



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 November 2012 Meeting  
**DATE:** November 20, 2012  
**AUTHORIZATION(S):** *[Signature]*  
**Executive Summary**

Issue for Decision

Review of the Summary of the November 2012 Meeting of the Board of Regents.

Proposed Handling

Approval of the Summary of November 2012 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 November 2012 meeting.

Timetable for Implementation

Effective December 11, 2012.

**VOTED**, that the Summary of the November 2012 Meeting of the Board of Regents of The University of the State of New York be approved.

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*The University of the State of New York*  
Education  Department

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

*Held at the State Education Building*

*Albany, New York  
November 5, 2012*

*Anthony Lofrumento, Secretary  
Board of Regents*

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## **THE BOARD OF REGENTS**

The Board of Regents of The University of the State of New York held a public session on Monday, November 5 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

### **MEETING OF THE FULL BOARD, Monday, November 5 at 9:00 a.m.**

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

Chancellor Merryl H. Tisch  
Vice Chancellor Anthony S. Bottar  
Geraldine D. Chapey  
Harry Phillips, 3<sup>rd</sup>  
James R. Tallon, Jr.  
Roger Tilles  
Charles R. Bendit  
Betty A. Rosa  
Lester W. Young, Jr.  
Christine D. Cea  
James O. Jackson  
Kathleen M. Cashin  
James E. Cottrell  
T. Andrew Brown

Also present were the Commissioner of Education, John B. King Jr., Executive Deputy Commissioner Valerie Grey, Counsel and Deputy Commissioner for Legal Affairs, Richard J. Trautwein, and the Secretary, Board of Regents, Anthony Lofrumento. Chancellor Emeritus Robert M. Bennett and Regents James C. Dawson and Wade S. Norwood were absent and excused.

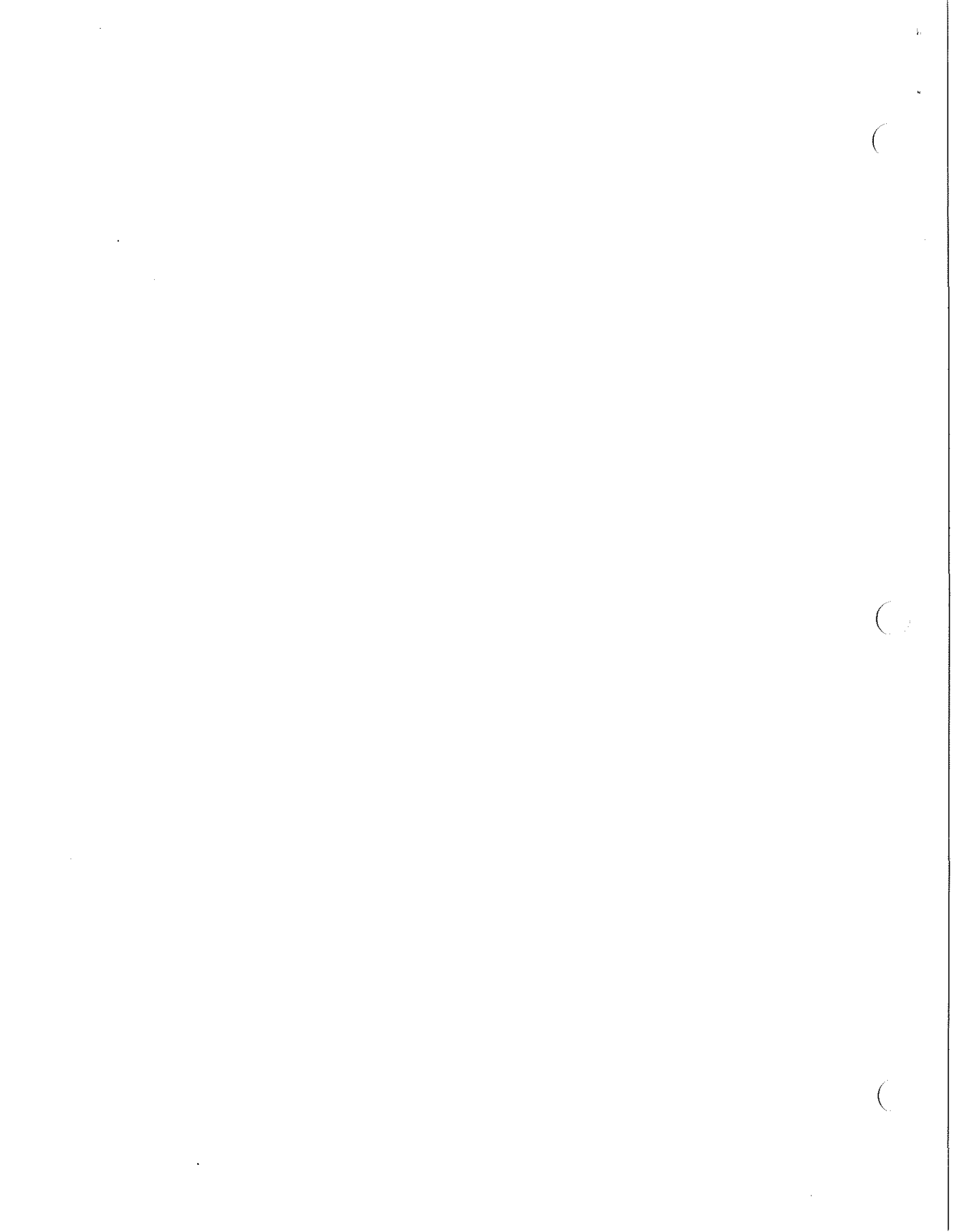
Chancellor Merryl H. Tisch called the meeting to order at 9:00 a.m.

### **ACTION ITEMS**

#### **Executive Session Motion**

**MOVED**, that the Board of Regents convene in executive session on Tuesday October 9, 2012 at 4:20 p.m. to discuss personnel matters.

