



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

TO: The Honorable the Members of the Board of Regents
FROM: Tony Lofrumento *Anthony Lofrumento Jr*
SUBJECT: Summary of the November 2019 Meeting
DATE: November 21, 2019
AUTHORIZATION(S): *Sharon L. Takee*

EXECUTIVE SUMMARY

Issue for Decision

Review of the Summary of the November 2019 Meetings of the Board of Regents.

Proposed Handling

Approval of the Summary of November 2019 meetings.

Procedural History

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

Recommendation

Approval of the Summary of the November 2019 meetings.

Timetable for Implementation

Effective December 10, 2019.

VOTED, that the Summary of the November 2019 Meetings of the Board of Regents of The University of the State of New York be approved.



SUMMARY OF THE NOVEMBER 2019 MEETING

OF THE BOARD OF REGENTS

OF

THE UNIVERSITY OF THE STATE OF NEW YORK

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

November 4 and 5, 2019

***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, November 4, 2019 at 9:30 a.m. pursuant to a call to duty sent to each Regent.

MEETING OF THE FULL BOARD, Monday, November 4th at 9:30 a.m.

Board Members in Attendance:

Betty A. Rosa, *Chancellor*
T. Andrew Brown, *Vice Chancellor*
Roger Tilles
Lester W. Young, Jr.
Christine D. Cea
Wade S. Norwood
Kathleen M. Cashin
James E. Cottrell
Josephine Victoria Finn
Judith Chin
Beverly L. Ouderkirk
Catherine Collins
Nan Eileen Mead
Elizabeth S. Hakanson
Luis O. Reyes
Susan W. Mittler

Also present were Interim Commissioner, Elizabeth Berlin; Acting Counsel and Deputy Commissioner for Legal Affairs, Shannon Tahoe; and, Secretary, Board of Regents, Anthony Lofrumento.

ACTION ITEM

Executive Session Motion

MOVED, that the Board of Regents convene in executive session on Monday, November 4th at 3:15 p.m. to discuss litigation and personnel matters.

Motion by: Vice Chancellor T. Andrew Brown
Seconded by: Regent Luis O. Reyes
Action: Motion carried unanimously.

PRESENTATION

Reflection Honoring Regent Judith Johnson and Judith Johnson Memorial Video Created by Doug Brown

Regent Judith Johnson passed away Tuesday, October 22nd. She represented Judicial District 9 which includes Dutchess, Orange, Putnam, Rockland and Westchester counties. Chancellor Rosa, Alexandra Connally, Director of Equity, Inclusion and Innovation at Nyack Public Schools and Robert Rodriguez, former Assistant Superintendent of Human Resources under then Peekskill CSD Superintendent Judith Johnson provided comments and reflected on the life and career of Judith Johnson and her impact on education and equity. Board Members shared individual reflections then Chancellor Rosa gave Regent Johnson the last word by showing the Judith Johnson Memorial video.

Regent Catherine Collins made a motion to establish a way to memorialize the life, work and achievements of Judith Johnson to be permanently placed in the Office of Cultural Education, which oversees the New York State Archives, Museum and Library providing the public with the ability to learn about Regent Johnson's life's work. The motion passed unanimously.

Graduation Measures in New York State

Kimberly Wilkins, Deputy Commissioner, P-12 Instructional Support and Emily DeSantis, Assistant Commissioner, Public Affairs continued the September discussion regarding pathways to a NYS diploma (Attachment I.)

Chancellor Betty A. Rosa adjourned the meeting.

MEETING OF THE FULL BOARD, Tuesday, November 5th at 11:30 a.m.

Board Members in Attendance:

Betty A. Rosa, *Chancellor*
T. Andrew Brown, *Vice Chancellor*
Roger Tilles
Lester W. Young, Jr.
Christine D. Cea
Kathleen M. Cashin
James E. Cottrell
Josephine Victoria Finn
Judith Chin
Beverly L. Ouderkirk
Catherine Collins
Nan Eileen Mead
Elizabeth S. Hakanson
Luis O. Reyes
Susan W. Mittler

Also present were Interim Commissioner, Elizabeth Berlin; Acting Counsel and Deputy Commissioner for Legal Affairs, Shannon Tahoe; and, Secretary, Board of Regents, Anthony Lofrumento. Regent Wade S. Norwood was absent and excused.

Interim Commissioner Berlin provided thoughts for a moment of reflection on the occasion of this being her last meeting as Interim Commissioner having announced her departure from the Department effective November 15, 2019.

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 October 2019 Meeting of the Board of Regents
BR (A) 2**

MOVED, that the Summary of the October 2019 Meeting of the Board of Regents of The University of the State of New York be approved.

Motion by: Regent Catherine Collins
Seconded by: Regent Christine D. Cea
Action: Motion carried unanimously.

PROGRAM AREA CONSENT ITEMS

Adult Career and Continuing Education Services

Appointment to the New York State Rehabilitation Council BR (CA) 1

MOVED, that Naomi Brickel be appointed to a three-year term beginning January 1, 2020 and ending December 31, 2023.

MOVED, that Miranda Harms be appointed to a three-year term beginning January 1, 2020 and ending December 31, 2023.

MOVED, that Jenny Hutkowski be appointed to a three-year term beginning January 1, 2020 and ending December 31, 2023.

Higher Education

New York Institute of Technology, Manhattan Campus: Master Plan Amendment to offer a Doctor of Philosophy (Ph.D.) in Computer Science BR (CA) 2

MOVED, that the Board of Regents approve a master plan amendment to authorize the New York Institute of Technology to offer a program in Computer Science, its first doctoral level program in the discipline area of Physical Sciences at the Institute's Manhattan campus. The amendment will be effective until November 5, 2020, unless the Department registers the program prior to that date, in which case the master plan amendment shall be without term.

