



PROFESSIONAL STANDARDS AND BUSINESS CONDUCT POLICY

January 2002

INTRODUCTION

Northeastern employees have an obligation to perform their duties in a manner that supports and advances the University's mission and goals. Employees are responsible to the University, its students, parents, donors, governmental and other funding sources, to use resources prudently, ethically and for the purposes for which they are intended.

The increasingly complex relationships that have evolved between the University and the myriad of individuals, companies, governmental agencies, community groups, and others demand that University employees consistently conduct themselves in a manner that will withstand the sharpest scrutiny. Employees must exercise a high degree of personal responsibility, integrity, and sound judgment in all situations.

The University has developed the following policies to assist individuals in achieving the highest standards of personal and professional conduct. Ethics and integrity are ultimately the responsibility of each employee. Employees should review these policies carefully to ensure that they are always observed as they discharge their responsibilities. Manuals, handbooks and documents belonging to individual areas which offer more details on specific situations and are consistent with this document should be referred to when more information is necessary.

For the purpose of this document, *units* include colleges, departments, groups, divisions, centers, institutes, research collaborations and functions which are separately budgeted. *Unit heads* are persons responsible for the leadership and management of such units.

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UNIVERSITY ASSETS AND RESOURCES

UNIVERSITY ASSETS AND RESOURCES

Sound business conduct requires that each employee, as a basic condition of employment, assume responsibility for safeguarding and preserving the assets and resources of the University, particularly those for which the employee is directly responsible. The following guidelines address this basic commitment and responsibility:

1. All revenues and expenditures must be recorded and accounted for within the University's financial accounting system in a timely manner. Checks, currency, money orders and other negotiable instruments must be received and handled pursuant to the University's cash management policies.
2. Billing and collection activities for services provided on behalf of the University must be coordinated through the Finance Division. Any billing or collection conducted outside of the Finance Division must have the written authorization of the Senior Vice President for Administration and Finance.
3. All banking arrangements must originate in the Office of the University Treasurer. Individuals, programs, departments and other units should not open bank accounts on behalf of the University or any groups or organizations affiliated with the University.
4. All checks for services rendered by the University or any of its units must be made payable to Northeastern University and deposited at the Cashier's Office as soon as possible, but no later than the close of the next business day. Under no circumstances should checks be made out in an employee's name or only in a unit's name. Arrangements for an escort to transport deposits to the Cashier's Office may be made through the Division of Public Safety.
5. False or misleading entries must never be made in financial or other records of the University. No payment should be approved or made with the knowledge that any part of the payment will be used for any purpose other than what is described in the documents supporting the payment.
6. Approved tuition and fees, including, but not limited to, parking, facilities rental or user fees, may be waived only with the approval of the Treasurer, the Senior Vice President for Administration and Finance or the President.
7. Authorization and approval for disbursement of University funds must be done by an authorized signatory typically in a supervisory capacity in relation to the person receiving the funds. University employees must never authorize or approve payments or reimbursements to themselves or family members.
8. A unit or individual may not maintain a petty cash fund without the prior written approval of the University Controller.
9. The use of University equipment, supplies, or facilities for a non-University purpose or for a revenue-generating activity that benefits an individual employee directly or indirectly is strictly prohibited without the written approval of the Senior Vice President for Administration and Finance, the Treasurer or the President. It is understood, however, that minimal use of such equipment as telephones or services such as electronic mail for personal communication will occasionally take place.
10. Units are responsible for ensuring that assets purchased from their budgets with University funds are properly safeguarded. Capital assets purchased from the operating, grants and contracts, restricted, and overhead return accounts, must be accounted for in the University's Property Accounting System, maintained by the Director of Research and Property Accounting in the Finance Division. Additional information, including

a listing of capital assets charged to a unit's budget account is available from the Director of Research and Property Accounting. As units acquire or retire assets, they should periodically obtain and review their listing of capital assets, maintained in Property Accounting, for accuracy and completeness.

11. Equipment or materials purchased with Faculty Development Funds are the property of the University. Faculty Development Funds are institutional, non-salary funds provided for faculty and other University personnel to be spent, at their discretion, to enhance their teaching, scholarly, or service capabilities. Although it is assumed that these funds may be spent by individuals at their discretion, (for items such as: books and other teaching and/or research materials, professional travel, student excursions, conference related expenses, subscriptions, honoraria for guest lecturers, computer software and hardware, analog or digital recording/playback/projection equipment, etc.), the use of the funds remains subject to applicable University policies, including supervisory oversight and approval.

In accordance with existing University policy, expenditures on books, digital or analog software, other "expendable" material and equipment costing less than \$500 will not be subject to University inventory procedures or audit. Equipment costing more than \$500 is subject to such policies, but may be logged out to their purchasers on a long-term basis for use at locations other than the University campuses, so long as their use advances the goals of the University. All equipment or materials purchased with Faculty Development funds, must be used solely in accordance with applicable University policies.