**Motion by:** Vice Chancellor Anthony S. Bottar  
**Seconded by:** Regent Harry Phillips 3<sup>rd</sup>  
**Action:** Motion carried unanimously



## UPDATES

### **Common Core Implementation Update**

Ken Slentz and Ken Wagner provided the Board with an update on the Common Core Implementation. (See Attachment I)

### **Data Systems Update**

Ken Slentz and Ken Wagner provided the Board with an update on Data Systems. (See Attachment II)

### **APPR/RTTT Update**

Valerie Grey and Stephanie Wood-Garnett provided the Board with an update on APPR and RTTT.

Chancellor Merryl H. Tisch adjourned the meeting at 9:40 a.m.





**MEETING OF THE FULL BOARD, Monday, November 5 at 5:15 p.m.**

**Board Members in Attendance:**

Chancellor Meryll H. Tisch  
Vice Chancellor Anthony S. Bottar  
Geraldine D. Chapey  
Harry Phillips, 3<sup>rd</sup>  
James R. Tallon, Jr.  
Roger Tilles  
Charles R. Bendit  
Betty A. Rosa  
Lester W. Young, Jr.  
Christine D. Cea  
James O. Jackson  
Kathleen M. Cashin  
James E. Cottrell  
T. Andrew Brown

Also present were the Commissioner of Education, John B. King Jr., Executive Deputy Commissioner Valerie Grey, Counsel and Deputy Commissioner for Legal Affairs, Richard J. Trautwein, and the Secretary, Board of Regents, Anthony Lofrumento. Chancellor Emeritus Robert M. Bennett and Regents James C. Dawson and Wade S. Norwood were absent and excused.

Chancellor Meryll H. Tisch called the meeting to order at 5:15 p.m.

**ACTION ITEMS**

**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 October 2012 Meeting of the Board of Regents**

**BR (A) 2**

**MOVED**, that the Summary of the October 2012 Meeting of the Board of Regents of The University of the State of New York be approved.

**Motion by:** Regent Roger Tilles  
**Seconded by:** Vice Chancellor Anthony S. Bottar  
**Action:** Motion carried unanimously



## **PROGRAM AREA CONSENT ITEMS**

### **Higher Education**

**Berkeley College – Master Plan Amendment Authorizing the College to Offer Programs in the Health Professions and Social Sciences at its Brooklyn Branch Campus  
BR (CA) 1**

**MOVED**, that the Board of Regents approve a master plan amendment to authorize Berkeley College to offer associate and baccalaureate-level programs in the Health Professions and Social Sciences at its Brooklyn branch campus.

**Bryant & Stratton College – Regents Authorization to Authorize the College to Award the Bachelor of Science Degree at the College's Greece Location and Master Plan Amendment to Authorize the College to Offer a Bachelor of Science Degree in Healthcare Services Administration at its Greece Location  
BR (CA) 2**

**MOVED**, that the Board of Regents authorize Bryant and Stratton College to award the Bachelor of Science (B.S.) degree at the College's Greece location and approve a master plan amendment to authorize the College to offer a Bachelor of Science (B.S.) in Healthcare Services Administration at its Greece location.

### **P-12 Education**

**Petition of the Rome City School District for Consent to Exceed the Constitutional Debt Limit  
BR (CA) 3**

**MOVED**, that the the Board of Regents hereby give consent to the issuance of bonds and/or bond anticipation notes by the Board of Education of the Rome City School District in an amount not to exceed \$25,400,000 for capital improvements, consisting of reconstruction and renovations, in part and construction to a particular school building and its grounds and the issuance of such bonds and/or bond anticipation notes in excess of the constitutional debt limit of said school district.

**Proposed Addition of Section 100.18 and Amendment of Sections 100.2(m), 100.17, 120.3 and 120.4 of the Regulations of the Commissioner, relating to New York State's Approved ESEA Flexibility Request  
BR (CA) 4**

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

**MOVED**, that section 100.18 of the Regulations of the Commissioner of Education is added, subdivision (m) of section 100.2 is amended, subparagraph (i) of paragraph (3) of subdivision (c) of section 100.17 is amended, and sections 120.3 and 120.4 are amended, as submitted, effective November 28, 2012, and it is further

**MOVED**, that section 100.18 of the Regulations of the Commissioner of Education is added, subdivision (m) of section 100.2 is amended, subparagraph (i) of paragraph (3) of subdivision (c) of section 100.17 is amended, and sections 120.3 and 120.4 are amended, as submitted, effective November 10, 2012, as an emergency action upon a finding of the Board of Regents that such action is necessary for the preservation of the general welfare in order to ensure that the proposed rule adopted by emergency action at the June Regents meeting, and revised and adopted by emergency action at the September Regents meeting, remains continuously in effect until the effective date of its adoption as a permanent rule.

### **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) 5**

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

**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.

**Motion by:** Regent Harry Phillips, 3rd  
**Seconded by:** Regent James E. Cottrell  
**Action:** Motion carried unanimously

### **STANDING COMMITTEE REPORTS**

#### **P-12 EDUCATION**

Your P-12 Education Committee held its scheduled meeting on November 5, 2012. All members were present, except for Chancellor Emeritus Bennett, Regent Dawson and Regent Norwood, who were excused.

## **ACTION ITEMS**

### Charter School Renewal Policy and Performance Framework for Charter Schools Authorized by the Board of Regents

Your Committee recommends that the Board of Regents approves the Charter School Renewal Policy and endorses the Charter School Performance Framework as described in this item, and directs staff to revise and update the Performance Framework, in consultation with the field, as necessary, consistent with the Charter School Renewal Policy and the guiding principles outlined in the Performance Framework. [P-12 (A) 1]

### New Charter Schools Authorized by the Board of Regents

Your Committee recommends that the Board of Regents take the following actions:

That the Board of Regents approves and issues a charter and provisional charter to the Great Oaks Charter School for a term of five years in accordance with §2851(2)(p) of the Education Law.

