

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

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SUBJECT:

Summary of the April 2012 Meeting

DATE:

May 7, 2012

AUTHORIZATION(S):

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Executive Summary

Issue for Decision

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

Proposed Handling

Approval of the Summary of April 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 April 2012 meeting.

Timetable for Implementation

Effective May 21, 2012.

VOTED, that the Summary of the April 2012 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 23 and 24, 2012***

***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 23, 2012 at 9:00 a.m. and Tuesday, April 24 at 11:40 a.m. pursuant to a call to duty sent to each Regent.

MEETING OF THE FULL BOARD, Monday, April 23 at 9:00 a.m.

Board Members in Attendance:

Chancellor Merryl H. Tisch
Anthony S. Bottar, Vice Chancellor
James C. Dawson
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
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 was absent and excused.

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

DISCUSSION ITEMS

Testing Update

Ken Slentz and Kristen Huff provided an update on testing.

P-20 Data System Update BR (A) 4

Ken Wagner provided an update on the P-20 Data System (See attachment A.)

ACTION ITEM

**Update on New York State's Next Generation Accountability System – Approval of
Recommended Revisions to the Elementary and Secondary Education
Act (ESEA) Flexibility Request**

BR (A) 5

MOVED, that the Board of Regents approves the Commissioner's recommendations for:

- Standards for the implementation of Expanded Learning Time in priority schools as proposed,
- Establishment of a Recognition Schools process and methodology for identification as proposed, and
- Methodology for identification of Focus Schools as proposed.

Motion by: Regent James C. Dawson
Seconded by: Regent Harry Phillips, 3rd
Action: Motion carried unanimously

Executive Session Motion

MOVED, that the Board of Regents convene in executive session on Monday April 23, 2012 at 5:45 p.m. to discuss personnel matters.

Motion by: Vice Chancellor Anthony S. Bottar
Seconded by: Regent Harry Phillips 3rd
Action: Motion carried unanimously

Full Board adjourned at 10:45 a.m.

MEETING OF THE FULL BOARD, Tuesday, April 24 at 11:40 a.m.

Board Members in Attendance:

Chancellor Merryl H. Tisch
Anthony S. Bottar, Vice Chancellor
James C. Dawson
Geraldine D. Chapey
Harry Phillips, 3rd
James R. Tallon, Jr.
Roger Tilles
Charles R. Bendit
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 Betty A. Rosa and Wade S. Norwood were absent and excused.

Chancellor Merryl H. Tisch called the meeting to order at 11:40 a.m.

ACTION ITEMS

**Charter Applications for April 2012
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).

**Supplemental Charter Applications
BR (A) 1 – SUPPLEMENTAL**

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

**Summary of the March 2012 Meeting of the Board of Regents
BR (A) 2**

MOVED, that the Summary of the March 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: Regent Harry Phillips 3rd
Action: Motion carried unanimously

PROGRAM AREA CONSENT ITEMS

Adult Career and Continuing Education Services (ACCES)

**Amendment to Section 100.5(b)(7) of the Regulations of the Commissioner of
Education Relating to the Award of Local Diplomas to Certain Veterans
BR (CA) 1**

MOVED, that paragraph (7) of subdivision (b) of section 100.5 of the Regulations of the Commissioner of Education be amended, as submitted, effective May 16, 2012.

**Amendment of Section 100.8 of the Regulations of the Commissioner of
Education Relating to Local High School Equivalency Diplomas Based Upon
Experimental Programs
BR (CA) 2**

MOVED, that section 100.8 of the Regulations of the Commissioner of Education be amended, as submitted, effective May 16, 2012.

Higher Education

**Amendment to Section 100.2(o) of the Commissioner's Regulations and Addition
of a New Subpart 30-2 to the Rules of the Board of Regents, Relating to Annual
Professional Performance Reviews of Classroom Teachers and Building
Principals
BR (CA) 3**

MOVED, that the emergency action taken at the March 19 – 20, 2012 meeting of the Board of Regents, which amended subdivision (o) of section 100.2 of the Regulations of the Commissioner of Education and added a new Subpart 30-2 of the Rules of the Board of Regents is repealed, effective April 24, 2012, and it is further voted that paragraph (1) of subdivision (o) be repealed and paragraph (2) of subdivision (o) be renumbered paragraph (1) of subdivision (o), subparagraph (ii) of renumbered

paragraph (1) of subdivision (o) be amended, subclause (1) of clause (a) of subparagraph (iv) and renumbered paragraph (1) of subdivision (o) be amended, subparagraphs (v) through (vii) of renumbered paragraph (1) of subdivision (o) be renumbered subparagraphs (vi) through (vii) of renumbered paragraph (1) of subdivision (o) and that a new subparagraph (v) of renumbered paragraph (1) of subdivision (o) of section 100.2 of the Regulations of the Commissioner of Education be added and that a new Subpart 30-2 of the Rules of the Board of Regents be added, as submitted, effective April 24, 2012, as an emergency action upon finding by the Board of Regents that such action is necessary for the preservation of the general welfare in order to immediately revise the Regents Rules and Commissioner's Regulations to conform to and implement the provisions of Chapter 21 of the Laws of 2012 relating to annual professional performance reviews of classroom teachers and building principals and thereby ensure that school districts and BOCES may timely implement the new annual professional performance requirements for classroom teachers and building principals in accordance with the statute, and to otherwise ensure that the emergency rule, as revised, remains continuously in effect until it can be adopted as a permanent rule.

P-12 Education

Petition of the Hornell City School District for Consent to Exceed the Constitutional Debt Limit BR (CA) 4

MOVED, that the Board of Regents hereby gives consent to the issuance of bonds and/or bond anticipation notes by the Board of Education of the Hornell City School District in an amount not to exceed \$340,000 for the acquisition of school buses and the issuance of such bonds and/or bond anticipation notes in excess of the constitutional debt limit of said school district.

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, the proposed (re)appointments by approved.

**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.

**Rescission of Professional License of Three Registered Professional Nurses, Two
Clinical Laboratory Technologists, One Architect and One
Speech-Language Pathologist
BR (CA) 7**

MOVED, that the State Education Department is directed to rescind the licenses of the licensees identified in Attachment 1 to this item, effective immediately.

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

STANDING COMMITTEE REPORTS

P-12 EDUCATION COMMITTEE

Your P-12 Education Committee held its scheduled meeting on April 23, 2012. All members were present, except for Chancellor Emeritus Bennett, who was excused.

