

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

TO:The Honorable the Members of the Board of RegentsFROM:Tony LofrumentoAnthonySUBJECT:Summary of the December 2014 MeetingDATE:January 5, 2015AUTHORIZATION(S):Summary of the Bearline

Executive Summary

Issue for Decision

Review of the Summary of the December 2014 Meeting of the Board of Regents.

Proposed Handling

Approval of the Summary of December 2014 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 December 2014 meeting.

## Timetable for Implementation

Effective January 13, 2015.

**VOTED**, that the Summary of the December 2014 Meeting of the Board of Regents of The University of the State of New York be approved.



# SUMMARY OF THE DECEMBER 2014 MEETING

## **OF THE BOARD OF REGENTS**

## OF

## THE UNIVERSITY OF THE STATE OF NEW YORK

Held at the State Education Building

Albany, New York December 15 and 16, 2014

Anthony Lofrumento, Secretary Board of Regents

## THE BOARD OF REGENTS

The Board of Regents of The University of the State of New York held a public session on Monday, December 15, 2014 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

# MEETING OF THE FULL BOARD, Monday, December 15<sup>th</sup> at 9:00 a.m.

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

Merryl H. Tisch, Chancellor Anthony S. Bottar, Vice Chancellor Robert M. Bennett, Chancellor Emeritus James C. Dawson 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 Kathleen M. Cashin T. Andrew Brown Josephine Victoria Finn

Also present were the Commissioner of Education, John B. King Jr., Executive Deputy Commissioner, Elizabeth Berlin, Counsel, Deputy Commissioner for Legal Affairs, Richard J. Trautwein, and the Secretary, Board of Regents, Anthony Lofrumento. Regent James E. Cottrell was absent and excused.

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

## ACTION ITEM

## **Executive Session Motions**

**MOVED**, that the Board of Regents convene in executive session on Monday, December 15, 2014 at 9:01 a.m. and on Tuesday, December 16, 2014 at 10:45 am to discuss personnel and litigation matters.

| Motion by:   | Vice Chancellor Anthony S. Bottar     |  |  |
|--------------|---------------------------------------|--|--|
| Seconded by: | Chancellor Emeritus Robert M. Bennett |  |  |
| Action:      | Motion carried unanimously            |  |  |

Chancellor Merryl H. Tisch called the meeting to order at 10:15 a.m.

Chancellor Tisch praised outgoing Commissioner John B. King, Jr., who announced his appointment as U.S. Deputy Secretary for Education in the President Obama Administration. Chancellor Tisch also announced the immediate national search for the next New York State Education Commissioner. The Chancellor announced the Search Committee Members:

> Vice Chancellor Anthony S. Bottar – Chair Regent James C. Dawson Regent Roger Tilles Regent Betty A. Rosa Regent Lester W. Young, Jr. Regent Christine D. Cea Regent T. Andrew Brown

Chancellor Tisch Announced that in the interim, that Elizabeth Berlin will be elevated to Acting Commissioner and that Ken Wagner will be elevated to Senior Deputy Commissioner and oversee the Department's educational programs.

Search Committee Chair, Vice Chancellor Anthony S. Bottar, reviewed the Search Committee process including the selection of a search firm that will collect and review all applications.

## **ACTION ITEM**

## Regents 2015-16 Proposal on State Aid to School Districts BR (A) 5

Regent James R. Tallon, Jr. presented the Regents 2015-16 Proposal on State Aid to School Districts.

**MOVED,** that the Regents adopt the attached report as their proposal on State Aid to school districts for the school year 2015-16.

| Motion by:   | Chancellor Emeritus Robert M. Bennett |  |  |
|--------------|---------------------------------------|--|--|
| Seconded by: | Regent Roger Tilles                   |  |  |
| Action:      | Motion carried unanimously.           |  |  |

Chancellor Merryl H. Tisch adjourned the meeting.

# MEETING OF THE FULL BOARD, Tuesday, December 16<sup>th</sup> at 10:45 a.m.

## **Board Members in Attendance:**

Merryl H. Tisch, Chancellor Anthony S. Bottar, Vice Chancellor Robert M. Bennett, Chancellor Emeritus James C. Dawson Harry Phillips, 3<sup>rd</sup> James R. Tallon, Jr. Roger Tilles Betty A. Rosa Lester W. Young, Jr. Christine D. Cea Wade S. Norwood Kathleen M. Cashin T. Andrew Brown Josephine Victoria Finn

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

Chancellor Merryl H. Tisch called the meeting to order at 10:45 a.m.

## ACTION ITEMS

#### Charter Applications BR (A) 1

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

#### Summary of the November 2014 Meeting of the Board of Regents BR (A) 2

**MOVED**, that the Summary of the November 2014 Meeting of the Board of Regents of The University of the State of New York be approved.

| Motion by:   | Regent Harry Phillips, 3 <sup>rd</sup> |  |  |
|--------------|--|--|--|
| Seconded by: | Vice Chancellor Anthony S. Bottar      |  |  |
| Action:      | Motion carried unanimously.            |  |  |

## PROGRAM AREA CONSENT ITEMS

# Adult Career and Continuing Education Services (ACCES)

## Appointments to the New York State Independent Living Council, Inc. BR (CA) 1

**MOVED,** that Joseph Bravo be appointed for a three-year term beginning January 1, 2015 and ending December 31, 2017.

**MOVED**, that Jose Gonzalez be appointed for a two-year term beginning January 1, 2015 and ending December 31, 2017.

**MOVED,** that Lindsay Miller be appointed for a one-year term beginning January 1, 2015 and ending December 31, 2017.

**MOVED**, that Suzanne Peters be appointed for a one-year term beginning January 1, 2015 and ending December 31, 2017.

**MOVED,** that Melba Torres be appointed for a one-year term beginning January 1, 2015 and ending December 31, 2017.

**MOVED,** that George Hoehmann be appointed for a one-year term beginning January 1, 2015 and ending December 31, 2017.

**MOVED,** Helen Fang, Robert Gumson, Julie Cardone, Luis Gutierrez, Sue Hoger, Maura Kelley, and Sue Ruff be reappointed for a second three-year term beginning January 1, 2015 and ending December 31, 2017.

