College Council Meeting December 19, 2017

<u>Present</u>: President Christian, Mr. Basch, Dr. Venables, Mr. Catalinotto, Mr. DiCarlo, Mr. Law (phone), Mr. Cozzolino, Ms. Rivera (Student Association president), Dr. Balant (faculty representative), Ms. Cohen-La Valle (alumni representative), Provost Arnold, Vice Presidents Eaton, Halstead, Wright, and Blaisdell.

The meeting was called to order at 3:05 p.m.

<u>Interim Chairman's Report</u>: Mr. Basch opened the meeting and wished fellow Council members a joyous holiday season. He welcomed and introduced Ms. Rivera, a senior sociology major from the Bronx, who attended her first Council meeting. He then proposed to adopt the minutes of the October 5, 2017, meeting. Mr. DiCarlo moved to accept the minutes and they were approved by voice vote.

<u>President's Report:</u> President Christian said that he had begun a new practice of having vice presidents send reports directly to the campus community, in addition to his monthly reports. These updates, which will be shared with the Council, enhance community understanding of the work in each division. Dr. Venables asked about the total number of vice presidents. The president replied that there are six, who each lead a specific division.

The president noted that the College hosted an outstanding fall open house for prospective students and parents. This is a signature event in our student recruitment efforts, as we welcomed about 5,000 visitors to campus. The president said that spring semester enrollment numbers are strong and on par with last year. Winter session enrollment has grown substantially for undergraduate enrollments and for matriculated graduate enrollments. We are offering the largest number of seats, with the lowest percentage of unfilled seats, since we began winter session courses in 2012-13. We started an early graduation review process, alerting students who have more than 15 credits required to graduate in spring, which also may be a source for the increased winter enrollment.

President Christian shared that we will likely meet or exceed our target number of 350 new transfer students for spring semester, further indication that we likely will surpass our enrollment and tuition revenue goals. Applications and acceptances for fall 2018 first-year admission are currently 20% and 27%, respectively, ahead of last year; applications for transfer admission are also ahead of last year. These trends bode well for next year's enrollment and tuition income.

Mr. Catalinotto asked what factors attribute to the College's increased applications and acceptances. The president replied that there could be a number of reasons, including new academic programs, the College's growing reputation, and the new Excelsior Scholarship program. The latter might be changing the conversation about the value proposition of public higher education. Mr. Catalinotto asked where the increases come from geographically. Vice President Eaton replied that the College's primary regional markets for prospective students are Long Island, New York City and the Hudson Valley, and that the increases can be attributed to those areas. He noted that we are seeing an increase in New Jersey as well. Mr. Basch asked if the College had ever seen an increase in applications to this degree. Vice President Eaton said

that there was a large increase in 2008, when the College was recognized as the "hottest small state school in America."

President Christian said that our latest six-year graduation statistics continue to be well above state and national averages, for public colleges and for all institutions. For example, with an incoming first-year class of about 1125 students, 130-140 more students graduate from New Paltz in six years than if we performed as an "average" institution.

Student Handbook: Vice President Blaisdell guided the Council through a series of proposed revisions to the student handbook, which if passed, would be effective as of the fall 2018 semester. See attached proposals. The following numbered items provide a brief summary of each proposed revision and the Council's actions.