ACTION ITEMS

Charter Schools

VOTED: That the Board of Regents finds that the proposed revised charter of the Challenge Preparatory Charter School: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will permit the charter school to operate in an educationally and fiscally sound manner; (3) is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves the above listed charter revision as proposed by Chancellor of the NYCDOE and the provisional charter is amended accordingly. [P-12 (A) 1]

That the Board of Regents denies the renewal application for the Pinnacle Charter School, that the board of trustees of the Pinnacle Charter School be provided notice of this action and that its charter will terminate upon the expiration of its current charter term on June 30, 2012, and that the board of trustees of the Pinnacle Charter School is directed to take all steps necessary to close the school in accordance with its

charter and the school closure procedures of the Department and cease instruction as of June 30, 2012; including but not limited to the immediate provision of notice of this nonrenewal action to the parents of existing students of the Charter School, the parents of any students in the Charter School's most recent lottery and the parents of students on the Charter School's waiting list, provision for the orderly transfer of student records to the Buffalo City School District and disposition of the Charter School's assets. This action was passed by a vote of 9-1 with Regent Tallon in opposition and Regent Rosa abstaining from the vote. Chancellor Emeritus Bennett was not present at the meeting but wanted to express that his preference would have been for a one-year renewal. [P-12 (A) 2]

Statement from Chancellor Emeritus Robert Bennett regarding the vote taken on the Pinnacle Charter School at the meeting of the Board of Regents on April 24, 2012.

"While I am well aware of the issues presented and the policy implications for keeping Pinnacle opened for an extended term, these issues are far outweighed by what the outcomes will be for these children by placing them back in the Buffalo City School District."

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 24, 2012, copies of which have been distributed to each Regent.

MATTERS NOT REQUIRING BOARD ACTION

Dignity Act

The Committee discussed proposed amendments to regulations that would establish standards for a program to train school employees and administrators to promote a positive school environment that is free from discrimination and harassment; and to discourage and respond to incidents of discrimination and/or harassment on school property or at a school function. The proposed rule was discussed by the Committee in February, but has been revised due to public comment. The Committee reached consensus on the intent of the revised proposed rule and will take action at the June 2012 Regents meeting. [P-12 (D) 1]

The Committee discussed proposed amendments to regulations that would establish standards for the reporting of material incidents of discrimination and harassment including, but not limited to, threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender or sex. The Committee reached consensus on the intent of the proposed rule and will take action at the June 2012 Regents meeting. [P-12 (D) 2]

Concussion Management Awareness Act – Due to time constraints, this item has been deferred to the June Regents meeting and will be discussed at that time. [P-12 (D) 3]

Proposal to Strengthen the Safety Net for Students with Disabilities – the Committee discussed proposals for strengthening the safety net for students with disabilities to further enable graduation with a local diploma. Discussion focused on feedback from the March 9 stakeholder workgroup meeting and staff recommendations for expanding options for students with disabilities to earn a local diploma beyond the current option of the 55-64 pass score on the five required Regents exams. The Committee endorsed the expanded options and has directed staff to propose regulations as stated in the item. The Committee also directed staff to review current testing accommodation policy for Regents exams to ensure students with disabilities are being provided the maximum appropriate accommodations necessary to demonstrate their performance-based knowledge of the subject areas being tested. [P-12 (D) 4]

Proposal to Create Multiple Pathways to a NYS High School Diploma - The Committee discussed several policy directions that the Board of Regents may wish to consider in establishing specific expanded pathways for high school students to satisfy high school graduation requirements. The Committee discussed the following four recommendations:

1. Identifying Global History and Geography as an optional assessment
2. Creating two separate courses in Global History and Geography
3. Continuing the requirement of the U.S. History and Government Regents exam
4. Allowing the use of an approved college and career ready CTE technical assessment in lieu of a required Regents exam, thereby allowing students to follow a CTE pathway to graduation.

The Committee shared concerns about the proposed recommendations, specifically as they relate to the Global exam option. The recommendation to add a CTE assessment as an option for graduation was favorable, but concern was expressed that access to these programs may be difficult for some districts. The Committee agreed with the proposed next steps and felt it is critical to provide an opportunity for public feedback on the proposed recommendations. Additionally, Department staff will begin working with districts to identify existing funding sources that could be leveraged to support the recommendation for a new CTE and STEM pathway program. Further discussion on these recommendations for expanded pathways will continue in June, following the proposed public comment period. [P-12 (D) 5]

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

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

P-12 Education/Adult Career and Continuing Education Services (ACCES)

Your P-12 Education/ACCES Joint Committee held its scheduled meeting on April 23, 2012. All members were present, with the exception of Chancellor Emeritus Bennett, who were excused.

MATTERS NOT REQUIRING BOARD ACTION

Developing a Framework for Effective Transition from School to Work: A Follow-Up to December 2011 Presentation to the Regents – The Committee was provided an update of the on-going progress being made in the transition from secondary education to employment for youth with disabilities. The Office of Special Education and ACCES-VR are jointly exploring evidence-informed strategies to drive more effective transition outcomes in New York State. A panel presentation was conducted by members of the Freeport Union Free School District and a Senior Vocational Rehabilitation Counselor from the ACCES-VR Garden City District Office. They presented to the Committee their approach on transition practice and the positive outcome that it has.

Update on Multiple Pathways to a High School Equivalency Diploma – The Committee was updated on the progress made to draft a Request for Information (RFI) needed to consider multiple pathway options to the New York State High School equivalency diploma. The RFI will help us identify products that are either currently available or may become available which many provide alternative pathways to a High School equivalency diploma. SED has worked closely with both Missouri and Massachusetts to develop a draft RFI which is currently being reviewed internally. SED has involved key researchers and assessment experts in this effort. Consistent with the development of the RFI and Board action in February, we have solidified efforts to engage SUNY and CUNY to determine if their college placement instrument(s) could be used to lead to a High School equivalency diploma. A number of states have expressed concern with the changes to the GED® test and are also planning on issuing Requests for Information and/or Requests for Proposals to explore alternative products or programs. The information contained in New York's draft RFI will be shared across states and used to inform multi-state processes.

Higher Education

Your Higher Education Committee held its scheduled meeting on April 23, 2012. All members were present with the exception of Chancellor Emeritus Bennett.