12. All units must maintain a log of University assets removed from University facilities. University-owned property must be housed on campus except when the unit head has granted written approval. If an item with a cost of \$500 or more is to be held off-campus for more than one month, the Director of Research and Property Accounting, in the Finance Division, must be notified via an Asset Disposition Form. In the case where a piece of equipment is specifically assigned to an individual and taken off-campus periodically, such as a laptop computer, the equipment need only be logged out once. The care and safe return of a University asset held off-campus, on the due date or upon demand, is the responsibility of the individual in possession of the asset and the authorizing unit head. The individual in possession of the asset and the authorizing unit head are responsible for notifying the Director of Research and Property Accounting via an Asset Disposition Form whenever the asset changes location, is retired, or is returned to campus.
13. The use of University assets of funds, facilities, personnel or other resources for personal, unlawful or improper purposes is strictly prohibited. Questions regarding prudent or appropriate use of University assets should be discussed with the unit head.
14. The University seal, logo, or letterhead may only be used for University-related purposes. Such identifiers must not be used by outside organizations even if the University has a relationship with the other entity. Northeastern University identifiers symbolized by the logo and seal are registered trademarks that provide visual cohesiveness to the University's many communications. Graphic Standards published by University Relations - Publications Department, provide guidelines for the only approved versions of the identifiers.
15. A person in a supervisory or management position may not use the authority or influence of that position to assign an employee to perform non-University or personal tasks.
16. Managers have an affirmative responsibility to develop and maintain a system of internal controls to minimize the possibility of fraud, theft and misuse of University resources by University employees and other individuals.

ACCOUNT RECONCILIATION

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Budgeting provides a mechanism for the University to manage and align its strategic goals and objectives with financial resources. Employees with budgetary responsibility are expected to monitor revenues and expenses and to ensure that the financial outlook for their accounts is in conformity with approved budget plans. University policy requires monthly budget reconciliation to determine whether all revenues and expenses charged to the accounts are authorized, accurate, properly documented and appropriate.

1. Financial reports, including detailed payroll reports, must be reviewed and reconciled on a monthly basis. The reconciliation process should include reviewing charges for accuracy.
2. The Account Review and Reconciliation Certification Form (available in the Budget Office) must be completed and signed by the unit head. The unit head's signature on the certification form indicates that the reconciliation has been performed and reviewed. The certification should be retained on file in the unit for the current and preceding fiscal year, and made available for audit purposes as needed.
3. Unit heads should make the necessary adjustments in their budgets to ensure that account balances will cover the remaining expenses and encumbrances for the fiscal year.
4. Unit heads are accountable for erroneous expenses in their reports not reported to the Budget Office on a timely basis.
5. Failure to properly monitor budgets and other resources under one's control may constitute fiscal misconduct.

REVENUE ACCOUNT CREATION

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Northeastern University has established methods for accepting revenue and creating revenue accounts in its financial accounting system. These methods ensure that revenue is properly recognized, and where applicable, that deliverables are clearly defined, documented and legally accepted by the University. To this end, all revenue received must be processed in one of the following ways:

- *Operating Revenue:* Tuition and fees, auxiliary enterprise revenues, payments from management companies and third party providers, and other income must be deposited on a timely basis into the University's operating revenue accounts and be managed by the responsible units.
- *Grant and Contract Revenue:* These funds, which are generally for research or training activities and require reporting to the granting agency, include federal funds, state funds, funds from corporations and foundations, and receipts for research and technology transfer. In order to ensure that the associated deliverables are recognized and properly monitored, revenues must be processed by the Office of Research and Property Accounting in the Finance Division, and administered through the Division of Sponsored Project Administration (DSPA).
- *Gifts:* Receipts of cash, securities or property are often for designated purposes and require donor recognition and acknowledgement. Donor restrictions and requirements must be observed, and where necessary, activities should be reported to the donor. Gifts must be processed through the Division of Institutional Advancement.
- *Restricted Revenue:* These revenue streams with offsetting expenses are typically designated for special activities such as conferences, athletic camps, and seminars. Each activity should have an account for the duration of the project.

Grant and contract accounts are created by the DSPA. The Budget Office creates all other accounts. These offices reserve the right to determine if a new account should be created based on a review of the accompanying documentation.

**EXTERNALLY FUNDED RESEARCH GRANTS
AND CONTRACTS**

EXTERNALLY FUNDED RESEARCH GRANTS AND CONTRACTS

Externally funded gifts, grants or contracts support research, training or education. Each award is separately budgeted and will have a Principal Investigator (PI), who is a University employee, as the primary fiscal authority.

- PIs have primary responsibility and spending discretion over funds awarded to them. These responsibilities are generally defined by the sponsors under the terms and conditions set forth by the grant document and in accordance with the regulations stated in the Guide for Principal Investigators. The PI's unit head, however, is expected to ensure that awards in their unit are disbursed within the guidelines and limitations of the award budgets and applicable rules.
- Deficits in research budgets must be covered first by the PI's current and future overhead return accounts, and then by the overhead return account of the PI's unit, or other departmental or college accounts as identified by the unit head, until the deficit is eliminated.
- In those instances where expenses are incurred before a research grant is formally funded, the Division of Sponsored Projects Administration's pre-award procedure, which requires the approval and commitment from the PI's unit head, must be observed.
- The PI, the Director of Research and Property Accounting, and/or the Division of Sponsored Projects Administration must immediately notify the Office of University Counsel when a sponsoring organization fails to meet its payment obligations on an award where expenses have already been incurred.

CONTRACT REVIEW AND APPROVAL

CONTRACT REVIEW AND APPROVAL

A contract is any agreement, written or verbal, that obligates the University to pay money or other considerations for goods, services or facilities, or to provide goods, services or facilities in exchange for money or other considerations.

The only individuals authorized by the Board of Trustees to sign contracts on behalf of the University are the President, the Senior Vice President for Administration and Finance, the Treasurer, and the Vice President for Business. These individuals may request the delegation of contract signing authority. Such delegation must be in writing and be on file in the Office of the Board of Trustees. The delegated authority may not exceed one year, and must be limited to specific types of transactions.

University-wide contracts have been negotiated by the Purchasing Department with various vendors. Purchases of goods and services directly from these vendors do not represent or require any additional contract. For a complete list of University approved vendors and related guidelines, including bid thresholds, please contact the Purchasing Department. Guidelines for disbursing University funds for payroll and other expenses are addressed in the Disbursement Signature Authority section of this document.