- 1.) Adds a student's current cell phone number and their emergency contact's name and cell phone number to the information that the College regularly collects. Mr. Catalinotto was concerned with this proposal since some students do not have cell phones. Vice President Blaisdell and Ms. Cohen La-Valle talked about the importance of collecting this information, as a critical mass of students do use cell phones as their primary contact numbers. The Council accepted the vice president's request to re-review and further modify the proposed revision, so long as any changes achieve the objective of getting a student's primary phone number.
- 2.) Prohibits students from initiating an official withdrawal or taking a leave of absence from the College prior to the outcome of a judicial proceeding. Vice President Blaisdell said that under this change, the College won't release records (e.g., official transcript) until after a judicial outcome is rendered. This allows the College to make notations on a student's official transcript, if/when needed, that might provide context for the reasoning behind a withdrawal. Ms. Cohen-La Valle noted that the directive to immediately hold academic records following a charge and until after a judicial outcome came from SUNY Counsel and mirrors similar policies across SUNY campuses. The Council accepted the proposed revisions as written.
- 3.) Provides a range of sanctions to the narcotics, illicit drugs, and controlled substances policy that follows the format for virtually all other handbook policies, and aligns more closely with policies at most other SUNY campuses. Mr. Basch said that this handbook change gives the campus more discretion to apply an appropriate sanction to each individual case at hand. Mr. Catalinotto asked about the difference between suspension and suspension held in abeyance. Vice President Blaisdell said suspension held in abeyance is a final warning and that any additional handbook violations would result in that sanction. Mr. Catalinotto recommended that the parenthesis surrounding "held in abeyance" within the specific revision be removed. The vice president did not object and the Council accepted the proposed revision with that one modification. At the Council's request, the vice president also agreed to remove the parenthesis formatting wherever "held in abeyance" appears throughout the student handbook.
- 4.) Adds pepper spray or noxious chemicals to the illegal weapons policy. Vice President Blaisdell said that all other SUNY campuses, except Geneseo, have a similar ban in place and the use of pepper spray is covered in other policy areas across our student handbook. The vice president said that this ban is similar to candles, Tasers, and other weapons. She said it could be misused by guests, in residence halls or in ventilation systems. Mr.

DiCarlo said that when he served in the state senate, he co-sponsored a bill that legalized pepper spray. He asked how we rectify this proposed revision with state law. The vice president said that SUNY Counsel had reviewed the proposal and said that this change is at the College's discretion. She added that for the reasons noted above, the College recommends including pepper spray in the ban among other illegal weapons. Mr. DiCarlo said he was concerned with the proposed ban, as pepper spray is legal under state law and can be used for self-defense purposes. He also noted that pepper spray cannot be used legally in every instance and a student may be brought up on charges when used improperly. He would not support this revision, particularly without evidence showing that pepper spray is a specific problem for the campus. Mr. Catalinotto asked what experience the College had with improper use of pepper spray. Ms. Cohen-La Valle responded that thankfully there were no instances that she was aware of in recent memory. Dr. Venables, Ms. Rivera and Mr. Basch said that a student should be permitted to possess pepper spray. The Council rejected the proposed revision.

- 5.) Adds "misconduct" to the sexual assault category title, which better describes the range of nonconsensual behaviors listed within the policy description. Vice President Blaisdell shared the rationale behind this change, noting that some students are reluctant to bring a complaint as 'sexual assault' does not capture fully the range of nonconsensual behaviors within the policy. The vice president said that this category revision would fix the issue. She also clarified for the Council that the revision changes the category title only, and Ms. Cohen-La Valle confirmed that these cases are reviewed on a case-by-case basis. The Council accepted the proposed revision as written.
- 6.) Under the interpersonal violence policy, the proposed revision clarifies that an academic transcript notation will be included with suspension or expulsion sanctions. Vice President Blaisdell said that this proposal is consistent with state legislation enacted in 2015. The academic transcript notation reference is included in other applicable parts of the student handbook, but not under this specific policy. The change would add uniformity across relevant policy areas. The Council accepted the proposed revision as written.
- 7.) Holds students responsible for addressing a known safety hazard, where professional staff are not able to readily observe violations. Vice President Blaisdell said that the proposed revision focuses on students who may be aware that the smoke detector in their residence hall room or other campus locations is tampered with, and they do nothing to remedy the situation. The vice president cited an example of a student who covers a smoke detector in a residence hall room prior to smoking, and a roommate is aware of the situation and does nothing about it. Ms. Rivera cited her experience as a residence assistant. Under the vice president's example, Ms. Rivera has entered students' rooms and the roommate usually says that they told the other student not to cover the detector and they did it anyway. Ms. Rivera asked how to remedy that situation. The vice president said that the intention is to hold a student responsible for knowing about a fire hazard and not taking appropriate steps to fix the situation. President Christian said the student could report the matter to a resident assistant or resident director. Upon further discussion, the Council said that "report or..." should be added to the proposed revision ahead of, "remedy a situation..." The Council accepted the proposed revision with this one modification.
- 8.) Adds the "heckler's veto" to the disorderly/disruptive conduct policy. Vice President Blaisdell said SUNY Counsel provided guidance and approved policy language that addresses the "heckler's veto," that includes repeatedly infringing upon the right of

