



[View this e-mail in a browser](#)

OGC on the Web

- [Office Contact Information](#)
- [Staff Biographies](#)
- [OGC Offices](#)
- [Pertinent Legal Information](#)
- [Internships & Employment](#)

OGC News & Notes

Associate Counsel [Ronnie McKinnon](#) was awarded certification as a Certified Professional in Patient Safety (CPPS) by the Certification Board for Professionals in Patient Safety (an entity of the National Patient Safety Foundation, "NPSF"). Ronnie is one of the first in the nation to earn this certification. She serves as Hospital Counsel for Patient Safety, Clinical and Regulatory Affairs in the Stony Brook Office.

Counsel's Office welcomes Compliance Administrator [Nedra Abbruzzese-Werling](#) to the Albany [System Administration Office](#). Nedra joined SUNY on March 1, 2012. Prior to coming to SUNY, Nedra managed the Lemon Law Arbitration program for the Attorney General's Office.

Associate Counsel [Seth Gilbertson](#) was interviewed by [Campus Technology Magazine](#) for an article in the January issue called "[An E-Discovery Primer](#)."

Message from [Bill Howard](#), General Counsel

The one constant about higher education law is change. To help our clients keep up with an ever-changing legal environment, the Office of University Audit and the OGC are expanding our compliance program. Hiring a Compliance Administrator and developing a Compliance web site and ListServ are steps that we are taking to assist our system and campus clients. In addition, OGC attorneys continue to issue guidance and address SUNY groups to help our clients comply with a range of issues in Student Affairs, International Programs, Business, Human Resources, Law Enforcement and other areas of the law. I wish each of you a pleasant finish to the academic year.



Affirmative Action Returns to the Supreme Court

By [Marti Anne Ellermann](#), Deputy General Counsel

About a decade after the University of Michigan college affirmative action cases, the Supreme Court has [announced](#) that it will hear arguments in *Fisher v. University of Texas at Austin*. *Fisher* involves a challenge by a rejected applicant of the UT undergraduate program. The UT admissions criteria are modeled after a policy approved by the Court in the Michigan cases. Based on other recent Supreme Court decisions, the Court's decision could restrict these criteria or render race-conscious admissions policies unconstitutional altogether.

The argument and decision in this case are expected next year. Counsel's Office is actively tracking this litigation and analyzing the potential impact on SUNY campuses.

Due to the significance of this case, SUNY has initiated the process to obtain approval to join an amicus brief on behalf of the University of Texas.

Associate Counsel [Joseph Storch](#) was interviewed by [Campus Technology Magazine](#) for an article in the March issue called "[Lawyer Up- lawyers identify the six biggest legal issues facing IT today, and how CIOs can avoid a run-in with the law.](#)"

Counsel's Office welcomes Associate Counsel [Lynne Reid- McQueen](#) to the [Brooklyn Office](#). Lynne previously worked for Downstate Medical in the Department of Management Systems.

Associate Counsel [Karen Richards](#)' article "The Collateral Estoppel Effect of a Parole Revocation Hearing in a Civil Rights Claim" was published in the [NYSBA Municipal Lawyer](#), Winter Edition 2012, Vol. 26, No. 1.

In February, Associate Counsel [Joseph Storch](#) published a NACUA Note on "The Clery Act and Overseas/Distance Study: New Developments and Compliance Guidance." National Association of College & University Attorneys, Vol. 10, No. 5 (attached in PDF).

For more information, visit Counsel's Office online at: <http://www.suny.edu/counsel>.



SUNY Compliance

By [Nedra Abbruzzese-Werling](#)
Compliance Administrator

SUNY has reinstated a Compliance Program which will map the various aspects of compliance at the system and campus level. A compliance steering committee, comprised of system and campus stakeholders, and led by Deputy General Counsel [Marti Anne Ellermann](#) and University Auditor [Mike Abbott](#), will develop the program and I will coordinate implementation as the new Compliance Administrator. Committee members include experts in internal controls, audit, international issues, research, environmental health and safety, employment relations, information systems and technology, and others.

A Compliance website is under construction at www.suny.edu/compliance, and a ListServ has been established to communicate compliance information among those involved with overseeing compliance issues across the system and at specific campuses. The ListServ will allow compliance-tasked individuals to communicate with one another and share compliance resources, and will also serve to make campuses aware of updates or changes to any compliance regulations or procedures. To join the ListServ, please e-mail Nedra.werling@suny.edu.

*Sidebar is a new segment of *brief* OGC staff interviews

OGC Sidebar:*

[Regina McGraw](#) is Senior Managing Counsel at Upstate Medical and is also a registered nurse.

Favorite part of the job?

Supporting the clinical enterprise to help them achieve Upstate's commitment and further the mission of quality health care delivery and teaching future health care providers.

Advantage of also having an RN Degree?

Understanding, without the learning curve, the unique issues that hospitals face in terms of resolving legal issues for patients and doctors.

Most interesting recent project?

The acquisition of Community General Hospital. It was a unique challenge, but working with very dedicated teams at both Upstate and Community, as well as OGC colleagues, we successfully folded Community into Upstate in a quick time frame while preserving the unique aspects of that Community Hospital.

Counsel's Office Legal ListSers: [Join the Clery Act, Title IX, or FOIL ListSers](#)

General Counsel Update is issued quarterly by the SUNY Office of General Counsel and is sent to a broad array of SUNY System and Campus leadership and professionals who work with Counsel's Office. If you would like to be added to the distribution list, or have any other questions about General Counsel Update, please contact Associate Counsel Joseph Storch at joseph.storch@suny.edu. Learn more about our office at <http://www.suny.edu/counsel/index.cfm>.

The Office of General Counsel provides comprehensive legal services to support one of the United States' leading state systems for higher education. We protect and defend the University's legal interests, providing legal advice to the [Board of Trustees](#), [System Administration](#), the [State University's campuses](#), and other components of SUNY. We track legal developments, issue legal guidance to campus professionals and provide training on understanding and complying with legal requirements.

The articles above and related links are for informational purposes only and do not represent legal advice. The SUNY Office of General Counsel **cannot** provide legal advice to students or employees of the State University of New York on personal matters.