executive Summary**

#### Issue for Decision

Review of the Summary of the May 2011 Meeting of the Board of Regents.

## Proposed Handling

Approval of the Summary of May 2011 meeting.

#### Procedural History

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

#### Recommendation

Approval of the Summary of the May 2011 meeting.

#### Timetable for Implementation

Effective June 21, 2011.

**VOTED**, that the Summary of the May 2011 Meeting of the Board of Regents of The University of the State of New York be approved.



# SUMMARY OF THE MAY 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 16 and 17, 2011

Anthony Lofrumento, Secretary Board of Regents

#### THE BOARD OF REGENTS

The Board of Regents of The University of the State of New York held public sessions on Monday, May 16 at 9:50 a.m. pursuant to a call to duty sent to each Regent.

#### MEETING OF THE FULL BOARD, Monday, May 16 at 9:50 a.m.

# **Board Members in Attendance:**

Chancellor Merryl H. Tisch Vice Chancellor Milton L. Cofield Robert M. Bennett, Chancellor Emeritus James C. Dawson Anthony S. Bottar Geraldine D. Chapey Harry Phillips, 3<sup>rd</sup> James R. Tallon, Jr. Roger Tilles Charles R. Bendit Betty A. Rosa Lester W. Young, Jr. Christine D. Cea Wade S. Norwood James O. Jackson Kathleen M. Cashin James E. Cottrell

Also present were the Commissioner of Education, David M. Steiner, Senior Deputy Commissioner for P-12 Education, John King, Counsel and Deputy Commissioner for Legal Affairs, Richard J. Trautwein, and the Secretary, Board of Regents, Anthony Lofrumento.

Chancellor Merryl H. Tisch called the meeting to order at 9:50 a.m.

## **PRESENTATIONS**

# State Education Department Budget Update Oral

Chief Operating Officer Val Grey presented an update on the State Education Department Budget.

# Common Core Standards Update Oral

Senior Deputy Commissioner for P-12 Education, John King presented an update on the Common Core Standards.

#### **ACTION ITEM**

## **Transition Update**

Regent Anthony S. Bottar provided an update on Transition Committee activities. The Transition Committee included: Vice Chancellor Cofield, Co-Chair, Regent Bottar, Co-Chair, Chancellor Emeritus Bennett, Regent Dawson, Regent Young, Regent Cea and Regent Jackson.

# Selection of Commissioner of Education and President of The University of the State of New York

**VOTED**, that the Board of Regents elect John B. King, Jr. as Commissioner of Education and President of The University of the State of New York, effective, July 15, 2011, at an annual salary of \$212,500 computed as follows: \$136,000 for his position as Commissioner of Education and \$76,500 for his position as President of The University of the State of New York.

Motioned by: Regent Wade S. Norwood Seconded by: Regent Harry Phillips 3<sup>rd</sup>
Action: Motion carried unanimously

**Absent:** All present

Full Board adjourned at 10:20 a.m.

## MEETING OF THE FULL BOARD, Monday, May 16 at 4:45 p.m.

#### **Board Members in Attendance:**

Chancellor Merryl H. Tisch
Vice Chancellor Milton L. Cofield
Robert M. Bennett, Chancellor Emeritus
James C. Dawson
Anthony S. Bottar
Geraldine D. Chapey
Harry Phillips, 3<sup>rd</sup>
James R. Tallon, Jr.
Roger Tilles
Charles R. Bendit
Betty A. Rosa
Lester W. Young, Jr.
Christine D. Cea
Wade S. Norwood
James O. Jackson

Kathleen M. Cashin James E. Cottrell

Also present were the Commissioner of Education, David M. Steiner, Senior Deputy Commissioner for P-12 Education, John King, Counsel and Deputy Commissioner for Legal Affairs, Richard J. Trautwein, and the Secretary, Board of Regents, Anthony Lofrumento.

Chancellor Merryl H. Tisch called the meeting to order at 4:45 p.m.

#### **ACTION ITEM**

Amendment to Section 100.2(o) of the Commissioner's Regulations and Addition of a New Subpart 30-2 to the Rules of the Board of Regents Relating to Annual Professional Performance Reviews of Classroom Teachers and Building Principals

BR (A) 4

**VOTED**, that paragraph (1) of subdivision (o) be repealed and paragraph (2) of subdivision (o) be renumbered paragraph (1) of subdivision (o), subparagraph (ii) of renumbered paragraph (1) of subdivision (o) be amended, subclause (1) of clause (a) of subparagraph (iv) of renumbered paragraph (1) of subdivision (o) be amended, subclauses (v) through (vii) of renumbered paragraph (1) of subdivision (o) be renumbered subparagraphs (vi) through (viii) of renumbered paragraph (1) of subdivision (o) and that a new subparagraph (v) of renumbered paragraph (1) of subdivision (o) of section 100.2 of the Regulations of the Commissioner of Education be added, effective July 1, 2011, and that a new Subpart 30-2 of the Rules of the Board of Regents be added, as submitted, effective May 20, 2011, 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 timely implement the provisions of section 3012-c of the Education Law and to ensure that school districts and BOCES are given sufficient notice of the new APPR requirements for classroom teachers and building principals and to provide school district and BOCES with time to locally negotiate certain provisions in the proposed amendments before the 2011-2012 school year.

**Motioned by:** Chancellor Emeritus Robert M. Bennett

**Seconded by:** Regent James R. Tallon, Jr.

**Action:** Motion carried with 14 'yes' votes and 3 'opposed'

votes (Opposed were Regents Tilles, Rosa and

Cashin.)

#### MEETING OF THE FULL BOARD, Tuesday, May 17 at 12:40 p.m.

#### **Board Members in Attendance:**

Chancellor Merryl H. Tisch
Vice Chancellor Milton L. Cofield
Anthony S. Bottar
Geraldine D. Chapey
Harry Phillips, 3<sup>rd</sup>
James R. Tallon, Jr.
Roger Tilles
Charles R. Bendit
Betty A. Rosa
Lester W. Young, Jr.
Christine D. Cea
Wade S. Norwood
James O. Jackson
Kathleen M. Cashin
James E. Cottrell

Also present were the Commissioner of Education, David M. Steiner, Senior Deputy Commissioner for P-12 Education, John King, Acting Counsel and Deputy Commissioner for Legal Affairs, Erin O'Grady-Parent, and the Secretary, Board of Regents, Anthony Lofrumento. Chancellor Emeritus Robert M. Bennett and Regent James C. Dawson were absent and excused.