P-12 Education

Proposed Amendment to Section 175.5 of the Regulations of the Commissioner of Education Providing for a Waiver for Up to Four School Years (2018-2019, 2019-2020, 2020-2021 and/or 2021-2022) for Certain School Districts That Cannot Meet the Minimum Instructional Hours Because of Safety and/or Scheduling Issues BR (CA) 3 - REVISED

MOVED, that section 175.5 of the Regulations of the Commissioner of Education be amended, as submitted, effective December 7, 2019, 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 provide schools districts with notice that if they cannot meet the minimum instructional requirements due to safety and/or scheduling issues they can apply to the Commissioner for a single waiver for up to four years of such requirements by November 15, 2019 and to ensure that the emergency rule adopted at the October 2019 meeting remains in effect until it can be adopted as a permanent rule.

Professional Practice

**(Re)Appointments of Members to the State Boards for the Professions and
(Re)Appointments of Extended Members to the State Boards for the Professions
for Service on Licensure Disciplinary and/or Licensure Restoration and Moral
Character Panels
BR (CA) 4**

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

**Report of the Committee on the Professions Regarding Licensing Petitions
BR (CA) 5 - REVISED**

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

**St. Peter's Hospital College of Nursing: Master Plan to offer an Associate in
Science (A.S.) Degree Program in Nursing
BR (CA) 6**

MOVED, that the Board of Regents approve a master plan to authorize St. Peter's Hospital College of Nursing to become a degree granting institution and offer an A.S. degree in Nursing. This approval will be effective until November 31, 2020, unless the Department registers the program prior to that date, in which case master plan shall be without term.

MOVED, that the Regents approve the consent agenda items.

Motion by: Regent James E. Cottrell
Seconded by: Regent Susan W. Mittler
Action: Motion passed unanimously.

STANDING COMMITTEE REPORTS

ADULT CAREER AND CONTINUING EDUCATION SERVICES (ACCES)

Your Adult Career and Continuing Education Services (ACCES) Committee held a meeting on November 4, 2019. All members were present.

MATTERS NOT REQUIRING BOARD ACTION

2020-21 Non-State Aid Budget and Legislative Priorities – The Committee was provided with an update on the 2020-21 potential Non-State Aid budget and legislative priorities for ACCES. The proposed priorities include: Enhancing supports and services for postsecondary success of students with disabilities; Bridge to college and careers pilot program; and, Expansion of the reader's aid program.

CULTURAL EDUCATION

Your Committee on Cultural Education had its scheduled meeting on November 5, 2019. Regent Roger Tilles, Chair of the Cultural Education Committee, submitted the following written report. In attendance were committee members: Regent Tilles, Chair, Regent Cea, Regent Cottrell, Regent Ouderkirk and Regent Mead. Regents, in addition to Cultural Education Committee members, in attendance were: Chancellor Rosa, Regent Cashin, Regent Collins, Regent Hakanson, and Regent Mittler. Also, in attendance were Interim Commissioner Beth Berlin and Counsel Shannon Tahoe.

ITEMS FOR DISCUSSION

Chair Regent Tilles welcomed everyone. Deputy Commissioner Mark Schaming announced that 2.5 million students and children statewide participated in the State Library's 2019 summer reading program. Deputy Commissioner Schaming also provided updates on the State Museum's two recent teacher workshops (earth science and archaeology) as well as a presentation OCE staff led at a women's suffrage conference in Syracuse in early November.

State Museum's Anthropology Collections [CE (D) 2]

Dr. Jonathan Lothrop, Curator of Archaeology, provided a report on the Museum's archaeology collections and how these collections support significant research and public education. The Museum's archaeology curators and staff collect, interpret, and make available important specimens that reveal New York's human past, from the Ice Age to recent history. The Museum also supports students (undergraduate interns, graduate student fellows) and archaeologists who pursue research on the archaeology collections.

Update from New York State Historian [CE (D) 1]

Devin Lander, State Historian, provided an update on the Office of State History's work to provide coordination and leadership of New York's history field. The State Historian

conducts research on New York history, provides statewide coordination and leadership of the history field, and promotes collaboration, education and scholarship to ensure a greater understanding of New York's past.

Non-State Aid Budget and Legislative Initiatives [CE (D) 3]

Interim Commissioner Beth Berlin presented proposals for the Board's 2020 Non-State Aid budget and legislative priorities that relate to the Office of Cultural Education. The proposals include: an increase of \$11 million for State Aid for Library Construction (for a total of \$45 million), \$1.5 million for continuing access to the New York State Summer School of the Arts program, and \$5 million to support the enactment of the Museum Education Act.

HIGHER EDUCATION

Your Higher Education Committee held its scheduled meeting on November 5, 2019. All members were present.

Action Items

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 November 5, 2019, copies of which have been distributed to each member of the Board of Regents.

Matters Not Requiring Board Action:

Educator Diversity Report - Your Committee was presented with findings and recommendations from a draft report to be submitted to the Legislature. The presentation included: data on the race, ethnicity, gender, and age of New York educators; key findings from state and national research on barriers to achieving diversity at each step along with pathway; examples of current efforts to recruit and retain diverse candidates into educator preparation programs, schools, and districts; and recommendations regarding programs, practices, and policies that may be implemented by schools and preparation programs to improve educator diversity in New York.

Non-State Aid Budget and Legislative Initiatives - Your Committee reviewed and held final discussions about proposals to include in the Board's 2020-21 Non-State Aid budget and legislative priorities.

Consent Agenda

Master Plan Amendment: New York Institute of Technology, Manhattan Campus - The Board of Regents approved a master plan amendment to authorize the New York Institute of Technology to offer a program in Computer Science. The amendment will be effective

until November 5, 2020, unless the Department registers the program prior to that date, in which case master plan amendment shall be without term.