That the Board of Regents approves and issues charters to the New Visions Charter High School for Advanced Math and Science III, the New Visions Charter High School for the Humanities III, the New Visions Charter High School for Advanced Math and Science IV, and the New Visions Charter High School for the Humanities IV, and a provisional charter to New Visions Charter Schools to operate such schools, for terms of five years in accordance with §2851(2)(p) of the Education Law.

That the Board of Regents approves and issues a charter and provisional charter to The New American Academy Charter School for a term of five years in accordance with §2851(2)(p) of the Education Law.

That the Board of Regents approves and issues a charter and provisional charter to the Unity Preparatory Academy Charter School of Brooklyn for a term of five years in accordance with §2851(2)(p) of the Education Law.

That the Board of Regents approves and issues a charter and provisional charter to the Utica Academy of Science Charter School for a term of five years in accordance with §2851(2)(p) of the Education Law. [P-12 (A) 3]

### Special Education Impartial Hearings

Your Committee recommends that action on the proposed amendments to subdivision (x) of section 200.1, paragraphs (3), (4) and (5) of subdivision (j) of section 200.5, and paragraph (9) of subdivision (h) of section 200.16 of the Regulations of the Commissioner of Education relating to Special Education Impartial Hearings be deferred until the December meeting to allow additional time for Committee members to engage in discussions with their constituents and receive feedback on the proposed regulations. [P-12 (A) 4]

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

Madam Chancellor and Colleagues: Your P-12 Education Committee recommends, and we move, that the Board of Regents act affirmatively upon each recommendation in the written report of the Committee's deliberations at its meeting on November 5, 2012, copies of which have been distributed to each Regent.

### **MATTERS NOT REQUIRING BOARD ACTION**

Seal of Biliteracy – The Committee discussed the State Seal of Biliteracy which was established to recognize high school graduates who have attained a “high level of proficiency in listening, speaking, reading, and writing in one or more languages, in addition to English.” This was signed into law by the Governor on July 31, 2012 and the Regents are now required to develop regulations to implement the provisions of this legislation. Discussion focused on the criteria that students must meet and procedures districts must follow in order to award the NYS Seal of Biliteracy. Department staff proposed that a Seal of Biliteracy Workgroup be created to provide advice on criteria for determining a high level of proficiency in languages other than English. Staff will draft new regulations for Regents consideration at a future meeting. [P-12 (D) 1]

Common Core Grade 9-12 Social Studies Framework and Graduation Requirements – The Committee continued their discussions around graduation requirements for social studies and the grades 9-12 social studies frameworks. The Social Studies Content Advisory Panel met in October 2012 and recommends, consistent with the Board discussion in September, that the Global History and Geography course of study be divided into two separate and distinct units of study required for graduation. The Panel presented three options for this, where all three options include a Unit of Study 1 and a Unit of Study 2. The Panel further recommends that if only one Regents exam were to be offered, that it focus only on Unit of Study 2. Staff will gather feedback from the field concerning the development of these frameworks and bring back additional recommendations to the Committee at a future meeting. [P-12 (D) 2]

Wrap-around, Full-service and Community-oriented Schools – A panel of experts was assembled and asked to share community-oriented approaches in their respective local settings and to discuss the benefits of community-oriented, wrap-around services, school design and how these lead to increased student achievement.

**Lawrence Wright**, Assistant Superintendent of Curriculum and Instruction at the Geneva City School District.

**Anne Nowak**, Coordinator at the Sweet Home Family Support Center.

The Committee discussed full-service and community-oriented schools and the services they provide to surrounding communities including academics, health and social services, youth and community development, and family and community engagement.

Consent Agenda Items - The Committee discussed the following items scheduled for approval on the Full Board consent agenda:

- Petition of the Rome City School District for Consent to Exceed the Constitutional Debt Limit.
- ESEA Waiver.

## **P-12 EDUCATION AND AUDITS/BUDGET AND FINANCE JOINT MEETING**

Your P-12 Education Committee and Audits/Budget and Finance Committee held a joint meeting on November 5, 2012. All members were present, except for Chancellor Emeritus Bennett, Regent Dawson and Regent Norwood, who were excused.

### **ACTION ITEMS**

#### **Special Education Oversight**

Your Committee recommends that the Board of Regents accept and approve the summary of recommendations as outlined during the discussion, and direct staff to develop corresponding Department oversight processes, revised regulations and legislation, as appropriate. The Department will continue implementation of fiscal oversight actions currently underway (as described at the September 2012 meeting of Audit/Budget and Finance Committee), develop a legislative proposal to enact the recommendations that require statutory change, and begin to revise the administrative oversight processes as described in the attached document. [P-12 & Aud/BF (A) 1]

### **HIGHER EDUCATION**

Your Higher Education Committee held its scheduled meeting on November 5, 2012

#### **Action Items**

**Elim Bible Institute:** Regents Authorization to award the Associate in Applied Science. Your Committee approved Elim Bible Institute's request to offer its first degree program, an Associate in Applied Science (A.A.S.) degree in Biblical and Theological Studies.

Permission to Operate: Olivet. Your Committee approved Olivet University's request for permission to operate in New York and offer seven courses in Manhattan. These courses constitute one quarter of their M.B.A. program. The Manhattan location will have no role in offering distance education, or its coordination or administration. Olivet is a private Christian institution in the Presbyterian tradition.

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

Madam Chancellor and Colleagues: Your Higher Education Committee recommends, and we move, that the Board of Regents act affirmatively upon each recommendation in the written report of the Committee's deliberations at its meeting on November 5, 2012, copies of which have been distributed to each member of the Board of Regents.

