



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
SUBJECT: Summary of the September 2012 Meeting

DATE: September 25, 2012

AUTHORIZATION(S):

John B. J. G.
Executive Summary

Issue for Decision

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

Proposed Handling

Approval of the Summary of September 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 September 2012 meeting.

Timetable for Implementation

Effective October 10, 2012.

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



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

Held at the State Education Building

***Albany, New York
September 10 and 11, 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 a public session on Monday, September 10 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

MEETING OF THE FULL BOARD, Monday, September 10 at 9:00 a.m.

Board Members in Attendance:

Chancellor Merryl H. Tisch
Vice Chancellor Anthony S. Bottar
Robert M. Bennett, Chancellor Emeritus
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
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. Regent Wade S. Norwood was 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 Monday September 10, 2012 at 3:30 p.m. to discuss litigation and personnel matters.

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

UPDATES

APPR Update

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

Common Core Implementation Update

Ken Wagner and Kate Gerson provided the Board with an update on the Common Core Implementation.

PARCC Update

Commissioner King and Kristen Huff provided the Board with an update on PARCC.

Chancellor Merryl H. Tisch adjourned the meeting at 10:00 a.m.

MEETING OF THE FULL BOARD, Tuesday, September 11 at 11:30 a.m.

Board Members in Attendance:

Chancellor Merryl H. Tisch
Vice Chancellor Anthony S. Bottar
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
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 Regent Wade S. Norwood were absent and excused.

Chancellor Merryl H. Tisch called the meeting to order at 11:30 a.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 July 2012 Meeting of the Board of Regents
BR (A) 2**

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

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

PROGRAM AREA CONSENT ITEMS

Cultural Education

Appointments to the Regents Advisory Council on Libraries BR (CA) 1

MOVED, that the Board of Regents take the following action: That Jacquelyn Thresher and Mary Jean Jakubowski be appointed to the Regents Advisory Council on Libraries for five-year terms beginning October 1, 2012 and ending September 30, 2017.

Higher Education

State University College at Old Westbury: Regents Authorization to Award the Bachelor of Fine Arts (B.F.A.) Degree BR (CA) 2

MOVED, that the Board of Regents authorize the State University College at Old Westbury to confer the Bachelor of Fine Arts degree on students successfully completing registered B.F.A. programs effective September 11, 2012.

Appointments to the State Professional Standards and Practices Board of Teaching BR (CA) 3

MOVED, that the Board of Regents approve the following appointments to the State Professional Standards and Practices Board for Teaching: Rita Floess (teacher member) to complete the term beginning September 11, 2012 and ending June 30, 2013, Joan Lucariello (higher education member) to complete the unexpired term beginning September 11, 2012 and ending June 30, 2014, Margaret Madden (higher education member and Provost) to complete the unexpired term beginning September 11, 2012 and ending June 30, 2015, Billie Gastic (higher education member) to complete the unexpired term beginning September 11, 2012 and ending June 30, 2013, Lesli Myers (administrator member) to complete the term beginning September 11, 2012 and ending June 30, 2013, and Charles Khoury (administrator member) to complete the unexpired term beginning September 11, 2012 and ending June 30, 2016.

CUNY Queens College: Regents Authorization to award the Master of Music (M.M.) Degree BR (CA) 7

MOVED, that the Board of Regents authorize The City University of New York Queens College to award the Master of Music (M.M.) degree to students successfully completing the registered Classical Performance or Jazz Studies program.

P-12 Education

Addition of section 100.2(kk) of the Commissioner's Regulations, Relating to Reporting Requirements under the Dignity for All Students Act BR (CA) 4

MOVED, that subdivision (kk) of section 100.2 of the Regulations of the Commissioner of Education be added, as submitted, effective September 26, 2012.

Amendment of section 100.2(c) of the Commissioner's Regulations, Relating to Instruction to Implement the Dignity for All Students Act BR (CA) 5

MOVED, that the amendment of subdivision (c) of section 100.2 of the Regulations of the Commissioner of Education, which was adopted by the Board of Regents on March 20, 2012 and for which a Notice of Adoption was published in the State Register on April 11, 2012 (EDU-04-12-00002-A), is repealed, effective September 26, 2012, and it is further

MOVED, that subdivision (c) of section 100.2 of the Regulations of the Commissioner of Education be amended, as submitted, effective September 26, 2012.

Appointments to New York State School for the Deaf Board of Visitors BR (CA) 6

MOVED, that the following individuals will be appointed to fill two vacancies on the New York State School for the Deaf Board of Visitors: Melvin Taylor will be appointed to serve a five-year term ending June 30, 2017; and Maria Mingoelli will be appointed to serve a five-year term ending June 30, 2017.

Proposed Technical Amendment to Section 3.16 of the Rules of the Board of Regents, Relating to the Delegation of Authority with Respect to Certain Charter School Hearings BR (CA) 8

MOVED, that subdivision (b) of section 3.16 of the Rules of the Board of Regents, be amended, as submitted, effective September 26, 2012.