P-12 EDUCATION

Your P-12 Education Committee held its scheduled meeting on November 4, 2019. All members were present.

MATTERS NOT REQUIRING BOARD ACTION

Update on the Implementation of New York State’s 2017 Law Raising the Age of Criminal Responsibility [P-12 (D) 1] – Your Committee discussed implementation of the new law which raised the age of criminal responsibility in New York State (NYS) and its impact on the education of students involved in the juvenile and adult criminal justice systems.

Proposed Amendment of Section 100.5 of the Commissioner’s Regulations to Implement Provisions Relating to the Physical Education Requirements for a Diploma and Transfer Credits for Students Earning Credit in an Educational Program Pursuant to Education Law §§ 112 and 3202 (7) and Parts 116 or 118 of the Regulations of the Commissioner of the Education [P-12 (D) 2] – Your Committee discussed proposed amendments to Section 100.5 of the Commissioner’s Regulations, which will allow the transfer of credits by attestation and exempt certain physical education provisions for students attending an educational program operated by juvenile and criminal justice agencies pursuant to Education Law § 112 and Parts 116 and 118. It is anticipated that the proposed rule will be presented to the Board of Regents for permanent adoption at the February 2020 Regents meeting, after publication of the proposed amendment in the State Register and expiration of the 60-day public comment period required under the State Administrative Procedure Act. If adopted at the February 2020 meeting, the proposed amendment will become effective on February 26, 2020.

2020-21 Non-State Aid Budget and Legislative Priorities [P-12 (D) 3] – Your Committee discussed updated proposals for new initiatives to be included in the Board’s 2020-21 Non-State Aid budget. The proposals will come before the full Board in December 2019 for approval.

Perkins V State Plan [P-12 (D) 4] – Your Committee was provided an update and discussed draft versions of State plan documents for New York State’s Perkins V Plan as required in the Carl D. Perkins Career and Technical Education Act of 2006 as Amended by the Strengthening Career and Technical Education for the 21st Century Act of 2018. The draft plan will be posted for public comment in November 2019, and NYSED will host three public forums to collect feedback on the draft plan between December 2019 and January 2020. The final draft will be presented for Board of Regents approval in February 2020.

Consent Agenda

The Board of Regents will take action on the following consent agenda item at its November 5, 2019 meeting.

- Regulations relating to Waiver for Districts Unable to Meet Minimum Instructional Hours Because of Safety and/or Scheduling.

P-12 EDUCATION/HIGHER EDUCATION JOINT MEETING

Your P-12 Education and Higher Education Committees held their scheduled meeting on November 4, 2019. All members were present.

MATTERS NOT REQUIRING BOARD ACTION

What Success Looks Like [P-12/HE (D) 1] – the Committees and representatives from the Malverne Union Free School District and Yonkers Public Schools continued the discussion that started at the September Board meeting about “What Success Looks Like” in high schools that surpass the overall NYS graduation rate of 80 percent for young men of color or have a three year positive trajectory. Both Malverne High School and Saunders Trades and Technical Senior High School significantly exceed the overall statewide graduation rate for all students with their young men of color. Additionally, these districts have worked closely with PLC Associates, Inc. to do an in-depth study into the work that is occurring at the district level to support these outcomes and document how they can be replicated. The discussion included three-year trend data on their graduation rates, as well as some of the practices that assist in their efforts.

PROFESSIONAL PRACTICE

Your Professional Practice Committee held its scheduled meeting on November 4, 2019. All members were present. Chancellor Betty A. Rosa was 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 4 cases. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 33 consent order applications and 18 surrender applications be granted.

In the case of Shakara M. Cooper a/k/a Shakara Marie Cooper, Licensed Practical Nurse, Calendar No. 29625, we recommend that the findings of fact, determination as to guilt, and recommendation as to the penalty recommended by the Regents Review Committee be modified in view of respondent being guilty of both specifications of the charges; and that respondent be found to have been convicted of committing an act constituting a crime, as set forth in the first and second specifications of the charges and the record herein; respondent be determined to be guilty, by a preponderance of the evidence, of both the first and second specifications of the charges; and the penalty recommended by the Regents Review Committee be imposed upon respondent based upon each of the specifications of the charges of which respondent was found guilty and the suspensions of respondent's license set forth in such penalty shall be imposed concurrently.

In the case of Brandon Michael Coburn, Licensed Practical Nurse, Registered Professional Nurse, and Nurse Practitioner (Adult Health), Calendar Nos. 31047, 31048, and 31049, we recommend that: (1) the determination of the Board of Regents rendered in error in this matter on May 7, 2019 and the corresponding Vote and Order of the Deputy Commissioner for the Professions issued in this matter on May 7, 2019 each be rescinded; (2) the determination of the Board of Regents correctly rendered in this matter on September 10, 2019 and the corresponding Vote and Order of the Deputy Commissioner for the Professions issued in this matter on September 10, 2019 each be confirmed; and (3) the surrender of respondent's licenses to practice as a licensed practical nurse and to practice as a registered professional nurse and respondent's certificate to practice as a nurse practitioner in Adult Health all be and remain effective as was provided in the September 10, 2019 determination of the Board of Regents and corresponding Vote and Order of the Deputy Commissioner for the Professions.

These recommendations are made following the review of 55 cases involving thirteen licensed practical nurses, eight registered professional nurses, seven pharmacists, five architects, four pharmacies, four professional engineers, two certified public accountants, one clinical laboratory technician, one licensed clinical social worker, one licensed practical nurse who is also a registered professional nurse, one licensed practical nurse who is also a registered professional nurse who is also a nurse practitioner (Adult Health), one registered professional nurse who is also a nurse practitioner (Adult Health), one registered professional nurse who is also a nurse practitioner (Gerontology), and one respiratory therapist.