**MOVED,** that Henry Nixon, Jr., be reappointed for a three-year term beginning January 1, 2015 and ending December 31, 2017.

## Appointments to the New York State Rehabilitation Council BR (CA) 2

**MOVED,** that Shain G. Anderson, Joann Marshall, Joanie Parker, Tonya Robinson and Michael A. Sherman be appointed for a three-year term beginning January 1, 2015 and ending December 31, 2017.

**MOVED,** that Nicole David, Michael Irwin, Fredda Rosen, Lourdes Rivera-Putz, Roger Purdy, Lourdes Rosa-Carrasquillo, and Craig Wolfson be re-appointed for a three year term beginning January 1, 2015 and ending December 31, 2017.

## Higher Education

#### St. Paul's School of Nursing: Extension of Provisional Authority to Confer Degrees BR (CA) 9

**MOVED,** that the Board of Regents extends the School's provisional authority to confer degrees until December 31, 2016. The School shall submit annual progress reports 1) documenting progress made towards full compliance with program registration standards; and 2) providing evidence that the degree programs are meeting their educational objectives, including improved performance on the national nursing licensure examinations. At least 12 months prior to the end of the provisional authority period, the institution must apply for permanent authority to confer degrees.

## P-12 Education

## Proposed Amendment of Sections 57-1.1 and 135.4 and Addition of Section 135.7 of the Regulations of the Commissioner of Education, Relating to Child Abuse and Maltreatment Identification and Reporting Coursework or Training for Coaches BR (CA) 3

**MOVED**, that section 57-1.1 and paragraph (7) of subdivision (c) of section 135.4 of the Regulations of the Commissioner of Education be amended, and that section 135.7 be added, as submitted, effective December 31, 2014.

## Technical Clarification to §100.5(g)(1)(ii)(a) of the Commissioner's Regulations Relating to the Transition to the Common Core Regents Examination in Algebra I BR (CA) 4

**MOVED**, that the emergency rule amending clause (a) of subparagraph (ii) of paragraph (1) of subdivision (g) of section 100.5 of the Regulations of the Commissioner of Education, that was adopted at the November 17-18, 2014 meeting of the Board of Regents, is repealed, effective December 16, 2014; and it is further

**MOVED,** that clause (a) of subparagraph (ii) of paragraph (1) of subdivision (g) of section 100.5 of the Regulations of the Commissioner is amended as submitted, effective December 16, 2014, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare in order to immediately repeal the November emergency rule and adopt the revised proposed rule for purposes of clarifying the student cohort to which the proposed rule applies, and thereby ensure that school districts and affected students are given sufficient notice to prepare for and timely implement the revised proposed rule in the 2014-15 school year.

#### Proposed Amendment of Section 100.2(ee) of the Commissioner's Regulations, Relating to Academic Intervention Services (AIS) BR (CA) 5

**MOVED**, that paragraph (2) of subdivision (ee) of section 100.2 of the Regulations of the Commissioner of Education be amended, as submitted, effective December 31, 2014.

## Proposed Amendments to Subpart 154-2 of the Commissioner's Regulations BR (CA) 6

**MOVED,** that paragraph (5) of subdivision (a), paragraph (3) of subdivision (f), and subdivision (k) of section 154-2.3 of the Regulations of the Commissioner of Education, and paragraph (8) of subdivision (b) of section 154-2.4 of the Regulations of the Commissioner of Education, be amended as submitted, effective December 31, 2014.

## Withdrawal of the Initial Charter Approval for Greater Works Charter School BR (CA) 11

**MOVED,** that the Board of Regents accepts the withdrawal by the applicants of the application for approval of the Board of Regents of the issuance of a charter and a provisional charter for the Greater Works Charter School to open in the 2015-2016 school year and hereby rescinds, nunc pro tunc to November 18, 2014, the action of the Board of Regents at its meeting of November 17-18, 2014 in approving the application and the issuance of a charter for the Greater Works Charter School.

## **Professional Practice**

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

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

## Report of the Committee on the Professions Regarding Licensing Petitions BR (CA) 8

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

## Office of Counsel

## 2015 Regulatory Agenda BR (CA) 10

**MOVED,** that the 2015 Regulatory Agenda for the State Education Department be approved, as submitted.

| Motion by:   | Regent James C. Dawson |
|--------------|------------------------|
| Seconded by: | Regent Roger Tilles    |
| Action:      | Motion carried.        |

## **STANDING COMMITTEE REPORTS**

#### Audits/Budget and Finance

The Regents Committee on Audits/Budget and Finance met as scheduled yesterday, December 15, 2014. Chancellor Tisch, Regents Dawson, Phillips, Tilles, Bendit, Finn and Tallon were in attendance.

Items Discussed

Completed Audits

The Internal Audit Workgroup reviewed the 18 audits that are being presented to the Committee this month. All 18 audits were issued by the Office of the State Comptroller (OSC). Seventeen audits were of school districts and one was an audit of a charter school.

The findings were in the areas of budgeting, financial reporting, reserves, procurement, capital construction, payroll, and travel.

2014 Fiscal Report

Our Chief Financial Officer briefed the Members on the Fiscal Report for November. Extensive spending controls continue for all funds. General Fund spending reflects the amounts appropriated in the 2014-15 enacted budget. General Fund accounts are in structural balance. Special Revenue accounts are all in structural balance on a current year basis and the accumulated negative balance in the Cultural Education Account is being reduced by approximately \$400,000.

