Welcome to the OGC!

Please join us in welcoming the newest member of our office to Northeastern University:

Rob Leahy has joined the Office of the General Counsel as the Senior Research and Sponsored Programs Counsel. Rob’s practice focuses on transactional matters, particularly agreements executed by the Office of Research Administration and Finance. Prior to joining Northeastern, Rob was a government contracts attorney in the D.C. office of Baker Botts L.L.P. Before joining the firm, Rob was both an active duty Air Force JAG attorney and a civilian R&D programs attorney for the Air Force at Hanscom Air Force Base in Lexington, MA. Rob earned his B.A. in psychology from Norwich University and his J.D. from Pepperdine University. Rob looks forward to working with the university's research community and can be reached at r.leahy@northeastern.edu or (617) 299-6007.

TRAVEL TO CUBA

The Obama Administration’s loosening of some of the economic sanctions against Cuba, and the re-establishment of diplomatic relations between the US and Cuba, have opened opportunities for travel to Cuba for educational and research purposes, and many in our community are eager to pursue those opportunities. There is still a U.S. embargo, however, and the restrictions are evolving, so in order to be sure your proposed travel will be permitted and successful, you need to plan and consult well in advance.

Be aware that under the sanctions regulations for Cuba issued by the U.S. Treasury’s Office of Foreign Asset Control (OFAC), tourism is still prohibited. There are several categories of travel which are permitted under a general license, and the first step is determining if your trip fits into one of those. The four most likely categories for Northeastern travelers are educational activities, so-called people-to-people travel, humanitarian projects, and travel for public performances, clinics, workshops, athletic and other competitions. The Office of the General Counsel can help determine if the trip qualifies under one of these, or other, categories. If not, you may be able to apply for a specific license for proposed research or related educational purpose.

If the proposed travel includes students, you will need to complete a Petition for travel to sanctioned countries, which can be found at northeastern.edu/internation-travel, and submit the Petition to GEO. Once a Petition is submitted, NUPD’s International Security Specialist, the Office of Risk Services and OGC will coordinate to assess and advise on the proposed travel.

If you have any questions on this topic, please contact Barbara Smith at ext. 7108.
Continuing OGC’s Interview Series, *Of Counsel* met with Lori Jacques, Assistant Vice President of Alumni Relations, and Lesley Pratt, Assistant Vice President of Advancement Services, to discuss the questions Northeastern community members typically ask about alumni records. Most of us know that student records are protected under the Family Educational Rights and Privacy Act (FERPA), but what happens when a student graduates? How can you get in contact with an alumnus/a? Who can have access to alumni information?

Thank you to Advancement for contributing to Of Counsel and for guiding all of us on how we can continue to engage the alumni as part of the Northeastern community.

**How does information become part of the alumni database?**

There are several ways in which information becomes part of the alumni database. Upon graduation, the Registrar’s office indicates to Advancement that students have officially graduated and some basic directory information from the student record is transferred to the alumni record. The alumni database is also updated by self-reported information and information gathered through publicly available databases.

**Does FERPA apply to alumni records?**

Records that pertain to an individual’s previous attendance as a student (that are not considered directory information), are still “educational records” as defined by FERPA, regardless of when they were created or received by the institution. In contrast, self-reported information on where an alumnus/a works or about donations made to Northeastern are not covered by FERPA. Information about the alumnus’ class schedule or academic collaboration with a professor, however, are education records and would still be covered by FERPA.

**How does the Advancement Division use alumni records?**

Advancement contacts alumni for a variety of reasons, including to provide information about alumni events, fundraising campaigns and educational opportunities. Through the Office of Alumni Relations, alumni have access to “Husky Nation,” an online community through which alumni can get in touch with one another, browse updates about fellow alumni and search the Husky job board. More information on the use of alumni information can be found at https://www.northeastern.edu/alumni/privacy-policy/.

**How can members of the Northeastern community get in touch with a former student or group of alumni?**

The Office of Alumni Relations can assist in making contact with alumni. The Advancement Division works hard to maintain an up-to-date, accurate database, including information on alumni who have requested limitations on who contacts them and the best ways and times to effectively reach the desired audience. By working with the Office of Alumni Relations, Northeastern community members can anticipate effective and appropriate communication channels with the alumni community.

