



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

**TO:** The Honorable the Members of the Board of Regents  
**FROM:** Tony Lofrumento *Anthony Lofrumento Jr*  
**SUBJECT:** Summary of the March 2018 Meeting  
**DATE:** March 28, 2018  
**AUTHORIZATION(S):** *Margaret Elin*

**Executive Summary**

**Issue for Decision**

Review of the Summary of the March 2018 Meetings of the Board of Regents.

**Proposed Handling**

Approval of the Summary of March 2018 meetings.

**Procedural History**

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

**Recommendation**

Approval of the Summary of the March 2018 meetings.

**Timetable for Implementation**

Effective April 10, 2018.

**VOTED**, that the Summary of the March 2018 Meetings of the Board of Regents of The University of the State of New York be approved.



**SUMMARY OF THE MARCH 2018 MEETING**

**OF THE BOARD OF REGENTS**

**OF**

**THE UNIVERSITY OF THE STATE OF NEW YORK**

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

***March 12, 2018***

*(The March 13<sup>th</sup> Session was cancelled due to inclement weather)*

***Anthony Lofrumento, Secretary  
Board of Regents***

## ***THE BOARD OF REGENTS***

The Board of Regents of The University of the State of New York held a public session on Monday, March 12, 2018 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

### **MEETING OF THE FULL BOARD, Monday, March 12<sup>th</sup> at 9:00 a.m.**

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

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

Also present were Commissioner of Education, MaryEllen Elia, Executive Deputy Commissioner, Elizabeth Berlin, Counsel and Deputy Commissioner for Legal Affairs, Alison B. Bianchi, and the Secretary, Board of Regents, Anthony Lofrumento.

Chancellor Betty A. Rosa called the meeting to order at 9:00 a.m. Regent Young spoke about the social media campaign #MyHistoryMyFuture by the NYS Education Department and The Education Trust – New York in recognition of Black History Month. The campaign featured quotes from 47 students participating in MBK programs (Attachment I.)

Chancellor Rosa recognized Dr. Gladys Cruz, Superintendent, Questar III BOCES, Maria Trinidad Hernandez, Regional Bilingual Education Resource Network (RBERN) Director and three student representatives from the 28<sup>th</sup> Annual Angelo Del Toro Puerto Rican and Hispanic Youth Leadership Institute. They were Xavier Cruz (Bethlehem Central School District), Larissa Gomez (Ichabod Crane Central School District) and Maria Munoz (Hoosick Falls Central School District). Mr. Cruz spoke about the impact of his experiences in the Leadership Institute.

Regent Cea was asked to provide thoughts for a moment of reflection and also introduced the “Focus of Our Work” video *Inclusion Starts with Something Simple - Just Say Hi!* – A New Dorp High School and Hungerford School Collaboration.

### **ACTION ITEM**

#### **Executive Session Motion**

**MOVED**, that the Board of Regents convene in executive session, Tuesday, Tuesday, March 13 at 10:45 a.m. to discuss litigation matters.

**Motion by:** Vice Chancellor T. Andrew Brown  
**Seconded by:** Regent Susan W. Mittler  
**Action:** Motion carried unanimously.

### **PRESENTATION**

#### **ESSA Financial Transparency**

Commissioner Elia, Brian Cechnicki and Ira Schwartz provided an overview of the fiscal transparency requirements, recommended approach and time line. (Attachment II).

Chancellor Betty A. Rosa adjourned the meeting.

**MEETING OF THE FULL BOARD, Monday, March 12, 2018 at 5:20 p.m.**

**Board Members in Attendance:**

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

Also present were Commissioner of Education, MaryEllen Elia, Executive Deputy Commissioner, Elizabeth Berlin, Counsel and Deputy Commissioner for Legal Affairs, Alison B. Bianchi, and the Secretary, Board of Regents, Anthony Lofrumento. Regents Roger Tilles, Lester W. Young, Jr., Josephine Victoria Finn and Judith Johnson were absent and excused.

**ACTION ITEM**

**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 February 2018 Meeting of the Board of Regents  
BR (A) 2**

**MOVED**, that the Summary of the February 2018 Meeting of the Board of Regents of The University of the State of New York be approved.

**Motion by:** Regent Vice Chancellor T. Andrew Brown  
**Seconded by:** Regent Christine D. Cea  
**Action:** Motion carried unanimously.

## **PROGRAM AREA CONSENT ITEMS**

### **Higher Education**

#### **Conferral of Degrees: Dowling College and New York Graduate School of Psychoanalysis BR (CA) 1**

**MOVED**, that the Board of Regents confer upon the following individuals, who have completed the requirements for registered degree programs at Dowling College and New York Graduate School of Psychoanalysis the respective degree as listed below:

#### **Dowling College**

The following students have completed the requirements for their respective awards as indicated:

*Master of Science (M.S.)*  
Murray, Caitlin June

*Bachelor of Arts (B.A.)*  
Kim, Jonathan  
Stetler, Brianna Marie

*Certificate*  
Ficarra, Laura  
Healy, Marianne V.  
Healy, Marianne V.

*Correction:* due to a typographical error, a new diploma will be issued to Suzanne J. Vella for completion of the requirements for the Master of Science degree awarded on December 12, 2017.

#### **New York Graduate School of Psychoanalysis**

The following students have completed the requirements for the Master of Arts (M.A.) award:

Gordon, Ariel  
Pollock, Adam  
Rothausser, David

**Proposed Amendment of §3.58 and Addition of a New §3.59 to the Rules of Board of Regents to Establish Procedures and Fees for Institutional Authorization to Offer Degree Programs  
BR (CA) 2**

**MOVED**, that §3.58 be amended and a new §3.59 be added to the Rules of the Board of Regents, as submitted, effective March 28, 2018.

**Proposed Amendment to §27-1.1 and Addition of §27-2.6 of the Rules of the Board of Regents Related to Higher Education Opportunity Programs (HEOP)  
BR (CA) 3**

**MOVED**, that §27-1.1 be amended and a new §27-2.6 of the Rules of the Board of Regents be added, as submitted.

**Proposed Amendment to §80-5.13 to the Regulations of the Commissioner of Education to Allow for Greater Flexibility in Alternative Teacher Preparation Programs  
BR (CA) 4**

**MOVED**, that Section 80-5.13 of the Regulations of the Commissioner of Education, be amended, as submitted.

**Proposed Amendment to §80-3.4 of the Regulations of the Commissioner of Education Relating to the Mentoring Requirement for Professional Certification  
BR (CA) 5**

**MOVED**, that §80-3.4 of the Regulations of the Commissioner of Education be amended as submitted, effective March 28, 2018.

**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) 6**

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

**Report of the Committee on the Professions Regarding Licensing Petitions  
BR (CA) 7**

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

**Proposed Amendment of §29.10 of the Rules of the Board of Regents and §70.7, 70.8 and 70.10 of the Regulations of the Commissioner of Education Relating to the Mandatory Peer Review Program in Public Accountancy  
BR (CA) 8**

**MOVED**, that subdivision (a) of §29.10 of the Rules of the Board of Regents and subdivision (a) of §70.7, subdivision (f) of section 70.8 and section 70.10 of the Regulations of the Commissioner of Education be amended, as submitted, effective March 28, 2018.

**Proposed Amendment of §29.2 of the Rules of the Board of Regents and Addition of §52.48, 79-20.4 and 79-20.5 to the Regulations of the Commissioner of Education Relating to the Licensing of Licensed Pathologists' Assistants  
BR (CA) 9**

**MOVED**, that subdivision (a) of §29.2 of the Rules of the Board of Regents be amended and §52.48, 79-20.4 and 79-20.5 of the Regulations of the Commissioner of Education be added, as submitted, effective March 28, 2018, and that §79-2.1, 79-20.2 and 79-20.3 of the Regulations of the Commissioner of Education be added, as submitted, effective November 28, 2018.

**Regents Permission to Operate in New York State:  
Samford University  
BR (CA) 10**

**MOVED**, that the Regents approve the proposed renewal of its permission to operate, effective March 1, 2018, which authorizes Samford University's Ida V. Moffett School of Nursing to use five clinical agencies in New York for clinical education of students enrolled in its Family Nurse Practitioner programs leading to either the M.S.N. or D.N.P. degree.

