

OF COUNSEL

THE NEWSLETTER OF THE OFFICE OF GENERAL COUNSEL

NORTHEASTERN UNIVERSITY
 OFFICE OF THE GENERAL COUNSEL
 378 COLUMBUS PLACE
 BOSTON, MA 02115
 TEL: (617) 373-2157

SPOTLIGHT ON RESEARCH

THE TOPICS COVERED IN THIS OF COUNSEL NEWSLETTER RELATE TO THE UNIVERSITY'S SPONSORED RESEARCH ACTIVITIES.

In This Edition

Welcome to the OGC!	1
New OGC Partner	1
THE COMPLIANCE CORNER	2
TEMPLATES	2
FIVE MINUTES WITH THE CISO'S OFFICE	2
DRONES	3
IP INSIGHTS	3
THE INTERVIEW	4

Welcome to the OGC!

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

Ana Alvarado has joined the Office of General Counsel as Law Fellow, beginning a two-year comprehensive fellowship within the office. Ana is a graduate of Wesleyan University with a B.A. in Latin American Studies and Iberian Studies and received her J.D. from Northeastern University School of Law. Prior to law school, Ana worked as an Administrative Assistant and Paralegal at Lurie, Lent & Friedman LLP. While in law school, Ana completed co-ops at the U.S. Attorney's Office, Rubin and Rudman LLP, EMC Corporation, and Prince Lobel Tye LLP.

New OGC Partner

Nina Wilt has joined the university as Research Administration's first Senior Negotiator and Industry Portfolio Manager. Nina will be working closely with Rob Leahy, Senior Research and Sponsored Programs Counsel, and the intellectual property team in the Center for Research Innovation to improve our engagement with industry partners. She has extensive contracting experience, including most recently with Draper, as their Senior Contracts Administrator, as well as grant and contract management experience via her positions at Harvard Medical School.

Nina is located at 177 Huntington Avenue, and can be contacted at n.wilt@northeastern.edu, or 617-373-8092.

Reminder: If you are proposing to conduct a **survey** for non-academic research, such as for administrative purposes, including marketing, you must submit a copy of the proposed survey to **Nan Regina, Director, Office of Human Subject Research Protection**, for review and evaluation (n.regina@northeastern.edu). Nan and her team will work with you to tailor the scope, language and content to meet applicable standards.

Of course, studies conducted for formal research purposes must be submitted to the IRB for approval.

As a part of that formal research process, flyers and posters soliciting student, staff or others' participation in studies must be reviewed and approved by the IRB. Under Northeastern's [Policy on Non-Solicitation and Sales](#), no outside group conducting a survey or study may solicit on campus for student or staff participation without the express written permission of the designated university official.

THE COMPLIANCE CORNER

Don't let your research be silenced

Northeastern's policy on openness in research provides that, in keeping with its mission to educate students for a life of fulfillment and accomplishment and to create and translate knowledge to meet global and societal needs, the university is committed to the principles of open scholarly exchange of ideas and academic freedom, including broad access to research data and results.

The university recognizes that, in a few compelling instances, the best interests of society will weigh against broad participation in research and open exchange of information. In such cases, the Senior Vice Provost for Research may grant exceptions to this policy. Exceptions will require that the research is critically important to the university's mission and serves a demonstrable greater good.

Watch out for: the Defense Federal Acquisition Regulation Supplement contains a provision that, if included in a funding agreement, prohibits publishing information pertaining to that agreement without prior approval by the government. PI's should be aware of this limitation and review for its inclusion in every funding opportunity and award. It is often included by reference and can be found identified by its regulation citation and title as follows: "DFARS 252.204-7000 Disclosure of Information." Having such a restriction can result in adverse impacts, including for graduate students who work on the project and must publish as part of a program requirement, and may trigger export controls, among other issues.