## 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 December 16, 2014.

In attendance were committee members: Regents Tilles, Dawson, Cea, and Brown. Absent: Regents Bendit, Rosa and Cottrell. In addition to CE Committee Members, in attendance were Regents Philips, Tallon, Cashin and Finn as well as Executive Deputy Commissioner Berlin.

# ITEMS FOR DISCUSSION

Chair's Remarks: Regent Tilles welcomed everyone and opened the meeting. Regent Tilles remarked on the Executive's recent veto of a bill establishing the Starr Library District. Regent Tilles suggested that the committee discuss the concept of public library districts at a future meeting.

# CE(A) 1: Regents Advisory Council on Libraries Appointments

Deputy Commissioner Jeffrey Cannell recommended that the Board of Regents appoint three replacement members to the Regents Advisory Council on Libraries as presented.

Motion made by Regent Dawson Seconded by Regent Brown The vote to approve was unanimous among all committee members present. Motion Passed.

CE(D)1: Native American Art Exhibition from the NYSM Collections Lisa Anderson, Museum Scientist 3 and Curator BioArcheology reported on recent acquisitions to the collection from Native American Artists. Dr. Anderson showed the committee all of the recent acquisitions and brought two examples of items. She commented that some of the materials are now on exhibit.

CE(D)2: Report on the 2014 Uncommon Approaches to the Common Core Conference Elizabeth Hood, Director of Educational Television and Public Broadcasting reported on attendance, format and outcomes from the August 2014 Uncommon Approaches to the Common Core Conference, highlighting key issues raised by schools and cultural institutions as impediments to stronger partnerships, including pupil transportation. She demonstrated the web site that provides links to cultural institutions statewide as well as lesson plans, social media resources and free curriculum resources. In addition, Hood informed the committee that the 2015 Uncommon Approaches to the Common Core Conference will occur August 11-12, 2015.

## Higher Education

Your Higher Education Committee held its scheduled meeting on December 15, 2014

Action Items

Renewal of Institutional Accreditation: The Salvation Army College for Officer Training. Your Committee recommends that the Board of Regents renew the institutional accreditation of The Salvation Army College for Officer Training for a term of seven years without conditions. All recommendations will be addressed in the institution's required annual reports.

## MOTION FOR ACTION BY FULL BOARD

Madam Chancellor and Colleagues: Your Higher Education Committee recommends, and we move, that the Board of Regents act affirmatively upon each recommendation in the written report of the Committee's deliberations at its meeting on December 15, 2014, copies of which have been distributed to each member of the Board of Regents.

Other matters not requiring action:

Proposed Amendment to Sections 80-1.1 and 80-5.6 of the Regulations of the Commissioner of Education Relating to Time Extensions for Level II Teaching Assistant Certificates, the Definition of School Year for Purposes of Experience for Certification as a Teaching Assistant and a Technical Amendment Relating to Fees for the Internship Certificate.

The Teaching Assistant Level III (80-1.3(a)(2)) requires Citizenship or permanent residency status to be issued. There are people that hold the Teaching Assistant Level II certificate that are not able to be issued the permanent residency status within the life of the Level II (3 years). We are proposing that we issue a one year time extension that may be renewed one year at a time for the reason of lack of citizenship. Currently Section 80-5.6(ii)(b) requires satisfactory employment as a teaching assistant for one school year under a Level I certificate. It is anticipated that the proposed amendment will be adopted at the March 2015 Regents meeting.

## P-12 Education

Your P-12 Education Committee held its scheduled meeting on December 15, 2014. All members were present.

## **ACTION ITEMS**

## Student Enrollment [P-12 (A) 2]

Your Committee recommends that subdivision (y) of section 100.2 of the Regulations of the Commissioner is amended as submitted, effective December 16, 2014, 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 immediate compliance with federal and State laws regarding access to a free public education system and to provide clear requirements for school districts regarding the enrollment of students, particularly as it pertains to procedures for unaccompanied minors and other undocumented youths.

New York City Department of Education Charter School Renewals [P-12 (A) 3 Revised]

Action on this item was deferred until the January meeting of the Board of Regents.

## MOTION FOR ACTION BY FULL BOARD

Madam Chancellor and Colleagues: Your P-12 Education Committee recommends, and we move, that the Board of Regents act affirmatively upon each recommendation in the written report of the Committee's deliberations at its meeting on December 16, 2014, copies of which have been distributed to each Regent.

## MATTERS NOT REQUIRING BOARD ACTION

Instruction in Cardiopulmonary Resuscitation and in the Use of Automated External Defibrillators [P-12 (D) 1] – The Committee discussed the potential new mandate for required instruction in cardiopulmonary resuscitation (CPR) and in the use of automated external defibrillators (AEDs) in senior high schools. Department staff will seek feedback from teachers, school administrators, teacher educators, parents, students and other interested parties prior to making a recommendation to the Board.

2015 Elementary and Secondary Education Act Waiver Renewal Application [P-12 (D) 2] – the Committee discussed the ESEA Waiver Renewal application and guidance, as issued by USDE in November 2014. New York State has been identified as having fully implemented USDE's Flexibility Waiver requirements regarding teacher and principal evaluations, and has subsequently been notified that they had the option of applying for a four-year renewal. The Committee also discussed a timeline for implementation indicating that the renewal application would be submitted to USDE in March 2015. Commissioner John King recused himself and was not present for the ESEA Waiver Renewal Application discussion.

Chronic Absenteeism [P-12 (D) 3] – Chronic absence is defined as absence from school for ten percent or more days while school is in session in a given year. The Committee discussed research that demonstrates that chronic absenteeism generally begins in kindergarten and is highest among the youngest and oldest students and is especially harmful to children from low-income households. Chronic absenteeism also contributes to low academic performance in math and reading and higher dropout rates for students in the early grades. Staff will ensure that identified schools and districts with chronic absentee issues establish targets for addressing this issue and incorporate strategies for reducing absenteeism into their improvement plans. A more specific plan on how to address chronic absenteeism will be presented to the Board of Regents at their February meeting.