Addition of section 100.2(jj) of the Commissioner's Regulations, Relating to School Employee Training to implement the Dignity for All Students Act BR (CA) 9

MOVED, that subdivision (jj) of section 100.2 of the Regulations of the Commissioner of Education be added, as submitted, effective September 26, 2012, and it is further

MOVED, that subdivision (jj) of section 100.2 of the Regulations of the Commissioner of Education be added, as submitted, effective September 15, 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 to ensure that the emergency rule adopted at the May 21-22, 2012 Regents meeting and revised and readopted at the July 16-17, 2012 Regents meeting remains continuously in effect until the effective date of the 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) 10**

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

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

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

**The College of Staten Island of the City University of New York: Authorization to
Award the Doctor of Physical Therapy (D.P.T.) Degree
BR (CA) 12**

MOVED, that the Board of Regents authorize the CUNY Board of Trustees to award the degree of Doctor of Physical Therapy (D.P.T.) on duly qualified students successfully completing registered D.P.T. programs at the College of Staten Island effective September 11, 2012.

**Master Plan Amendment: Medaille College, Associate in Applied Science (A.A.S.)
Degree in Veterinary Technology
BR (CA) 13**

MOVED, that the Board of Regents approve the amendment to the master plan of Medaille College authorizing its Rochester Campus to offer the Associate in Applied Science degree in Veterinary Technology. This amendment would be effective until September 11, 2013, unless the program is registered by the Department prior to that date, in which case the master plan amendment shall be without term.

**Master Plan Amendment: CUNY College of Staten Island, Doctor of Physical
Therapy (D.P.T) Degree in Physical Therapy
BR (CA) 14**

MOVED, that the Board of Regents approve the amendment to the master plan of the City University of New York authorizing the College of Staten Island to offer its first doctoral program in the health professions disciplinary area, a Doctor of Physical Therapy (D.P.T.) in Physical Therapy. If the Board of Regents approves the master plan amendment, the Department will transmit it to the Governor with a recommendation for favorable action. Following gubernatorial approval, the program will be registered.

Motion by: Regent Harry Phillips, 3rd
Seconded by: Regent James R. Tallon, Jr.
Action: Motion carried unanimously

STANDING COMMITTEE REPORTS

P-12 EDUCATION

Your P-12 Education Committee held its scheduled meeting on September 10, 2012. All members were present except for Regent Norwood who was excused.

ACTION ITEMS

Charter Schools

Your Committee recommends that the Board of Regents finds that the proposed revised charter: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will 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 charter revision for Harlem Success Academy Charter School for purposes of merging the School's education corporation and governing board into Harlem Success Academy Charter School 3, including a change of name to "Success Academy Charter School - Harlem 1," and it is further recommended that the merger of Harlem Success Academy Charter School into Harlem Success Academy Charter School 3, with Harlem Success Academy Charter School 3 as the surviving education corporation, is approved. [P-12 (A) 1]

ESEA Flexibility

Your Committee recommends that the addition of section 100.18, and amendment of subdivision (m) of section 100.2 and sections 100.17, 120.3 and 120.4, of the

Regulations of the Commissioner of Education, which was adopted by the Board of Regents as an emergency action on June 18, 2012, effective July 1, 2012, and for which a Notice of Emergency Adoption and Proposed Rule Making was published in the State Register on July 3, 2012 (EDU-27-12-00011-EP), is repealed, effective September 11, 2012, and it is further recommended 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 September 11, 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 immediately revise the proposed rule to respond to public comment, so that school districts may timely meet school/school district accountability requirements for the 2012-13 school year and beyond, consistent with New York State's approved Elementary and Secondary Education Act (ESEA) Flexibility Request and pursuant to statutory requirements, and to otherwise ensure that the emergency rule adopted at the June Regents meeting, as so revised, remains continuously in effect until it can be presented and made effective as a permanent rule.

[P-12 (A) 2]

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 September 11, 2012, copies of which have been distributed to each Regent.

MATTERS NOT REQUIRING BOARD ACTION

Global History and Geography – The Committee discussed a recommendation to divide the current Global History and Geography course into two units of study with two separate exams. The first unit of study would provide students with foundational skills in Economics, Geography, World History, and Civics and would culminate in an end-of-course exam (a Regents exam, pending availability of funding). The second unit of study would build on this foundation to enable students to become critical thinkers and access the content by examining cross cultural themes and patterns during the modern time period. This second unit of study would culminate in a Regents exam required for graduation, beginning as early as 2013-14. This exam would provide the appropriate rigor for college and career readiness. The Board directed staff to begin development of proposed amendments to regulations to require two units of study in Global History and Geography and to ensure that field input was gathered and considered in development of the regulations. [P-12 (D) 1]

Alternate Credential for Students who Formerly Earned IEP Diploma – The Committee discussed recommendations that would allow the Department to begin development of a commencement credential for students with disabilities who are unable to earn a high

school diploma. Discussion focused on the core principles, eligibility requirements, activities related to work and career preparation and required documentation that would be necessary to acquire this credential. The Committee recommended that the Department seek public comment on the proposed policy and begin development of regulations to be brought back to the Regents in December.

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

- Dignity Act Regulations relating to reporting requirements, instruction and school employee training.
- Appointments to the NYS School for the Deaf Board of Visitors.
- Charter School regulations relating to delegation of authority for certain charter school hearings.

P-12 EDUCATION/CULTURAL EDUCATION JOINT MEETING

Your P-12 Education Committee and Cultural Education Committee held a joint meeting on September 10, 2012. All members were present except for Regent Norwood, who was excused.

