

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: Anthony Lofrumento *Anthony Lofrumento*
SUBJECT: Summary of the April 2011 Meeting
DATE: April 21, 2011
AUTHORIZATION(S): *AL* *HW*

Executive Summary

Issue for Decision

Review of the Summary of the April 2011 Meeting of the Board of Regents.

Proposed Handling

Approval of the Summary of April 2011 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.

Recommendation

Approval of the Summary of the April 2011 meeting.

Timetable for Implementation

Effective May 17, 2011.

VOTED, that the Summary of the April 2011 Meeting of the Board of Regents of The University of the State of New York be approved.



**SUMMARY OF THE APRIL MEETING
OF THE BOARD OF REGENTS
OF
THE UNIVERSITY OF THE STATE OF NEW YORK**

Held at the State Education Building

***Albany, New York
April 4 and 5, 2011***

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

THE BOARD OF REGENTS

The Board of Regents of The University of the State of New York held public sessions on Monday, April 4 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

MEETING OF THE FULL BOARD, Monday, April 4 at 9:00 a.m.

Board Members in Attendance:

Chancellor Merryl H. Tisch
Vice Chancellor Milton L. Cofield
Robert M. Bennett, Chancellor Emeritus
James C. Dawson
Anthony S. Bottar
Geraldine D. Chapey
Harry Phillips, 3rd
James R. Tallon, Jr.
Roger Tilles
Charles R. Bendit
Betty A. Rosa
Lester W. Young, Jr.
Christine D. Cea
Wade S. Norwood
James O. Jackson
Kathleen M. Cashin

Also present were the Commissioner of Education, David M. Steiner, Senior Deputy Commissioner for P-12 Education, John King, Acting Counsel and Deputy Commissioner for Legal Affairs, Erin O'Grady-Parent, and the Secretary, Board of Regents, Anthony Lofrumento. Regent James E. Cottrell was absent and excused.

Chancellor Merryl H. Tisch called the meeting to order at 9:00 a.m.

ACTION ITEM

Executive Session Motion

MOVED, that the Board of Regents convene in executive session on Monday, April 4, at 6:05 p.m., to discuss personnel matters.

Motion by: Chancellor Emeritus Robert M. Bennett
Seconded by: Regent James C. Dawson
Action: Motion carried unanimously

PRESENTATIONS

Reform Agenda Update

(Presentation attached)

Oral

Commissioner David Steiner and Senior Deputy Commissioner John King presented an update on the Regents Reform Agenda. (See attached Regents Reform Agenda, Monthly Board Update, April 4, 2011)

Full Board adjourned at 9:30 a.m.

MEETING OF THE FULL BOARD, Tuesday, April 5 at 12:30 p.m.

Board Members in Attendance:

Chancellor Merryl H. Tisch
Vice Chancellor Milton L. Cofield
James C. Dawson
Geraldine D. Chapey
Harry Phillips, 3rd
James R. Tallon, Jr.
Roger Tilles
Betty A. Rosa
Lester W. Young, Jr.
Christine D. Cea
Wade S. Norwood
James O. Jackson
Kathleen M. Cashin

Also present were the Commissioner of Education, David M. Steiner, Senior Deputy Commissioner for P-12 Education, John King, Acting Counsel and Deputy Commissioner for Legal Affairs, Erin O'Grady-Parent, and the Secretary, Board of Regents, Anthony Lofrumento. Chancellor Emeritus Robert M. Bennett, Regents Anthony S. Bottar, Charles R. Bendit, and James E. Cottrell were absent and excused.

Chancellor Merryl H. Tisch called the meeting to order at 12:30p.m.

ACTION ITEMS

Charter Applications for April 2011

BR (A) 1

MOVED, that the Regents approve each application in accordance with the recommendations contained in the respective summaries.

**Summary of the March 2011 Meeting of the Board of Regents
BR (A) 2**

MOVED, that the Summary of the February 2011 Meeting of the Board of Regents of The University of the State of New York be approved.

Motion by: Vice Chancellor Milton L. Cofield
Seconded by: Regent Wade S. Norwood
Action: Motion carried unanimously

PRESENTATION

**Enacted State Budget
Oral**

Chief Operating Officer Val Grey presented an overview of the Enacted State Budget to the Board.

ACTION ITEMS

PROGRAM AREA CONSENT ITEMS

Cultural Education

**Appointment of George R. Hearst III to the Board of the Archives Partnership
Trust
BR (CA) 1**

MOVED, that the Regents should approve the appointment of George R. Hearst III to the Board of the Archives Partnership Trust for a three year term, commencing April 5, 2011.

**Reappointment of Harold Holzer to the Board of the Archives Partnership Trust
BR (CA) 2**

MOVED, that the Regents should approve the reappointment of Harold Holzer to the Board of the Archives Partnership Trust.

Professional Practice

**Appointment to the Committee on the Professions
BR (CA) 3**

MOVED, that the Board of Regents approve the attached roster of the Committee on the Professions, effective April 5, 2011.

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

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

**Regents Permission to Operate in New York State: Frontier School of Midwifery
and Family Nursing
BR (CA) 5**

MOVED, that the Regents approve the proposed permission to operate effective April 5, 2011, which authorizes the Frontier School of Midwifery and Family Nursing to use clinical agencies in New York for clinical education of students in its M.S.N. and D.N.P degree programs and post-master's Advanced Certificate programs titled Family Nurse Practitioner, Nurse-Midwifery and Women's Health Nurse Practitioner.

**Report of the Committee on the Professions Regarding Licensing Petitions
BR (CA) 6**

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

Higher Education

**The Bulletin of The Statewide Plan for Higher Education, 2012-2020
BR (CA) 7**

MOVED, the Regents approve *The Bulletin of The Statewide Plan for Higher Education, 2012-2020* for distribution to all higher education institutions.