Action Items

Proposed Amendment to Subpart 82-1 Relating to Procedures for Hearings on Charges Against Tenured School Employees Pursuant to Section 3020-a of the Education Law. Your Committee voted that Subpart 82-1 of the Regulations of the Commissioner be amended, as submitted, effective April 24, 2012, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the

general welfare in order to implement Education Law section 3020-a, as amended by Chapter 57 of the Laws of 2012. Part B of Chapter 57 of the Laws of 2012 became effective on April 1, 2012. It is anticipated that the rule will be presented for permanent adoption at the June Regents meeting, after the 45-day public comment period required pursuant to the State Administrative Procedure Act.

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 April 24, 2012, copies of which have been distributed to each member of the Board of Regents.

Other matters not requiring action:

Teacher and Principal Preparation Program Profiles. The Committee discussed the Department's development of teacher and principal preparation program profiles. The Office of Higher Education is working in collaboration with the Office of P-12 Education, Data Systems Information and Reporting Services on this initiative. The teacher and principal preparation program profiles are one of five data deliverables under the P-20 data system.

Teacher Preparation Support Program. The Committee discussed pursuing with each of the higher education sectors and their respective teacher and school leader preparation programs, opportunities to provide professional development that will ensure a successful transition to the new academic standards in education.

Test Security and Educator Integrity Update. Your Committee received a brief update.

Professional Practice

Your Professional Practice Committee held its scheduled meeting on April 23, 2012. All Committee Members were present, except for Regent Anthony S. Bottar, who was excused. Chancellor Merryl H. Tisch 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 23 consent order applications and 4 surrender applications be granted.

These recommendations are made following the review of 31 cases involving eight registered professional nurses, six licensed practical nurses, three dentists, three podiatrists, two certified public accountants, two veterinarians, one licensed practical nurse who is also a registered professional nurse, one pharmacist, one physical therapist, one psychologist, and one registered professional nurse who is also a nurse practitioner.

Restorations

Your Committee recommends that the application of Jimmy Lee Dutton for the restoration of his license to practice as a licensed practical nurse in New York State be denied. [PPC EXS (A) 4]

Approvals

Your Committee recommends approval of the following items:

Regulations Relating to the Approval of International Medical Schools for Long-Term Clinical Clerkship Placements [PPC (A) 1] – That section 60.10 of the Regulations of the Commissioner of Education be added, as submitted, effective April 24, 2012, as an emergency measure upon a finding by the Board of Regents that such action is necessary for the preservation of the public health and general welfare in order to enable the Advisory Committee on Long-Term Clinical Clerkships the opportunity to evaluate pending applications by international medical schools to place students in long-term clinical clerkships in New York State in a timely manner.

Regulations Relating to Occupational Therapy [PPC (A) 2] – That subdivision (b) of section 76.4 of the Regulations of the Commissioner of Education be amended; that section 76.5 be repealed and section 76.7 be renumbered as section 76.5; that section 76.6 be renumbered as section 76.8 and that new sections 76.6, 76.7, and 76.9 be added, all as submitted, effective May 15, 2012, 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 in order to ensure that the emergency rule adopted at the February Regents meeting remains continuously in effect until the effective date of proposed regulations to implement Chapter 460 of the Laws of 2011, as published in the March 14, 2012 State Register

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 23, 2012, copies of which have been distributed to each Regent.

MATTERS NOT REQUIRING BOARD ACTION

Deputy Commissioner's Report/Update [Oral] – The Deputy Commissioner reported on the following issues:

- Full Board Consent Agenda Items
- Board (Re) Appointments [BR (CA) 5]
- Licensing Petitions/Conferral of Degrees [BR (CA) 6]
- Rescission of Professional Licenses Issued in Error [BR (CA) 7]
- Updates on OP Initiatives
- Technology Update
- Staffing/Productivity Update
- Status of Corporate Practice Waivers
- Update on report to the Legislature regarding the licensure of individuals providing certain mental health services

Regulations Relating to Occupational Therapy [PPC (A) 2] – In conjunction with the emergency action on occupational therapy regulations referenced in the Approvals section above, the Committee discussed additional regulations needed to implement chapter 460 of the Laws of 2011 with regard to the supervision of holders of limited permits in occupational therapy and the supervision of occupational therapy assistants.

Regulations Relating to Electronic Prescriptions and to Electronic Recordkeeping by Pharmacists [PPC (D) 1] – Discussion of amendments relating to electronic prescriptions and electronically maintained records of pharmacists.

Regulations Relating to the Professional Study, Experience Requirements, and Licensing Examination for Licensure of Landscape Architects [PPC (D) 2] – Discussion of amendments to align the New York State requirements for admission to the Landscape Architect Registration Examination with national standards and to clarify the professional study and experience requirements for landscape architecture candidates.

Audits/Budget and Finance

The Regents Committee on Audits/Budget and Finance met as scheduled this morning, April 24, 2012. Chair Chapey, Vice Chair Bendit, Chancellor Tisch, Regents Brown, Cottrell, Jackson, Phillips, Tallon, Tilles, and Young were in attendance.

Chair's Remarks: Regent Chapey welcomed everyone and stressed the important role budget, finance, and auditing plays and will continue to play in this challenging economy and through the implementation of the Reform Agenda.

Items for Discussion

Presentation by the New York State School Boards Association (NYSSBA)

The Committee was briefed on the provision of mandatory school board member training. All school board members are required to have six hours in fiscal oversight training as well as training related to the powers, functions, and duties of board of education. In addition to the mandatory training, NYSSBA also provides other training to school board members. NYSSBA represents almost 700 school boards and is also one of the training providers.

Completed Audits

The Committee was presented with 5 audits this month. One audit was conducted by the Office of Audit Services and 4 by the Office of the State Comptroller. All of the audits were of school districts. One audit examined compliance with the Employment Preparation Education program, the others focused on budgeting, claims process, and a follow-up audit.

March 2012 Fiscal Report

Our Executive Deputy Commissioner briefed the Committee members. The report provided is for the period ending March 31, 2012, the end of the state fiscal year. The Department will continue to spend funds from that year for a short period of time. The presentation of the 3020a teacher tenure hearing will be modified in future fiscal reports to reflect recently passed legislation.

Cultural Education

Regent Roger Tilles, Chair of the Cultural Education Committee, submitted the following written report.

Your Committee on Cultural Education Committee had its scheduled meeting on April 24, 2012.