MATTERS NOT REQUIRING BOARD ACTION

National Arts Standards Revision – The Committee was provided an update on the revisions to the 1994 National Standards for Arts Education being led by the National Coalition for Core Arts Standards (NCCAS). The standards will describe what students should know and be able to do as a result of a quality curricular arts education program. The first draft of the new arts standards will be released this fall with time for educator and public review, followed by additional revision in late 2012. A paper version will be issued in early 2013, with the expectation that an interactive online version will follow in the near future. Once the new standards are released, the Regents may wish to consider adopting the new standards and determining the ways in which courses and assessments aligned to these standards should be considered during the ongoing review of New York's college- and career- ready graduation requirements. The Committee suggested that the Department also look at ways to integrate the Arts into all subject areas. Department staff will provide periodic updates as this work progresses.
[P-12/CE (D) 1]

HIGHER EDUCATION

Your Higher Education Committee held its scheduled meeting on September 10, 2012.

Action Items

Permission to Operate: Hult International Business School. Your Committee recommends that the Board of Regents grant permission to Hult International Business School to operate in New York State to offer courses in New York City leading to the partial fulfillment of five master's degrees: Business Administration (MBA), Social Entrepreneurship (MSE), International Business (MIB), Finance (MFin), and International Marketing (MIM). This approval would be effective until September 30, 2015.

MOTION FOR ACTION BY FULL BOARD

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 September 10, 2012, copies of which have been distributed to each member of the Board of Regents.

Other matters not requiring action:

Proposed Amendment to Part 80 of the Regulations of the Commissioner of Education Relating to the New Teacher and School Building Leader Certification Examination. Your Committee discussed amendments to Part 80 related to the timeline for the new certification examinations for teachers and school building leaders. These regulations are necessary to fully implement the intent of the Regents Reform Agenda to redesign teacher and school leader preparation. It is anticipated that the proposed amendment will be presented for permanent adoption at the December Regents Meeting.

Proposed Amendments to Section 52.21 and Part 80 of the Regulations of the Commissioner of Education Relating to Transitional B and C Certificates and Registered Programs Leading to these Certificates. Your Committee discussed the proposed amendment to allow certified teachers in one certification area to enter a Transitional B program in a different certification area. It is anticipated that the proposed amendment will be presented for permanent adoption at the October Regents Meeting.

Teacher and Principal Preparation Program Files. The Committee received a progress report on the Department's development of teacher and principal preparation program profile reports. Individual institutions of higher education will receive a draft report for review and comment in spring 2013. The reports will be published on the SED website in fall 2013.

Office of College and University Evaluation (OCUE) Program Approval Process. Your Committee received a brief update on the Department's progress to establish a streamlined program approval process.

ADULT CAREER AND CONTINUING EDUCATION SERVICES (ACCES)

Your ACCES Committee held its scheduled meeting on September 10, 2012. All members were present, with the exception of Regent Norwood, who was excused.

Additional members of the Board attending where: Chancellor Tisch, Regent Bendit, Regent Brown, Regent Cottrell and Regent Jackson.

MATTERS REQUIRING BOARD ACTION

Raising College and Career Readiness for Adults Using Multiple Pathways to a NYS High School Equivalency Diploma – The Committee was provided an update on what actions have been taken thus far after exploring multiple pathways to a High School Equivalency Diploma. The Committee was also provided with recommendations on a number of additional actions to ensure that adult learners have multiple options for rigorous and reliable high school equivalency assessments in the most cost effective manner. The Committee was asked to decide if the Department should issue a Request for Proposal to identify one or more State assessments that would lead to a High School Equivalency Diploma so that multiple pathways are available. The Committee voted in favor of the recommendation to issue the Request for Proposal.

PROFESSIONAL PRACTICE

Your Professional Practice Committee held its scheduled meeting on September 10, 2012. All members were present, except for Regent Wade S. Norwood, who was excused. Chancellor Merryl H. Tisch, Regent James C. Dawson 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 52 consent order applications and 11 surrender applications be granted. [PPC EXS (A) 1-3]

These recommendations are made following the review of 67 cases involving sixteen registered professional nurses, eleven licensed practical nurses, eight licensed practical nurses who are also registered professional nurses, six certified public accountants, four pharmacies, four pharmacists, three dentists, one architect, one chiropractor, one licensed practical nurse who is also a registered professional nurse and a nurse practitioner, one massage therapist, and one podiatrist.

Restorations

Your Committee recommends the following:

That the application of Marlene Gerard for the restoration of her license to practice as licensed practical nurse in New York State be denied. [PPC EXS (A) 4]

Approvals

Your Committee recommends approval of the following:

Regulations Relating to Occupational Therapy [PPC (A) 1] –That section 76.4 of the Regulations of the Commissioner of Education be amended; that sections 76.5 and 76.6 be repealed and section 76.7 be renumbered as section 76.5; and that new sections 76.6, 76.7, 76.8 and 76.9 be added, all as submitted, effective September 26, 2012, and further

That section 76.4 of the Regulations of the Commissioner of Education be amended; that sections 76.5 and 76.6 be repealed and section 76.7 be renumbered as section 76.5; and that new sections 76.6, 76.7, 76.8 and 76.9 be added, all as submitted, effective September 11, 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, April and June Regents meetings remains continuously in effect until the effective date of the permanent rule, and to revise such emergency rule to conform to changes added by the permanent rule .

