



TO: The Honorable the Members of the Board of Regents
FROM: Tony Lofrumento *Anthony Lofrumento Jr*
SUBJECT: Summary of the December 2020 Meeting
DATE: December 29, 2020
AUTHORIZATION(S): *Bellamy*

SUMMARY

Issue for Decision

Should the Board of Regents approve the Summary of the December 2020 Meeting of the Board of Regents?

Reason(s) for Consideration

Not applicable.

Proposed Handling

This issue will come before the Full Board for action at its January 2021 meeting.

Procedural History

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

Background Information

Not applicable.

Related Regents Items

Not applicable.

Recommendation

Approval of the Summary of the December 2020 meeting.

VOTED, that the Summary of the December 2020 Meeting of the Board of Regents of The University of the State of New York be approved.

Timetable for Implementation

Effective January 11, 2021.



**SUMMARY OF THE DECEMBER 2020 MEETING
OF THE BOARD OF REGENTS
OF
THE UNIVERSITY OF THE STATE OF NEW YORK
*Held by Video Conference***

December 14, 2020

***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 by video conference on Monday, December 14, 2020 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

MEETING OF THE FULL BOARD, Monday, December 14th at 9:00 a.m.

Board Members in Attendance:

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
Frances G. Wills

Also present were Interim Commissioner, Betty A. Rosa; Counsel and Deputy Commissioner for Legal Affairs, Daniel Morton-Bentley; and Secretary, Board of Regents, Anthony Lofrumento.

Vice Chancellor Brown called the meeting to order and reviewed ground rules for the video conference. Regent Kathleen M. Cashin provided words of reflection.

Interim Commissioner Rosa provided an update to the Board regarding digital equity and the regional substantial equivalency meetings conducted by the Department.

ACTION ITEM

Executive Session Motion

MOVED, that the Board of Regents convene in executive session on Monday, December 14th at 10:15 a.m. to discuss personnel and litigation matters.

Motion by: Regent Roger Tilles
Seconded by: Regent Christine D. Cea
Action: Motion carried unanimously.

ACTION ITEM

**2021-2022 Non-State Aid Budget and Legislative Initiatives
BR (A) 6 - REVISED**

MOVED, that the Board of Regents vote to approve 2021-22 Non-State Aid Budget and Legislative Priorities.

Motion by: Regent Roger Tilles
Seconded by: Regent Lester W. Young, Jr.
Action: Motion carried unanimously.

**2021-22 Regents State Aid Proposal
BR (A) 5**

MOVED, that the Regents adopt the attached as their proposal on State Aid to school districts for the school year 2021-22. (Attachment I)

Motion by: Regent Nan Eileen Mead
Seconded by: Regent Beverly L. Ouderkirk
Action: Motion carried unanimously.

RESOLUTION

Regents Beverly L. Ouderkirk and Nan Eileen Mead provided remarks upon the departure of Brian S. Cechnicki, Director of Education Finance at the end of December. Regents Ouderkirk and Mead presented a Resolution in recognition of his service and dedication. Interim Commissioner Rosa also commended Brian and his work as well. (Attachment III)

The Board went into Executive Session.

PROFESSIONAL PRACTICE COMMITTEE MEETING

The Professional Practice Committee held its scheduled meeting on December 14, 2020. All members of the Committee were present (See Professional Practice Committee Report.)

P-12 EDUCATION COMMITTEE MEETING

The P-12 Education Committee held its scheduled meeting on December 14, 2020 (See P-12 Education Committee Report.)

HIGHER EDUCATION COMMITTEE MEETING

The Higher Education Committee held its scheduled meeting on December 14, 2020 (See Higher Education Committee Report.)

ADULT CAREER AND CONTINUING EDUCATION SERVICES (ACCES) COMMITTEE MEETING

The Adult Career and Continuing Education Services (ACCES) Committee held its scheduled meeting on December 14, 2020 (See Adult Career and Continuing Education Services (ACCES) Committee Report.)

MEETING OF THE FULL BOARD, Monday, December 14th at 4:35 p.m.

Board Members in Attendance:

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

Also present were Interim Commissioner, Betty A. Rosa; Counsel and Deputy Commissioner for Legal Affairs, Daniel Morton-Bentley; and Secretary, Board of Regents, Anthony Lofrumento. Regents Wade S. Norwood and Josephine Victoria Finn were absent and excused.

Vice Chancellor Brown called the meeting to order.

ACTION ITEM

**Proposed Amendments Sections 155.17(f), 100.5(a) of the Regulations of the Commissioner of Education and Section 30-3.16 of the Rules of the Board of Regents Relating to Addressing the COVID-19 Crisis
BR (A) 3**

MOVED, that Sections 155.17(f) and 100.5(a) of the Regulations of the Commissioner of Education and Section 30-3.16 of the Rules of the Board of Regents be amended, as submitted, as an emergency measure, effective December 15, 2020, upon a finding by the Board of Regents that such action is necessary for the preservation of public health and the general welfare in order to immediately provide flexibility to certain regulatory requirements in response to the COVID-19 crisis. (Attachment X)

Motion by: Regent Elizabeth S. Hakanson
Seconded by: Regent Catherine Collins
Action: Motion carried unanimously.

**Proposed Amendments to Sections 52.21, 60.6, 61.19, 80-1.2, 80-3.7, 100.1, 100.2, 100.4, 100.5, 100.6, 100.7, 100.19 and 151-1.3 and the addition of Section 80-5.27 to the Regulations of the Commissioner of Education Relating to Addressing the COVID-19 Crisis
BR (A) 4**

MOVED, that Sections 52.21, 60.6, 61.19(b), 80-3.7, 80-1.2(b), 151-1.3(b), 100.1, 100.2, 100.4, 100.5, 100.6, 100.7, 100.19 and 151-1.3 be amended and a new section 80-5.27 be added, as submitted, as an emergency measure, effective December 15, 2020, upon a finding by the Board of Regents that such action is necessary for the preservation of public health and the general welfare in order to immediately provide flexibility to certain regulatory requirements in response to the COVID-19 crisis and to ensure that the emergency action taken at the October meeting remains continuously in effect.

Motion by: Regent James E. Cottrell
Seconded by: Regent Christine D. Cea
Action: Motion carried unanimously.

**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 2020 Meetings of the Board of Regents
BR (A) 2**

MOVED, that the Summary of the November 2020 Meetings of the Board of Regents of The University of the State of New York be approved.

Motion by: Regent Judith Chin
Seconded by: Regent Frances G. Wills
Action: Motion carried unanimously.

PROGRAM AREA CONSENT ITEMS

Adult Career and Continuing Education Services (ACCES)

**New York State Independent Living Council Appointments
BR (CA) 1**

MOVED, that Brodie Enoch be appointed for a three-year term beginning January 1, 2021 and ending December 31, 2023.

MOVED, that Marcus Johnson be appointed to a three-year term beginning January 1, 2021 and ending December 31, 2023.

MOVED, that Yesenia Torres be appointed to a three-year term beginning January 1, 2021 and ending December 31, 2023.

MOVED, that Lafayette Williams be appointed to a three-year term beginning January 1, 2021 and ending December 31, 2023.

MOVED, that Stephanie Woodward be appointed to a three-year term beginning January 1, 2021 and ending December 31, 2023.

MOVED, that Vernon Bonse be reappointed to a three-year term beginning January 1, 2021 and ending December 31, 2023.

MOVED, that Kathryn Carroll be reappointed to a three-year term beginning January 1, 2021 and ending December 31, 2023.

MOVED, that Lynn Drucker be reappointed to a three-year term beginning January 1, 2021 and ending December 31, 2023.

MOVED, that Chad Eldred be reappointed to a three-year term beginning January 1, 2021 and ending December 31, 2023.

MOVED, that Cliff Perez be reappointed to a three-year term beginning January 1, 2021 and ending December 31, 2023.

MOVED, that Maria Samuels be reappointed to a three-year term beginning January 1, 2021 and ending December 31, 2023.

MOVED, that Jan Lynch be reappointed to a three-year term beginning January 1, 2021 and ending December 31, 2023.

MOVED, that Edith Prentiss be reappointed to a three-year term beginning January 1, 2021 and ending December 31, 2023.

MOVED, that Joseph Tedesco be reappointed to a three-year term beginning January 1, 2021 and ending December 31, 2023.

Office of Counsel

**2021 Regulatory Agenda
BR (CA) 2**

MOVED, that the 2021 Regulatory Agenda for the State Education Department be approved, as submitted.

Higher Education

**Permission to Operate: Olivet University (California)
BR (CA) 3**

MOVED, that the Board of Regents grant permission to Olivet University (California) to continue to offer seven courses from its M.B.A. program and seven courses from its M.Div. program at Six Barclay Street in New York City. In addition, that the Board of Regents grant permission to Olivet University (California) to continue to offer seven courses from its M.Div. program at its location in Dover, NY. This approval will be effective from January 1, 2021 through June 30, 2021.

**Proposed Amendment to Part 49 of the Commissioner’s Regulations Relating to the Authorization of New York Higher Education Institutions to Participate in the State Authorization Reciprocity Agreement (SARA) and the Approval of Out-of-State Institutions to Provide Distance Education to New York Residents
BR (CA) 4**

MOVED, that Part 49 of the Regulations of the Commissioner of Education be amended, as submitted, effective December 30, 2020.

**Proposed Reappointment to the State Professional Standards and Practices Board for Teaching
BR (CA) 5**

MOVED, that the Board of Regents approve the following reappointment to the State Professional Standards and Practices Board for Teaching: Theresa Reynolds (administrator member and PSPB P-12 co-chair) for a four-year term beginning December 31, 2020 and ending December 30, 2024.

P-12 Education

**Proposed Amendments to Sections 52.21, 79-8.5, 100.5, and 154-2.3 of the Regulations of the Commissioner of Education Relating to Addressing the COVID-19 Crisis and the Reopening of Schools
BR (CA) 6**

MOVED, that Sections 52.21, 79-8.5, 100.5, and 154-2.3 of the Commissioner’s

Regulations be amended, as submitted, effective December 30, 2020.

**Proposed Amendments to Sections 80-5.3, 80-5.4, 100.1, 100.2, 100.5, 100.6, 100.10, 117.3, 136.3, 145-2.1, 151-1.3, 154-2.2, 154-2.3, 156.3, and 200.4 of the Regulations of the Commissioner of Education Relating to Addressing the COVID19 Crisis and the Reopening of Schools
BR (CA) 7**

MOVED, that Sections 80-5.3, 80-5.4, 100.1, 100.2, 100.5, 100.6, 100.10, 117.3, 136.3, 145-2.1, 151-1.3, 154-2.2, 154-2.3, 156.3, and 200.4 of the Commissioner's Regulations be amended, as submitted, effective December 30, 2020.

**Proposed Amendment to Section 135.4 of the Regulations of the Commissioner of Education Relating to Eligibility for Participation of Students Who Have Individualized Education Programs (IEPs) or Section 504 of the Rehabilitation Act of 1973 or Americans with Disabilities Act (ADA) Plans in Interschool Competition and Inclusive Athletic Activities
BR (CA) 8**

MOVED, that Section 135.4 of the Regulations of the Commissioner of Education, be amended, as submitted, effective December 30, 2020.

**Proposed Amendment to Section 170.14 of the Regulations of the Commissioner of Education Relating to Financial Transparency Requirement Reporting Deadlines
BR (CA) 9**

MOVED, that Section 170.14 of the Regulations of the Commissioner of Education be amended, as submitted, effective December 30, 2020.

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) 10**

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

**Report of the Committee on the Professions Regarding Licensing Petitions
BR (CA) 11**

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

**Provisional Degree Authorization: Arnot Ogden Medical Center School of Nursing to Offer the Associate in Applied Science (A.A.S.) degree in Nursing
BR (CA) 12**

MOVED, that the Board of Regents authorize the Arnot Ogden Medical Center School of Nursing to confer the A.A. S. degree on students successfully completing the registered program for a period beginning immediately and ending on December 31, 2025. At least 12 months prior to the end of the provisional authority period, the School must apply for permanent authority to confer degrees.

**Provisional Degree Authority and Master Plan: AMG School of Licensed Practical Nursing LLC to Offer an A.S. Program in Nursing
BR (CA) 13**

MOVED, that the Board of Regents authorize AMG to confer the A.S. degree on students successfully completing the registered program for a period beginning immediately and ending on December 31, 2025 and approve a master plan amendment for the School to offer an A.S. program in Nursing. This amendment will be effective until December 31, 2021, unless the Department registers the program prior to that date, in which case master plan amendment shall be without term contingent upon the School maintaining the degree-granting authority. At least 12 months prior to the end of the provisional authority period, the School must apply for permanent authority to confer degrees.

MOVED, that the Regents approve the consent agenda items.

Motion by: Regent Catherine Collins
Seconded by: Regent Frances G. Wills
Action: Motion passed unanimously.

STANDING COMMITTEE REPORT

ADULT CAREER AND CONTINUING EDUCATION SERVICES (ACCES)

Your Adult Career and Continuing Education Services (ACCES) Committee held a meeting on December 14, 2020. All members were present.