**State University of New York (SUNY) at Binghamton:  
Authorization to Award the Bachelor of Social Work  
(B.S.W.) Degree  
BR (CA) 11**

**MOVED**, that the Board of Regents authorize the SUNY Board of Trustees to award the degree of Bachelor of Social Work (B.S.W) on duly qualified students successfully completing the B.S.W program at SUNY Binghamton effective March 13, 2018.

**State University of New York (SUNY) at Buffalo:  
Authorization to Award the Doctor of Social Welfare  
(D.S.W.) Degree  
BR (CA) 12**



**MOVED**, that the Board of Regents authorize the SUNY Board of Trustees to award the D.S.W. degree on duly qualified students successfully completing the D.S.W program at SUNY Buffalo effective March 13, 2018.

**MOVED**, that the Regents approve the consent agenda items.

**Motion by:** Regent Kathleen M. Cashin  
**Seconded by:** Vice Chancellor T. Andrew Brown  
**Action:** Motion carried unanimously.

## **STANDING COMMITTEE REPORTS**

### **HIGHER EDUCATION**

Your Higher Education Committee held its scheduled meeting on March 12, 2018. All members were present with the exception of Regent Norwood.

#### **Action Items**

#### **MOTION FOR ACTION BY FULL BOARD**

Madam Chancellor and Colleagues: Your Higher Education Committee recommends, and we move, that the Board of Regents act affirmatively upon each recommendation in the written report of the Committee's deliberations at its meeting on March 12, 2018, copies of which have been distributed to each member of the Board of Regents.

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

**Proposed Amendment to Part 80 Related to the Creation of a Transitional Certificate for Certain Health Care Professionals to Obtain a Health Education Certificate** - Your Committee discussed a proposed amendment to allow certain NYS licensed and registered health professionals to teach health education in the classroom. The "Transitional K" certificate will allow Physicians, Physician Assistants, Nurse Practitioners, and Registered Professional Nurses to teach health education in the classroom for a period of three years, during which time they may pursue an Initial and/or Professional certificate. It is anticipated that the proposed amendment will come back to the Board for adoption as a permanent rule at the July 2018 meeting.

#### **Matters Requiring Board Action:**

**Proposed Amendment to §52.21 and §80-5.22 of the Regulations Related to Preprofessional Certificates and Transitional G Certificates** - This item was discussed by your committee in November 2017 and is coming back to the Board for adoption as a permanent rule. The amendment will allow candidates employed under a

pre-professional certificate to complete the student teaching program requirement in Section 52.21 of the Regulations while continuing to be employed by that district. Your Committee also discussed a proposed amendment to 80-5.22 relating to the Transitional G certificate. The amendment will allow individuals with graduate degrees and postsecondary teaching experience in any certificate area to pursue a Transitional G certificate. Staff discussed public comment received during the 60-day public comment period. VOTED: The amendment will become a permanent rule on March 28, 2018.

Proposed Amendment to Part 30 of the Rules of the Board of Regents and §52.21 and Part 80 of the Regulations of the Commissioner of Education Relating to a New Certification Area and Tenure Area for Computer Science - This item was discussed by your committee in November 2017 and is coming back to the Board for adoption as a permanent rule. The amendment will establish a computer science certificate title that spans all grade levels in response to the growing need and desire to prepare students to succeed in a world with constantly evolving computer technologies. The amendments include adding computer science as a “special subject” tenure area and a provision that will “grandfather” in those currently teaching computer science. Staff discussed public comment received during the 60-day public comment period. VOTED: The amendment will become a permanent rule on March 28, 2018.

## **Consent Agenda**

The Board of Regents acted on the following consent agenda items at the March 2018 meeting.

- Conferral of Degrees for Dowling College and New York Graduate School of Psychoanalysis – The Board approved a motion to confer degrees upon a list of individuals who completed the requirements for registered degree programs at Dowling College and New York Graduate School of Psychoanalysis.
- Proposed Amendment to §80-3.56 and §80-3.58 of the Commissioner’s Regulations Related to Establishing Fees and Procedures for the Consideration of Applications for New Degree-authority (Final Adoption) – The board approved the amendments originally presented in November 2017 and will be effective as a permanent rule on March 28, 2018.
- Proposed Amendment to Part 27 of the Commissioners Regulations Relating to the Higher Education Opportunity Programs (Final Adoption) – The Board approved the amendments originally presented in November 2017 and will be effective as a permanent rule on March 28, 2018.
- Proposed Amendment to §80-5.13 of the Commissioner’s Regulations to Allow for Greater Flexibility in the Design of Alternative Teacher Preparation Program Models (Final Adoption) – The Board approved the amendments originally presented in November 2017 and will be effective as a permanent rule on March 28, 2018.

- Proposed Amendment to §80-3.4 of the Commissioner's Regulations Relating to the Mentoring Requirement for Preprofessional Certification (Final Adoption) – The Board approved the amendments originally presented in November 2017 and will be effective as a permanent rule on March 28, 2018.

## **P-12 EDUCATION**

Your P-12 Education Committee held its scheduled meeting on March 12, 2018. All members were present.

### **ACTION ITEMS**

#### **Laboratory Experiences Required in Order to Take a Science Regents Examination for Students in State Agency Educational Programs and Correctional Facilities [P-12 (A) 1]**

Your Committee recommends that clause (d) of subparagraph (iv) of paragraph (7) of subdivision (b) of §100.5 of the Regulations of the Commissioner of Education be amended, as submitted, effective March 13, 2018, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare in order to ensure that certain students who are attending educational programs administered pursuant to Education Law §112 and Part 116 or Part 118 of the Commissioner's regulations are aware that the 1,200 minutes of laboratory experience required to qualify to take a Regents examination in science may be met through a combination of hands-on and simulated laboratory experience. It is also necessary to ensure that such programs are on notice that they must provide appropriate laboratory experiences in accordance with this regulation, and that school districts are on notice that such students will be eligible for admission to a science Regents examination.

The motion passed. Regent Mead abstained.

#### **Revisions to a Charter Authorized by New York City Department of Education Chancellor [P-12 (A) 2]**

Your Committee recommends that the Board of Regents finds 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 revise the charter is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) granting the request to revise the charter would 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 Growing Up Green

Charter School, as proposed by the Chancellor of the New York City Department of Education and amends the provisional charter accordingly.

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

**Renewals to Charters Authorized by Chancellor of the New York City Department of Education [P-12 (A) 3 REVISED]**

Your Committee recommends that the Board of Regents finds that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues the renewal charter of the Bedford Stuyvesant New Beginnings Charter School as proposed by the Chancellor of the New York City Department of Education, and that its provisional charter be extended for a term up through and including June 30, 2023.

Your Committee recommends that the Board of Regents finds that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues the renewal charter of the Bronx Global Learning Institute for Girls Charter School, The Shirley Rodriguez-Remeneski School as proposed by the Chancellor of the New York City Department of Education, and that its provisional charter be extended for a term up through and including June 30, 2021.

Your Committee recommends that the Board of Regents finds that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues the renewal charter of the Equality Charter School as proposed by the Chancellor of the New York City Department of Education, and that its provisional charter be extended for a term up through and including June 30, 2020.

Your Committee recommends that the Board of Regents finds that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and

fiscally sound manner; (3) is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues the renewal charter of the Inwood Academy for Leadership Charter School as proposed by the Chancellor of the New York City Department of Education, and that its provisional charter be extended for a term up through and including June 30, 2021.

Your Committee recommends that the Board of Regents finds that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues the renewal charter of the Renaissance Charter High School for Innovation as proposed by the Chancellor of the New York City Department of Education, and that its provisional charter be extended for a term up through and including June 30, 2021.

Your Committee recommends that the Board of Regents finds that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues the renewal charter of the St. Hope Leadership Academy Charter School as proposed by the Chancellor of the New York City Department of Education, and that its provisional charter be extended for a term up through and including June 30, 2021.

Your Committee recommends that the Board of Regents finds that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues the renewal charter of The Equity Project Charter School as proposed by the Chancellor of the New York City Department of Education, and that its provisional charter be extended for a term up through and including June 30, 2023.

