The International Edition

In our increasingly interconnected world, global matters impact all aspects of university life, from the way we communicate to the way we learn and conduct business. This Of Counsel newsletter focuses on relevant international legal topics.

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The Office of the General Counsel Summer Brown Bag Seminar Series

Below are the OGC seminar offerings for the Summer. If you or your staff would like to attend, please notify Maggie Marseille at m.marseille@neu.edu or x2157 so that we can confirm adequate space.

May 20, 2015, 12:00pm to 1:00pm, 220 Dockser Hall, Going Somewhere? International Academic Travel and U.S. Export Control Laws.

If you are traveling internationally, including to attend or present at a conference or conduct research, and taking your laptop, cell phone or any other electronic devices, these items and the underlying technology, data, and encryption software may all be subject to U.S. export control laws. Join the Office of Information Security and Office of General Counsel (“OGC”) for an overview of the law, how it applies to you, and tips for avoiding inadvertent violations of the law and other problems!

June 16, 12:00pm to 1:00pm, 215 Shillman Hall, Entre Nous: Data Privacy Obligations for Faculty and Staff.

Data privacy continues to be a growing concern in an age of increasing electronic record keeping. This seminar jointly presented by the Office of Information Security and the OGC, will provide an overview of the legal provisions relating to personal data privacy, from FERPA to the EU Data Privacy Directive, and the important considerations for collection, storage, use, access, transportation and disposition of records containing personally identifying information.

June 17, 12:00pm to 1:00pm, 305 Shillman Hall, Contract Catalyst: How to speed up the contract process.

Thousands of proposed agreements come through the university annually. While the university continually enhances its review process to promote efficiency, there are a number of steps you can and should take first to speed up the review of your proposed agreement by the university. Any faculty or staff member who is involved with contracts, agreements and transactions should plan to attend. Come to this seminar and learn what steps you can take to have your agreement reviewed and approved as quickly as possible!

June 24, 12:00pm to 1:00pm, 220 Dockser Hall, Licensing 201: From the lab bench to the boardroom.

The number of transactions worldwide involving intellectual property has skyrocketed in the past ten years, as universities work with faculty members to move technologies and discoveries out of the academic lab and into the marketplace. Join Andy Curtin, Director of Intellectual Property and Assistant General Counsel Matt McIntyre for a discussion of the various practical legal and business issues in patent, copyright and other intellectual property licensing, including the critical components of license agreements, and how the Center for Research Innovation negotiates these agreements.
**Welcome Aboard**

**Michael Glover** has joined the OGC as Assistant General Counsel. Michael’s practice focuses on transactional matters. Prior to joining Northeastern, Michael worked as Deputy Counsel for the Massachusetts Department of Transportation where his practice was primarily real estate, rail, solar, telecommunications, procurement and corporate governance matters. Prior to the MassDOT, Michael was a real estate attorney with the law firms of Goulston & Storrs P.C. and Edwards Angell Palmer and Dodge LLP. Michael earned his B.S. in Journalism from Northeastern and his J.D. from American University. Prior to attending law school, Michael worked as an Assistant Director of Admissions at Northeastern. Michael is also a member of the Brookline School Committee.

**Lin Qin** joins the Compliance Department as the Associate Director of Compliance. Lin has over 15 years of professional experience in audit, compliance and risk management. As Associate Director, she is responsible for maintaining an effective compliance program that addresses regulatory requirements governing the university and working with key compliance areas and individuals throughout the university to facilitate collaboration, raise awareness, provide guidance, and address compliance concerns. Prior to joining the Compliance Department, Lin worked in the Internal Audit Department here at Northeastern. She is a Certified Public Accountant and holds a Certificate in Risk Management Assurance. She received her Master of Science in Accounting from Suffolk University, and her Bachelor’s in Information Management from Nanjing University.

Also joining the Compliance Department is **Kristen Elwell**, Compliance Manager. Kristen’s work will focus on the university’s new policy management system, conflict of interest and commitment issues, and compliance training and education. Additionally, Kristen is an attorney and will work with the OGC on regulatory matters and risk management and compliance-related legal issues. Kristen comes to Northeastern with over a decade of experience in higher education. Most recently, Kristen supported research compliance at the Harvard Stem Cell and Regenerative Biology department. Prior to that, her professional experience included state and federal relations for Harvard. Kristen received her B.A. from American University, and her J.D. from Suffolk University Law School.

**NUPD Goes Global**

As Northeastern has expanded its reach and presence around the globe, many departments and offices have likewise expanded their focus to support the university’s international activities. The Northeastern University Police Department (“NUPD”) is no exception. Over the past year and a half, NUPD has been assuming increased responsibility for supporting our international student programs by helping to develop and implement tools for promoting safety while abroad and for responding to international emergencies that might impact university programs and our students who are studying or on co-op in other countries. Working closely with the Office of the Provost, EMSA, Enterprise Risk Management and the Office of Risk Services, NUPD is an important collaborator in addressing a range of issues relating to the safety and security of our community around the globe, and around the clock.

