



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 2021 Meetings
DATE: April 1, 2021
AUTHORIZATION(S): *Bellotti*

SUMMARY

Issue for Decision

Should the Board of Regents approve the Summary of the March 2021 Meetings 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 April 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 March 2021 meetings.

VOTED, that the Summary of the March 2021 Meetings of the Board of Regents of The University of the State of New York be approved.

Timetable for Implementation

Effective April 12, 2021.



**SUMMARY OF THE MARCH 2021 MEETINGS
OF THE BOARD OF REGENTS
OF
THE UNIVERSITY OF THE STATE OF NEW YORK
Held by Video Conference
March 15, 2021**

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

PROFESSIONAL PRACTICE COMMITTEE MEETING

The Professional Practice Committee held its scheduled meeting on March 15, 2021. All members of the Committee were present, except Regent Josephine Victoria Finn, who was absent and excused. Regent Turner and Regent Ferrer attended as well (See Professional Practice Committee Report on page 19).

PROFESSIONAL PRACTICE/HIGHER EDUCATION JOINT COMMITTEE MEETING

The Professional Practice and Higher Education Committees held a joint scheduled meeting on March 15, 2021. All members of the Committees were present, except Regent Josephine Victoria Finn, who was absent and excused. Regent Turner and Regent Ferrer attended as well (See Professional Practice/Higher Education Joint Committee Report on page 21).

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, March 15th at 9:15 a.m. pursuant to a call to duty sent to each Regent.

MEETING OF THE FULL BOARD, Monday, March 15th at 9:15 a.m.

Board Members in Attendance:

Lester W. Young, Jr., *Chancellor*
Roger Tilles
Christine D. Cea
Wade S. Norwood
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
Ruth B. Turner
Aramina Vega Ferrer

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

Regent Kathleen M. Cashin provided the moment of reflection in recognition of Women's History Month and Developmental Disabilities Awareness Month (Attachment I).

ACTION ITEM

Proposed Amendment of 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) 5

Commissioner Rosa and Kim Wilkins led a presentation related to revisions to the proposed amendment relating to state assessments to provide additional regulatory flexibility during the COVID-19 crisis (Attachment II).

That 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 be amended and a new section 80-5.27 be added, as submitted, as an emergency measure, effective March 16, 2021, 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 the emergency action taken at the February 2021 Regents meeting remains continuously in effect.

Action: Motion carried unanimously.

PRESENTATION

Update on 3–8 Assessments

Commissioner Rosa and Kim Wilkins provided a verbal update on 3-8 Assessments.

P-12 EDUCATION COMMITTEE MEETING

The P-12 Education Committee held its scheduled meeting on March 15, 2021. All members of the Committee were present, except Regent Josephine Victoria Finn, who was absent and excused. Regent Turner and Regent Ferrer attended as well (See P-12 Education Committee Report on page 13).

P-12 EDUCATION/HIGHER EDUCATION COMMITTEE MEETING

The P-12 Education and Higher Education Committees held a scheduled joint meeting on March 15, 2021. All members of the Committees were present, except Regent Josephine Victoria Finn, who was absent and excused. Regent Turner and Regent Ferrer attended as well (See P-12 Education/Higher Education Joint Committee Report on page 19).

HIGHER EDUCATION COMMITTEE MEETING

The Higher Education Committee held its scheduled meeting on March 15, 2021. All members of the Committee were present. Regent Turner and Regent Ferrer attended as well (See Higher Education Committee Report on page 12).

CULTURAL EDUCATION COMMITTEE MEETING

The Cultural Education Committee held its scheduled meeting on March 15, 2021. All members of the Committee were present. Regent Turner and Regent Ferrer attended as well (See Cultural Education Committee Report on page 11).

MEETING OF THE FULL BOARD, Monday, March 15th at 9:15 a.m.

Board Members in Attendance:

Lester W. Young, Jr., *Chancellor*
Roger Tilles
Christine D. Cea
Wade S. Norwood
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
Ruth B. Turner
Aramina Vega Ferrer

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

ACTION ITEMS

Executive Session Motion

MOVED, that the Board of Regents convene in executive session on Tuesday, January 5th at 1:05 p.m. to discuss personnel matters.

Motion by: Regent Roger Tilles
Seconded by: Regent Christine D. Cea
Action: Motion passed. Regent Ruth B. Turner was absent for the vote.

**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 2021 Meetings of the Board of Regents
BR (A) 2**

MOVED, that the Summary of the February 2021 Meetings of the Board of Regents of The University of the State of New York be approved.

Motion by: Regent Beverly L. Ouderkirk
Seconded by: Regent Frances G. Wills
Action: Motion passed. Regent Ruth B. Turner was absent for the vote.

PROGRAM AREA CONSENT ITEMS

Adult Career and Continuing Education Services (ACCES)

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

MOVED, Lafayette Williams, the newly designated New York State Independent Living Council (NYSILC) representative, be appointed for an ongoing term beginning upon approval of the Board of Regents.