Other matters not requiring action:

Proposed Amendments to Sections 80-3.3, 80-3.7 and 80-5.6 of the Regulations of the Commissioner Relating to Individual Evaluation and the Experience Requirements for a Level III Teaching Assistant Certificate. Your Committee discussed the proposed amendments to Sections 80-3.3, 80-3.7 and 80-5.6. The proposed amendments would allow someone with one year or more of teaching experience as a certified teacher to be eligible for a level III teaching assistant certificate. In addition, the amendments would also extend the individual evaluation pathway until May 1, 2014. It is anticipated that the proposed amendment will come before the Full Board for adoption as a permanent rule at the January 2013 Regents meeting. If adopted at the January Regents meeting, the proposed amendment will become effective on January 30, 2013.

Growth Scores. Your Committee reviewed and discussed a sample report on Teacher and Principal Growth Scores.

Budget Priorities. Your Committee discussed the following proposed Regents budget priorities.

- Tenured Teaching Hearings. This program has been chronically under funded for many years, with the current deficit projected at \$9 million. Requesting an additional \$9 million in General Fund support to address the accumulated deficit and pay claims for hearings that started prior to April 1, 2012.
- Higher Education Opportunity Programs (HEOP). New York State's Higher Education Opportunity Program (HEOP) provides economically and educationally disadvantaged students with access to post-secondary institutions and services. HEOP lacks adequate financial resources to ensure that additional students throughout NYS will continue to benefit from the success of this opportunity program. The Department's budget request of \$2 million would allow for an expansion of HEOP student enrollment in participating post-secondary institutions.



## **PROFESSIONAL PRACTICE**

Your Professional Practice Committee held its scheduled meeting on November 5, 2012. All Committee members were present, except Regent Wade S. Norwood, who was excused. Chancellor Merryl H. Tisch, Regent Kathleen M. Cashin and Regent T. Andrew Brown were also present 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 21 consent order applications and 1 surrender application be granted. [PPC EXS (A) 1-3]

In the case of Cecilia Ekere Akpan, Registered Professional Nurse, Calendar No. 26269, we recommend that (1) the caption, header, and body in the report of the Regents Review Committee as well as on the blue back to the report all be deemed corrected to read respondent's correct name "Cecilia Ekere Akpan," and not "Celilia Ekere Akpan," and (2) the last word of "him," on line 7 of page 7, be deemed corrected to read "her."

In the case of Alexandra Boucher a/k/a Alexandra S. Boucher, Veterinary Technician, Calendar No. 25741, we recommend that the remainder of the sentence after the words "amended to reflect," in the first full paragraph on page two of the report of the Regents Review Committee in this matter involving the profession of veterinary technology, all be deemed deleted and the following language be deemed added as a correction to read, in substitution therefore, "respondent's correct title of "veterinary technician," and not the incorrect title stated of "veterinary technologist."

These recommendations are made following the review of 26 cases involving seven registered professional nurses, five licensed practical nurses, four licensed practical nurses who are also registered professional nurses, one chiropractor, one dental hygienist, one dentist, one massage therapist, one physical therapist, and one veterinary technician.

#### **Restoration**

Your Committee recommends the following:

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

### **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 November 5, 2012, copies of which have been distributed to each Regent.

#### **MATTERS NOT REQUIRING BOARD ACTION**

Your Committee discussed several topics of interest, including:

##### **Deputy Commissioner's Report/Update –**

- Full Board Consent Agenda Items
  - Board Appointments
  - Licensing Petitions
- Technology Update
- Staffing/Productivity Update
- Updates on OP Initiatives, including efforts to address professional issues to enable the State and other entities to more effectively provide relief from the effects of storm Sandy

**Occupational Therapy Regulations** – Discussion of the proposed amendments to the regulations relating to continuing competency in occupational therapy, limited permits for occupational therapy assistants, and supervision of students in occupational therapy assistant programs. These regulations are scheduled for action in January 2013.

#### **ADULT CAREER AND CONTINUING EDUCATION SERVICES (ACCES)**

Your ACCES Committee held its scheduled meeting on November 5, 2012. All members were present.

#### **MATTERS NOT REQUIRING BOARD ACTION**

Update on High School Equivalency Request for Proposal (RFP) – The Committee was provided an update the status of the State Education Department's (SED) efforts to contract with a test vendor to provide a state subsidized High School Equivalency test which would be available by January 1, 2014. The RFP process will allow vendors to propose their plan to address issues: of academic rigor according to the two approved models, paper pencil and/or computer based testing, CBT software compatibility, test center engagement and capacity and pricing. The RFP will be for the period beginning April 1, 2013 and ending December 31, 2016.

#### **PROPOSED REGENTS 2012-2014 BUDGET PRIORITIES ACCES (A) 1**

Update on Deferred Action for Childhood Arrivals Transition Fund (DACATF) – The Committee was provided an update on the Deferred Action for Childhood Arrivals (DACA) program that was established to provide the opportunity for certain undocumented youth in the country to be afforded a pathway to secure U.S. work authorization. DACATF would leverage the successes of existing programs by building on the infrastructure of the Employment Preparation Education (EPE) program, the Adult Literacy Education (ALE) program, and the Literacy Zone (LZ) program; enhance services needed to better assure timely academic outcomes required to achieve deferment and employment; and, would require a 100% match, including in-kind services, and would encourage a cooperative multi-agency approach to service and support.