MATTERS NOT REQUIRING BOARD ACTION

Advisory Council on Postsecondary Education for Students with Disabilities – The Committee was provided with information from the Advisory Council meeting that was convened in October 2020 to discuss the impact of COVID 19 on postsecondary students with disabilities. Recommendations on strategies to improve the postsecondary success of students with disabilities were made at this meeting. These recommendations include providing technology and digital accessibility, peer mentoring, and consistency across postsecondary sectors. In order to achieve these recommendations, the Advisory council's next steps include a survey to postsecondary institutions to identify current eligibility and documentation requirements for disability services and identify possible streamlining strategies; and, reviewing national practices identified by the Association of Higher Education and Disability and Americans with Disabilities Act web content accessibility guidelines to recommend strategies to improve the success of postsecondary students with disabilities. (Attachment IX)

HIGHER EDUCATION

Your Higher Education Committee held its scheduled meeting on December 14, 2020. All members of the Committee were present.

ACTION ITEMS

MOTION FOR ACTION BY FULL BOARD

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 14, 2020, copies of which have been distributed to each member of the Board of Regents.

Matters Requiring Board Action:

Proposed Amendment to the Regulations of the Commissioner of Education Relating to the Content Core Requirement in Computer Science Teacher Preparation Programs - Your Committee hears a proposal to amend Section 52.21 of the Commissioner's regulations to revise the content core requirement in computer science

teacher preparation programs from at least 12 semester hours of coursework that addresses five specified computer science concepts to at least 12 semester hours of coursework that provides a knowledge base for assisting students in meeting the new NYS K-12 Computer Science and Digital Fluency Learning Standards.

Matters Not Requiring Board Action:

Principal Talent Management System - Your Committee heard Department staff provide an update and present a video on the field's response to the new software system that enables district leaders to tap into a larger pool of School Building Leader certified individuals who have the experience and credentials that meet the needs of their schools.

Consent Agenda Items:

- The Board voted to amend Part 49 of the Commissioner's Regulations relating to the authorization of New York Higher Education Institutions to participate in the State Authorization Reciprocity Agreement (SARA) and the approval of out-of-state institutions to provide distance education to New York residents.
- The Board voted to approve the reappointment of Theresa Reynolds, administrator member and PSPB P-12 co-chair, to the State Professional Standards and Practices Board for Teaching, for a four-year term beginning December 31, 2020 and ending December 30, 2024.
- The Board voted to grant permission to Olivet University (California) to continue to offer seven courses from its M.B.A program and seven courses from its M.Div. program at Six Barclay Street in New York City. In addition, the Board of Regents voted to grant permission to Olivet University (California) to continue to offer seven courses from its M.Div. program at its location in Dover, NY. This approval will be effective from January 1, 2021 through June 30, 2021.

P-12 EDUCATION

Your P-12 Education Committee held its scheduled meeting on December 14, 2020. All members were present except Regent Finn, who was excused.

ACTION ITEMS

Proposed Amendment to Section 100.2(c) of the Regulations of the Commissioner of Education to Implement Erin's Law [P-12 (A) 1]

Your Committee recommends that the Board of Regents amend current regulations, effective December 15, 2020, as an emergency action upon a finding by the Board of

Regents that such action is necessary for the preservation of the public health and general welfare to immediately align the Commissioner's Regulations with Erin's Law.

The motion passed.

Approval of the K-12 Learning Standards for Computer Science and Digital Fluency
[P-12 (A) 2]

Your Committee recommends that the Board of Regents approve the proposed learning standards for the new discipline of Computer Science and Digital Fluency. (Attachment VI)

The motion passed.

Revision Recommendation for Charter School Authorized by the Board of Regents – Rochester Academy Charter School [P-12 (A) 3]

Your Committee recommends that the Board of Regents find that: (1) the charter school meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules, and regulations; (2) the charter school can demonstrate the ability to operate in an educationally and fiscally sound manner; (3) granting the request to amend the charter is likely to improve student learning and achievement and materially further the purposes set out in subdivision 2 of Section 2850 of Article 56 of the Education Law; and (4) granting the request to amend the charter will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents, therefore, approves the charter revision for Rochester Academy Charter School and amends the provisional charter accordingly.

The motion passed. Regents Cashin, Collins, and Reyes abstained.

Charter Schools: Initial Application Authorized by the Board of Regents [P-12 (A) 4]

Your Committee recommends that the Board of Regents find that: (1) the proposed charter school meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules, and regulations; (2) the applicant can demonstrate the ability to operate the school in an educationally and fiscally sound manner; (3) granting the application is likely to improve student learning and achievement and materially further the purposes set out in subdivision 2 of Section 2850 of Article 56 of the Education Law; and (4) granting the application will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents approves and issues a charter to Citizenship and Science Academy of Rochester Charter School, and amends the provisional charter of the education corporation Science Academies of New York Charter Schools to permit the operation of such school for a term of five years, in accordance with §2851(2)(p) of the Education Law.

The motion passed. Regents Cashin, Collins, and Mittler abstained.

MOTION FOR ACTION BY FULL BOARD

Mr. Vice 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 14, 2020, copies of which have been distributed to each Regent.

MATTERS NOT REQUIRING BOARD ACTION

Proposed Amendments to Section 100.5(h) of the Regulations of the Commissioner of Education Relating to Requirements for Awarding the New York State Seal of Biliteracy (NYSSB or “the Seal”) [P-12 (D) 1]

Your Committee discussed amending current regulations relating to requirements for awarding the NYS Seal of Biliteracy to be consistent with the description of the English Language Arts course requirements and to replace the current list of approved World Language assessments and required scores with a statement authorizing the Commissioner to approve assessments that will apply toward the current requirement. These amendments will allow the opportunity for more students to earn the Seal.

Revision of New York State Learning Standards in Languages Other Than English (LOTE) [P-12 (D) 2]

Your Committee discussed revising the New York State Learning Standards in Languages Other Than English (LOTE) and renaming them the New York State Learning Standards in World Languages. (Attachment V)

Proposed Amendment to Sections 100.2(cc), (gg) and 120.3(a) of the Regulations of the Commissioner of Education Relating to the Uniform Violent or Disruptive Incident Reporting System, Also Known as the School Safety and Educational Climate Report [P-12 (D) 3]

Your Committee discussed amending current regulations relating to the Uniform Violent or Disruptive Incident Reporting System, also known as the School Safety and Educational Climate Report, to alleviate confusion around a number of the categories, their definitions, and how they are weighed in calculating the School Violence Index. (Attachment VII)

Proposed Amendments to Sections 100.2 and 119.6 of the Regulations of the Commissioner of Education Relating to the Implementation of the Crown Act [P-12 (D) 4]

Your Committee discussed amending current regulations relating to the implementation of the Crown Act. (Attachment VIII)

Consent Agenda

The Board of Regents approved the following consent agenda items at its December 14, 2020 meeting:

- Proposed Amendment to Section 170.14 of the Regulations of the Commissioner of Education Relating to Financial Transparency Requirement Reporting Deadlines (Permanent Adoption)
- Proposed Amendment to Section 135.4 of the Regulations of the Commissioner of Education Relating to Eligibility for Participation of Students Who Have Individualized Education Programs (IEPs) or Section 504 of the Rehabilitation Act of 1973 or Americans with Disabilities Act (ADA) Plans in Interschool Competition and Inclusive Athletic Activities (Permanent Adoption)
- COVID-19 Part IV & Reopening: Proposed Amendments to Sections 80-5.3, 80-5.4, 100.1, 100.2, 100.5, 100.6, 100.10, 117.3, 136.3, 145-2.1, 151-1.3, 154-2.2, 154-2.3, 156.3, and 200.4 of the Regulations of the Commissioner of Education Relating to Addressing the COVID-19 Crisis and the Reopening of Schools
- COVID-19 Part V & Reopening: Proposed Amendments to Sections 52.21, 79-8.5, 100.5, and 154-2.3 of the Regulations of the Commissioner of Education Relating to Addressing the COVID-19 Crisis and the Reopening of Schools

PROFESSIONAL PRACTICE

Your Professional Practice Committee held its scheduled meeting on December 14, 2020. All members participated in the meeting by video conference call. Vice Chancellor T. Andrew Brown and Regent Beverly L. Ouderkirk also participated 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 2 cases. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 26 consent order applications and 5 surrender applications be granted.

These recommendations are made following the review of 33 cases involving ten licensed practical nurses, four registered professional nurses, three licensed practical nurses who are also registered professional nurses, two certified public accountants, one landscape architect, one licensed clinical social worker, one licensed master social worker, one licensed master social worker who is also a licensed clinical social worker, one licensed practical nurse who is also a registered professional nurse and who is also a nurse practitioner (Adult Health), one massage therapist, one pharmacist, and one veterinarian.

Restorations

Your Committee recommends the following:

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

Long-Term Clinical Clerkships [PPC EXS (A) 5]

Your Committee recommends, with abstention from Regent Catherine Collins and Regent Josephine Victoria Finn, the following: That the application for Ross University School of Medicine to place students in long-term clinical clerkships in New York be approved, in accordance with and subject to the recommendations of the Advisory Committee on Long-term Clinical Clerkships

MOTION FOR ACTION BY FULL BOARD

Vice-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 14, 2020, 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

Proposed Addition of Section 72.6 of the Regulations of the Commissioner of Education Relating to the Continuing Education Requirements for Psychologists (Action/Permanent Adoption)

The proposed amendment establishes the mandatory continuing education requirements and standards for the Department's approval of continuing education providers.

Proposed Amendment to Section 3.57 of the Rules of the Board of Regents Relating to the Conferral of the Degree of Medicine (M.D.) by the Board of Regents (Discussion)

The proposed amendment conforms section 3.57 of the Rules of the Board of Regents to Education Law §6529, removing the foreign-educated graduate three years of experience requirement for M.D. conferral and including the \$300 M.D. issuance fee requirement prescribed in Education Law §6529.

Resolution to the Federation of State Medical Boards Relating to Incorporating the Care of Persons with Intellectual and Developmental Disabilities into the Medical School Curriculum (Action)

The Board for Medicine, along with a working group of members of the Board of Regents and members of the Board for Medicine, have identified disparities in health care services available for persons with intellectual and developmental disabilities (IDD). This proposed resolution will help to ensure that the medical education curricula at accredited medical schools in the United States formally integrate a better understanding of the care, treatment, and management of patients with IDD. (Attachment XI)

Update on the Registration, Operation and Oversight of the Various Types of Pharmacy Establishments (Discussion)

Discussion and overview of the registration and operation requirements for pharmacy establishments. (Attachment IV)

MOVED, that the Committee Reports be approved.

Motion by: Regent Christine D. Cea

Seconded by: Regent Susan W. Mittler

Action: Motion carried unanimously.

APPOINTMENTS

**Appointment of Ceylane Meyers-Ruff to Acting Deputy Commissioner for Adult Career and Continuing Education Services (ACCES)
BR (A) 7**

MOVED, that the Board of Regents approve the appointment of Ceylane Meyers-Ruff for Acting Deputy Commissioner for ACCES effective December 15, 2020.

Motion by: Regent Christine D. Cea
Seconded by: Regent James E. Cottrell
Action: Motion carried unanimously.

**Appointment of Sharon Cates-Williams as Acting Executive Deputy
Commissioner
BR (A) 8**

MOVED, that the Board of Regents approve the appointment of Sharon Cates-Williams as Acting Executive Deputy Commissioner effective December 15, 2020.

Motion by: Regent Luis O. Reyes
Seconded by: Regent Catherine Collins
Action: Motion carried unanimously.

Vice Chancellor Brown 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)
Binghamton Museum of Fine Arts	CE	Broome (Binghamton)	Dissolve the absolute charter.
Holland Historical Society	CE	Erie (Holland)	Extend provisional charter for five years.
John Burroughs' Woodchuck Lodge	CE	Delaware (Arkville)	Grant absolute charter.
New Paltz Historical Society	CE	Ulster (New Paltz)	Grant a Regents certificate of incorporation.
Somerset Union Museum	CE	Niagara (Barker)	Extend provisional charter for five years.
Town of Maryland Historical Society	CE	Otsego (Schenevus)	Grant provisional charter for five years.
Katrina Trask Nursery School	P12	Saratoga Springs (Saratoga)	Dissolve the absolute charter.
King's Way	P12	Steuben (Painted Post)	Extend provisional charter for three years.
Northern Academy of the Arts	P12	Orange (Middletown)	Amend provisional charter to replace school/site location at 42 Jason Place, Middletown, NY with new location at 1 Ashley Avenue, Middletown, NY and extend charter for three years.
Rolling River Day School and Camp, Inc.	P12	Nassau (East Rockaway)	Amend charter to change the corporate name to "Rolling River Day Camp, Inc." and add language pertaining to powers of shareholders and trustees/directors.
San Miguel Academy of Newburgh	P12	Orange (Newburgh)	Amend provisional charter to restate the corporate purposes.