Your Committee recommends that the Board of Regents finds that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all

other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues the renewal charter of the VOICE Charter School of New York as proposed by the Chancellor of the New York City Department of Education, and that its provisional charter be extended for a term up through and including June 30, 2023.

The motion passed. Regents Collins and Mittler abstained. Regents Finn and Hakanson also abstained, based on absence from the discussion.

### **Revisions to Charters Authorized by the Board of Regents [P-12 (A) 4]**

Your Committee recommends that the Board of Regents finds 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 two of section twenty-eight hundred fifty 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 Brooklyn Laboratory Charter School and amends the provisional charter accordingly.

Your Committee recommends that the Board of Regents finds 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 two of section twenty-eight hundred fifty 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 Brooklyn Laboratory Charter High School and amends the provisional charter accordingly.

Your Committee recommends that the Board of Regents finds 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 two of section twenty-eight hundred fifty 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 Riverhead Charter School and amends the provisional charter accordingly.

Your Committee recommends that the Board of Regents finds 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 two of section twenty-eight hundred fifty 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 Urban Dove Team Charter School and amends the provisional charter accordingly.

Your Committee recommends that the Board of Regents finds 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 two of section twenty-eight hundred fifty 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 Young Women's College Preparatory Charter School of Rochester and amends the provisional charter accordingly.

The motion passed: Regents Collins and Mittler abstained.

### **Renewal Recommendations for Charter Schools Authorized by the Board of Regents [P-12 (A) 5]**

Your Committee recommends that the Board of Regents finds that, the Brooklyn Urban Garden Charter School: (1) 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 two of section twenty-eight hundred fifty of this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the Brooklyn Urban Garden Charter School and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2022.

Your Committee recommends that the Board of Regents finds that, the John W. Lavelle Preparatory Charter School: (1) 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 two of section twenty-eight hundred fifty of this article; and (4) granting the application would have a significant

educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the John W. Lavelle Preparatory Charter School and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2023.

Your Committee recommends that the Board of Regents finds that, the KIPP Always Mentally Prepared Charter School: (1) 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 two of section twenty-eight hundred fifty of this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the KIPP Always Mentally Prepared Charter School and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2023.

Your Committee recommends that the Board of Regents finds that, the KIPP S.T.A.R. College Prep Charter School: (1) 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 two of section twenty-eight hundred fifty of this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the KIPP S.T.A.R. College Prep Charter School and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2023.

Your Committee recommends that the Board of Regents finds that, the Math, Engineering, and Science Academy Charter High School: (1) 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 two of section twenty-eight hundred fifty of this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the Math, Engineering, and Science Academy Charter High School and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2023.

Your Committee recommends that the Board of Regents finds that, the Unity Preparatory Charter School of Brooklyn: (1) 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 two of section twenty-eight hundred fifty of this article; and (4) granting the application would have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the renewal application of the Unity Preparatory Charter School of Brooklyn and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2023.

The motion passed. Regent Collins abstained from the vote.

## **MOTION FOR ACTION BY FULL BOARD**

Madam Chancellor and Colleagues: Your P-12 Education Committee recommends, and we move, that the Board of Regents act affirmatively upon each recommendation in the written report of the Committee's deliberations at its meeting on March 13, 2018, copies of which have been distributed to each Regent.

## **MATTERS NOT REQUIRING BOARD ACTION**

### **Senior Deputy Commissioner's Report**

**Displaced Students** – Senior Deputy Commissioner Jhone Ebert provided an update on the students affected by the natural disasters that have occurred in Texas, Florida, Puerto Rico, the U.S. Virgin Islands and other countries in the Caribbean. The Department has requested weekly updates from every school district regarding the number of enrolled displaced students. Currently, New York public schools have enrolled 3,078 displaced students and we will continue to explore ways to help these and future students stay on track.

The U.S. Department of Education will be awarding up to \$2.7 billion to assist K-12 schools and institutions of higher education in meeting the education needs of hurricane impacted students and the California wildfires.

**Funding for Preschool Special Class Integrated Setting (SCIS) Programs [P-12 (D) 1]** – the Committee was provided with an update regarding the Department's efforts to develop recommendations for a more effective program model and methodology of reimbursement for educating preschool students with disabilities alongside their typically developing peers within early childhood programs in New York State. Staff created a survey that was distributed to both school districts and providers, which afforded them the opportunity to identify the issues and challenges facing SCIS programs. Results were analyzed and shared with stakeholders. Additionally, seven meetings were conducted with stakeholders at which the issues and challenges facing SCIS programs were acknowledged but more importantly, input and recommendations for how program standards and funding methods could be better structured to promote inclusion opportunities for preschool students with disabilities. The Department will review stakeholder feedback, develop options and materials for consideration, and submit its

initial recommendations for alternative methods of reimbursement for preschool inclusion programs to the Division of Budget on April 1, 2018.

**Update on the East Ramapo Central School District [P-12 (D) 1]** – the Committee was provided with an update on the East Ramapo Central School District as it relates to the report issued by State Monitors Charles Szuberla, Jr. and John Sipple. Discussion focused on the report issued by the monitors on January 24, 2017 titled, “A New Beginning: A Report on the East Ramapo Central School District.” The report notes several accomplishments including the implementation of full-day Kindergarten, partial restoration of the arts program, and increases in professional development for teachers and principals. The district continues to face significant obstacles such as the increasing numbers of students requiring additional support and high special education classification rates. The monitors recommend the continuation of the \$3 million legislative grant. Without this, the district’s fund balance would be exhausted. It is also recommended that the Commissioner continue to provide support of the District’s \$59 million school facilities improvement program. Continued oversight and communication with the public on the progress of the work is critical to ensure all students are educated in safe, healthful learning environments and have access to safe, modern athletic facilities. Regents also requested additional data regarding East Ramapo’s progress.

## **PROFESSIONAL PRACTICE**

Your Professional Practice Committee held its scheduled meeting on March 12, 2018. Regent Josephine Victoria Finn was present for executive session and was excused for the public session portion of the meeting. Chancellor Betty A. Rosa was also present.

## **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 5 cases. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 42 consent order applications and 6 surrender applications be granted, and further recommends that 1 summary suspension application be granted, with Regent Josephine Victoria Finn abstaining in such summary suspension case.

In the case of Dennis John Foley, Psychologist, Calendar No. 29848, we recommend that the joint application by both petitioner and respondent in this matter to correct certain errors reflected in the January 23, 2018 determination of the Board of Regents be granted, the Amended Application For Consent Order correcting those errors, which was signed by respondent and his attorney on February 14, 2018, be granted, the January 23, 2018 determination of the Board of Regents and the resulting Vote & Order of the Deputy

Commissioner regarding the original Application For Consent Order in this matter each be vacated, and the penalty imposed upon respondent based upon the Amended Application For Consent Order be effective nunc pro tunc on and as of the effective date of the Vote and Order that was issued with respect to the January 23, 2018 determination of the Board of Regents in this matter.

These recommendations are made following the review of 54 cases involving twenty-one registered professional nurses, eleven licensed practical nurses, six licensed practical nurses who are also registered professional nurses, three professional engineers, one chiropractor, one dentist, one licensed marriage and family therapist, one pharmacist, one pharmacy, one psychologist, and one veterinarian.

### **Restorations**

Your Committee recommends the following:

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

### **MOTION FOR ACTION BY FULL BOARD**

Madam Chancellor and Colleagues: Your Professional Practice Committee recommends, and we move, that the Board of Regents act affirmatively upon each recommendation in the written report of the Committee's deliberations at its meeting on March 12, 2018, 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
- Licensing Petitions
- Permission to Operate: Samford University
- Authorization to Award the Bachelor of Social Work (B.S.W.) Degree: SUNY Binghamton
- Authorization to Award the Doctor of Social Welfare (D.S.W.) Degree: SUNY Buffalo
- Proposed Amendment of §29.10 of the Rules of the Board of Regents and §70.7, §70.8 and §70.10 of the Commissioner's Regulations Relating to the Mandatory Quality Review Program in Public Accountancy
- Proposed Amendment of §29.2 of the Rules of the Board of Regents and Addition of §52.8 and Subpart 79-20 to the Commissioner's Regulations Relating to the Licensure of Pathologists' Assistants

**Discussion of Pharmacy Prescription Labeling** [PPC (D) 1] - Your Committee discussed the following: The Board of Regents oversees the practice of pharmacy, which includes the dispensing and compounding of various pharmaceuticals. However, the pharmaceuticals themselves are generally regulated at a federal level by the Food and Drug Administration. This crossover can at times be confusing and pose certain issues for both the regulated pharmacist/pharmacy and the public in general.

