



SUNY OLD WESTBURY COLLEGE COUNCIL MEETING MINUTES

Meeting Date: November 22, 2024

Meeting Time: 12:30 PM

Location: Student Union Multipurpose Room C and Zoom

Present from the College Council: Chair Mili Makhijani, Ms. Melissa Archbold (Via Zoom), Dr. Phillip E. Elliott, Dr. Nicolette Fiore-Lopez (Via Zoom) Hon. William A. Hohaus, Ms. Theresa Regnante, Mr. Scott D. Reich

Present from the Alumni Association Dr. Lorraine Cadogan-Cochrane

Representatives of the College: President Timothy E. Sams, Mr. Nicholas Capriola, Dr. Randall M-J Edouard, Dr. Antonia DiGregorio, Dr. Michael Kavic, Mr. Michael Kinane, Dr. David Lanoue, Mr. Gary Levanti, Ms. Maria Moreno, Ms. Lisandra Ramos (Via Zoom), Dr. Jo-Ann Robinson, Dr. Shalei Simms, Dr. Diana Sukhram, Dr. Bryan Terry, Ms. Angela Wambugu Cobb, Dr. Cheryl A. Wilson

CALL TO ORDER

Chair Mili Makhijani called the College Council meeting to order at 12:40 p.m. on Friday, November 22, 2024. The chair shared that the rest of the student code of conduct will be addressed today, with the actual vote happening at the next meeting on December 13, 2024. The chair also shared that the 59th Commencement ceremony will take place on Wednesday, May 21, 2025, at 12:00 p.m.

Continued Business: Student Code of Conduct

The council welcomed Dr. Randall Edouard, Vice President of Student Affairs, and Ms. Maria Moreno, Assistant Dean for Community Standards to finish their presentation on the Student Code of Conduct.

- Dr. Edouard thanked the College Council members for having this special session to discuss the code of conduct.
- Dr. Edouard shared that Student Affairs has made the changes recommended at the last session and will present them today. The biggest change related to the code is the use of cannabis on campus.
- Ms. Moreno began her presentation by discussing Controlled Substance Proposed Fines for 2024-2025 based on the feedback provided at the last meeting.
- 1st Offense: 250 Fine, Under Cannabis or any Controlled Substance Use: Student will be subject to Cannabis Education, YES Community Counseling Center – The Bridges Program (2 Section, e-check up), and Administrative hearing.

- 2nd Offense: University Board Hearing for all students. Residential students will be subject to a minimum one-semester residential hall suspension and additional fine as deemed by the board decision, Commuter students: will be subject to one-year disciplinary probation and additionally a social probation for one semester (the student will only be allowed to go to class).
- Multiple Offenses in an Academic year: Priors in conduct cases will always be strongly taken into consideration when sanctions are determined by the University Board.
- Council member Hohauser questioned whether two strikes and you're out is within one year. Ms. Moreno confirmed that the student will go to the University board for determination.
- Chair Makhijani asked if the slate gets wiped clean every year. Ms. Moreno informed us that the case will be closed once the student completes all the sanctions.
- Council member Archbold inquired what happens if the student cannot cover the \$250 fine and if there is an alternative. Ms. Moreno informed all that a hold would be placed on the student's account, and they would be unable to register for classes. Dr. Edouard said Student Affairs will work with the student to develop a plan to pay the fine as they have done previously.
- Council members discussed the actual training and how the communication of this policy will be disseminated. Ms. Moreno said stickers will be placed in all rooms that outline the policy and the first/second offenses and will work with Residential Life to inform the residential students. Student Affairs will also work with the Office of Commuters to send communication to them and also get the word out through programming.
- Council member Reich/Hohauser questioned who is responsible for ensuring that all students affirm that they have seen this information and know what it is. Council member Reich expressed the importance of having the controls to ensure students have been notified of the policy and its change.
- Council member Regnante suggested using the first page of the code of conduct to outline the potential violations in the handbook the students are signing.
- Dr. Sukhram notified all that the School of Education has each student sign a contract certifying that they have received/reviewed and are aware of the rules of the School of Education.
- Dr. Sams agreed to add this piece which is similar to the housing contract that residential students sign.
- Council member Elliott asked if a violation has been assessed; if a person has not met it, can it prevent them from receiving transcripts to transfer to another school or from graduation? Ms. Moreno said that the student has to permit us to release our code of conduct records. Dr. Sams clarified that we can't withhold a student's transcript.
- Dr. Simms inquired if it was possible to include a training video through Brightspace similar to what we do with ethics training with a quiz at the end of the video.
- Council member Reich inquired what happens if laws change. Dr. Edouard said that we adjust accordingly and bring it to the attention of the College Council and SUNY Legal. Council member Reich wanted to know if it was possible to have a quarterly or email update regarding what's gone on.
- Council member Hohauser noted that on page #12 under Fraud, might want to add something about hacking (releasing student records).
- Ms. Moreno continued her presentation by informing all that we had a lot of cases and concerns from our faculty and staff on excessive emails and would like to add a subcategory under our student code of conduct.
- Excessive emails sent to any Faculty and Staff member of our community are considered a violation if formally filed by the Faculty or Staff member as harassment.