Restorations

Your Committee recommends the following:

That the application of Abraham Solomon for the restoration of his license to practice as a Physician in New York State be denied at this time. [PPC EXS (A) 5]

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 November 4, 2019, copies of which have been distributed to each Regent.

MATTERS NOT REQUIRING BOARD ACTION

Your Committee discussed several topics of interest, including:

- Deputy Commissioner's Report/Update
- Full Board Consent Agenda Items
- Board (Re)Appointments
- Conferral of Degrees
- St. Peter's Hospital College of Nursing - Master Plan to offer an Associate in Science (A.S.) degree program in Nursing

Proposed Addition of Section 60.13 to the Regulations of the Commissioner of Education Relating to Permitting Physicians Who Are Licensed in Another State or Territory to Provide Medical Services to Athletes and Team Personnel in New York State (Emergency Action) - The proposed amendment implements Chapter 519 of the Laws of 2018, which, inter alia, amended the Education Law to permit any physician, who is licensed and in good standing in another state or territory and has a written agreement to provide medical services to athletes and team personnel, to provide medical services to athletes and team personnel when they are participating in a discrete sanctioned team sporting event in this State. The proposed amendment also implements Chapter 199 of the Laws of 2019, which amended the Education Law to include the New York State Department of Health's State Professional Board for Professional Medical Conduct, in addition to the Board of Regents, as a disciplinary and regulatory authority over these physicians.

Proposed Amendment to §29.2 of the Rules of the Board of Regents and §§52.26, 61.9, 61.11, 61.12, 61.13 and 61.14 of the Regulations of the Commissioner of Education Relating to the Profession of Registered Dental Assisting (Emergency Action) - The proposed amendment implements Chapter 390 of the Laws of 2019, which, effective October 23, 2019, amended the Education Law, by, inter alia, creating the new legally protected title of "registered dental assistant" and eliminating the prior protected title of "certified dental assistant." The prior title of certified dental assistant was causing confusion between individuals certified by the Department and individuals certified by the National Dental Assisting Board (DANB). This confusion led to some unintentional criminal violations for those individuals who illegally used the certified dental assistant title in this State when they possessed only DANB certification. Additionally, both dentists and the public were confused by which certified dental assistants were licensed by New York State and which were only DANB-certified. The proposed amendment implements Chapter 390 by changing the references, in the Regents Rules and Commissioner's regulations, from

“certified dental assistant” and “certified dental assisting” to “registered dental assistant” and “registered dental assisting.”

2020-21 Non-State Aid Budget and Legislative Initiatives which will include an update on OP’s modernization effort (Discussion) - Staff will present information to the Regents about the current progress on the Modernization program’s four projects and how the OP Modernization Program will improve the licensure process for professionals throughout New York State and enhance OP’s oversight and customer service across more than 50 professions.

MOVED, that the Committee Reports be approved.

Motion by: Regent Susan W. Mittler
Seconded by: Regent Catherine Collins
Action: Motion carried unanimously.

**State Education Department October 2019 Fiscal Report
BR (A) 3**

MOVED, that the Board accepts the October 2019 State Education Department Fiscal Report as presented.

Motion by: Regent Josephine Victoria Finn
Seconded by: Regent Elizabeth S. Hakanson
Action: Motion carried unanimously.

APPOINTMENTS

**Appointment of Acting Commissioner of Education and President of the
University of the State of New York
BR (A) 4**

MOVED, that the Board of Regents appoints Ms. Shannon Tahoe as Acting Commissioner of Education and President of the University of the State of New York, effective November 16, 2019.

Motion by: Regent Josephine Victoria Finn
Seconded by: Regent Christine D. Cea
Action: Motion carried unanimously.

**Appointment of Senior Deputy Commissioner for Education Policy
BR (A) 5**

MOVED, that the Board of Regents approve the appointment of Dr. John D'Agati to the position of Senior Deputy Commissioner for Education Policy.

Motion by: Regent Nan Eileen Mead
Seconded by: Regent Josephine Victoria Finn
Action: Motion carried unanimously.

**Appointment of Associate Commissioner for the Office of Bilingual Education
and World Languages
BR (A) 6**

MOVED, that the Board of Regents approve the appointment of Ms. Elisa Alvarez to the position of Associate Commissioner for the Office of Bilingual Education and World Languages.

Motion by: Regent Luis O.Reyes
Seconded by: Regent Nan Eileen Mead
Action: Motion carried unanimously.

**Appointment of Assistant Commissioner for the Office of Accountability
BR (A) 7**

MOVED, that the Board of Regents approve the appointment of Mr. Jason Harmon to the position of Assistant Commissioner for the Office of Accountability.

Motion by: Regent Judith Chin
Seconded by: Regent James E. Cottrell
Action: Motion carried unanimously.

**Appointment of Assistant Commissioner for the Office of Innovation and
School Reform
BR (A) 8**

MOVED, that the Board of Regents approve the appointment of Dr. Lesli Myers-Small to the position of Assistant Commissioner for the Office of Innovation and School Reform.

Motion by: Regent Susan W. Mittler
Seconded by: Regent Josephine Victoria Finn
Action: Motion carried unanimously.

Before the closing of the meeting, Chancellor Rosa thanked Interim Commissioner Beth Berlin for her 7 years of service to the Department and to New York State in her roles as Interim Commissioner, Acting Commissioner (twice) and as Executive Deputy Commissioner highlighting her professionalism and grace.

Chancellor Rosa adjourned the meeting.