another person to speak. The proposed revision, in part reads, "(e.g. - sustained or repeated disruption so a person cannot be heard)..." Mr. Catalinotto suggested changing "disruption" to "disruptive behavior," and the Council agreed to the modification. Mr. DiCarlo asked how the College would determine when someone has crossed the line and violated this policy with such a new revision. Mr. Basch replied that it would not be an easy determination, but that there has to be some line and the College should have discretion in this area. President Christian noted that the College has a process for outside speakers who come to campus. For security considerations, the College asks to be informed of invitations, so as appropriate, university police and other personnel can advise about security and make suggestions (e.g., whether a venue size is adequate) to help make the event successful. He also added that the proposed revision would allow the College to pursue judicial action against students who completely disrupt a Collegesanctioned event or other activity. Mr. DiCarlo said that not enough is being done at campuses across the country to help students understand the importance of free speech. Mr. Basch replied that this proposed revision will help in that effort. The Council accepted the proposed revision with the one modification noted above.

- 9.) Moves prohibited chalking activity under a more relevant policy, and removes handbook language that refers to authorized uses of chalking. Vice President Blaisdell said that in practice, the College has not been authorizing chalking on campus property, as it is a maintenance issue and someone would be responsible for clean-up. Ms. Rivera asked what the College would do in cases where faculty allow chalking as part of their coursework activities. Provost Arnold said that some faculty may not be aware that chalking is prohibited and that once the proposed revision is adopted there will be new opportunities to inform the faculty about the practice. The Council accepted the proposed revision as written.
- 10.) Would separate part of the alcohol policy into two subsections as a means to simplify the process for reporting requirements under the Clery Act. Vice President Blaisdell said that this is a change and shift in wording. Possession or usage of alcohol by students under the age of 21 would be in one subsection while students under 21 in the presence of alcohol would be in another. Mr. DiCarlo asked and Vice President Eaton confirmed that there are students 21 and over living on campus. Mr. DiCarlo asked about students who are under 21 years of age. Vice President Blaisdell confirmed that the policy's substance is not changing in any way, and that the proposal simply separates the content into two subsections. The Council accepted the proposed revision as written.

Following the last item, Mr. Basch asked the Council if all were in favor of the full set of proposed revisions, as modified. The Council voted unanimously to approve.

<u>Budget Update:</u> See attached PowerPoint slides. Vice President Halstead started her report with a recap about the College's budget forecast from the start of its fiscal year. On July 1, the vice president said that we predicted just over \$52 million in tuition and fees and \$16 million in state support, totaling just over \$68 million in revenue. Expenditures were estimated to be nearly \$70 million, resulting in about a \$1.8 million deficit.

As of today, Vice President Halstead said that revenue from tuition and fees came in higher than anticipated, winter session enrollment is looking positive, and spring semester enrollment is higher as well. As a result, the vice president is hopeful that the College may be able to reduce its deficit by \$500,000-\$750,000. On the expenditure side, the vice president said that personal

service is running right on target and temporary service is below budget. Utilities is below the anticipated budget as well, but the vice president noted that those costs run a month behind. She is encouraged by current utility pricing and the College's conservation methods to help keep that cost in line. Following the College's call to campus to support meaningful cost reductions, the vice president said that travel expenses are down significantly, about 50%, compared with last year. In sum, Vice President Halstead said that we're carefully managing expenses while waiting for one significant collective bargaining contract to be settled, which will add to the College's expenditure base.

Wrap-Up: Mr. DiCarlo asked when the Diversity and Inclusion Council (D&I Council) is expected to produce its report about the names on the Hasbrouck Complex buildings. President Christian said that the D&I Council will issue a report and recommendation to him by April 15, 2018. The president will take the time to review these carefully and then bring his recommendation to the Council for consideration.

Mr. Basch adjourned the meeting at 4:28 p.m.

Respectfully submitted,

Richard Winters

Director of Community and Government Relations

Proposed Revisions for 2018-19 Student Handbook

GENERAL ADMINISTRATIVE POLICIES

Rationale:

Cell phones are now a primary source of contact in an emergency. This provides the university with a mechanism to regularly collect this information.