- The Office of Community Standard will begin an investigation, and the case will be adjudicated as appropriate.
- Council member Fiore-Lopez asked what the definition of excessive will be in this situation. Is it similar to other forms of harassment that is what the receiver perceives or will there be a definition?
- Chair Makhijani clarified that as the definition currently reads, it appears to be at the discretion of the faculty and staff members.
- Ms. Moreno indicated that if a faculty or staff member feels they are being harassed, they can visit the Office of Community Standards and they will investigate.
- Dr. Edouard informed all that the faculty and/or staff members will need to file a report and indicate that they feel like they are being harassed.
- Council members Elliott & Hohauser discussed that clarity is needed on the proposed sub-category.
- Dr. Robinson asked where the code of conduct discusses if a student sends excessive emails to another student.
- Council member Reich inquired why the sub-category is limited to email. Chair Makhijani explained that it is because of a specific problem. Council member Reich expressed the need for explicitly, so the process is clear.
- Council member Archbold indicated the need to include the usage of AI. Nowadays, people are utilizing AI to harass others.
- Council member Elliott expressed that it can't appear as though students have no rights for what they feel is unfair also or advocate for advocacy. It is imperative that we also protect our students as well as faculty members.
- Council member Reich suggested re-wording the sub-section category to include community members. Council member Reich also discussed outlining the guidelines for the investigation.
- Chair Makhijani clarified the message that is trying to be sent with the new sub-category section.
- Council member Elliott inquired if the formal grievance procedure works in tandem with congruently with this process of investigation and complaint.
- Chair Makhijani informed all that grievance procedures, hearings, and all the procedures relating to the investigation are in a different section.
- Ms. Moreno continued her presentation and began discussing hazing. Ms. Moreno informed the council that she copied the penal law and added language to "in case of a student and in case of a non-affiliated".
- Dr. Edouard discussed the importance of compliance regarding hazing as we have fraternities and athletics.
- Dr. Cochrane noted that fraternity and sorority students partake in an anti-hazing course and suggested sharing it with the student body.
- Council member Hohauser expressed the need for the code of conduct to be edited and proofed for grammar and language.
- Ms. Moreno proceeded her presentation by reviewing social media. The following change has been proposed: Failure to abide by SUNY Old Westbury Social Media results in a conduct violation. Students may not utilize social media to defame the University with dishonesty and an imputation of immorality.
- Council member Hohauser indicated that the added section is problematic and discussed the importance of carefully reviewing it.

- Council member Regnante asked if this policy is similar to those utilized at Stony Brook and Farmingdale.
- Ms. Moreno continued her presentation on page 19: Weapons and Dangerous Materials. Ms. Moreno proposed keeping the definition as is and would like to add “any toy/items that can be constructed as a weapon”. Ms. Moreno indicated that the addition came directly from the New York Penal Law. Council members expressed the need to confirm that the added piece came directly from the New York penal law.
- Chair Makhijani told Ms. Moreno to mimic New York penal law for this section.
- Ms. Moreno discussed False Claims and proposed adding that we will now investigate any false claims made.
- Council member Elliott inquired if this code of conduct applies to faculty and staff. Chair Makhijani confirmed that faculty and staff have their document.
- Ms. Moreno proceeded with her presentation and discussed temporary suspension. The proposed change will allow the student an additional one week (seven business days) upon return to campus to complete all assigned work missing during the interim suspension time period only.
- Ms. Moreno reviewed the next proposed change: “Cease and Desist” removal and re-word to No Contact Order”. Ms. Moreno indicated that this is an administrative action pending a university board hearing.
- Council member Archbold asked if there is any possibility for any student who cannot comply with these new policies if there is anything about utilizing community service as restitution. Dr. Sams clarified that restitution is currently one of the sanctions that the committee could utilize.
- Ms. Moreno completed her presentation by proposing the addition of Complainant Rights to the code of conduct.

OPEN MEETING

Chair Makhijani asked if there were any comments or questions from the public to the Council. There were no comments or questions. Chair Makhijani reminded all members that the next Council meeting will take place on Friday, December 13, 2024, and Commencement is May 21, 2025. The Chair also thanked her fellow Council members, the Faculty/Staff, and the President’s Cabinet for all of your hard work, especially the Council Members for the time and effort in these amendments.

Chair Makhijani asked for a motion to adjourn. Council member Mr. Scott Reich moved the motion to adjourn, and Council member Ms. Melissa Archbold seconded the motion. All voted in favor.

The meeting adjourned at 2:05 PM.

Submitted by:

Nicholas Capriola

Executive Assistant to the President, SUNY Old Westbury