In attendance were committee members: Regents Tilles, Dawson, Bendit, Cea, Jackson, Cottrell
Absent was Regent Rosa.

In addition to CE Committee Members, in attendance were: Chancellor Tisch, Regents Chapey, Cashin, Phillips, Brown and Young as well as Commissioner King and Executive Deputy Commissioner Grey.

ITEMS FOR DISCUSSION

Chair's Remarks: Regent Tilles welcomed everyone and opened the meeting

Deputy Commissioner Jeffrey Cannell provided a brief update on the status of the Advisory Council on Museums, reporting on the positive reception he received at a recent meeting of the Museum Association of New York.

CE (A) 1 – Report of the Regents Advisory Council on Libraries – Creating the Future: A 2020 Vision and Plan for Library Service in New York State

The Deputy Commissioner introduced presenters Gerald Nichols, Chair and John Hammond, Vice-Chair of Regents Advisory Council (RAC) on Libraries. The Regents Advisory Council on Libraries, as the oldest continuing Regents advisory body, is responsible to keep the Board of Regents informed about the conditions and needs of the State's libraries, and to suggest policies and actions that would make those libraries more useful for the residents of New York State.

Chairman Nichols began by saying “Two years ago we met with you and asked for your concept of library service in the twenty-first century. Your response was to challenge us to articulate a vision that reflected the needs of our citizens and to develop a strategy to get there. The report before you is the work not only of this Council, but of literally hundreds of library users, supporters and professionals.

But before we talk about this report, let us first acknowledge that we have a problem. Actually, we have many problems.

We know that too many of our children are entering school unprepared to learn.

Too many students are leaving school without the knowledge necessary to survive, let alone thrive, in an information-based economy.

Too many citizens are struggling to retrain, to learn new skills and to find work.

Too many seniors feel out of touch with the world.

And there is too little opportunity for civil discourse about these and the other challenges that we as a society must face together.

Simply put, how do we provide the opportunities and, indeed, empower, all the people of New York to lead a productive and meaningful life.

We, you, have to do better. That is our mission.

We are here today to offer you, as the leaders of the University of the State of New York, an opportunity to fully utilize one of your most valuable assets in order to meet these challenges. Perhaps we have many problems, but with your support, the libraries of our state can offer many solutions. We believe this report offers models of success and a series of practical recommendations to help all our state's libraries to get there.

Regent Dawson moved to accept the report from the Advisory Committee. The motion was seconded by Regent Cea and passed unanimously.

The committee recommended that Deputy Commissioner Cannell and his staff analyze the report and provide an action agenda for the Board of Regents based on the recommendations in the report.

A copy of the Regents Advisory Council recommendations was distributed to committee members prior to the meeting.

MOVED, that all March 2012 Committee reports be accepted.

Motion by: Regent Roger Tilles
Seconded by: Regent Geraldine D. Chapey
Action: Motion carried unanimously.

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

MOVED, that the Board of Regents accept the March 2012 State Education Department Fiscal Report as presented.

Motion by: Regent Roger Tilles
Seconded by: Regent James C. Dawson
Action: Motion carried unanimously

APPOINTMENTS

**Appointment to the Position of Executive Secretary, State Boards for
Acupuncture, Occupational Therapy, and Speech-Language
Pathology and Audiology
BR (A) 6**

MOVED, that the Regents approve the appointment of James R. Hinds as Executive Secretary to the State Boards for Acupuncture, Occupational Therapy, and Speech-Language Pathology and Audiology.

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

**Appointment to the Position of Executive Secretary, State Board for Physical
Therapy, Podiatry, and Ophthalmic Dispensing
BR (A) 7**

MOVED, that the Regents approve the appointment of Seth Rockmuller as Executive Secretary to the State Boards for Physical Therapy, Podiatry, and Ophthalmic Dispensing.

Motion by: Regent Roger Tilles
Seconded by: Regent Geraldine D. Chapey
Action: Motion carried unanimously

Chancellor Merryl H. Tisch adjourned the meeting at 12:30 p.m.

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

Summary Table

Name of Institution	Program Area	County of Location	Description of Charter Action(s)
The Center for the Investigation of Native and Ancient Quarries	CE	Orange	Grant provisional charter for five years.
DeWitt Preservation and Historical Society	CE	Onondaga	Extend provisional charter for five years.
Finger Lakes Cultural & Natural History Museum	CE	Yates	Consent to filing of certificate of assumed name "The Finger Lakes Museum".
Hammond Library of Crown Point	CE	Essex	Extend provisional charter for five years.
Middleport Free Library	CE	Niagara	Amend charter to: <ul style="list-style-type: none"> • change the corporate name to "Royalton Hartland Community Library"; • designate the library's service area to be coterminous with the Royalton-Hartland Central School District.
The Museum of Food and Drink	CE	New York	Amend charter to change the corporate address to 208 East Broadway, Apt. J302, New York, New York 10002.
The National Abolition Hall of Fame and Museum	CE	Madison	Extend provisional charter for five years.
Niagara Track & Field Hall of Fame	CE	Monroe	Grant provisional charter for five years.
The Paley Center for Media	CE	New York	Amend charter to specify the range of trustees to be no greater than 60 nor less than 5 and to authorize an increase or decrease in number of trustees within such range by a 2/3 vote of all the members of the board of trustees.

Prospect Free Library	CE	Oneida	Amend charter to: <ul style="list-style-type: none"> • specify the number of trustees to be not less than five nor more than fifteen; • designate the Commissioner agent for service; • add IRS language; and • designate the service area to be all of the village of Prospect, and portions of the town of Trenton, portions of Holland Patent Central School District and Remsen Central School District as described in specified 2000 U.S. census tracts.
Putnam County Historical Society & Foundry School Museum	CE	Putnam	Amend charter to change corporate name to "Putnam History Museum".
Russell Public Library	CE	St. Lawrence	Amend charter to: <ul style="list-style-type: none"> • designate the library's service area to be coterminous with the Town of Russell; • specify the number of trustees to be not less than five nor more than fifteen; and grant an absolute charter.
The Adirondack School of Northeastern New York	P-12	Washington	Extend provisional charter for three years.
Ascent: A School for Individuals with Autism	P-12	Suffolk	Extend provisional charter for five years.
Bnos Menachem School for Girls	P-12	Kings	Extend provisional charter for three years.