Appendix II

REGENTS ACTIONS IN 33 PROFESSIONAL DISCIPLINE CASES AND 1 RESTORATION PETITION

December 14, 2020

The Board of Regents announced disciplinary actions resulting in the surrender of 5 licenses, and 28 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

Tosha Medlin Briles; Registered Professional Nurse; High Point, NC 27265; Lic. No. 585941; Cal. No. 32242; Application to surrender license granted. Summary: Licensee admitted to the charge of delegating nursing responsibilities to an unlicensed staff member in the State of North Carolina.

Pharmacy

Mery Frances Gooden; Pharmacist; Bronx, NY 10461-0451; Lic. No. 054579; Cal. No. 31863; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Grand Larceny in the 4th Degree, a class E felony.

Public Accountancy

Andrew N. La Vigne; Certified Public Accountant; Lansing, NY 14882; Lic. No. 048454; Cal. No. 31965; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Fraudulent Concealment of Property, Mail Fraud, and Money Laundering.

Social Work

Matthew D. Israelson; Licensed Master Social Worker; Bellerose, NY 11426; Lic. No. 016708; Cal. No. 32247; Application to surrender license granted. Summary: Licensee admitted to charges of having been convicted of Attempted Criminal Possession of a Weapon, a class E felony; and failing to disclose a criminal conviction on a New York State registration renewal form.

Margaret Charlene Patterson; Licensed Clinical Social Worker; Washingtonville, NY 10992; Lic. No. 039795; Cal. No. 32256; Application to surrender license granted. Summary:

Licensee admitted to the charge of having been convicted of Attempted Unauthorized Practice, a misdemeanor.

II. OTHER REGENTS DISCIPLINARY ACTIONS

Landscape Architecture

Thomas Michael Harten; Landscape Architect; Fort Salonga, NY 11768; Lic. No. 002108; Cal. No. 31824; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$1,500 fine.

Massage Therapy

John Robert McEnerney; Massage Therapist; Wynantskill, NY 12198-8036; Lic. No. 026134; Cal. No. 31699; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Nursing

Latisha A. Maxwell a/k/a Latisha A. Reynolds; Licensed Practical Nurse; Amherst, NY 14228; Lic. No. 280660; Cal. No. 30937; Found guilty of professional misconduct; Penalty: Indefinite stayed suspension for at least 1 year and until mentally fit to practice, upon return to practice, 2 years probation.

Julie A. Johnston; Licensed Practical Nurse; North East, PA 16428; Lic. No. 312060; Cal. No. 31368; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$250 fine.

Heather Carol Delamater; Licensed Practical Nurse; Schenectady, NY 12308; Lic. No. 300970; Cal. No. 31630; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$250 fine.

Christine Marie Harsch; Registered Professional Nurse; Buffalo, NY 14223; Lic. No. 696287; Cal. No. 31677; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Camille Deseray Cosme; Licensed Practical Nurse; Newburgh, NY 12550; Lic. No. 301543; Cal. No. 31858; Application for consent order granted; Penalty agreed upon: 3 months actual suspension, 21 months stayed suspension, 2 years probation, \$2,500 fine.

Bridgette D. Crawford; Licensed Practical Nurse, Registered Professional Nurse; Buffalo, NY 14227; Lic. Nos. 259703, 508940; Cal. Nos. 31873, 31828; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Margaret Rose Goldbar a/k/a Margaret Goldbar-Bullis; Licensed Practical Nurse, Registered Professional Nurse; Walton, NY 13856; Lic. Nos. 269273, 648459; Cal. Nos. 31911, 31912; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Amanda Marie Bishop; Licensed Practical Nurse; Alpine, NY 14805; Lic. No. 285441; Cal. No. 31944; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until mentally and physically fit to practice, upon return to practice, 2 years probation, \$500 fine.

Crystal Lynn Culbert a/k/a Crystal Emerson; Licensed Practical Nurse, Registered Professional Nurse; Wellsville, NY 14895; Lic. Nos. 277487, 595123; Cal. Nos. 31955, 31956; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 3 months and until fit to practice, upon return to practice, 2 years probation, \$500 fine.

Jo-Ann Jennifer Quant; Licensed Practical Nurse; Schenectady, NY 12303; Lic. No. 279491; Cal. No. 31973; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$1,500 fine.

Tialmaa Drake; Licensed Practical Nurse; Albany, NY 12208; Lic. No. 327021; Cal. No. 31975; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$250 fine.

Aimee Patricia Frawley Hoppins a/k/a Aimee Frawley-Hoppins; Registered Professional Nurse; Manlius, NY 13104; Lic. No. 528885; Cal. No. 31990; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, upon return to practice, 2 years probation, \$500 fine.

June H. Duignan; Licensed Practical Nurse; Rochester, NY 14621; Lic. No. 294708; Cal. No. 31991; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Hayley A. Corrow a/k/a Hayley A. Rugar; Licensed Practical Nurse; Plattsburgh, NY 12901; Lic. No. 276390; Cal. No. 31992; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, upon return to practice, 1 year probation, \$500 fine.

Kelly Lisa Edwards; Licensed Practical Nurse, Registered Professional Nurse, Nurse Practitioner (Adult Health); Bloomingburg, NY 12721; Lic. Nos. 253491, 532602, Cert. No. 306511; Cal. Nos. 32000, 32001, 32002; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Pamela J. Miner; Registered Professional Nurse; Macedon, NY 14502; Lic. No. 559552; Cal. No. 32013; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Theresa Anne Michon; Licensed Practical Nurse; Troy, NY 12180; Lic. No. 279414; Cal. No. 32019; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$250 fine.

Public Accountancy

Robert J. Riscica; Certified Public Accountant; Port Washington, NY 11050; Lic. No. 038898; Cal. No. 28903; Found guilty of professional misconduct; Penalty: 2 months actual suspension, 19 months stayed suspension, 2 years probation, \$1,000 fine.

Social Work

Jessica Lauren Schindewolf; Licensed Master Social Worker, Licensed Clinical Social Worker; Jersey City, NJ 07302; Lic. Nos. 075285, 078211; Cal. Nos. 31880, 31881; Application for consent order granted; Penalty agreed upon: 2 years actual suspension, upon return to practice in New York State, 2 years probation, \$500 fine.

Veterinary Medicine

J. Joseph John Bache; Veterinarian; Forestville, NY 14062; Lic. No. 009798; Cal. No. 32042; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$1,000 fine.

III. RESTORATION

The Board of Regents voted on December 14, 2020 to deny the application for restoration of the physician license of Roman Tabakman, Fort Lee, NJ. Dr. Tabakman's license was revoked on January 20, 2012.



New York State
EDUCATION DEPARTMENT

Knowledge > Skill > Opportunity

2021-2022 Regents State Aid Proposal

Board of Regents Meeting

December 2020

ATTACHMENT I

Overview

- **Annual State Aid Budget Cycle**
- **2021-22 State Aid Proposal (\$1.8 billion):**
 - Pandemic Adjustment Repeal
 - School Aid Growth Cap Repeal
 - Reimburse Transportation Expenses
 - Fully Fund Expense-Based Aids
 - Index Reorganization Incentive Aid Formula to Inflation
- **Additional State Operations Resources:**
 - Financial Technical Assistance (\$1 million)

Annual State Aid Budget Cycle

- **November 15th Database:** Provides first estimates for aid in the upcoming year
- **December:** Adoption of the Regents State Aid Proposal
- **January:** Release of Executive Budget
- **February 15th Database:** Updated aid estimates; typically used for Enacted Budget
- **Early March:** One-House bills
- **April 1st:** Enacted Budget, release of aid runs

2021-22 Regents State Aid Proposal

The 2021-22 Regents State Aid proposal would:

- **Repeal the Pandemic Adjustment and restore each district's state aid levels** to ensure that no district experiences an aid loss in 2020-21 and enable districts to use their federal CARES Act funds for their intended purpose. The proposal assumes that 40% of the restored funds (\$453 million) would be paid in 2020-21 with the remaining 60% (\$680 million) paid in 2021-22;
- **Amend Education Law to allow districts to be reimbursed for costs incurred in maintaining the infrastructure necessary to have transportation services available to support in-person education**, and allow districts to be reimbursed for costs incurred in using school buses to deliver school meals, homework packets and wi-fi access;

2021-22 Regents State Aid Proposal

Aid Category	2020-21 SY	2021-22 SY	Change
Foundation Aid	\$18,412	\$18,412	\$0
All Other Aids	\$8,940	\$9,366	\$426
Pandemic Adjustment	(\$1,134)	\$0	\$1,134
Growth Cap Adjustment	\$0	(\$430)	(\$430)
Subtotal	\$26,218	\$27,348	\$1,130
Repeal Pandemic Adjustment	\$453	\$680	\$227
Repeal Growth Cap	\$0	\$430	\$430
Total	\$26,672	\$28,458	\$1,787

2021-22 Regents State Aid Proposal

- **Message that, if permanent state aid reductions must be made:**
 - Reductions should be made on **progressive, wealth-adjusted basis**; and
 - School districts and charter schools should receive comparable treatment.
- **Assist school districts by:**
 - **Fully funding reimbursement for expense-based aids**, such as Building Aid and Transportation Aid;
 - Repealing the School Aid Growth Cap (\$430 million);
 - Incentivizing efficiencies by **indexing the Reorganization Incentive Aid formula to inflation**; and
 - Increasing the Department's capacity to provide school districts with technical support on financial and management issues (\$1 million).

Mandate Relief Proposals

To further assist school districts with the current economic situation, the Regents' 2021-22 Non-State Aid Budget and Legislative Priorities includes the following mandate relief initiatives:

- **Enhance school district reserve fund flexibility** by extending the current pay-back period and lowering the percentage that needs to be paid back each year;
- **Increase flexibility for small districts to meet unanticipated expenses** by allowing targeted exceptions to the 4% fund balance limit; and

Discontinue duplicative financial transparency reporting.



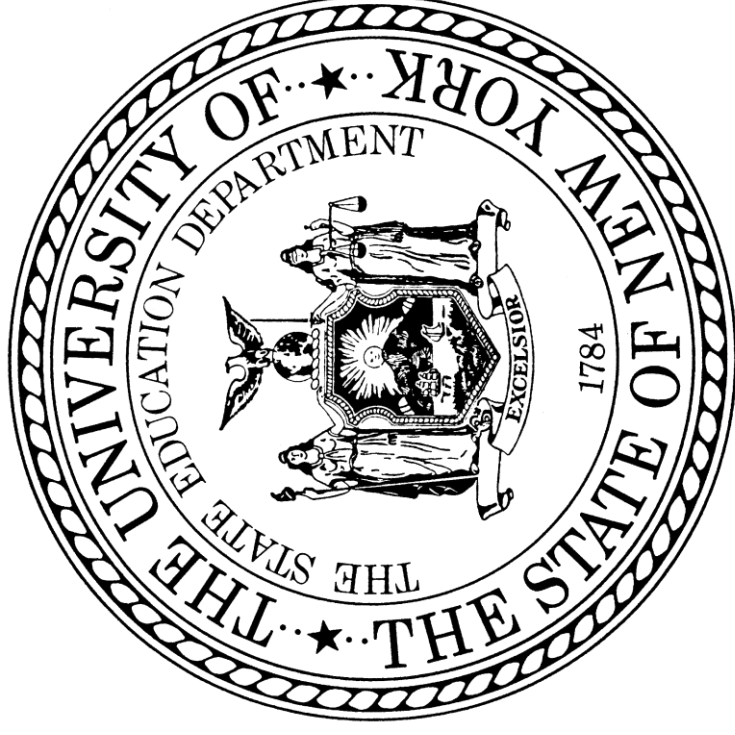
New York State
EDUCATION DEPARTMENT

Knowledge > Skill > Opportunity

Questions?

COVID-19 Emergency Regulations Part VII

December 14, 2020



ATTACHMENT II

COVID-19 PANDEMIC

- As a result of the pandemic and the Governor's numerous Executive Orders, the Department adopted emergency regulations at the April, May, June, July, September, October, and November 2020 Board of Regents meetings to address the issues resulting from the interruptions caused by the COVID-19 crisis and to plan for the reopening of schools.
- The Department is proposing further regulatory changes to provide additional flexibility to the field and students during this crisis, to address anticipated issues resulting from the continued interruptions caused by the COVID-19 crisis.

Snow Day Reporting for the 2020-21 School Year

- Commissioner's regulations require superintendents to notify the Commissioner as soon as possible whenever a school's emergency plan or building-level school safety plan is activated and results in the closing of a school building in the district, and to provide any information the Commissioner requires.
- However, such regulation provides that this information need not be provided for routine snow emergency days.

Snow Day Reporting Continued

- Due to the COVID-19 crisis, the State has shifted to allowing and/or requiring remote instruction by many districts.
- In light of this, the Department is offering a one-year pilot program to allow school districts to shift to remote instruction for days that a district would have otherwise closed due to a snow emergency.
- The notification of these remote instruction snow days is necessary for the Department to review and evaluate the snow day pilot program for possible future extensions.