Appendix I
NEW YORK STATE BOARD OF REGENTS CHARTER ACTIONS

Name of Institution	Program Area	County (City/Town) of Location	Description of Charter Action(s)
The Buffalo Maritime Center	CE	Erie (Buffalo)	Extend provisional charter for five years.
The Floral Park Historical Society	CE	Nassau (Floral Park)	Extend provisional charter for five years.
Marion Historic Association	CE	Wayne (Marion)	Extend provisional charter for five years.
The Museum of Music & Entertainment in New York City	CE	New York (New York)	Extend provisional charter for five years.
Natural History Museum of the Adirondacks	CE	Franklin (Tupper Lake)	Amend charter to increase the trustee range to forty.
Norwood Public Library	CE	St. Lawrence (Norwood)	Grant an absolute charter.
St. Lawrence Power & Equipment Museum	CE	St. Lawrence (Madrid)	Extend provisional charter for five years.
Springwater-Webster Crossing Historical Society	CE	Livingston (Springwater)	Extend provisional charter for five years.
Lycee Francais de New York	P12	New York (New York)	Amend charter to revise trustee voting requirement language.
Montessori School of Syracuse	P12	Syracuse (Onondaga)	Amend charter to operate a toddler program and extend provisional charter for three years.
Our Lady of Black Rock School	P12	Erie (Buffalo)	Extend provisional charter for three years.
Pathway the Language Based Academy	P12	Kings (Brooklyn)	Grant provisional charter for three years.
Peconic Community School	P12	Suffolk (Aquebogue)	Extend provisional charter for three years.

The STAR Program	P12	New York (New York)	Amend charter to change the corporate name to “Manhattan Star Academy”; specify the corporation will be a membership corporation; expand the purposes and operate at an additional site and extend provisional charter for three years.
Central European University	HE	New York (New York)	Amend charter to add authority to confer the Bachelor of Arts (B.A.) degree.
St. Joseph’s Seminary and College	HE	New York (New York)	Amend charter to change the location if its Poughkeepsie branch campus to Somers, NY.
St. Peter’s Hospital College of Nursing	OP	Albany (Albany)	Grant a provisional charter for five years and merge with Memorial College of Nursing with St. Peter’s Hospital College of Nursing as the surviving corporation.

Appendix II

REGENTS ACTIONS IN 55 PROFESSIONAL DISCIPLINE CASES AND 1 RESTORATION PETITION

November 4 - 5, 2019

The Board of Regents announced disciplinary actions resulting in the surrender of 15 licenses, 1 certificate and 2 registrations, and 37 other disciplinary actions. The penalty indicated for each case relates solely to the misconduct set forth in that particular case. In addition, the Board acted upon 1 restoration petition.

I. SURRENDERS

Nursing

Mary Gayle Botsford; Licensed Practical Nurse, Registered Professional Nurse, Nurse Practitioner (Adult Health); Chittenango, NY 13037; Lic. Nos. 161242, 364139; Cert. No. 300701; Cal. Nos. 31483, 31484, 31485; Application to surrender licenses and certificate granted. Summary: Licensee admitted to the charge of record keeping and failure to refer patient.

Linda Susan Brady; Licensed Practical Nurse, Registered Professional Nurse; Brooklyn, NY 11214; Lic. Nos. 234715, 463432; Cal. Nos. 31513, 31514; Application to surrender licenses granted. Summary: Licensee did not contest the charge of administering controlled substances too close together and not following policies and procedures when the patient went into respiratory arrest.

Jill Jackson; Licensed Practical Nurse; Staten Island, NY 10310; Lic. No. 322734; Cal. No. 31548; Application to surrender license granted. Summary: Licensee did not contest the charge of failing to report a narcotics count discrepancy and leaving the facility before the discrepancy could be reconciled.

Fedor Vitalyevich Bilko; Registered Professional Nurse; Red Lion, PA 17356; Lic. No. 602152; Cal. No. 31557; Application to surrender license granted. Summary: Licensee did not contest the charge of abandoning a patient who was required to be accompanied at all times, for being at risk of a fall, by leaving said patient unattended in a bathroom at a rehabilitation hospital in the Commonwealth of Pennsylvania.

Sue Ann Gigunito; Registered Professional Nurse; Williamsport, PA 17701; Lic. No. 708572; Cal. No. 31579; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Driving Under the Influence of Alcohol or Controlled Substance (Highest Rate of Alcohol), a misdemeanor of the 1st Degree in the Commonwealth of Pennsylvania.

Paul Vincent Ghigliotti; Licensed Practical Nurse; West Palm Beach, FL 33406; Lic. No. 216604; Cal. No. 31597; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Sale or Delivery of hydromorphone, in the state of Florida, a felony in the 2nd Degree; which in NYS would constitute Criminal Sale of a Controlled Substance in the 5th Degree, a class D felony.

Dawn R. Nelson; Licensed Practical Nurse; Freeport, NY 11520-1605; Lic. No. 184685; Cal. No. 31599; Application to surrender license granted. Summary: Licensee admitted to the charge of willfully harassing, abusing or intimidating a patient either physically or verbally.

Phyllis M. Corrigan; Licensed Practical Nurse; Croton-on-Hudson, NY 10520; Lic. No. 265228; Cal. No. 31605; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Driving While Intoxicated, an unclassified misdemeanor; and Aggravated Driving While Intoxicated, a class E felony.

Victoria Chinyere Dimkpa a/k/a Victoria Chinyere Dimpka; Licensed Practical Nurse; Richmond, TX 77407; Lic. No. 273858; Cal. No. 31649; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Engaging in Organized Criminal Activity in the State of Texas, a felony in the 1st Degree; which in NYS constitute Enterprise Corruption, a class B felony.

Pharmacy

Cutie Pharma-Care, Inc.; Pharmacy; Greenwich, NY 12834; Reg. No. 025438; Cal. No. 31133; Application to surrender registration granted. Summary: Registrant did not contest the charge of pharmacy violations.