Current:

1.00 Address (p.24)

All students are required to report at the beginning of each semester the local address at which they will be living. Changes of address must be promptly reported to the Records Office. Changes of room and hall addresses for residence hall students will be recorded by the Office of Residence Life.

Proposed:

1.00 Address and Contact Information

All students are required to report at the beginning of each semester the local address at which they will be living, as well as their current cell phone number and their emergency contact's name and cell phone number. Changes of address must be promptly reported to the Records Office. Changes of room and hall addresses for residence hall students will be recorded by the Office of Residence Life.

RECORDS

Rationale:

SUNY Counsel has advised that withdrawing with judicial charges pending is no longer allowed.

Current:

7. Official Requests/Holds (p. 36)

The Office of Student Affairs reserves the right to place a hold on student records, and registration if the student fails to respond to an Official Request from the Office of Student Affairs. When a student is being charged with a violation that could result in Suspension or Expulsion, a HOLD will be placed on the student's records during the conduct process, and until the case is adjudicated and the appeal process is complete.

Proposed (by SUNY Counsel):

7. Official Requests/Holds

The Office of Student Affairs reserves the right to place a hold on student records, and registration if the student fails to respond to an Official Request from the Office of Student Affairs. When a student is

being charged with a violation of Campus Rules, a HOLD will be placed on the student's records during the conduct process, and until the case is adjudicated and the appeal process is complete. Students are prohibited from withdrawing from the college or taking a leave of absence until the outcome of the case is determined. If a student chooses to not appear for the judicial proceeding, the hearing will move forward in absentia.

CAMPUS RULES

Rationale:

Provides a range of sanctions which follows the format for all other policies, except where legally mandated (Title IX), and aligns more closely with policies at most other SUNY campuses.

Current:

12.00 Narcotics, Illicit Drugs and Controlled Substances (p.15)

.01 Possession of Illicit and/or Controlled Substances No person shall use, possess, manufacture, or have under their control any narcotic, illegal drug, or controlled substance not prescribed to them by a licensed physician, including but not limited to: cocaine and its derivatives, heroin, opiates, barbiturates, amphetamines, organic or synthetic, depressants, stimulants, and hallucinogens; marijuana and its derivatives, including hash and hash oil, plants, seeds, resins, etc., or any other substance specifically prohibited or controlled by Federal or State law.

(Penalties: for use or possession of marijuana, 1st offense: Disciplinary Probation, Suspension (Held in Abeyance), Suspension or Expulsion, Special conditions include: educational and/or clinical intervention, and parental notification if applicable. Possession of marijuana, 2nd offense: not less than Expulsion. Possession of all other controlled substances: not less than Expulsion. Persons in possession of a controlled substance may be arrested and charged under the New York State penal code, and be subjected to fines and/or imprisonment.)

Proposed:

12.00 Narcotics, Illicit Drugs and Controlled Substances (p.15)

.01 Possession of Illicit and/or Controlled Substances No person shall use, possess, manufacture, or have under their control any narcotic, illegal drug, or controlled substance not prescribed to them by a licensed physician, including but not limited to: cocaine and its derivatives, heroin, opiates, barbiturates, amphetamines, organic or synthetic, depressants, stimulants, and hallucinogens; marijuana and its derivatives, including hash and hash oil, plants, seeds, resins, etc., or any other substance specifically prohibited or controlled by Federal or State law.

(Penalty: Disciplinary Probation, Suspension (Held in Abeyance), Suspension or Expulsion, Special conditions include: educational and/or clinical intervention, possible Denial of Campus Residency and parental notification if applicable.)

Rationale:

Clarifies policy to include pepper spray, as advised by SUNY Counsel.

Current:

13.00 Illegal Weapons (p.15)

13.00 Illegal Weapons No person shall possess weapons of any kind (even if licensed) including, but not limited to, nunchaku sticks, firearms, knives, air guns, etc., in the Residence Halls or anywhere on campus.

(Penalty: Disciplinary Probation, Suspension (Held in Abeyance), Suspension or Expulsion)

Proposed:

13.00 Illegal Weapons

No person shall possess weapons of any kind (even if licensed) including, but not limited to, nunchaku sticks, firearms, knives, air guns, any type of pepper spray or noxious chemicals, etc., in the Residence Halls or anywhere on campus.

