



TO: The Honorable the Members of the Board of Regents
FROM: Tony Lofrumento *Anthony Lofrumento Jr*
SUBJECT: Summary of the May 2020 Meeting
DATE: May 28, 2020
AUTHORIZATION(S): *Sharon L. Taloe*

SUMMARY

Issue for Decision

Should the Board of Regents approve the Summary of the May 2020 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 May 2020 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 May 2020 meetings.

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

Timetable for Implementation

Effective June 8, 2020.



SUMMARY OF THE MAY 2020 MEETING

OF THE BOARD OF REGENTS

OF

THE UNIVERSITY OF THE STATE OF NEW YORK

Held by Video Conference

May 4, 2020

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

THE BOARD OF REGENTS

The Board of Regents of The University of the State of New York held a public session by video conference on Monday, May 4, 2020 at 9:15 a.m. pursuant to a call to duty sent to each Regent.

MEETING OF THE FULL BOARD, Monday, May 4th at 9:15 a.m.

Board Members in Attendance:

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

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

Chancellor Rosa called the meeting to order and reviewed ground rules for the video conference. Regent Mittler then provided the reflection.

ACTION ITEM

Executive Session Motion

MOVED, that the Board of Regents convene in executive session on Monday, May 4th at 11:30 a.m. to discuss personnel matters.

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

ANNOUNCEMENT

Chancellor Rosa highlighted the announcement the previous week of the Board's and Department's Statewide Task Force on Reopening New York's Schools and indicated that more information will follow.

PRESENTATION

COVID-19 Response

Interim Commissioner Shannon Tahoe, Kathleen DeCataldo, Kim Wilkins, Chris Suriano, Jason Harmon, John D'Agati, Bill Murphy, Kevin Smith, Sarah Benson, Mark Schaming and Sharon Cates-Williams provided additional updates on the Department's response to the COVID-19 crisis. (Attachment I.)

ACTION ITEM

Proposed Amendments to Sections 52.21, 60.6, 61.19, 80-1.2, 80-3.7, 100.1, 100.2, 100.4, 100.5, 100.6, 100.7, 100.19 and 151-1.3 and addition of Section 80-5.27 to the Regulations of the Commissioner of Education Relating to Addressing the COVID-19 Crisis BR (A) 9 - REVISED

MOVED, that Sections 52.21, 60.6, 61.19(b), 80-3.7, 80-1.2(b), 151-1.3(b), 100.1, 100.2, 100.4, 100.5, 100.6, 100.7, 100.19 and 151-1.3 be amended and Section 80-5.27 be added, as submitted, as an emergency measure, effective May 5, 2020, upon a finding by the Board of Regents that such action is necessary for the preservation of public health and the general welfare in order to immediately provide flexibility to certain regulatory requirements in response to the COVID-19 crisis (Presentation - Attachment II.)

Motion by: Regent James E. Cottrell
Seconded by: Regent Elizabeth S. Hakanson
Action: Motion carried unanimously.

Proposed Amendments to Sections 52.3, 52.21, 57-4.5, 70.4, 74.6, 75.2, 75.5, 76.2, 79-9.3, 79-10.3, 79-11.3, 79-12.3, 80-1.13, 80-1.5, 80-3.15, 80-4.3, 83.5, 87.2, 87.5, 100.2, 100.4, 100.5, 100.6, 100.10, 100.21, 119.1, 119.5, 125.1, 151-1.4, 154-2.3, 175.5, 200.4, 200.5, 200.7, 200.20 and 275.8 and addition of Section 279.5 to the Regulations of the Commissioner of Education Relating to Addressing the COVID-19 Crisis BR (A) 10

MOVED, that Sections 52.3, 52.21, 57-4.5, 70.4, 74.6, 75.2, 75.5, 76.2, 79-9.3, 79-10.3, 79-11.3, 79-12.3, 80-1.13, 80-1.5, 80-3.15, 80-4.3, 83.5, 87.2, 87.5, 100.2, 100.4, 100.5, 100.6, 100.10, 100.21, 119.1, 119.5, 125.1, 151-1.4, 154-2.3, 175.5, 200.4, 200.5, 200.7, 200.20 be amended and Section 275.8 be added, as submitted, as an emergency

measure, effective May 5, 2020, upon a finding by the Board of Regents that such action is necessary for the preservation of public health and the general welfare in order to immediately provide flexibility to certain regulatory requirements in response to the COVID-19 crisis.

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

PRESENTATION

2020-2021 Enacted Budget Update

Brian Cechnicki, Phyllis Morris, and Jennifer Trowbridge presented highlights of the enacted state budget. (Attachment III.)

ACTION ITEMS

Renewal Recommendations for Charter Schools Authorized by the Board of Regents BR (A) 7 - REVISED

MOVED, that the votes for the Charter Schools in this item be severed and voted on individually.

Motion by: Regent Wade S. Norwood
Seconded by: Regent Roger Tilles
Action: Motion carried unanimously.

MOVED, that the Board of Regents finds that the **Buffalo Academy of Science 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 **Buffalo Academy of Science 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**.

The Members of the Board were polled for their vote:

- Those in favor:** Vice Chancellor Brown, Regents Young, Cea, Norwood, Cottrell, Chin and Chancellor Rosa
- Those against:** Regents Tilles, Cashin, Finn, Ouderkirk, Collins, Hakanson, Reyes, Mittler and Wills
- Action:** Motion did not pass. Regent Mead abstained.

MOVED, that the Board of Regents finds that the **Charter School for Applied Technologies**: (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 **Charter School for Applied Technologies** and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including **June 30, 2025**.

The Members of the Board were polled for their vote:

- Those in favor:** Vice Chancellor Brown, Regents Tilles, Young, Cea, Norwood, Cashin, Cottrell, Finn, Chin, Mead, Reyes, Wills and Chancellor Rosa
- Those against:** Regents Ouderkirk, Collins, Hakanson, and Mittler.
- Action:** Motion carried.

MOVED, that the Board of Regents finds that the **Genesee Community 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 **Genesee Community 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**.

The Members of the Board were polled for their vote:

- Those in favor:** Vice Chancellor Brown, Regents Tilles, Young, Cea, Norwood, Cashin, Cottrell, Finn, Chin, Mead, Wills and Chancellor Rosa
- Those against:** Regents Ouderkirk, Collins, Hakanson, Reyes and Mittler.
- Action:** Motion carried.

MOVED, that the Board of Regents finds that the **Health Sciences 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 **Health Sciences 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**.

The Members of the Board were polled for their vote:

Those in favor: Vice Chancellor Brown, Regents Tilles, Young, Cea, Norwood, Cottrell, Finn, Chin, Mead, Wills and Chancellor Rosa
Those against: Regents Cashin, Ouderkirk, Collins, Hakanson, Reyes and Mittler.
Action: Motion carried.

MOVED, that the Board of Regents finds that the **South Bronx Classical Charter School III**: (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 **South Bronx Classical Charter School III** and that a renewal charter be issued, and that its provisional charter be extended for a term up through and including **June 30, 2025**.

The Members of the Board were polled for their vote:

Those in favor: Vice Chancellor Brown, Regents Tilles, Young, Cea, Norwood, Cottrell, Finn, Chin, Mead, Reyes, Wills and Chancellor Rosa
Those against: Regents Cashin, Ouderkirk, Collins, Hakanson and Mittler.
Action: Motion carried.

MOVED, 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, 2021**.

The Members of the Board were polled for their vote:

Those in favor: Vice Chancellor Brown, Regents Tilles, Young, Cea, Norwood, Cottrell, Finn, Chin, Mead, Wills and Chancellor Rosa

Those against: Regents Cashin, Ouderkirk, Collins, Hakanson, Reyes and Mittler.

Action: Motion carried.

Revisions to Charters Authorized by the Board of Regents BR (A) 5

MOVED, 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.

MOVED, 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 **Edmund W. Gordon Brooklyn Laboratory Charter School** and amends the provisional charter accordingly.