**Motion by:** Regent Charles R. Bendit  
**Seconded by:** Regent Geraldine D. Chapey  
**Action:** Motion carried unanimously

**State Education Department October 2012 Fiscal Report  
BR (A) 3**

**MOVED**, that accept the October 2012 State Education Department Fiscal Report as presented.

**Proposed Regents 2013-14 Budget Priorities  
BR (A) 5**

**MOVED**, that the Board of Regents approve 2013-14 SED Budget Priorities as follows:

Assessment Program	\$2.5 million
Deferred Action for Childhood Arrivals Transition Fund (DACATF)	\$2.0 million
Higher Education Opportunity Program	\$2.0 million
High School Equivalency Exam	TBD
Support for Special Education Oversight	TBD

In addition, 3020-a proceedings account (tenured teacher hearings) has been chronically underfunded and has an estimated accumulated deficit of \$9 million.

Additionally, the following Regents Legislative Priorities have fiscal implications and should be considered in the 2013-14 State Budget deliberations:

Regents State Aid Proposal  
Early Education Investment  
TAP for Early College High School Students  
Education Equity for DREAMers  
Regional High Schools

**BOCES as Regional Leaders**

Lastly, technical changes will be sought to create an account and appropriation for planned fees authorized by the Board of Regents to support additional staff work related to Board of Regents Higher Education Accreditation activities.

**Motion by:** Regent Harry Phillips, 3rd  
**Seconded by:** Regent Roger Tilles  
**Action:** Motion carried unanimously

**Acceptance of a \$2,335,640, Two-year Grant from the Leona M. & Harry B.  
Helmsley Charitable Trust (the "Trust")  
BR (A) 4**

**MOVED**, that the Board of Regents accept the sum of \$2,335,640 from the Trust to support the communications project.

**Motion by:** Regent Roger Tilles  
**Seconded by:** Regent James R. Tallon, Jr.  
**Action:** Motion carried unanimously

Chancellor Meryll H. Tisch adjourned the meeting at 5:40 p.m.

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

<b>Name of Institution</b>	<b>Program Area</b>	<b>County of Location</b>	<b>Description of Charter Action(s)</b>
Greater Patchogue Historical Society	CE	Suffolk	Grant an absolute charter.
The Greek Museum	CE	Suffolk	Extend provisional charter for five years.
Hinsdale Historical Society	CE	Cattaraugus	Extend provisional charter for five years.
Hobart Historical Society	CE	Delaware	Extend provisional charter for five years.
Montezuma Historical Society	CE	Cayuga	Extend provisional charter for five years.
Museum of Arts & Culture	CE	Westchester	Extend provisional charter for five years.
Museum Association of New York	CE	Rensselaer	Consolidate with "Museumwise", an education corporation, with Museum Association of New York, as the survivor, with the new amended name "Museumwise: The Museum Association of New York", and amend the corporate purposes.
Newtown Historical Society	CE	Queens	Amend charter to change the corporate address.
The Village of Babylon Historical and Preservation Society	CE	Suffolk	Grant an absolute charter.
Wantagh Preservation Society	CE	Nassau	Amend charter to update IRS language.
Ivy League School	P-12	Suffolk	Amend charter to add authority to operate a grade eight.

Lakeside Preschool	P-12	Essex	Amend charter to change the corporate name to " Lakeside School"; change corporate address; add authority to operate kindergarten and grade one; add authority to offer community events in child development education, the arts, movement, agriculture, and stewardship of the land; and extend provisional charter for three years.
Maggie Alston Early Learning Center	P-12	Bronx	Extend provisional charter for three years.
The Manhattan Free School	P-12	New York	Amend charter to change corporate address and extend provisional charter for three years.
Nora Cronin Presentation Academy	P-12	Orange	Amend charter to change corporate address and grant an absolute charter.
Our Lady of Good Success	P-12	Suffolk	Extend provisional charter for three years.
Silver Creek Montessori School	P-12	Chautauqua	Dissolve charter and approval to store student records with the Buffalo Hearing and Speech Center, Inc.
Elim Bible Institute and College	HE	Livingston	Grant provisiona! charter for five years.
Trocaire College	HE	Erie	Amend charter to delete membership language and state the corporation will operate without members.

## Appendix II

### REGENTS ACTIONS IN 26 PROFESSIONAL DISCIPLINE CASES AND 1 RESTORATION PETITION November 5, 2012

The Board of Regents announced disciplinary actions resulting in the surrender of 1 license as well as 25 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. SURRENDER

##### PHYSICAL THERAPY

Kieran Gerard Deneen; Physical Therapist; Massapequa, NY 11758; Lic. No. 015188; Cal. No. 26314; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Health Care Fraud.

#### II. OTHER REGENTS DISCIPLINARY ACTIONS

##### CHIROPRACTIC

Dipti R. Patel; Kings Park, NY 11754; Lic. No. 010885; Cal. No. 26307; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation, \$750 fine.