An important component of that collaboration has been **Khushal H. Safi**, who joined NUPD in July 2014 as the International Security Specialist. In that role, Khushal (who is also happy to be called by his last name), participates in the International Safety and Security Advisory Committee (“ISSAC”), and previously was a member and subcommittee co-chair of the International Programs Advisory Committee. Khushal comes to the NUPD with over 12 years of professional experience in national security and intelligence. In his prior position, he traveled throughout the Middle East, Africa, South and Southeast Asia, and Europe coordinating the U.S. government’s response to terrorist acts and counterintelligence issues. So if you want to know what’s going on in any part of the world at anytime, Safi is the guy to ask!
If you are planning to travel abroad, whether for a conference, teaching or even a vacation, and taking your laptop, mobile phone, tablet, thumb drive or other electronic device, read the following tips for insight into information security threats you may face while traveling internationally, and how to protect yourself, your data, and your devices.

**Protect your data (and the University’s data) from cybercriminals**

- The risks that your device(s) will be compromised by malware are magnified during travel, especially abroad, especially in countries where the government controls access to the Internet.
- Wherever you travel, your responsibility for data stewardship travels with you: do not take any proprietary or confidential University information with you on a laptop or mobile device. If you believe you must do so, check with Information Security before you go.
- Disable broadcast services, including Bluetooth, Wi-Fi, and Global Positioning Information; they can be used to launch attacks against your device, and to locate and introduce malware.
- Be wary of text messages from unknown numbers which can install malware and spyware onto your cell phone that will gather information transmitted through your phone including call history, text messages, and even financial information.
- For some travel, it may be advisable to completely “wipe” your laptop or mobile device and to take only the applications and public data that you need for your trip, such as lecture notes.
- Keep your device(s) within your sight and control whenever possible; do not accept thumb drives from others.
- Your belongings may be searched multiple times; assume your electronic media will be copied.
- Change your password before you travel, and change it again when you return.
- Do not travel with any sensitive intellectual property that might have research or commercial value. When you get back, do not copy sensitive information onto a computer that has been overseas before it has been scanned for malware and “wiped.”

**Before you go, confirm that you can “export” your software and data**

- Any information, technology, software, and/or equipment you take with you may be subject to U.S. export control laws.
- If your device has encryption software, either commercially available or research-generated, or if it contains unpublished data relating to items on a technology control list, you may need an export license to take it outside the United States.
- Note that many countries, such as Russia and China, regulate the inbound use of encryption software.
- If you are going to an embargoed country (such as Syria, Iran, the Crimea), you will likely need a license.

More information about traveling with devices is available at SecureNU and will be covered at the Brown Bag seminar on May 20 at 12:00 pm in Dockser Hall so be sure to attend!

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**Reminder: Summer Programs for Minors**

Planning a summer program that will include children or young people under 18 years old? Don’t forget that your program must be registered with the Office of Risk Services, and meet the requirements of the University’s Policy on Programs Involving Minors. You can access all the information and forms you need at: http://www.northeastern.edu/risk_services/. If you have any questions, email: minorsprograms@neu.edu or call: Maryellen Callanan in the Office of Risk Services at x 2690
A number of United States legal protections, including those afforded under Title IX, are applicable to study abroad and other international programming. The Office for Civil Rights (“OCR”), a branch of the U.S. Department of Education, interprets and enforces this law. While the OCR has yet to provide definitive guidance on the applicability of Title IX abroad, it has expressed that “a school must process all complaints of sexual violence, regardless of where the conduct occurred.”

In addition, university policies and procedures also apply while abroad. As such, and in accordance with university policy, all complaints alleging violations of the university’s Title IX policy must be reported as soon as possible to the Title IX Coordinator in the Office of Institutional Diversity and Inclusion (“OIDI”).

For a more in-depth understanding on the topic and for those who may be traveling with students, attend one of the OIDI Title IX: Rights, Requirements and Responsibilities educational seminars. Register for programs at http://www.northeastern.edu/its/services/training/. To review the university’s Title IX policy, go to http://www.northeastern.edu/policies/.

The summer often provides an opportunity to engage with international colleagues, and invite conference participants to campus. Such individuals visiting the U.S. for certain academic, university-related purposes are international business visitors. While in the U.S., international business visitors may attend meetings, participate in scientific, educational, or professional conferences, seminars, and workshops, provide guest lectures, and conduct independent research. However, they may not work as employees or independent contractors, or engage in collaborative research.

To comply with immigration laws, international business visitors will need a B-1 visitor visa, or, if their home country participates in the Visa Waiver Program with the U.S., they may be eligible for a Waiver for Business (WB). If the visitor’s proposed activity is not an appropriate fit for either of those options, a potential alternative is the J-1 short-term scholar visa status. Each department should confer with its personnel contact in the Dean’s Office to determine which visa status is appropriate for the visitor’s planned activity at Northeastern. Please visit the Office of the General Counsel website for more information and to obtain the most current versions of the documents and template letters to use in this process.

The International Safety and Security Assessment Committee (ISSAC) has been created, a new committee that replaces and combines the work of two previous international travel-related committees – the International Programs Advisory Committee (IPAC) and the Risk Assessment Committee (RAC).

Over the coming year, you will hear more about the work of this committee as it evolves University travel guidelines and policies pertaining to assessment of travel risk, preparedness, oversight, risk mitigation and appropriate intervention for university sponsored travel abroad. For more information, please visit http://www.northeastern.edu/provost/issac.

Of Counsel is also available on the OGC’s website at: www.northeastern.edu/general-counsel/
Of Counsel has been prepared as a general summary of important developments. It is not intended as individual legal advice. Should you have any questions or need information concerning a specific situation or any of the content of this advisory, please contact the Office of the General Counsel, ext. 2157