Regulations Relating to Physical Therapy Education [PPC (A) 2] – That section 77.1 of the Regulations of the Commissioner of Education be amended and that sections 52.41 and 77.11 of the Regulations of the Commissioner of Education be added, all as submitted, effective October 3, 2012.

Regulations Relating to Immunizations Performed by Pharmacists [PPC (A) 3] – That paragraphs (1) and (2) of subdivision (b) of section 63.9 of the Regulations of the Commissioner of Education be amended, as submitted, effective October 16, 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 to immediately conform the Regulations of the Commissioner to timely implement the requirements of Chapter 116 of the Laws of 2012, which authorizes qualified pharmacists to administer acute herpes zoster immunizations, effective October 16, 2012.

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 September 10, 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 [Oral] – The Deputy Commissioner reported on the following issues:

- Full Board Consent Agenda Items
 - Board (Re)Appointments [BR (CA) 10]
 - Licensing Petitions and Conferral of Degrees [BR (CA) 11]
 - Regents Authorization – authorizes the College of Staten Island (CUNY) to award the degree of Doctor of Physical Therapy (D.P.T.) on duly qualified students successfully completing registered D.P.T. programs [BR (CA) 12]
 - Master Plan Amendment – authorizes the Rochester Campus of Medaille College to offer the Associate in Applied Science (A.A.S.) degree in Veterinary Technology [BR (CA) 13]
 - Master Plan Amendment – authorizes the College of Staten Island (CUNY) to offer its first doctoral program in the health professions discipline, a Doctor of Physical Therapy (D.P.T.) [BR (CA) 14]
- Technology Update
- Staffing/Productivity Update
- Legislative Update
- Updates on OP Initiatives
 - Update on report to the Legislature regarding the licensure of individuals providing certain mental health services

Report out of the Regents Advisory Workgroup on Healthcare [PPC (D) 1] – Discussion of the activities of the Healthcare Reform Work Group, including work involving other agencies and entities.

Short-Term Clinical Clerkships [PPC (D) 2] – Discussion of the standards relating to participation in, and admission to, New York State medical clinical clerkships for time periods of less than twelve weeks.

AUDITS/BUDGET AND FINANCE

The Regents Committee on Audits/Budget and Finance met as scheduled this morning, September 11, 2012. Co-Chair Dawson, Chancellor Tisch, Regents Bendit, Phillips, Tallon, Tilles, Brown, Cashin, Cotrell, Rosa, and Young were in attendance.

Co-Chair's Remarks: Regent Chapey welcomed everyone and thanked the Internal Audit Workgroup for all the work done for the Committee.

Items for Discussion

Special Education Fiscal Oversight

The Committee was briefed on the results of a number of audits recently issued by the Office of the State Comptroller. The audits were of preschool special education providers and included troubling findings ranging from inappropriate spending to fraudulent activity resulting in arrests.

The members were briefed on the history of similar audits, and provided background on the programs and services that are provided to eligible students. The Department's role in the establishment of tuition rates that are used by providers was also described.

Recognizing the need to enhance oversight in this area, staff describes actions that have been previously taken with public schools, and described actions that have been taken against the providers that were audited. An internal workgroup has identified five key areas that will be further researched and which may identify improvements in the rate setting methodology.

The Department has identified some specific recommendations to strengthen approval/renewals, certifications, training, and data reporting; sought the input of the Members of the Committee and asked for time to do further research and analysis of the applicability of school district accountability requirements to special education providers.

Completed Audits

The Committee was presented with 17 audits this month. One audit was issued by the Office of Audit Services (OAS), 15 by the Office of the State Comptroller (OSC), and 1 by the New York City Office of the Comptroller. The audits were of 9 school districts including 2 New York City high schools, 4 charter schools, 2 degree-granting college's Tuition Assistance Program (TAP) payments, and 2 New York City Department of Education initiatives.

The findings were in the areas of procurement, payroll, cash, information technology, extra-classroom activity fund, and conflict of interest.

August 2012 Fiscal Report

Our Executive Deputy Commissioner briefed the Committee members.

Extensive spending controls continue on all funds. Overall spending in the General Fund reflect a 2.5 percent reduction from the 2011-2012 levels as included in the 2012-2013 enacted budget. General Fund accounts are in structural balance with the exception of the Tenured Teacher Hearings (TTH) Account, although fiscal and programmatic reforms were included in the enacted state budget, there continues to be a deficit of an estimated \$9 million in unpaid bills due to chronic under-funding of this program.

All special revenue accounts are in structural balance on a current year basis and the accumulated negative balance in the Cultural Education Account is being reduced by approximately \$700,000.

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 September 11, 2012.

In attendance were committee members: Regents Tilles, Bendit, Dawson, Cea, Jackson, Cottrell, Rosa. In addition to CE Committee Members, in attendance were: Chancellor Tisch, Vice Chancellor Bottar, Regents Phillips, Tallon, Young, Chapey, Commissioner King and Executive Deputy Commissioner Grey.

ITEMS FOR DISCUSSION

Chair's Remarks: Regent Tilles welcomed everyone and opened the meeting and hosted a lively discussion about Arts Education standards and practices.