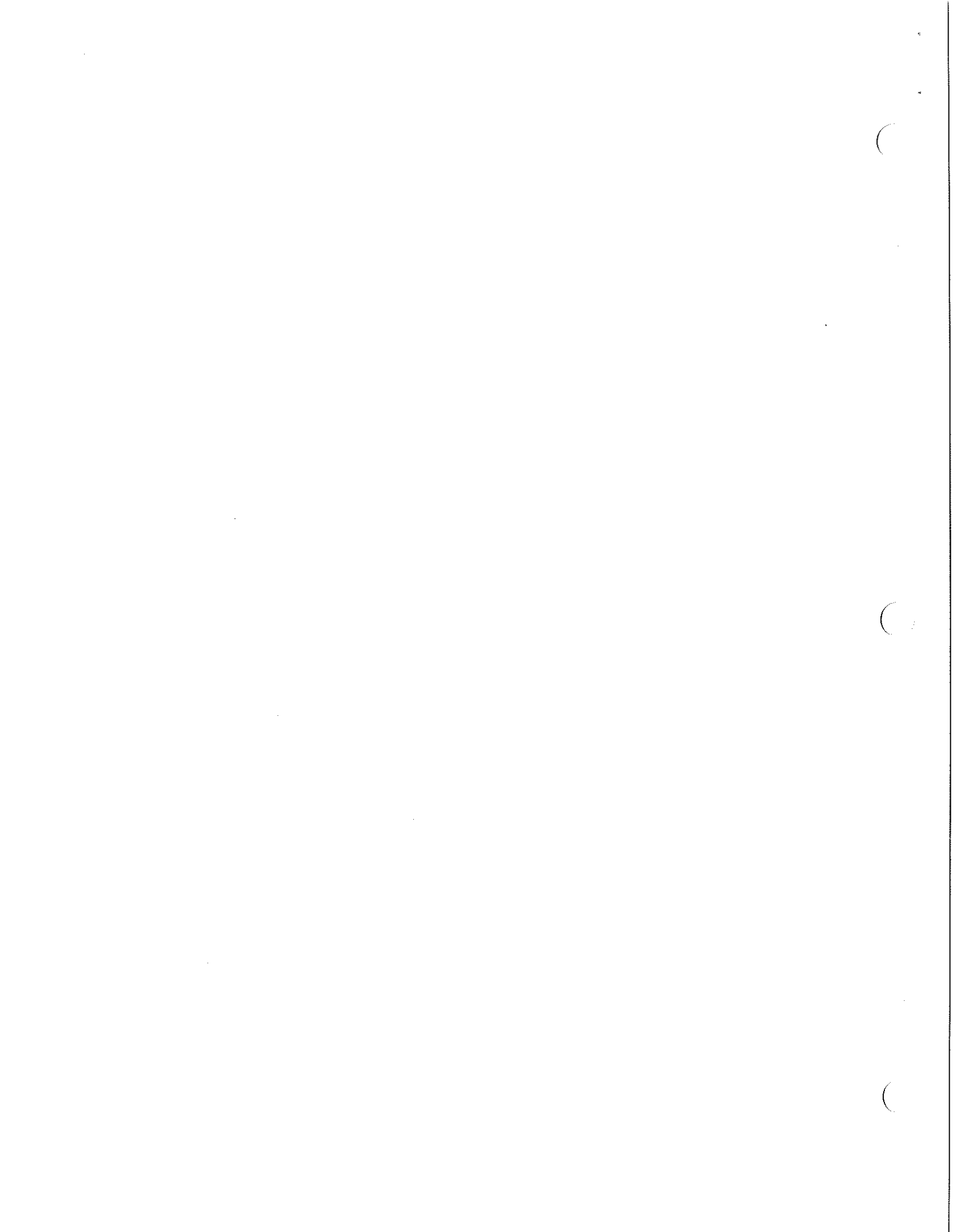
##### DENTISTRY

Howard Eric Bloom; Dentist; New York, NY 10033; Lic. No. 038740; Cal. No. 25975; Found guilty of professional misconduct; Penalty: 1 year suspension, execution of suspension stayed, probation 1 year.

Amy Lynn Vigod a/k/a Amy L. Phillips; Dental Hygienist; Long Beach, NY 11561; Lic. No. 020641; Cal. No. 26016; Found guilty of professional misconduct; Penalty: 2 year suspension, execution of suspension stayed, probation 2 years.

##### MASSAGE THERAPY

Daniel J. Forte; Rochester, NY 14680; Lic. No. 017984; Cal. No. 26258; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice.





## NURSING

Lilian Kanatochi Okwara a/k/a Lilian Kanayochi Okwara; Licensed Practical Nurse, Registered Professional Nurse; Mansfield, TX 76063-5873; Lic. Nos. 241406, 476304; Cal. Nos. 24631, 24797; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 9 month stayed suspension, 1 year probation to commence upon return to practice in State of New York.

Teresa Anne Leanza; Licensed Practical Nurse, Registered Professional Nurse; West Hampton Beach, NY 11978; Lic. Nos. 254945, 500183; Cal. Nos. 25811, 25810; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation to commence upon return to practice, \$500 fine.

Keri Michelle Jenkins; Registered Professional Nurse; Greenwich, NY 12834; Lic. No. 598476; Cal. No. 25982; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Elizabeth Ann Griffin; Registered Professional Nurse; Rochester, NY 14606; Lic. No. 597678; Cal. No. 26084; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Victoria Anne Carpenter; Registered Professional Nurse; Albany, NY 12209; Lic. No. 593374; Cal. No. 26145; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Virginia E. Crean; Licensed Practical Nurse; Caledonia, NY 14423; Lic. No. 275825; Cal. No. 26161; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Julie Ann Stokley; Licensed Practical Nurse, Registered Professional Nurse; Riverhead, NY 11901; Lic. Nos. 265093, 580162; Cal. Nos. 26235, 26236; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until successful participation in course of therapy and treatment and until fit to practice, upon termination of suspension, 3 years probation to commence when and if return to practice.

Regina J. Murray a/k/a Regina J. Roberts; Registered Professional Nurse; Batavia, NY 14020; Lic. No. 619868; Cal. No. 26241; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Lynn Marie Lindaman; Licensed Practical Nurse; Grand Island, NY 14072; Lic. No. 230285; Cal. No. 26249; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon termination of suspension, 1 year probation.

Douglas A. Mealing; Licensed Practical Nurse; Rochester, NY 14606; Lic. No. 303297; Cal. No. 26250; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$250 fine.

Daniel J. Forte; Licensed Practical Nurse; Rochester, NY 14680; Lic. No. 304480; Cal. No. 26257; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine.

Jacqueline D. Trask; Registered Professional Nurse; Horseheads, NY 14845; Lic. No. 567408; Cal. No. 26259; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$750 fine.

Anissia M. Brown; Licensed Practical Nurse; Rochester, NY 14609; Lic. No. 282583; Cal. No. 26264; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 11 month stayed suspension, 1 year probation, \$500 fine.