Chancellor Merryl H. Tisch called the meeting to order at 12:40 p.m.

#### **TRANSITIONS**

Commissioner David M. Steiner provided an overview of his tenure as Commissioner

Chief of Staff James Baldwin provided parting words as he leaves the Department to return to his position as BOCES Superintendent.

#### **ACTION ITEMS**

# Charter Applications for May 2011 BR (A) 1

**MOVED**, that the Regents approve each application in accordance with the recommendations contained in the respective summaries.

# Summary of the April 2011 Meeting of the Board of Regents BR (A) 2

**MOVED,** that the Summary of the April 2011 Meeting of the Board of Regents of The University of the State of New York be approved.

# Regents Monthly Meeting Dates, January - December 2012 BR (A) 5

**MOVED**, that the Regents approve the following meeting dates for 2012.

#### 2012 Regents Monthly Meeting Dates

January 9 - 10	Monday - Tuesday
February 13 - 14	Monday - Tuesday
March 19 - 20	Monday - Tuesday
April 23 - 24	Monday - Tuesday
May 21 - 22	Monday - Tuesday
June 18 - 19	Monday - Tuesday
July 16 - 17	Monday - Tuesday
August	Recess
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September 10 - 11 Monday – Tuesday
October 9 - 10 Tuesday – Wednesday
November 5 - 6 Monday – Tuesday
December 10 - 11 Monday – Tuesday
Monday – Tuesday

Motion by: Regent Roger Tilles

Seconded by: Vice Chancellor Milton L. Cofield Action: Motion carried unanimously

#### **ACTION ITEMS**

#### **PROGRAM AREA CONSENT ITEMS**

# **Adult Career and Continuing Education Services (ACCES)**

Amendment to Section 100.8 of the Regulations of the Commissioner of Education Relating to Local High School Equivalency Diplomas based upon experimental programs

BR (CA) 1

MOVED, that section 100.8 of the Regulations of the Commissioner of Education be amended, as submitted, effective May 24, 2011, as an emergency action upon a

finding of the Board of Regents that such action is necessary for the preservation of the general welfare in order to prevent a lapse in the existing provision allowing boards of education to award a local high school equivalency diploma based upon experimental programs approved by the Commissioner of Education, by extending such provision through June 30, 2012, and thereby ensure that students currently enrolled in the National External Diploma Program (NEDP) can complete their programs without disruption.

# Amendment to the State Plan for Vocational Rehabilitation and Supplement for Supported Employment Services Program BR (CA) 2

**MOVED**, that the Amendment to the State Plan for Vocational Rehabilitation and Supported Employment Services, effective October 1, 2011, is approved.

## **Cultural Education**

# Amendment of Regents Rule §3.27, Relating to Museum Collections Management Policies BR (CA) 3 – Revised

**MOVED**, that paragraphs (6) and (7) of subdivision (c) and subdivision (e) of section 3.27 of the Rules of the Board of Regents, be amended, as submitted, effective on June 8, 2011.

#### **Higher Education**

# Master Plan Amendment: Medaille College, Doctor of Psychology (Psy.D.), Clinical Psychology, at its Amherst campus BR (CA) 4

**MOVED**, that the Board of Regents approve a master plan amendment for Medaille College, Buffalo, to authorize the College to offer its first doctoral program, a Doctor of Psychology (Psy.D.) in Clinical Psychology, at its Amherst campus. The amendment will be effective until May 31, 2012, unless the Department registers the program prior to that date, in which case master plan amendment shall be without term.

# State University of New York, College at Buffalo: Regents Authorization to Award the Master of Public Administration (M.P.A.) Degree BR (CA) 5

**MOVED**, that the Board of Regents authorize the State University of New York Board of Trustees to award the Master of Public Administration (M.P.A.) degree on students successfully completing registered programs at the State University College at Buffalo effective May 17, 2011.

# Proposed Amendment of Section 52.21 of the Regulations of the Commissioner Relating to the Graduate Level Clinically Rich Principal Preparation Pilot Programs BR (CA) 6

**MOVED**, that subclause (3) of clause (d) of subparagraph (v) of paragraph (7) of subdivision (c) of section 52.21 of the Regulations of the Commissioner of Education is amended, effective June 8, 2011.

# Proposed Amendment of Section 52.21 of the Regulations of the Commissioner Relating to the Graduate Level Clinically Rich Teacher Preparation Pilot Programs BR (CA) 7

**MOVED**, that clause (d) of subparagraph (iv) of paragraph (5) of subdivision (b) of section 52.21 of the Regulations of the Commissioner of Education be amended, effective May 24, 2011 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 timely implement the provisions of the proposed amendment to provide program providers with notice of the degree requirements before the 2011-2012 school year.

#### P-12 Education

# Proposed Technical Amendment of Section 100.2(ee)(2) of the Regulations of the Commissioner BR (CA) 8

**MOVED**, that paragraph (2) of subdivision (ee) of section 100.2 of the Regulations of the Commissioner be amended as submitted, effective June 1, 2011; and it is further

**MOVED**, that paragraph (2) of subdivision (ee) of section 100.2 of the Regulations of the Commissioner be amended as submitted, effective May 17, 2011, 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 February 2011 Regents meeting remains continuously in effect until the effective date of its permanent adoption.

#### **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) 9

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

# Report of the Committee on the Professions Regarding Licensing Petitions BR (CA) 10

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

# Hunter College of The City University of New York: Authorization to Award the Doctor of Nursing Practice (D.N.P.) Degree BR (CA) 11

**MOVED**, the Board of Regents authorize The City University of New York Board of Trustees to confer the D.N.P. degree on duly qualified students successfully completing registered D.N.P. programs at Hunter College of The City University of New York effective May 17, 2011.