**Amendment of Section 100.2(o) of the Regulations of the Commissioner of
Education Relating to the Annual Professional Performance Review for Teachers
in the Classroom Teaching Service
BR (CA) 8**

MOVED, that subdivision (o) of Section 100.2 of the Regulations of the Commissioner of Education be repealed and a new subdivision (o) shall be added to section 100.2 of the Regulations of the Commissioner of Education, as submitted, effective May 6, 2011, as an emergency action upon a finding by the Board of Regents

that such action is necessary to ensure that the emergency rule remains continuously in effect until it can be adopted and made effective as a permanent rule.

P-12 Education

Petition of the Elmira City School District for Consent to Exceed the Constitutional Debt Limit BR (CA) 9

MOVED, that the Board of Regents hereby give consent to the issuance of bonds and/or bond anticipation notes by the Board of Education of the Elmira City School District in an amount not to exceed \$861,830 for the acquisition of school buses, vans and station wagons and the issuance of such bonds and/or bond anticipation notes in excess of the constitutional debt limit of said school district.

Motion by: Regent Roger Tilles
Seconded by: Vice Chancellor Milton L. Cofield
Action: Motion carried unanimously

STANDING COMMITTEE REPORTS

Joint P-12 Education/College and Career Readiness Working Group – March 2011

Your P-12 Education Committee and College and Career Readiness Working Group held a joint meeting on March 8, 2011. All members were present, except for Vice Chancellor Cofield and Regent Brooks Hopkins, who were excused.

MATTERS NOT REQUIRING BOARD ACTION

College and Career Readiness Survey – The Committee discussed survey results from the College and Career Readiness Survey that was available online from December 14, 2010 – March 1, 2011. The survey gathered feedback on strategies under consideration to improve New York State graduation requirements so that all students become better prepared for college and careers.

Potential Revisions of High School Graduation Requirements – the Committee continued discussions on how to better align high school graduation requirements with college and career ready standards and provide additional pathways for students to meet these requirements. Discussion focused on options and challenges for possible strategies relating to requiring additional credits in mathematics and science; increasing the passing score on key Regents exams; and requiring a College and Career Ready credit. The Committee discussed options for allowing flexibility and additional pathways to achievement, and Safety Net options for students with disabilities. [P-12/CCR (D) 1]

Joint P-12 Education/Higher Education – March 2011

Your Higher Education Committee and P-12 Education Committee held a joint meeting on March 8, 2011. All members were present except for Vice Chancellor Cofield and Regent Brooks Hopkins, who were excused.

MATTERS NOT REQUIRING BOARD ACTION

Options for Teacher and Principal Evaluation – The Committees received an update on decisions and options for consideration for teacher and principal evaluation. Staff presented options for value-added/growth models and other measures of effectiveness. The Regents Task Force on Teacher and Principal Effectiveness will provide recommendations and feedback on options in April.

Adult Career and Continuing Education Services (ACCES)

Your ACCES Committee held its scheduled meeting on April 4, 2011. All members were present. Additional members of the Board attending where: Chancellor Tisch, Regent Cashin, Regent Phillips, Regent Jackson and Regent Young.

MATTERS NOT REQUIRING BOARD ACTION

The Committee was informed about the roles and responsibilities of the Adult Career and Continuing Education Services–Vocational Rehabilitation (ACCES-VR) State Rehabilitation Council (SRC). The New York State Rehabilitation Council advises, consults and works in partnership with ACCES-VR to advance the principles articulated in Section 100 of the Rehabilitation Act. The SRC and ACCES-VR partner to ensure that individuals with disabilities receive appropriate, timely, and effective services leading to integrated employment outcomes. The SRC draws upon its diverse membership to provide a range of perspectives and constructive input into ACCES-VR's goals and priorities, policy development and service delivery. The mix of perspectives from parent training centers and P-12 special education representatives have served to refine ACCES-VR's approach to support for students in transition from school to adult life. Similarly, the views of SRC representatives from business, industry and labor along with those of vocational rehabilitation counselors and community rehabilitation programs have served to refine ACCES-VR's focus on the needs and wants of employers and the requisite skills workers possess to be successful in the workplace. The role of the Council is critical to ensuring appropriate and quality services are available to all of ACCES-VR's consumers. ACCES-VR places a high priority on the recruitment of Council members that have extensive experience and in-depth knowledge of the employment needs of individuals with disabilities. The collective efforts of SRC and ACCES-VR will continue to ensure that the Council membership is reflective of New York State's diverse communities.

Joint P-12 Education/Higher Education

Your P-12 Education Committee and Higher Education Committee held a joint meeting on April 4, 2011. All members were present.

MATTERS NOT REQUIRING BOARD ACTION

Regents Task Force on Teacher and Principal Effectiveness

Members of the Regents Task Force on Teacher and Principal Effectiveness presented recommendations to the Board of Regents. Each subcommittee provided a summary of recommendations followed by discussion with the Regents.

60% Other Measures for Teachers

Stacey Caruso-Sharpe, Mathematics Teacher, Amsterdam CSD

Michael Mendel, Secretary, UFT

Discussion

- Regulations and guidance should reflect flexibility in the choice of rubrics to assess teacher proficiency.
- New York State should develop criteria for selection and development of local rubrics.
- District options should include classroom observations by trained peer reviewers or independent, trained observers.

60% Other Measures for Principals

Sonia Nieves, Council of Supervisors and Administrators

Terry Orr, Bank Street College and MCEAP

Discussion

- Regulations and guidance should reflect flexibility in the choice of rubrics to assess principal proficiency.
- New York State should develop criteria for selection and development of local rubrics.
- School visits by superintendents are critical.

