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OGC News & Notes

Associate Counsel [Kingsley Osei](#) has been invited to serve as Pro Bono Faculty for the [International Law Institute-African Centre for Legal Excellence \(ILI-ACLE\)](#) training programs in Africa. The ILI-ACLE works towards law reform in developing countries and provides continuing professional legal education to African lawyers and judges. Kingsley will train attorneys in Africa and the Middle East on international procurement policy and practice and public private partnerships

Associate Counsel [Andrea Stagg](#) co-authored a NACUA Note on "[Staying Out of the Penalty Box: Navigating the NCAA Division III Financial Aid Reporting Program.](#)" National Association of College & University Attorneys, Vol. 11, No. 6.

Counsel's Office welcomes the return of [Sandra Casey](#), Senior System Counsel, who comes back to the Office after serving 10 years as General Counsel at Siena. Sandra started in May 2013.

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

In addition to their work advising and defending the University, Office of General Counsel attorneys are national leaders in publishing timely articles that help our clients and higher education in general. Recently, Penny



Ploughman's haunting photos of the infamous Love Canal disaster, taken during her doctoral studies at UB, were published by Arcadia; a high-ranking official in the NCAA wrote that Andrea Stagg's NACUA Note was "clear, concise and most importantly...provided sound guidance and appropriate best practices for schools;" Karen Richards again wrote thoughtfully for the *Municipal Lawyer* in whose pages her work is routinely found; a summary of the changes in the Violence Against Women Act by Stagg and Joseph Storch was featured by NACUA, the American Student Conduct Association, and other organizations as a resource for attorneys across the country; Storch and intern Brendan Venter's article analyzing the First Amendment issues arising from prayer at college events arrived just in time for commencement; and Kingsley Osei, who has published often on international contract issues, was invited to teach procurement and contracting to African lawyers and judges. These articles assist our clients and higher ed. colleagues across the country. Kudos to all.



Federal Lobbying

By [Joseph Storch](#), and Brendan Venter

At the joint request of SUNY and the Research Foundation, Counsel's Office developed a [one-page guide to Federal lobbying rules](#). While the document is aimed at explaining the rules for faculty, it can be useful for any SUNY official who may work with Federal agencies, Members of Congress, or their staff.

VAWA, Clery & TIX

By [Andrea Stagg](#) and [Joseph Storch](#)

A few weeks ago, [Congress passed](#), and the [President signed](#), the Violence Against Women Act amendments. [The new law](#) contains several important changes to Title IX and Clery Act compliance. The Office of General Counsel immediately issued [guidance on what we know](#) at this early stage, and that [guidance has been published for a national audience by NACUA and other organizations](#). We will continue to track the changes and provide information as it becomes available. SUNY officials may join the [Clery Act or Title IX Listservs](#).

Associate Counsel [Penny Ploughman](#) published the first edition of her book of Love Canal photos in the [Arcadia Images of America series](#). [Images of America: Love Canal](#) was published on March 25, 2013.

Associate Counsel [Joseph Storch](#) and Brendan Venter co-authored "[Prayer at Public College and University Events: Parsing the Free Speech, Free Exercise and Establishment Clause Issues](#)," National Association of College & University Attorneys, Vol. 11, No. 11.

The NYS Bar Association [Municipal Law Reporter](#) published an article by Associate Counsel Karen Richards. "[Is Danger Lurking in Our Schools? The Duty to Supervise Students](#)." The article was originally published in volume 26, number 4 of the [Municipal Lawyer](#), a publication of the Municipal Law Section of the State Bar Association, reprinted by permission.

The Office of General Counsel welcomes summer interns Ilijana Kalezic and Ruchira Podali. Both are near the top of their class at Albany Law School.

Congratulations to former intern Bryan Gottlieb, who has been named the Albany Law Review Editor-in-Chief.

OGC Sidebar:

[Marti Anne Ellermann](#), the Executive Deputy General Counsel recently announced that she will retire in July after 33 years in the Office of General Counsel. She will be greatly missed by her colleagues and clients.

Favorite part of the job?

Over the years I have had the opportunity to speak to and meet with so many SUNY professional groups and organizations. This is one of SUNY's best features: the collegiality, willingness to share and interest of the professionals in doing the best job they can. They always welcomed and sought out the legal information and guidance we could provide in advance of actual lawsuits or legal problems. I have been proud of all the preventive law activities I was able to engage in and to develop that as a strength of this office.

Most interesting SUNY Memory?

There have been many. One of the great things about being a University lawyer is the variety and intellectual stimulation of the issues that come up on a daily basis. Even after 33 years there is always some new way a student or faculty member can present a challenge. If I was forced to pick one memory- it might be the takeover by students of the System Business Office to protest the University's investment in companies doing business in South Africa back in the days of apartheid. The icing on the cake was when students outside the building passed pizza to students inside the building through the window. However, those events and sentiments caused the University to change its policy and disinvest in such companies. It was also interesting to work with the Albany District Attorney to prosecute the trespassing charges that were brought against the students involved in the takeover, including the then-President of the Student Assembly.

What are your plans in retirement?

Become a gourmet cook, travel and avoid being on a schedule.

A \$40,000 Guinea Pig

By [Seth Gilbertson](#), Associate Counsel

A recent disability law case out of Michigan involving a guinea pig has caused quite a stir in the higher ed community.

Grand Valley State University reportedly paid a \$40,000 settlement to settle a claim that it improperly denied a student the company of her support animal, a guinea pig named Blanca. [To assist our SUNY campus colleagues, we have developed a brief analysis of the case.](#)

Extracurricular Activities and Disability Law

By Sarah Harvey, Counsel's Office Intern

The Department of Education's recently issued Dear Colleague Letter provides guidance on a college's duty to provide opportunities for students with disabilities to participate in athletics. To assist SUNY colleges, we have created [a description of the current state of the law and a checklist for determining SUNY campus responsibilities](#).

Office of General Counsel Legal ListServes: [Join the Clery Act, Title IX, or FOIL ListServes](#) or [Compliance ListServ](#)

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.