Motion by: Regent James E. Cottrell

Seconded by: Regent Wade S. Norwood

Action: Motion carried unanimously.

**Charter Schools: Merger Revisions to Charters Authorized by the New York City
Department of Education Chancellor
BR (A) 6**

AECI Charter Schools Network

It is recommended that the Board of Regents take the following action:

MOVED, 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 the **New York City Charter High School for Architecture, Engineering & Construction Industries** and amends the provisional charter accordingly.

MOVED, that pursuant to the authority contained in Education Law §§223 and 2853(1)(b-1):

1. New York City Charter High School for Architecture, Engineering & Construction Industries be and hereby is merged with AECI II: NYC Charter High School for Computer Engineering and Innovation, with AECI II: NYC Charter High School for Computer Engineering and Innovation as the surviving education corporation under the amended name AECI Charter Schools Network.

2. AECI II: NYC Charter High School for Computer Engineering and Innovation, the surviving corporation, shall continue to administer the educational operations and purposes of the constituent corporations in the same manner as they presently exist.

3. The separate existence of New York City Charter High School for Architecture, Engineering & Construction Industries and AECI II: NYC Charter High School for Computer Engineering and Innovation hereby ceases, and AECI II: NYC Charter High School for Computer Engineering and Innovation, the surviving corporation under the amended name AECI Charter Schools Network, is hereby vested with all the rights, privileges, immunities, powers and authority possessed by or granted by law to each of the constituent corporations. All assets and liabilities of the respective constituent corporations are hereby assets and liabilities of such surviving corporation. All property, real, personal, and mixed and all debts to each of the corporations on whatever account are hereby attached to AECI II: NYC Charter High School for Computer Engineering and Innovation, the surviving corporation under the amended name AECI Charter Schools

Network, and may be enforced against it to the same extent as if the debts, liabilities and duties had been incurred or contracted by it.

4. The merged corporation shall operate under the provisional charter granted to AECI II: NYC Charter High School for Computer Engineering and Innovation under the amended name AECI Charter Schools Network, which is hereby amended to authorize the operation of two public charter schools as follows:

- i. New York City Charter High School for Architecture, Engineering & Construction Industries; and
- ii. AECI II: NYC Charter High School for Computer Engineering and Innovation

5. The merger and revision herein shall take effect on July 1, 2020; and it is further

MOVED, that the Board of Regents finds that: (1) **AECI Charter Schools Network** meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) **AECI Charter Schools Network** 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 schools operated by **AECI Charter Schools Network**, and the Board of Regents therefore approves the charter revision and amends the provisional charter accordingly.

Hellenic Classical Charter Schools

MOVED, that pursuant to the authority contained in Education Law §§223 and 2853(1)(b-1):

1. Hellenic Classical Charter School be and hereby is merged with Hellenic Classical Charter School - Staten Island, with Hellenic Classical Charter School - Staten Island as the surviving education corporation under the amended name Hellenic Classical Charter Schools.

2. Hellenic Classical Charter School - Staten Island, the surviving corporation, shall continue to administer the educational operations and purposes of the constituent corporations in the same manner as they presently exist.

3. The separate existence of Hellenic Classical Charter School and Hellenic Classical Charter School - Staten Island hereby ceases, and Hellenic Classical Charter School - Staten Island, the surviving corporation under the amended name Hellenic Classical Charter Schools, is hereby vested with all the rights, privileges, immunities, powers and authority possessed by or granted by law to each of the constituent corporations. All assets and liabilities of the respective constituent corporations are hereby assets and liabilities of such surviving corporation. All property, real, personal,

and mixed and all debts to each of the corporations on whatever account are hereby attached to Hellenic Classical Charter School - Staten Island, the surviving corporation under the amended name Hellenic Classical Charter Schools, and may be enforced against it to the same extent as if the debts, liabilities and duties had been incurred or contracted by it.

4. The merged corporation shall operate under the provisional charter granted to Hellenic Classical Charter School - Staten Island under the amended name Hellenic Classical Charter Schools, which is hereby amended to authorize the operation of two public charter schools as follows:

- iii. Hellenic Classical Charter School; and
- iv. Hellenic Classical Charter School - Staten Island

5. The merger herein shall take effect on July 1, 2020; and it is further

MOVED, that the Board of Regents finds that: (1) **Hellenic Classical Charter Schools** meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) **Hellenic Classical Charter Schools** 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 schools operated by Hellenic Classical Charter Schools, and the Board of Regents therefore approves the charter revision and amends the provisional charter accordingly.

Motion by: Vice Chancellor Brown
Seconded by: Regent Christine D. Cea
Action: Motion carried. Regent Collins abstained.

Appointments to Regents Advisory Council on Museums BR (A) 4

MOVED, that the Board approve the Interim Commissioner's appointments. The Interim Commissioner recommends the following appointments:

- Jonathan Binstock, Director of the Memorial Art Gallery, to be appointed to a five-year term through May 31, 2025.
- Elizabeth Jacks, Executive Director of the Thomas Cole National Historic Site, to be appointed to a five-year term through May 31, 2025.
- Tracy Fitzpatrick, Director of the Neuberger Museum of Art at SUNY Purchase, to be appointed to a five-year term through May 31, 2025.

Motion by: Regent Roger Tilles
Seconded by: Regent James E. Cottrell
Action: Motion carried unanimously.

**Charter Applications
BR (A) 1**

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

**Summary of the April 2020 Meeting of the Board of Regents
BR (A) 2**

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

**2021 Board of Regents Meeting Dates
BR (A) 8**

MOVED, that the list of Regents meeting dates for the period January – December 2021 is approved.

Motion by: Regent Frances G. Wills
Seconded by: Regent Roger Tilles
Action: Motion carried unanimously.

PROGRAM AREA CONSENT ITEMS

P-12 Education

**Proposed Addition of Part 122 to the Regulations of the Commissioner of Education Relating to Military Ballots for School District and School District Public Library Elections, Budget, and Referenda
BR (CA) 1**

MOVED, that Part 122 of the Regulations of the Commissioner of Education be added, as submitted, effective June 1, 2020, 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 immediately conform the Regulations of the Commissioner of Education to the requirements of Chapter 489 of the Laws of 2019, which requires military ballots for school district and school district public library elections, budget, and referenda and to ensure that the emergency action taken at the March meeting remains in effect until the proposed rule can be permanently adopted.

**Proposed Addition of Section 170.14 of the Regulations of the Commissioner of Education Relating to Financial Transparency Reporting Requirements
BR (CA) 2**

MOVED, that section 170.14 of the Regulations of the Commissioner of Education be amended, as submitted, effective May 20, 2020.

Higher Education

**Amendment to Subparts 30-2 and 30-3 of the Rules of the Board of Regents Relating to Annual Professional Performance Reviews (APPR) of Classroom Teachers and Building Principals to Implement Chapter 59 of the Laws of 2019
BR (CA) 3**

MOVED, that the existing Subpart 30-2 is repealed, that the existing Subpart 30-3 be renumbered to Subpart 30-2, that the title of the new Subpart 30-2 and Section 30-2.1 are amended, and addition of a new Subpart 30-3 of the Rules of the Board of Regents be added, as submitted, effective May 20, 2020.

**Hilbert College: Master Plan Amendment to Offer a Bachelor of Arts (B.A.) Degree Program in the Biological Sciences Discipline
BR (CA) 4**

MOVED, that the Board of Regents approve a master plan amendment to authorize Hilbert College to offer its first bachelor's-level program in the Biological Sciences discipline area, a Bachelor of Arts in Biology. The amendment will be effective until May 5, 2021, unless the Department registers the program prior to that date, in which case the master plan amendment shall be without term.

**Permission to Operate: Baylor University
BR (CA) 5**

MOVED, that the Board of Regents grant Baylor University permission to offer a program in New York City, known as Baylor in New York, in which Baylor students may take courses applicable to their undergraduate degree programs. This permission will be effective May 5, 2020 and end on May 30, 2025.