All proposed contracts must be submitted to the Office of University Counsel for review. Once reviewed, the contracts will be forwarded to the appropriate authorized official for approval and signature. The Office of University Counsel can assist in negotiating and drafting contract terms.

Any individual who signs a contract as a representative of Northeastern University without proper authorization may be personally liable for the obligations assumed under the contract.

DISBURSEMENT SIGNATURE AUTHORITY

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Employees have a fiduciary responsibility to ensure that budgets under their control are disbursed for authorized University expenses only.

For **non-payroll expenses** (Procard, purchase orders, direct charges, etc.) a unit head may delegate disbursement authority up to \$3,000 per transaction to a subordinate provided that that individual is a benefits-eligible employee of the University. A graduate assistant with a stipend may also be granted disbursement authority by the Principal Investigator. Disbursements for all transactions over \$3,000 require the approval of the unit head, or the division budget manager.

Expenditures on any externally funded research project administered by the Division of Sponsored Project Administration (DSPA), must be approved by the authorized DSPA representative. Procard expenses on externally funded research accounts require the review and signature of the principal investigator's unit head and an authorized DSPA representative.

Expenditures over \$3,000 on internally funded grants require the approval of an authorized Provost Office representative. In addition, all Procard Reconciliations on internally funded grants must be submitted to the authorized Provost Office representative for review and approval. Internally funded grants include, but are not limited to: Research Scholarship Development Fund (RSDF), Faculty Development Fund (FDF), Instructional Development Fund (IDF), Minority Faculty Support Fund (MFSF), etc.

For **appointment letters or payroll expenses**, signature authority shall be limited as follows:

- Senior vice president – for full-time appointments and the renewal of full-time faculty appointments;
- Dean or vice president – for part-time appointments;
- Unit head – for temporary employees, co-ops and other student workers. Units with two or more temporary employees must communicate payroll information to the Payroll Office via a Payroll Warrant, signed by the unit head; and
- Unit head, or a designee who is full-time benefits-eligible and at least a grade 5.1 – for work-study students.

In the absence of the authorized signatory, the approval of the next higher level supervisor is required.

Two signatures are required for payroll-related research expenses. Either the unit head or the Principal Investigator and the authorized DSPA representative must sign the payroll transaction for externally funded research grants and contracts. Payroll expenditures for internally funded research projects require the signature of either the unit head or the faculty member and the authorized Provost Office representative.

Only benefits-eligible employees may be granted approval authority over University funds. Information about all authorized signatories, including their names, sample signatures and the accounts they are authorized to spend against, must be included in the Disbursement Authority Database maintained in the Budget Office.

Authorized signatories must not approve a payment to themselves or a family member, or approve a group of payments that includes a payment to themselves or a family member. The individual's supervisor or the next higher level supervisor must authorize such a disbursement.

REPORTING FISCAL MISCONDUCT

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Fiscal misconduct is the deliberate action by an individual to misrepresent or conceal the facts of a business transaction. Fiscal misconduct includes fraud, embezzlement, the theft of goods or services and the unauthorized use of University resources, including funds, property and employees. Failure to reasonably safeguard University assets, properly supervise budgets under one's control, and duly adhere to applicable University policies may also constitute fiscal misconduct, if such failure leads to financial loss to the University.

This policy establishes a mechanism for reporting fiscal misconduct and identifies the consequences of fiscal misconduct.

If an employee knows or suspects that another individual has engaged in fiscal misconduct, their fiduciary responsibility requires that the employee immediately notify the Director of Internal Audit. If fiscal misconduct is reported to a supervisor, chairperson, director, dean, vice president, or another responsible person, that individual must immediately notify the Director of Internal Audit. Failure to report or provide relevant information may constitute fiscal misconduct. Internal Audit will determine whether and when to convene a meeting of the University's Fraud Response Team. The team, which is made up of the Director of Internal Audit, the Director of Public Safety and a representative of the Office of University Counsel, will respond to the situation and notify other offices as appropriate.

If the University initiates an internal investigation to determine the validity of the allegations, the Director of Internal Audit will conduct or coordinate the review. The results of the internal investigation will be communicated on a need-to-know basis.

The University's disciplinary actions will be imposed and appropriate action will be pursued if an investigation reveals fiscal misconduct through misappropriation of University funds or resources, or other security breaches in the University, including its financial and operating systems. Fiscal misconduct may lead to employment sanctions up to and including termination, and may subject the individual to civil liability and/or criminal prosecution. All members of the Northeastern University community are responsible for ensuring that their own conduct and the conduct of anyone reporting to them, fully complies with this policy.

Full cooperation by all employees is required during the investigation of fiscal misconduct. The report of alleged misconduct will be maintained in a confidential manner consistent with University policy. The reporting employee will also be protected from retaliation, consistent with University policy.

While an employee may discuss questions or suspected violations with their unit head, an "Ethics Help Line" at (617) 373-5-9-1-1 is available to employees who have questions regarding the scope and applicability of this policy, or who wish to report potential violations of the policy.

**APPROPRIATE USE OF COMPUTER AND
NETWORK RESOURCES**

APPROPRIATE USE OF COMPUTER AND NETWORK RESOURCES

The information systems of Northeastern University are intended for the use of authorized members of the Northeastern community, in the conduct of their academic and administrative work.

To protect the integrity of computer resources against unauthorized or improper use, and to protect authorized users from the effects of unauthorized or improper usage, the University reserves the right, with or without notice, to monitor, record, limit or restrict any account holder's usage. The University may also monitor, record, inspect, copy, remove or otherwise alter any data, file, or system resources. The University reserves the right to periodically check these systems and to take any other action necessary to protect the computer and network facilities. The University also retains access rights to all files and electronic mail on its computing and network facilities. Anyone using these systems or networks expressly consents to such monitoring.