Locally-Selected Assessments

Jere Hochman, Superintendent, Bedford CSD

Karen Rock, ELA Instructor, Plattsburgh CSD

Don Nickson, Deputy Executive Director, SAANYS

Discussion

- "Other" means not using the state test for the locally selected 20% measure – reduces the potential for schools to become test-driven.
- Teacher created assessments – used to supplement material not covered on the NYS standardized tests.
- Multiple measures are necessary for principal evaluation; principal responsibilities vary district to district.

Student Growth in Non-Tested Grades and Subjects

John Mahony, CTE Teacher, Questar III BOCES

Kerry Flynn, Principal, Loudonville School

Discussion

- Accept use of new tests if state develops them.
- In other areas, allow districts to choose from district and regionally developed assessments.

Growth/Value-Added and Metrics

Jack Bierwirth, Superintendent, Herricks Public Schools

Paul Gasparini, Principal, Jamesville-Dewitt HS

Heather Adams, Assistant in Research and Education Services, NYSUT

Discussion

- Teacher of Record policy
- Commissioner should determine appropriate assessment for both non-tested and tested growth measures.

Following the discussions with the Regents Task Force on Teacher and Principal Effectiveness, Committee members discussed the Department's recommendations (including scoring).

- Allow districts to use state assessments as part of the 20% locally selected measures of student achievement. Districts may also choose to use local or teacher-created assessments.
- Issue RFP in spring 2011 for a provider or providers to develop the methodology to construct teacher and principal growth scores and, in the following year, teacher and principal value-added scores.
- Issue RFQ for student assessments that meet prescribed criteria for "growth in non-tested subjects" and/or "locally-selected student assessments"
- Issue RFQ to pre-approve rubrics that meet criteria closely aligned with those recommended by the Task Force. Schools and districts need to use rubrics to assess teacher and principal practices for the "60% other measures" and to provide a framework for targeting professional development aimed at improving those practices. The rubrics should count for at least half of the 60%.
- Develop draft regulations to be disseminated to the field for public comment. Feedback from the field on the draft regulations will be presented to the Regents for discussion in May.

Professional Practice

Your Professional Practice Committee held its scheduled meeting on April 5, 2011. All Committee members were present, except for Regent Anthony S. Bottar, who was excused. Chancellor Merryl H. Tisch, Regent James C. Dawson and Regent James O. Jackson were also present, but did not vote on any case or action. Commissioner David Steiner also attended.

ACTION ITEMS

Professional Discipline Cases

Your Committee recommends that the reports of the Regents Review Committees, including rulings, findings of fact, determinations as to guilt, and recommendations, by unanimous or majority vote, contained in those reports which have been distributed to you, be accepted in 2 cases. In addition, your Committee recommends, upon the recommendation of the Committee on the Professions, that 29 consent order applications and 9 surrender applications be granted. [PPC EXS (A) 1-3]

These recommendations are made following the review of 40 cases involving nine registered professional nurses, five certified public accountants, four licensed practical nurses, four pharmacists, two dentists, two licensed clinical social workers, two licensed master social workers, two licensed practical nurses who are also registered professional nurses, two professional engineers, one architect, one certified dietitian/nutritionist, one chiropractor, and one registered professional nurse who is a nurse practitioner in both Adult Health and in Pediatrics.

Restoration Case

Your Committee recommends that the execution of the Order of Surrender of the license of Tami Ann Garland to practice as a licensed practical nurse in New York State be stayed; that she placed on probation under the Terms of Probation attached to the Report of the Committee on the Professions as Exhibit "A"; that her period of probation extend until six months following her successful completion of the course or training included in such Terms of Probation; and that, upon satisfactory completion of the probationary period, her license be fully restored. [PPC EXS (A) 4]

Approvals

Amendment of Regents Rule and Commissioner's Regulation Establishing the Advisory Committee for Long-Term Clinical Clerkships – Your Committee recommends that paragraph (5) of subdivision (d) of section 3.2 of the Rules of the Board of Regents and that section 60.2 of the Regulations of the Commissioner of Education be amended, as submitted, effective April 8, 2011, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the public health and general welfare to establish an Advisory Committee to review and establish standards and procedures for the approval of applications for the placement of students from dual-campus international medical schools into long-term clinical clerkships in New York State. [PPC (A) 1]

MOTION FOR ACTION BY FULL BOARD

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 April 5, 2011, copies of which have been distributed to each Regent.

MATTERS NOT REQUIRING BOARD ACTION

Your Committee discussed several topics of interest, including:

Acting Deputy Commissioner's Report [Oral Report] –

- Deputy Commissioner Recruitment: The position was posted and we are currently reviewing applicants.
- E-Licensing: The issue of Department of Environmental Conservation inclusion was resolved, and the RFP is scheduled to be released on April 8th.
- Document Management System: The system is currently in the final stages of configuration and testing. Phase 1 go-live is scheduled for early May.
- Overview of PPC Consent Agenda Items at Full Board

Proposed Professional Engineering/Land Surveying CE Regulations – The Committee discussed the proposed regulations relating to continuing education requirements for professional engineering and land surveying, which will be submitted for action at the June 2011 Regents meeting. [PPC (D) 1]

Proposed Public Accountancy CE Regulations – The Committee discussed the proposed regulations relating to continuing education requirements for public accountancy, which will be submitted for action at the June 2011 Regents meeting. [PPC (D) 2]

Joint P-12 Education/State Aid

Your P-12 Education Committee and Subcommittee on State Aid held a joint meeting on April 5, 2011. All members were present, except for Chancellor Emeritus Bennett and Regent Bottar, who were excused.