**Permission to Operate: Berklee College of Music
BR (CA) 6**

MOVED, that the Board of Regents grant Berklee College of Music permission to operate a Master of Arts in Creative Media and Technology and a semester away program for its undergraduate Music Production and Engineering students at its BerkleeNYC location. This permission will be effective May 5, 2020 and end on May 30, 2025.

**Permission to Operate: Drew University
BR (CA) 7**

MOVED, that the Board of Regents grant Drew University permission to offer a program in New York City, known as nycTREC, in which Drew students may take courses applicable to their undergraduate degree programs. This permission will be effective May 7, 2020 and end on May 30, 2025.

**Permission to Operate: Kent State University
BR (CA) 8**

MOVED, that the Board of Regents grant Kent State University permission to offer a study away program in New York City, in which students take courses related to fashion design and merchandising at the institution's NYC Studio location. This permission will be effective May 5, 2020 and end on May 30, 2025.

**Proposed Amendment to Section 80-1.6 of the Regulations of the Commissioner
of Education to Allow a Time Extension for the Initial Reissuance and
Provisional Renewal
BR (CA) 9**

MOVED, that the Board of Regents adopt the proposed amendment to Section 80-1.6 of the Regulations of the Commissioner of Education, effective May 20, 2020.

Professional Practice

**(Re)Appointments of Members to the State Boards for the Professions and
(Re)Appointments of Extended Members to the State Boards for the Professions
for Service on Licensure Disciplinary and/or Licensure Restoration and Moral
Character Panels
BR (CA) 10**

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

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

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

**Proposed Amendment to Section 61.18 of the Regulations of the Commissioner
of Education Relating to the Residency Program Requirement for
Dental Licensure
BR (CA) 12**

MOVED, that subdivision (b) of section 61.18 of the Regulations of the Commissioner of Education be amended, as submitted, effective May 20, 2020.

**State University of New York Polytechnic Institute – Master Plan Amendment for the Doctor of Nursing Practice (D.N.P.) Program in Psychiatric-Mental Health
BR (CA) 13**

MOVED, that the Board of Regents approve an amendment to the master plan of State University of New York Polytechnic Institute to authorize the college to offer the D.N.P. program in Psychiatric-Mental Health. If the Board of Regents approves the master plan amendment, the Department will transmit it to the Governor with a recommendation for favorable action. Following gubernatorial approval, the program will be registered.

MOVED, that the Regents approve the consent agenda items.

Motion by: Regent James E. Cottrell
Seconded by: Regent Elizabeth S. Hakanson
Action: Motion passed unanimously.

STANDING COMMITTEE REPORT

PROFESSIONAL PRACTICE

Your Professional Practice Committee held its scheduled meeting on May 4, 2020. All members participated in the meeting by video conference call except Regent Josephine Victoria Finn. Chancellor Betty A. Rosa and Regent Frances G. Wills also participated but did not vote on any case or action.

ACTION ITEMS

Professional Discipline Cases

Your Committee recommends that the reports of the Regents Review Committees, including rulings, findings of fact, determinations as to guilt, and recommendations, by unanimous or majority vote, contained in those reports which have been distributed to you, be accepted in 4 cases. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 42 consent order applications and 8 surrender applications be granted.

These recommendations are made following the review of 54 cases involving fourteen licensed practical nurses, fourteen registered professional nurses, five licensed practical nurses who are also registered professional nurses, two licensed clinical social workers, one certified public accountant, one chiropractor, one dentist, one dentist who is also a holder of a certificate to administer dental general anesthesia, one licensed mental health counselor,

one massage therapist, one midwife, one pharmacist, one pharmacy, one physical therapist, one psychologist, one veterinarian, and one veterinary technician.

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 May 4, 2020, copies of which have been distributed to each Regent.

MOVED, that the Committee Report be approved.

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

TRANSITIONS

Regent James E. Cottrell provided remarks on the career and retirement of Kathleen M. Doyle, PhD, Executive Secretary for the Office of Professions State Boards for Applied Behavior Analysis, Clinical Laboratory Technology, Massage Therapy and Psychology and presented a Resolution in recognition of her service and dedication (Attachment IV.) Chancellor Rosa and Interim Commissioner Tahoe commended Kathleen and her work as well.

Chancellor Rosa adjourned the meeting.

Appendix I
NEW YORK STATE BOARD OF REGENTS CHARTER ACTIONS

Name of Institution	Program Area	County (City/Town) of Location	Description of Charter Action(s)
Columbia County Historical Society	CE	Columbia (Kinderhook)	Grant an absolute charter in the first instance and merge with “Columbia County Historical Society, Inc.”, a NFP corporation, with Columbia County Historical Society, the education corporation, as the survivor.
Rockwell Falls Public Library	CE	Warren (Lake Luzerne)	Grant a provisional charter for five years.
The Springs Historical Society	CE	Suffolk (East Hampton)	Extend provisional charter for five years.
The Canandaigua Montessori School	P12	Ontario (Canandaigua)	Amend charter to change the corporate address.
The Children’s Academy	P12	New York (New York)	Amend charter to expand the corporate purposes, change corporate address and extend charter for three years.
John F. Kennedy Catholic High School	P12	Westchester (Somers)	Amend charter to change the corporate name to “John F. Kennedy Catholic Preparatory School”.

Appendix II

REGENTS ACTIONS IN 54 PROFESSIONAL DISCIPLINE CASES

May 4, 2020

The Board of Regents announced disciplinary actions resulting in the revocation of 2 licenses and 1 certificate, surrender of 8 licenses, and 43 other disciplinary actions. The penalty indicated for each case relates solely to the misconduct set forth in that particular case.

I. REVOCATIONS AND SURRENDERS

Dentistry

Randolf A. Holly; Dentist, Dental General Anesthesia; Endicott, NY 13760; Lic. No. 036990, Cert. No. 000066; Cal. Nos. 27217, 27216; Found guilty of professional misconduct; Penalty: Dentist: 2 years stayed suspension, 2 years probation, \$500 fine; Dental General Anesthesia: Revocation.

Nursing

Christopher Wayne Handy; Licensed Practical Nurse, Registered Professional Nurse; Penn Yan, NY 14527; Lic. Nos. 241136, 480865; Cal. Nos. 30764, 30763; Application to surrender licenses granted. Summary: Licensee did not contest charges of taking medication for his own personal use; removing medication without an order and a nurse present, administering medication without reassessment and failing to administer medication to a patient; and violating terms of a Commissioner's Order.

Suzanne Bryan Newton a/k/a Suzanne Bryan a/k/a Suzanne B. Hagar; Registered Professional Nurse; Scooba, MS 39358; Lic. No. 517250; Cal. No. 31302; Application to surrender license granted. Summary: Licensee admitted to the charge of failing to document the administration of medications in patient records in the State of Tennessee.

Cynthia Lane Kinsey; Registered Professional Nurse; Gautier, MS 39553; Lic. No. 526663; Cal. No. 31706; Application to surrender license granted. Summary: Licensee did not contest the charge of in December 2012, diverting the controlled substance Dilaudid from her place of employment for her own personal use, in the State of Mississippi.

Lillian Sheppard; Registered Professional Nurse; Staten Island, NY 10307; Lic. No. 255582; Cal. No. 31864; Application to surrender license granted. Summary: Licensee did not contest the charge of failing to provide complete documentation, on multiple occasions, of the administration of controlled drugs to patients.

Christine V. Bignell; Registered Professional Nurse; Grafton, NH 03240; Lic. No. 371003; Cal. No. 31920; Application to surrender license granted. Summary: Licensee did not contest the charge of, performing wound care on a patient without first consulting a physician, in the State of New Hampshire.