Hin Tat Wong a/k/a Hin T. Wong; Pharmacist; New York, NY 10013; Lic. No. 046744; Cal. No. 31540; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Grand Larceny in the 1st Degree, a class B felony.

New York Pharmacy, Inc.; Pharmacy; New York, NY 10013; Reg. No. 027143; Cal. No. 31652; Application to surrender registration granted. Summary: Registrant admitted to the charge of having been convicted of Grand Larceny in the 1st Degree, a class B felony.

Greg E. Zehner; Pharmacist; North Bellmore, NY 11710; Lic. No. 052171; Cal. No. 31655; Application to surrender license granted. Summary: Licensee did not contest the charge of having conspired to acquire and obtain through misrepresentation, fraud, deceit and subterfuge a quantity of mixtures and substances containing a detectable amount of the controlled drug oxycodone.

Public Accountancy

Yvon Marc Joly; Certified Public Accountant; East Meadow, NY 11554; Lic. No. 069196; Cal. No. 31377; Application to surrender license granted. Summary: Licensee did not

contest the charge of signing a Certification of Employer form as a certified public accountant when not registered to practice as a certified public accountant in the State of New York.

Respiratory Therapy

Thomas Hendricks a/k/a Thomas E. Hendricks; Respiratory Therapist; Valley Stream, NY 11580; Lic. No. 003625; Cal. No. 30380; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Driving While Intoxicated, a class E felony.

II. OTHER REGENTS DISCIPLINARY ACTIONS

Architecture

Vatche Aslanian; Architect; Fort Lee, NJ 07024; Lic. No. 023788; Cal. No. 31223; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$2,000 fine.

Nischal Arjune; Architect; Brooklyn, NY 11214-4521; Lic. No. 034339; Cal. No. 31283; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$1,500 fine.

Matthew Justin Brady; Architect; Carlsbad, CA 92011; Lic. No. 037884; Cal. No. 31287; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension. Upon return to practice in the State of New York, 1 year probation, \$500 fine.

Paul Joseph Gallo; Architect; Riverdale, NY 10471-1757; Lic. No. 016966; Cal. No. 31316; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$2,500 fine.

Riccardo Sebastiano Vicenzino; Architect; Pompton Plains, NJ 07444; Lic. No. 026113; Cal. No. 31378; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$2,500 fine.

Clinical Laboratory Technology

Grace Wesley Reid; Clinical Laboratory Technician; Lima, NY 14485; Cert. No. 003047; Cal. No. 31126; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Engineering, Land Surveying and Geology

Umer A. Shah; Professional Engineer; Kew Gardens, NY 11415; Lic. No. 070587; Cal. No. 31070; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$2,500 fine.

Samuel Siuhan Choi; Professional Engineer; Staten Island, NY 10308; Lic. No. 086577; Cal. No. 31282; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$5,000 fine.

Mingqiao Zhu; Professional Engineer; Sewickley, PA 15143; Lic. No. 080249; Cal. No. 31291; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$2,500 fine.

Donald Dewolfe Ehre; Professional Engineer; Utica, NY 13501; Lic. No. 059276; Cal. No. 31321; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$1,000 fine.

Nursing

Rochelle A. LaShomb; Licensed Practical Nurse; Norwood, NY 13668; Lic. No. 126250; Cal. No. 29477; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Shakara M. Cooper a/k/a Shakara Marie Cooper; Licensed Practical Nurse; Schenectady, NY 12304; Lic. No. 299192; Cal. No. 29625; Found guilty of professional misconduct; Penalty: 3 months actual suspension, 21 months stayed suspension. Upon return to practice, 2 years probation.

Lena McKenzie-Smith; Licensed Practical Nurse; Staten Island, NY 10304; Lic. No. 317292; Cal. No. 30290; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension. Upon return to practice, 2 years probation.

Brenda Ann Smith a/k/a Brenda Ann Liskow a/k/a Brenda Ann Meyer a/k/a Brenda Ann Busekist; Licensed Practical Nurse; Cattaraugus, NY 14719; Lic. No. 187962; Cal. No. 30415; Found guilty of professional misconduct; Penalty: 3 months actual suspension, 21 months stayed suspension. Upon return to practice, 2 years probation .

Martin Davis; Registered Professional Nurse; Harris, NY 12742; Lic. No. 454330; Cal. No. 31024; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation.

Nicole Marie Vargovich; Licensed Practical Nurse; Cheektowaga, NY 14227; Lic. No. 279285; Cal. No. 31029; Found guilty of professional misconduct; Penalty: No further action.

Stacy L. Sawyer; Registered Professional Nurse; Williamson, NY 14589; Lic. No. 695666; Cal. No. 31113; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Melissa Margaret Bennett-Carini; Registered Professional Nurse; Weymouth, MA 02190; Lic. No. 745539; Cal. No. 31120; Application for consent order granted; Penalty agreed

upon: 3 months actual suspension, 21 months stayed suspension. Upon return to practice in the State of New York, 2 years probation , \$500 fine.

Muriel S. Brown; Registered Professional Nurse, Nurse Practitioner (Gerontology); Bath, NY 14810; Lic. No. 292077, Cert. No. 340737; Cal. Nos. 31255, 31256; Application for consent order granted; Penalty agreed upon: Censure and reprimand, 2 years probation, \$500 fine.

Lindsay Marie Dyer a/k/a Lindsay M. Burkhalter; Registered Professional Nurse; Ten Mile, TN 37880; Lic. No. 622742; Cal. No. 31265; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension. Upon return to practice in the State of New York, 2 years probation , \$500 fine.

Marcella M. Will; Licensed Practical Nurse; Lima, NY 14485; Lic. No. 221292; Cal. No. 31303; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$250 fine.