Any unauthorized, inappropriate, illegal or illegitimate use of the University's computing resources, or failure to comply with these guidelines, shall constitute a violation of University policy and will subject the violator to disciplinary action by the University and may result in legal action.

When a violation is identified, the appropriate system manager or unit head will undertake a review and initiate action in accordance with University policy. In addition, the University may require restitution for any use of computer or network services that violate these guidelines. The University may also provide evidence of possible illegal or criminal activity to law enforcement authorities.

Notwithstanding any other provision of this policy, authorization to access the information systems of Northeastern University ends at the termination of employment, the end of a recognized role or relationship, or the loss of sponsorship. Students may continue to use their Northeastern electronic mail account for up to six (6) months after graduation.

Any questions about this policy or the applicability of this policy to a particular situation should be referred to the Information Technology Security Manager or the Director of Internal Audit.

The University's information systems consist of all networking wiring, equipment, networks, security devices, servers, computer systems, computers, computer laboratory equipment, workstations, Internet connection, and all other intermediary equipment, services and facilities. These assets are the property of Northeastern University. The Appropriate Use policy describes how these information systems are permitted to be used.

1. Access to and use of Northeastern's information systems is a privilege granted by the University to its faculty, staff and students. Access for up to one academic year for others including "sponsored" individuals whose relationship with Northeastern is a result of a University recognized affiliation or relationship, must be approved by the authorizing unit's dean or vice president. Such access may not be renewed without the written approval of the Senior Vice President for Administration and Finance. The University retains sole discretion over the extent to which access privileges are granted.
2. Users may only use those computer accounts that have been authorized by the University for their use. Use of another person's account, security devices, and/or the presentation of false or misleading information or credentials for the purpose of obtaining access to information systems is prohibited.
3. Users are responsible for all use of information systems conducted under their user ID(s), and are expected to take all precautions including password security and file protection measures to prevent use of their accounts and files by unauthorized persons. Sharing of passwords is prohibited.
4. Users may not offer, provide, lend, rent or sell access to University information systems. Users may not provide access to individuals outside the University community.

5. Use of University information systems for hosting non-University activities must have the explicit written authorization of the Senior Vice President for Administration and Finance prior to the use.
6. While the University attempts to protect electronic communication and files from unauthorized access, this cannot be guaranteed. Users may not access, copy or move files including, but not limited to programs, data and electronic mail, that belong to another account, without prior authorization from the account holder. Files may not be moved to other computer sites without permission from the holder of the account under which the files reside.
7. Users may not use remote resources such as printer and file systems, regardless of location on or off the Northeastern network, unless the administrator of the remote resource has first granted permission.
8. Northeastern information systems may be used for lawful purposes only. Users must not use their accounts or Northeastern information systems for unlawful purposes, including, but not limited to the installation of fraudulently or illegally obtained software, illegal dissemination of licensed software, sharing of content where the disseminator does not hold lawful intellectual property rights, or propagating chain letters, pyramid, ponzi, other unlawful or deceptive schemes, or for any purpose contrary to local, state and/or federal law.
9. Use of University information systems must comply with the provisions of copyright law and fair use. Copyright law limits the right of a user to copy, edit, or transmit electronically another's intellectual property, including written materials, images, sounds, music, and performances, even in an educational context, without permission, except in compliance with the fair use doctrine exception.
10. Users are responsible for the timeliness, accuracy and content/consequences of their web pages. Posting of personal, family or other identifying information is at the sole discretion of the user. Users are advised to exercise discretion when posting personal information to minimize the risk to personal privacy and safety.
11. University information systems may not be used for commercial purposes, except only as permitted with the explicit prior written approval of University Counsel and the Senior Vice President for Administration and Finance.
12. Internet use must comply with the Terms of Service stipulated by our Internet service provider(s). These policies are incorporated by reference. In addition, the acceptable use, Terms of Service and/or other policies of the system(s) also bind users of the Internet connection and resources to which they connect. At the time of writing, the Internet service provider for Northeastern University is Genuity (www.genuity.com).
13. Users may not use information systems irresponsibly, wastefully, or in a manner that adversely affects the work or equipment of others at Northeastern or on the Internet.
14. The University strives to maintain the security and privacy of all electronic communications and content passed on the Northeastern Network and therefore, will not arbitrarily or frivolously review or inspect user files or electronic mail. However, all electronic communications and content presented to and/or passed on the Northeastern network, including that presented to and/or passed to and from the Internet connection(s), may be monitored, examined, saved, read, transcribed, stored or retransmitted in the course of daily operations by any duly authorized employee or agent of Northeastern University in the exercise of their duties or by law enforcement authorities who are called upon to assist the University in investigating possible wrongdoing. Electronic communications and content may be examined by automated means. Further, Northeastern reserves the right to reject from the network, electronic communications and content deemed not in compliance with policies governing the use of information systems at the University. By accessing Northeastern information systems, users give Northeastern permission to conduct each of the operations described above.