ACTION ITEMS

Mandate Relief and Flexibility – Your Committee recommends that the Regents approve the mandate relief and flexibility recommendations, as described in Appendix A and Appendix B-1 of this report. [P-12/SA (A) 1]

MOTION FOR ACTION BY FULL BOARD

Madam Chancellor and Colleagues: Your P-12 Education Committee and State Aid Subcommittee recommend, and we move, that the Board of Regents act affirmatively upon the recommendation in the written report of the Committees' deliberations at their meeting on April 5, 2011, copies of which have been distributed to each Regent.

Joint P-12 Education/College and Career Readiness Working Group (CCRWG)

Your P-12 Education Committee and College and Career Readiness Working Group held a joint meeting on April 5, 2011. All members were present.

All items presented in this joint Committee meeting will be discussed in more detail at the May meeting where the Board of Regents will engage in conversations around a set of recommendations related to the graduation requirements. No action was taken on any of the submitted items.

P-12 Education

Your P-12 Education Committee held its scheduled meeting on April 5, 2011. All members were present, except for Chancellor Emeritus Bennett and Regent Bottar, who were excused.

ACTION ITEMS

Charter School Actions

Your Committee recommends that the Board of Regents approves the charter revision to change the name of the Excellence Charter School for Girls to the Excellence Girls Charter School as proposed by the Trustees of the State University of New York and the provisional charter is amended accordingly. [P-12 (A) 1]

Your Committee recommends that the Board of Regents approves and issues the charter of the ROADS Charter School I as proposed by the Trustees of the State University of New York (SUNY) and issues a provisional charter to it for a term as prescribed by §2851(2)(p) of the Education Law. Your Committee further recommends that the Board of Regents approves and issues the charter of the ROADS Charter School II as proposed by the Trustees of the State University of New York (SUNY) and issues a provisional charter to it for a term as prescribed by §2851(2)(p) of the Education Law. [P-12 (A) 2]

Your Committee recommends that the Board of Regents approves the revision to the initial charter of the Health Sciences Charter School, and the provisional charter is amended accordingly. [P-12 (A) 3]

MOTION FOR ACTION BY FULL BOARD

Madam Chancellor and Colleagues: Your P-12 Education Committee recommends, and I move, that the Board of Regents act affirmatively upon each recommendation in the written report of the Committee's deliberations at its meeting on April 5, 2011, copies of which have been distributed to each Regent.

MATTERS NOT REQUIRING BOARD ACTION

Charter School Authorizing Strategic Planning – Kim Wechtenhiser, Director of Design and Quality for SchoolWorks, updated the Regents on the timeline and deliverables for the National Association of Charter School Authorizers (NACSA) grant to the Regents Research Fund. She also discussed the mission and vision statement planning for the Charter Schools Office, stakeholder informational interviews and surveys, and updates to policies, protocols and procedures guiding charter authorizing and oversight work of the Regents and staff. The Committee discussed the progress to date Department staff and the SchoolWorks facilitators have made on implementing key elements of the Charter School Authorizing Strategic Plan.

Laboratory Requirements for Qualifying to take a Regents Exam in any of the Sciences

Due to time constraints, this item will be discussed at a future meeting. [P-12 (D) 1]

Update on School Improvement Grant (SIG) Implementation – The Committee was updated on the implementation of the School Improvement Grant process

Consent Agenda Items – Senior Deputy Commissioner King presented the following item scheduled for approval on the full Board consent agenda:

- Petition of the Elmira City School District for Consent to Exceed the Constitutional Debt Limit

Motion by: Regent Roger Tilles
Seconded by: Vice Chancellor Milton L. Cofield
Action: Motion carried unanimously

ACTION ITEMS

March Fiscal Report BR (A) 6

Chief Operating Officer Val Grey presented an overview of the March fiscal report to the Board.

Motion by: Regent Roger Tilles
Seconded by: Vice Chancellor Milton L. Cofield
Action: Motion carried unanimously

Acceptance of a \$750,000 Grant from the Carnegie Corporation of New York BR (A) 4

MOVED, that the Board of Regents accepts the sum of \$750,000 from the Carnegie Corporation of New York to support the work of the USNY Regents Research Fellowship Program.

**Acceptance of a \$500,000 Grant from the Tortora Sillcox Family Foundation
BR (A) 5**

MOVED, that the Board of Regents accepts the sum of \$500,000 from the Tortora Sillcox Family Foundation to support the work of the USNY Regents Research Fellowship Program.

Motion by: Vice Chancellor Milton L. Cofield
Seconded by: Regent Roger Tilles
Action: Motion carried unanimously

RECOGNITION

Acting Counsel and Deputy Commissioner of Legal Affairs

Commissioner Steiner recognized the career of Erin O'Grady-Parent upon her resignation from the Department, effective April 30, 2011.

ACTION ITEMS

**Appointment of Counsel and Deputy Commissioner for Legal Affairs
BR (A) 3**

MOVED, that the Board of Regents approve the appointment of Richard J. Trautwein to the position of Counsel and Deputy Commissioner for Legal Affairs, effective May 1, 2011.

Motion by: Regent Harry Phillips, 3rd
Seconded by: Regent Geraldine D. Chapey
Action: Motion carried unanimously

Appendix I
NEW YORK STATE BOARD OF REGENTS CHARTER ACTIONS

Name of Institution	Program Area	County of Location	Description of Charter Action(s)
Angola Public Library	CE	Erie	Amend charter to: <ul style="list-style-type: none"> • designate service area to be the Village of Angola; • specify the number of trustees be not less than 5 nor more than 9; • add IRS language; • designate Commissioner as agent for service.
Bodman Memorial Library	CE	Jefferson	Amend charter to: <ul style="list-style-type: none"> • designate service area as coterminous with Town of Philadelphia; • change number of trustees to not less than 5 nor more than 15; • add IRS tax language.
FASNY Museum of Firefighting	CE	Columbia	Grant absolute charter.
French Institute – Alliance Francaise – Federation of French Alliances in the United States	CE	New York	Amend charter to: <ul style="list-style-type: none"> • change corporate name to “French Institute-Alliance Francaise”; • increase number of trustees to 35; • provide for a quorum requirement for meetings of the board of trustees of the corporation; • change corporate purposes.
John C. Hart Memorial Library	CE	Westchester	Amend charter to: <ul style="list-style-type: none"> • designate service area to be the Town of Yorktown; • add IRS language.