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

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

**State Education Department February 2018 Fiscal Report  
BR (A) 3**

**MOVED**, that the Board accepts the February 2018 State Education Department Fiscal Report as presented.

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

Chancellor Rosa announced that the Tuesday, March 13<sup>th</sup> meetings were cancelled due to pending inclement weather and adjourned the meeting.

**Appendix I**  
**NEW YORK STATE BOARD OF REGENTS CHARTER ACTIONS**

<b>Name of Institution</b>	<b>Program Area</b>	<b>County (City/Town) of Location</b>	<b>Description of Charter Action(s)</b>
Draves Arboretum	CE	Genesee (Darien)	Grant provisional charter for five years.
Hendrick I. Lott House Preservation Association	CE	New York (New York)	Consent to filing of certificate of assumed name "Friends of the Lott House".
Museum of Arts and Design	CE	New York (New York)	Consent to filing of certificate of assumed name "MAD".
Niagara Aerospace Museum	CE	Niagara (Niagara Falls)	Amend charter to change the corporate address and extend the charter for five years.
Pavilion Public Library	CE	Genesee (Pavilion)	Amend the charter to change the corporate name to "Hollwedel Memorial Library".
Shefa School	P12	New York (New York)	Amend charter to change the corporate address and extend the charter for three years
F.I.T. Student-Faculty Corporation	HE	New York (New York)	Dissolve charter and approval to distribute remaining assets to Fashion Institute of Technology.

## **Appendix II**

### **REGENTS ACTIONS IN 54 PROFESSIONAL DISCIPLINE CASES AND 1 RESTORATION PETITION**

**March 12, 2018**

The Board of Regents announced disciplinary actions resulting in the summary suspension of 1 license, revocation of 3 licenses, surrender of 6 licenses and 44 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. SUMMARY SUSPENSION**

##### **Mental Health Practitioners**

Steven M. Marsh; Licensed Marriage and Family Therapist; West Islip, NY 11795; Lic. No. 001267; Cal. No. 30428; Application for summary suspension granted.

#### **II. REVOCATIONS AND SURRENDERS**

##### **Chiropractic**

Sophia Vivian Lin; Chiropractor; East Setauket, NY 11773; Lic. No. 011650; Cal. No. 29190; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Conspiracy to Commit Health Care Fraud, a felony.

##### **Nursing**

Michael Anthony Pietoso; Registered Professional Nurse; Nutley, NJ 07110; Lic. No. 694019; Cal. No. 29337; Found guilty of professional misconduct; Penalty: Revocation, \$500 fine.

Lisa Diane Clark a/k/a Lisa D. Rumsmoke; Licensed Practical Nurse; Bath, NY 14810; Lic. No. 295534; Cal. No. 29360; Found guilty of professional misconduct; Penalty: Revocation.

Kristen Marie Dodds; Licensed Practical Nurse; Hilton, NY 14468, Spencerport, NY 14559; Lic. No. 280432; Cal. No. 29499; Found guilty of professional misconduct; Penalty: Revocation, \$500 fine.

Phillis Mae Holderfield; Registered Professional Nurse; Mesquite, TX 75149-1432; Lic. No. 612959; Cal. No. 30143; Application to surrender license granted. Summary: Licensee did not contest the charge of diverting approximately fifty-two (52) tablets of the controlled drug Hydrocodone 5/325 mg from two different patients for her own use.

Allison Dawn DiTommaso; Registered Professional Nurse; San Diego, CA 92105; Lic. No. 652264; Cal. No. 30328; Application to surrender license granted. Summary: Licensee did not contest the charge of giving a patient 80 units of insulin when the physician's order was for 8 units.

Kristy Salaz Garza; Registered Professional Nurse; Lubbock, TX 79424; Lic. No. 556858; Cal. No. 30329; Application to surrender license granted. Summary: Licensee did not contest the charge of, in the State of Tennessee, violating confidentiality of information of knowledge concerning a patient except when required to do so by law.

Jane Helen Johnson; Registered Professional Nurse; Walnut Creek, CA 94595; Lic. No. 266497; Cal. No. 30330; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of driving with a blood alcohol level of 0.08 percent or more in the State of California, a misdemeanor, and which, if committed within this state, would have constituted as Driving While Intoxicated, an unclassified misdemeanor.

Tina D. Schmitt a/k/a Tina Schmitt Smith; Licensed Practical Nurse; Surfside Beach, SC 29587; Lic. No. 285608; Cal. No. 30331; Application to surrender license granted. Summary: Licensee admitted to the charge of incorrectly documenting in a patient's record in the State of South Carolina that the controlled drug Vicodin was administered.

### **III. OTHER REGENTS DISCIPLINARY ACTIONS**

#### **Dentistry**

Albino Nicholas Ballini; Dentist; Rome, NY 13440; Lic. No. 044155; Cal. No. 29425; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$1,500 fine.

#### **Engineering, Land Surveying and Geology**

John Joseph Kron, Jr.; Professional Engineer; Rutherford, NJ 07070; Lic. No. 084417; Cal. No. 29509; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$2,500 fine.

Yaakov J. Stern; Professional Engineer; Brooklyn, NY 11213-5329; Lic. No. 056415; Cal. No. 29936; Application for consent order granted; Penalty agreed upon: 6 month actual suspension, 18 month stayed suspension, 2 years probation, \$5,000 fine.

Ziad Yousef Ekwaneen; Professional Engineer; Kew Gardens, NY 11415; Lic. No. 090429; Cal. No. 30007; Application for consent order granted; Penalty agreed upon: 30 month actual suspension, 30 month stayed suspension, 5 years probation, \$5,000 fine.

## **Nursing**

Michelle M. Eaton; Registered Professional Nurse; Schenectady, NY 12304; Lic. No. 476177; Cal. No. 27634; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine payable within 4 months.

Amber L. Sliski a/k/a Amber Gravitte; Licensed Practical Nurse; Scio, NY 14880; Lic. No. 309143; Cal. No. 28982; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$250 fine.

Jennifer Susan Walker; Registered Professional Nurse; Rochester, NY 14615-1220; Lic. No. 599659; Cal. No. 29059; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$500 fine.

Jessica Lynn Myers; Registered Professional Nurse; Rochester, NY 14623; Lic. No. 653884; Cal. No. 29169; Application for consent order granted; Penalty agreed upon: 12 month actual suspension, 12 month stayed suspension, 2 years probation to commence upon return to practice, \$500 fine payable within 6 months.

Christine A. Hammond; Registered Professional Nurse; Niskayuna, NY 12309; Lic. No. 243389; Cal. No. 29537; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine payable within 4 months.

Lisa M. Baker a/k/a Lisa M. Todd; Licensed Practical Nurse, Registered Professional Nurse; Ogdensburg, NY 13669-3246; Lic. Nos. 269945, 553026; Cal. Nos. 29637, 29644; Found guilty of violation of probation; Penalty: Penalty supersedes penalty previously imposed under Order Nos. 26579 and 26580, suspension for no less than 1 year and until complete course of therapy or treatment and until fit to practice, probation 2 years to commence subsequent to termination of suspension and upon actual return to practice, subsequent to at least 7 days prior notice by respondent.

Lynn Kidder; Registered Professional Nurse; Lackawanna, NY 14218; Lic. No. 653696; Cal. No. 29647; Application for consent order granted; Penalty agreed upon: Indefinite



actual suspension until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine payable within 3 months.

Caitlin R. Gordinier; Licensed Practical Nurse, Registered Professional Nurse; Webster, NY 14580; Lic. Nos. 299128, 703792; Cal. Nos. 29885, 29886; Application for consent order granted; Penalty agreed upon: 2 year stayed suspensions, 2 years probation, \$500 fine.