15. The confidentiality of any message or material should not be assumed. Even when a message or material is deleted, it may still be possible to retrieve and read that message or material. Further, the use of passwords for security does not guarantee confidentiality. Messages read in HTML may identify the reader to the sender. Aside from the right of the University to retrieve and read any electronic communications or content, such messages or materials should be treated as confidential by other students or employees and accessed only by the intended recipient. Without prior authorization, students and employees are not permitted to retrieve or read electronic mail messages that are not sent to them.
16. All users are required to honor and observe the rules of confidentiality and protection of privacy when accessing and using any information that resides on Northeastern information systems and/or any information that pertains to University programs, students, faculty and staff. All disclosures of student information must comply with the provisions of the Family Educational Rights and Privacy Act (FERPA) of 1974.
17. Northeastern reserves the right at any time, without prior notice or permission from the user or users of a computer or other Northeastern-owned computing device, to copy or have copied, any and all information from the data storage mechanisms of such devices, as may be required in the sole discretion of the University, in connection with investigations of possible wrongdoing.
18. The Appropriate Use policy specifically prohibits the use of Northeastern University's information systems to:
 - Harass, threaten, defame, slander or intimidate any individual or group;
 - Generate and/or spread intolerant or hateful material, which in the sole judgment of the University, is directed against any individual or group, based on race, religion, national origin, ethnicity, age, gender, marital status, sexual orientation, veteran status or disability;
 - Transmit or make accessible material, which in the sole judgment of the University, is offensive, violent, pornographic, annoying or harassing, including use of Northeastern information systems to access and/or distribute obscene or sexually explicit material unrelated to University sanctioned work or bona fide scholarship;
 - Generate unsolicited electronic mail such as chain letters, unsolicited job applications or commercial announcements;
 - Generate falsely identified messages or message content, including use of forged content of any description;
 - Transmit or make accessible password information;
 - Attempt to access and/or access information systems and/or resources for which authority has not been granted by the system owner(s);
 - Capture, decipher or record user IDs and/or passwords;
 - Intercept electronic communications not intended for the recipient;
 - Probe by any means, the security mechanisms of any resource on the Northeastern network, or on any other network through a connection to the Northeastern network;
 - Disclose or publish by any means, the security vulnerabilities of, or the means to defeat or disable the security mechanisms of any resource connected to or part of the Northeastern University network;
 - Alter, degrade, damage or destroy data;
 - Transmit computer viruses or malicious/destructive code of any description;
 - Conduct illegal, deceptive or fraudulent activity;
 - Obtain, use or retransmit copyrighted information without permission of the copyright holder;
 - Place bets, wagers or operate games of chance; or
 - Tax, overload, impede, interfere with, damage or degrade the normal functionality, performance or integrity of any device, service or function of Northeastern information systems, content, components, or the resources of any other electronic system, network, service or property of another party, corporation, institution or organization.

The above enumeration is not all inclusive. If there is a question as to whether a specific use is appropriate or acceptable under this policy, the University's sole determination shall prevail.

19. Use of Northeastern University information systems must comply with all applicable local, state and federal laws, including, but not limited to, the following, which are incorporated by reference:

Massachusetts General Laws Chapter 266, Subsections 33(a) and 12(f) Chapter 266, which imposes sanctions for, among other acts, destroying electronically processed and stored data or gaining unauthorized access to a database or computer system.

United States Code, Title 18, Computer Fraud and Abuse Act, which imposes sanctions for, among other acts, knowingly accessing a computer without authorization or in excess of authorized access, knowingly causing damage to protected computers, or trafficking in password information.

United States Code, Title 18, Electronic Communications Privacy Act, which imposes sanctions for, among other acts, interception of wire, oral or electronic communications.

**CONFIDENTIALITY OF UNIVERSITY DATA AND STUDENT,
EMPLOYEE AND ALUMNI INFORMATION**

CONFIDENTIALITY OF UNIVERSITY DATA AND STUDENT, EMPLOYEE AND ALUMNI INFORMATION

In the course of their work, employees may have access to University data, student records and other proprietary information. Inappropriate use or release of such information can cause harm to the University and/or its students. University data; student, employee and alumni information; or other proprietary information cannot be used for commercial or political purposes, or for fundraising activities outside the scope of the Division of Institutional Advancement's overall fundraising plan. Questions about the release of any information internally or externally should be referred to the Office of University Counsel.

University Data

1. External requests for data and information about the University, whether for use in responding to questionnaires (guidebooks, rankings, etc.) writing grant proposals, or gathering data for accreditation reviews, should be directed to the Office of University Planning and Research. All media requests for information or comment should be directed to the Office of University Relations. These offices will coordinate activities to ensure that accurate, consistent and timely information is made available in response to appropriate requests.
2. Internal questionnaires that are sponsored by the administration at the college or University level for purposes of program evaluation, policy initiatives, and planning (i.e. student satisfaction survey, campus climate survey, NUpulse surveys), are coordinated by the Office of University Planning and Research in collaboration with the relevant unit(s).
3. Faculty, staff, and students who are engaged in research involving human subjects (i.e. clinical testing, surveys, interviews, or other physical intervention) must have their research tools and protocols reviewed by the Human Subjects Research Review Committee prior to commencing the research. Information regarding the review process can be obtained by contacting the Institutional Compliance Division. Approval for the use of data from the Registrar for student information, and Human Resources Management for faculty and staff information, is required after approval by the Human Subjects Research Review Committee.
4. Northeastern University complies with the Family Educational Rights and Privacy Act (FERPA) of 1974, also known as the Buckley amendment. Student information should always be treated with respect. Even casual conversation in public places can inadvertently cause harm. Every effort should be made to ensure that students cannot be identified in posted or distributed information. Attendance sheets and other lists that display both student names and identification numbers should not be distributed or posted. In addition, social security numbers or University identification codes should not be used when posting grades. Questions regarding FERPA should be referred to the University Registrar.
5. Requests for information concerning:
 - *Students* should be referred to the Office of the Registrar.
 - *Employees* should be referred to the Office of Human Resources Management.