Ameanthea Blanco a/k/a Ameanthea Blanco-Knezovich; Registered Professional Nurse; Virginia Beach, VA 23462-3532; Lic. No. 656939; Cal. No. 31943; Application to surrender license granted. Summary: Licensee did not contest the charge of entering into a personal and sexual relationship with two patients in the State of Virginia.

Rodney Monteiro; Licensed Practical Nurse; Riverhead, NY 11901; Lic. No. 225294; Cal. No. 31958; Application to surrender license granted. Summary: Licensee admitted to the charge of testing positive for marijuana while on duty.

Pharmacy

Bharatkumar Kantilal Patel a/k/a Bharat Patel; Pharmacist; Plainsboro, NJ 08536-3638; Lic. No. 041852; Cal. No. 29401; Found guilty of professional misconduct; Penalty: Revocation.

Physical Therapy

Aleksandr Kharkover; Physical Therapist; Brooklyn, NY 11223; Lic. No. 022064; Cal. No. 30087; Found guilty of professional misconduct; Penalty: Revocation.

II. OTHER REGENTS DISCIPLINARY ACTIONS

Chiropractic

Craig A. Nelson; Chiropractor; Clifton Park, NY 12065; Lic. No. 010445; Cal. No. 31648; Application for consent order granted; Penalty agreed upon: 3 months actual suspension, 21 months stayed suspension, upon return to practice, 2 years probation, \$1,000 fine.

Dentistry

Eliasz Kaufman; Dentist; New York, NY 10017; Lic. No. 049860; Cal. No. 31472; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$5,000 fine.

Massage Therapy

Carla Elizabeth Collucci; Massage Therapist; Little Falls, NY 13365; Lic. No. 026111; Cal. No. 31687; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$2,500 fine.

Mental Health Practitioners

June M. Conboy; Licensed Mental Health Counselor; Dix Hills, NY 11746-8138; Lic. No. 003025; Cal. No. 31607; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, 2 years probation.

Midwifery

Jennifer K. Houston; Mifwife; Catskill, NY 12414; Lic. No. 000440; Cal. No. 31680; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$750 fine.

Nursing

Nikki Lyn Roe a/k/a Nikki Roe a/k/a Nikki Lyn Olszewski; Licensed Practical Nurse; Lockport, NY 14094; Lic. No. 284745; Cal. No. 30393; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, upon return to practice, 2 years probation, \$250 fine.

Marie Claudie Collin; Licensed Practical Nurse, Registered Professional Nurse; Brooklyn, NY 11236; Lic. Nos. 207384, 472200; Cal. Nos. 30474, 30314; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, upon return to practice, 2 years probation .

Renee M. Falzolare; Licensed Practical Nurse; Rochester, NY 14626; Lic. No. 270575; Cal. No. 30560; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, upon return to practice, 2 years probation , \$500 fine.

Cara Elise Lefever; Licensed Practical Nurse, Registered Professional Nurse; Franklin, NY 13775-3221; Lic. Nos. 311082, 699205; Cal. Nos. 30615, 30616; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Patricia Susan McArthur; Registered Professional Nurse; Niagara Falls, NY 14304; Lic. No. 704620; Cal. No. 30740; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon return to practice, 2 years probation , \$500 fine.

Kristin L. James; Licensed Practical Nurse; Lakewood, NY 14750; Lic. No. 315704; Cal. No. 31294; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon return to practice, 2 years probation, \$250 fine.

Sara A. Reszetucha; Registered Professional Nurse; Buffalo, NY 14207; Lic. No. 616207; Cal. No. 31299; Application for consent order granted; Penalty agreed upon: Indefinite

actual suspension until fit to practice, upon return to practice, 2 years probation, \$500 fine.

Cynthia Roslyn Hytmiah; Licensed Practical Nurse, Registered Professional Nurse; Brooklyn, NY 11203; Lic. Nos. 254273, 531915; Cal. Nos. 31322, 31323; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, 2 years probation.

Samantha Lynne Perez a/k/a Samantha Lynne Thompson; Registered Professional Nurse; Richburg, NY 14774; Lic. No. 647466; Cal. No. 31402; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Jennie E. Damon; Licensed Practical Nurse; Cortland, NY 13045; Lic. No. 283612; Cal. No. 31462; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, upon return to practice, 2 years probation.

Kelly Lee Evoy; Licensed Practical Nurse; Derby, NY 14047; Lic. No. 267729; Cal. No. 31518; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon return to practice, 2 years probation, \$250 fine.

Severine Marie Whittier; Registered Professional Nurse; Whitney, TX 76692; Lic. No. 729819; Cal. No. 31522; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon return to practice in the State of New York, 2 years probation , \$500 fine.

Susan Diane Poppenger; Licensed Practical Nurse; Skaneateles, NY 13152; Lic. No. 138061; Cal. No. 31526; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$250 fine.

Jessica Leigh Proia; Licensed Practical Nurse; Spencerport, NY 14559; Lic. No. 301098; Cal. No. 31590; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, uponreturn to practice, 2 years probation, \$500 fine.

Traci Jo Elizabeth Harris; Licensed Practical Nurse; Heuvelton, NY 13654-3100; Lic. No. 314939; Cal. No. 31596; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Kristin M. Clark a/k/a Kristin Piper; Licensed Practical Nurse; Webster, NY 14580; Lic. No. 284465; Cal. No. 31623; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, uponreturn to practice, 2 years probation \$500 fine.

Mara Sanchez; Licensed Practical Nurse; Fresh Meadows, NY 11365; Lic. No. 301217; Cal. No. 31661; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Rafael Hung; Registered Professional Nurse; Oakland Gardens, NY 11364; Lic. No. 606979; Cal. No. 31678; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, upon return to practice, 2 years probation.

Pamela Marie Courtney; Registered Professional Nurse; Keeseville, NY 12944-3701; Lic. No. 524943; Cal. No. 31702; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$1,000 fine.

Joseph Meus; Registered Professional Nurse; Hudson, NY 12534; Lic. No. 520949; Cal. No. 31719; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 months stayed suspension, upon return to practice, 2 years probation, \$500 fine.

Lisa M. Lyng; Registered Professional Nurse; Albany, NY 12203; Lic. No. 715496; Cal. No. 31731; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Katherine Marie Miles a/k/a Katherine M. Shannon; Licensed Practical Nurse; Caledonia, NY 14423; Lic. No. 264184; Cal. No. 31743; Application for consent order granted; Penalty agreed upon: 2 months actual suspension, 22 months stayed suspension, upon return to practice, 2 years probation, \$500 fine.

Kermit R. Wallace; Licensed Practical Nurse; Rochester, NY 14607; Lic. No. 278832; Cal. No. 31749; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon return to practice, 1 year probation.

Marianela Crann; Licensed Practical Nurse; Rochester, NY 14621; Lic. No. 258317; Cal. No. 31767; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension of at least 1 month and until fit to practice, upon return to practice, 2 years probation, \$500 fine.

Lorraine Marie Bagnoli; Registered Professional Nurse; Old Tappan, NJ 07675; Lic. No. 264413; Cal. No. 31805; Application for consent order granted; Penalty agreed upon: 2 months actual suspension, 22 months stayed suspension, upon return to practice in the State of New York, 2 years probation, \$750 fine.

Meredith A. Brayton; Licensed Practical Nurse, Registered Professional Nurse; Neptune, NJ 07753; Lic. Nos. 121824, 296313; Cal. Nos. 31949, 31950; Application for consent order granted; Penalty agreed upon: 6 months actual suspension, 18 months stayed suspension, upon return to practice in the State of New York, 2 years probation.

Pharmacy

Albany Welding Supply Co., Inc. d/b/a Noble Gas Solutions, Inc.; Pharmacy; Albany, NY 12204; Reg. No. 021534; Cal. No. 31638; Application for consent order granted; Penalty agreed upon: Censure and Reprimand, \$3,000 fine.

Psychology

Nechama L. Sorscher; Psychologist; New York, NY 10025; Lic. No. 011844; Cal. No. 31744; Application for consent order granted; Penalty agreed upon: Censure and Reprimand, \$5,000 fine.