Graduation Assessment Exemption Declination

- At the September 2020 meeting of the Board of Regents, the Department permanently adopted amendments to Commissioner's regulations to provide that parents and persons in parental relation of students scheduled to graduate in January, June, or August of 2020 who were exempted from a graduation assessment requirement be given the opportunity to decline such exemption.
- With the cancellation of the January 2021 Regents examination, the Department proposes to amend this provision to also provide parents and persons in parental relation of students scheduled to graduate in January, June, or August of 2021 who have been exempted from a graduation assessment requirement the opportunity to decline such exemption.
- Additionally, the proposed amendments extend the time period required by schools to give parents or persons in parental relation notification of the option to decline such exemption from 10 calendar days to 30 calendar days.

APPR Variance Application Timeframes

- Current Rules of the Board of Regents provide that an Annual Professional Performance Review (APPR) variance application approved after December 1st of any school year must be implemented in the following school year.
- To provide flexibility for APPR variance application timeframes, the Department proposes to amend such rule to provide that upon a finding by the Commissioner of extraordinary circumstances, variance applications approved after December 1st of a school year may be implemented in that school year.

Questions?

ATTACHMENT III



Resolution in Recognition of the Service and Dedication of Brian S. Cechnicki

Brian is leaving his position as Director of Education Finance on December 23, 2020. He has served in this capacity for six years and has accomplished much during his tenure.

Brian has led with distinction, ensuring that school districts receive critical state aid payments on time, and providing technical assistance on the complexities of state aid requirements. Brian's expertise has served the Department and the Board of Regents well in the development of the annual Regents State Aid Proposal.

Brian has been a crucial resource that school districts, the Department and the Board of Regents have relied on in navigating the challenges of educating students during the COVID-19 pandemic.

Brian has skillfully represented the Department as the Commissioner's designee on the Board of the Dormitory Authority of the State of New York.

Brian S. Cechnicki, you have been hard working, innovative, articulate and tireless in all of your pursuits. We thank you for your strong commitment to our work and wish you the best in your new position.

BE IT THEREFORE RESOLVED on this 14th day of December 2020 that the Members of the New York State Board of Regents acknowledge the service and dedication of Brian S. Cechnicki to the State Education Department and the people of the State of New York.

T. Andrew Brown
Vice Chancellor

Nan Eileen Mead
*Co-Chair, State Aid
Subcommittee*



Beverly L. Ouder Kirk
*Co-Chair, State Aid
Subcommittee*

Betty A. Rosa
*Interim Commissioner of
Education*

ATTACHMENT IV

NEW YORK STATE

• Board of Pharmacy Office

- Dina Jazrawi, Pharm D
- Executive Secretary

PHARMACY BOARD OFFICE

- Registers pharmacists
- Issues pharmacy intern permits
- Issues immunization privileges
- Documents changes in pharmacy supervisors
- Registers pharmacy establishments
- Processes pharmacy establishment renewals

PHARMACY ESTABLISHMENT REGISTRATION TYPES

- Pharmacy
- Manufacturer
- Wholesaler
 - Wholesaler Repacker
- Outsourcing Facility

PHARMACY

- Education Law §6802 (1)
- "means any place in which drugs, prescriptions or poisons are possessed for the purpose of compounding, preserving, dispensing or retailing, or in which drugs, prescriptions or poisons are compounded, preserved, dispensed or retailed, or in which such drugs, prescriptions or poisons are by advertising or otherwise offered for sale at retail. "

REGISTRATION PROCESS



1. COMPLETE
FORM, SUBMIT
FEE



2. BOARD
OFFICE
REVIEW



3. HAVE
INSPECTION



4. BOARD
OFFICE
REVIEW



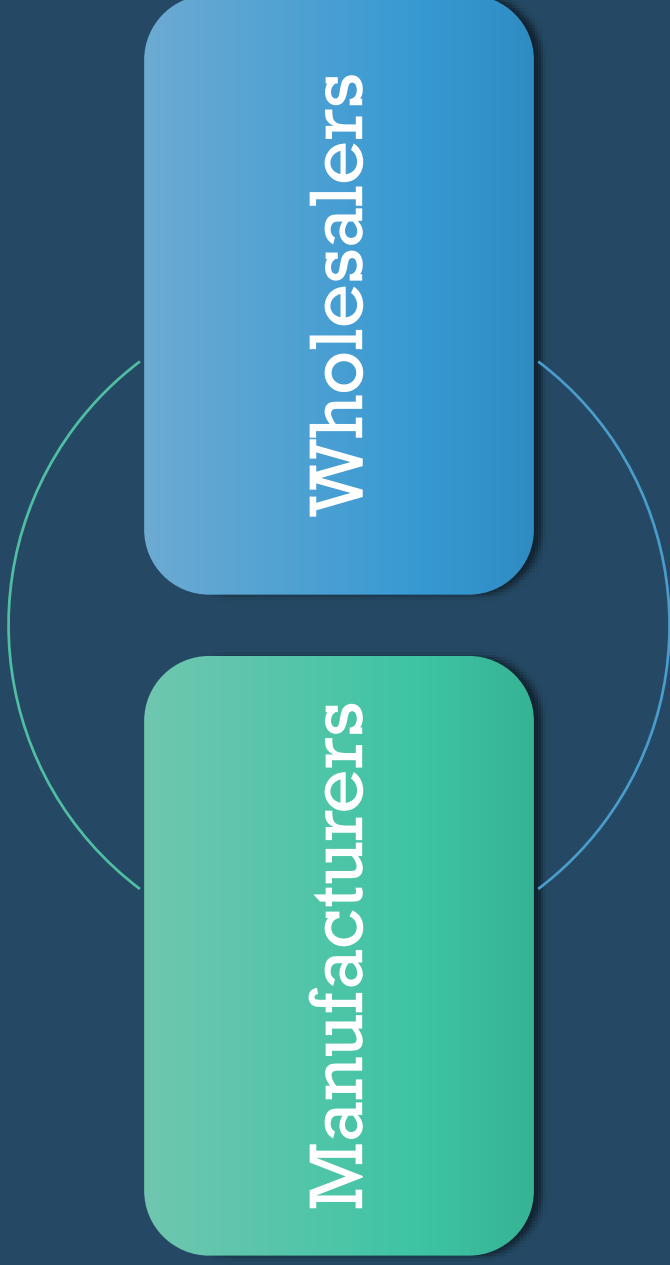
5. OBTAIN
REGISTRATION

**WHOLESALE
REPACKERS**

WHOLESALE

MANUFACTURERS

REGISTRATION PROCESS DIFFERENCES?



MANUFACTURER WHOLESALER REGISTRATION PROCESS

1. SUBMISSION OF FORMS AND FEE

2. INITIAL BOARD OFFICE REVIEW

3. OPD CONDUCTED INSPECTION

4. FINAL BOARD OFFICE REVIEW

5. OBTAIN REGISTRATION

OUT OF STATE FACILITIES

- **Non-resident operations
doing business in NYS must
be registered in NYS**

Initial

Initial Registration

Change

Change of Location

Change

Change of Name

Change

Change of Officers and/or Owners

OUT OF STATE REGISTRATION TYPES

OUTSOURCING FACILITIES

- Also Known As a 503b facility
- Engage in Sterile Compounding
- Must also be registered with the FDA

Submit a form and
fee to the Board
Office

Approval of
Establishment
Registration

Renew every three
years

REGISTRATION PROCESS

SUMMARY

Overseeing establishments helps to ensure the protection of the public health



We continue to look for more efficient ways to streamline the registration process

QUESTIONS?



ATTACHMENT V



LANGUAGES OTHER THAN ENGLISH (LOTE) LEARNING STANDARDS UPDATE

BOARD OF REGENTS P-12 MEETING
DECEMBER 14, 2020



New York State
EDUCATION DEPARTMENT
Knowledge > Skill > Opportunity



Office of Bilingual Education and World Languages
89 Washington Avenue, EB505W
Albany, NY 12234

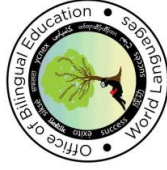
CURRENT STANDARDS REVIEW

Over the past 3 years, NYSED engaged New York State educators in the review and development of revised P-12 NYS Languages Other Than English (LOTE) Standards:

Included classroom teachers, administrators, higher education representatives, and other stakeholders.

Used the National World-Readiness Standards for Learning Languages and the previously approved NYS Modern Languages for Communication Standards (1986, 1996) as the foundation for the review.

The result is the proposed revision to the New York State Languages Other Than English (LOTE) Learning Standards.



HOW DOES THIS REVISION BENEFIT STUDENTS?

- The standards are being updated to reflect current research and best practice.
- All New York State students deserve a “well-rounded” education.
- Linguistic and cultural competence are critical to our students’ success in the 21st century.
- Multilingual proficiency creates opportunities for students to be highly competitive in the global economy.



WHO WAS INVOLVED?

**Acronyms are listed in the Board of Regents memo*

Educators

- World languages teachers from elementary, middle, and high schools from the 7 regions of NYS
- Higher education faculty
- BOCES/RBERN staff

Administrators

- Building administrators
- District coordinators (Directors of World Languages and English as a New Language)
- World Language Leadership Team

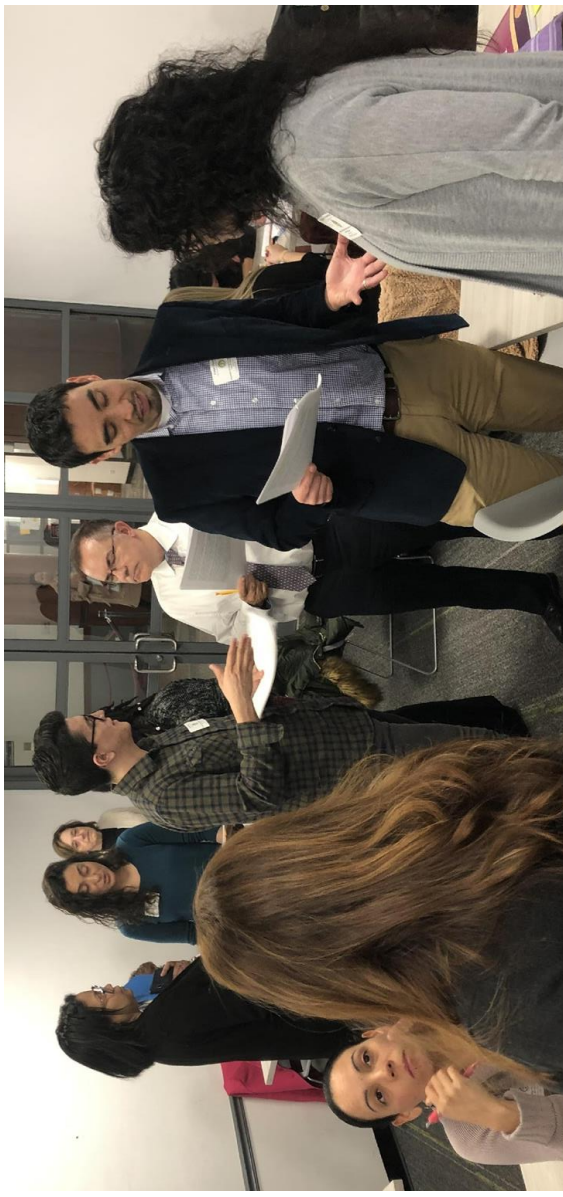
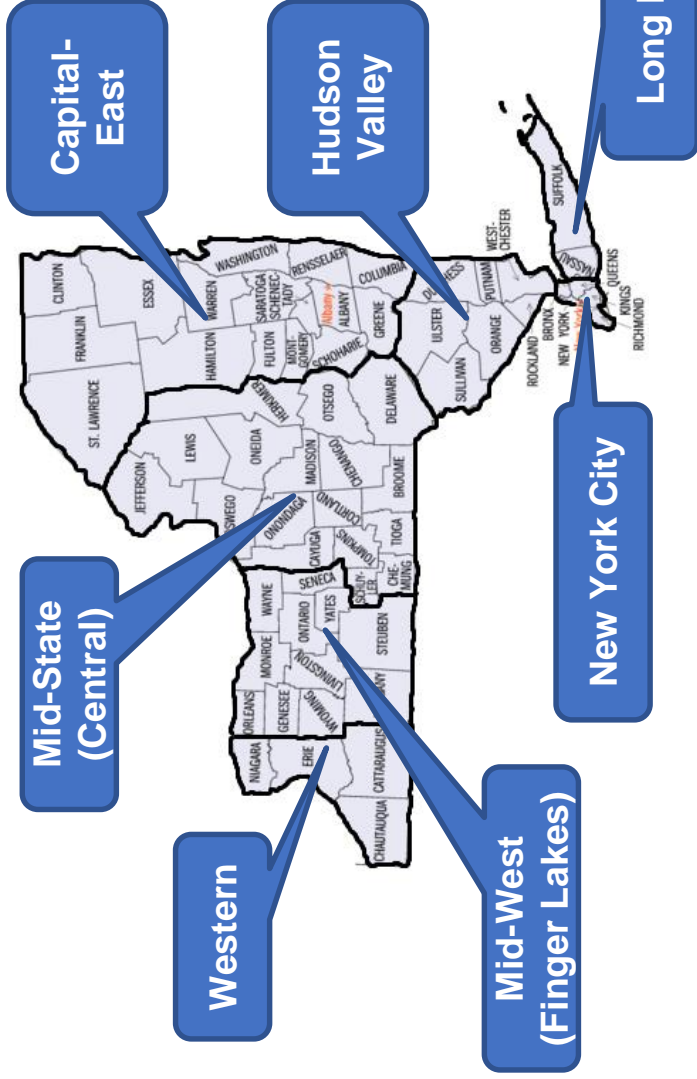
Professional Organizations*

- NYSUT
- NYSAFLT
- NYSAWLA
- ALOUD
- PWRFL
- NYSAFLT Rochester Regional
- WNYFLEC
- COLT
- College Board

Other Stakeholders

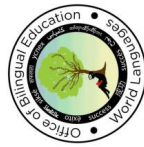
- Parents
- High school students
- College students
- Pre-service teachers

7 REGIONAL STANDARDS REVIEW COMMITTEES



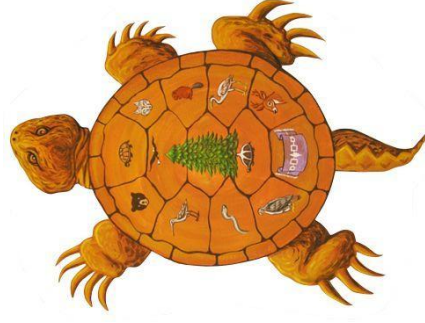
New York City region

182 members from Capital-East, Hudson Valley, Long Island, New York City, Mid-State (Central), Mid-West (Finger Lakes) and Western regions!