Massena Public Library	CE	St. Lawrence	Amend charter to: <ul style="list-style-type: none"> • designate service area as coterminous with Town of Massena; • designate Commissioner as agent for service; • add IRS tax language.
The New York State Military Heritage Institute	CE	Albany	Amend charter to change the corporate name to "The Friends of The New York State Military Museum".
Scarsdale Public Library	CE	Westchester	Amend charter to: <ul style="list-style-type: none"> • designate service area as coterminous with Village of Scarsdale; • designate Commissioner as agent for service; • add IRS tax language.
Town of Diana Historical Museum	CE	Lewis	Extend provisional charter for five years.
Tully Free Library	CE	Onondaga	Amend charter to: <ul style="list-style-type: none"> • designate service area as coterminous with the Tully Central School District; • change number of trustees to not less than 5 nor more than 15.
Waverly Free Library	CE	Tioga	Amend charter to: <ul style="list-style-type: none"> • designate service area to be the Village of Waverly; • specify the number of trustees be not less than 5 nor more than 15; • add IRS language; • designate Commissioner as agent for service.
Destiny Christian School	P-12	Monroe	Grant provisional charter for three years.
Montessori School of Schenectady	P-12	Schenectady	Amend absolute charter to: <ul style="list-style-type: none"> • add authority for the corporation to serve children age eighteen months of age through two-and-one-half years of age; • add IRS language.

New York State Association of Independent Schools	P-12	Schenectady	Amend certificate of incorporation to change the principal location of the corporation to 17 Elk Street, Albany, New York.
The Saratoga Independent School	P-12	Saratoga	Extend provisional charter for three years.
Sons and Daughters at Hayground	P-12	Suffolk	Amend provisional charter to change corporate name to "Our Sons and Daughters School".
The Educational Foundation for the Fashion Industries	HE	New York	Amend and restate absolute charter in its entirety, including a change of corporate name to "Fashion Institute of Technology Foundation".

Appendix II
REGENTS ACTIONS IN 40 PROFESSIONAL DISCIPLINE CASES
AND 1 RESTORATION PETITION

April 4-5, 2011

The Board of Regents announced disciplinary actions resulting in the surrender of 7 licenses and 2 certificates, and 30 other disciplinary actions. The penalty indicated for each case relates solely to the misconduct set forth in that particular case. In addition, the Board acted upon 1 restoration petition.

I. SURRENDERS

Architecture

Harry Steven Wild; Bronx, NY 10463-1452; Lic. No. 014439; Cal. No. 25544; **Application to surrender license granted. Summary:** Licensee admitted to the charge of willfully failing to register to practice as an architect in the State of New York since 1993.

Nursing

Gary D. Spinelli; Registered Professional Nurse; E. Patchogue, NY 11772-5540; Lic. No. 342119; Cal. No. 25440; **Application to surrender license granted. Summary:** Licensee admitted to the charge of having been convicted of Manslaughter in the 2nd Degree, a class C felony.

Denise R. Stedman; Registered Professional Nurse; Rochester, NY 14612; Lic. No. 396376; Cal. No. 25535; **Application to surrender license granted. Summary:** Licensee admitted to the charge of having been convicted in 2010 of Transportation of Stolen Goods.

Margaret Mary McVey; Registered Professional Nurse, Nurse Practitioner (Adult Health, Pediatrics); Port Jefferson Station, NY 11776; Lic. No. 402721; Cert. Nos. 301706, 381735; Cal. Nos. 25540, 25541, 25542; **Application to surrender license and certificates granted. Summary:** Licensee admitted to the allegations that, in or about the winter of 2010, she wrote and signed prescriptions for herself, making up fictitious patient names and filling the prescriptions at various pharmacies for her own use.

Pharmacy

Paul W. Weinstein; Pharmacist; Malone, NY 12953-0100; Lic. No. 021005; Cal. No. 25467; **Application to surrender license granted. Summary:** Licensee admitted to the charge of having been convicted of Manslaughter in the 1st Degree, a class B felony.

Public Accountancy

Brian D. Baker; Certified Public Accountant; New York Mills, NY 13417; Lic. No. 067719; Cal. No. 25459; **Application to surrender license granted. Summary:** Licensee did not contest charges of having been convicted of Grand Larceny in the 1st Degree and Scheme to Defraud in the 1st Degree.

Joseph Anthony Bastone; Certified Public Accountant; Bronxville, NY 10708; Lic. No. 041568; Cal. No. 25468; **Application to surrender license granted. Summary:** Licensee admitted to the charge of having filed false corporate tax and resident income tax returns.

II. OTHER REGENTS DISCIPLINARY ACTIONS

Chiropractic

Ralph B. Krutulis; Jamesville, NY 13078; Lic. No. 007921; Cal. No. 25126; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$1,000 fine.

Dentistry

Amy L. Smith; Dentist; New York, NY 10028; Lic. No. 032545; Cal. No. 25343; **Application for consent order granted; Penalty agreed upon:** 6 month actual suspension, 18 month stayed suspension, 2 years probation, \$5,000 fine.