Public Accountancy

Salvatore Anthony Graziano; Certified Public Accountant; East Greenbush, NY 12061; Lic. No. 087050; Cal. No. 31768; Application for consent order granted; Penalty agreed upon: 1 year actual suspension, upon return to practice, 2 years probation, \$500 fine.

Social Work

Donald White; Licensed Clinical Social Worker; East Patchogue, NY 11772; Lic. No. 033970; Cal. No. 31636; Application for consent order granted; Penalty agreed upon: 2 years probation, \$500 fine.

Richard J. Smith; Licensed Clinical Social Worker; Gardiner, NY 12525; Lic. No. 033880; Cal. No. 31769; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

Veterinary Medicine

Karen Anne Wiley; Veterinary Technician; Syracuse, NY 13215; Lic. No. 004727; Cal. No. 31708; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Julie M. Cornell; Veterinarian; Bennington, VT 05201-8892; Lic. No. 011240; Cal. No. 31736; Application for consent order granted; Penalty agreed upon: 2 years stayed suspension, 2 years probation, \$500 fine.

ATTACHMENT I



COVID-19 RESPONSE

Presentation to the Board of Regents

May 4, 2020



New York State
EDUCATION DEPARTMENT
Knowledge > Skill > Opportunity

STATE OF EMERGENCY IN NEW YORK

No. 202.18: Continuing Temporary Suspension and...

- Executive Order 202.14, which extended the directive contained in Executive Order 202.4 as amended by Executive Order 202.11 related to the closure of schools statewide is hereby continued to provide that all schools shall remain closed through May 15, 2020, at which time the continued closure shall be re-evaluated. No school shall be subject to a diminution in school aid due to failure to meet the 180 day in session requirement as a result of the COVID-19 outbreak, provided their closure does not extend beyond the term set forth herein. School districts must continue plans for alternative instructional options, distribution and availability of meals, and child care, with an emphasis on serving children of essential workers, and continue to first use any vacation or snow days remaining.

- Governor Cuomo directed every school in New York State to close for the remainder of the school year
- All non-essential State employees not to report to work and to work from home as much as practicable

STATE OF EMERGENCY IN NEW YORK

Coronavirus (COVID-19)

The Board of Regents and the New York State Education Department (NYSED) are providing information and guidance for P-12 schools, colleges and universities, licensed professionals, adult education programs, and NYSED employees in response to the Novel Coronavirus (COVID-19).

P-12 School Guidance



P-12 school guidance and resources are available from several sources, including NYSED, the U.S. Department of Education, the NYS Department of Health, the CDC, and the NYS Center for School Health.

Continuity of Learning



NYSED launched a website featuring continuity of learning resources (technology- or non-technology-based) to provide districts and teachers with increased options to keep students engaged in learning.

NYS Education Department @NYSEDNews · Apr 16

We'd like to thank the @MontefioreNYC pharmacy team for their dedicated service during this difficult time. From the Senior Director of Pharmacy, to the pharmacy managers and pharmacists, to the buyers, to the pharmacy specialists, you are truly #HeroesOfCovid19.



NYS Education Department @NYSEDNews · Mar 27

NYSED has launched a new website to help ensure continuity of learning for students during school closure. The website provides examples of technology- and non-technology-based resources for districts and schools. bit.ly/2WwQQQE #NYLearnsRemotely



NYS Education Department @NYSEDNews · Apr 20

Stay home to stop the spread and protect those who are vulnerable to COVID-19. Who are you staying home for? #WhatImStayingHomeFor



The Board of Regents and NYSED have responded swiftly to the rapidly evolving COVID-19 situation:

- Opened lines of communication
- Developed many comprehensive guidance documents
- Developed systems to accept and review continuity of learning, child nutrition and child care plans
- While working remotely, NYSED staff are working tirelessly to maintain crucial services

COVID-19 RESPONSE: STUDENT SUPPORT SERVICES

- Child Nutrition Program
 - Federal waiver application to permit reimbursement at a higher rate
 - Emergency Meals-To-You Program for Rural Schools
 - P-ebt Collaboration with OTDA
 - Created new waiver application and claims process for closure meal programs

- Supporting Students and Families Disconnected from Schools Guidance



COVID-19 RESPONSE: CONTINUITY OF LEARNING

- Revised the Continuity of Learning Plan guidance
 - Required updated plans by May 4
- Updated NYSED Continuity of Learning Resource Website:
 - Educator Resources
 - District Planning
 - Staying Connected



COVID-19 RESPONSE: STATE ASSESSMENTS

- Suspended all State assessments, including Regents Exams
 - Cancelled June & August Regents and pathway examinations
 - Waived certain assessment requirements for graduation
 - USDE waiver received for 2020-21 assessments, accountability and reporting
- Multiple Webinars on Diploma Requirements and Assessment Exemptions



COVID-19 RESPONSE: OFFICE OF BILINGUAL EDUCATION AND WORLD LANGUAGES

- Developing guidance on services to English Language Learners (ELLs) and world languages students
- Delivered 18 webinars for 1,250 world language teachers
- Created individual workgroups to support ELLs in collaboration with the RBERNs and the ELL Leadership Council
- Delivered professional development online through alignment of RBERNs

COVID-19 RESPONSE: OFFICE OF SPECIAL EDUCATION (OSE)

Resources

OSE Continues to Develop and Identify Online Materials to Support Schools and Families



Continuity of Learning for Students with Disabilities



Schooling and Supporting their Children at Home



Updated Question & Answer Guidance to the Field



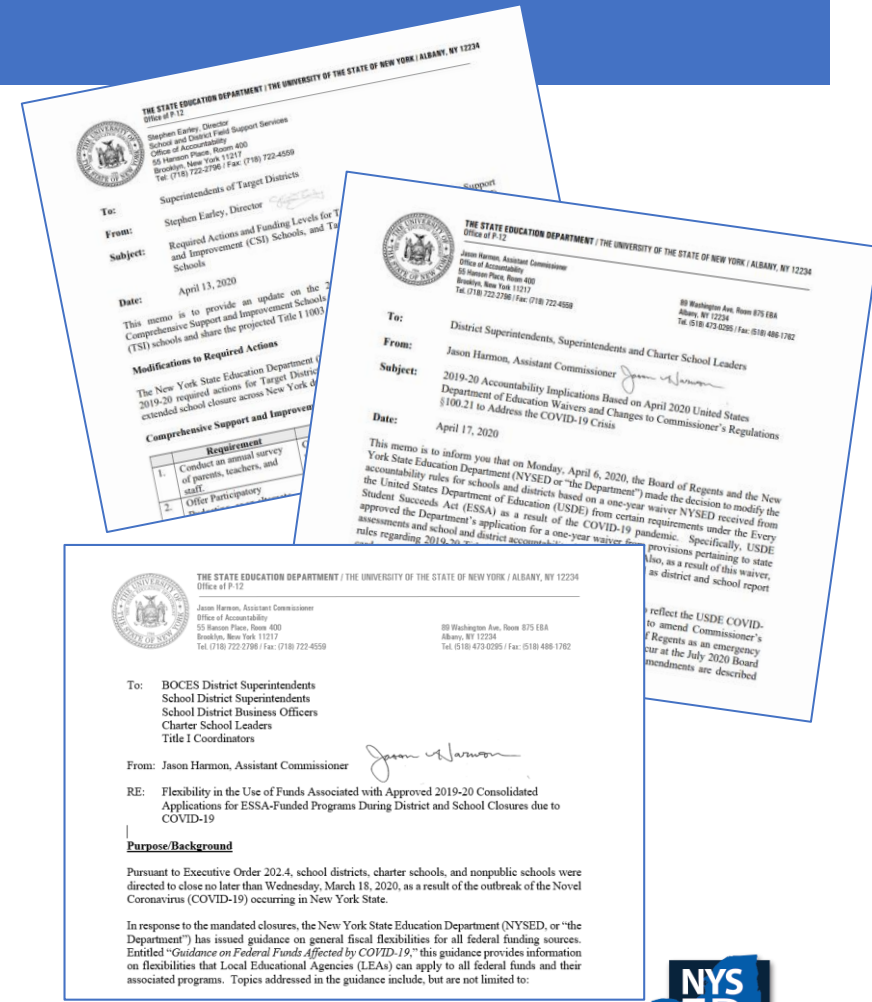
Virtual Learning Resources and Virtual Impartial Hearing Officer Training