3 LANGUAGE-SPECIFIC COMMITTEES

- 27 members
- American Sign Language
- Classical Languages
- Indigenous Languages



Mid-State Region



Western Region

KEY FEATURES OF THE PROPOSED REVISIONS TO THE LOTE LEARNING STANDARDS

LOTE →
World
Languages

1

Revised
Standards for
Modern &
Classical
Languages

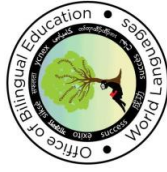
2

Updated
curricular
topics
organized
under four
over-arching
themes

3

Benchmarked
performance
indicators
with target
ranges for
each
Checkpoint

4



SHIFT #1: LOTE TO WORLD LANGUAGES

World Languages

Modern Languages

Spanish

French

Italian

Chinese

Arabic

German

ASL

Korean

Indigenous Languages

Classical Languages

Latin

Ancient Hebrew

Ancient Greek

Ancient Sanskrit

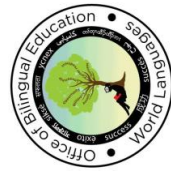
Ancient Persian

Ancient Chinese

Ancient Tamil



Capital-East Region



AND MORE...!

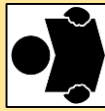


SHIFT #2: REVISIONS TO MODERN LANGUAGES STANDARDS

**Anchor Standard:
Communication**

Learners communicate effectively in the target language in order to function in a variety of contexts and for multiple purposes.

**Standard 1: Interpretive
Communication**



**Standard 2: Interpersonal
Communication**



**Standard 3: Presentational
Communication**



**Anchor Standard:
Cultures**

Learners use the target language to identify, describe, compare, and explain the practices, products, and perspectives of the cultures studied.

**Standard 4: Relating Cultural Practices
& Products to Perspectives**



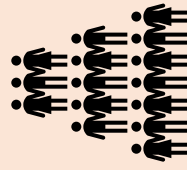
Standard 5: Cultural Comparisons



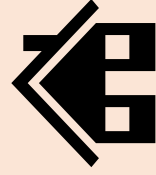
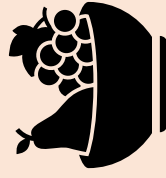
SHIFT # 3: OVERARCHING THEMES & UPDATED TOPICS

Themes for Modern Languages

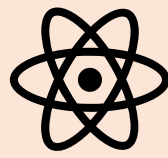
Identity & Social Relationships



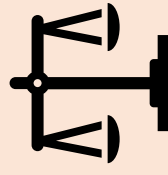
Contemporary Life



Science, Technology & the Arts

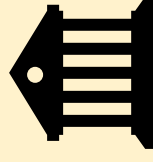


Global Awareness & Community Engagement



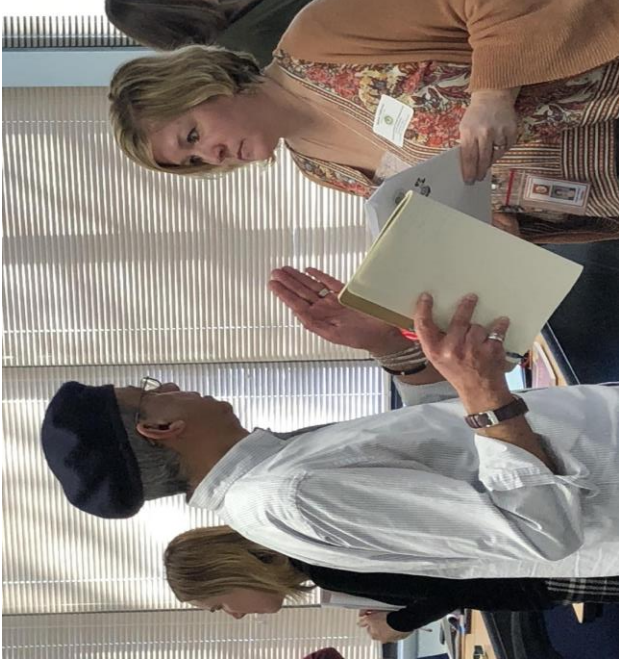
Themes for Classical Languages

- Identity and Family Life
- Physical Environment, Geography, and Travel
- Daily Life and Societal Institutions
- History, Government, and Economics
- Religion, Myths, and Legends
- Literature, Architecture, and Art



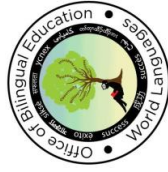
SHIFT # 4: BENCHMARKED PERFORMANCE INDICATORS

Checkpoint	Target Performance Range
A* (7-8 th , 9 th)	Novice Mid-High
B (9-10 th)	Intermediate Low-Mid
C (11-12 th)	Intermediate Mid-High



Long Island Region

*Checkpoint A includes all novice learners from Pre-K through those who begin LOTE study in high school. The most common Checkpoint A grade levels for New York schools are 7th, 8th and 9th.



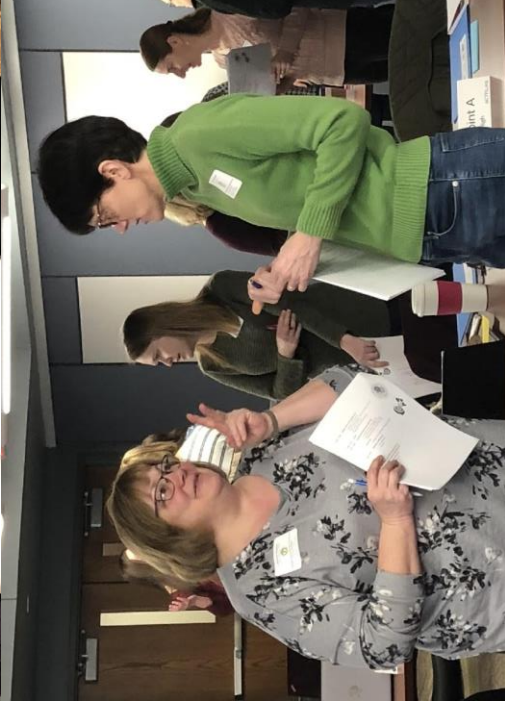
STAKEHOLDER SURVEY (12/16/19 – 2/1/20)

- **1,120** complete responses
- Respondents across **all** regions/roles
- Participation from **public, nonpublic, charter, homeschooling, BOCES, post-secondary**
- **All** levels of experience
- **19** world languages represented
- 94% of respondents indicated that they either moderately or strongly supported the standards overall; however, some themes emerged as areas where additional revision and support would be needed.

Hudson
Valley
Region



Mid-
West
Region



WHAT ARE STAKEHOLDERS SAYING ABOUT THE REVISIONS?

"I am pleased to see a change to align our state standards to those reflected at the national level."

"I'm glad to see the standards shifting and toward proficiency and measurable goals."

"I appreciate the support the state is giving us as this is a massive shift in world language pedagogy."



LOTE Standards Revision Timeline



2nd presentation to the NYS Board of Regents; vote on adoption of revisions and to consider regulatory change from LOTE to World Languages

3rd presentation to the Board of Regents to consider adopting the regulatory change from LOTE to World Languages

Dec.
2020

Winter
2021

Feb.
2021

Spring
2021

Summer
2021

1st presentation of proposed revisions to the LOTE Standards to the NYS Board of Regents

Public comment period on the regulatory change from LOTE to World Languages

Pending Board of Regents approval

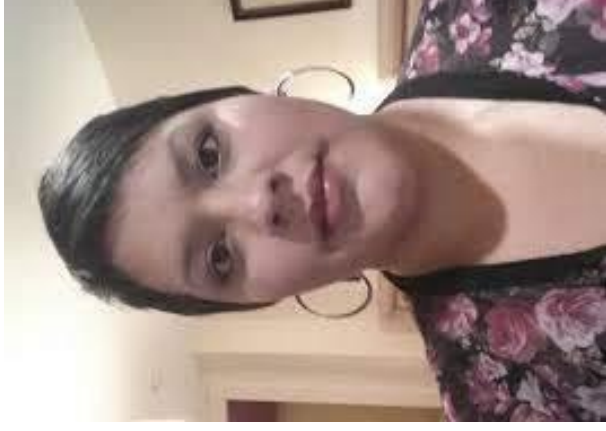
Pending Board of Regents approval

Release of Implementation Plan for revised standards

GUEST PRESENTERS FROM THE STANDARDS COMMITTEES



Dr. Joanne O'Toole
Professor, Student Teaching & edTPA
Coordinator
SUNY Oswego - Curriculum & Instruction
Principal Investigator
NYSED OBEWL Standards Initiative



Ms. Rachael Wolfe
Seneca Teacher
Salamanca HS
Western Region



Ms. Evelyn Bibbins
Graduate of South Jefferson HS
2020 Seal of Biliteracy Awardee in 2
world languages
1st year student at St. Lawrence University
Mid-State Region

QUESTIONS?



ATTACHMENT VI



NYS K-12 Computer Science and Digital Fluency Learning Standards

December 2020



New York State
EDUCATION DEPARTMENT
Knowledge > Skill > Opportunity



Vision

Every student will know how to live productively and safely in a technology-dominated world. This includes understanding the essential features of digital technologies, why and how they work, and how to communicate and create using those technologies.

Representation in Authoring, Review, and Revision

Individuals representing the following groups participated in authoring, review, and revision work:

- K-12 Teachers
 - Computer science, math, science, STEM
 - Educational technology, library and media specialists
 - Special Education
 - ELL/MILL Education
 - Early Learning, Elementary (Common Branch)
- K-12 Administrators, District Coordinators, and BOCES staff
- Higher Education
- Business and Industry
- Professional Organizations
- Community and Parent Organizations
- National Experts
- Urban, Suburban, Rural; Regional Representation





Conditional Approval

NYSED staff directed by the Board of Regents to

- Engage further with early learning experts to ensure the K-2 grade band standards are developmentally appropriate, and that both the clarifying statements and provided examples are helpful and relevant to K-2 teachers.
- Return to the Board of Regents for final adoption of the standards in Spring 2020.
- Begin to develop resources and guidance to aid the field in implementing the standards in accordance with the proposed implementation timeline.

EARLY LEARNING STANDARDS REVIEW AND REVISION

CONDITIONAL APPROVAL

The Board of Regents granted Conditional Approval of the Standards at the January 2020 Meeting of the Board of Regents.



Jan 2020

Feb - March 2020

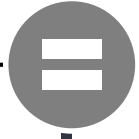


EARLY LEARNING WORKGROUP

A group of Early Learning and CS Experts was formed to review and revise the Standards. They did an initial review and submitted feedback that was the basis of a set of recommendations for review.

PAUSE DUE TO COVID-19

Work on the standards was paused due to the COVID-19 pandemic, as the majority of the early learning experts assisting with the revision work were New York State teachers.