Office of Counsel

**Proposed Amendment to Section 3.8(b) of the Rules of the Board of Regents to Designate The Executive Deputy Commissioner as the Deputy Commissioner of Education as specified in Education Law §101, who, in the Absence or Disability of the Commissioner or when a vacancy exists in the Office of Commissioner, Shall Exercise and Perform the Functions, Power, and Duties of the Commissioner
BR (A) 2**

MOVED, that section 3.8(b) of the Rules of the Board of Regents be amended, as submitted, effective April 12, 2021, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare to ensure that the Rules of the Board of Regents are immediately brought into conformance with changes in the Department's internal organization so as to ensure that in the absence or disability of the Commissioner or when a vacancy exists in the Office of Commissioner, the Executive Deputy Commissioner of the State Education Department may carry out his or her duties and responsibilities in a timely and efficient manner, including those relating to designation of the Executive Deputy Commissioner as the Deputy Commissioner of Education under Education Law §101.

Cultural Education

Proposed Amendment of Section 90.19 of the Regulations of the Commissioner of Education Relating to the Regional Bibliographic Data Bases and Interlibrary Resources Sharing Program BR (CA) 3

MOVED, that section 90.19 of the Regulations of the Commissioner of Education be amended, as submitted, effective March 31, 2021.

Higher Education

Proposed Amendment of Section 80-1.5 of the Regulations of the Commissioner of Education Creating a Safety Net for the School Building Leader Assessment BR (CA) 4

MOVED, that Section 80-1.5 of the Regulations of the Commissioner of Education be amended, as submitted, effective March 31, 2021.

P-12 Education

Petition of the City School District of the City of Albany for Consent to Exceed the Constitutional Debt Limit BR (CA) 5

MOVED, that the Board of Regents hereby gives consent to the issuance of bonds and/or bond anticipation notes by the Board of Education of the City School District of the City of Albany in an amount not to exceed \$30,621,100 for a capital project consisting of the acquisition of the Capital District YMCA facility and the construction of additions to and reconstruction of parts of the sites thereof; and the expansion, reconstruction, and renovation, in part, and the construction of additions, improvements, and upgrades to various school district buildings and facilities (and sites thereof), including the acquisition of new furnishings, equipment, machinery, or apparatus required for such buildings, in excess of the constitutional debt limit of said school district.

Petition of the City School District of the City of Salamanca for Consent to Exceed the Constitutional Debt Limit BR (CA) 6

MOVED, that the Board of Regents hereby gives consent to the issuance of bonds and/or bond anticipation notes by the Board of Education of the City School District of the City of Salamanca in an amount not to exceed \$9,677,807 for a capital project consisting of the expansion, reconstruction, and renovation, in part, and the construction of additions, improvements, and upgrades to various school district buildings and facilities (and sites thereof), including a substantial leased portion of Veterans Memorial Park in

the City of Salamanca, and the acquisition of various parcels of real property in the City of Salamanca, and incidental costs and expenses in connection therewith, in excess of the constitutional debt limit of said school district.

**Petition of the Enlarged City School District of the City of Troy for Consent to Exceed the Constitutional Debt Limit
BR (CA) 7**

MOVED, that the Board of Regents hereby gives consent to the issuance of bonds and/or bond anticipation notes by the Board of Education of the Enlarged City School District of the City of Troy in an amount not to exceed \$52,047,566 for a capital project consisting of the acquisition of three (3) parcels of land and the buildings located thereon and the construction of additions to and reconstruction of such buildings; the renovation of the existing Troy High School Technology Wing and related site work; and the expansion, reconstruction, and renovation, in part, and the construction of additions, improvements, and upgrades to various school district buildings and facilities (and sites thereof), including the acquisition of new furnishings, equipment, machinery, or apparatus required for such buildings, in excess of the constitutional debt limit of said school district.

**Proposed Amendment to Sections 125.1, 135.4, and 52.21 of the Regulations of the Commissioner of Education and Section 30-3.2 of the Rules of the Board of Regents Relating to Addressing the COVID-19 Crisis and the Reopening of Schools
BR (CA) 8**

MOVED, that sections 125.1, 135.4, and 52.21 of the Regulations of the Commissioner of Education and section 30-3.2 of the Rules of the Board of Regents be amended, as submitted, as an emergency measure, effective March 17, 2021, 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 plan for the reopening of schools and to ensure that the emergency action taken at the October meeting remains continuously in effect.

Professional Practice

**(Re)Appointments of Members to the State Boards for the Professions and (Re)Appointments of Extended Members to the State Boards for the Professions for Service on Licensure Disciplinary and/or Licensure Restoration and Moral Character Panels
BR (CA) 9**

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

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

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

MOVED, that the Regents approve the consent agenda items.

Motion by: Regent Frances G. Wills
Seconded by: Regent Christine D. Cea
Action: Motion passed unanimously.

STANDING COMMITTEE REPORT

CULTURAL EDUCATION

Your Committee on Cultural Education had its scheduled meeting on March 15, 2021. Regent Roger Tilles and Regent Frances Wills, Co-Chairs of the Cultural Education Committee, submitted the following written report. In attendance were committee members: Regent Tilles, Co-Chair, Regent Wills, Co-Chair, Regent Cea, Regent Cottrell, Regent Collins, Regent Ouderkirk and Regent Mead. In addition to Cultural Education Committee members, in attendance were Chancellor Young, Regent Chin, Regent Reyes, Regent Hakanson, Regent Mittler, Regent Turner, Regent Ferrer and Commissioner Rosa.