Deputy Commissioner Jeffrey Cannell introduced State Librarian Bernard Margolis who introduced the first item of business.

CE (1) Appointment of members of the Regents Advisory Council on Libraries
Bernard Margolis, State Librarian and Assistant Commissioner for the NYS Library recommended that the committee appoint Mary Jean Jakubowski, Buffalo and Erie County Library and Jacquelyn Thresher, Nassau Library System to five year terms on the Regents Advisory Council on Libraries.

Motion made by Regent Rosa

Seconded by Regent Dawson

Approved by Unanimous Vote

Due to lack of time, the committee agreed to defer until the October meeting a full discussion of the Summer School of the Arts.

Emancipation Proclamation Events

State Librarian Bernard Margolis and Museum Director Mark Schaming provided an update regarding the upcoming statewide tour of the Emancipation Proclamation. The tour begins on September 19 in Albany and will include an exhibit and programming at seven cities across the State. The tour marks the sesquicentennial of Lincoln's Preliminary Emancipation Proclamation. The tour includes the preliminary Emancipation Proclamation and the speech given by the Rev. Dr. Martin Luther King, Jr. in New York City on September 12, 1962 at a celebration of the 100th anniversary of the Emancipation Proclamation.

Motion by: Regent Harry Phillips, 3rd
Seconded by: Regent James R. Tallon, Jr.
Action: Motion carried unanimously

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

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

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

**Acceptance of a \$450,000, One-Year Grant from the William & Flora Hewlett
Foundation
BR (A) 4**

MOVED, that the Board of Regents accept the sum of \$450,000 from the Foundation to support the work of the USNY Regents Research Fellowship Program.

**Acceptance of a \$475,000, One-Year Extension Grant from the Tortora
Sillcox Family Foundation
BR (A) 5**

MOVED, that the Board of Regents accept the sum of \$475,000 from the Foundation to support the work of the USNY Regents Research Fellowship Program.

Motion by: Regent James C. Dawson
Seconded by: Regent James R. Tallon, Jr.
Action: Motion carried unanimously

Presentation

Announcement of the Marge Tierney Scholarship Award Winner

The 2011 Marge Tierney Scholarship was awarded by Deputy Commissioner Kevin Smith to Stacey Russell of Lehman, New York.

Appointments

**Appointment to the Position of Executive Secretary, State Boards for Certified
Public Accountancy and Certified Shorthand Reporting
BR (A) 6**

MOVED that the Regents approve the appointment of Jennifer B. Winters as Executive Secretary to the State Boards for Certified Public Accountancy and Certified Shorthand Reporting.

Motion by: Regent James C. Dawson
Seconded by: Regent Geraldine D. Chapey
Action: Motion carried unanimously

Chancellor Merryl H. Tisch adjourned the meeting at 12:00 p.m.

Appendix I
NEW YORK STATE BOARD OF REGENTS CHARTER ACTIONS

Name of Institution	Program Area	County of Location	Description of Charter Action(s)
Angelica Free Library	CE	Allegany	Amend charter to add IRS dissolution language.
The Bridgewater Historical Society	CE	Oneida	Extend provisional charter for five years.
Clayville Library Association	CE	Oneida	Amend charter to: <ul style="list-style-type: none"> • specify the number of trustee to be not less than 5 nor more than 25; • designate the library's service area to be coterminous with the Town of Paris; and add IRS dissolution language.
The Cultural Arts Guild of Mastic Beach	CE	Suffolk	Grant Regents certificate of incorporation.
The East End African American Museum and Center for Excellence	CE	Suffolk	Extend provisional charter for five years.
Historical Society of Elba	CE	Genesee	Extend provisional charter for five years.
Milton Helpern Library of Legal Medicine	CE	New York	Dissolve absolute charter and approval to distribute the library's assets to the John Jay College of Criminal Justice.
Niagara Falls Public Library	CE	Niagara	Amend charter to specify the number of trustees to be not less than 5 nor more than 9.
Norwood Public Library	CE	St. Lawrence	Grant provisional charter for five years.
Pasos Peace Museum	CE	New York	Grant provisional charter for five years.
Point Chautauqua Historical Preservation Society	CE	Chautauqua	Amend, replace, and restate the charter as a Regents certificate of incorporation.
Russian-American Cultural Center	CE	New York	Amend charter to change the corporate address.
Solvay-Geddes Historical Society	CE	Onondaga	Extend provisional charter for five years.

Southeast Steuben County Library	CE	Steuben	Extend provisional charter for five years.
WIOX	CE	Delaware	Grant Regents certificate of incorporation.
Wanakena Historical Association	CE	St. Lawrence	Extend provisional charter for five years.
Al-Rasheed Academy	P-12	Erie	Grant a provisional charter for three years.
The Brooklyn School for Medically Frail Children	P-12	Kings	Grant a provisional charter for two years.
Catholic Academy of Niagara Falls	P-12	Erie	Amend charter to specify the business address to be 1055 N. Military Rd., Niagara Falls, NY 14304, and to authorize the corporation to offer and provide grades pre-K through six at its elementary campus located at 1055 N. Military Rd., Niagara Falls, NY 14304, and to delete authority to offer grades seven through eight.
Child Program and Family Resource Center	P-12	Schenectady	Consent to filing of a certificate of merger with the "Parsons Child and Family Center, Inc.," a New York NFP corporation " with the Parsons Child and Family Center, Inc as the surviving corporation.
Holy Angels of the Hudson Valley	P-12	Orange	Amend charter to add authority to operate a pre-kindergarten program for three and four year olds.
I.D.E.A.L Connections	P-12	Monroe	Grant a provisional charter for three years.
Niagara Catholic High School	P-12	Niagara	Amend charter to: <ul style="list-style-type: none"> • change corporate name to "Niagara Catholic Junior and Senior High School"; • restate corporate purposes to operate a co-educational junior and high school, grades seven through twelve; and • delete and replace paragraph 7of the charter pertaining to the dissolution language.