Catholic Academy of the Holy Family	P-12	Chautauqua	Amend charter to: <ul style="list-style-type: none"> • delete and replace section 3 of the charter relating to the composition of the board of trustees; • delete and replace dissolution language to recommend the distribution of any remaining assets for the support of Catholic education for the community served by the corporation or, in the alternative for the Diocese of Buffalo; and extend charter for three years.
MDQ Academy	P-12	Suffolk	Amend charter to: <ul style="list-style-type: none"> • change corporate address to 1725 Brentwood Road, Brentwood, New York 11717; • add authority to operate grades seven through nine; and extend charter for three years.
Raynor Country Day School	P-12	Suffolk	Amend charter to: <ul style="list-style-type: none"> • change corporate address to 170 Montauk Highway (aka 4 Mill Pond Lane and 6 Mill Pond Lane, Speonk, New York); • delete authority to operate grades seven and eight ; and extend charter for three years.

<p>St. Aloysius Regional School</p>	<p>P-12</p>	<p>Erie</p>	<p>Amend charter to:</p> <ul style="list-style-type: none"> • delete and replace section 3 of the charter relating to the composition of the board of trustees. • delete and replace section 7, item (L) of the charter relating to the powers of the trustees and members of the corporation; • delete and replace dissolution language to recommend the distribution of any remaining assets for the support of Catholic education for the community served by the corporation or, in the alternative, for the Diocese of Buffalo; <p>and extend charter for three years.</p>
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Southern Tier Catholic School	P-12	Cattaraugus	Amend charter to: <ul style="list-style-type: none"> • delete and replace section 3 of the charter relating to the composition of the board of trustees. • specify the members shall consist of persons designated from time to time in the by-laws of the corporation either individually or in an ex-officio capacity; • delete and replace section 6 of the charter relating to the powers of the members of the corporation; • delete and replace dissolution language to recommend the distribution of any remaining assets for the support of Catholic education for the community served by the corporation or, in the alternative, for the Diocese of Buffalo; • change corporate address to 208 North 24th Street, Olean, New York 14760; and extend the charter for three years.
Spuyten Duyvil Pre-School	P-12	New York	Amend charter to update dissolution language.
Auburn Theology Seminary	HE	Cayuga	Amend charter to revise provisions concerning the number and composition of the board of trustees and the election and term of board members.
Nazareth College of Rochester	HE	Monroe	Amend charter to revise, renumber and insert new paragraphs to conform to Internal Revenue Code, and amend charter to add authority to confer the degree of Bachelor of Fine Arts (B.F.A.) and to operate postsecondary degree programs and to confer degrees approved and authorized by the Board of Regents in connection with such programs.

Supplemental Table

Name of Institution	Program Area	County of Location	Description of Charter Action(s)
Our Lady of Perpetual Help Catholic Academy	P-12	Queens	Grant provisional charter for three years.
St. Brigid Catholic Academy	P-12	Kings	Grant provisional charter for three years.
St. Francis of Assisi Catholic Academy	P-12	Kings	Grant provisional charter for three years.
St. Francis Cabrini Catholic Academy	P-12	Kings	Grant provisional charter for three years.
St. Gregory the Great Catholic Academy	P-12	Kings	Grant provisional charter for three years.
St. Joseph Catholic Academy	P-12	Queens	Grant provisional charter for three years.
St. Joseph the Worker Catholic Academy	P-12	Kings	Grant provisional charter for three years.
St. Saviour's Catholic Academy	P-12	Kings	Grant provisional charter for three years.

APPENDIX II

REGENTS ACTIONS IN 31 PROFESSIONAL DISCIPLINE CASES AND 1 RESTORATION PETITION

April 23-24, 2012

The Board of Regents announced disciplinary actions resulting in the revocation of 1 license, the surrender of 4 licenses, and 26 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. REVOCATION AND SURRENDERS

Dentistry

Gerald Jay Whiteman; Dentist; Long Branch, NJ 07740; Lic. No. 024255; Cal. No. 26087; Application to surrender license granted. Summary: Licensee did not contest the charge of having been found guilty of improper professional practice or professional misconduct in New Jersey.

Nursing

Stephanie Cachia; Licensed Practical Nurse; Brooklyn, NY 11229; Lic. No. 256654; Cal. No. 25632; Found guilty of professional misconduct; Penalty: Revocation.

David Francis McNamara; Registered Professional Nurse; Comstock, NY 12821-0051; Lic. No. 510109; Cal. No. 26094; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Criminal Possession of a Forged Instrument in the 2nd Degree and Criminal Sale of a Controlled Substance in the 4th degree.

Jacki Lynn Everett; Licensed Practical Nurse; Barryville, NY 12719; Lic. No. 254358; Cal. No. 26097; Application to surrender license granted. Summary: Licensee admitted to the allegation that, on or about February 2, 2009, while employed at Grace Plaza Rehabilitation Nursing Center, Great Neck, New York, she made false entries in patient records indicating she had administered the controlled substances Percocet and Xanax to two patients when, in fact, she had taken said medications and diverted them to her own use.

Psychology

Lynda Harris-Boscaino; Spring Valley, NY 10977; Lic. No. 011791; Cal. No. 26098; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Grand Larceny in the 3rd Degree, a felony.

II. OTHER REGENTS DISCIPLINARY ACTIONS

Dentistry

Gary Mark Helman; Dentist; Syosset, NY 11791-6335; Lic. No. 026445; Cal. No. 25747; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, 100 hours public service.

Saleh A. Elahwal; Dentist; Brooklyn, NY 11209; Lic. No. 042462; Cal. No. 25947; Found guilty of professional misconduct; Penalty: 2 years suspension, execution of last 21 months of suspension stayed, \$10,000 fine.

Nursing

Haydee Grace West-Clyde; Registered Professional Nurse; Baldwin, NY 11510; Lic. No. 478005; Cal. No. 25174; Application for consent order granted; Penalty agreed upon: Censure and Reprimand, 2 years probation, \$500 fine.

Roberta Jomona Nadine Adams a/k/a Roberta Adams; Registered Professional Nurse; Brooklyn, NY 11238; Lic. No. 581934; Cal. No. 25200; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation to commence upon return to practice.

Rima R. Chaudhry; Licensed Practical Nurse; Coram, NY 11727; Lic. No. 240911; Cal. No. 25839; Application for consent order granted; Penalty agreed upon: 6 month actual suspension, 18 month stayed suspension, 2 years probation.