ITEMS FOR DISCUSSION

Co-Chairs Regent Tilles and Regent Wills welcomed everyone.

Deputy Commissioner's Report (Discussion)

Deputy Commissioner Mark Schaming provided an update on the Office of Cultural Education's programs and services. He provided a brief presentation on an exhibit at the University at Albany with the Preliminary Emancipation Proclamation and a speech made by Dr. Martin Luther King, Jr. on the 100th anniversary of the issuance of the Preliminary Emancipation Proclamation. The exhibition was a joint project of the State Museum, Library and Archives.

Appointment to the Regents Advisory Council on Museums (Action) [CE (A) 2]

Deputy Commissioner Mark Schaming introduced the recommended appointment to the Museum Regents Advisory Council. Members of the Museum Regents Advisory Council

advise the Board on issues concerning museums statewide. Deputy Commissioner Schaming recommended the appointment of Mieke L. Fay, Director of Education and Interpretation at the Corning Museum of Glass to be appointed to a five-year term through December 31, 2025.

Motion: Regent Tilles
Second: Regent Cea
Unanimous vote in favor of the motion.

Appointment to the Regents Advisory Council on Libraries (Action) [CE (A) 1]

Deputy Commissioner Mark Schaming introduced the recommended appointment to the Library Regents Advisory Council. Members of the Library Regents Advisory Council advises the Board on issues concerning libraries statewide. Deputy Commissioner Schaming recommended the appointment of Alicia Thompson, School Library System Director, Erie 1 BOCES to fill an unexpired term effective immediately upon appointment and through September 30, 2024

Motion: Regent Tilles
Second: Regent Collins
Unanimous vote in favor of the motion.

New York State Archives Marks Its 50th Year Anniversary [CE (D) 1]

Assistant Commissioner for Archives and State Archivist Thomas Ruller provided a review and report on the establishment and current programs of the State Archives, which is celebrating its 50th anniversary this year.

HIGHER EDUCATION

Your Higher Education Committee held its scheduled meeting on March 15, 2021. All members of the Committee were present.

Action Items

MOTION FOR ACTION BY FULL BOARD

Mister 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 15, 2021, copies of which have been distributed to each member of the Board of Regents.

Matters Requiring Board Action:

Proposed application by D'Youville College for a Master Plan Amendment permitting it to offer a program leading to an Associate in Arts (A.A.) degree in Liberal Arts & Sciences Studies - Your Committee heard Department staff summarize the application, the input received from existing degree-granting institutions and other interested parties, and the results of the recent public hearing conducted by the Board of Regents on the matter. The Regents Hearing Panel presented a recommendation to the Committee concerning the Master Plan Amendment.

VOTED: That the Board of Regents approve a Master Plan Amendment authorizing D'Youville College to offer a program leading to the Associate in Arts (A.A.) program in Liberal Arts and Sciences Studies, and to award the degree to students who complete that program, but which does not authorize additional associate level programs at D'Youville College without further master plan amendment approval.

Matters Not Requiring Board Action:

Proposed Amendment to Section 80-5.9 of the Regulations of the Commissioner of Education Relating to the Internship Certificate - Your Committee heard Department staff present a regulatory amendment to Section 80-5.9 of the Commissioner's regulations that will allow candidates who are enrolled in a registered school psychology preparation program, and who have completed at least one-half of the semester-hour requirements for the program, to be eligible for the Internship certificate. The Internship certificate enables candidates to work in a New York State public school in the area of the certificate title for their internship experience.

Consent Agenda Items:

The Board of Regents acted on the following consent agenda item at the January 2020 meeting.

Proposed Amendment to Section 80-1.5 Creating a Safety Net for the School Building Leader (SBL) Assessment – The Board of Regents voted to adopt the amendment to Section 80-1.5, which will become effective on March 31, 2021.

P-12 EDUCATION

Your P-12 Education Committee held its scheduled meeting on March 15, 2021. All members were present except Regent Finn, who was excused.

ACTION ITEMS

Charter School Dissolutions [P-12 (A) 1]

Your Committee recommends that the Board of Regents consent to the Ethical Community Charter School to file a petition for judicial dissolution pursuant to Article 11 of the Not-for-Profit Corporation Law, on notice to NYSED.

Your Committee recommends that the Board of Regents consent to the Lefferts Gardens Charter School to file a petition for judicial dissolution pursuant to Article 11 of the Not-for-Profit Corporation Law, on notice to NYSED.

The motion passed unanimously.

Renewal Recommendations for Charter Schools Authorized by the New York City Department of Education Chancellor [P-12 (A) 2]

Your Committee recommends that the Board of Regents finds that, the Bronx Global Learning Institute for Girls Charter School, The Shirley Rodriguez-Remeneski 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 Bronx Global Learning Institute for Girls Charter School, The Shirley Rodriguez-Remeneski School and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2024.