Carmen Roberts; Licensed Practical Nurse; Calcium, NY 13616; Lic. No. 309488; Cal. No. 31351; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Matthew Louis Fisher; Registered Professional Nurse; Mount Vernon, NY 10552; Lic. No. 644696; Cal. No. 31354; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Mary Andrea Panopoulos; Registered Professional Nurse, Nurse Practitioner (Adult Health); Garden City, NY 11530-4416; Lic. No. 508008, Cert. No. 305486; Cal. Nos. 31363, 31364; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Brandi Avent; Licensed Practical Nurse; Buffalo, NY 14215; Lic. No. 324337; Cal. No. 31394; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation.

Doren Pedregal Babista; Registered Professional Nurse; Las Vegas, NV 89117; Lic. No. 710230; Cal. No. 31542; Application for consent order granted; Penalty agreed upon: 2 months actual suspension, 22 months stayed suspension. Upon return to practice in the State of New York, 2 years probation , \$500 fine.

Pharmacy

2027 Alico Pharmacy, Corp. d/b/a Alico Pharmacy; Pharmacy; Bronx, NY 10453; Reg. No. 028927; Cal. No. 29515; Application for consent order granted; Penalty agreed upon: Censure and reprimand, \$3,000 fine.

Yuri Alexander Sorochkin a/k/a Yuri Sorochkin; Pharmacist; Staten Island, NY 10308; Lic. No. 047229; Cal. No. 30058; Found guilty of professional misconduct; Penalty: 3 months actual suspension, 21 months stayed suspension, 2 years probation to run concurrently with suspension, \$2,500 fine.

Brittany Alexandra Serrano; Pharmacist; Hampton Bays, NY 11946; Lic. No. 059450; Cal. No. 31121; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Fawei Huang; Pharmacist; Columbia, MS 39429; Lic. No. 058753; Cal. No. 31137; Application for consent order granted; Penalty agreed upon: Censure and reprimand, 1 year probation, \$2,500 fine.

139 Center Pharmacy, L.L.C.; Pharmacy; New York, NY 10013; Reg. No. 033068; Cal. No. 31138; Application for consent order granted; Penalty agreed upon: Censure and reprimand, 1 year probation, \$2,500 fine.

Gail Glazer; Pharmacist; Brooklyn, NY 11234; Lic. No. 049888; Cal. No. 31193; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$1,000 fine.

Shawn Patrick Duneheew; Pharmacist; Wildwood, MO 63038; Lic. No. 048253; Cal. No. 31606; Application for consent order granted; Penalty agreed upon: Censure and reprimand. Upon return to practice in the State of New York, 1 year probation , \$2,500 fine.

Public Accountancy

Mary Andrea Panopoulos; Certified Public Accountant; Garden City, NY 11530-4416; Lic. No. 062062; Cal. No. 31362; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Social Work

Emanuel R. Petracca; Licensed Clinical Social Worker; Rochester, NY 14625; Lic. No. 026871; Cal. No. 31235; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

III. RESTORATION

The Board of Regents voted on November 5, 2019 to deny the application for restoration of the physician license of Abraham Solomon, Delray Beach, FL. Dr. Solomon's license was revoked on June 7, 2001.



New York State
EDUCATION DEPARTMENT
Knowledge > Skill > Opportunity

ATTACHMENT I

Graduation Measures in New York State

Board of Regents
November 4, 2019



Blue Ribbon Commission

Goal:

To undertake a thoughtful and inclusive process to reaffirm what a New York State high school diploma means and what it ought to signify to ensure educational excellence and equity for all New York State children.

Purpose:

The purpose of the Commission is to review research, practice and policy and to gather input from across the state, to help inform recommendations to:

- reconsider current diploma requirements;
- ensure all students have access to multiple graduation measures; and
- ensure a transition plan timeline allows time to prepare for and implement any changes.

Phases of Work

Phase I: Information Gathering

Regional Workgroups

- Regent(s)
- DS/Big 5
- SED

Regional and Stakeholder Feedback on Guiding Questions

Review of Research and Practices in Other States



Phase II: Blue Ribbon Commission

**Blue Ribbon Commission
Meets and Develops Recommendations**



Phase III: Regents Discussion

**Board of Regents
Presentation and Policy Discussion**

Updated Draft Timeline

Phase I: Information Gathering

- **November 2019 to March 2020:**
 - Literature review of research and practices in other states. Report to the Board in Feb. 2020
 - Regional workgroups hold meetings beginning in January to gather feedback from across the state.
- **April 2020:** Establish the Blue Ribbon Commission (BRC) and draft meeting schedule.
- **Spring 2020:** Compile Regional Meeting feedback.

Phase II: Blue Ribbon Commission

- **May 2020:** Commission's first meeting – the BRC convenes and defines the scope of its work.
- **June 2020:** Blue Ribbon Commission second meeting to identify priority areas and a framework for moving forward. Establish sub-groups for priority areas.
- **July 2020 – November 2020:** Sub-groups meet.
- **December 2020 – February 2021:** Sub-groups develop proposed recommendations.
- **Spring 2021:** Sub-groups advance recommendations to the BRC.
- **Summer 2021:** The BRC finalizes recommendations and a report is prepared.

Phase III: Regents Discussion

- **Fall 2021:** The Blue Ribbon Commission's final report is presented to the Board of Regents for consideration.