Motion by:Regent Anthony S. BottarSeconded by:Regent Harry Phillips, 3<sup>rd</sup>Action:Motion carried unanimously

# **STANDING COMMITTEE REPORTS**

#### Joint P-12 Education/State Aid

Your P-12 Education Committee and Subcommittee on State Aid held a joint meeting on May 16, 2011. All members were present, except for Regent Bendit, who was excused.

#### **Action Items**

# Mandate Relief and Flexibility

Your Committee recommends that the Regents approve the mandate relief and flexibility option recommendations, as described in Appendix A, of which several were reviewed at the February meeting, and issue a vote of support for Department staff to seek further public comment on the special education options, as described in Appendix B. [P-12/SA (A) 1]

#### **Motion for Action By Full Board**

Madam Chancellor and Colleagues: Your P-12 Education Committee and State Aid Subcommittee recommend, and we move, that the Board of Regents act affirmatively

upon the recommendation in the written report of the Committees' deliberations at their meeting on May 17, 2011, copies of which have been distributed to each Regent.

#### **Cultural Education**

Regent Roger Tilles, Chair of the Cultural Education Committee, submitted the following written report.

Your Committee on Cultural Education Committee had its scheduled meeting on May 16, 2011.

In attendance were committee members: Tilles and Dawson. Absent were Regents Rosa and Bendit.

In addition to CE Committee Members, in attendance were: Regents Cea, Norwood, and Cottrell and Chief Operating Officer Valerie Grey.

#### Items for Discussion

**Chair's Remarks**: Regent Tilles welcomed everyone and opened the meeting. He noted that at tomorrow's full-board meeting, the Board will consider final adoption of a modification of Regents Regulations section 3.27 relating to the management of Museums and Historical Societies holding collections. The modifications were developed with the assistance and consensus support of a broad based committee, led by Carole Huxley.

# CE (D) 1 – Annual Report of the Regents Advisory Council on Libraries to the Board of Regents

Gerald Nichols, vice chair of the Regents Advisory Council (RAC) on Libraries briefed the committee on the Annual Report of the RAC. Chair of the Committee, Bridget Quinn-Carey was unable to attend today's meeting. Printed copies of the report were distributed to committee members prior to the meeting. The in-depth report included the status of current programs, services, recommendations and potential opportunities that would continually improve library services for all New Yorkers and to meet customers' ever-changing needs, advancing technologies and trends and challenges faced by Mr. Nichols indicated that libraries across the state are thriving, but are "starving" for resources. Mr. Nichols asked the committee to designate a liaison between the committee and the RAC. He also asked for input from committee members on the future vision for libraries. RAC member John Hammond briefed the committee on his work in developing a "20/20 Vision" report that establishes an agenda for libraries for the coming decade. He indicated that his working group will have a draft vision document by the end of the summer and that they would solicit input and feedback from the field at the New York Library Association annual meeting and hopefully in meetings throughout the state, within each Regent region.

Regent Tilles agreed to act as the liaison to the RAC. He also suggested that libraries would benefit from greater partnerships and increasing their visibility within the communities they serve. Regent Norwood suggested that the RAC solicit Board of Regents members for their input directly. He also suggested that he would assist the committee in reaching out to the library community in the finger lakes region. Finally, he suggested that the committee develop a plan and a vision that breaks down silos, that incorporates strong partnerships with the P-12 and higher education communities and that libraries follow the model of banks, being seen, not as buildings, but as omnipresent services.

#### CE (D) 2- Summer School of the Arts

Chief Operating Officer Val Grey briefed the committee on the financial status of the Summer School of the Arts and the recent transition of the program from the Office of P-12 to the Office of Cultural Education. The nationally recognized Summer School for the Arts' program is unique in itself, providing opportunities for professional training and instruction to qualifying high school students with special talents. By enriching students' experiences, these programs may help them define and elevate their talents and aid them in choosing a field in the fine arts and/or the performing arts. Regent Tilles indicated that the committee would like additional information on each of the individual schools, specifically where the students come from and what the need for each school is in order to advocate for additional support for the school.

## Joint P-12 Education/College and Career Readiness Working Group

Your P-12 Education Committee and College and Career Readiness Working Group held a joint meeting on May 16, 2011. All members were present.

#### Action Items

#### Options for Funding the Regents Examination System

Your Committees recommends that the Board of Regents direct staff to take the action steps listed in Chart A and Chart B in the Regents Item. The Committee endorsed the long-term action steps proposed by staff which include the securing of exams after they are given so that the questions can be reused, looking at other cost-effective options other than printing and shipping the tests, and piloting online testing to gauge the capacity of the Department and the field to administer tests electronically. Regent Roger Tilles voted in opposition on these proposed action steps. [P-12/CCR (A) 1]

#### **Motion for Action By Full Board**

Madam Chancellor and Colleagues: Your P-12 Education Committee and College and Career Readiness Working Group recommend, and I ove, that the Board of Regents act affirmatively upon the recommendation in the written report of the Committees' deliberations at their meeting on May 17, 2011, copies of which have been distributed to each Regent.

# **Matters Not Requiring Board Action**

<u>Common Core Transition Strategy</u> – The Committees discussed strategies to revise the State's assessment programs to ensure that they measure the knowledge and skills that are required for students to stay on track to college and career readiness from elementary school through graduation. The strategies discussed include:

- Possible revisions to the existing state standards in Science and Social Studies/History to ensure that they reflect rigorous expectations in each grade level and that they reflect a learning trajectory that ensures students graduate college and career ready.
- Creation of four domain-specific advisory panels and an implementation panel to advise on each step in the assessment design and validation process.
- Assessment design activities including conducting an analysis of the gap between the knowledge and skills currently measured by each of our exams and the knowledge and skills our exams need to make sure students are on track for college and career readiness.
- Creation of an ongoing empirical validation strategy to collect a variety of evidence regarding our assessments to be used to evaluate the quality and improve the rigor of our assessments.
- Changing the score scale to one which is consistent with the 3–8 testing program scale and reports student performance as a performance category.

