Message from Bill Howard, General Counsel

I am pleased to announce that Monica C. Barrett has been selected as the new Executive Deputy General Counsel for the Office of General Counsel for the State University of New York. She began her service for SUNY on October 16th. Monica is an accomplished higher education attorney with over twenty-five years of legal experience. A detailed biography appears on the second page of the GC Update. SUNY is very fortunate to welcome Monica as its new Executive Deputy General Counsel.

I am also pleased to announce that the New York Community College Trustees (NYCCT) recognized Dona Bullock at their annual awards banquet for “Professional Contribution and Service.” Congratulations Dona!

Copyright Law in Plain Language
By Joseph Storch

Copyright law can be confusing, even for intellectual property attorneys. The Office of General Counsel advises SUNY campuses on obtaining content rights, and we are often asked why this topic is so complex. A few years ago, I was privileged to join a team of higher ed professionals from across the country, led by ACE and NACUBO, that worked together to create a document that makes copyright law clear and straightforward. Use of Copyrighted Music on College and University Campuses and the accompanying At a Glance: Music and Copyrights on Campus should assist SUNY colleges in determining where and how various copyright laws and rights (fair use, synchronization, performance, grand, jukebox, etc.) apply. Questions may be directed to campus counsel.

Annotated Exhibits A & A-1 Now Online
By Joseph Storch & Kingsley Osei

We often hear vendors contesting SUNY standard terms Exhibit A and Exhibit A-1. SUNY always argues that these are not new terms, but are summaries of the law, and not negotiable. To aid SUNY business officers in making these arguments, we developed annotated Exhibit A and Exhibit A-1. These online exhibits reference and link to relevant laws, allowing SUNY to show vendors that these exhibits (which are required by State regulations) don’t create law, but merely reference existing laws. Researchers on this project included Liz D’Agostino, Ilijana Kaledzic, and Ruchira Podali.

Second Annual Records Management Conference
By Nedra Abbruzzese-Werling

SUNY hosted its second Records Management Conference, which included presentations by Seth Gilbertson, New York State Archives Scheduling and State Agency Services Manager Jennifer O’Neill, and UAlbany’s Archivist Geoff Williams, as well as a discussion from SUNY System’s Chief Information Officer, Dr. Hao Wang. The conference at Empire State College had 40 attendees.
The collaboration aspect of this job is one of its finest elements. Working with our administrators and managers is a team effort where all work toward a common goal. Each time that I work in collaboration with other attorneys and administrators to resolve an issue that includes a mix of legal, policy and financial challenges, and we actually reach a satisfactory resolution, I think it is a good day at the office!

Monica received her B.A in Philosophy with Honors from Wellesley College and her Juris Doctor from the University of Michigan Law School. Monica is admitted to practice law in New York and New Jersey and is frequently featured in Brooklyn Law Review. Monica has represented clients in both state and federal courts, and in New York, the Appellate Division, in Hackensack, New Jersey from September 1988 through August 1989. While at Rutgers, Monica worked on a myriad of issues, with a focus on student affairs, academic affairs, and employee relations.

Monica is a Member of the Board of the National Association of College and University Attorneys (“NACUA”), and has presented her papers at a number of NACUA’s conferences, with such titles as “New Realities in Sex Discrimination and Sexual Harassment” (1996), “Psychiatric Disorders and the ADA: Up Close and Personal” (2001), “Rutgers’ Response to the Tyler Clementi Tragedy” (2011) and “Cyber-bullying on the Quad” (2012), to name just a few.

Monica is an accomplished higher education attorney with over twenty-five years of legal experience. Most recently, Monica served as the Associate Vice President and Deputy General Counsel at Rutgers, the State University of New Jersey, where she had been an attorney since 1996. Prior to her tenure at Rutgers, Monica served as in-house counsel to Cornell University and then Barnard College. An experienced employment lawyer, Monica also worked as an associate in private law firms, handling litigation, settlement negotiations and contract work on behalf of different clients, including public and private sector unions, employee benefit funds, and employees in individual employment-related matters.

Monica clerked for the Honorable Sylvia B. Pressler, Presiding Judge of the New Jersey Superior Court, Appellate Division, in Hackensack, New Jersey from September 1988 through August 1989. While at Rutgers, Monica worked on a myriad of issues, with a focus on student affairs, academic affairs, and employee relations.

Monica Barrett Biography

START-UP NY
By Sandra Casey

START-UP NY – Since passage of this legislation, providing tax free zones for new businesses on SUNY campuses and other select locations, OGC has been working weekly with Empire State Development (ESD), the state’s top economic development agency, to assist in drafting ESD’s newly released proposed regulations implementing the program.

Also, OGC is part of the SUNY Core START-UP NY Team, chaired by Dr. James Malatras and Dr. Timothy Killeen, to assist with developing policies, procedures and other reference documents. Information about START-UP NY can be found at http://startup-ny.com/.

Mandated Domestic Violence Policy Update
By Nedra Abbruzzese-Welting

The New York State Office for the Prevention of Domestic Violence (OPDV) issued a memorandum stating that all agencies must update their current Domestic Violence policies with specific language and must submit the update to the OPDV by December 15. More information and an updated model policy are on the Compliance website.