Phase I: Information Gathering

Regional Workgroups

Phase I:
Information
Gathering

Regional
Workgroups

Review of
Research and
Practices in
Other States

Regional and
Stakeholder
Feedback on
Guiding Questions

Regional Workgroups

- Led by Board of Regents Member
- Supported by BOCES District Superintendent(s) and Big Five district staff
- Coordinated by SED internal team

Phase I: Information Gathering

Regional Meetings & Feedback

Regional Meetings in Each Regent Judicial District:

- At least one meeting in each Judicial District to be held January to March 2020
- Outreach to a vast array of regional stakeholders and organizations to ensure every region is part of the conversation
- Format of meetings will provide for discussions to bring ideas forward in a concise, consistent and thoughtful way
- Ideas and information will be captured in each regional area

Public Comment Email Box:

- Establish public comment email box for those who wish to contribute thoughts and ideas but cannot make a meeting

GradMeasures@nysed.gov

Phase I: Information Gathering

Regional Workgroups – Meeting Format

Overview

- Opening video from the Chancellor
- Local Regent provides remarks
- District superintendent or Big 5 representative delivers short PPT to provide overview on current graduation requirements and goal of review of graduation measures

Feedback from Attendees

- Attendees break out into small groups to discuss each guiding question
- Each group will provide feedback on each guiding question via laptop to NYSED and share a main point with entire group

Phase I: Information Gathering

Regional Meeting Outreach

Regents Identified Organizations & Individuals

- List of 49 organizations Regents provided to SED
- Community leaders
- Community organizations

Regional Representation of

- CSA
- ESSAA
- NAACP
- NYSASBO
- NYSCOSS
- NYSFSA
- NYSPTA
- NYSSBA
- NYSUT
- SAANYS
- UFT
- Urban League

Workforce

- BCNYS
- Economic development representatives
- NYATEP
- Dept. of Labor

Higher Education

- SUNY/CUNY
- CiCU
- Assoc. of Proprietary Colleges
- Schools of Education

Student Representatives

- MBK Fellows
- Office of Special Education Youth Advisory Panel
- DSs and Big 5 to invite students
- Regent Mead's Student Group

Special Populations

- 11 organizations identified by OSE
- 41 organizations identified by OBEWL
- Homeless and incarcerated youth

DS Identified Orgs Big 5 School Districts

- NYCDOE Parent Office

Research Agencies

- Education Trust
- High Achievement NY
- Rockefeller Institute
- The Metropolitan Center
- The Research Alliance of NYC Schools

Phase I: Information Gathering

Regional Meeting Publicity

NEW: Graduation Measures Listserv

- All individuals & organizations on previous slide
- Sign up via NYSED.gov

Graduation Measures Webpage

All information on the effort including Regents presentations, news releases, meeting schedule, Chancellor's columns, etc.

Social Media

- Twitter
- Facebook
- LinkedIn

News Releases

Direct Outreach Via Listservs

- News & Notes
- Parent Newsletter
- MBK
- Program areas
- **NEW:** Graduation Measures

Op-Ed Opportunities:

- On Board
- Additional publications

Phase I: Information Gathering

Graduation Measures Webpage

NYSED ▾ Education Areas ▾ Standards & Curriculum ▾ Assessments ▾ Certification & Licensing ▾ School Business ▾ Data & Reporting ▾

Graduation Measures

The Board of Regents and State Education Department have undertaken a thoughtful and inclusive review of the State high school graduation measures. Our ultimate goal is to reaffirm what it means to obtain a diploma in New York State and what that diploma should signify to ensure educational excellence and equity for all students in New York State.

[Board of Regents Presentations](#)



[Chancellor's On Board Columns](#)



[Contact Us](#)



Phase I: Information Gathering

Regional Workgroups

Phase I:
Information
Gathering

Regional
Workgroups

Review of
Research and
Practices in
Other States

Regional and
Stakeholder
Feedback on
Guiding Questions

Review of Research and Practices in Other States

- Literature review of current research and policy on graduation measures
- Compilation of practices in other states and international models

Phase I: Information Gathering

Review of Research & Practices in Other States

- **Partnering with Achieve on Phase I: Information Gathering** activities to compile research, information and regional meeting feedback to present to the Board of Regents.
- For the research component, Achieve will:
 - **Conduct a literature review** of the research on graduation requirements and the practices in other states as well as international models. This will include, but not be limited to, research conducted by the Metropolitan Center at NYU and the Research Alliance of NYC schools;
 - **Focus on innovative models** and how states aim to improve college and career readiness through these policies and practices; and
 - **Provide a report and presentation to the Board** in Feb. 2020.

Phase I: Information Gathering

Regional Workgroups

Phase I:
Information
Gathering

Regional
Workgroups

Review of
Research and
Practices in
Other States

Regional and
Stakeholder
Feedback on
Guiding Questions

Regional & Stakeholder Feedback on Guiding Questions

- Compile feedback from regional meetings and received in writing

Phase I: Information Gathering

Guiding Questions

1. What do we want our children to know and to be able to do before they graduate?
2. How do we want them to demonstrate such knowledge and skills?
3. To what degree does requiring passage of Regents exams improve student achievement, graduation rates, college and career readiness, and civic engagement?
4. What other measures of achievement (e.g., capstone projects, alternative assessments or engagement in civic and community activities) could serve as indicators of high school completion?
5. How can measures of achievement accurately reflect the skills and knowledge of our special populations, such as students with disabilities and English language learners?

Phase I: Information Gathering

Regional Meeting Feedback

- **Partnering with Achieve on Phase I: Information Gathering** activities to compile research, information and regional meeting feedback to present to the Board of Regents.
- For the regional meeting feedback, Achieve will:
 - **Synthesize and compile feedback** received at each regional meeting as well as the feedback received in writing via email or letter.
 - **Provide a written report to NYSED and the Board of Regents.** This will be presented to the Board in Spring 2020.

Phase I: Information Gathering

Bill & Melinda Gates Grant Support

Bill & Melinda Gates Foundation will provide \$100,000 grant to:

- Support Achieve's Phase I work to compile research, information and regional meeting feedback and provide a report and presentation to NYSED and the Board; and
- Hire a part-time project manager to support this initiative

Questions

#NYSGradMeasures