K-Solar Program for Schools [P-12 (D) 4] – The NYS Education Department, the NY Power Authority (NYPA) and the NYS Energy Research and Development Authority (NYSERDA) are collaborating to implement K-Solar, a part of the State's NY-Sun initiative to reduce energy costs at schools and decrease dependence on fossil fuels. Houton Moaveni and John Markowitz from NYPA presented information on the K-Solar Program and stated that 25% of school districts in New York State have registered for

the program. The Department's Office of Facilities Planning coordinates efforts with NYPA and NYSERDA to streamline the solar construction permitting and procurement process for school districts. NYPA will commit resources to help SED review and approve K-Solar projects in a timely manner.

Preschool Development Expansion Grant [P-12 (D) 5] – New York State was named one of eighteen states to receive federal funding to expand its High-Quality Pre-Kindergarten Program and will receive \$25 million per year for four years. This grant will provide intensive early care and education services to high-need school districts and emphasize building community partnerships, engaging families and working closely with higher education in each community to provide professional development. New York selected five school districts as subgrantees: New York City Department of Education, Yonkers Public Schools, Port Chester-Rye UFSD, Indian River CSD and Uniondale UFSD. In January 2015, staff will work with the subgrantees to begin implementation with the expectation of serving children beginning in the 2015-16 school year.

Preschool Special Education Tuition Methodology Study [P-12 (D) 6] – the Committee discussed the Department's work to issue a study of preschool special education tuition methodologies and monitoring protocols. As a follow-up to the November presentation, the Department's Rate Setting Unit, Office of Special Education and STAC Unit conducted a study of preschool special education tuition reimbursement. The study consisted of analyzing the fiscal impacts, data trends, and monitoring alternative methods that may be utilized. The study will be submitted to the Governor, the State Comptroller, Temporary President of the Senate and the Speaker of the Assembly no later than December 18, 2014.

## Consent Agenda

The Board of Regents will take action on the following consent agenda items at their December 16, 2014 meeting.

- Regulations relating to the relating to the transition to the Common Core Regents Examination in Algebra I
- Regulations relating to Academic Intervention Services.
- Regulations relating to ELL Parental Notice and Professional Development Waiver.
- Regulations relating to Child Abuse and Maltreatment Identification and Reporting Coursework or Training for Coaches.
- Withdrawal of the initial charter approval for Greater Works Charter School.

## P-12 Education/Higher Education Joint Meeting

Your P-12 Education Committee and Higher Education Committee held joint meetings on December 15 and 16, 2014

#### **Items Not Requiring Action:**

Update on School Counseling Regulations. Your Committees reviewed information and recommendations made by the School Counselor Advisory Committee, in addition to information obtained from two field surveys – one to higher education programs and one to P-12, as well as the Statewide Summit, which included representatives from the New York State School Counselor Association, New York State Association for College Admission Counseling and the Association for Counselor Education and Supervision. With guidance from the Board of Regents, the Department will draft amendments to current regulations for both P-12 and higher education programs, and will report back to the Board in April 2015.

Presentation on APPR Data. Your Committees discussed the second year of statewide teacher and principal evaluation results. The preliminary statewide composite results, based on data submitted by school districts and BOCES as of the October 17 deadline, show that, similar to the first year, the vast majority of teachers and principals received a high performance rating.

## **Professional Practice**

Your Professional Practice Committee held its scheduled meeting on December 15, 2014. All Committee members were present, except Regent James E. Cottrell, who was excused. Regent James C. Dawson, Regent T. Andrew Brown and Regent James R. Tallon, Jr. were also present but did not vote on any case or action.

## ACTION ITEMS Professional Discipline Cases

Your Committee recommends that the reports of the Regents Review Committees, including rulings, findings of fact, determinations as to guilt, and recommendations, by unanimous or majority vote, contained in those reports which have been distributed to you, be accepted in 7 cases, with four members of the committee voting acceptance of the report in the matters of Lawrence William Rupp, Sr., L.P.N., R.N., Cal. Nos. 26749 and 26750 and with Regent Josephine Victoria Finn voting in opposition to the report in such matters. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 55 consent order applications and 11 surrender applications be granted. [PPC EXS (A) 1-3]

These recommendations are made following the review of 73 cases involving thirteen licensed practical nurses, twelve registered professional nurses, eight certified public accountants, six licensed practical nurses who are also registered professional nurses, four professional engineers, three massage therapists, three pharmacists, two dentists, two registered professional nurses who are also nurse practitioners, one acupuncturist, one architect, one cytotechnologist, one dental hygienist, one licensed clinical social worker, one licensed master social worker, one licensed master social worker who is

also a licensed clinical social worker, one physical therapist, one physical therapist assistant, one veterinarian, and one veterinary technician.

## Restorations

Your Committee recommends the following:

That the surrender of the licensed practical nurse license of Yessica Aldana be stayed; that she be placed on probation, under the Terms of Probation annexed to the Report of the Committee on the Professions; that said probation be for a period ending two years from the date the Director of the Office of Professional Discipline determines that she has successfully completed the educational courses and credits required in paragraph 3 of the Terms of Probation; and that, upon successful completion of probation, her license be fully restored.

That the application for the restoration of the physician license of Ivan D'Souza be denied.