Peter Anthony Lucchese; Dentist; Glen Cove, NY 11542; Lic. No. 044345; Cal. No. 25399; **Application for consent order granted; Penalty agreed upon:** 3 month actual suspension, 21 month stayed suspension, 2 years probation, \$7,500 fine.

Dietetics and Nutrition

Christine Carol Parker; Certified Dietitian/ Nutritionist; New Hyde Park, NY 11040; Cert. No. 003564; Cal. No. 25560; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$750 fine.

Engineering and Land Surveying

Indardeo Parbhunath; Professional Engineer; Valley Stream, NY 11580; Lic. No. 083868; Cal. No. 25160; **Application for consent order granted; Penalty agreed upon:** 2 month actual suspension, 22 month stayed suspension, 24 months probation, \$10,000 fine.

Harry L. Bird; Professional Engineer; Poughkeepsie, NY 12601-5976; Lic. No. 063268; Cal. No. 25454; **Application for consent order granted; Penalty agreed**

upon: 1 year actual suspension, 1 year stayed suspension, 2 years probation, \$500 fine.

Nursing

Ciani Ayala; Licensed Practical Nurse, Registered Professional Nurse; Island Park, NY 11558; Lic. Nos. 243250, 548149; Cal. Nos. 25144, 25145; **Application for consent order granted; Penalty agreed upon:** Censure and Reprimand, 1 year probation.

Lisa Valencia Joseph a/k/a Lis A. Valencia Joseph; Licensed Practical Nurse; Pomona, NY 10970; Lic. No. 276257; Cal. No. 25195; **Application for consent order granted; Penalty agreed upon:** 9 month actual suspension, 15 month stayed suspension, 2 years probation, \$250 fine.

Luz Sandor; Registered Professional Nurse; Castaic, CA 91384; Lic. No. 302893; Cal. No. 25226; **Application for consent order granted; Penalty agreed upon:** 3 month actual suspension, 33 month stayed suspension, 3 years probation to commence upon return to practice in New York State.

Deborah A. Coletti a/k/a Deborah Ann Coletti a/k/a Deborah Ann Iamiceli a/k/a Deborah Ann Iamicelli; Licensed Practical Nurse; Patterson, NY 12563; Lic. No. 170525; Cal. No. 25328; **Found guilty of professional misconduct; Penalty:** Indefinite suspension until alcohol abuse-free and until fit to practice, upon termination of suspension, probation 2 years to commence upon actual return to practice.

Ifiok Etim Akpan; Registered Professional Nurse; Brooklyn, NY 11236; Lic. No. 578575; Cal. No. 25332; **Application for consent order granted; Penalty agreed upon:** 1 month actual suspension, 23 month stayed suspension, 2 years probation.

Grace Eyo Akpan; Registered Professional Nurse; Brooklyn, NY 11236; Lic. No. 570990; Cal. No. 25333; **Application for consent order granted; Penalty agreed upon:** 1 month actual suspension, 23 month stayed suspension, 2 years probation.

Dorothy J. Bain; Licensed Practical Nurse, Registered Professional Nurse; Tobyhanna, PA 18466-3447; Lic. Nos. 140207, 334092; Cal. Nos. 25362, 25361; **Application for consent order granted; Penalty agreed upon:** 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$500 fine.

Scott Kehrley; Registered Professional Nurse; Swan Lake, NY 12783; Lic. No. 585432; Cal. No. 25389; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$500 fine.

Katherine Ann Pappalardo; Registered Professional Nurse; Catskill, NY 12414; Lic. No. 475656; Cal. No. 25391; **Application for consent order granted; Penalty agreed upon:** Indefinite actual suspension for no less than 1 year and until fit to

practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine.

Tina Marie Fetty; Licensed Practical Nurse; Albany, NY 12210; Lic. No. 265292; Cal. No. 25393; **Application for consent order granted; Penalty agreed upon:** 1 month actual suspension, 23 month stayed suspension, 24 months probation.

Pamela M. Courtney; Registered Professional Nurse; Keeseville, NY 12944-3701; Lic. No. 524943; Cal. No. 25396; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$750 fine.

Laurie A. Ake; Licensed Practical Nurse; Williamson, NY 14589-9504; Lic. No. 281031; Cal. No. 25435; **Application for consent order granted; Penalty agreed upon:** 9 month actual suspension, 15 month stayed suspension, 2 years probation, \$500 fine.

Patsy Pamela Welshman; Registered Professional Nurse; Brooklyn, NY 11212; Lic. No. 574776; Cal. No. 25438; **Application for consent order granted; Penalty agreed upon:** 1 month actual suspension, 23 month stayed suspension, 2 years probation.

Pharmacy

Omaima Nabil Badr; Pharmacist; Medford, NY 11763; Lic. No. 035972; Cal. No. 25370; **Application for consent order granted; Penalty agreed upon:** 2 month actual suspension, 22 month stayed suspension, 2 years probation.

Billie A. Trapani; Pharmacist; Manlius, NY 13104; Lic. No. 034810; Cal. No. 25431; **Application for consent order granted; Penalty agreed upon:** 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$2,500 fine.

Nicholas A. Lustrino; Pharmacist; Montrose, NY 10548; Lic. No. 036756; Cal. No. 25460; **Application for consent order granted; Penalty agreed upon:** Indefinite actual suspension for no less than 2 months and until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice.

Public Accountancy

Harvey R. Glick; Certified Public Accountant; Scarsdale, NY 10583-7006; Lic. No. 034581; Cal. No. 25425; **Application for consent order granted; Penalty agreed upon:** 1 year stayed suspension, 1 year probation, \$1,000 fine.