Stakeholder Engagement

- Special Education Directors Meetings in each of the 37 BOCES Regions
- Special Education Leadership Discussions with the Big 4 City School Districts and the NYCDOE
- Conference Calls with Stakeholder Organizations
- OSE Regional Offices and Educational Partnership Centers Responding to Parents and Families

COVID-19 RESPONSE: OFFICE OF ACCOUNTABILITY

- Secured USDE waiver several fiscal provisions of ESSA and GEPA
- Distributed multiple guidance memos
- Created optional cohort meetings for schools participating in the Enhancing Principal Leadership and Instructional Coaching Consortium
- Created an online application to administer more than \$1.2 billion in CARES Act funds available to districts



COVID-19 RESPONSE: HIGHER EDUCATION

COVID-19 Guidance for Educator Preparation Programs



Updated guidance related to flexibilities and solutions for Colleges and Universities

- Extended flexibility for online delivery of courses through Summer 2020
- Working with public and private sectors on solutions for Fall 2020
- Provided flexibility in meeting SOCE requirements
- Updated Guidance for Educator Preparation Programs and Teacher Certifications
- Flexibilities and extensions for grant & opportunity programs (MBK, PTECH, HEOP, etc.)
- Continuity of Engagement (MBK Village Meeting, Grant and Opportunity programs)
- Federal CARES ACT provides for funding for Colleges and students

COVID-19 RESPONSE: ADULT CAREER AND CONTINUING EDUCATION SERVICES



- Submitted a waiver request for provisions of the Workforce Innovation and Opportunity Act
- Updated guidance and frequently asked questions for vocational rehabilitation providers
- Two webinars for 850 case managers and program directors
- Continued modernization of processes
- Reviewed and approved 121 licensed career schools to temporarily offer online instruction

COVID-19 RESPONSE: OFFICE OF THE PROFESSIONS

- Daily updates to OP's COVID-19 website to provide:
 - Guidance on Executive Orders issued by the Governor
 - 60+ COVID-19 FAQs for applicants & licensees
 - Expanded tele-practice guidance to better implement social distancing in professional services
- Guidelines established to grant Licensure Qualifying Programs needed flexibility

 **NYS Education Department** @NYSEDNews · Apr 16
We'd like to thank the @MontefioreNYC pharmacy team for their dedicated service during this difficult time. From the Senior Director of Pharmacy, to the pharmacy managers and pharmacists, to the buyers, to the pharmacy specialists, you are truly #HeroesOfCovid19.



COVID-19 RESPONSE: OFFICE OF CULTURAL EDUCATION

- Established a COVID-19 Documentation Task Force to document the effects of the pandemic
- Offering access to virtual collections and online educational resources
- New York State Summer School of the Arts will offer virtual classes and online workshops



A graphic for a Facebook Live event. The top half has a green background. On the left is a smartphone displaying a Facebook Live video of a museum building. To the right of the phone is the Facebook LIVE logo, followed by the text "Field Trips to the NYS Museum" in a stylized font. The bottom half of the graphic has a dark blue background with white text: "Tuesdays, Wednesdays, & Thursdays 1:00 p.m. (EDT)". Below this text are icons for various social media reactions (smiley face, thumbs up, sad face, heart, etc.) and the URL "www.facebook/nysmuseum".

COVID-19 RESPONSE: PERFORMANCE IMPROVEMENT AND MANAGEMENT SERVICES

- Focus on Reopening SED Facilities including:
 - Guidance for staff returning to work
 - Disinfection protocol for facilities
 - Personal protective equipment (PPE)
 - Social distancing best practices
 - Changes to business practices
- Non-essential staff volunteering in support of statewide coronavirus response operations



COVID-19 RESPONSE: SSBA & NONPUBLIC SCHOOLS

- Approved \$69 million in Smart Schools Bond Act applications
- Supported internet access for the Indigenous Nations
- NYSED worked with its three Regional Nonpublic Professional Resource Centers to provide professional learning for more than 1,000 nonpublic school teachers
- Issued information on extended deadline for parents to make transportation requests for 2020-21 until May 9



COVID-19 RESPONSE: EXECUTIVE, PIMS, CFO & COUNSEL'S OFFICE

Communications

- Continuously disseminates information via dedicated website for external and internal audiences, listservs, news releases, social media, guidance memos, News & Notes and parent newsletter
- Launched social media campaigns
 - #NYLearnsRemotely
 - #WhatImStayingHomeFor
 - #HeroesOfCovid19
 - #EducatorsAreHeroes

Finance

- CARES Act (\$30.7B): application for \$1B ESSERF allocation submitted April 30
- Applying for two grant opportunities funded by the CARES Act to develop innovative K-12 and workforce preparation models
- Requested additional waivers for vocational rehabilitation and ESSA for potential inclusion in the U.S. Secretary of Education's report to Congress
- Advocating for additional funding for education and all NYSED program areas

Counsel's Office

- Assisted numerous program offices on additional guidance and proposed regulations
- Approved alternative service methods and extended deadlines for 310 appeals

QUESTIONS



NYS Education Department @NYSEDNews · Apr 24

Thank you to all the licensed professionals, including nurses, physicians, physician assistants, pharmacists, volunteers, & other healthcare providers who are the **#HeroesOfCOVID19**. Share a picture of a licensed professional to help recognize their exceptional efforts!



NYS Education Department @NYSEDNews · Apr 21
Mrs. Ward of @HartfordCSD reads aloud to her students in costumes to go along with the books! As stated, she also has a book from Scholastic Books. @WSWHEBOCES #EducatorsAreHeroes



0:48 680 views



NYS Education Department @NYSEDNews · Apr 3
Stay home because you care about your friends. Who are you staying home for? #WhatImStayingHomeFor #COVID19 #stayconnected #stayhome @WSWHEBOCES



NYS Education Department @NYSEDNews · Apr 21
We thank the nurses, physicians, physician assistants, pharmacists, lab professionals, other healthcare providers, & volunteers who are part of the **#COVID19** response effort. Share a picture of a licensed professional you want to recognize during this time. **#HeroesOfCOVID19**



NYS Education Department @NYSEDNews · Apr 24
Keep your kids to stay active! Hip Hop Public Health has an online free dance breaks for kids to do at home: bit.ly/398B5Su0 @HHPHorg #FitnessFriday



ATTACHMENT II

COVID-19 Emergency Regulations Part II

May 4, 2020



COVID-19 PANDEMIC

- As a result of the Governor's numerous Executive Orders, the Department adopted emergency regulations at the April 2020 Board of Regents meeting to address the issues resulting from the interruptions caused by the COVID-19 crisis.
- To address additional issues resulting from the continued interruptions caused by the COVID-19 crisis, the Department is proposing further emergency regulatory amendments to provide flexibility to the field and students during this crisis.

Receivership

- **The Department will not use 2019-20 results in receivership determinations. Specifically:**
 - The Commissioner shall not use 2019-20 school year results to newly identify any schools as struggling, place any schools under independent receivership, or remove the designation of any schools as struggling or persistently struggling;
 - All schools identified as persistently struggling or struggling schools for the 2019-20 school year shall remain so identified for the 2020-21 school year and all schools that operated under a school district superintendent receiver in the 2019-20 school year shall continue to operate under a school district superintendent receiver in the 2020-21 school year; and
 - The Commissioner may, upon a finding of good cause, modify for the 2019-20 through 2021-22 school years any timelines pertaining to notifications, plans, reports, or implementation of activities, except for any timelines prescribed by law.