## Approvals

**Regulations: Nurse Practitioner Practice** – Your Committee recommends the following: That subdivision (a) of section 29.14 of the Rules of the Board of Regents is amended, and subdivision (g) of section 64.5 of the Regulations of the Commissioner of Education is added, as submitted, effective January 1, 2015. [PPC (A) 1]

**Regulations: Dental Hygiene Practice Pursuant to Collaborative Arrangements** – Your Committee recommends the following: That the introductory paragraph of section 61.9 of the Regulations of the Commissioner of Education is amended, subdivision (b) of section 61.9 is amended, subdivision (c) of section 61.9 is amended, subdivision (e) of section 61.9 is amended, and subdivision (f) of section 61.9 is added, as submitted, effective January 1, 2015. [PPC (A) 2]

**Regulations: Licensure of Behavior Analysts and Certification of Behavior Analyst Assistants** – Your Committee recommends the following: That subdivisions (a) and (b) of section 29.2 of the Rules of the Board of Regents and paragraph (1) of subdivision (a) of section 59.14 of the Regulations of the Commissioner of Education be amended and sections 52.44 and 52.45 and Subparts 79-17 and 79-18 of the Regulations of the Commissioner of Education be added, as submitted, effective December 16, 2014, 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 timely implement the requirements of Chapter 554 of the Laws of 2013 and Chapter 8 of the Laws of 2014, which establish and define the practice of the profession of applied behavior analysis and establish the education, experience, examination, age, moral character and fee requirements for applicants seeking licensure as a licensed behavior analyst or certification as a certified behavior analyst assistant. Regent Finn abstained from voting on this item. [PPC (A) 3]

## MOTION FOR ACTION BY FULL BOARD

Madam Chancellor and Colleagues: Your Professional Practice Committee recommends, and we move, that the Board of Regents act affirmatively upon each recommendation in the written report of the Committee's deliberations at its meeting on December 15, 2014, 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 [Oral Report]

- 1. Full Board Consent Agenda Items
  - 1. Board (Re)Appointments
  - 2. Licensing Petitions
- 2. Updates on OP Initiatives
  - 1. Legislation Update The Deputy Commissioner noted that the Governor had just signed into law the bill establishing the profession of geology.

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

| Motion by:   | Chancellor Emeritus Robert M. Bennett |
|--------------|---------------------------------------|
| Seconded by: | Regent Christine D. Cea               |
| Action:      | Motion carried.                       |

## State Education Department November 2014 Fiscal Report BR (A) 3

**MOVED,** that the Board accepts the November 2014 State Education Department Fiscal Report as presented.

| Motion by:   | Regent Harry Phillips, 3 <sup>rd</sup> |
|--------------|--|
| Seconded by: | Regent Roger Tilles                    |
| Action:      | Motion carried                         |

#### Acceptance of a \$500,000 Grant from the Robin Hood Foundation (the "Foundation") BR (A) 4

**MOVED,** that the Board of Regents accept the sum of \$500,000 from the Foundation to support the work of the USNY Regents Research Fellowship Program.

| Motion by:   | Regent James C. Dawson     |
|--------------|----------------------------|
| Seconded by: | Regent James R. Tallon Jr. |
| Action:      | Motion carried unanimously |

# **RESOLUTION**

## **Resolution in Recognition of Ed Landing**

Regent James C. Dawson presented Ed Landing with a certificate in recognition for his years of service to the Department (Attachment I).

Chancellor Merryl H. Tisch adjourned the meeting.

# Appendix I NEW YORK STATE BOARD OF REGENTS CHARTER ACTIONS

| Name of Institution  | Program Area | County of Location | Description of Charter<br>Action(s)  |
|--|--------------|--------------------|--|
| The Buffalo<br>Transportation<br>Pierce- Arrow<br>Museum                   | CE           | Erie               | Extend provisional charter for five years.   |
| Coney Island,<br>U.S.A.  | CE           | New York           | Grant an absolute charter.   |
| The Museum of<br>Jewish Heritage: A<br>Living Memorial to<br>the Holocaust | CE           | New York           | Amend charter to update<br>the voting and quorum<br>requirements of the<br>trustees.   |
| Rhinebeck<br>Aerodrome<br>Museum   | CE           | Dutchess           | Extend provisional charter for five years.   |
| Thomas Cole<br>Historic House  | CE           | Greene             | Grant an absolute charter.   |
| The Barnard<br>School Foundation   | P-12         | New York           | Dissolve charter and<br>approval to store student<br>records at Iron Mountain,<br>care of Trevor Day School<br>and approval to distribute<br>assets to Manhattan<br>Country School, Medical<br>Center Nursery School,<br>George Jackson Academy,<br>Nightingale-Bamford<br>School, St. Hilda's & St.<br>Hugh's, and Cathedral<br>School of St. John the<br>Divine. |
| Carmel Academy   | P12          | Westchester        | Grant an absolute charter.   |
| Grace Church<br>School   | P12          | New York           | Merge with "Friends of<br>Grace Church School, Inc."<br>with the Grace Church<br>School as the surviving<br>corporation.   |
| Great Oaks<br>Elementary School  | P12          | Kings              | Amend charter to change<br>the corporate name to"<br>Kids Et Cetera" and<br>consent to filing of<br>certificate of assumed<br>name "Great Oaks   |

|   |     |        | Elementary School".   |
|---|-----|--------|---|
| Holy Child of Jesus<br>Catholic Academy | P12 | Queens | Amend charter to change<br>the corporate name to<br>"Holy Child Jesus Catholic<br>Academy". |

## **Appendix II**

## REGENTS ACTIONS IN 74 PROFESSIONAL DISCIPLINE CASES AND 2 RESTORATION PETITIONS

## December 15-16, 2014

The Board of Regents announced disciplinary actions resulting in the revocation of 1 license, surrender of 11 licenses, and 62 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 2 restoration petitions.

## I. REVOCATION AND SURRENDERS

Dentistry

Robin H. Johnson; Dental Hygienist; Old Saybrook, CT 06475; Lic. No. 015012; Cal. No. 27850; Application to surrender license granted. Summary: Licensee admitted to the charge of practicing dental hygiene while having an expired license in the State of Connecticut.