(Penalty: Disciplinary Probation, Suspension (Held in Abeyance), Suspension or Expulsion)

Rationale:

Changing the category title better describes the range of nonconsensual behaviors listed in the description.

Current:

17.00 Sexual Assault (p. 16)

No person or group of individuals shall engage in sexual behavior towards any individual against their will and without their affirmative consent. Such behavior includes, but is not limited to, touching, pinching, patting, or pressing up against someone, exposing genitalia, sexual based stalking or bullying, or sexual exploitation. Sexual exploitation may include but is not limited to invasion of sexual privacy, non-consensual use of photographs, video or audio-taping of sexual activity, engaging in voyeurism or knowingly transmitting an STI or HIV to another student.

Proposed:

17.00 Sexual Assault/Misconduct (p. 16)

[No change:] No person or group of individuals shall engage in sexual behavior towards any individual against their will and without their affirmative consent. Such behavior includes, but is not limited to, touching, pinching, patting, or pressing up against someone, exposing genitalia, sexual based stalking or bullying, or sexual exploitation. Sexual exploitation may include but is not limited to invasion of sexual privacy, non-consensual use of photographs, video or audio-taping of sexual activity, engaging in voyeurism or knowingly transmitting an STI or HIV to another student.

Rationale:

Clarifies that academic transcript notation for violent offenses includes interpersonal violence.

Current:

19.00 Interpersonal Violence (Intimate Partner, Dating or Domestic) (p. 18)

.01 No person shall engage in a violent act or pattern of coercive behavior that serves to exercise control and power in an intimate relationship. The coercive and abusive behaviors can be physical, sexual, psychological, verbal, financial and/or emotional in nature. Intimate partner abuse can occur in relationships of the same or different genders; between current or former intimate partners who have dated, lived together, or been married. The existence of such a relationship shall be determined based on the victim's statement and with consideration of the type and length of relationship and the frequency of interaction between the persons involved in the relationship.

.02 No person shall engage in any violent felony or misdemeanor crime that serves to exercise control and power in a domestic partner relationship. Domestic partner abuse includes acts committed by a current or former spouse or intimate partner of the victim, a person sharing a child with the victim, or a person cohabitating with the victim as a spouse or intimate partner.

(Penalty: Disciplinary Probation, Suspension (Held in Abeyance), Suspension or Expulsion)

Proposed:

19.00 Interpersonal Violence (Intimate Partner, Dating or Domestic) (p. 18)

[No change to policy]

(Penalty: Disciplinary Probation, Suspension (Held in Abeyance), Suspension or Expulsion with Academic Transcript Notation)

Rationale:

Holds residents responsible for addressing a known safety hazard within their room, where professional staff are not able to readily observe violations.

Current:

23.00 Fire Equipment and Alarms (p.19)

.02 No person shall, without authorization, operate or tamper with any fire safety equipment, including fire extinguishers, except for use in emergency situations, and for such purposes for which the equipment was intended. (

Penalty: Disciplinary Probation, Suspension (Held in Abeyance), Suspension or Expulsion). Special conditions may include Denial of Campus Residency, and/or an educational program.

Proposed:

23.00 Fire Equipment and Alarms

.02 No person shall, without authorization, operate or tamper with any fire safety equipment, including fire extinguishers, except for use in emergency situations, and for such purposes for which the equipment was intended, including failing to remedy a situation where they have knowledge that a smoke detector has been covered.

(Penalty: Disciplinary Probation, Suspension (Held in Abeyance), Suspension or Expulsion). Special conditions may include Denial of Campus Residency, and/or an educational program.

Rationale:

With SUNY Counsel guidance, clarified policy to include "heckler's veto" as a violation of free speech and therefore disruptive conduct.

Current:

24.00 Disorderly/Disruptive Conduct (p.19)

.01 No person shall engage in disorderly conduct which interferes with the rights of others, including: criminal mischief (vandalism); recklessly creating a public inconvenience or disturbance by fighting; making unreasonable noise; using abusive or obscene language; disturbing a class or meeting; obstructing pedestrian or vehicle traffic, or creating a hazardous or physically offensive situation by an act which serves no legitimate purpose.