Staff will begin the research and work necessary to build on this comprehensive assessment transition strategy and will return at a later date with a proposal for a coherent sequenced system that is aligned with the Common Core standards. [P-12/CCR (D) 1]

Earning Additional Course Credit through Integrated CTE Courses – The Committees discussed staff recommendations to provide additional integrated options in grades 9-10, where currently most BOCES districts offer CTE courses in middle-level and grades 11-12. Specific career pathways available in grades 11-12 in approved CTE programs could be expanded downward to reflect specific academic and technical skill sets necessary to provide the foundational content knowledge needed for success in college and careers. The Committee discussed a multi-year phase-in approach with the option for some districts to begin as early as the 2011-12 school year, by identifying existing CTE courses at the high school level that have the potential for integrated academic enhancement. Staff will begin to further develop the implementation plan and come back to a future meeting to update the Regents. [P-12/CCR (D) 2]

CTE Program Approval Process – the Committees discussed the Regents approved CTE policy permitting students to earn up to one unit each of required credit in English, science, and mathematics, and the combined unit of economics and government through integrated CTE courses in approved CTE programs. This allows students to pursue career and technical education through coursework that also offers credit for commencement-level academic skills and content. Department staff will review the existing Regents CTE policy to identify ways to expand access to high-quality CTE programs. Staff will return to the Regents at a future date with considerations for policy decisions. [P-12/CCR (D) 3]

## CTE Panel Presentation - Academic Integration in Approved CTE Programs

# **Panel Members**

- David Arntsen, Career and Technical Education Director, Madison-Oneida BOCES
- Ms. Gene Silverman, Executive Director, Department of Career and Technical Education Nassau BOCES
- James Weimer, Principal, Emerson High School of Hospitality, Buffalo City Schools
- Shirley Ware, Career and Technical Education Teacher, North Syracuse Central School District

The panel presented overviews of their programs and answered questions relating to how academic integration is operationalized in their CTE approved programs. Discussion focused on current options for students to earn academic credit through integrated CTE coursework and how integrated CTE coursework improves student learning and achievement. [P-12/CCR (D) 4]

Graduation Rate Reporting – the Committees discussed several approaches to developing valid and rigorous aspirational performance standards that are aligned with college- and career-readiness. Among the approaches discussed were the Regents Diploma with Advanced Designation, the ELA/Math Aspirational Performance Measure and using additional course and achievement differentiation for Math. Since fewer students pursue advanced math courses, the latter approach will need further development. In the next few weeks, the Department will release the graduation rate for students who entered grade 9 in the 2006-07 school year. This release will make clear the percentage of students in the cohort – by school and district – that met the following aspirational performance standards discussed in the meeting (which can be viewed as possible indicators of potential postsecondary success): Regents Diploma with Advanced Designation and the ELA/Math Aspirational Performance Measure. [P-12/CCR (D) 5]

## **Professional Practice**

Your Professional Practice Committee held its scheduled meeting on May 17, 2011. All Committee members were present, except for Vice Chancellor Milton L. Cofield, who was excused. Chancellor Merryl H. Tisch, Regent James O. Jackson,

Regent Kathleen M. Cashin and Regent James E. Cottrell 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 6 cases. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 20 consent order applications and 3 surrender applications be granted, with four members of the Committee voting acceptance of the consent application in the case of Mary Ann Lester, Dentist, Calendar No. 25522, and Regent Wade S. Norwood recusing himself from any consideration of this matter. [PPC EXS (A) 1-3]

In the case of John E. Walden, under Calendar No. 24917, we recommend that the April 5, 2011 Vote and Order in this matter, the Application For Consent Order granted in this matter, and the terms of probation attached as Exhibit "B" to the Application For Consent Order in this matter each be deemed corrected solely insofar as the calendar number of 25486 shown on each of said documents shall reflect the correct calendar number in this matter and be deemed to read the correct calendar number of "Cal. No. 24917"; and that the determination rendered on April 5, 2011 shall otherwise remain in full force and effect.

In the case of James Michael Werner, under Calendar No. 25495, we recommend that the terms of probation set forth in Exhibit "B" to the Application For Consent Order previously submitted by James Michael Werner and accepted by the Board of Regents on April 5, 2011 be deemed corrected solely insofar as the presently existing caption and headers in said Exhibit "B" indicates the name of James William Werner and the caption and headers in said Exhibit "B", therefore, each be deemed to read the applicant's correct name of "James Michael Werner"; and that the determination rendered on April 5, 2011 shall otherwise remain in full force and effect.

In the case of Ronald J. Peters, Veterinarian, Calendar No. 25612, we recommend the correction that, in view of respondent's clear, relevant conviction for the crime of "Animal Cruelty", the word "Forgery" at the beginning of line 19 on page 10 of the report of the Regents Review Committee in this matter be deemed deleted and the word "Cruelty" be deemed substituted therefore.

These recommendations are made following the review of 29 cases involving six licensed practical nurses, four registered professional nurses, three veterinarians, two certified public accountants, two dentists, two licensed practical nurses who are also registered professional nurses, one architect, one chiropractor, one clinical laboratory

technician, one certified dietitian/nutritionist, one licensed mental health counselor, one physical therapist, one professional engineer, and one psychologist.

#### Restoration Cases

Your Committee recommends: That, upon completion of an evaluation and, if necessary, treatment by a psychiatrist or psychologist and the submission of proof of his fitness to practice satisfactory to the Director of the Office of Professional Discipline, the execution of the order of revocation of the license of Allen Koral to practice as a dentist in the State of New York be stayed; that, upon his return to the practice of dentistry in this state, he be placed on probation for a period of two years in accordance with the Terms of Probation set forth in Exhibit A annexed the report of the Peer Committee, provided that the period of probation shall be tolled during periods in which the applicant is not engaged in the active practice of dentistry in New York State; and that, upon satisfactory completion of the probationary period, his license be fully restored. [PPC EXS (A) 4]

That the execution of the Order of Surrender of the license of P. Kithsen Dias to practice as a physician in New York State be stayed; that he placed on probation for five years under the Terms of Probation attached to the Report of the Committee on the Professions as Exhibit A; and that, upon satisfactory completion of the probationary period, his license be fully restored. [PPC EXS (A) 5]

That the application of Nicolette Francey for restoration of her license to practice as a physician in the State of New York be denied. [PPC EXS (A) 6]

That the application of Khaja Naseeruddin for restoration of his license to practice as a physician in the State of New York be denied. [PPC EXS (A) 7]

That the application of Rameshwar Pathak for restoration of his license to practice as a physician in the State of New York be denied. [PPC EXS (A) 8]

That the application of Abraham I. Sokol for restoration of his license to practice as a physician in the State of New York be denied. [PPC EXS (A) 9]

That the application of Donald R. Werner for restoration of his license to practice as a physician in the State of New York be denied. [PPC EXS (A) 10]

That application of Steven B. Wilkins for restoration of his license to practice as a physician in the State of New York be tabled. [PPC EXS (A) 11]

# **Motion for Action By Full Board**

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 17, 2011, copies of which have been distributed to each Regent.

