

MINUTES OF ACTION

DRAFT

PUBLIC MEETING OF THE PANEL FOR EDUCATIONAL POLICY

**Long Island City High School
14-30 Broadway
Long Island City, NY 11106
Wednesday, May 18, 2016
6:00 PM**

ROLL CALL:

Present:

Hon. Fred Baptiste
Hon. T. Elzora Cleveland
Hon. Deborah Dillingham
Hon. Vanessa Leung
Hon. Gary Linnen
Hon. Benjamin Shuldiner
Hon. Miguelina Zorrilla-Aristy
Charity Guerra, Secretary
Carmen Fariña, Chancellor

Absent:

Hon. Isaac Carmignani
Hon. Kamillah Payne-Hanks
Hon. Stephanie Soto
Hon. Laura Zingmond

Action was taken as indicated below:

Panel Chair Leung introduced Secretary Charity Guerra. Secretary Guerra called roll at 6:15 p.m. All Panel Members were present except Panel Member Carmignani, Panel Member Payne-Hanks, Panel Member Soto, and Panel Member Zingmond.

1. Chancellor's Update—Chancellor Carmen Farina delivered general updates. Panel Chair Leung called for the public comment portion of the meeting.
2. Approval of April 20, 2016 Panel Meeting Minutes of Action—Motion to adopt the minutes of action from the April 20, 2016 Panel meeting was made by Panel Member Baptiste. Panel Member Cleveland seconded the motion. Panel Chair Leung called for a vote. The April 20, 2016 Minutes of Action were approved 7-1 (yay: Baptiste, Cleveland, Dillingham, Leung, Linnen, Shuldiner, Zorrilla-Aristy, abstain: Podvesker).

The minutes are available via link to the [Panel for Educational Policy Website](#).

3. Approval of Fashion Institute of Technology (FIT) Board Members – Panel Chair Leung made a motion to table the approval of Fashion Institute of Technology Board members. Panel Member Podvesker seconded the motion. Panel Chair Leung called for a vote. The motion to table the approval of Fashion Institute of Technology Board members was approved 8-0 (yay: Baptiste, Cleveland, Dillingham, Leung, Linnen, Shuldiner, Zorilla-Aristy).
4. Approval of 2015-2019 Capital Plan Amendment – Motion to adopt the 2015-2019 Capital Plan Amendment was made by Podvesker. Panel Member Cleveland seconded the motion. Panel Chair Leung called for a vote. The 2015-2019 Capital Plan Amendment was approved 8-0 (yay: Baptiste, Cleveland, Dillingham, Leung, Linnen, Shuldiner, Zorilla-Aristy).
5. Approval of Contracts—Panel Member Podvesker presented the Contracts Committee recommendations to the Panel. The Contracts Committee met on Tuesday, May 17, 2016. The Committee unanimously recommended the approval of items 1-3, 5-13, 15-18, and 23-30, items 4, 14, 19, and 22 were withdrawn. Before motioning to adopt the resolution, Executive Director of Contracts and Purchasing, David Ross read text into the minutes. The text read as follows:

To be read into the minutes of the May 18, 2016 Panel for Educational Policy meeting by David Ross, Executive Director, Division of Contracts and Purchasing:

I note that I have provided Panel members with technical changes to universal pre-kindergarten contracts that have been approved by the Panel at prior meetings and that these changes have been posted on the web.

Noteworthy Information Regarding Yeled V'Yalda Early Childhood Center Inc.

A December 31, 2015 New York State Comptroller's (Comptroller) audit of Yeled V'Yalda's reimbursable costs for its New York State Special Education Itinerant Teacher (SEIT) program found that YVECC claimed close to \$3 million in ineligible expenses for reimbursement over a three year period ending June 30, 2014. The Comptroller recommended that the New York State Education Department (NYSED) review the audit's recommended disallowances and recoup the money through adjustments to Yeled V'Yalda's reimbursement rates. Once NYSED does so, the DOE will use the revised rate to determine the amount that needs to be recovered. The Comptroller also recommended that NYSED work with Yeled V'Yalda to ensure compliance with the requirements for documenting expenses as governed by NYSED's Reimbursable Cost Manual.

The contract awarded to Yeled V'Yalda is not cost reimbursable. Moreover, NYSED has not yet adjusted the reimbursement rate and, as such, the DOE cannot determine the amount to be recovered. Accordingly, and in light of the recommendation that the vendor receive guidance regarding future allocations of its costs, the DOE does not believe this matter precludes a determination that the vendor is responsible.

Panel Member Linnen motioned to adopt items 1-30 into three resolutions. Panel Member Zorilla-Aristy seconded the motion. The Panel voted on the contract items, which were approved as follows:

1. *Resolution 1: Item 1 was approved 8-0 (yay: Baptiste, Cleveland, Dillingham, Leung, Linnen, Shuldiner, Zorilla-Aristy).*
2. *Resolution 2: Items 6, 26, and 27 was approved 8-0 (yay: Baptiste, Cleveland, Dillingham, Leung, Linnen, Shuldiner, Zorilla-Aristy).*
3. *Resolution 3: Items 7-11 was approved 8-0 (yay: Baptiste, Cleveland, Dillingham, Leung, Linnen, Shuldiner, Zorilla-Aristy).*

Resolutions are available via link to the [Panel for Educational Policy Website](#).

The meeting adjourned at approximately 9:00 p.m.

A recording of the meeting is available [here](#).