Queen Paideia School	P-12	Queens	Amend charter to add authority to also operate grades nine through twelve and extend charter for three years.
The Riverdale Nursery School and Family Center	P-12	Bronx	Amend charter to change the corporate address and to grant an absolute charter.
San Miguel Academy of Newburgh	P-12	Orange	Extend provisional charter for three years.
The Sara Marie School	P-12	Saratoga	Grant provisional charter for three years.
Wisteria School	P-12	Erie	Grant provisional charter for three years.
Bexley Hall	HE	Monroe	Consent to filing of a certificate of merger with the "Bexley Hall" a Ohio NFP corporation " with the Bexley Hall, the Ohio corporation, as the survivor.
Israel Academic Institute	HE	New York	Grant a Regents certificate of incorporation.
The New York Academy of Art	HE	New York	Consolidate with "The New York Academy of Art", a New York NFP corporation, with The New York Academy of Art, the education corporation, as the survivor.
The Harlem Family Institute	OP	New York	Amend charter to include the provision of licensure qualifying program in psychoanalysis and amend purposes to meet current law, rule and regulation and extend the charter for five years.

Appendix II

REGENTS ACTIONS IN 67 PROFESSIONAL DISCIPLINE CASES AND 2 RESTORATION PETITIONS

September 10-11, 2012

The Board of Regents announced disciplinary actions resulting in the revocation of 2 licenses, the surrender of 11 licenses, one of which was originally a certificate, and 54 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. REVOCATIONS AND SURRENDERS

Nursing

Suzan Mary-Elizabeth Sheldon; Licensed Practical Nurse; Syracuse, NY 13204, Phoenix, NY 13135; Lic. No. 220230; Cal. No. 25458; Found guilty of professional misconduct; Penalty: Revocation.

Michelle Dawn Schug; Licensed Practical Nurse; Cicero, NY 13039; Lic. No. 244553; Cal. No. 25488; Found guilty of professional misconduct; Penalty: Revocation.

Patricia Kathleen Rossetti; Licensed Practical Nurse; East Elmont, NY 11003, Hollis, NY 11423; Lic. No. 218808; Cal. No. 25996; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Attempted Criminal Nuisance in the 1st Degree, a class A misdemeanor.

Julie G. Cosgrove; Registered Professional Nurse; Shortsville, NY 14548; Lic. No. 517299; Cal. No. 26224; Application to surrender license granted. Summary: Licensee admitted to charges of having been convicted of Criminal Possession of a Forged Instrument in the 2nd Degree and failing to complete a term of probation.

Catherine L. Stalker; Licensed Practical Nurse; Selkirk, NY 12158; Lic. No. 237235; Cal. No. 26247; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Arson in the 3rd Degree.

Maureen T. Cardoso a/k/a Maureen Cardoso Flowers; Registered Professional Nurse; Bedford Hills, NY 10507; Lic. No. 474696; Cal. No. 26260; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted in Pennsylvania of Identity Theft and Forgery, and having been convicted in New York of Petit Larceny, Criminal Possession of Stolen Property in the 5th Degree, Criminal Possession of Stolen Property in the 4th Degree, and Attempted Possession of a Forged Instrument in the 2nd Degree.

Kassandra Simone Fields; Licensed Practical Nurse; Perth Amboy, NJ 08861; Lic. No. 294406; Cal. No. 26311; Application to surrender license granted. Summary: Licensee admitted to the charge of having been convicted of Theft and Endangering the Welfare of a Child.

Pharmacy

William Frank Kania; Pharmacist; Hamburg, NY 14075-4012; Lic. No. 024377; Cal. No. 26281; Application to surrender license granted. Summary: Licensee did not contest the charge of having been convicted of Criminal Diversion of Prescription Medications.

Howard Reid Wigdor; Pharmacist; Merrick, NY 11566; Lic. No. 046308; Cal. No. 26316; Application to surrender license granted. Summary: Licensee admitted to the allegation that on or about and between August 1, 2008 and January 1, 2009, while employed as a pharmacist in a pharmacy located within the Eastern District of New York, he stole the schedule II controlled substance oxycodone from said pharmacy with the intent to distribute it to others.

Public Accountancy

Frank R. Kincade, Jr. a/k/a Frank Kincade, Jr.; Certified Public Accountant; Washingtonville, NY 10992; Lic. No. 061792; Cal. No. 25775; Application to surrender license granted. Summary: Licensee admitted to charges of having been convicted of Grand Larceny in the 3rd Degree and False Return, Personal Income and Earnings Taxes, both felonies.