# **Matters Not Requiring Board Action**

Your Committee discussed several topics of interest, including:

<u>Acting Deputy Commissioner's Report/Update</u> [Oral] – The Acting Deputy Commissioner reported on the following issues:

- Deputy Commissioner recruitment
- Overview of PPC Consent Agenda items scheduled for action by the Full Board
- Document Scanning
- E-licensing
- Licensing staffing
- International Medical School Advisory Committee
- Social Work Issues
- New York participation in the national nursing disciplinary and licensure data bank (NURSYS) through membership in the National Council of State Boards of Nursing (NCSBN)
- Institute of Medicine (IOM) report on The Future of Nursing

<u>Update on the Professions</u> [PPC (D) 1] – This overview of the Office of the Professions was provided as an introduction for a series of reports to the Professional Practice Committee about the status of and important issues relating to the various professions.

Amendment of Regents Rule Relating to Customized Patient Packaging of Medications for Patients on Complex Medication Regimens [PPC (D) 2] – This proposed amendment to the Rules of the Board of Regents would authorize pharmacists to package different medications together for administration at the same time. The proposed amendment will come before the Board of Regents for action at its July 2011 meeting.

#### **Higher Education**

Your Higher Education Committee held its scheduled meeting on May 17, 2011. All members were present with the exception of Chancellor Emeritus Bennett.

#### **Action Items**

Tenure and Seniority Rights for Teachers Performing Instructional Support Services in a BOCES. Your Committee discussed and approved an amendment to Subpart 30-1 of the Rules of the Board of Regents and section 80-1.8 of the Regulations of the Commissioner of Education, to authorize teachers employed by a board of cooperative educational services (BOCES) that perform instructional support services to accrue tenure and seniority rights in new tenure areas within the BOCES that are aligned with their instructional support duties. Your Committee voted that

subdivision (b) of section 30-1.2 of the Rules of the Board of Regents be amended; that subdivisions (c) and (d) of section 30-1.2 shall be renumbered to subdivisions (d) and (e), a new subdivision (c) be added, and renumbered subdivision (d) shall be amended and a new subdivision (e) shall be added to section 30-1.2 of the Rules of the Board of Regents; that subdivision (b) and (d) of section 30-1.9 of the Rules of the Board of Regents be amended; that section 80-1.7 of the Regulations of the Commissioner of Education be amended and that subdivision (a) of section 80-1.8 of the Regulations of the Commissioner of Education be amended, as submitted, effective May 20, 2011, 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 allow a teacher employed by a BOCES to accrue tenure and seniority rights for the performance of instructional support services in one of the newly created tenure areas so that BOCES can make budgetary and employment decisions before the new school year.

**STEM Regulations.** Your Committee discussed and approved a proposed amendment to allow individuals with advanced degrees in Science, Technology, Engineering and Mathematics (STEM) and related teaching experience at the postsecondary level to obtain a teaching certificate in Earth Science, Biology, Chemistry, Physics, Mathematics or in a closely related field. Your Committee voted that that paragraphs (45) through (47) of subdivision (b) of Section 80-1.1 be renumbered to paragraphs (46) through (48) and a new paragraph (45) be added; that subparagraph (i) of paragraph (2) of subdivision (a) of section 80-3.3 be amended; that section 80-3.7 be amended and a new section 80-5.22 is added to the Regulations of the Commissioner of Education, effective May 17, 2011, as an emergency action upon a finding by the Board of Regents that such action is necessary to protect the general welfare of the public to address the demonstrated shortage of certified teachers in science and mathematics in grades 7-12.

#### **Motion for Action By Full Board**

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 17, 2011, copies of which have been distributed to each Regents.

#### P-12 Education

Your P-12 Education Committee held its scheduled meeting on May 17, 2011. All members were present, except for Chancellor Emeritus Bennett and Regent Dawson, who were excused.

#### **Action Items**

Charter School Actions

Your Committee recommends that the Board of Regents approves and issues the second renewal charter of the Tapestry Charter School as proposed by the Board of Trustees of the State University of New York, and that its provisional charter be extended for a term up through and including April 24, 2016. [P-12 (A) 1]

# **Motion for Action By Full Board**

Madam Chancellor and Colleagues: Your P-12 Education Committee recommends, and I 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 17, 2011, copies of which have been distributed to each Regent.

#### **Matters Not Requiring Board Action**

Laboratory Requirements for Qualifying to take a Regents Exam in any of the Sciences – The Committee discussed the current laboratory requirements necessary for students to qualify to take a Regents Exam in any of the Sciences and recent changes and proposed additions to regulations that allow students to demonstrate achievement of the NYS Learning Standards through alternate pathways beyond traditional coursework, including online and blended learning. The Committee directed staff to convene a group of science, technology, and education stakeholders including teachers and leaders from school districts, institutions of higher education, and business and industry to review and evaluate the science laboratory requirement; consider and appraise current available research on teaching and learning in science; and make recommendations to the Board of Regents regarding amendments to current regulations. [P-12 (D) 1]

School Safety Plans – the Committee discussed proposed amendments to regulations relating to district-wide school safety plans and building-level school emergency response plans. Current regulations require that the district-wide school safety plans include the minimum requirements prescribed by law, plus plans of evacuation and sheltering as well as information on school population, number of staff, transportation needs and the business and home telephone numbers of key officials of each educational agency within the district. Due to recent events surrounding safety and security, this confidential information will now be part of the building-level school emergency response plan, which is not shared with the general public. This proposed amendment will ensure that confidential information including the home telephone numbers of local education officials and the tactical strategies for responding to critical events such as building evacuation and sheltering are not disclosed to the public. These proposed regulations will be presented to the Committee at the July meeting for permanent adoption. [P-12 (D) 2]

<u>Consent Agenda Items</u> – Senior Deputy Commissioner King presented the following item scheduled for approval on the full Board consent agenda:

• Proposed amendments to regulations to make technical amendments to Section 100.2(ee)(2) relating to Academic Intervention Services.