Jacqueline Denin Vaughan-Moscantiello; Licensed Practical Nurse, Registered Professional Nurse; Mastic, NY 11950-2204; Lic. Nos. 259183, 504860; Cal. Nos. 25888, 25889; Found guilty of professional misconduct; Penalty: 2 years suspensions, execution of last 18 months of suspensions stayed, probation 2 years to commence and to run concurrently with suspensions.

Donna Marie Prestopino; Registered Professional Nurse; Massapequa, NY 11758; Lic. No. 510100; Cal. No. 25973; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Monique Hemphill Gonzalez; Licensed Practical Nurse; Poughkeepsie, NY 12603; Lic. No. 225311; Cal. No. 26000; Application for consent order granted; Penalty agreed upon: 2 month actual suspension, 22 month stayed suspension, 24 months probation.

Lisa Ashcraft; Registered Professional Nurse; Fort Myers, FL 33901; Lic. No. 500827; Cal. No. 26001; 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, 2 years probation to commence upon return to practice in State of New York, \$500 fine payable within 2 months.

Demetria Latreic Johnson; Licensed Practical Nurse; Hempstead, NY 11550; Lic. No. 240024; Cal. No. 26003; Application for consent order granted; Penalty agreed upon: 1 month actual suspension beginning June 1, 2012 and terminating June 30, 2012, 23 month stayed suspension, 2 years probation.

Leon Lloyd Sanders; Registered Professional Nurse; Rhinebeck, NY 12572; Lic. No. 575043; Cal. No. 26068; Application for consent order granted; Penalty agreed upon: 3 month actual suspension, 21 month stayed suspension, 24 months probation, \$1,000 fine.

Olubunmi Adeola McClendon; Licensed Practical Nurse; Yonkers, NY 10704; Lic. No. 271229; Cal. No. 26069; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 24 months probation.

Marwa Taman; Registered Professional Nurse; Ithaca, NY 14850; Lic. No. 567545; Cal. No. 26072; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Bette Lindstrand Constantine; Registered Professional Nurse; Amsterdam, NY 12010; Lic. No. 199856; Cal. No. 26075; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation to be tolled until return to practice in State of New York, \$500 fine.

Kevin Francis Brennan; Registered Professional Nurse, Nurse Practitioner (Community Health); Watertown, NY 13601; Lic. No. 368198, Cert. No. 320050; Cal. Nos. 26082, 26081; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$1,000 fine.

Pharmacy

Nelson Francisco Flores; Pharmacist; Tuckahoe, NY 10707; Lic. No. 042664; Cal. No. 25998; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for not less than 3 months and until successful participation in course of therapy and treatment and until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$1,000 fine payable within 2 months.

Physical Therapy

Christopher A. Codoner; Physical Therapist; Staten Island, NY 10312; Lic. No. 013746; Cal. No. 25664; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$750 fine.

Podiatry

Mario George Silvestri; Endicott, NY 13760-5221; Lic. No. 004319; Cal. No. 24779; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$3,000 fine.

Keith Wayne Factor; Brooklyn, NY 11233; Lic. No. 003728; Cal. No. 25423; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for not less than 6 months and until fit to practice, upon termination of suspension, 3 years probation to commence if and when return to practice, \$1,500 fine payable within 18 months.

Eric Ean Edelman; Syracuse, NY 13212-3627; Lic. No. 006040; Cal. No. 26052; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Public Accountancy

Ramona Morales Boswell; Certified Public Accountant; Westbury, NY 11590; Lic. No. 083476; Cal. No. 25999; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$1,000 fine.

Lawrence Rozanski; Certified Public Accountant; Woodmere, NY 11598; Lic. No. 053552; Cal. No. 26053; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$2,500 fine.

Veterinary Medicine

Karen Moody Forlano; Veterinarian; Scotia, NY 12302; Lic. No. 007547; Cal. No. 26055; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Anthony Joseph Meglino; Veterinarian; Tuckahoe, NY 10707; Lic. No. 006855; Cal. No. 26113; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

III. RESTORATION

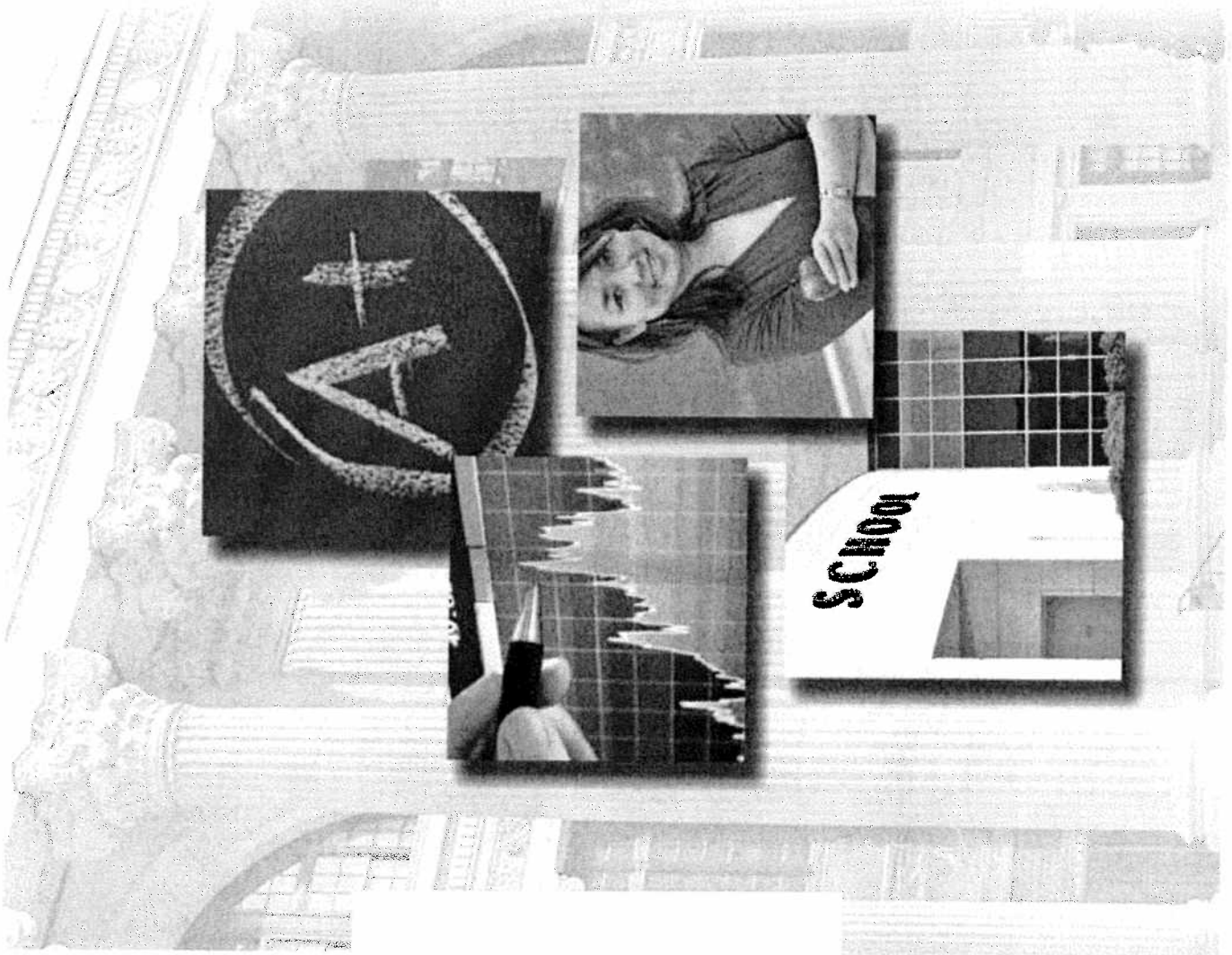
The Board of Regents voted on April 24, 2012 to deny the petition for restoration of the licensed practical nurse license of Jimmy Lee Dutton. Mr. Dutton's license was originally surrendered April 29, 2003.