Your Committee recommends that the Board of Regents finds that, the Renaissance Charter High School for Innovation: (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 Renaissance Charter High School for Innovation and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2026.

Your Committee recommends that the Board of Regents finds that, the St. HOPE Leadership Academy 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 St. HOPE Leadership Academy 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, 2026.

The motion passed. Regents Collins and Mittler abstained.

Approval of the Revised New York State Learning Standards in Languages Other Than English (LOTE) [P-12 (A) 3]

Your Committee recommends that the Board of Regents approve the revised New York State Learning Standards for Languages Other Than English (LOTE).

The motion passed unanimously.

Proposed Amendments to Sections 200.1 and 200.5 of the Regulations of the Commissioner of Education Relating to Special Education Impartial Hearing Officers and the Special Education Due Process System Procedures [P-12 (A) 4]

Your Committee recommends that the Board of Regents approve the amendment of sections 200.1 and 200.5 of the Regulations of the Commissioner of Education, as submitted, effective March 31, 2021.

The motion passed unanimously.

Revision Recommendation for a Charter School Authorized by the Board of Regents [P-12 (A) 5]

Your Committee recommends that the Board of Regents finds that: (1) the American Dream 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 American Dream Charter School and amends the provisional charter accordingly.

The motion passed. Regent Collins abstained.

Renewal Recommendations for Charter Schools Authorized by the Board of Regents
[P-12 (A) 6]

Your Committee recommends that the Board of Regents finds that, the Brighter Choice Charter School for Boys: (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 Brighter Choice Charter School for Boys and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2026.

Your Committee recommends that the Board of Regents finds that, the Brighter Choice Charter School for Girls: (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 Brighter Choice Charter School for Girls and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2026.

Your Committee recommends that the Board of Regents finds that, the Discovery 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 Discovery 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, 2024.

Your Committee recommends that the Board of Regents finds that, the La Cima 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 La Cima 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, 2025.

Your Committee recommends that the Board of Regents finds that, the Renaissance Academy Charter School of the Arts: (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 Renaissance Academy Charter School of the Arts and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including June 30, 2024.

Your Committee recommends that the Board of Regents finds that, the School in the Square Public 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 School in the Square Public 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, 2026.

Your Committee recommends that the Board of Regents finds that, the Urban Choice 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 Urban Choice 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.

A motion was made, seconded, and passed to sever La Cima Charter School from the rest of the schools proposed for renewal in this item. A motion was then made to amend the renewal of La Cima Charter School from a four-year renewal to three-year renewal. The

motion did not carry, with Regents Chin, Cea, Norwood, Cottrell, Mead, Wills, and Chancellor Young voting no and Regent Collins abstaining.

The motion to approve the four-year renewal of La Cima Charter School passed. Regents Cashin, Ouderkirk, Collins, and Mittler abstained, Regent Hakanson voted no.

The motion to approve the remaining six charter school renewals passed. Regent Collins abstained.

Proposed Amendment of Sections 100.4, 100.10 and 175.5 of the Regulations of the Commissioner of Education Relating to Providing an Exemption to the Home Instruction Annual Assessment for the 2020-2021 School Year and Providing Additional Flexibility for the Annual Instructional Hour Waiver in Response to the COVID-19 Crisis (COVID Part IX) [P-12 (A) 7 - REVISED]

Your Committee recommends that the Board of Regents approve the amendment of sections 100.10 and 175.5 of the Regulations of the Commissioner of Education, as submitted, as an emergency measure, effective March 16, 2021, upon a finding by the Board of Regents that such action is necessary for the preservation of the public health and the general welfare in order to immediately provide flexibility for certain regulatory requirements in response to the COVID-19 crisis.

The motion passed.

MOTION FOR ACTION BY FULL BOARD

Mr. 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 15, 2021, copies of which have been distributed to each Regent.

MATTERS NOT REQUIRING BOARD ACTION

Board Update on Digital Equity Summit

Department staff presented an update on two of three Digital Equity Summits.

Consent Agenda

The Board of Regents approved the following consent agenda items at its March 15, 2021 meeting.

- Proposed Amendment to Sections 125.1, 135.4, and 52.21 of the Regulations of the Commissioner of Education and Section 30-3.2 of the Rules of the Board of Regents

Relating to Addressing the COVID-19 Crisis and the Reopening of Schools (COVID Part II and Reopening)

- Petition of the City School District of the City of Salamanca for Consent to Exceed the Constitutional Debt Limit
- Petition of the City School District of the City of Albany for Consent to Exceed the Constitutional Debt Limit Albany City School District Debt Limit Request
- Petition of the Enlarged City School District of the City of Troy for Consent to Exceed the Constitutional Debt Limit

P-12 EDUCATION/HIGHER EDUCATION JOINT MEETING

Your P-12 Education and Higher Education Committees held their scheduled joint meeting on March 15, 2021. All members were present except Regent Finn, who was excused.