Amy Lagergren; Registered Professional Nurse; Webster, NY 14580; Lic. No. 592850; Cal. No. 26293; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation to be tolled until return to practice, \$500 fine.

Jane Vernita Weston a/k/a Jane Weston; Licensed Practical Nurse, Registered Professional Nurse; Woodside, NY 11377; Lic. Nos. 200446, 427692; Cal. Nos. 26356, 26357; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 24 months probation.

#### VETERINARY TECHNOLOGY

Alexandra Boucher a/k/a Alexandra S. Boucher; Veterinary Technician; Cornwall-on-Hudson, NY 12520; Lic. No. 005935; Cal. No. 25741; Found guilty of professional misconduct; Penalty: \$500 fine to be paid within six months, 1 month minimum indefinite suspension until substance abuse-free and until fit to practice, subsequent to termination of suspension, probation 2 years to commence upon actual return to practice.

### III. RESTORATION

The Board of Regents voted on November 5, 2012 to deny the application for restoration of the chiropractic license of Joseph Accetta, Deer Park, NY. Mr. Accetta's license was originally revoked December 9, 1987.

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# Common Core Update

Board of Regents  
November 2012

ATTACHMENT I



[www.engageNY.org](http://www.engageNY.org)

# Implementing the Common Core

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## Instructional Shifts Demanded by the Core

### *6 Shifts in ELA/Literacy*

Balancing Informational and Literary Text  
Building Knowledge in the Disciplines  
Staircase of Complexity  
Text-based Answers  
Writing from Sources  
Academic Vocabulary

### *6 Shifts in Mathematics*

Focus  
Coherence  
Fluency  
Deep Understanding  
Applications  
Dual Intensity

# Summer 2012 Curricular Resources

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## Resources Provided to Support District Implementation of Common Core

- **Professional Development Videos** developed with authors of Common Core and PBS
- **Tri-State Rubric** developed with Massachusetts and Rhode Island to evaluate district curricular materials against the Common Core
- **Content Frameworks** developed by PARCC in collaboration with the authors of the Common Core
- **Curricular Exemplars** (sample lessons and instructional materials) developed with feedback from the authors of Common Core
- **Sample Assessment Items** developed with feedback from the authors of Common Core
- **Network Team Institutes/Teacher & Principal Common Core Ambassadors Program**

# Implementation Supports: EngageNY 1.5

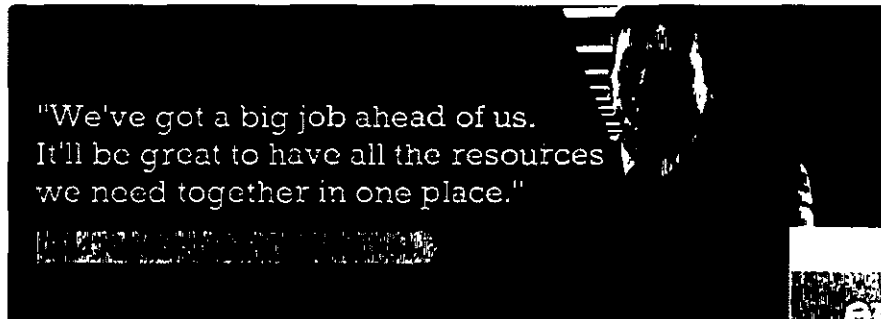
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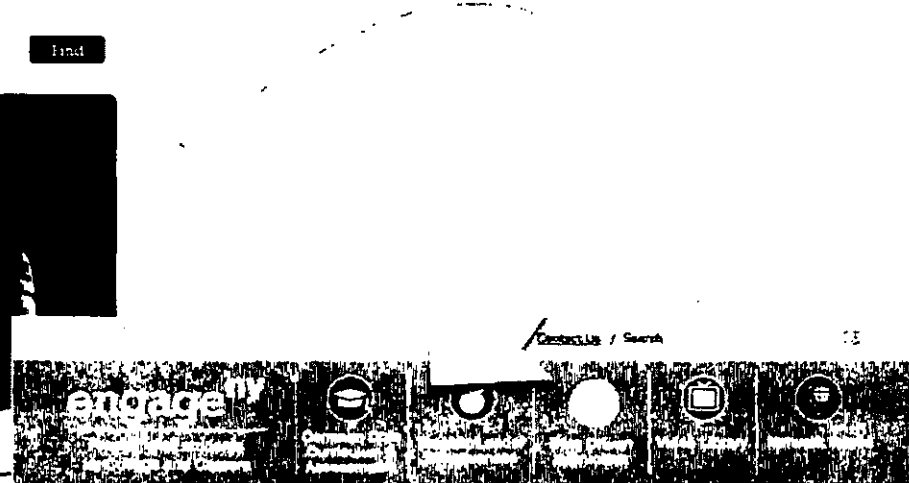
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Find



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## What's New:

Revised navigational choices on the homepage

Upgraded search experience

New tagging, search and filter functionality

E-Community for the field to engage, interact and share



### Featured Classroom Resources

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### Latest News and Events

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### Featured Professional Development Resources

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www.engage<sup>ny</sup>.org

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# Summer 2013 Curricular Resources

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## First-in-Nation Optional State P-12 English Language Arts and Mathematics Common Core Curriculum

- Unit plans and instructional materials developed through iterative, collaborative process with NYS educators
- Innovative Creative Commons License Approach
- English Language Arts
  - Core Knowledge: P-2 Curriculum Modules
  - Expeditionary Learning: 3-5 Curriculum Modules
  - Public Consulting Group: 6-12 Curriculum Modules
- Mathematics
  - Common Core Inc.: P-12 Curriculum Modules
- Launch of video library of exemplary Common Core instruction

# Assessing Student Progress

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# ***New York State Testing Program***

## **Common Core Sample Questions**

**engage<sup>ny</sup>**

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# OLD 2008 Grade 6 Item, Fractions

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## 6.N21

Find multiple representations of rational numbers (fractions, decimals, and percents 0 to 100)

**2** A 20-gallon container is filled with 6 gallons of gasoline. What fraction of the container is filled with gasoline?