March - June 2020

July - Sept 2020



EARLY LEARNING WORKGROUP RESUMED

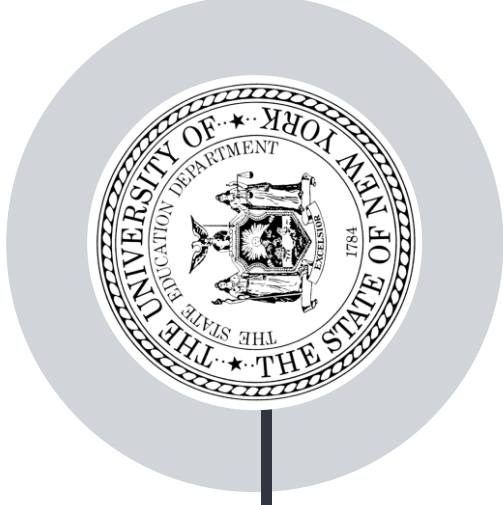
The Early Learning Workgroup met twice weekly for over two months to review and revise each EL standard.

FINAL REVIEW AND REVISION FOR COHERENCE

CS Experts and the Executive Standards Panel conducted a final review for coherence.



Nov 2020





Early Learning Standards Revision Workgroup

- Comprised of NYS teachers; subject matter experts in early childhood education, computer science, and instructional technology; and NYSUT Representatives
- Reviewed and revised standards, clarifying statements, and examples

Priority for Revision, Defined by Stakeholder Feedback

Actions Taken by Revision Workgroup, Reflected in December 2020 Draft Standards

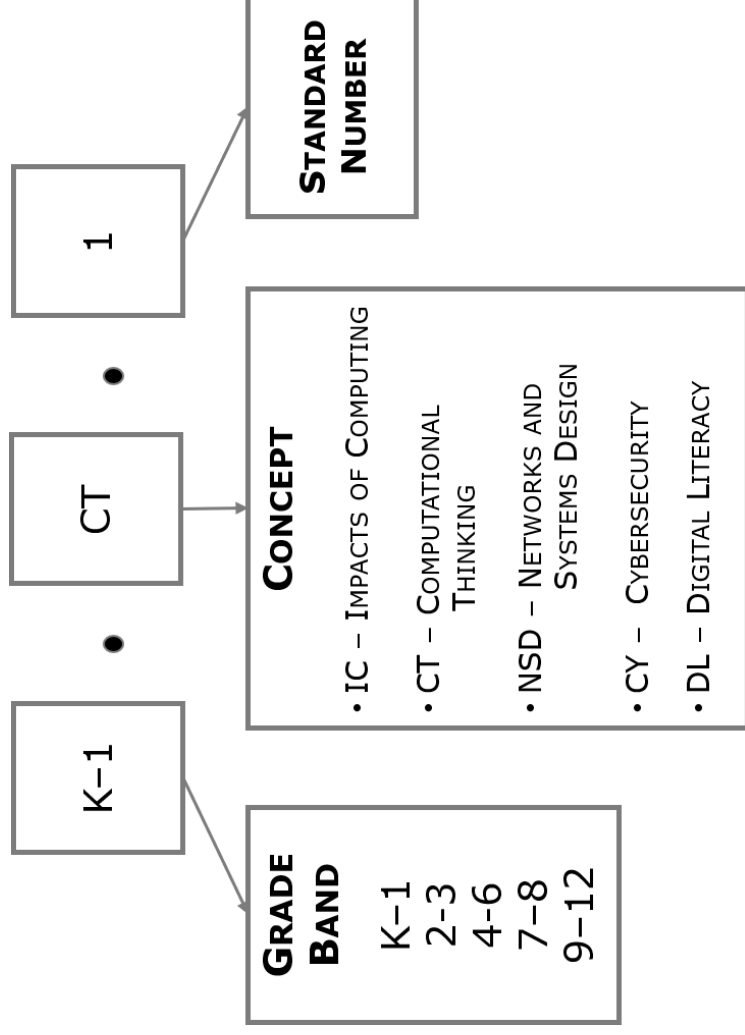
More attention needed on the K-2 band	<ul style="list-style-type: none">Standards revised for developmental appropriateness, flexibility for meeting the standards, and to emphasize thinking, creativity, and problem solvingClarifying language and examples reviewed and revised for relevance
Include third grade with K-2 grade band	<ul style="list-style-type: none">Third Grade included with K-2 under the umbrella of Early LearningThe middle grade bands (3-5 and 6-8) adjusted to 4-6 and 7-8Required new standards, clarifying statements, and examples to be written
The K-3 band should be split to reflect developmental needs of young students	<ul style="list-style-type: none">Grade band (K-3) split into two (K-1 and 2-3) at the recommendation of Early Learning experts
Ensure the guiding principle of coherence maintained	<ul style="list-style-type: none">A few adjustments made to the upper grade standards to ensure logical progression and vertical alignment
Examples included with the standards too limiting	<ul style="list-style-type: none">Examples pulled out of the full standards document

Overview of the Standards

CONCEPT	SUB-CONCEPTS	STANDARDS
IMPACTS OF COMPUTING	SOCIETY	1, 2
	ETHICS	3, 4, 5
	ACCESSIBILITY	6
	CAREER PATHS	7
COMPUTATIONAL THINKING	MODELING AND SIMULATION	1
	DATA ANALYSIS AND VISUALIZATION	2, 3
	ABSTRACTION AND DECOMPOSITION	4, 5
	ALGORITHMS AND PROGRAMMING	6, 7, 8, 9, 10
NETWORKS AND SYSTEMS DESIGN	HARDWARE AND SOFTWARE	1, 2, 3
	NETWORKS AND THE INTERNET	4, 5
CYBERSECURITY	RISKS	1
	SAFEGUARDS	2, 3, 4
	RESPONSE	5
DIGITAL LITERACY	DIGITAL USE	1, 2, 3, 4, 5
	DIGITAL CITIZENSHIP	6, 7

Standards at a Glance

The standards are identified by grade band, followed by the concept area, and finally the standard number.



Each standard is presented with an additional clarifying statement

Grade Band	Grades 4-6
Standard Identifier	4-6.CT.3
Standard	Visualize a simple data set in order to highlight relationships and persuade an audience.
Clarifying Statement	The emphasis is on identifying and organizing relevant data to emphasize particular parts of the data in support of a claim.

Reading the Standards

NYS K-12 Computer Science and Digital Fluency Standards

Concept

Standard Identifier Standard

Clarifying Statement

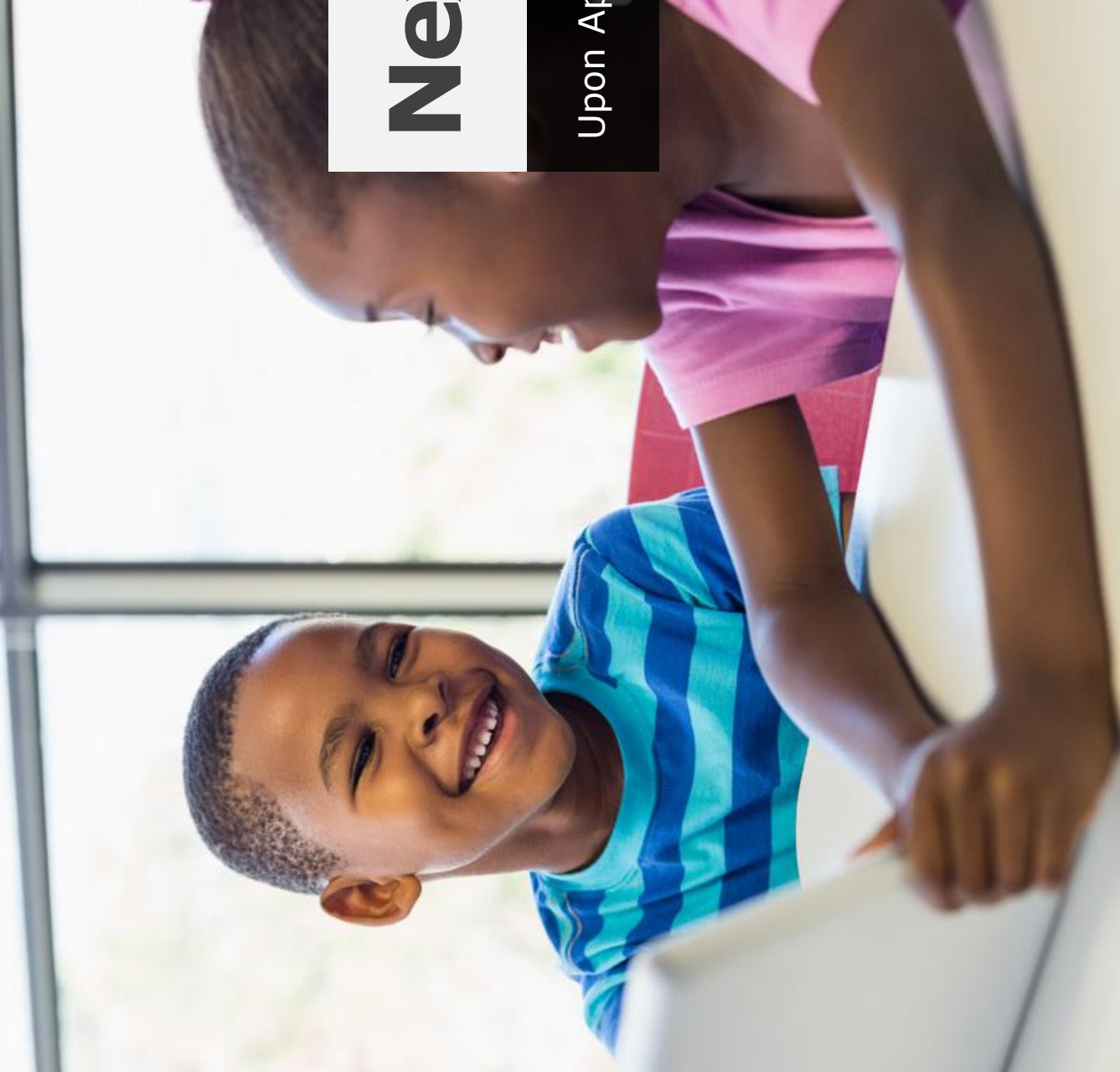
Sub-Concept

Computational Thinking

	Grades K-1	Grades 2-3	Grades 4-6	Grades 7-8	Grades 9-12
Data Analysis and Visualization	<p>K-1.CT.3 Identify ways to visualize data, and collaboratively create a visualization of data.</p> <p><i>Ways to visualize data include tables, graphs, and charts.</i></p>	<p>2-3.CT.3 Present the same data in multiple visual formats in order to tell a story about the data.</p> <p><i>The emphasis is on using the visual representation to make the data meaningful. Options for presenting data visually include tables, graphs, and charts.</i></p>	<p>4-6.CT.3 Visualize a simple data set in order to highlight relationships and persuade an audience.</p> <p><i>The emphasis is on identifying and organizing relevant data to emphasize particular parts of the data in support of a claim.</i></p>	<p>7-8.CT.3 Refine and visualize a data set in order to persuade an audience.</p> <p><i>Refining includes, but is not limited to, identifying relevant subsets of a data set, deleting unneeded data, and sorting and organizing data to highlight trends.</i></p>	<p>9-12.CT.3 Refine and visualize complex data sets to tell different stories with the same data set.</p> <p><i>The emphasis is on refining large data sets to create multiple narratives depending upon the audience. Large data sets require use of a software tool or app to cross-reference, analyze, refine, and visualize subsets of the data.</i></p>
	<p>K-1.CT.4 Identify a problem or task and discuss ways to break it into multiple smaller steps.</p> <p><i>The focus is on identifying a complex (for the age group) task or problem to break apart into smaller steps. The focus should be on understanding why this process is helpful.</i></p>	<p>2-3.CT.4 Identify multiple ways that the same problem could be decomposed into smaller steps.</p> <p><i>The focus is on identifying how to break apart a problem into smaller steps, while understanding that there can be multiple valid sequences of steps that solve the same problem.</i></p>	<p>4-6.CT.4 Decompose a problem into smaller named tasks, some of which can themselves be decomposed into smaller steps.</p> <p><i>The focus is on identifying smaller steps that solve a larger problem, recognizing that some of those steps must be broken down further until each step is manageable.</i></p>	<p>7-8.CT.4 Write a program using functions or procedures whose names or other documentation convey their purpose within the larger task.</p> <p><i>The focus is on identifying where there is potential to use a function or procedure to create a reusable computation.</i></p>	<p>9-12.CT.4 Implement a program using a combination of student-defined and third-party functions to organize the computation.</p> <p><i>The focus is on having students think about how to decompose a programming problem into functions and procedures, including working around the constraints imposed by specific functions or features provided in a library.</i></p>
Abstraction and Decomposition					

Timetable for Roll-Out and Implementation

Dates	Phase	Activities
Adoption – Aug 2021	Awareness-Building	Roll-out and build awareness of the new standards and timeline for implementation
Sept 2021 – Aug 2023	Capacity-Building	Focus on curriculum development, resource acquisition, professional development
Sept 2023 – Aug 2024	Year 1 Implementation	All credit-bearing Computer Science courses will be aligned with NYS CS&DF Standards
September 2024	Full Implementation	CS&DF Standards implemented in all grade bands K-12