Tiana Dalette Bradley; Licensed Practical Nurse; Rochester, NY 14611; Lic. No. 282463; Cal. No. 29900; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Naomi Foster; Registered Professional Nurse; Springfield Gardens, NY 11413; Lic. No. 601061; Cal. No. 29938; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$500 fine.

Bethany S. Johnson; Licensed Practical Nurse; Jamestown, NY 14701; Lic. No. 269035; Cal. No. 29973; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine payable within 6 months.

Shimmareeyau Kandoria Williams; Licensed Practical Nurse; Liverpool, NY 13090; Lic. No. 293210; Cal. No. 29988; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Brian Paul Yoos; Registered Professional Nurse; Smithtown, NY 11787-2341; Lic. No. 673813; Cal. No. 29989; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Brittany Marie Lynch; Licensed Practical Nurse; Holbrook, NY 11741-1811; Lic. No. 289119; Cal. No. 30002; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

James Joseph Moore; Registered Professional Nurse; Morristown, NY 13664; Lic. No. 648429; Cal. No. 30017; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Stacy L. Zambrano; Registered Professional Nurse; Buchanan, NY 10511; Lic. No. 485350; Cal. No. 30028; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for a minimum of 3 months and until successfully participate in course of therapy and treatment and until fit to practice, upon termination of suspension, 2 years probation.

Lory J. Tudor; Registered Professional Nurse; Eagle Bridge, NY 12057; Lic. No. 401475; Cal. No. 30041; Application for consent order granted; Penalty agreed upon: 1 year

stayed suspension, 1 year probation to commence upon return to practice, \$500 fine payable within 30 days.

Elizabeth Claire Wight a/k/a Elizabeth Weaver Otis; Registered Professional Nurse; San Diego, CA 92107; Lic. No. 516863; Cal. No. 30042; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation to commence upon return to practice in the State of New York, \$500 fine payable within 3 months.

Barbara Jean O'Sheenan; Licensed Practical Nurse; Cheektowaga, NY 14227; Lic. No. 238576; Cal. No. 30056; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$250 fine.

Michael Joseph Kastrinos; Registered Professional Nurse; Kings Park, NY 11754-4721; Lic. No. 684800; Cal. No. 30068; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Karen Anne Huss; Licensed Practical Nurse, Registered Professional Nurse; Rome, NY 13440; Lic. Nos. 159245, 416071; Cal. Nos. 30071, 30072; Application for consent order granted; Penalty agreed upon: Indefinite actual suspensions until mentally fit to practice, upon termination of suspensions, 2 years probation to commence upon return to practice, \$500 fine payable within 6 months.

Kathleen M. Sullivan a/k/a Kathleen S. Richard; Licensed Practical Nurse, Registered Professional Nurse; Fulshear, TX 77441-1554; Lic. Nos. 120744, 305178; Cal. Nos. 30074, 30073; Application for consent order granted; Penalty agreed upon: 1 year stayed suspensions, 1 year probation to commence upon return to practice in the State of New York, \$500 fine payable within 30 days.

Gladys Poscablo Domantay; Registered Professional Nurse; Little Neck, NY 11363; Lic. No. 576649; Cal. No. 30078; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 2 years probation to commence if and when return to practice, \$500 fine payable within 30 days.

Robin A. Curtis; Licensed Practical Nurse; Gouverneur, NY 13642; Lic. No. 272544; Cal. No. 30086; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation.

Vicki Zendano; Licensed Practical Nurse; Lockport, NY 14094-1409; Lic. No. 281552; Cal. No. 30093; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Kathleen Marie Caldwell a/k/a Kathleen Marie Gorman; Registered Professional Nurse; San Jose, CA 95125-3532; Lic. No. 548256; Cal. No. 30111; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation to commence upon return to practice in the State of New York, \$500 fine payable within 30 days.

Koren Lasher; Registered Professional Nurse; Bolton Landing, NY 12814; Lic. No. 564310; Cal. No. 30140; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Joyce Marie O'Riley; Licensed Practical Nurse, Registered Professional Nurse; Buffalo, NY 14214; Lic. Nos. 202964, 425476; Cal. Nos. 30163, 30162; Application for consent order granted; Penalty agreed upon: 2 year stayed suspensions, 2 years probation, \$250 fine.

Charlene Simone Blackwood; Registered Professional Nurse; Parkland, FL 33067; Lic. No. 525204; Cal. No. 30322; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation to commence upon return to practice in the State of New York, \$500 fine payable within 30 days.

Elsa B. Borja-Estrella; Licensed Practical Nurse, Registered Professional Nurse; Yonkers, NY 10701; Lic. Nos. 173537, 375250; Cal. Nos. 30326, 30327; Application for consent order granted; Penalty agreed upon: Indefinite actual suspensions until successfully participate in course of therapy and treatment and until fit to practice, upon termination of suspensions, 2 years probation, \$500 fine.

### **Pharmacy**

Timothy Gregory Card; Pharmacist; Liverpool, NY 13090; Lic. No. 042820; Cal. No. 29710; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$1,000 fine.

Wayne Drugs of Pulaski, Inc.; Pharmacy; Oswego, NY 13126; Reg. No. 019649; Cal. No. 29743; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$2,500 fine.

### **Psychology**

Dennis John Foley; Psychologist; Rochester, NY 14620; Lic. No. 013862; Cal. No. 29848; Application for amended consent order granted; Penalty agreed upon: January 23, 2018 determination of Board of Regents and its related Vote and Order vacated; penalty imposed of 5 month actual suspension, 19 month stayed suspension, 2 years probation to commence upon return to practice; penalty effective nunc pro tunc on and as of date of original Vote and Order issued January 23, 2018.

### **Veterinary Medicine**

Patricia E. Jolie Zotzmann; Veterinarian; Saratoga Springs, NY 12866; Lic. No. 005530; Cal. No. 30019; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

## **IV. RESTORATION**

The Board of Regents voted on March 12, 2018 to deny the application for restoration of the physician license of John Lupiano, New York, NY. Dr. Lupiano's license was originally surrendered October 5, 2011.

# ATTACHMENT I

## #MyHistoryMyFuture

*Elevating Student Voices in Honor of Black History Month*



The New York State Education Department and The Education Trust—New York teamed up in February 2018 to create a powerful social media campaign for Black History Month. The campaign highlighted the **New York State My Brother's Keeper (MBK)** initiative and featured quotes from students participating in the state's many wonderful MBK programs.

Today's students will write the next chapter of Black history, so we asked them what they want the future to look like. Our social media campaign, **#MyHistoryMyFuture**, featured inspiring quotes from 47 students. All of the quotes are included in this document.



# #MyHistoryMyFuture

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"I see myself as a 'New Age' Martin Luther King, Jr. Not in the form of giving powerful speeches or sparking protests, but by **breaking the mold** and **doing what others said couldn't be done**. No one thought Martin Luther King, Jr. would accomplish what he did, but he didn't let those obstacles stop him. **Neither will I let my obstacles stop me.**"

*- Elementary school student in the Boys Academy at Dr. Martin Luther King, Jr. School 9 , Rochester*



The Education Trust–New York



## #BlackHistoryMonth

# #MyHistoryMyFuture

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"I am excited for a future with **opportunities**  
for **anyone** and **everyone.**"

- Student at North Park Middle Academy, Buffalo



The Education Trust–New York



NEW YORK STATE

**My Brother's Keeper**

## #BlackHistoryMonth



# #MyHistoryMyFuture

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"I want to show people the **power** they possess in their brain, and the **impact** they can make on society. I will **encourage** all people, letting them know, 'You can do **anything** you put your mind to. **So always dream big and the sky's the limit.**'"

*- Elementary school student in the Boys Academy at Dr. Martin Luther King, Jr. School 9 , Rochester*



The Education Trust–New York



NEW YORK STATE  
**My Brother's Keeper**

## #BlackHistoryMonth

# #MyHistoryMyFuture

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"I see myself living in a **much better world**. I think people and ideas are going to **change**. Sometimes we are judged by how we dress, but people will soon see that we should be **judging people by their actions**. The future looks **bright**. If we continue to look up to others who fight for our rights, **we can live in a better place.**"

*- Elementary school student in the Boys Academy at Dr. Martin Luther King, Jr. School 9 , Rochester*



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NEW YORK STATE

**My Brother's Keeper**

## #BlackHistoryMonth

# #MyHistoryMyFuture

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"In my future, I see myself working as a veterinarian or a lawyer of corporate businesses. As a man of color, I think I will have to stand up for my people."