## **Adult Career and Continuing Education Services (ACCES)**

Your ACCES Committee held its scheduled meeting on May 17, 2011. All members were present, with the exception of Chancellor Emeritus Bennett, Regent Chapey and Regent Tilles, who were excused. Additional members of the Board attending were Vice Chancellor Cofield, Regent Cashin, Regent Cottrell, and Regent Jackson.

#### **Matters Not Requiring Board Action**

The Committee was informed about the Business Initiatives within the Office of Adult Career and Continuing Education Services-Vocational Rehabilitation. The marketing strategy developed through *Designing Our Future* provided the construct for ACCES-VR's current business initiatives. A report was given on the initiatives undertaken by ACCES-VR on outreach to businesses, tracking job ready consumers and marketing of business incentives. In order to meet the employment needs of the more than 53,000 individuals who are engaged in the VR program, we continue to develop strategies that connect consumer training with the employment needs of businesses. The resulting initiatives will serve to provide VR professionals and consumers with information about essential job skills, hiring practices, and company-based opportunities for career development. Such information will serve to empower individuals with disabilities in their choice of employment or career path.

The goal of Vocational Rehabilitation is for individuals with disabilities to achieve an employment outcome that allows them to be self-sufficient and support themselves through earned income. For ACCES-VR to support that goal, it means we must be responsive to the ever changing labor market forces. It is also essential that ACCES-VR continues to foster its partnerships with business, qualified employers and its potential employees. Partnerships are the key for Vocational Rehabilitation to ensure equal access to the world of work because the labor market changes constantly and those changes impact individuals with disabilities obtaining employment.

#### **Audit/Budget and Finance**

The Regents Committee on Audits/Budget and Finance met as scheduled on May 17, 2011. Vice Chair Bendit, Regents Tilles, Phillips, Tallon, Young, Cashin and Cottrell were in attendance.

Chair's Remarks: Regent Chapey welcomed everyone. She reiterated the role of the Committee in assisting the Board of Regents in its fiscal responsibilities and fostering collaboration across the Department.

#### Items for Discussion

#### May 2011 Fiscal Report

Your Committee reviewed the fiscal report. Our Chief Operating Officer briefed the Committee members on the status of efforts to improve the fiscal health of some accounts including Teacher Tenure Hearings, Cultural Ed, GED, and Assessment.

## <u>Implementing the 2011-2012 Operations Budget</u>

The Committee was updated on the development of budget plans and cost cutting measures in line with the enacted State budget.

#### **Completed Audits**

The Committee was presented with 59 audits this month. The audits included 6 audits issued by the Office of Audit Services (OAS) and 53 audits issued by the Office of the State Comptroller (OSC). The members were briefed on the audit of Henry Viscardi School. The audits identified the need for recovery of funds and improved accounting and budgeting practices. OAS will continue to monitor trends requiring the attention of the Committee.

#### Developing the Audit Plan for the Office of Audit Services

The Committee was updated on the development of the Office of Audit Services' Audit Plan for 2011-2012 which will be presented at the next month's meeting.

Motion by:Regent Harry Phillips, 3rdSeconded by:Regent Geraldine D. ChapeyAction:Motion carried unanimously

## **ACTION ITEMS**

# Proposed Revocation of Charter of Kingsbridge Innovative Design Charter School BR (A) 6

**MOVED**, that the attached recommended decision is adopted by the Board of Regents, that the Kingsbridge Innovative Design Charter School be placed on probation for the period commencing on May 17, 2011 and ending on June 29, 2011; that the charter and certificate of incorporation (also known as the provisional charter) are revoked and the education corporation is dissolved, effective June 30, 2011; and that notice to such effect be given to the trustees of the charter school, that any student records be transferred to the New York City Department of Education in accordance

with the provisions of Education Law §2851(2)(t), and that the assets of the corporation be distributed through the procedures set forth in Education Law §220.

Motion by: Vice Chancellor Milton L. Cofield

**Seconded by:** Regent Anthony S. Bottar **Action:** Motion carried unanimously

# April 2011 Fiscal Report and Federal Budget Update BR (A) 3

**MOVED**, that the Board of Regents accept the April 2011 State Education Department Fiscal Report as presented.

Motion by: Vice Chancellor Milton L. Cofield Regent Geraldine D. Chapey Motion carried unanimously

# Appendix I NEW YORK STATE BOARD OF REGENTS CHARTER ACTIONS

	Program	County of	Description of Charter Action(s)
Name of Institution	Area	Location	Description of charter Action(s)
Alice Curtis Desmond and Hamilton Fish Library	CE	Putnam	Amend charter to:  • designate the library's service area to be the Town of Philipstown excluding the Villages of Cold Spring and Nelsonville;  • restate IRS language.
Dolgeville Manheim Public Library	CE	Herkimer	<ul> <li>Amend charter to:         <ul> <li>designate the library's service area to be coterminous with the Town of Manheim and the Village of Dolgeville, including that portion of the Village of Dolgeville that lies within the Town of Salisbury;</li> <li>specify the number of trustees to be not less than five nor more than 15;</li> <li>restate IRS language.</li> </ul> </li> </ul>
Dutchess County Firefighting Museum	CE	Dutchess	Grant provisional charter for five years.
Foundation of Jewish Moroccan Legacy	CE	New York	Grant provisional charter for five years.
Friends of Mountainside	CE	Washington	Amend charter to:      designate Commissioner as agent for service;      add IRS tax language.
James Prendergast Library Association	CE	Chautauqua	Grant absolute charter in the first instance.
The Leslie-Lohman Museum of Gay and Lesbian Art	CE	New York	Grant provisional charter for five years.
Mohawk Valley Historical Transportation Society	CE	Oneida	Grant provisional charter for five years.
Niagara Science Museum	CE	Niagara	Grant provisional charter for five years.