Curriculum and Instruction

- **Earning units of credit through coursework.**
The Department proposes to provide that a unit of credit may be earned where a student has not completed a unit of study due to the COVID-19 crisis but has otherwise achieved the standards assessed in the provided coursework.

Curriculum and Instruction Continued

- **Cancelation of Regents Exams.**

The June 2020 and August 2020 Regent examinations have been canceled.

- **Exempt students from State assessments.**

The Department proposes to provide an exemption to the Regents examination, pathway assessment, alternative assessment, technical assessment, and locally developed test requirements during the COVID-19 crisis so that students are still able to meet their diploma requirements.

Curriculum and Instruction Continued

- **Earning NYS Career development and occupational studies commencement credential.**

The Department proposes to exempt students from the 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.

Curriculum and Instruction Continued

- **Allow for flexibility in general comprehensive examination requirements for a high school equivalency diploma.**

The Department proposes to exempt candidates from the sub-tests of the general comprehensive examination requirements for a high school equivalency diploma where:

- Such candidate has been exempted from or passed the corresponding Regents examination or other approved examination; or
- Such candidate is enrolled in either an AHSEP program or an adult education program during the COVID-19 crisis when the general comprehensive exam is not available; and
 - Has previously taken and passed a combination of at least 3 Regents exams and/or sub-tests of any general comprehensive examination; and
 - For the remaining 2 sub-tests, the student achieves a passing grade in the corresponding approved high school equivalency classes with standards based curriculum and applicable assessments

Alternative High School Equivalency Program

- **Extension of AHSEP application deadline**

The Department proposes to provide an extension to the June 30th application deadline for alternative high school equivalency preparation programs to be operated during the 2020-2021 school year.

Higher Education

- **Certification through the Individual Evaluation Pathway**
 - The Department proposes to allow any undergraduate or graduate level course completed during the Spring, Summer, or Fall 2020 terms with a passing grade, or its equivalent, to count toward the content course or pedagogical core semester hour requirements for certification through the Individual Evaluation pathway.
 - The passing grade, or its equivalent, must be in accordance with the pass/fail grading policy or its equivalent at the institution of higher education (e.g., credit/no credit, pass/fail, satisfactory/unsatisfactory policy).

Higher Education Continued

- **Extend the expiration date of the Initial certificate, Initial Reissuance, Provisional certificate, and Provisional Renewal**

The Department proposes to extend the expiration date of the Initial certificate, Initial Reissuance, Provisional certificate, and Provisional Renewal from August 31, 2020 to January 31, 2021 to provide candidates with the time needed to work in schools and complete the requirements for the Professional or Permanent certificate.

- **Extend the expiration date of the Conditional Initial certificate**

- The Department proposes to extend the expiration date of the Conditional Initial certificate from August 31, 2020 to August 31, 2021 to provide candidates with the time needed to complete the edTPA, which requires working with students. An additional year gives candidates the time to establish a relationship with students, teach lessons and assess student learning, and prepare the edTPA submission once classroom routines are more consistent after the COVID-19 crisis.

Higher Education Continued

- **Create an Emergency COVID-19 certificate.**
 - The Department proposes to create an Emergency COVID-19 certificate for candidates seeking certain certificates and extensions because there is limited test center availability and schools have been closed pursuant to Executive Order(s) of the Governor due to the COVID-19 crisis. This certificate would be valid for one year and could be renewed one time for an additional year with letter(s) of recommendation from school, district, and/or BOCES administrators.
 - To earn the Emergency COVID-19 certificate candidates must, on or before September 1, 2020:
 - Apply for the certificate or extension;
 - Apply for the Emergency COVID-19 certificate, in the same certificate title as the certificate or extension applied for; and
 - Complete all requirements for the certificate or extension applied for, other than the examination requirement(s).

Higher Education Continued

- **Exempt school district leader (SDL) and school district business leader (SDBL) candidates from taking and passing the SDL and SDBL assessment, respectively, for program completion and institutional recommendation for Professional certification, however, candidates would need to take and pass these assessments for Professional certification.**
 - The Department proposes to exempt SDL and SDBL candidates from taking and passing the SDL and SDBL assessment, respectively, for program completion and for the institutional recommendation for the Professional certificate, if they completed all program requirements except the assessment requirement during the Fall 2019, Winter 2020, Spring, 2020, or Summer 2020 terms.
 - The exemption enables these candidates to complete their program while there is limited test center availability due to the COVID-19 crisis and to receive institutional recommendation for Professional certification, which would be needed to pursue the proposed Emergency COVID-19 certificate.
 - The candidates would need to take and pass the SDL and SDBL assessment to earn certification.

Higher Education Continued

- **Exempt candidates admitted to Transitional D programs leading to SDL certification from taking and passing the SDL assessment for institutional recommendation for Transitional D certification, however, candidates would need to take and pass such assessment to earn Transitional D certification.**
 - The Department proposes to exempt candidates admitted to Transitional D programs leading to SDL certification from taking and passing the SDL assessment for the institutional recommendation for the Transitional D certificate, if they completed all requirements for admitted candidates except the assessment requirement on or before September 1, 2020.
 - The exemption enables Transitional D candidates to receive institutional recommendation for Transitional D certification while there is limited test center availability due to the COVID-19 crisis, which would be needed to pursue the proposed Emergency COVID-19 certificate.
 - The candidates would need to take and pass the SDL assessment to earn Transitional D certification.

Professions

- **Permit one additional 24-month renewal of limited permits in medicine.**
Current regulations provide that limited permits in medicine shall not be renewed for more than one 24 month period. The Department proposes to permit, at the Department's discretion, the renewal of limited permits in medicine for one additional 24 month period during the COVID-19 crisis.
- **Waive the in-person CPR course requirement for Dentists and Dental Hygienists.**
Current regulations require dentists and dental hygienists to become certified in CPR through an in-person course. The Department proposes to accept alternative means to be used by dentists and dental hygienists to obtain and/or maintain the required CPR certification for their respective professional practice during the COVID-19 crisis.

Early Learning

- **Waive the annual monitoring and tracking of pre-K program effectiveness**

The Department proposes to waive the requirement that school districts must annually monitor and track prekindergarten program effectiveness for the 2019-2020 school year.

- **Waive the annual Pre-K report**

The Department also proposes to waive the annual report of the percentage of prekindergarten children making significant gains for the 2019-2020 school year.



Questions?



New York State
EDUCATION DEPARTMENT

Knowledge > Skill > Opportunity

2020-2021 Enacted Budget Update

Board of Regents Meeting

May 2020

ATTACHMENT III

2020-21 State Aid

Regents Proposal vs. Enacted Budget

Aid Category	Regents Proposal	Enacted Budget
Foundation Aid	\$1.9 billion	\$0
Community Schools Set-aside	\$0	\$0
Reimbursement-based Aids*	\$82 million	\$96 million
Pandemic Adjustment	\$0	-\$1.13 billion
Federal CARES Act Funds	\$0	\$1.13 billion
Fiscal Stabilization Fund/Targeted High-Need District Foundation Aid	\$0	\$0
Prekindergarten Expansion	\$26 million	\$0
Foundation Aid Review	\$1.2 million	\$0
Financial Technical Assistance	\$0.6 million	\$0
Other Initiatives	\$0	\$11 million
Total	\$2.1 billion	\$107 million

2020-21 State Aid

- **Overall year to year increase of \$107 million in aid for school districts, of which:**
 - \$96 million is based on updated data for the statutory reimbursement aids;
 - \$10 million is for the Office of Mental Health (OMH) to administer school mental health grants; and
 - \$1 million is for SED to develop a statewide curriculum on Civic Education and Values, Shared History of Diversity and the Role of Religious Freedom in Our Country.
- **Each school district's total state aid amount is reduced dollar for dollar by the projected amount each district is estimated to receive in one-time federal funds through the CARES Act, for a total reduction of \$1.13 billion**