- Middle school student at Enrico Fermi School, Yonkers



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NEW YORK STATE

**My Brother's Keeper**

## #BlackHistoryMonth

# #MyHistoryMyFuture

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"My future is to be a **voice for students and parents** discouraged by our education system because of inequities and opportunity gaps."

*- 2nd year student in SUNY Cortland's C.U.R.E. Program*



The Education Trust–New York



NEW YORK STATE

**My Brother's Keeper**

## #BlackHistoryMonth

# #MyHistoryMyFuture

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"I see a future where everyone has a tunnel vision for their **dreams and aspirations**. The setbacks will not define you — your **future success** will. I dream of a time when black boys and girls will **not be discouraged** to pursue a certain career path because of their race or economic status."

- 12th grader at Clara Barton High School, Brooklyn



The Education Trust—New York

eliminating racism  
empowering women  
**ywca**  
brooklyn



NEW YORK STATE  
**My Brother's Keeper**

## #BlackHistoryMonth

# #MyHistoryMyFuture

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"My future looks like a successful Spanish teacher,  
fighting for the education of the next generation."

*- High school student at the University of Rochester Educational Partnership at East*



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NEW YORK STATE  
**My Brother's Keeper**

## #BlackHistoryMonth

# #MyHistoryMyFuture

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"I want my city to be **unified**. I want neglect and ignorance to become **education and resolution**. The lack of knowledge can no longer be an option or an excuse to the **progress and process** of **building a better community**."

- 18-year-old member of the Breaking Barriers Youth Leadership Council, Buffalo



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NEW YORK STATE

My Brother's Keeper



GREATER BUFFALO  
Racial Equity Roundtable

## #BlackHistoryMonth

# #MyHistoryMyFuture

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"I want to live in a place where I can **prove everyone wrong** that doubted me in the beginning. I want to be able to **show others** that you shouldn't take negative comments to heart and to just flip it and make it positive. **Remember to make your haters your motivators.**"

- 9th grader at Pathways in Technology Early College High School, Brooklyn



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NEW YORK STATE

**My Brother's Keeper**

## #BlackHistoryMonth



# #MyHistoryMyFuture

"My **dream** for Buffalo, NY is for all of the people in and outside of the community to **come together**. Together we are **powerful** and at this point of time we should not divide. Our goal should be to motivate those with a dream and **help anyway possible**."

- Member of the Breaking Barriers Youth Leadership Council, Buffalo



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NEW YORK STATE

My Brother's Keeper



GREATER BUFFALO  
Racial Equity Roundtable

## #BlackHistoryMonth

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"I play Pop Warner football for the Northeast Bulldogs. This experience has allowed me to see that there are **better things in life**. I noticed how clean streets were & how nice homes looked in other places. Then I realized how much **better my community could be**. Where I live, so many people are jobless and homeless. So I plan to live a life with one major goal in mind – **to make a difference in my community.**"

*- Middle school student in the Boys Academy at Dr. Martin Luther King, Jr. School 9, Rochester*



The Education Trust–New York



NEW YORK STATE  
**My Brother's Keeper**

## #BlackHistoryMonth

# #MyHistoryMyFuture

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“MBK has afforded me the **opportunity** to be exposed to **different people** and **forms of information** through field trips and workshops. My future is very **promising** academically and athletically.”

- 11th grader at Riverside High School, Yonkers



The Education Trust–New York



## #BlackHistoryMonth

# #MyHistoryMyFuture

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"Every hoop I have been through has **made me the man I am**. In my future, I will **guide & support** my students, as **my teachers did for me**."

*- 3rd year student in SUNY Cortland's C.U.R.E. Program*



The Education Trust - New York



NEW YORK STATE

**My Brother's Keeper**

## #BlackHistoryMonth

# #MyHistoryMyFuture

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"Since slavery, colorism has been a way to divide blacks, along with ageism and sexism. These things only serve to hinder the progression of African-Americans and keep us at the bottom of the totem pole. However, I see a future where **we stand together in unity**. In solidarity we have the **power to level the playing field.**"

- 12th grader at Clara Barton High School, Brooklyn



The Education Trust - New York

eliminating racism  
empowering women  
**ywca**  
brooklyn



NEW YORK STATE

**My Brother's Keeper**

## #BlackHistoryMonth

# #MyHistoryMyFuture

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"The way I see the future is a **vision of peace**. Where people are not labeled for who or what they are. To have an **opportunity for equality and equity**. My vision is for young women and young men to see themselves as **vital to the community and world.**"

- Student at St. Joseph's Collegiate Institute, Buffalo



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NEW YORK STATE

**My Brother's Keeper**

## #BlackHistoryMonth

# #MyHistoryMyFuture

"I want to become **something meaningful**. I want to **make a difference** and **leave my mark** in the world. I would like to be remembered by showing people that **success is possible no matter where you are from**. I would like to show people that struggles and roadblocks are never permanent, **there is always a way to overcome them.**"

*- 9th grader at Pathways in Technology Early College High School, Brooklyn*



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**P·TECH**  
Pathways in Technology  
Early College High School



NEW YORK STATE

**My Brother's Keeper**

## #BlackHistoryMonth

# #MyHistoryMyFuture

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"I have received acceptance letters from many colleges, great schools, yet I do not know where to go. I do plan to study Business Law... Though I don't know what my future will hold, I will **do my best going forward** with a progressive state of mind and **grow as a human being.**"

*- 12th grader at Roosevelt High School Early College Studies, Yonkers*



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NEW YORK STATE

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## #BlackHistoryMonth



# #MyHistoryMyFuture

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"Making sure my students know that they have someone who **understands them** and **believes in them** is my goal."

*- 1st year student in SUNY Cortland's C.U.R.E. Program*



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## #BlackHistoryMonth

# #MyHistoryMyFuture

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"The future is **what we make it**. I will spend my future **making a difference!**"

*- Elementary school student in the Boys Academy at Dr. Martin Luther King, Jr. School 9, Rochester*



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"A primary factor of why this world is not progressing socially and culturally is the segregation of groups of people who appear to be different than the others. In actuality, **we are all more alike** than we think - starting with the fact that **we are all human**. I want to see the world **united under one umbrella**, hand in hand, regardless of one's race, economic status, political stance, gender, or sexual orientation.

**Together we achieve more."**

*- 12th grader at Clara Barton High School, Brooklyn*



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eliminating racism  
empowering women  
**ywca**  
brooklyn



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"I look for a future where there's **no more racism and injustice**. And I want to make the lives of every race **better for the world and environment.**"

- 15-year-old member of the Breaking Barriers Youth Leadership Council, Buffalo



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**BREAKING BARRIERS**  
MBK A BOYS AND YOUNG MEN OF COLOR INITIATIVE

GREATER BUFFALO  
**Racial Equity Roundtable**

## #BlackHistoryMonth

# #MyHistoryMyFuture

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"My future is to become an urban PE teacher and wrestling coach, to **help children live healthier lives** while having fun."

*- 1st year student in SUNY Cortland's Urban Recruitment of Educators Program*



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"I honestly know that my **future is bright**, because **there is a will**; and when there is a will, there is a way. It is one of my greatest desires to learn of the **FULL extent** of my history in **all its glory**."

- 10th grader at Pathways in Technology Early College High School, Brooklyn



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**P·TECH**  
Pathways in Technology  
Early College High School



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# #MyHistoryMyFuture

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"My ancestor passed down the **family values** I hold today. 100 years later, TOC II is giving me the **opportunity to teach my future students** the same family values."

*- 1st year student in the Sarah Lawrence College Graduate Art of Teaching Program*



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# #MyHistoryMyFuture

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"What I hope to do in the future is  
**make a career helping people.**"

*- 12th grader participating in the NYS Mentoring Program at Lyons Central School District*



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## #BlackHistoryMonth



# #MyHistoryMyFuture

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"**My Brother's Keeper** is showing young African American and Hispanic boys how to become **responsible, respectful leaders** in our school, community, and society."