Next Steps

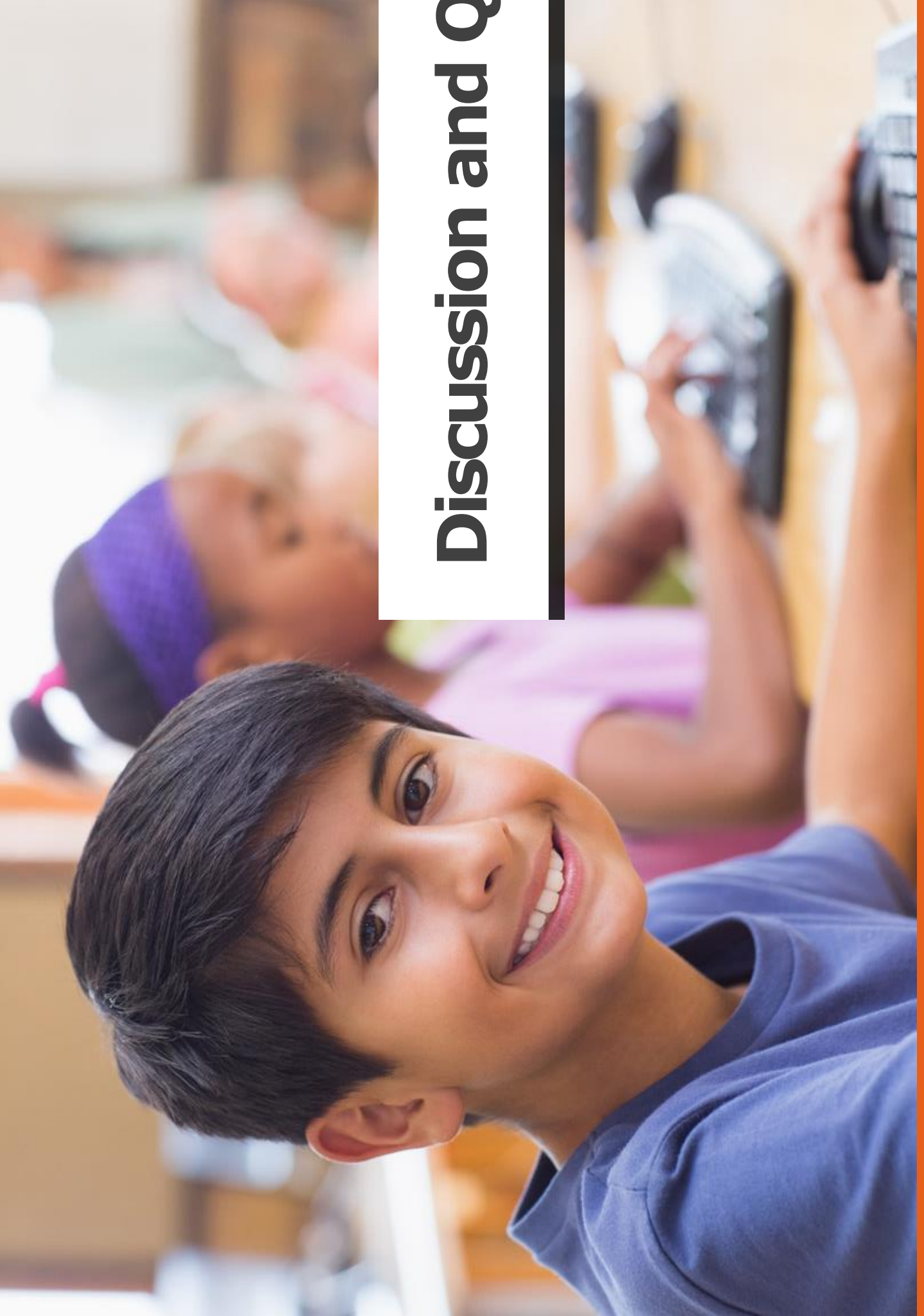
Upon Approval from the Board of Regents, NYSED Staff will

- Return to the Board of Regents in Fall 2021 with regulatory and policy recommendations related to embedding this new subject area into the K-12 program requirements.
- Engage with partners across the state to develop guidance materials and tools to aid schools in the implementation of the new standards.

Recommendation

Department staff recommend the Board of Regents adopts the revised NYS K-12 Computer Science and Digital Fluency Standards.





Discussion and Questions



ATTACHMENT VII

Proposed Amendments to Regulations Relating to the Categories of School Safety and Educational Climate

**Sections 100.2(cc), (gg)
and 1120.3(a) relating
to the Uniform Violent
or Disruptive Incident
Reporting System**



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December, 2020

Safe Schools Task Force

Task Force Reconvened August 2019 to:

- **Refine past work on School Safety and Educational Climate (SSEC) definitions**
- **Review and address inaccuracies in the School Violence Index (SVI) calculation and Persistently Dangerous (PD) determination**
- **Address 2018 OSC Audit findings of School Safety Plans**
- **Address newly enacted Red Flag Law**



SSEC Categories and Definitions

- In 2016, NYSED combined VADIR and DASA into SSEC and adopted new definitions
- In 2017 SSEC definitions caused increased reporting of:
 - “Sexual Offenses” incidents
 - “Assault with Physical Injuries” incidents

Comparison of Incident Counts Collected in 2016-17 and 2017-18 School Years	2016-17	2017-18	year to year change	% change
1. Homicide	-	1	1	-
2. Sex Offenses	3,479	4,583	1,104	32%
3. Assault	10,501	14,144	3,643	35%
4. Discrimination, Harassment, and Bullying (including Cyberbullying)	23,930	23,768	(162)	-1%
5. Bomb Threat	209	211	2	1%
6. False Alarm	684	692	8	1%
7. Weapons Possession	5,139	5,464	325	6%
8. Use, Possession, or Sale of Drugs	5,346	5,917	571	11%
9. Use, Possession, or Sale of Alcohol	1,094	1,089	(5)	0%
Total	50,382	55,869	5,487	11%

- “Bomb Threat” and “False Alarm” do not capture threats of school violence

Revisions to VADIR Categories and Definitions in §100.2(gg)

The Task Force Recognized the need to:

- **Revise the definitions of Assault and Sexual Offense to include age, developmental age and intent**
- **Create one incident category and definition for serious “Assault” and serious “Sexual Offense”**
- **Create an incident category for “Threat (other than bomb threat or false alarm)”**

Proposed New Definitions

- **Sexual offense.**
 - **10 years of age or older**
 - **Felony under Article 130 of the Penal Law**
 - **Consideration of the developmental capacity to form the intent to commit act**
 - **School has referred the person to the police**
- **Assault.**
 - **10 years of age or older**
 - **Felony under Article 120 of the Penal Law**
 - **Consideration of the developmental capacity to form the intent to commit act**
 - **School has referred the person to the police**
- **Weapon**
 - **Defined in Article 265 of the Penal Law.**
- **Threat**
 - **Threat of violence on school property/school function.**

Persistently Dangerous Schools Designation (PD)

- Federal and State law require Persistently Dangerous (PD) Determination.
- Currently, SVI is a ratio of incidents to school enrollment, determined by the number of incidents, the seriousness and type of incidents.

Sum of Incident X weight

Enrollment

- Currently schools are designated as PD if:

For 2 consecutive school years, EITHER

- SVI of 1.5 or greater; OR
- SVI of 0.5 + and 60 + serious incidents

SVI Calculation Sheet			
Incident Category	Weight (A)	# Reported (B)	(A X B)
1. Homicide	100	0	0
2a. Forcible Sex Offenses	60	0	0
2b. Other Sex Offenses:	40	0	0
3a. Assault with Physical Injury	30	0	0
3b. Assault with Serious Physical Injury	45	0	0
4a. Weapon Possession: weapon(s) confiscated through entry screening	1	0	0
4b. Weapon Possession: weapon(s) found under other circumstances	15	0	0
5a. Material Incidents of Discrimination, Harassment, and Bullying (excluding Cyberbullying)	0	0	0
5b. Material Incidents of Cyberbullying	0	0	0
6. Bomb Threat	0	0	0
7. False Alarm	0	0	0
8. Use, Possession, or Sale of Drugs	0	0	0
9. Use, Possession, or Sale of Alcohol	0	0	0
Total:			0
BEDS Enrollment Total:			11
School Violence Index:			0.000

Recalculation of the School Violence Index (SVI)

The current SVI formula over-identifies:

- low enrollment (elementary) schools
- under-identifies high enrollment (mostly secondary) schools
- schools with high numbers of students with disabilities

The Safe Schools Task Force concluded that the SVI should be revised to:





- Use a total of the most serious 4 violent categories
 - homicide, assault, sexual offense and weapons use/possession
- Take into account school enrollment in a more accurate manner
- Remove the weighting of all incidents

To do this:

- Use a ratio of the sum of the 4 violent incident categories per 100 students;
- Establish a cut score of 3 instances/100 students to designate schools as persistently dangerous.



Next Steps

- **Proposed regulations will go out for public comment through March 1.**
 - **It is anticipated that the proposed rule will be presented to the Board of Regents for adoption at the April 2021 Regents meeting after all comments are reviewed and considered by the Department.**
 - **If adopted at the April meeting, the proposed rule will become effective as a permanent rule on April 28, 2021.**
- 
- 
- 
- 

ATTACHMENT VIII



THE CROWN ACT

••••
Amendments to the
Commissioner's Regulations
Implementing the Dignity for All
Students Act



Commissioner’s Regulations Sections 100.2(kk), 119.6

- Amends the Dignity for All Students Act (DASA) provisions to add definitions:
 - ❖ *Race* shall include traits historically associated with race, including, but not limited to, hair texture and protective hairstyles.
 - ❖ *Protective hairstyles* shall include, but not be limited to, such hairstyles as braids, locks, and twists.
- Additional provisions in sections 100.2 and 119.6 are amended to reference the newly added definitions of “race” and “protective hairstyle.”

Commissioner's Regulations Sections 100.2(kk)

- Section 100.2(kk) is amended to provide additional illustrative examples of discrimination based on natural hair or hairstyles to include a report regarding:
 - ❖ punishment,
 - ❖ differential treatment or humiliation of a student, or
 - ❖ exclusion of a student from a school function, athletic team or school yearbook, based on hair texture or protective hairstyle, or
 - ❖ the request to alter or actual alteration of a protective hairstyle

Next Steps

- Proposed regulations will go out for public comment through March 1.
- It is anticipated that the proposed rule will be presented to the Board of Regents for adoption at the April 2021 Regents meeting after all comments are reviewed and considered by the Department.
- If adopted at the April meeting, the proposed rule will become effective as a permanent rule on April 28, 2021.



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Presentation to the Board of Regents

December 2020

ADVISORY COUNCIL ON POSTSECONDARY EDUCATION FOR STUDENTS WITH DISABILITIES

ATTACHMENT IX

Advisory Council Members

- New York State Disability Services Council
- State University of New York (SUNY)
- City University of New York (CUNY)
- Commission on Independent Colleges and Universities
- Association of Proprietary Colleges
- New York City Department of Education, District 75
- ACCES State Rehabilitation Council
- Learning Disability Association
- Regional Bilingual Education Resources Network
- Student Advocates
- Community Inclusion & Development Alliance
- INCLUEnyc
- Starbridge
- Resource Center for Independent Living
- Disability Rights New York
- Office of Mental Health
- New York State Commission for the Blind
- Office for People With Developmental Disabilities
- Licensed Private Career Schools
- State Education Department (ACCES, Higher Education and P12 Special Education)

Student Voices Video

Amhat

Digital Accessibility
Universal Design

Shelby

Challenges of Transitioning
between Colleges
Social Isolation and Mental Health
needs of Students during COVID

Ketrina

Peer mentors as champions
Remote learning can work with
the right accommodations

Andrew

Online learning during COVID can
be stressful
It should be tailored to the diverse
learning styles of students

Postsecondary Students with Disabilities

- 861,956 Postsecondary Students in NYS
- 77,476 Postsecondary Students with Disabilities
(*This number is likely higher due to under reporting*)
- Dropout rates for postsecondary students with disabilities are substantially higher than students without disabilities
- Graduation rates are lower than their peers

Impact of COVID 19 on Postsecondary Students with Disabilities

- Transition from in-person to online learning
- Loss of reasonable accommodations provided in the classroom
- Lack of coursework in accessible formats
- Limited training of faculty and students on the use of technology
- Increased isolation, anxiety and stress
- Non-academic challenges related to unemployment, housing and food insecurity, and family illness

Recommendations



The Advisory Council has made recommendations in 3 areas:

Technology and Digital Accessibility

Peer Mentoring

Consistency Across Postsecondary Sectors

Technology and Digital Accessibility

Recommendations:

- **Provide technology training to professors and students with disabilities** that includes IT support and technical assistance for in-person and remote learning.
- **Encourage postsecondary institutions to utilize universal design to provide support to students with disabilities.** Offer flexibility in the way students with disabilities access material, engage with it and show their knowledge. Examples include providing textbooks in audio and video formats or allowing oral presentations or group projects instead of written exams.
- **Encourage bulk purchasing of technology to decrease costs** for secondary and postsecondary institutions.
- **Establish standards for remote and synchronous (live) instruction.** Post COVID19 educational options should include the choice of in-person learning, remote learning or both. Hybrid options should incorporate universal design to provide accessibility to all students.