- *Alumni* should be handled as follows:

Internal requests for information from employees for University business should be referred to the Office of Development Information Systems.

External requests for information from individuals including alumni should be referred to the Executive Director of Alumni Relations.

- *Gifts to the University* should be referred to the Office of Development Information Systems.
- *The Board of Trustees, the Board of Overseer or members of the University Corporation* should be referred to the Office of the Board of Trustees.

6. Any legal documents sent to the University should be forwarded to the Office of University Counsel.

Student Information

This section applies only to current or previously enrolled students.

1. Full-time undergraduate students are considered the legal dependents of their parent(s) or guardian(s) unless they have legitimately informed the University of their independent status, by notifying the Office of the Registrar and the Office of Student Financial Services.
2. For all categories of students, the following public records may be released by the designated office without the student's consent, unless the student has notified the office in writing that he or she does not want the records released.
 - *Office of the Registrar* – Full name, major field of study, dates of attendance, class year, degrees and awards received, most recent previous educational institution attended.
 - *Department of Athletics* – Participation in formally recognized University inter-collegiate athletics, weight and height of members of athletic teams, most recent previous educational institution attended, and hometown.
 - *Student Activities* – Participation in officially recognized University activities and student organizations.
3. Other than the public records defined above, all student information is considered confidential, including, but not limited to: academic evaluations; advising records; disciplinary records; financial aid records; letters of recommendation; transcripts and test scores; and cooperative education work records.
4. Third parties may only have access to confidential information with the consent of the student, provided the request for the release of the information is made in writing and the reasons for such request are stated. Exceptions from this restriction include:
 - University staff who, acting in their official capacity, require access on an internal, need-to-know basis for legitimate educational and administrative purposes.
 - Students in their official capacity working in University offices.

- Disclosure of appropriate academic records to officials of other educational institutions to which the student has applied, if the student requested that the records be sent.
 - Records released pursuant to judicial order (the University will make a reasonable effort to notify the student of the subpoena in advance of the records being released).
 - Disclosure of disciplinary sanctions of perpetrators to victims of sexual assault or rape.
 - Records released in connection with the student's application for financial aid.
 - Organizations conducting studies for, or on-behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instructions. However, these studies must be conducted in a manner that will not reveal the personal identification of students and their parents and the information must be destroyed when no longer needed for the purposes of the study.
 - Accrediting organizations in order to carry out their accrediting functions.
 - Appropriate parties in health or safety situations.
5. This policy does not preclude access to student records by authorized federal or state officials in connection with the audit and evaluation of federally-supported educational programs or in connection with the enforcement of federal legal requirements that relate to such programs, provided that the requirements of federal law concerning confidentiality are observed.
6. The University is not required to release information to third parties upon request by the student. Rather, this section simply permits such release under defined procedures.

CONFLICT OF INTEREST AND COMMITMENT

CONFLICT OF INTEREST AND COMMITMENT

Overview

The University recognizes that its employees lead complex lives with personal and professional relationships extending beyond the campus. Along with the benefits of University employment come certain responsibilities. Central among these responsibilities is the shared obligation to ensure that all activities and transactions carried out on behalf of the University are conducted for the benefit of the University and in accordance with its policies.

While specific expectations may vary by unit given the nature of the individual's position or function, the following guidelines set baseline standards for all faculty and staff. Recognizing that conflicts may be unintentional, the guidelines anticipate that employees will seek advice from the Office of University Counsel or the Director of Internal Audit when concerns arise. Finally, the guidelines establish a reporting protocol applicable to all benefits-eligible employees. Faculty and staff with externally funded activity may be subject to additional conflict of interest policies and separate disclosure documents. Faculty should refer to the Faculty Handbook sections on Outside Professional Activities, and Conflict of Commitment and Interest, for policies directly applicable to their academic and professional activities.

General Rule

Employees must exercise the utmost good faith in the fulfillment of their duties and avoid conflicts between personal interests and the interests of the University.

Conflicts of interest involve situations in which financial or other personal considerations directly and significantly affect, or have the appearance of directly and significantly affecting, an employee's professional judgment in carrying out University duties and responsibilities.

An employee may be considered to have a conflict of interest when he or she or any member of that person's family possesses a significant financial interest in an activity that involves the employee's University responsibilities. In this context, *family* includes spouse, spousal equivalent, children, parents, siblings, grandparents, parents-in-law, brothers-in-law, and sisters-in-law. *Significant financial interest* refers to holdings of at least 5% equity or at least \$10,000, and includes only that equity which is directly under your control, not that which is managed by a third party such as a mutual fund.

Employees must adhere to a high standard of honest and fair dealing between themselves and the University, and refrain from activities that may give the appearance of impropriety in the performance of their duties or the perception that they may be using their positions or knowledge gained from their employment to inappropriately influence decisions to their advantage, or to the advantage of their family and friends.

In addition, full-time employees have a primary work commitment to Northeastern University. Activities that interfere with that primary commitment must not be undertaken. In all outside activities unrelated to the individual's Northeastern University employment, the employee functions without the University's sponsorship and the University assumes no responsibility for such activities.

Activities with a potential for conflict of interest or commitment fall into three general categories:

- Activities that are permissible because they do not compromise or appear to compromise the judgment of employees, the integrity of faculty and student interactions, the objectivity of research results, or other interests of the University, the sponsor, or the public.

- Activities that may be permissible following full disclosure, and that can be managed in accordance with appropriate University policies, to ensure institutional integrity, academic standards, and intellectual value.
- Activities that are prohibited because they are in conflict with University policy or the law.

The burden is on the employee to disclose and resolve all questions before engaging in any activity that represents or has the potential to represent a conflict of interest or commitment.