MATTERS NOT REQUIRING BOARD ACTION

Proposed Amendment of Part 30 of the Rules of the Board of Regents and Part 80 and Sections 52.21, 100.1, 100.2, 100.4, 100.5, 100.7, 151-2.2, 154-2.2, 154-2.3, and 154-2.10 of the Regulations of the Commissioner of Education Relating to World Languages [P-12/HE (D) 1]

Your Committees discussed changing the name of the New York State Learning Standards in Languages Other Than English (LOTE) to New York State Standards for World Languages.

PROFESSIONAL PRACTICE

Your Professional Practice Committee held its scheduled meeting on March 15, 2021. All Committee members participated in the meeting by video conference call, except Regent Josephine Victoria Finn. Chancellor Lester W. Young, Jr., Regent Nan Eileen Mead, and Regent Ruth B. Turner attended the meeting, but did not vote on any case or action.

ACTION ITEMS

Professional Discipline Cases

Your Committee recommends that the reports of the Regents Review Committees, including rulings, findings of fact, determinations as to guilt, and recommendations, by unanimous or majority vote, contained in those reports which have been distributed to you, be accepted in 4 cases. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 33 consent order applications and 12 surrender applications be granted.

These recommendations are made following the review of 49 cases involving sixteen registered professional nurses, ten licensed practical nurses, six licensed practical nurses who are also registered professional nurses, two architects, two certified public accountants, two pharmacists, one chiropractor, one licensed master social worker who is also a licensed clinical social worker, one pharmacy, and one veterinarian.

MOTION FOR ACTION BY FULL BOARD

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 15, 2021, 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
 - Licensing Petitions/Conferral of Degrees

Proposed Addition of Section 52.49 to and Amendment of Sections 68.4 and 68.6 of the Regulations of the Commissioner of Education Relating to the Licensure Requirements for Land Surveyors (Discussion & Emergency Action)

The proposed rule conforms the Rules of the Board of Regents and the Regulations of the Commissioner of Education to Chapter 322 of the Laws of 2019, which effective April 3, 2021, amends the Education Law to, inter alia, update the education and experience requirements for licensure as a land surveyor to conform with national standards. The proposed rule, among other things, establishes the registration and curriculum requirements for licensure qualifying New York State land surveyor education programs; amends the land surveyor education requirements for licensure; and amends the admission requirements for the fundamentals of surveying, principles and practice of surveying, and the New York State jurisdictional examinations.

MOVED, that the Committee Reports be approved.

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

**State Education Department February 2021 Fiscal Report
BR (A) 3**

MOVED, that Board of Regents accept the February 2021 State Education Department Fiscal Report as presented.

Motion by: Regent Beverly L. Ouderkirk
Seconded by: Regent Catherine Collins
Action: Motion passed unanimously.

PROFESSIONAL PRACTICE/HIGHER EDUCATION JOINT MEETING

Your Professional Practice and Higher Education Joint Committee held its scheduled meeting on March 15, 2021. All members participated in the meeting by video conference call except Regent Josephine Victoria Finn.

ACTION ITEMS

Motion for Action by Full Board

Chancellor and Colleagues: Your Professional Practice and Higher Education Joint Committees 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 15, 2021, copies of which have been distributed to each member of the Board of Regents.

Matters Requiring Board Action

Designation of Regents Physician Shortage Areas PPC/HE (A) 1 - Your Committee discussed the list of shortage areas to be used for the 2021 Regents Physician Loan Forgiveness Program application cycle. Your Committee approved the use of the list for the 2021 application cycle and ask that it be communicated to the field immediately.

MOVED, that the Professional Practice and Higher Education Joint Committee Report be approved.

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

Chancellor Young adjourned the meeting and the Board convened in Executive Session.

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)
Arkport Public Library	CE	Steuben (Arkport)	Grant provisional charter for five years.
Bergen Swamp Preservation Society, Inc.	CE	Genesee (Bergen)	Amend charter to allow the actual number of trustees to be set as provided in by-laws; update IRS dissolution language; and to state the principle corporate address as Bergen, New York.
Java Historical Society	CE	Wyoming (Java)	Extend provisional charter for five years.
Lilac Preservation Project	CE	New York (New York)	Amend provisional charter to change the corporate address and extend the charter for five years.
Academy for Young Minds	P12	Queens (Long Island City)	Grant provisional charter for one year.
The Canandaigua Montessori School	P12	Ontario (Canandaigua)	Extend provisional charter for three years.
Chautauqua Christian Academy	P12	Chautauqua (Jamestown)	Grant provisional charter for three years.
Hamza Academy	P12	Nassau (Valley Stream)	Extend provisional charter for three years.
Love of Learning Montessori School	P12	Suffolk (Centerport)	Amend charter to add authority to operate grades seven and eight.
St. Catherine of Siena Academy	P12	St. Lawrence (Canton)	Grant provisional charter for three years.
St. Saviour's Catholic Academy	P12	Kings (Brooklyn)	Extend provisional charter for three years.
St. Stanislaus Kostka Catholic Academy	P12	Kings (Brooklyn)	Extend provisional charter for three years.