Peer Mentoring

Recommendation:

- **Create peer mentoring programs** to support post-secondary students with disabilities.
 - Mentors could assist students with disabilities in developing self-advocacy skills.



Consistency Across Postsecondary Sectors

Recommendations:

- **Create consistency of supports and accommodations** across the various postsecondary education institutions.
- **Establish a seamless process that enables students with disabilities to easily transition** their reasonable accommodations from one postsecondary institution to another (i.e. community college to four-year college).
 - This would include the creation of standardized eligibility criteria and documentation requirements.

Advisory Council Next Steps

- Survey postsecondary institutions to identify current eligibility and documentation requirements for disability services and identify possible streamlining strategies.
- Review national practices identified by the Association on Higher Education and Disability (AHEAD) and Americans with Disability Act (ADA) Web Content Accessibility Guidelines to recommend strategies to improve the success of postsecondary students with disabilities.

Department Next Steps

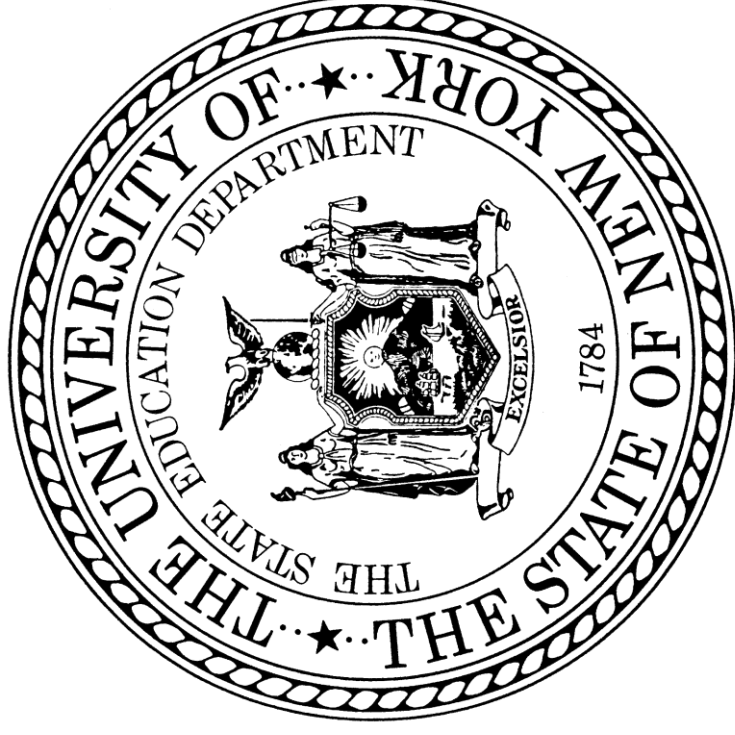


Thank You



COVID-19 Emergency Regulations Part VII

December 14, 2020



ATTACHMENT X

COVID-19 PANDEMIC

- As a result of the pandemic and the Governor's numerous Executive Orders, the Department adopted emergency regulations at the April, May, June, July, September, October, and November 2020 Board of Regents meetings to address the issues resulting from the interruptions caused by the COVID-19 crisis and to plan for the reopening of schools.
- The Department is proposing further regulatory changes to provide additional flexibility to the field and students during this crisis, to address anticipated issues resulting from the continued interruptions caused by the COVID-19 crisis.

Snow Day Reporting for the 2020-21 School Year

- Commissioner's regulations require superintendents to notify the Commissioner as soon as possible whenever a school's emergency plan or building-level school safety plan is activated and results in the closing of a school building in the district, and to provide any information the Commissioner requires.
- However, such regulation provides that this information need not be provided for routine snow emergency days.

Snow Day Reporting Continued

- Due to the COVID-19 crisis, the State has shifted to allowing and/or requiring remote instruction by many districts.
- In light of this, the Department is offering a one-year pilot program to allow school districts to shift to remote instruction for days that a district would have otherwise closed due to a snow emergency.
- The notification of these remote instruction snow days is necessary for the Department to review and evaluate the snow day pilot program for possible future extensions.

Graduation Assessment Exemption Declination

- At the September 2020 meeting of the Board of Regents, the Department permanently adopted amendments to Commissioner's regulations to provide that parents and persons in parental relation of students scheduled to graduate in January, June, or August of 2020 who were exempted from a graduation assessment requirement be given the opportunity to decline such exemption.
- With the cancellation of the January 2021 Regents examination, the Department proposes to amend this provision to also provide parents and persons in parental relation of students scheduled to graduate in January, June, or August of 2021 who have been exempted from a graduation assessment requirement the opportunity to decline such exemption.
- Additionally, the proposed amendments extend the time period required by schools to give parents or persons in parental relation notification of the option to decline such exemption from 10 calendar days to 30 calendar days.

APPR Variance Application Timeframes

- Current Rules of the Board of Regents provide that an Annual Professional Performance Review (APPR) variance application approved after December 1st of any school year must be implemented in the following school year.
- To provide flexibility for APPR variance application timeframes, the Department proposes to amend such rule to provide that upon a finding by the Commissioner of extraordinary circumstances, variance applications approved after December 1st of a school year may be implemented in that school year.

Questions?

ATTACHMENT XI



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

TO: Professional Practice Committee
FROM: Sarah S. Benson *Sarah S. Benson*
SUBJECT: Resolution to the Federation of State Medical Boards
Relating to Incorporating the Care of Persons with
Intellectual and Developmental Disabilities into the
Medical School Curriculum

DATE: December 3, 2020

AUTHORIZATION(S):

SUMMARY

Issue for Decision

Should the Board of Regents approve a resolution to the Federation of State Medical Boards (Attachment A), as approved by the New York State Board for Medicine (Board for Medicine), relating to “incorporating the care of persons with intellectual and developmental disabilities into the medical school curriculum?”

Reason for Consideration

Review of Policy.

Proposed Handling

The proposed resolution will come before the Professional Practice Committee for discussion and recommendation to the Full Board for adoption at the December 2020 meeting of the Board of Regents.

Procedural History

Not applicable.

Background Information

The Board for Medicine, along with a working group of members of the Board of Regents and members of the Board for Medicine, have identified disparities in health care services available for persons with intellectual and developmental disabilities (IDD) as a

priority for future action. Individuals with IDD include those with cognitive limitations, cerebral palsy, vision or hearing impairment, and genetic disorders, such as Down syndrome and Fragile X syndrome, as well as those on the autism spectrum. A part of this endeavor is to ensure that the medical education curricula at accredited medical schools in the United States formally integrate into such curricula a better understanding of the care, treatment, and management of patients with IDD.

Section 6524 of the Education Law states that to qualify for a license as a physician, an applicant must have received an education, including a degree of doctor of medicine, "M.D.", or doctor of osteopathy, "D.O.", or equivalent degree in accordance with the Commissioner's Regulations. Part 60.1 of the Commissioner's Regulations states, in part, that in order to meet the professional educational requirement for a license to practice medicine an applicant must have completed a medical program registered by the Department, or accredited by an accrediting organization acceptable to the Department. The accrediting organizations for medical education acceptable to the Department include the Liaison Committee on Medical Education (LCME) and the Commission on Osteopathic College Accreditation (COCA).

The Board for Medicine is a member of The Federation of State Medical Boards (FSMB). The FSMB represents the 71 state medical and osteopathic regulatory boards, commonly referred to as state medical boards, within the United States, its territories and the District of Columbia. It supports its member boards as they fulfill their mandate of protecting the public's health, safety and welfare through the proper licensing, disciplining, and regulation of physicians and, in most jurisdictions, other health care professionals.

The resolution proposed for adoption by the Board of Regents would be presented to the FSMB for consideration and approval at their 2021 House of Delegates meeting, to be held from April 29 to May 1, 2021. As the preeminent national voice of the state and territorial medical boards, the FSMB has considerable influence with the LCME, the COCA, the Association of American Medical Colleges and the American Association of Colleges of Osteopathic Medicine and other influential organizations in the national House of Medicine.

This resolution, if successful with the FSMB House of Delegates, would influence and encourage, with the full support of the FSMB and the 71 represented medical boards in the United States, the LCME and the COCA to integrate a better understanding of the care, treatment, and management of patients with IDD into their accreditation standards resulting in a systemic and profound positive change for health care for persons with IDD.

Related Regent's Items

Not applicable.

Recommendation

VOTED: That the Board of Regents approve the Resolution to the Federation of State Medical Boards relating to incorporating the care of persons with intellectual and developmental disabilities into the medical school curriculum.

Timetable for Implementation

If approved at the December 2020 Regents meeting, the Resolution will be presented to The Federation for State Medical Board for consideration at their 2021 annual House of Delegates meeting.

Resolution 21-

**Federation of State Medical Boards
House of Delegates Meeting
DATE**

Subject: Incorporating the care of persons with intellectual and developmental disabilities into the medical school curriculum

Introduced by: The New York State Board for Medicine of the New York State Education Department’s Office of Professions and the New York State Board of Regents

Approved: December 4, 2020 (proposed)

Whereas, Intellectual and/or Developmental Disability (IDD) is a lifelong condition that exists across every race, ethnicity, and age group; and

Whereas, Individuals with IDD include those with cognitive limitations, cerebral palsy, vision or hearing impairment, genetic disorders such as Down syndrome and Fragile X syndrome, as well as those on the autism spectrum; and

Whereas, More than seven million people in the United States have a diagnosis of IDD, which includes the entire population of individuals with developmental disabilities and intellectual disabilities; and

Whereas According to the Centers for Disease Control and Prevention, approximately 17 percent of children, aged 3-17, have one or more developmental disabilities;¹ and

Whereas, Individuals with IDD generally have less access to physical, mental, and dental health services and experience worse health outcomes than the general population; and

Whereas, These differences in access and outcomes are often the result of systemic barriers to quality care for this population; and

Whereas, Individuals with disabilities are more likely to use hospitals’ emergency departments more often, have higher hospitalization rates, die of preventable causes, and die at an earlier age than the general population; and

¹ www.cdc.gov/ncbddd/developmentaldisabilities/about.html; accessed Nov. 16, 2020.

- Whereas,** The *New York Times* recently reported that, “People with intellectual disabilities and developmental disorders are three times more likely to die if they have Covid-19, the illness caused by the coronavirus, compared with others with the diagnosis...”;² and
- Whereas,** All persons with IDD are unique, and providing for their care requires an ability to understand the many complex factors and challenges involved in their individual treatment; and
- Whereas,** The great majority of persons with IDD obtain healthcare across their lifespans in their home communities, where physicians are expected to play a critical role in their care; and
- Whereas,** An estimated 72% of people in the United States with IDD live at home with their parents, who play an invaluable role in their lives at all ages; and
- Whereas,** Parents are called upon to carry out treatment plans and provide consent for treatment, so building rapport with parents is essential to the doctor-patient relationship and can significantly influence health outcomes for children with IDD; and
- Whereas,** According to the Surgeon General of the United States, most medical students and practitioners receive insufficient education and training on critical aspects of care for persons with IDD, leading to poorer health outcomes and compromised care;³ and
- Whereas,** Further, according to the Surgeon General, community-based support services are insufficiently integrated to meet the needs of the ‘whole person’; and
- Whereas,** Further, according to the Surgeon General, the healthcare system does not sufficiently address the prevention of unhealthy behaviors in people with disabilities, including those at risk of secondary conditions such as obesity, type II diabetes, depression, and substance abuse; and
- Whereas,** To prepare students to provide appropriate care for patients with IDD, schools of medicine must integrate curricula and clinical experiences into their programs; and
- Whereas,** The Federation of State Medical Boards has considerable influence with the Liaison Committee of Medical Education, the Commission on Osteopathic College Accreditation, the Association of American Medical Colleges and the

² *The New York Times*, <https://www.nytimes.com/2020/11/10/health/covid-developmental-disabilities.html?searchResultPosition=2>, accessed Nov. 16, 2020.

³ The Surgeon General’s “Call to Action to Improve the Health and Wellness of Persons with Disabilities,” 2005.

American Association of Colleges of Osteopathic Medicine and other influential organizations in the national House of Medicine; now, therefore, be it

Resolved, That the Federation of State Medical Boards supports and advocates for changes to the medical education curricula at accredited medical schools in the United States to formally integrate into such curricula a better understanding of the care, treatment, and management of patients with IDD; and be it further

Resolved, That such curricula should include entrustable professional activities and clinical experiences specific to the care, treatment, and management of patients with IDD; and be it further

Resolved, That such curricula should emphasize the need for medical students to develop skills in patient-centered care that is delivered with dignity; and be it further

Resolved, That such curricula should emphasize the need for medical students to understand how quality-of-life experiences are perceived by patients and their families; and, finally, be it

Resolved, That such curricula serve to promote evidence-based best practices to be utilized across the lifespan of patients with IDD, including the prevention of secondary conditions.