*If you have questions or would like more information, please contact the Office of Alumni Relations at 617-373-2656.*
The Compliance Corner

“Compliance Compass”

An important function of Northeastern’s Compliance Department is to assess and monitor compliance risk. Over the past several months, the Compliance Department has developed an approach to enhance collaboration and efficiency in assessing compliance risk and, with the Office of the General Counsel, is about to launch the pilot of a new tool, called the “Compliance Compass.” The Compliance Compass is designed to help compliance areas across the University better understand their compliance risks and to promote coordinated initiatives to mitigate many of those risks.

Navigating regulatory requirements can be a challenge, but there are some basic principles that are true across all compliance areas. The Compliance Compass is an eight question survey used to assess how these principles are integrated into daily operations within a given compliance area. The survey responses will provide a framework for follow-up discussions with the Compliance Department to explore how the Department can work with its compliance partners to understand the results, make recommendations for improvement and, if appropriate, offer to help with project-based work to advance compliance in that area.

This fall, the Compliance Department is piloting the Compass in test-runs with a few of its compliance area partners from a cross-section of the University. The Department will use the information gathered from the pilot to evaluate the effectiveness of the Compass and adjust as needed for broader implementation across the University.

Contracting at the University

The university is committed to making the contract process as efficient and effective as possible. OGC is currently working on redesigning the Contracts and Transactions tab on the OGC website to make it easier to navigate the templates and informational resources housed there for your use. If your department would like personalized training on the contracting process as it applies to your work, please do not hesitate to contact your Gatekeeper so that he or she can make arrangements with our office.

A few things to remember about University contracts and the contract process:

1. Unaltered template agreements, which can be found on the OGC website, do not need to be sent to the OGC for legal review prior to signing by an authorized signatory.

2. Both altered template agreements and non-template agreements require legal review by the OGC prior to authorized signature.

3. The Contract Submitter Checklist and the Gatekeeper Review Checklist are important tools in managing and reviewing contracts and must be completed and submitted with every contract.

4. Only certain individuals at the university have authorization to sign contracts on behalf of the university.

5. The OGC does not keep copies of contracts on file. The Gatekeeper keeps one fully signed version of the contract for the department's/university's use/needs.
Five Minutes with the CISO, Mark Nardone

Multifactor Authentication

We all use a number of Northeastern's portfolio of applications, both internal and cloud-hosted, to access institutional and personal data. These generally require sign-on with an NU ID to connect. In order to enhance protection of these systems and the data housed on them, the university is beginning work to deploy Multifactor Authentication, or MFA. What is MFA? If you do online banking or use an ATM, you are already familiar with MFA. MFA uses multiple things in combination to confirm that you are who you say you are, before you can log into a system or perform a transaction. These are your login name, your password, and another unique identifying item, often something you physically have (for example, your bankcard). With newer MFA technologies, these are quite dynamic in nature to prevent someone who compromises a login and password pair from gaining access to your accounts.

Northeastern will be implementing MFA using a risk based approach, so that the types of information and systems which need the greatest protection will have the technology deployed first. In some cases, Information Technology Service will also deploy the technology on systems where users can elect to add the protection of MFA, similarly to how you can decide to add it to your Gmail or Facebook accounts. The technology itself is easy to use, and can often be just a tap on your mobile device or entering a 5-digit PIN at the time of log in, but adds a great degree of protection to the systems and data we are obligated to protect. Look for more communication from ITS about when and how MFA will be available on your devices and systems.

Data Classification Framework

As discussed in the Spring Of Counsel newsletter, the university is piloting the Data Classification Framework (DCF) this fall. Once the DCF is refined and adopted, it will enable university faculty and staff to easily identify the appropriate levels of control and protection for the information in their care or used in their daily work. Look for further announcements about this project soon.

Thank You for Making Our Summer Professional Development Series a Great Success

We had over 600 Northeastern community members sign up to attend at least one of our seven Professional Development courses! Many people provided valuable feedback and we are already planning upcoming programs. Look for announcements coming soon. If you have an idea for a university-wide program or would like specialized trainings on legal or regulatory issues affecting your area, please contact Ayla Geller at ay.geller@northeastern.edu.

You may access this edition of Of Counsel on the OGC’s website at:
www.northeastern.edu/general-counsel/

This edition of Of Counsel was prepared by Amy McKendry and Ayla Geller. Of Counsel is 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, 378 Columbus Place, ext. 2157