2020-21 State Aid

The Enacted Budget does not include the Executive Budget's proposals to:

- **consolidate ten existing aid formulas (including BOCES and Special Services Aid) into Foundation Aid;**
- **establish a new reimbursement rate for Building Aid beginning with projects approved after July 2020;**
- **close the building aid “incidental cost loophole;” and**
- **cap growth in aidable transportation expenses.**

Regents Funding Priorities Included in the Enacted Budget

- **\$18 million for My Brother's Keeper**
- **\$25.4 million in capital spending authority for the Office of Professions' Systems Modernization**
- **Funding for the following access and opportunity programs at 2019-20 enacted budget levels:**
 - **Liberty Partnerships: \$18.36 million**
 - **Higher Education Opportunity Program (HEOP): \$35.5 million**
 - **Science and Technology Entry Program (STEP): \$15.8 million**
 - **Collegiate Science and Technology Entry Program (CSTEP): \$11.98 million**

New Appropriations in the Enacted Budget

- **\$1 million for the development of a statewide curriculum on Civic Education and Values, Shared History of Diversity and the Role of Religious Freedom in Our Country**
- **\$10 million for Student Mental Health Support Grants (to be administered by the Office of Mental Health)**
- **Funding for Hempstead, Wyandanch and Rochester to reimburse these school districts for a portion of the cost of their monitors - no staffing or resources were provided to SED to do this work**

Funding for Cultural Education in the Enacted Budget

- **Aid to Public Libraries: \$94.1 million**
- **Aid to Educational Television and Radio: \$14 million**
- **Public Library Construction: \$14 million**

Funding for ACCES in the Enacted Budget

- **Adult Literacy Aid: \$7.8 million**
- **Independent Living Centers (ILCs): \$13.9 million**

Statutory Changes in the Enacted Budget

- **Requires the appointment of a monitor by the Commissioner for both academic and fiscal issues for the Rochester School District and provides for accelerated (spin-up) aid payments of \$35 million to assist in addressing their current deficit.**
- **Establishes the Syracuse Comprehensive Education and Workforce Training Center which includes a Regional STEAM high school.**

Statutory Changes in the Enacted Budget

- **Includes the Executive Budget's proposal to increase the share of maintenance costs for special education students placed in residential schools for local school districts outside of NYC.**
- **Allows foster youth funding to be used for supplemental housing and meals during intersession and summer breaks and for certain medical expenses.**

Statutory Changes in the Enacted Budget

- **Establishes a DOH led E-Cigarette and Vaping Prevention, Awareness and Control Program to educate students, parents and school personnel about the health risks associated with vapor product use and control measures to reduce the prevalence of vaping.**
- **Bans the sale, use, or distribution of disposable food service containers made of expanded polystyrene beginning on January 1, 2022. Elementary and secondary schools, colleges, and universities are included in this ban.**

Statutory Changes in the Enacted Budget

The Enacted Budget includes the following new provisions not contained in the Executive Budget proposal:

- Extending East Ramapo monitors through June 30, 2021;
- Amending the Wyandanch UFSD date of issuance of deficit financing serial bonds from June 30th to October 31, 2020 (pursuant to the request of the school district) and increasing the total amount available from \$3.1 million to \$4.5 million; and
- Final Cost Report (FCR) forgiveness for Mahopac Central School District.

Proposed Professions Related Statutory Changes in the Executive Budget

The Enacted Budget does not include the Executive Budget proposals to:

- Authorize public accounting firms to incorporate in NYS with minority ownership by individuals who are not Certified Public Accountants;
- Expand the provisions of registered pharmacy technicians in registered pharmacy outside of Article 28 facilities;
- Expand the list of adult immunizations that pharmacists can administer;
- Expand the current law Collaborative Drug Therapy Management (CDTM) program between pharmacists and physicians; and
- Increase DOH oversight of physicians, physician assistants and specialist assistants, including requiring a fingerprint-based criminal history background check prior to licensure.

Enacted Budget Financial Plan

- **The 2020-21 enacted budget provided the Director of the Budget with the authority to reduce aid-to-localities appropriations and disbursements by any amount needed to achieve a balanced budget, as estimated by the Division of the Budget (DOB).**
- **On April 25, 2020, DOB released the Enacted Budget Financial Plan. In this Financial Plan, DOB has reduced the FY 2021 estimate for General Fund receipts by \$13.3 billion in comparison to the Executive plan.**

Enacted Budget Financial Plan

- **DOB is preparing a detailed plan itemizing the specific appropriations and disbursements that will be reduced or withheld to achieve \$8.2 billion in recurring reductions in aid-to-localities spending, and expects to transmit the plan to both houses of the Legislature in May.**
- **State funding for school aid remains at the 2020-21 enacted budget level for now, which could change pending DOB's issuance of the plan to the Legislature for the \$8.2B in aid to localities reductions.**

Enacted Budget Financial Plan

- **State agency operations budgets will be reduced by 10 percent from budgeted levels. SED will develop a plan to implement these reductions after we receive additional guidance from DOB.**
- **Spending controls include a strict freeze on hiring, including revocation of existing waivers. Current and planned capital projects will be reviewed and prioritized. New contracts and purchase orders will be limited to those necessary for health and safety or high priority operations.**



New York State
EDUCATION DEPARTMENT

Knowledge > Skill > Opportunity

Thank You

ATTACHMENT IV



RESOLUTION IN RECOGNITION OF DISTINGUISHED SERVICE

Kathleen M. Doyle, PhD

Kathleen M. Doyle -- the members of the Board of Regents, and especially the Regents Professional Practice Committee, express their gratitude to you for your dedicated service and leadership on behalf of the professions and in pursuit of public protection.

Your career with the Office of the Professions spans over thirty years, starting in 1990 with your appointment as Executive Secretary to the State Boards for Psychology and Massage Therapy and culminating most recently in your appointment as Executive Secretary to the State Board for Applied Behavior Analysis in 2014. Under your guidance and direction, your Board office has overseen licensure, practice and disciplinary issues for the Psychology, Massage Therapy, Clinical Laboratory Technology and Applied Behavior Analysis professions.

While serving as the Executive Secretary for these professions, as well as the administrator of the psychotherapy institute review unit, you brought a unique blend of knowledge and experience, together with the interpersonal skills necessary to ensure the integrity of the licensed professions associated with these boards. During your tenure, your colleagues frequently sought your advice and expertise and you served on numerous steering committees, advisory groups, and process improvement teams.

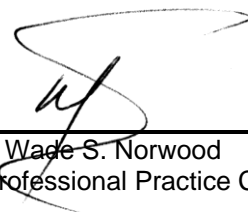
Your extensive involvement in the oversight and regulation of the health professions as the Executive Secretary to the State Boards for Psychology, Massage Therapy, Clinical Laboratory Technology and Applied Behavior Analysis has greatly benefited the Department and the public. You have been well respected within the professional community and cultivated positive relationships within the respective fields, provided guidance on the development of numerous regulations impacting professional licensure and practice, and stood at the forefront of efforts to protect the public and provide important practice-related information to licensees and consumers of their services.

As you enter your retirement, you take with you our gratitude and appreciation for the dedication and wealth of knowledge you have shared with us and your colleagues in the Department. You have adhered to high standards of professionalism and service and earned the respect of your colleagues, your staff and the public. As such, we are pleased to honor you with this resolution.

BE IT THEREFORE RESOLVED, on this 4th day of May 2020, that the Board of Regents publicly acknowledges and thanks Dr. Kathleen M. Doyle for her dedicated service.



Betty A. Rosa
Chancellor



Wade S. Norwood
Co-Chair, Professional Practice Committee



James E. Cottrell
Co-Chair, Professional Practice Committee



Shannon L. Tahoe
Interim Commissioner