Allen Daniel Powerstein a/k/a Allen D. Powerstein; Certified Public Accountant; Dunnellon, FL 34430-1747; Lic. (Cert.) No. 024506; Cal. No. 26049; Application to surrender license (certificate) granted. Summary: Licensee admitted to charges of having been convicted of Grand Larceny in the 3rd Degree and False Return, Personal Income and Earnings Taxes, both felonies.

Anthony J. Cuti a/k/a Anthony Cuti; Certified Public Accountant; Lewisburg, PA 17837; Lic. No. 031974; Cal. No. 26220; Application to surrender license granted. Summary: Licensee could not successfully defend against charges of having been convicted of Conspiracy to Commit Securities Fraud, Securities Fraud, False Filings with the Securities and Exchange Commission (three counts), all felonies.

Randal L. Kase; Certified Public Accountant; White Plains, NY 10604; Lic. No. 047377; Cal. No. 26221; Application to surrender license granted. Summary: Licensee admitted to charges of having been convicted of Forging Endorsements on Treasury Checks of the United States, and of Frauds and Swindles, both felonies.

II. OTHER REGENTS DISCIPLINARY ACTIONS

Architecture

Richard Joseph Walsh; Maspeth, NY 11378; Lic. No. 025292; Cal. No. 26211; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$5,000 fine.

Chiropractic

Richard A. Nebiosini; Medford, NY 11763; Lic. No. 004815; Cal. No. 26186; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 24 months probation, \$1,000 fine.

Dentistry

Miryem Kandinov; Dentist; Kew Gardens, NY 11415; Lic. No. 045011; Cal. No. 25611; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$1,500 fine.

Sirilak Oudom; Dentist; Poughkeepsie, NY 12603; Lic. No. 054143; Cal. No. 26146; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 11 month stayed suspension, 1 year probation, \$500 fine.

Craig Leonard Leshinger; Dentist; Bayport, NY 11705; Lic. No. 043429; Cal. No. 26185; Application for consent order granted; Penalty agreed upon: 2 year actual suspension with leave to apply for early termination upon service of 3 months of suspension and successful completion of certain coursework and certain examination, upon termination of suspension, 2 years probation, \$7,500 fine payable within 3 months.

Massage Therapy

Natalie N. Lugo; Shirley, NY 11967; Lic. No. 019170; Cal. No. 26196; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$1,000 fine.

Nursing

Karen Z. Alicea; Licensed Practical Nurse, Registered Professional Nurse; Hempstead, NY 11550; Lic. Nos. 279686, 582553; Cal. Nos. 25341, 25342; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation.

Rita Khanimov a/k/a Rita Gavriyelova; Licensed Practical Nurse, Registered Professional Nurse; Rego Park, NY 11374; Lic. Nos. 265878, 525845; Cal. Nos. 25793, 25794; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation.

Danielle M. Mitchell a/k/a Danielle M. Pryslopski; Licensed Practical Nurse; Painted Post, NY 14870-9316; Lic. No. 292195; Cal. No. 26079; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Edward Charles Altmann; Registered Professional Nurse; Westbury, NY 11590; Lic. No. 334036; Cal. No. 26088; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Regina Griffin; Licensed Practical Nurse; Rochester, NY 14608; Lic. No. 231239; Cal. No. 26108; Found guilty of violation of probation; Penalty: Penalty supersedes penalty previously imposed under Order No. 25096, indefinite suspension until mentally fit to practice, \$500 fine to be paid within 6 months, probation 5 years to commence subsequent to termination of suspension and upon actual return to practice.

Nicole B. Bourdeau; Registered Professional Nurse; South Glens Falls, NY 12803-4822; Lic. No. 633050; Cal. No. 26118; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Deva Ashfaq; Registered Professional Nurse; North Tonawanda, NY 14120; Lic. No. 594649; Cal. No. 26128; Application for consent order granted; Penalty agreed upon: 5 month actual suspension, 19 month stayed suspension, 2 years probation, \$1,000 fine.

Zafiro Lames Lemos; Licensed Practical Nurse, Registered Professional Nurse; White Plains, NY 10603; Lic. Nos. 166676, 365283; Cal. Nos. 26135, 26134; Application for consent order granted; Penalty agreed upon: 6 month actual suspension, 18 month stayed suspension, 24 months probation, \$2,500 fine.

Joan M. Cranmer; Registered Professional Nurse; Lowman, NY 14861-8709; Lic. No. 590697; Cal. No. 26171; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$250 fine.

Marina Cecilia John-Lewis; Registered Professional Nurse; Huntington Station, NY 11746; Lic. No. 537715; Cal. No. 26175; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation.

Edward Freely, Jr.; Licensed Practical Nurse, Registered Professional Nurse; Kenmore, NY 14223; Lic. Nos. 249281, 543151; Cal. Nos. 26187, 26188; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$1,000 fine.

Noreen Haynes Mulzac; Registered Professional Nurse; Brooklyn, NY 11236; Lic. No. 275679; Cal. No. 26195; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 2 years probation.

Kathleen J. Burke; Registered Professional Nurse; Schenectady, NY 12303; Lic. No. 373663; Cal. No. 26200; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Curtis W. Goyer; Registered Professional Nurse; Schaghticoke, NY 12154; Lic. No. 564543; Cal. No. 26201; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

William Robert Dodd; Registered Professional Nurse; Altamont, NY 12009; Lic. No. 466301; Cal. No. 26218; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 2 months and until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine.