Conflict of Interest

The potential for conflict of interest typically occurs when a third party offers an employee something of value or when an employee receives something of value from the third party who is seeking some benefit from the University.

- Employees who receive, within a calendar year, a single gift or multiple gifts with a cumulative value in excess of \$100 from a current or prospective vendor, service provider or student, must notify their unit head. Gifts with a cumulative value in excess of \$500 from a single source within a calendar year require the approval of the area senior vice president or the president. Gifts include, but are not limited to, meals, entertainment, travel, and tickets to sporting and other events. Examination copies of textbooks and similar materials given to faculty are not considered gifts. However, individuals may not solicit examination copies of textbooks and other materials for the purpose of selling them.
- Employees must not allow third parties access to University property for personal use or gain.
- Employees must disclose to their unit head significant control of, interests in, or consulting relationships with, any entity seeking to provide goods or services to the University. Employees must not propose or engage in a University business transaction with themselves or a related third party without the knowledge and authorization of the Senior Vice President for Administration and Finance.
- Full-time employees must not work for a competitor if such work is similar or related to the employee's current position at the University without their area vice president's approval. Allowable or authorized activities/collaborations with other educational institutions will not usually be viewed as working for a competitor.
- Employees must not divulge confidential University data or information, including confidential information submitted to the University by outside entities. (See the policy on Confidentiality of University Data and Student, Employee and Alumni Information for details).

Conflict of Commitment and Supplemental Employment/Outside Activities

The potential for conflict of commitment occurs when an employee is engaged in supplemental activities that undermine his or her ability to perform their job at the University.

- Faculty members are subject to the policy on Faculty Outside Professional Activities contained in the *Faculty Handbook*. The amount of time spent on compensated outside professional activities must not exceed the equivalent of one day (e.g. two half-days) during the usual five-day week of the faculty member's contract period. Some averaging of days over the academic year is possible, but in any event, these activities should not conflict or interfere with the faculty member's schedule of assignments and responsibilities at the University.

- Full-time, non-faculty employees are generally prohibited from earning additional compensation from the University for work performed during regular working hours. When it is in the interest of the University, professional and administrative staff may teach a maximum of 1 course per year during working hours with the prior approval of their supervisor. If the teaching is for extra compensation, the employee must make up all work hours missed due to teaching. Conference hours, class preparation and other ancillary activities cannot be performed during regular working hours. Other teaching assignments must not conflict with the employee's regular work schedule.
- Benefits-eligible employees must obtain the approval of their area vice president before engaging in secondary employment within the University, regardless of when the secondary assignment is performed. This includes teaching for University College. Applicable laws and regulations regarding compensation, benefits, overtime, etc., must be properly adhered to.
- A unit requesting services from another unit in the University should seek to make arrangements with the area vice president to provide the services on a reimbursement basis. Employees may not independently provide services to University units or individuals for additional compensation without the prior approval of their area senior vice president.
- Employees are generally prohibited from earning additional compensation from any external source for work performed during their regular working hours. Faculty members, however, may conduct research and scholarship or write in their areas of expertise or interest for purposes of promoting knowledge in their respective fields, even if the effort results in a commercially published work.
- Supplemental employment performed outside the University, that does not require the use of University resources and that is performed outside regular working hours, does not require University approval, provided such employment does not compromise or conflict with the employee's commitment to the University.
- Employees may not use University property or facilities for any business or professional purpose not related to their position at the University, without the written approval of the President, the Senior Vice President for Administration and Finance or the Treasurer.

Disclosure/Review and Oversight

1. All benefits-eligible employees are required to complete the Conflict of Interest and Commitment Annual Disclosure Statement for each calendar year. Disclosure statements will be mailed by March 31st.
2. Completed and signed Conflict of Interest and Commitment Annual Disclosure Statements should be returned to the Office of University Counsel on or before April 30th.
3. As circumstances arise during the year regarding potential or actual conflict situations, or that affect previously disclosed situations, employees should consult with the Office of University Counsel. An updated disclosure form may be required at such time.
4. Failure to complete or accurately complete a disclosure statement may subject the employee to disciplinary action up to and including immediate termination from the University.

CONFLICT OF INTEREST AND COMMITMENT
Annual Disclosure Statement



CONFLICT OF INTEREST and COMMITMENT ANNUAL DISCLOSURE STATEMENT

January 1, _____ to December 31, _____

Please answer each question fully and to the best of your knowledge. Use additional sheets as necessary, and disclose any relationships including financial or fiduciary interests or uncompensated activities that might present or appear to present a conflict of interest or commitment with your employment at Northeastern University. For the purpose of this disclosure, *family* includes spouse, spousal equivalent, children, parents, siblings, grandparents, parents-in-law, brothers-in-law, and sisters-in-law; *significant financial interest* refers to holdings of at least 5% equity or at least \$10,000, and includes only that equity which is directly under your control, not that which is managed by a third party such as a mutual fund.

Sections A and C of this disclosure statement are to be completed by all benefits-eligible employees, consistent with the Conflict of Interest and Commitment section of the University's Professional Standards and Business Conduct Policy. Section B is to be completed by the following members of the faculty only, consistent with the Conflict of Commitment and Interest section of the *Faculty Handbook*: all tenured and tenure-track faculty, including those currently serving in an administrative capacity; all scientists and scholars whether Hay-graded or WICHE, including visitors; all clinical and academic specialists; all cooperative education coordinators; all full-time visiting faculty; and anyone engaged in research-related activities on-behalf of the University. Completed statements should be signed and returned to the Office of University Counsel by the 30th of April _____, for the preceding calendar year.