Ogden Historical Society	CE	Monroe	Grant absolute charter.
Oriskany Public Library	CE	Oneida	<ul> <li>Amend charter to:</li> <li>designate the library's service area to be coterminous with the Village of Oriskany;</li> <li>specify the number of trustees to be not less than five nor more than 15;</li> <li>designate Commissioner as agent for service;</li> <li>add IRS tax language.</li> </ul>
The Public Broadcasting Council of Central New York, Inc.	CE	Onondaga	Consent to filing of certificate of assumed name "Axxess Television Production".
Red Jacket Community Library	CE	Ontario	Grant absolute charter.
Stony Point Historical Society	CE	Rockland	Grant provisional charter for five years.
WNET.ORG	CE	New York	Consent to filing of certificate of assumed name "WNET".
Dominican Academy of the City of New York	P-12	New York	<ul> <li>Amend charter to:</li> <li>restate members of corporation;</li> <li>restate IRS dissolution language.</li> </ul>
First Nursery School of Utica	P-12	Oneida	Amend charter to add authority to operate a day care for children ages three to five and extend charter for three years.
Grace Playschool	P-12	Nassau	Amend charter to add authority to operate a day care for children under the age of six years who will be in attendance for more than three hours a day.
Hebrew Educational Society of Brooklyn	P-12	Kings	Amend charter to restate corporate purposes.
Holy Angels Academy	P-12	Erie	Amend charter to:
International Preschools	P-12	New York	Extend charter for three years.

The Manhattan Childrens Center	P-12	Queens	Amend charter to add authority to operate grades nine through 12 for children diagnosed with autism spectrum disorder.
Milestones Children's Center	P-12	Jefferson	Extend charter for three years.
Mountain Laurel Waldorf School	P-12	Ulster	Extend charter for three years.
Our Lady of Mercy High School of Rochester	P-12	Monroe	Amend charter to revise provision on members.
Park Slope North/Helen Owen Carey Child Development Center	P-12	Kings	Amend charter to delete authorization to operate kindergarten.
The Sands Academy	P-12	Livingston	Extend charter for three years.
Solomon Schechter High School of New York	P-12	Suffolk	Dissolve absolute charter.
South Buffalo Catholic School	P-12	Erie	<ul> <li>Amend charter to:</li> <li>provide for members and reserved rights of members;</li> <li>amend dissolution language and extend charter for three years.</li> </ul>
Westchester- Fairfield Hebrew Academy	P-12	New York	Amend charter to change corporate name to "Carmel Academy".
The Julliard School	HE	New York	Amend charter to add authority to confer the degree of Master of Fine Arts.
Medaille College	HE	Erie	Amend charter to restate the purposes of the corporation, including authorization:  • to confer degrees approved and authorized by the Board of Regents;  • to conduct a demonstration school;  • to offer adult education classes;  • to operate branch campuses in Amherst, NY; Brighton, NY; and the Greater Toronto Area, Ontario, Canada;  • award honorary degrees in accordance with Regents Rule

Yeshiva University	HE	Nassau	Amend charter to add authority to
			confer the degree of Master of
			Business Administration (M.B.A.).

#### Appendix II

# REGENTS ACTIONS IN 29 PROFESSIONAL DISCIPLINE CASES AND 7 RESTORATION PETITIONS

#### May 16-17, 2011

The Board of Regents announced disciplinary actions resulting in the revocation of 1 certificate, surrender of 3 licenses, and 25 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 7 restoration petitions.

#### I. REVOCATION AND SURRENDERS

#### **Dietetics and Nutrition**

Carol P. Pierce-Ellis; Dietitian/Nutritionist; Coleman, FL 33521, Teaneck, NJ 07666; Cert. No. 001531; Cal. No. 25297; Found guilty of professional misconduct; Penalty: Revocation.

#### **Nursing**

**Patricia Lynn Bogue**; Licensed Practical Nurse; Red Hook, NY 12571; Lic. No. 252710; Cal. No. 25485; **Application to surrender license granted. Summary:** Licensee admitted to charges of having been convicted of Petit Larceny and Offering a False Instrument for filing in the 2<sup>nd</sup> Degree, both misdemeanors.

Mark Alan Bertsch; Registered Professional Nurse; New Castle, IN 47362; Cal. No. 25585; Lic. No. 411666; Application to surrender license granted. Summary: Licensee did not contest charges of having been convicted in Indiana of Child Molesting and Battery to a Child.

# **Psychology**

**Sally Ann Wright**; Alderson, WV 24910; Lic. No. 012791; Cal. No. 25545; **Application to surrender license granted. Summary:** Licensee admitted to charges of having been convicted of Health Care Fraud and having been found guilty of professional misconduct in New Jersey.

#### **II. OTHER REGENTS DISCIPLINARY ACTIONS**

#### **Architecture**

Luis Luistro Garcia; Wayne, NJ 07470-2410; Lic. No. 016294; Cal. No. 25538; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

## Chiropractic

Christopher Gustaf Nelson; Riverhead, NY 11901; Lic. No. 010995; Cal. No. 25547; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

# **Clinical Laboratory Technology Practice**

Barbara Scorcia-Turley; Clinical Laboratory Technician; Bethpage, NY 11714-6201; Cert. No. 007906; Cal. No. 25559; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

### **Dentistry**

Mary Ann Lester; Dentist; Rochester, NY 14618; Lic. No. 042195; Cal. No. 25522; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Gary Osmanoff; Dentist; Brooklyn, NY 11209; Lic. No. 044503; Cal. No. 25530; Application for consent order granted; Penalty agreed upon: 1 year actual suspension, 2 year stayed suspension, 3 years probation, \$1,000 fine.

## **Engineering and Land Surveying**

Andrew Steven Braum; Professional Engineer; Wantagh, NY 11793; Lic. No. 077439; Cal. No. 24685; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$3,500 fine.