Brian Keith Rabinovitz; Certified Public Accountant; Oak Park, CA 91377; Lic. No. 072532; Cal. No. 25480; **Application for consent order granted; Penalty agreed upon:** 1 year actual suspension, 1 year stayed suspension, 2 years probation to

commence if and when return to practice, \$5,000 fine payable in monthly installments commencing within 30 days and payable in full no later than within 14 months.

James Michael Werner; Certified Public Accountant; Port Washington, NY 11050; Lic. No. 080065; Cal. No. 25495; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$750 fine.

Social Work

Paulette M. Czuba; Licensed Master Social Worker; Buffalo, NY 14210, Albion, NY 14411; Lic. No. 067201; Cal. No. 24836; **Found guilty of professional misconduct; Penalty:** 2 year suspension, upon termination of suspension, probation 2 years.

Alan Paul Smith; Licensed Clinical Social Worker; New Hartford, NY 13413; Lic. No. 040648; Cal. No. 25039; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$1,000 fine.

Stephen A. Schoenbrot; Licensed Clinical Social Worker; Brightwaters, NY 11718; Lic. No. 019914; Cal. No. 25433; **Application for consent order granted; Penalty agreed upon:** 2 year stayed suspension, 2 years probation, \$5,000 fine.

John E. Walden; Licensed Master Social Worker; Bronx, NY 10460-1342; Lic. No. 072864; Cal. No. 25486; **Application for consent order granted; Penalty agreed upon:** 6 month actual suspension, 18 month stayed suspension, 24 months probation, \$1,000 fine.

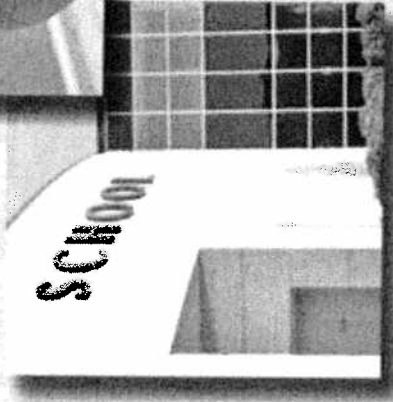
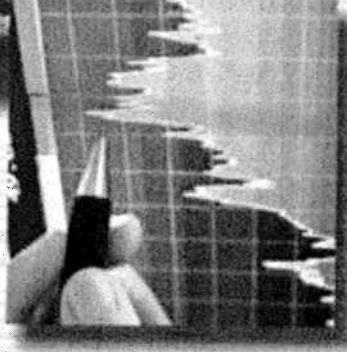
III. RESTORATION

The Board of Regents voted on April 5, 2011 to stay the surrender of the licensed practical nurse license of Tami Ann Garland, Rome, NY 13440; to place her on probation, under specified terms and conditions, for a period to end six months following her successful completion of a nursing refresher course or training, as provided in the terms of probation; and that upon satisfactory completion of the probationary period, her license be fully restored. Ms. Garland's license was originally surrendered March 25, 2003.

Regents Reform Agenda

.....
Monthly Board Update

April 4, 2011



State Activities: Standards and Assessments

Accomplishments

- Board of Regents adopted the New York State P-12 Common Core learning Standards: ELA/Literacy, Math and Pre K.
- Analyzed the 43 submissions to the RFI for development of RFP for ELA and Mathematics Statewide Curriculum and Instructional Services.
- Hired Director of Curriculum Services, Gladys Cruz. Hired Kate Gerson, Regents Research Fellow for Common Core Implementation.
- Board, Staff and Fellows hosted regional graduation requirements/flexibility forums in Buffalo, Rochester, the Capital region, Long Island, Ithaca, Syracuse, NYC, and Lake Placid.

Work Underway

- Curriculum Staff and Fellows preparing for launch of Common Core in 2011-12.
- Fellows and Assessment Team developing transition plan for 2012-2013 alignment of the 3-8 assessments and Regents exams to the NYS Common Core Standards.
- Curriculum Staff and Fellows continue to support State's involvement in PARCC assessment design.

State Activities: Data Systems

Presentation to Regents during May meeting

Accomplishments

- Finalized 2011-12 data model for instructional data collection.
- One-on-one discussions with management system vendors on instructional data collection specifications.
- Fellows performed analysis of Section B and D needs for data and instructional improvement system.
- Hired Data Director, Jeff Baker.

Work Underway

- Data portal/instructional reporting system requirements and procurement.
- Continue to develop protocols for higher education and P-20 data system expansion.
- Provide guidance to field on teacher of record and instructional reporting requirements.
- Development of Statewide Common Course Catalogue to support instructional reporting.

State Activities: Great Teachers and Leaders

Accomplishments

- Teaching Standards adopted by Board of Regents in January.
- Surveyed school districts' use of commercially available student assessments.
- Surveyed school districts' current teacher and principal evaluation practices.
- Regents Task Force will submit report and recommendations to Regents April 4.
- Fellows supported full Regents Task Force and work groups with research, discussion guides, etc.

Work Underway

- Field testing Performance Based examinations for initial certification of teachers and school building leaders.
- Blue Ribbon Commission of experts reviewing clinically rich graduate teacher preparation programs RFP.
- Draft RFPs: clinically rich principal preparation program; clinically rich undergraduate teacher preparation program; growth and value-added scores for teacher and principal effectiveness; model induction program.
- Fellows and higher ed staff planning for September 2011 Teacher Incentive Fund Program start with Syracuse, Rochester, NYC and Yonkers.



State Activities: School Turnaround

Accomplishments

- Received a \$45.9 million School Improvement Grant Award from USED to supplement the \$308.8 million grant NY was awarded last year.
- Submitted \$170M federal Charter School Program grant application for 2011-2016.
- Issued JIT reports for 18 NYC PLA schools and completed JIT visits to 27 other newly identified PLA schools throughout the State.
- Carried out 54 school visits for SIG planning and implementation recipients, along with district level meetings, in 7 districts.