Albany Medical College	OP/HE	Albany (Albany)	Amend charter to add authority to confer the Doctor of Nursing Practice (D.N.P.) degree.
Colgate University	HE	Madison (Hamilton)	Amend charter to increase the maximum trustee range from 35 to 38.
New York Institute of Technology	OP/HE	New York (New York)	Amend charter to add authority to confer the Master of Public Health (M.P.H.) degree.
Postgraduate Center for Mental Health	OP/HE	New York (New York)	Amend charter purposes to add a new subparagraph "e" relating to chemical dependence.
Saint Joseph's College, New York	OP/HE	Kings (Brooklyn)	Amend charter to add authority to confer the Master of Social Work (M.S.W.) degree.

Appendix II

REGENTS ACTIONS IN 49 PROFESSIONAL DISCIPLINE CASES

March 15, 2021

The Board of Regents announced disciplinary actions resulting in the revocation of 4 licenses, surrender of 12 licenses, and 33 other disciplinary actions. The penalty indicated for each case relates solely to the misconduct set forth in that particular case.

I. REVOCATIONS AND SURRENDERS

Architecture

Ira J. Benlevi; Architect; Bayside, NY 11361; Lic. No. 014183; Cal. No. 24784; Found guilty of professional misconduct; Penalty: Revocation.

Chiropractic

Robert Scott Small; Chiropractor; Humble, TX 77396; Lic. No. 011146; Cal. No. 32333; Application to surrender license granted, and to supersede Order No. 30865. Summary: Licensee did not contest the charge of practicing the profession in the State of Colorado while the ability to practice is impaired by alcohol, drugs, physical disability, or mental disability.

Nursing

Maureen LaFlamme a/k/a Maureen R. Eberle; Licensed Practical Nurse; Johnstown, NY 12095-3130, Gloversville, NY 12078; Lic. No. 236223; Cal. No. 30403; Found guilty of professional misconduct; Penalty: Revocation.

Steven Fredrick Rathbun; Licensed Practical Nurse; Anderson, SC 29624; Lic. No. 286103; Cal. No. 30815; Application to surrender license granted. Summary: Licensee did not contest charges of medication administration errors and submitting registration renewal applications on February 11, 2015 and February 15, 2018, with false responses to questions.

Lloyd William Collins; Licensed Practical Nurse; New Port Richey, FL 34652; Lic. No. 317779; Cal. No. 32152; Application to surrender license granted. Summary: Licensee admitted to the charge of adding the anticonvulsant drug Tegretol to a patient's physician order sheet, without a physician's order, in the State of Florida.

Amber Lynn Hosford; Licensed Practical Nurse; Richfield Springs, NY 13439-4400; Lic. No. 313501; Cal. No. 32214; Application to surrender license granted. Summary: Licensee did not contest the charge of medication administration errors.

Jacqueline Ann Clark; Registered Professional Nurse; Whitinsville, MA 01588; Lic. No. 560093; Cal. No. 32278; Application to surrender license granted. Summary: Licensee admitted to the charge of failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient, for failing to properly document the administration, waste, and handling of the controlled substance fentanyl, in Massachusetts.

Vincentia Amankwah; Registered Professional Nurse; Cliffwood, NJ 07721-1316; Lic. No. 681103; Cal. No. 32293; Application to surrender license granted. Summary: Licensee admitted to the charge of submitting false education credentials to the New York State Education Department, in order to obtain a registered professional nurse license.

Kimberly E. Lappe; Registered Professional Nurse; Southold, NY 11971-3332; Lic. No. 636524; Cal. No. 32316; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of two counts of Endangering the Welfare of an Incompetent Person in the 1st Degree, a class E felony; and two counts of Falsifying Business Records in the 1st Degree, a class E felony.

James Christopher Benware; Licensed Practical Nurse; Malone, NY 12953; Lic. No. 284948; Cal. No. 32317; Application to surrender license granted. Summary: Licensee admitted to the charge of failure to maintain professional boundaries.

Gregory G. Dorge; Licensed Practical Nurse, Registered Professional Nurse; New Hampton, NH 03256; Lic. Nos. 212887, 434433; Cal. Nos. 32342, 32343; Application to surrender licenses granted. Summary: Licensee did not contest the charge of stealing controlled substances in the State of New Hampshire.

John Albert Rajczyk; Registered Professional Nurse; Janesville, WI 53545-4326; Lic. No. 651405; Cal. No. 32363; Application to surrender license granted. Summary: Licensee admitted to the charge of practicing the profession of nursing in the State of Arizona while the ability to practice was impaired by alcohol, drugs, physical disability, or mental disability.

Donna Wallace Adair; Registered Professional Nurse; Lakeland, FL 33813; Lic. No. 421898; Cal. No. 32370; Application to surrender license granted. Summary: Licensee did not contest the charge of using a physician's credentials for unauthorized prescriptions of medications in the State of Florida.

Pharmacy

Rita Patel a/k/a Ritaben Harshadbhai Patel; Pharmacist; Matawan, NJ 07747-6657; Lic. No. 042451; Cal. No. 30095; Found guilty of professional misconduct; Penalty: Revocation.