Alice J. Clark; Licensed Practical Nurse; Wappingers Falls, NY 12590; Lic. No. 249616; Cal. No. 26219; Application for consent order granted; Penalty agreed upon: 6 month actual suspension, 18 month stayed suspension, 24 months probation.

Maudlin Bilkah Jones a/k/a Maudlin B. Jones; Licensed Practical Nurse, Registered Professional Nurse; Piscataway, NJ 08854; Lic. Nos. 104483, 265036; Cal. Nos. 26227, 26228; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation.

Christine Rodriguez a/k/a Christine Hengel; Licensed Practical Nurse, Registered Professional Nurse; Wallkill, NY 12589; Lic. Nos. 190583, 396979; Cal. Nos. 26234, 26233; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 2 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 when and if return to practice.

Thomas F. Dwyer; Licensed Practical Nurse; Mattydale, NY 13211; Lic. No. 279190; Cal. No. 26242; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Stacy Elizabeth Koch; Licensed Practical Nurse; Averill Park, NY 12018-9566; Lic. No. 206566; Cal. No. 26243; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension for no less than 2 months and until fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice, \$500 fine.

Courtney Polasik; Licensed Practical Nurse, Registered Professional Nurse; Tonawanda, NY 14150-4617; Lic. Nos. 291107, 602337; Cal. Nos. 26245, 26246; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Kevin Oliver Mickle; Registered Professional Nurse; Rochester, NY 14607; Lic. No. 552396; Cal. No. 26253; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Debbie J. Cummings; Licensed Practical Nurse, Registered Professional Nurse; Elmira, NY 14904; Lic. Nos. 210431, 456843; Cal. Nos. 26254, 26255; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Stella A. Bonsu; Registered Professional Nurse; Santa Rosa, CA 95406; Lic. No. 498555; Cal. No. 26256; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Jennifer Ann Stiles; Registered Professional Nurse; Hamlin, NY 14464; Lic. No. 631816; Cal. No. 26263; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$500 fine.

Stacey Anne Johnson; Licensed Practical Nurse; Troy, NY 12180; Lic. No. 278273; Cal. No. 26287; 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.

Brandon Michael Coburn; Licensed Practical Nurse, Registered Professional Nurse, Nurse Practitioner (Adult Health); Ellicottville, NY 14731; Lic. Nos. 280991, 571255, Cert. No. 305118; Cal. Nos. 26288, 26289, 26290; Application for consent order granted; Penalty agreed upon: Censure and Reprimand, 1 year probation, \$500 fine.

Carl Thomas Valenti; Registered Professional Nurse; Margate, FL 33063; Lic. No. 506037; Cal. No. 26291; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation to commence upon return to practice in State of New York, \$500 fine.

Pharmacy

Gincy Abraham; Pharmacist; Floral Park, NY 11004; Lic. No. 047431; Cal. No. 26083; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$2,500 fine.

Manhattanville Pharmacy, Inc.; Pharmacy; 567 West 125th Street, New York, NY 10027; Reg. No. 028829; Cal. No. 26197; Application for consent order granted; Penalty agreed upon: \$5,000 fine payable within 90 days.

Burhan Pharmacy, Inc.; Pharmacy; 715 Knickerbocker Avenue, Brooklyn, NY 11221-5337; Reg. No. 016030; Cal. No. 26205; Application for consent order granted; Penalty agreed upon: 2 year stayed suspension, 2 years probation, \$10,000 fine.

Rajendra Prasad Vavilala; Pharmacist; Farmington, MI 48335; Lic. No. 055902; Cal. No. 26225; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$500 fine.

Gemini Pharmacy Inc.; Pharmacy; 86-12 37th Avenue, Jackson Heights, NY 11372; Reg. No. 029424; Cal. No. 26240; Application for consent order granted; Penalty agreed upon: Censure and Reprimand, \$5,000 fine payable within 5 months.

N&N Village Pharmacy, Inc.; Pharmacy; 537 South Main Street, Central Square, NY 13036; Reg. No. 020366; Cal. No. 26251; Application for consent order granted; Penalty agreed upon: Censure and Reprimand, \$1,000 fine payable within 2 months.

Podiatry

Seth Stinehour; Rochester, NY 14625; Lic. No. 006362; Cal. No. 26244; Application for consent order granted; Penalty agreed upon: Indefinite actual suspension until mentally fit to practice, upon termination of suspension, 2 years probation to commence upon return to practice.

Public Accountancy

Barry Prichep; Certified Public Accountant; Peekskill, NY 10566; Lic. No. 033559; Cal. No. 26273; Application for consent order granted; Penalty agreed upon: 1 month actual suspension, 23 month stayed suspension, 24 months probation, \$1,000 fine.

Andrew Keith Charles; Certified Public Accountant; Old Westbury, NY 11568; Lic. No. 060719; Cal. No. 26310; Application for consent order granted; Penalty agreed upon: 1 year stayed suspension, 1 year probation, \$1,000 fine.

III. RESTORATIONS

The Board of Regents voted on September 11, 2012 to deny the application for restoration of the licensed practical nurse license of Marlene Gerard, Brooklyn, NY. Ms. Gerard's license was originally revoked February 23, 2004.