Massage Therapy

Barbara Jean Salamaca; Laredo, TX 78045; Lic. No. 017493; Cal. No. 27690; Application to surrender license granted. Summary: Licensee admitted to the charge of having being convicted of Driving While Intoxicated.

#### Nursing

Ishaaq Azeez Rahaman a/k/a Ishaag Azeez Rahaman a/k/a Ishaaq A. Rahaman a/k/a Ishaaq Rahaman; Registered Professional Nurse; Cape Vincent, NY 13618-0599; Lic. No. 577707; Cal. No. 27185; Found guilty of professional misconduct; Penalty: Revocation.

Traci Briskin; Licensed Practical Nurse; Albany, NY 12210; Lic. No. 307825; Cal. No. 27603; Application to surrender license granted. Summary: Licensee admitted to the charge of having being convicted of Vehicular Manslaughter in the 2nd Degree.

Robert M. Bonville; Registered Professional Nurse; Lake George, NY 12845; Lic. No. 317442; Cal. No. 27604; Application to surrender license granted. Summary: Licensee admitted to the charge of having being convicted of Criminal Possession of a Controlled Substance in the 7th Degree.

Sandra L. Dykshoorn; Licensed Practical Nurse, Registered Professional Nurse; Odessa, NY 14869; Lic. Nos. 120959, 353160; Cal. Nos. 27673, 27672; Application to surrender licenses granted. Summary: Licensee admitted to charges of having being convicted of Criminal Possession of a Controlled Substance, Attempted Offering a False Instrument for Filing, and Driving While Impaired by Drugs; and of violating a condition imposed by the Board of Regents.

## Pharmacy

Girolamo Jerry Curcio; Pharmacist; West Palm Beach, FL 33404; Lic. No. 025862; Cal. No. 27706; Application to surrender license granted. Summary: Licensee admitted to charges of having been found guilty of professional misconduct in Florida based on conduct which, if committed in New York State, would constitute practicing the profession of pharmacy fraudulently.

## Public Accountancy

Ilene S. Engelberg; Certified Public Accountant; Fort Lauderdale, FL 33308; Lic. No. 052025; Cal. No. 27729; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Criminal Facilitation in the 4th Degree, a class A misdemeanor.

Dennis Lawrence Duban; Certified Public Accountant; Los Angeles, CA 90010-3508; Lic. No. 084780; Cal. No. 27798; Application to surrender license granted. Summary: Summary: Licensee did not contest charges of having been convicted of Conspiracy to Defraud and Aiding in Preparation of False Tax Returns, felonies.

Richard Bruce Davis; Certified Public Accountant; Freehold, NJ 07728; Lic. No. 027081; Cal. No. 27847; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Knowingly and Willfully Falsifying Material Facts to Obtain Penalty Abatements, a felony.

## Social Work

Sherri Ann Ferrulli-Brinskelle; Licensed Clinical Social Worker; Stony Point, NC 28678; Lic. No. 069571; Cal. No. 27797; Application to surrender license granted. Summary: Licensee admitted to charges of having been convicted in another jurisdiction of Submitting Claims with False Information, Submitting Claims for Service Not Rendered to Patients, False Insurance Claims, and Theft by Deception-False Impression.

# **II. OTHER REGENTS DISCIPLINARY ACTIONS**

## Acupuncture

John Whitaker; Center Moriches, NY 11934; Lic. No. 001435; Cal. No. 27592; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$5,000 fine.

Architecture

Qiang Su; New York, NY 10013; Lic. No. 030112; Cal. No. 27522; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$1,500 fine.

Clinical Laboratory Technology

Doreen Mae Van Patten; Cytotechnologist; Palatine Bridge, NY 13428-2417; Lic. No. 000273; Cal. No. 27584; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

#### Dentistry

Alan Gordon Nath; Dentist; Suffield, CT 06078-2193; Lic. No. 026026; Cal. No. 27380; Application for consent order granted; Penalty agreed upon: Censure and Reprimand, \$500 fine payable within 30 days.

Shaesta Najeem; Dentist; Webster, NY 14580; Lic. No. 045642; Cal. No. 27509; Application for consent order granted; Penalty agreed upon: Censure and Reprimand, 1 year probation, \$2,000 fine.

#### Engineering and Land Surveying

Russell Lewis Dance III; Professional Engineer; Brooklyn, NY 11208-5035; Lic. No. 085457; Cal. No. 27448; Application for consent order granted; Penalty agreed upon: 6 month actual suspension, 30 month stayed suspension, 3 years probation, \$10,000 fine.

Irving M. Kusnitz; Professional Engineer; Oceanside, NY 11572; Lic. No. 036941; Cal. No. 27563; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$2,500 fine.

Andrew Weiss; Professional Engineer; Brooklyn, NY 11204-1814; Lic. No. 046384; Cal. No. 27572; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 2 years probation to commence with period of stayed suspension, \$5,000 fine payable within 18 months of Order issuance.

George Guttmann; Professional Engineer; Brooklyn, NY 11219; Lic. No. 049161; Cal. No. 27624; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$1,000 fine.

#### Massage Therapy

Milagros Velez; Yonkers, NY 10710; Lic. No. 024875; Cal. No. 27551; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation.

Louise LaPoint; Troy, NY 12180; Lic. No. 008504; Cal. No. 27614; 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, \$1,000 fine.

#### Nursing

Anne Nellie B. Salvant a/k/a Nellie Bonneau a/k/a Anne Nellie Salvant; Licensed Practical Nurse; New Hempstead, NY 10977; Lic. No. 262221; Cal. No. 26593; Found guilty of professional misconduct; Penalty: 5 year suspension, execution of last 3 years of suspension stayed.