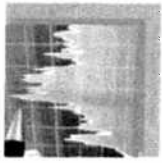
P-20 Data System Product Deliverables

April 2012

engage^{ny}

Our Students. Their Moment.





P-12 System Improvements

Data access for districts, schools, teachers, and the public

- Improving Data Quality
 - Updates to historical data
 - Student Management System Certification Center
 - District Data Coordinator Technical Assistance Center
- Eliminate duplicate reporting
- Quicker data refresh
- Quicker and more user-friendly reports
- Improved School Report Card with geo-location and quicker release capacity
- Improving data access for researchers and the public

GRADE 4 ENGLISH LANGUAGE ARTS

BRIDGEPORT ELEMENTARY SCHOOL

SHOW ASSESSMENT SNAPSHOT | VIEWING FULL YEAR SNAPSHOT

LAST UPDATED: 03/04/2012



01400-01

Local ID	Name	Snapshot Date	Linkage Start Date	Linkage End Date
000211578	AUQUILLA, DEMYTREI	06/30/12	09/07/11	06/30/12
000471781	AUQUILLA, KEYANA	06/30/12	09/07/11	06/30/12
000332802	CAMBRIDGE-BOONE, HALEYROSE	06/30/12	09/07/11	06/30/12
000199149	DARNOWSKY, CURTISSA	06/30/12	09/07/11	06/30/12
000592639	FELDER-WASHINGTON, EBUBEKIR	06/30/12	09/07/11	06/30/12
000532530	FRAID, MICHAEL JR.	06/30/12	09/07/11	06/30/12
000254279	FRAID, TARGEON	06/30/12	09/07/11	06/30/12
000139532	HOMCHAUDHURI, TOSHIRO	06/30/12	09/07/11	06/30/12
000540112	JIMENEZ-CASTILL, LENNIN	06/30/12	09/07/11	06/30/12
000588094	KUZMIAREK, DEAH	06/30/12	09/07/11	06/30/12
000539749	KUZMIAREK, TYHEEN	06/30/12	09/07/11	06/30/12
000202075	LA PLANT, ZAHORYS	06/30/12	09/07/11	06/30/12
000460214	MAMMARELLA, ANNA INES	06/30/12	09/07/11	06/30/12
000174476	MARTYNOVICH, DEJANIQUE	06/30/12	09/07/11	06/30/12
000289748	MCRENS, UDY	06/30/12	09/07/11	06/30/12
000445416	MOSTAFA, MODISTY	06/30/12	09/07/11	06/30/12
000240619	SAINTE CROIX, ESAM MOHAM	06/30/12	09/07/11	06/30/12
000430270	SANAY, RJANNY	06/30/12	09/07/11	06/30/12
000342282	SILAS, ANTHONY R.	06/30/12	09/07/11	06/30/12
000327952	SPAGNULO, AYGUN	06/30/12	09/07/11	06/30/12

Export options: [CSV](#) | [Excel](#) | [Print-Friendly PDF](#)

[Print-Friendly PDF \[all courses\]](#)

[View Additional Data Columns](#)

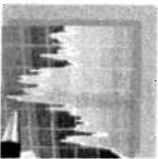
What do I do now?

If you identify discrepancies, please work with your District or School Data Coordinator to correct errors in your Student Management System.

Check the rosters of each of your course sections. If you do not find any discrepancies, you do not need to take any further action.

We appreciate your time. Check back regularly for new or changed data provided by your District or Charter School. Reports are refreshed every Monday.