Work Underway

- Develop continuum of external supports for future SIG schools.
- Issue RFP for School Innovation Fund.
- Conduct JIT visits to newly identified schools; program evaluation visits to schools implementing intervention models.
- Provide support to districts developing Cohort 2 SIG applications for newly identified schools.
- Charter School Authorizing Strategic Planning and review of new charter school applications (37 full charter applications).

State Activities: Network Teams (NT)

Accomplishments

- Approved plans for the creation of 270 Network Teams (or NT Equivalents) for the 638 districts and 76 charters participating in RTTT.
- Created initial performance metrics to monitor NT performance and impact.
- Finalized summer professional development dates (August 1-5, 2011), vendors and location.

Work Underway

- Creating “interim” deliverables for 2011-12 to guide and support NT/NTE’s work.
- Staff, Fellows, and vendors co-developing professional development content (including gathering input from the field).
- Partnering with PBS to define and create video of effective school-based Inquiry Teams at work and supporting resources.
- Collaborating with School Turnaround Office and OISM to begin to define Network Team support in SIG schools.
- Establishing ongoing working relationships with SCDN, RSE-TASC/SEIS, and NYCDOE to ensure coordinated sustainability of work.
- Developing train-the-trainer model for teacher and principal evaluators.

State Activities: Performance Management

Accomplishments

- Restructured the Department to advance reform initiatives.
- Completed review of 714 LEA final *Scopes of Work*.
- Completed on-line reporting system for LEAs to submit budgets.
- Developed initial set of Assurance Area level performance metrics.
- Developed expedited RFP process for first phase of RFPs (drafting – posting).
- Develop template and intake form to facilitate expedited RFP process.

Work Underway

- Assist Assurance Teams with the development of RFPs/RFQs.
- Develop expedited RFP process for 2nd phase (posting – awarding) and 3rd phase (awarding – contract).
- Develop and monitor performance metrics for each assurance team.
- Develop sub-recipient monitoring plan for USED.
- Prepare for May 3 USED program visit.

2011-12 ENACTED STATE BUDGET HIGHLIGHTS

State Operations

The final budget included the proposed across-the-board cut of 10% in General Fund state operations spending. SED will need to reduce spending by \$4.3 million. This will be challenging given General Fund support has been reduced from \$61 million in 2008-09 to \$38.3 million for 2011-12, a reduction of 37%. We will be planning reductions in both personal and non-personal services and examining functions that can be streamlined or eliminated. If the Executive achieves workforce savings of \$450 million during collective bargaining negotiations, SED's portion of these savings will go toward meeting our cut target.

Regents Budget Priorities

	Requested Additional Funding	Actual Additional Funding
Regents exams	\$15.0 million	\$7.0 million
GED testing	\$0.7 million	\$0.7 million
Smart Scholars	\$6.0 million	\$6.0 million
Tenured Teacher Hearings	\$7.5 million	\$0.0 million
Summer School for the Arts	\$0.8 million	\$0.0 million

- Additional funding for Regents exams was included in the final budget. Options to address the funding shortfall will be presented to the Board at the May meeting.
- GED testing funds were included as requested. We will continue to advocate for testing reforms including a pre-test and the ability to charge reasonable fees.
- Smart Scholars was funded as requested. This funding will provide the match to the funds provided by the Gates Foundation for the first cohort. We expect to announce the awardees for the second cohort very soon.
- Funding was not provided to address the chronic underfunding of the Tenured Teacher Hearing program. However, we are continuing to advocate and work toward adoption of program reforms included in our legislative package.
- Summer School for the Arts will be operated by OCE and we will be seeking efficiencies to reduce the cost of this program and private funding to support it.

School Aid

The Legislature restored \$251 million in school aid, reducing the Governor's year over year cut from \$1.5 billion to \$1.3 billion. However, many schools did not spend the federal Education Jobs Funds and when this funding is excluded from the current school year, the year over year change is a reduction of \$675 million. School aid will be discussed in more detail at the May State Aid Committee meeting.

Out year school aid is permanently capped at personal income growth (approximately 4%).

Special Education

The final budget will change the financing structure for 4201 schools whereby school districts pay tuition to the schools in the first instance and get reimbursed on a lag basis by the State. They will not be subject to the current rate setting methodology; however, SED's RSU will develop a per pupil tuition charge.

The State reimbursement to school districts for summer school special education costs is unchanged.

The final budget almost doubles the share paid for maintenance costs by school districts for students placed by Committees on Special Education (CSE) in residential schools (20% to 38%).

Higher Education

The final budget reduces base aid to SUNY (\$12.9 million) and CUNY (\$5.1 million) community colleges by approximately 6 percent (a cut of 10 percent was included in the Executive budget).

The final budget adds \$9.2 million to provide TAP to students at rabbinical schools starting with the spring 2012 semester.

Other

There are two new grant programs for school districts:

- The School District Performance Improvement Awards provides \$250 million for competitive grants for schools that demonstrate significant measurable improvements in academic achievement and student outcomes.
- The School District Management efficiency Awards provides \$250 million for competitive grants for achieving school district management efficiencies.

The final budget increased support above the Executive recommendations as follows:

- \$3.0 million for public libraries
- \$3.0 million for non-public schools
- \$0.5 million for educational television and radio

The proposed consolidation of the high needs nursing program, primary mental health project, teacher opportunity corps program, mentoring and tutoring program, and the national board for professional teaching standards certification grant program into competitive Education Improvement Performance grants was not included.

Funding of \$1.9 million for Small Government Assistance will provide additional resources for school districts that have historically been impacted by State property tax exemptions for forest land. This program was previously funded at the same level for school districts in the State's Local Government Assistance program.