Jennifer L. Kessler; Registered Professional Nurse; Spencerport, NY 14559; Lic. No. 501972; Cal. No. 26686; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Lawrence William Rupp, Sr.; Licensed Practical Nurse, Registered Professional Nurse; Coram, NY 11727; Lic. Nos. 289121, 599155; Cal. Nos. 26749, 26750; Found guilty of professional misconduct; Penalty: 24 month suspensions, said suspensions to run concurrently, execution of said suspensions stayed, probation 24 months to run concurrently with concurrent periods of suspension.

Risikat Adebimpe Kazeem; Licensed Practical Nurse, Registered Professional Nurse; Staten Island, NY 10303; Lic. Nos. 201998, 478024; Cal. Nos. 26757, 26758; Found guilty of professional misconduct; Penalty: 24 month suspensions, said suspensions to run concurrently, execution of last 18 months of said suspensions stayed, probation 2 years to run concurrently with periods of suspension.

Doris Azornu; Registered Professional Nurse; Brentwood, NY 11717-3642; Lic. No. 621534; Cal. No. 26901; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation.

Barbara Lee Shimoda; Registered Professional Nurse; Nongkhai, Thailand; Lic. No. 473665; Cal. No. 27079; Application for consent order granted; Penalty agreed upon: 6 month actual suspension, 18 month stayed suspension, 2 years probation to commence upon return to practice in State of New York, \$5,000 fine.

Aziza Diao Hankins a/k/a Aziza Dias Hankins a/k/a Aziza Dias Hawkins a/k/a Aziza D. Hankins a/k/a Aziza Hankins; Licensed Practical Nurse; Staten Island, NY 10301; Lic. No. 254088; Cal. No. 27181; Found guilty of professional misconduct; Penalty: 24 month suspension, execution of last 21 months of suspension stayed, probation 2 years to commence subsequent to termination of actual period of suspension and upon actual return to practice.

Anamaria Tapia; Registered Professional Nurse, Nurse Practitioner (Family Health); Arverne, NY 11692; Lic. No. 469147, Cert. No. 333481; Cal. Nos. 27382, 27383; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 2 years probation.

Janet Patricia Hughes a/k/a Janet P. Millicker; Licensed Practical Nurse, Registered Professional Nurse; Mahopac Falls, NY 10542; Lic. Nos. 182327, 440992; Cal. Nos. 27392, 27393; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 24 months probation.

Merritt D. Boucher; Licensed Practical Nurse, Registered Professional Nurse; Taberg, NY 13471; Lic. Nos. 150960, 344330; Cal. Nos. 27436, 27437; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Mary A. Lannen; Registered Professional Nurse; Williamsville, NY 14221; Lic. No. 325214; Cal. No. 27447; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 6 months and until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine payable within 6 months of Order issuance, Order to supersede Deputy Commissioner's Order No. 26344.

Judith C. Moore; Registered Professional Nurse, Nurse Practitioner (Pediatrics); Honeoye Falls, NY 14472; Lic. No. 416572, Cert. No. 380783; Cal. Nos. 27468, 27467; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Jessica Lien McMillen; Registered Professional Nurse; Ithaca, NY 14850; Lic. No. 599629; Cal. No. 27484; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Chester D. Wagner; Licensed Practical Nurse, Registered Professional Nurse; Wilson, NY 14172; Lic. Nos. 180131, 382491; Cal. Nos. 27515, 27514; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine.

Kristin M. Haacker; Licensed Practical Nurse; Rochester, NY 14616; Lic. No. 309450; Cal. No. 27534; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$500 fine.

Amy S. Schultz; Registered Professional Nurse; Hamlin, NY 14464; Lic. No. 565399; Cal. No. 27537; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine payable within 6 months. January D. Edwards; Licensed Practical Nurse; Greene, NY 13778; Lic. No. 285518; Cal. No. 27544; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Christopher Champagne; Licensed Practical Nurse; Poughkeepsie, NY 12601; Lic. No. 296519; Cal. No. 27548; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 1 month and until successfully participate in a course of therapy and treatment and until fit to practice, upon termination of suspension, 2 years probation.

Audrey Jane Fletcher; Licensed Practical Nurse; Auburn, NY 13021; Lic. No. 298806; Cal. No. 27555; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Deborah Ann Hyneman; Registered Professional Nurse; Evans Mills, NY 13637; Lic. No. 445019; Cal. No. 27561; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Matthew S. Schlieder; Registered Professional Nurse; Rome, NY 13440; Lic. No. 501000; Cal. No. 27570; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Bethann L. Plank; Licensed Practical Nurse; Hornell, NY 14843; Lic. No. 274269; Cal. No. 27580; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until mentally fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice.

Stephanie Lynne Hicks; Licensed Practical Nurse; Webster, NY 14580-2640; Lic. No. 277642; Cal. No. 27582; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine payable within 6 months.

Brigitte K. Smith; Licensed Practical Nurse; Lakeland, FL 33815; Lic. No. 241175; Cal. No. 27587; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until mentally fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice in the State of New York, \$500 fine payable within 6 months.

Savannah S. Harding; Licensed Practical Nurse; Rochester, NY 14609; Lic. No. 290472; Cal. No. 27594; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Rita E. Daley; Registered Professional Nurse; Cohoes, NY 12047; Lic. No. 318162; Cal. No. 27597; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine.

Justin L. Hendrix; Licensed Practical Nurse; Hudson Falls, NY 12839; Lic. No. 303202; Cal. No. 27606; 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, \$1,000 fine payable within 6 months.

Champagne Dominique Jada Anderson; Licensed Practical Nurse; Rochester, NY 14621-5132; Lic. No. 308340; Cal. No. 27636; Application for consent order granted; Penalty agreed upon: 2 month actual suspension, 10 month stayed suspension, 1 year probation, \$500 fine.