(Penalty: Disciplinary Probation, Suspension (Held in Abeyance) or Suspension, and possibly Financial Restitution)

Proposed:

24.00 Disorderly/Disruptive Conduct

.01 No person shall engage in disorderly conduct which interferes with the rights of others, including: criminal mischief (vandalism); recklessly creating a public inconvenience or disturbance by fighting; making unreasonable noise; using abusive or obscene language; disturbing a class, meeting, event, rally or speaker; or acting in a manner that substantially or repeatedly infringes upon or violates the rights of others, including their free speech rights (e.g.- sustained or repeated disruption so a person cannot be heard); obstructing pedestrian or vehicle traffic, or creating a hazardous or physically offensive situation by an act which serves no legitimate purpose.

(Penalty: Disciplinary Probation, Suspension (Held in Abeyance) or Suspension, and possibly Financial Restitution)

Rationale:

Moves chalking under the more relevant policy.

Current:

24.00 Disorderly/Disruptive Conduct

.02 Water, food, and shaving cream fights, ball playing, Frisbee throwing, and activities of a similar nature and those which serve no legitimate purpose are prohibited in College buildings, and chalking sidewalks and walkways on campus, except where authorized, because of the potential damage to property and disturbance of others.

Proposed:

24.00 Disorderly/Disruptive Conduct

.02 Water, food, and shaving cream fights, ball playing, Frisbee throwing, and activities of a similar nature and those which serve no legitimate purpose are prohibited in College buildings, and chalking sidewalks, walkways and any other state property on campus, except where authorized under the college's posting policy, because of the potential damage to property and disturbance of others.

Current:

24.00 Disorderly/Disruptive Conduct

.03 No person shall make graffiti of any type on any building or any other property owned by any person, firm or governmental agency. Graffiti is the unauthorized etching, painting, covering, drawing upon or otherwise placing of a mark upon public or private property.

Proposed:

24.00 Disorderly/Disruptive Conduct

.03 No person shall make graffiti of any type on any building or any other property owned by any person, firm or governmental agency. Graffiti is the unauthorized etching, painting, covering, drawing upon or otherwise placing of a mark upon public or private property, including "chalking" sidewalks, walkways, walls and any other state property on campus, regardless of content, because of the cost of maintenance, potential damage to property and disturbance of others.

[24.01-24.03 Penalty = No Change]:

(Penalty: Disciplinary Probation, Suspension (Held in Abeyance) or Suspension, and possible Restitution for Damages)

ADMINISTRATIVE REGULATIONS

Rationale:

Creates 1.07 to simplify the process for the federally mandated annual Clery Report, as 1.07 is not reportable. Currently 1.01 violations have to be manually reviewed to separate these instances.

Current:

1.00 Alcohol (p.20)

1.01 Students under the age of 21 may not be in the presence of, possess or use alcoholic beverages on the college campus. The only exception is the underage student who resides with students of legal drinking age and may be in the presence of alcohol in the assigned residence; provided the underage roommate does not possess, distribute, sell or consume alcohol.

Proposed:

1.00 Alcohol

1.01 Students under the age of 21 may not possess or use alcoholic beverages on the college campus.

[1.02-1.06 = No Change]

1.07 Students under the age of 21 may not be in the presence of alcoholic beverages on the college campus. The only exception is the underage student who resides with students of legal drinking age and may be in the presence of alcohol in the assigned residence; provided the underage roommate does not possess, distribute, sell or consume alcohol.

[1.01-1.07 Penalty = No Change]:

(Penalty: Warning Probation, Disciplinary Probation, Suspension (Held in Abeyance) or Suspension. Special conditions include: educational and/or clinical intervention, possible Denial of Campus Residency and parental notification if applicable.)

*See Campus Regulations: V. Campus Safety and Security F. Reporting under Alcohol/Drug Amnesty Policies-Good Samaritan-and Self Reporting



College Council

December 19, 2017



FY 17-18 Status of Core Instructional Budget December 19, 2017

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Total Expenditures	Tuition Scholarship	Supplies, Travel, Contracts & Equipment	Utilities	Temporary Service	Personal Service		EXPENDITURES	I Can I Co o Citado	Total Revenue	State Support		Total Funds Generated by Campus Activities	Spring Tuition & Fees		Fall Tuition & Fees	REVENUE
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Total Estimated Revenue Less Estimated Expense \$

(1,802,581)