Sample report does not contain actual student data



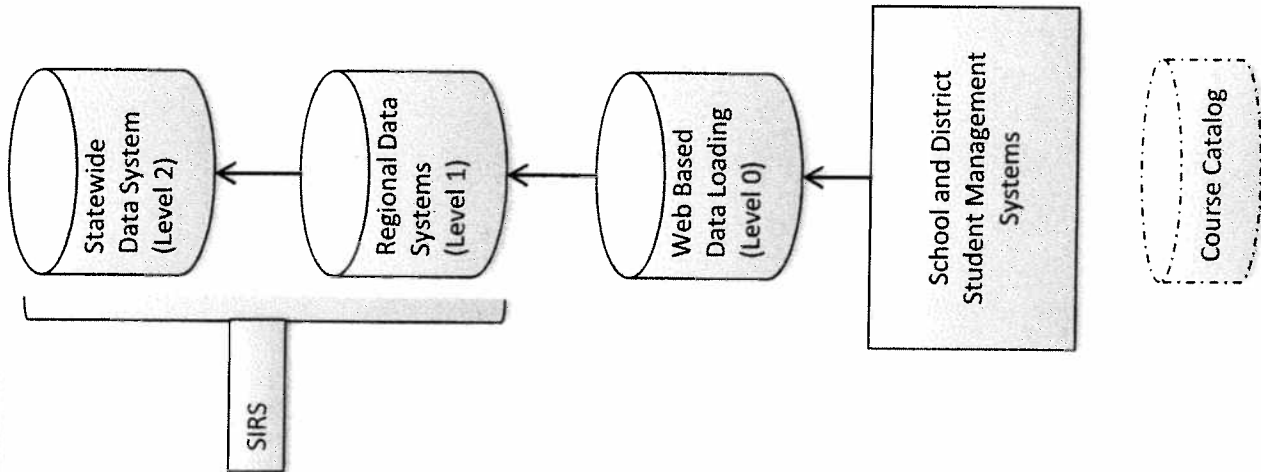
Education Data Portal

Key

New York State, RIC, or LEA Operated

Shared Learning Collaborative

Proposed TBD Vendor Contract(s)



Data Dashboard Services (multiple vendor awards)

Educator, Student, Parent Dashboards with Early Warning and Transcript features

Content Management and System Services

EngageNY.org and aligned Educator Collaboration App with Common Core Content

Future 3rd Party Apps

Common Core Learning Maps

Content Search & Tagging

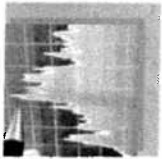
Shared Learning Infrastructure (SLI)



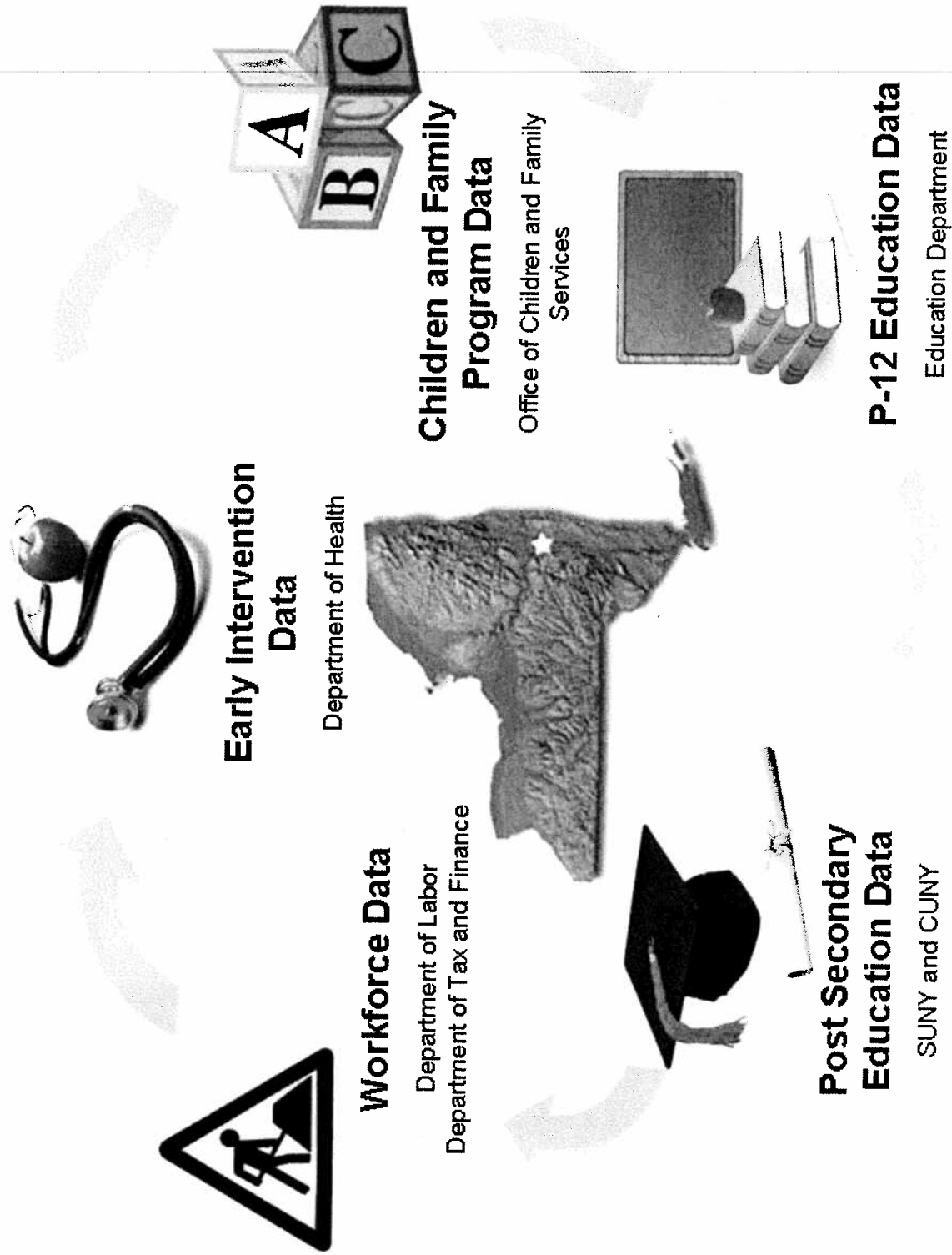
Education Data Portal

Shared Learning Collaborative (SLC)

- Facilitated by the Council of Chief State School Officers (CCSSO); CO, DE, GA, IL, KY, NC, LA, MA
- Shared learning infrastructure (SLI) – Build it once so that scarce resources can focus on providing value, options, and choice for teachers, students, and parents
- Engaged Vendors – Wireless Generation, Applied Minds, Double Line Partners, Intentional Futures, etc.
- Expert Advisors – Michael Lomax, Randi Weingarten, and national leaders in open-source and education technology
- Data Privacy and Security – New York and its schools/districts retain sole ownership of their data; New York data security protected by legally binding agreements



P-20 Longitudinal Data System: Partnering Agencies





Empowering Schools

Informing Schools – “Where are they now?” Reports

- Initial report design will borrow from NYCDOE based on data from CUNY, as well as other regions of the State
- Report post-secondary outcomes back to P-12 high schools
- Incorporate National Student Clearinghouse data, which includes information from over 4,000 higher education institutions
- Include more detailed information from SUNY/CUNY, including targeted course information
- Data can also be used to inform college- and career-readiness policies and activities