Binita Dahal; Registered Professional Nurse; Ridgewood, NY 11385-3661; Lic. No. 665369; Cal. No. 27637; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

#### Pharmacy

Michelle Renee Foster; Pharmacist; Tonawanda, NY 14150; Lic. No. 051879; Cal. No. 27331; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine.

Lisa Frost; Pharmacist; Hummelstown, PA 17036; Lic. No. 043155; Cal. No. 27619; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation to commence upon return to practice in the State of New York, \$2,000 fine payable within 6 months.

## **Physical Therapy**

Johnathan Charles Horkheimer a/k/a John C. Horkheimer; Physical Therapist Assistant; Gowanda, NY 14070-0311; Cert. No. 007234; Cal. No. 27311; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 6 months and until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine.

Tammy Lynn Hall a/k/a Tammy Lynn Aldous; Physical Therapist; Fine, NY 13639; Lic. No. 026534; Cal. No. 27419; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$1,000 fine.

#### Public Accountancy

Jeffrey L. Ross; Certified Public Accountant; Brooklyn, NY 11234-4223; Lic. No. 105240; Cal. No. 27036; Application for consent order granted; Penalty agreed upon: Partial actual suspension in certain area until successful completion of course of retraining in said certain area, upon termination of partial actual suspension, 2 years probation, \$1,000 fine payable within 2 months.

Steven J. Sherb; Certified Public Accountant; Muttontown, NY 11753-1701; Lic. No. 037355; Cal. No. 27599; Application for consent order granted; Penalty agreed upon: Partial actual suspension in certain area until successful completion of course of retraining in said certain area, upon termination of partial actual suspension, 2 years probation, \$5,000 fine payable within 5 months.

Christopher Allen Valleau; Certified Public Accountant; Boca Raton, FL 33434; Lic. No. 081921; Cal. No. 27600; Application for consent order granted; Penalty agreed upon: Partial actual suspension in certain area until successful completion of course of retraining in said certain area, upon termination of partial actual suspension, 2 years probation, \$5,000 fine payable within 5 months.

Mark Mycio; Certified Public Accountant; Old Bethpage, NY 11804; Lic. No. 058860; Cal. No. 27601; Application for consent order granted; Penalty agreed upon: Partial actual suspension in certain area until successful completion of course of retraining in said certain area, upon termination of partial actual suspension, 2 years probation, \$5,000 fine payable within 5 months.

Marc Gary Nochimson; Certified Public Accountant; Marlton, NJ 08053-2493; Lic. No. 097354; Cal. No. 27616; Application for consent order granted; Penalty agreed upon: Partial actual suspension in certain area until successful completion of course of retraining in said certain area, upon termination of partial actual suspension, 1 year probation, \$2,500 fine payable within 2 months.

#### Social Work

Mary E. Collins; Licensed Master Social Worker, Licensed Clinical Social Worker; Skaneateles, NY 13152; Lic. Nos. 054493, 070953; Cal. Nos. 27062, 27063; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Matthew Humphrey; Licensed Master Social Worker; Watertown, NY 13601; Lic. No. 083580; Cal. No. 27546; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

#### **Veterinary Medicine**

Melissa Sue Gamache; Veterinary Technician; Saratoga Springs, NY 12866; Lic. No. 003743; Cal. No. 27456; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 11 month stayed suspension, 1 year probation, \$500 fine.

Kara M. Blaha; Veterinarian; Newfield, NY 14867; Lic. No. 011207; Cal. No. 27598; 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, \$1,000 fine payable within 6 months.

## **III. RESTORATIONS**

The Board of Regents voted on December 16, 2014 to deny the application for restoration of the physician license of Ivan D'Souza, Centerport, NY. Dr. D'Souza's license was originally revoked June 26, 2008.

The Board of Regents voted on December 16, 2014 to stay the execution of the order of surrender of the licensed practical nurse license of Yessica Aldana, Freeport, NY, to place her on probation for a period ending two years from the date the Director of the Office of Professional Discipline determines that she has successfully completed the educational courses and credits required in paragraph 3 of the Terms of Probation, and, upon successful completion of probation, to fully restore her license. Ms. Aldana's license was originally surrendered July 26, 2006.

Attachment I



# Resolution in Recognition of the Service and Dedication of Ed Landing

Dr. Ed Landing has served as the State Museum's Curator of Paleontology since 1981 and State Paleontologist since 1986. During his tenure, Dr. Landing has markedly expanded the content and scope of the Museum's paleontology collection and its visibility around the world. As one of the world's noted paleontologists, he has provided unparalleled oversight of one of the State's most important scientific collections.

Dr. Landing has been remarkably productive in paleontological and geologic research. With over 170 professional publications and having organized and hosted 14 professional conferences, meetings and field trips he has had significant, lasting impacts on the fields. This has included establishing the Precambrian-Cambrian global stratigraphic standard—an accomplishment recognized in resolution by the New York State Assembly in 1993. He was the first U.S. citizen and paleontologist to be awarded the R.J.W. Douglas Award for career contributions to the geological synthesis of Canada. Dr. Landing was elected a fellow of the American Association for the Advancement of Science in 2009 and as a fellow of The Geological Society of America in 2013. Over the course of his career he has published descriptions of over 3,500 type specimens that are now part of the Museum's collections. He has also served as a voting member of the North American Stratigraphic Commission and as Associate Editor of the Journal of Paleontology.

**BE IT THEREFORE RESOLVED** on this 16<sup>th</sup> day of December 2014 that the Members of the New York State Board of Regents acknowledge the service and dedication of Dr. Ed Landing to the State Education Department and the people of the State of New York. In recognition of this service the Board hereby supports upon his retirement, the State Museum's recognition of Dr. Landing as State Paleontologist Emeritus with all of the responsibilities and privileges pertaining thereto.

Meri

Merryl H. Tisch Chancellor New York State Board of Regents



John B. King, Jr. Commissioner of Education and President of The University of the State of New York