SECTION A *To be completed by all benefits-eligible employees, including faculty*

Name: _____ Phone: _____

Department: _____ Title: _____

1. Please identify all company ownerships, directorships, trusteeships or officer positions that you currently hold or have held with non-profit organizations, governmental agencies, for-profit organizations, or companies and partnerships, where you have significant financial interest, that have conducted business with Northeastern University between January 1, _____ and December 31, _____. For each, in an attached statement, provide:

- a) The name of the organization;
- b) Your position or role in the organization; and
- c) A brief description of the nature and/or responsibilities of each position listed.

2. Did you or any member of your family work for or have a financial, employment, consulting or other business relationship, of which you are aware, with any individual or organization that:

- a) Sought to or currently provides goods or services to the University;
- b) Gave donations of gifts or money to the University, including sponsoring your University teaching or research activities; or
- c) Received services or products from the University? If yes, please explain in an attached statement.

No _____ Yes _____

3. Have you or has any member of your family used University resources, including, but not limited to, funds, property, personnel/ staff or students for a personal or non-University related activity (including in your consulting or pro bono activities)? If yes, please explain in an attached statement and identify the senior University official who approved the arrangement in advance.

No _____ Yes _____

4. Have you arranged for or permitted third parties access to or use of University resources, including, but not limited to, funds, property, personnel/staff or students for non-University related purposes? If yes, please explain in an attached statement and indicate which senior University official approved the arrangement in advance.

No _____ Yes _____

5. Have you or has any member of your family received a single gift or multiple gifts with a cumulative value in excess of \$100 from a current or prospective University vendor, service provider, student or any third party who is seeking some benefit from the University? (Gifts include, but are not limited to, meals, entertainment, travel, and tickets to sporting and other events. Examination copies of textbooks and similar materials given to faculty are not considered gifts). If yes, please elaborate in an attached statement. For gifts with a cumulative value in excess of \$500 from a single source within the calendar year, identify the area senior vice president who approved the arrangement in advance or indicate that the President approved the arrangement in advance.

No _____ Yes _____

6. Have you disclosed confidential University information to unauthorized third parties? If yes, please explain in an attached statement.

No _____ Yes _____

7. Were there any other relationships, consulting arrangements, financial relationships, commitments or activities you or any member of your family had that might present or appear to present a conflict of interest or conflict of commitment with your Northeastern University employment? Such relationships include, but are not limited to, financial or fiduciary interests or activities. If yes, please explain in an attached statement.

No _____ Yes _____

Faculty, (all tenured and tenure-track faculty, including those currently serving in an administrative capacity; all scientists and scholars whether Hay-graded or WICHE, including visitors; all clinical and academic specialists; all cooperative education coordinators; all full-time visiting faculty; and anyone engaged in research-related activities on-behalf of the University), please proceed to Section B.

All other benefits-eligible employees proceed to Section C on page 4.

SECTION B *To be completed by faculty members only*

Name: _____ Department: _____ Phone: _____

This section of the form should be completed consistent with the Conflict of Commitment and Interest Policy in the *Faculty Handbook*. Please consult the Faculty Handbook for additional guidance regarding activities and thresholds that require disclosure. Report all professional activities outside of your regular academic load, whether engaged in at Northeastern or elsewhere. Activities that go beyond occasional service on review panels, site visit teams, professional committees or boards, individual lectures or seminars, or occasional manuscript reviews must be reported on this form.

Note: Individual colleges of the University may add questions requiring more information to the end of this form, but may not alter the form itself or omit any of the questions.

1. What percentage of time were you actively engaged in work at the University in the preceding year noted above? This should include any time where compensation originated from or was channeled through the University, including sabbatical, grant buy-out, etc.

Winter _____ Spring _____ Summer _____ Fall _____

2. List the number of days you engaged in outside activities during the preceding year noted above. (Assume 1 hr = 0.125 days)

Winter _____ Spring _____ Summer _____ Fall _____

3. Did you have a managerial or principal investigator role in an activity outside the University? If yes, please explain in an attached statement.

No _____ Yes _____

4. a) Did you submit a proposal to or receive funding from or conduct research which could benefit a company in which you either had a consulting arrangement or had significant financial interests (defined to be at least 5% of equity or at least \$10,000 worth of ownership interest)?

No _____ Yes _____

b) Was the proposal submitted to or the award received from the Public Health Service or the National Science Foundation?

No _____ Yes _____

c) Were those arrangements or financial interests disclosed at the time of proposal submission? (As part of all proposal submissions, DSPA must be notified of any potential conflict of interest or commitment associated with a project).

No _____ Yes _____ If NO, please explain in an attached statement.

5. Were you an inventor of intellectual property which has been or will be licensed through Northeastern to any outside entity in which you or members of your family have an employment, consulting, financial or other significant relationship, including at least 5% of equity or at least \$10,000 worth of ownership interests? If yes, please list and explain in an attached statement.

No _____ Yes _____

6. Did you create, discover or reduce to practice any invention(s) using University resources to which title has not been assigned to the University? If yes, please list and explain in an attached statement.

No _____ Yes _____

Please proceed to Section C.

SECTION C *To be completed by all benefits-eligible employees, including faculty*

Certification

In submitting this form, I certify that the above information is true and complete and that I have read and am bound by the University's Professional Standards and Business Conduct Policy, including the Conflict of Interest and Commitment section of the document. In addition, *(for faculty only)*, I have read the Conflict of Commitment and Interest section of the *Faculty Handbook*. I supply this information for review by authorized University personnel. I also understand and acknowledge that I am required to complete a Conflict of Interest and Commitment Disclosure Statement on an annual basis.

Name: _____ Phone: _____

Signature: _____ Date: _____

SAMPLE