Veterinary Medicine

Samuel Paul Yancey; Veterinarian; Croghan, NY 13327-2203; Lic. No. 004642; Cal. No. 31913; Found guilty of professional misconduct; Penalty: Revocation.

II. OTHER REGENTS DISCIPLINARY ACTIONS

Architecture

Richard H. Lewis; Architect; New York, NY 10025-4378; Lic. No. 014987; Cal. No. 32237; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$2,500 fine.

Nursing

Jennifer Leigh Smyth a/k/a Jennifer Leigh Pimienta a/k/a Jennifer L. Smyth a/k/a Jennifer Smyth; Licensed Practical Nurse, Registered Professional Nurse; Kiamesha Lake, NY 12751; Lic. Nos. 229461, 456098; Cal. Nos. 29083, 29084; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Troy Soares a/k/a Troy L. Soares; Licensed Practical Nurse; Poughkeepsie, NY 12601-3637 Lic. No. 306115; Cal. No. 29085; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Angela Loraine Stone a/k/a Angela Loraine La Buz; Licensed Practical Nurse, Registered Professional Nurse; Whitesboro, NY 13492; Lic. Nos. 207368, 434097; Cal. Nos. 31790, 31791; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon return to practice, 2 years probation.

Jennifer L. Brandstetter; Registered Professional Nurse; Auburn, NY 13021; Lic. No. 585860; Cal. No. 31894; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon return to practice, 2 years probation, \$500 fine.

Elena Carnegie; Registered Professional Nurse; Centerport, NY 11721; Lic. No. 637424; Cal. No. 31926; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Sosamma K. Mani; Licensed Practical Nurse, Registered Professional Nurse; New Hyde Park, NY 11040; Lic. Nos. 264842, 650879; Cal. Nos. 31963, 31964; Application for consent order granted; Penalty agreed upon: 2 months actual suspension, 22 months stayed suspension, 2 years probation, \$2,000 fine.

Tierra Shylese McMillian; Registered Professional Nurse; Kingston, NY 12401-1240; Lic. No. 644296; Cal. No. 31994; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Grace Elizabeth Schneeman a/k/a Grace E. Schneeman; Licensed Practical Nurse, Registered Professional Nurse; Chester, NY 10918; Lic. Nos. 153659, 563829; Cal. Nos. 32008, 32009; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon return to practice, 2 years probation.

Carol Gaunay; Registered Professional Nurse; Sand Lake, NY 12153; Lic. No. 483109; Cal. No. 32017; Application for consent order granted; Penalty agreed upon: Censure and reprimand, \$250 fine.

Linda L. Bertucci; Registered Professional Nurse; Ravenel, SC 29470-5219; Lic. No. 423212; Cal. No. 32024; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, upon return to practice in New York State, 2 years probation, \$500 fine.

Herman Mack; Licensed Practical Nurse; Glenville, NY 12302-4474; Lic. No. 271893; Cal. No. 32031; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$250 fine.

Brian C. Chiasson; Registered Professional Nurse; Albany, NY 12209; Lic. No. 619779; Cal. No. 32056; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Sonya T. Garner; Licensed Practical Nurse; Buffalo, NY 14215; Lic. No. 305863; Cal. No. 32069; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$250 fine.

Bridget Antoinette Hay a/k/a Bridget A. Hay; Licensed Practical Nurse, Registered Professional Nurse; Flushing, NY 11354; Lic. Nos. 260259, 547557; Cal. Nos. 32082, 32084; Application for consent order granted; Penalty agreed upon: 2 months actual suspension, 22 months stayed suspension, 2 years probation, \$500 fine.

Diane Robin Barbarito; Registered Professional Nurse; Fresh Meadows, NY 11365-1625; Lic. No. 689149; Cal. No. 32121; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Dalton Joseph Rarick; Registered Professional Nurse; Buffalo, NY 14220; Lic. No. 734999; Cal. No. 32130; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Amber Lynn Miller; Registered Professional Nurse; Cortland, NY 13045-2004; Lic. No. 686490; Cal. No. 32141; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Valerie Lyn Bourgeois-Demers; Licensed Practical Nurse; Cropseyville, NY 12052; Lic. No. 316189; Cal. No. 32147; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$250 fine.

Suzanne Patricia Bauer a/k/a Suzanne Patricia Steinbroner; Registered Professional Nurse; Matthews, NC 28104-4120; Lic. No. 578169; Cal. No. 32174; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, upon return to practice in New York State, 2 years probation, \$500 fine.

Toni Graziano; Licensed Practical Nurse; Yaphank, NY 11980; Lic. No. 323758; Cal. No. 32268; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Erik Carlton McKenney; Registered Professional Nurse; Little Falls, NY 13365; Lic. No. 728328; Cal. No. 32418; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Pharmacy

Kin Kei Wong; Pharmacist; Brooklyn, NY 11220; Lic. No. 048478; Cal. No. 31972; Application for consent order granted; Penalty agreed upon: Censure and reprimand, \$5,000 fine.

EHT Pharmacy, LLC Curexa; Pharmacy; Egg Harbor Township, NJ 08234; Reg. No. 030596; Cal. No. 31984; Application for consent order granted; Penalty agreed upon: Censure and reprimand, \$10,000 fine.