*- Student at Woodlands Middle/High School, Greenburgh*



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## #BlackHistoryMonth

# #MyHistoryMyFuture

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"I don't know my future but I know I'm in charge of it."

- Student at North Park Middle Academy, Buffalo



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# #MyHistoryMyFuture

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"My Brother's Keeper has helped me to see the **importance of helping others**. It has also helped me to **never quit** and **believe in myself**."

*- Student at Woodlands Middle/High School, Greenburgh*



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## #BlackHistoryMonth

# #MyHistoryMyFuture

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"#MyHistoryMyFuture will be about trying to help us  
**get to new places in the universe."**

*- Student in the Bronx, New York City*



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## #BlackHistoryMonth

# #MyHistoryMyFuture

"I can see myself as a **future leader** in Black history. The legacy that I would like to leave is **building a stronger economic community** in Buffalo and **helping those who are in need of assistance.**"

- 19-year-old member of the Breaking Barriers Youth Leadership Council, Buffalo



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GREATER BUFFALO  
Racial Equity Roundtable

## #BlackHistoryMonth

# #MyHistoryMyFuture

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"In the **future** I will be a pediatrician."

- High school student at the University of Rochester Educational Partnership at East



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## #BlackHistoryMonth

# #MyHistoryMyFuture

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"I will be **successful and happy**. I will have achieved **greatness** and **led a life that I can be proud of**. My success will **inspire others** to achieve anything and reach their dreams. I will make my family proud and I will **create a legacy that lives much longer than I will.**"

- 9th grader at Pathways in Technology Early College High School, Brooklyn



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Early College High School



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# #MyHistoryMyFuture

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"#MyHistoryMyFuture has been **inspired**. I **can do anything** as a girl of color."

*- Student in the Bronx, New York City*



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# #MyHistoryMyFuture

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"I **won't stop** chasing my dreams!!!"

- Student at North Park Middle Academy, Buffalo



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"When I think about my future, I see myself as a **business owner**. I want to **provide for my family** and my **community** as a whole. I want to **make my mama proud.**"

- 9th grader at Pathways in Technology Early College High School, Brooklyn



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"In the future, I want to be a **social activist**. MBK has shown me the importance of **using my voice** to make **real change**."

- 11th grader at Yonkers Middle High School, Yonkers



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# #MyHistoryMyFuture

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"I'm going to make my whole family and whole city  
**proud of me.**"

*- Student at North Park Middle Academy, Buffalo*



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"My future is dedicated to **carving the minds** of the next generation and **empowering them** to be the best individuals they can be!"

*- Freshman Adolescence Education major in SUNY Oswego's TOC II program*



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# #MyHistoryMyFuture

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"I see myself with my **dream job** working as a nurse or doctor. Or **something that I love** because I'm in the motions of **growing and learning** new things. So wherever life takes me."

*- High school student at the University of Rochester Educational Partnership at East*



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# #MyHistoryMyFuture

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"MBK has taught me how to **help others selflessly**. As a result, in the future I will **develop a youth group** that focuses on **community services**."

- 12th grader at Yonkers Middle High School, Yonkers



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## #BlackHistoryMonth

# #MyHistoryMyFuture

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"I'm making **excellence a habit.**"

- Student at North Park Middle Academy, Buffalo



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# #MyHistoryMyFuture

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"My future is **urban education**. My future is educating the next generation as they **prepare to build and create** their own futures. My future is **social justice** and **education for all.**"

*- Senior Teaching English Speakers Another Language (TESOL) major in SUNY Oswego's TOC II program*



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"Many youth, especially those with high needs, need **guidance** and **someone to look up to**. I'd like to strive **to be a mentor for them.**"

- Student in Clarkson University's TOC II Program



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"MBK has shown me my **future is bright**. In the future, I wish to **make an impact** on my local community and the broader world. MBK has given me the insight and the know-how to **make connections** and **make a difference**. I also want to explore different cultures to get a better sense of my environment and the people in the globe."

- 12th grader at Yonkers Middle High School, Yonkers



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# #MyHistoryMyFuture

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"My future looks like **raising up** a generation of students who **know their worth** and their **capabilities.**"

- Junior Teaching English Speakers Another Language (TESOL) major in SUNY Oswego's TOC II program



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"My future will be all about me trying to **find my place in life** and then trying to **find my place in history**: whether it's becoming the president, a musical genius, a scientist leading new and exciting discoveries, or becoming an astronaut and uncovering the secrets of the sky. **I will reach the unreachable, attain the unattainable and show future kids that they can be anything** that they want to be and that they, too, can **make a change.**"

- 9th grader at Pathways in Technology Early College High School, Brooklyn



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Knowledge > Skill > Opportunity

# Every Student Succeeds Act Financial Transparency Requirement

Board of Regents

March 12, 2018

## ATTACHMENT II

# What is the Financial Transparency Requirement?

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**ESSA requires that beginning with the 2018-2019 School Year, State Report Cards must include:**

***“The per-pupil expenditures of Federal, State, and local funds, including actual personnel expenditures and actual nonpersonnel expenditures of Federal, State, and local funds, disaggregated by source of funds, for each local educational agency and each school in the State for the preceding fiscal year.”***

# What is the Financial Transparency Requirement?

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Currently, districts will have until December 2019 to report 2018-19 data.

Reporting will be on actual expenditures, meaning where possible spending will need to be reflected, in full, in the school where the spending occurred (rather than simply prorating across the district).

There will be some allowance for truly district-wide expenditures, such as the Superintendent's salary, to be identified at the district level.



# Why is this important?

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It is a federal legal requirement.

**But also:**

- **Transparency**
- **Equity**
- **Accountability**
- **Local decision-making**
- **Confirmation of best practices/Opportunities for improvements**

# Linkage to Accountability

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## **ESSA requires that SED:**

- **For Comprehensive Support and Improvement Schools**  
“Identify resource inequities, which may include a review of local educational agency and school-level budgeting, to be addressed through implementation of such comprehensive support and improvement plan.”
- **For districts with a “significant number” of schools identified for Comprehensive Support and Improvement or Targeted Support and Improvement** “periodically review resource allocation to support school improvement...”

**The per-pupil expenditure plans will support both LEA’s efforts to allocate appropriate resources for school improvement and SED’s efforts to ensure compliance with these requirements of ESSA.**

# Why is this important?

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**This should not simply be a compliance exercise.**

**Total school spending in New York State, from all sources, is nearly \$70 billion.**

## **By comparison:**

- The state spends \$70 billion in all other state operating funds programs.**
- New York City spends \$69 billion in total city funds for all programs.**

# Why should we look at per pupil expenditures?

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**Per-pupil comparisons are an additional tool for district leaders to examine their practices and answer some key questions:**

- **Do actual spending practices align with stated district goals?**
- **Is the district using its resources equitably?**
- **Are there areas where over- or underspending can be identified and reprogrammed?**

# Why should we look at per pupil expenditures?

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**However:**

**Per-pupil comparisons also present challenges that SED will need to consider in developing guidance:**

- **Are differences across schools, districts, or program areas properly contextualized?**
- **What role will this data play in audits by the Office of the State Comptroller?**