#### **Mental Health Practitioners**

Kimberly A. Swan; Licensed Mental Health Counselor; Newark, NY 14513-9119; Lic. No. 000211; Cal. No. 25283; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

#### Nursing

**Kathleen Ann Collins**; Licensed Practical Nurse; Schenectady, NY 12307-1311; Lic. No. 198413; Cal. No. 24320; **Found guilty of professional misconduct**; **Penalty:** 24 months suspension, execution of last 6 months of suspension stayed, probation 24 months to run concurrently with period of suspension.

Laurie A. Ramos a/k/a Laurie A. Vega; Licensed Practical Nurse, Registered Professional Nurse; Buffalo, NY 14216, Williamsville, NY 14221; Lic. Nos. 240684, 540556; Cal. Nos. 24960, 24961; Found guilty of professional misconduct; Penalty: \$500 fine, indefinite suspension until substance abuse-free and until fit to practice,

probation 2 years to commence subsequent to termination of suspension and upon actual return to practice.

**Bonnie Lorraine Oliver**; Licensed Practical Nurse; Baldwinsville, NY 13027; Lic. No. 243737; Cal. No. 25302; **Application for consent order granted; Penalty agreed upon:** 4 month actual suspension, 20 month stayed suspension, 2 years probation, \$500 fine.

**Susan M. Robisch**; Registered Professional Nurse; Lockport, NY 14094; Lic. No. 580307; Cal. No. 25366; **Application for consent order granted; Penalty agreed upon:** 1 month actual suspension commencing June 1, 2011 and terminating June 30, 2011, 23 month stayed suspension, 2 years probation, \$500 fine.

Jack A. Walters, Jr.; Registered Professional Nurse; North Tonawanda, NY 14120; Lic. No. 487640; Cal. No. 25449; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 6 months and until mentally fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine payable within 90 days.

Leah M. Biggins; Licensed Practical Nurse; Churchville, NY 14428; Lic. No. 276230; Cal. No. 25462; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

**Wilber J. Maher**; Licensed Practical Nurse; Lyons, NY 14489; Lic. No. 246682; Cal. No. 25487; **Application for consent order granted**; **Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$500 fine.

Mary Ella Syberg a/k/a Mary E. Sturm; Licensed Practical Nurse, Registered Professional Nurse; Perry, NY 14530; Lic. Nos. 164010, 501065; Cal. Nos. 25525, 25526; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 3 months and until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine payable within 6 months.

Jessica G. Zabel; Registered Professional Nurse; Phoenix, AZ 85019-3207; Lic. No. 548536; Cal. No. 25562; 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 in State of New York, \$500 fine.

Carrie A. Seadeek; Licensed Practical Nurse; Williamson, NY 14589; Lic. No. 289932; Cal. No. 25571; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

#### Physical Therapy

**Denise Rae Price**; Physical Therapist; Spencer, NY 14883; Lic. No. 017794; Cal. No. 25411; **Application for consent order granted**; **Penalty agreed upon**: 2 year stayed suspension, 2 years probation, \$500 fine.

# **Public Accountancy**

Lawrence Stephen Fischer; Certified Public Accountant; Glen Cove, NY 11542; Lic. No. 032015; Cal. No. 25452; Application for consent order granted; Penalty agreed upon: Partial actual suspension in certain area until successfully complete course of retraining in said certain area, upon termination of partial actual suspension, 2 years probation, \$2,500 fine payable within 5 months.

**Michael A. Jacobson**; Certified Public Accountant; Great Neck, NY 11021; Lic. No. 034643; Cal. No. 25604; **Application for consent order granted; Penalty agreed upon:** Partial actual suspension in certain area until successfully complete course of retraining in said certain area, upon termination of partial actual suspension, 2 years probation, \$2,500 fine payable within 2 months.

#### **Veterinary Medicine**

**Burton D. Miller**; Veterinarian; Huntington, NY 11746; Lic. No. 004578; Cal. No. 25450; **Application for consent order granted**; **Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$2,500 fine.

**Ronald J. Peters**; Veterinarian; Greenwich, NY 12834; Lic. No. 003963; Cal. No. 25498; **Application for reconsideration granted**, as set forth in Regents Review Committee report.

**Ronald J. Peters**; Veterinarian; Greenwich, NY 12834; Lic. No. 003963; Cal. No. 25612; **Application for reconsideration granted**, only to the extent of modification of penalty, as set forth in Regents Review Committee report.

## **III. RESTORATIONS**

The Board of Regents voted on May 17, 2011 to deny the petition for restoration of the physician license of Donald Werner, Norwalk, CT. Dr. Werner's license was originally surrendered July 21, 2000.

The Board of Regents voted on May 17, 2011 to deny the petition for restoration of the physician license of Abraham Sokol, Scarsdale, NY. Dr. Sokol's license was originally surrendered January 31, 1994.

The Board of Regents voted on May 17, 2011 to deny the petition for restoration of the physician license of Nicolette Francey Asselin, Sunappee, NH. Dr. Francey Asselin's license was originally revoked February 14, 2000.

The Board of Regents voted on May 17, 2011 to deny the petition for restoration of the physician license of Khaja Naseeruddin, Goshen, NY. Dr. Naseeruddin's license was originally surrendered July 25, 2000.

The Board of Regents voted on May 17, 2011 to stay the execution of the order of surrender of the physician license of P. Kithsen Dias, Roslyn, NY, to place him on probation for 5 years under specified terms and conditions, and, upon satisfactory completion of the probationary period, to fully restore his license. Dr. Dias' license was originally surrendered March 25, 2003.

The Board of Regents voted on May 17, 2011 to stay the execution of the order of revocation of the dentist license of Allen Koral, Jericho, NY, upon his satisfaction of specified conditions; upon his return to the practice of dentistry in New York, to place him on probation for a period of two years under specified terms and conditions, and, upon satisfactory completion of the probationary period, to fully restore his license. Dr. Koral's license was originally revoked February 8, 2000.

The Board of Regents voted on May 17, 2011 to deny the petition for restoration of the physician license of Rameshwar Pathak, East Patchogue, NY. Dr. Pathak's license was originally revoked June 2, 1996.