Public Accountancy

Terance Marcel Ruso; Certified Public Accountant; Edinburg, NY 12134; Lic. No. 068464; Cal. No. 31885; Application for consent order granted; Penalty agreed upon: 2 years actual suspension, upon return to practice, 2 years probation.

William J. O'Hagan; Certified Public Accountant; Chappaqua, NY 10514-3906; Lic. No. 096789; Cal. No. 32077; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, upon return to practice, 2 years probation, \$5,000 fine.

Social Work

Kristen Noel Conjerti; Licensed Master Social Worker, Licensed Clinical Social Worker; Walworth, NY 14568; Lic. Nos. 077649, 078682; Cal. Nos. 32149, 32109; Application

for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Women's History Month



ATTACHMENT I













ATTACHMENT II

COVID-19 Emergency Regulations Part II Revisions to Diploma Requirements

March 15, 2021



Exemptions from NYS Diploma Requirements

Since the COVID-19 crisis is still affecting the State of New York and students across New York have had varied levels of in-person instruction, the Department proposes to revise the amendments Commissioner's regulations to allow exemptions to the diploma requirements associated with the June 2021 and August 2021 examination administrations. These include exemptions to:

- **Regents Examinations;**
- **Pathway assessments;**
- **Alternative assessments;**
- **Technical assessments;**
- **Work-readiness assessments; and**
- **Locally developed tests.**

CDOS Commencement Credential and CDOS Pathway

The Department proposes to exempt students from any unfinished requirements for the career development and occupational studies commencement credential (CDOS) provided that the student is otherwise eligible to exit from high school and has otherwise demonstrated knowledge and skills relating to the CDOS learning standards.

Regents Exam Exemption Eligibility Requirements

Only students who have met the standards for the course of study, as locally determined, will be eligible for an exemption to the examination requirements.

To qualify for such an exemption to the diploma requirements students must meet one of the following criteria:

- The student is currently enrolled in a course of study culminating in a Regents Examination and by the end of the 2021 school year, or the 2021 summer session, will have earned credit in such course of study;
- The student was previously enrolled in the course leading to an applicable Regents Examination, has achieved course credit, and has not yet passed the associated required Regents examination but was intending to take the test in June 2021 or August 2021 to achieve a passing score; or
- The student is in grade 7 or 8, is enrolled in a course of study leading to a Regents and has met the standards assessed in the provided coursework.

The Department also proposes to extend exemption eligibility for pathway assessments, alternative assessments, technical assessments, and locally developed tests through the 2020-21 school year.

Mastery and Honors Flexibility

In the calculations for the mastery and honors endorsement, student course grades may be substituted for exam scores in cases where Regents Examination exemptions would preclude a student from qualifying for an endorsement to their diploma.

Mastery in Math and/or Science

- **3 Regents Exams with an 85 or better**
- **2 Regents Exams with an 85 or better +1 exemption**
- **1 Regents exam with an 85 or better and a final course average of 85 or better in the two courses for which an exemption was offered**

Honors

- **All Regents exams with a computed average of 90 or above**
- **3 Regents exams with a computed average of 90 or above and exemptions for other applicable Regents Exams**
- **If fewer than 3 Regents exams: a computed final course average of 90 or above in all courses for which an exemption was offered applicable to the diploma type**

Science Laboratory Experience

The Department also proposes to amend the Commissioner's regulations relating to science laboratory experience to:

- Clarify that a student may still be eligible to take a science Regents examination, and therefore be eligible for an exemption if applicable, even if they are unable to meet the 1,200 minute science laboratory experience requirement due to the COVID-19 crisis; and
- Expand the amendment allowing students to continue to meet the laboratory requirements through a combination of hands on and virtual experiences due to the COVID-19 crisis.

Graduation Assessment Exemption Declination

Reminder of previous action still in effect:

- With the cancellation of the January 2021 Regents Examinations, the Department amended regulations to 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 amendment extended 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.

If the USDE Grants the Assessment Waiver,

- ✓ The June 2021 administration of ALL Regents Examinations will be cancelled.
- ✓ The August 2021 administration of ALL Regents Examinations will be cancelled.

If the USDE Assessment Waiver is Denied; or There is No Response From USDE,

- The Department will administer **only** the Regents Examinations required under ESSA during the June 2021 Administration :

✓ ELA

✓ Algebra 1

✓ Earth Science

✓ Living Environment

Students taking the above assessments will still be offered the exemption to the graduation requirement associated with these examinations.

- The August 2021 Regents Exams will be cancelled.

Next Steps

- March 15 The Department will issue a memo explaining the impact of the exemptions to exam-related diploma requirements on this year's test takers.
- March 16 The Department will disseminate to middle and high school principals the annual instructions on ordering the June 2021 Regents Examinations as well as the schedule for the four exams to be administered.
- March 18 If there has been no response from USDE the Department will issue two normal administrative informational memos:
- 1.) 3-8 Assessment Information
 - 2.) NYSESLAT Assessment Information



Questions?