# What is an example of analysis that can be done with this information?

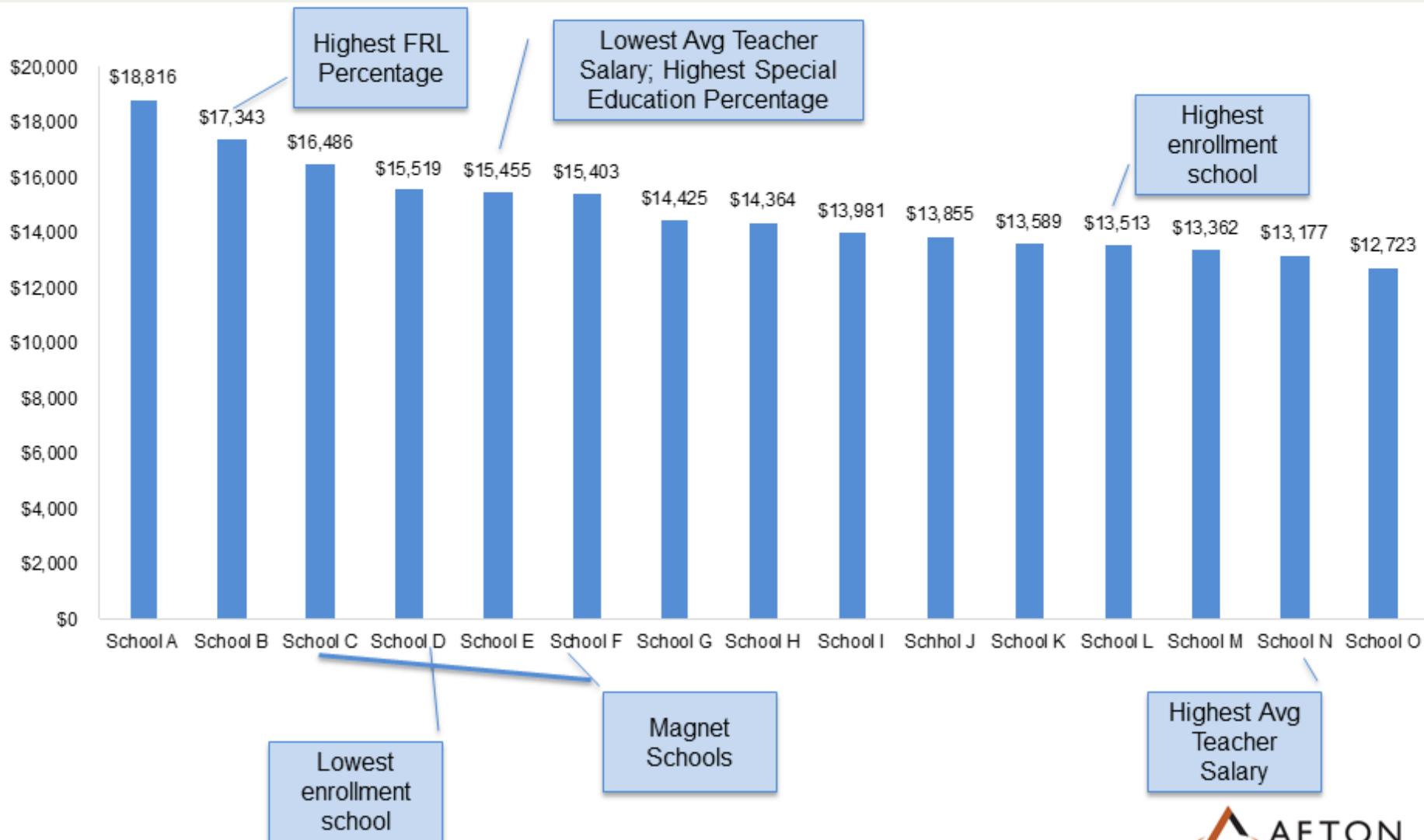
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There are a wide variety of ways that expenditure data can be reported, including in combination with accountability data.

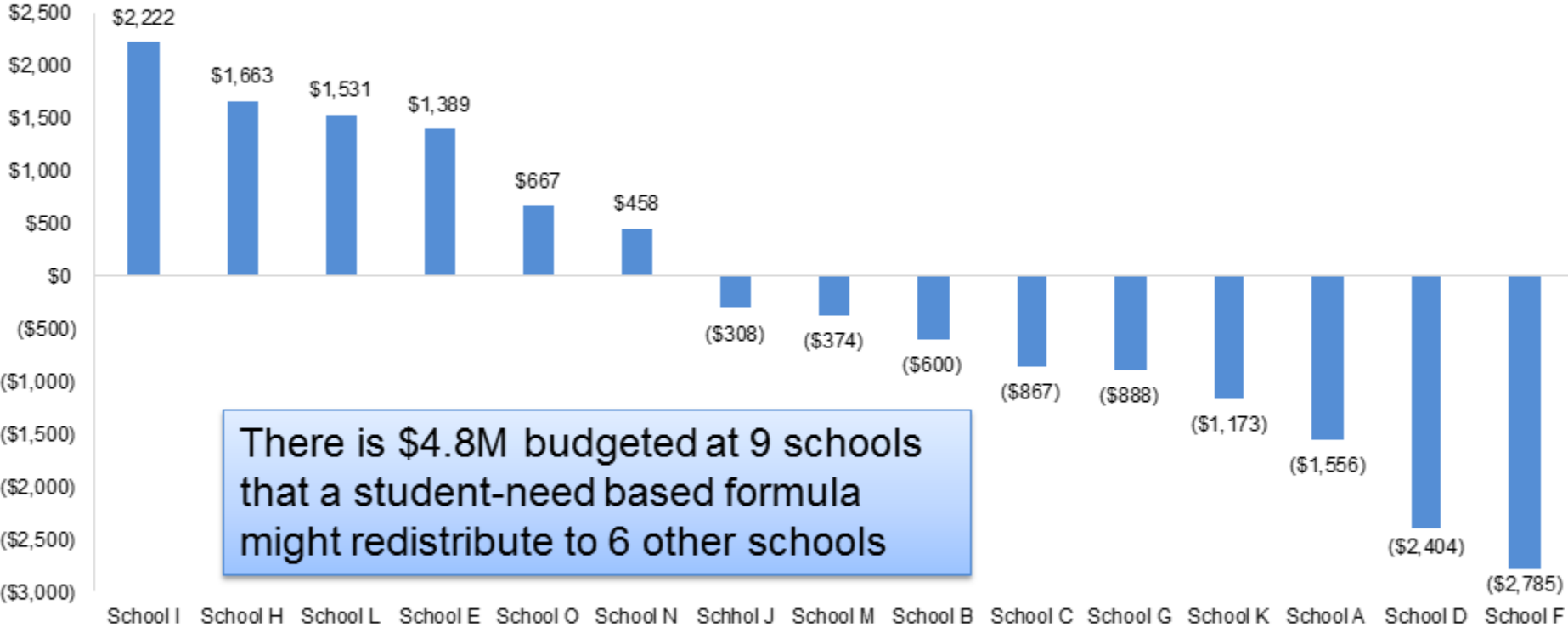
The actual reporting format for New York State schools still needs to be developed.

Let's look at a real example of a non-New York State school district.

Per pupil spending varies widely across the sample District's schools (range of \$6,093 per pupil). This had never been looked at on a school-level basis before.



# This chart shows how much more or less budget would be provided to each school if we implemented a weighted funding formula, based on student needs





# Potential Implementation Challenges

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**SED will work with stakeholders to overcome some challenges of which we are already aware:**

- **Budget accounting at the school level.**
- **Developing understanding in local communities about what this data does, and does not mean.**
- **Concern about accuracy and internal controls for future audits.**

# What has New York done to date?

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- **Engagement:**
  - **Multiple meetings with practitioners in the field and other stakeholder groups, including superintendents, business officials, and school board members.**
- **National Working Group:**
  - **CCSSO and Edunomics have partnered to facilitate a working group of over 35 states that meets every few weeks to discuss the requirement and share ideas and best practices.**
- **Planning:**
  - **Staff have been working to develop a plan that will meet the requirement in an effective way that is least burdensome to school districts.**

# What are the next steps for New York?

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- **Technical Working Group (Spring/Summer 2018)**
  - SED will convene a working group of experts to help establish the accounting guidelines for per pupil expenditure reporting, likely through using the existing ST-3 accounting structures.
  - This information will be used to pilot test financial data from volunteer school districts.
- **Reporting Feedback (August/September 2018)**
  - Standards for reporting, including how it will be linked with accountability data, will be developed with feedback from the field.
  - This will also be an opportunity for interested parties to assist in developing the contextual elements of the reports.

# What are the next steps for New York?

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- **2018-19 Budget Tracking**
  - Using guidance published by SED, school districts will begin tracking their 2018-19 expenditures on a per pupil basis at the school level.
- **Report Submissions (December 2019)**
  - Standards for reporting, including how it will be linked with accountability data, will be developed in the fall with feedback from the field.



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**Thank You**