**A**  $\frac{20}{6}$

**B**  $\frac{3}{10}$

**C**  $\frac{6}{10}$

**D**  $\frac{3}{5}$

# NEW Grade 5 Math Item, Fractions

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## Standard 5.NF.7c

Solve real world problems involving division of unit fractions by non-zero whole numbers and division of whole numbers by unit fractions, e.g., by using visual fraction models and equations to represent the problem. For example, how much chocolate will each person get if 3 people share  $\frac{1}{2}$  lb of chocolate equally? How many  $\frac{1}{3}$ -cup servings are in 2 cups of raisins?

**Domain:** Number and Operations- Fractions

**Item:** CR

**9.** Half of a school auditorium is needed to seat 3 equal-sized fifth grade classes.

**Part A:** Make a visual fraction model to represent the whole auditorium when each class is seated in separate sections.

**Part B:** What fraction of the auditorium will one of the fifth grade classes need of the whole auditorium?

# Similar to Old Grade 6 ELA Items

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**2a** Read the following lines from the passage

*People laughed at him, and even his friends told him that he never could be a speaker, so he went home greatly cast down. (Lines 24 and 25)*

In this sentence, 'cast down' means

- Upbeat
- Encouraged
- Embarrassed
- Discouraged

**4a** In both the *Demosthenes* biography and the *Icarus and Daedalus* myth the main characters are given advice from other people. Do you respond to advice from other people more like Demosthenes or more like Icarus? Write an essay in which you explain who you are more like when it comes to taking advice and why. Use details from both articles to support your answer.

In your response, be sure to do the following:

- tell whether you are more like Demosthenes or Icarus
- explain why you are respond to advice similar to Demosthenes or Icarus
- use details from both passages in your response

# Sample: New CC Grade 6 ELA Item

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**2** Read the following lines from the passage

*People laughed at him, and even his friends told him that he never could be a speaker, so he went home greatly cast down. (Lines 24 and 25)*

How does this sentence help to structure the passage?

- A) It sets up a contrast between what Demosthenes could accomplish individually and what he could do with the help of others.
- B) It shows the main reason Demosthenes sought the help of other more established public speakers
- C) It divides the periods of Demosthenes life between when he was unsuccessful and when he reached his goals
- D) It reveals Demosthenes key weakness, public speaking, and how it would hold him back. |

DRAFT

# Sample: New CC Grade 6 ELA Item

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## *Extended Constructed Response Paired Passages*

**4** In both the *Demosthenes* biography and the *Icarus and Daedalus* myth the main characters exhibit determination in pursuit of their goals. Did determination help both main characters reach their goals, or did it lead them to tragedy? Write an argument for whether you believe determination helped or hurt the two main characters.

In your response, be sure to do the following:

- describe how determination affected the outcome in *Demosthenes*
- describe how determination affected the outcome in *Icarus and Daedalus*
- explain the similarities or differences that exist in the ways determination played into the outcome of both texts
- use details from both passages in your response

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# PARCC Update

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- Technology Readiness Tool → surveying districts to determine technology capacity and evaluate “readiness” gap
- College & Career Readiness Performance Level Descriptors based on NYS Model → identifying performance level that “predicts” probability of student successfully enrolling in and succeeding in a credit-bearing first-year college course
- Test development
  - Prototype items posted (very similar to NYS sample items)
  - Multiple vendors engaged in item development work

# **Education Data Portal Implementation Update**

**Supporting Common Core Learning Standards  
and College- and Career-Readiness**

**ATTACHMENT II**

**Board of Regents  
November 2012**

# Goals at Launch:

- Data dashboards for educators, students, and families
- Easy access to Common Core-aligned curriculum and instruction resources (EngageNY.org)
- Online communities for educators
- Ability for LEA's, BOCES, NYSED, or third-parties to improve and add to the system



# Current State

- Educational data are already being collected and used for federal/state and local purposes
- Educational data are already being provided to third-party vendors to help local schools and districts meet their needs including:
  - student management, scheduling, special education, school lunch, transportation, assessment, and learning management system vendor services

# Current Limitations

- When schools and districts provide their data to third-party vendors, they are paying twice:
  - Paying for the vendor's tool
  - Paying for data standardization (to make the tool work with the local data)
- Because of this, schools and districts have fewer options and higher costs
- Students and parents have very few, if any, options

# Shared Learning Collaborative: Data Standardization

- SLC is a strategic investment of private foundation funds that will be leveraged towards more efficient use of State funds as follows:
  - Standardize data format, transport, and security protocols, so schools and districts don't pay twice
  - Increase options for educators, students, and families to support Common Core Learning Standards and College- and Career-Readiness
  - Lower costs

# Shared Learning Collaborative: Participation

- Facilitated by the Council of Chief State School Officers (CCSSO)
- Philanthropic support from the Gates Foundation and the Carnegie Corporation
- Phase 1 States: Colorado, Illinois, Massachusetts, New York, North Carolina
- Phase 2 States: Delaware, Georgia, Kentucky, Louisiana

# Shared Learning Collaborative: Data Privacy and Security

- Data security and privacy is a primary goal
- States/districts retain ownership of all data
- Data are never re-disclosed to a third-party, including vendors, without LEA approval
- Federal and state security protections, including FERPA
- Local and State data are separate from other states and districts (no national database)

# Shared Learning Collaborative: Open Standards

- The SLC is a non-profit organization working on behalf of participating states
- All SLC vendors are temporary “work-for-hire” contractors with no ownership of any SLC products and services
- All assets are open and non-proprietary
- All standards are publicly available
- There is no SLC or vendor “lock-in”