The Offices of General Counsel and Research Administration also review every agreement for this clause and will coordinate with the PI to appropriately protect the university's ability to conduct research in the public interest. Please reach out to the Office of General Counsel or Research Administration with any questions you may have regarding this issue.

TEMPLATES

Remember! Unaltered NU template agreements do not require routing to / review by OGC prior to execution. Therefore, all university personnel engaging with industry, particularly Principal Investigators and administrators supporting sponsored research, should propose that research sponsors use the templates available here:

<http://www.northeastern.edu/research/raf/corporate-sponsored-research-agreements/>

FIVE MINUTES WITH THE CISO'S OFFICE

Data Security under DoD Funding Agreements

Data protection and cyber security practices play an important role in the conduct of research at the university. One area receiving increased attention is the requirement to protect "covered defense information" when performing Department of Defense (DoD) funded research.

DoD agencies may include a clause (DFARS 252.204-7012 Safeguarding Covered Defense Information and Cyber Incident Reporting) in funding agreements to require adequate security for the systems that process, store, or transmit certain information referred to as "covered defense information." Covered defense information is described in an [online government registry](#) and can include export-controlled information and controlled technical information.

If the contract provisions are included, then to require adequate security the university must, at a minimum, implement certain specified controls, which are critical to performing the sponsored program.

The Office of General Counsel and Office of Research Administration work closely together to identify funding opportunities that may trigger these obligations and coordinate with the CISO's office, as necessary.

DRONES

From research to aerial inspections to promotional photography, the university has seen an increased use of unmanned aircraft, generally referred to as "drones," across our campuses. The use of drones is regulated, however, and certain uses can inadvertently run afoul of FAA regulations or state laws. They can also present safety issues and risk of injury. Accordingly, last fall the university announced a new policy requiring advance approval by the Unmanned Aircraft Systems (UAS) Review Board of any use of drones on university property or for university purposes.

The UASRB, chaired by Electrical and Computer Engineering Professor Taskin Padir, comprises faculty and staff who are knowledgeable about the regulations and can facilitate the safe operation of UAS by members of the university community or third parties engaged to perform services involving UAS flights. Over the past several weeks there have been a number of briefings for a variety of groups on how the policy and application process works, and the UASRB has processed a number of applications from both faculty, administrative offices and students.

If you are interested in using, or hiring a vendor to use, a drone on campus, please review the [policy](#), visit the UAS [website](#) and if you have questions please contact: UASRB@northeastern.edu.

IP INSIGHTS

The Research Enterprise at Northeastern

As a global center for innovation and use-inspired research, Northeastern encourages its researchers to explore approaches and partnerships that promote real-world applications of faculty research. Below are recent examples of such partnerships and creative approaches to sponsored research.

Shiseido

In 2014, Professor Raymond Fu developed a novel technology in his university lab that enabled digital face analysis. Dr. Fu then formed a spin-out startup company called Giaran and, working with Northeastern's Center for Research Innovation, Giaran licensed the technology from the university for potential use in commercial applications. Dr. Fu's company and its technology gained the interest of a major Japanese multi-national cosmetic company, Shiseido, that saw the potential in Dr. Fu's invention and sought to acquire the startup. Through a close relationship between the university and Dr. Fu's company, the university was able to support the agreement between Giaran and Shiseido and facilitate the company's acquisition as well as assist in the integration of Dr. Fu's technology into Shiseido's business lines.

Embedded Experiential PhD

In collaboration with global pharmaceutical leader GlaxoSmithKline, Northeastern created an "embedded experiential PhD" program that allows GSK employees to enroll as graduate students while remaining at the company. The participants will undertake use-inspired research that is co-developed by GSK and Northeastern faculty and will be primarily conducted at GSK labs. In addition to Northeastern expanding its research enterprise with an innovative industry partner, GSK views this strategic partnership as a way to attract and retain highly valuable employees and access Northeastern's faculty expertise.

Use of OGC Conference Room Space

To reserve conference rooms located in the Office of General Counsel suite, please contact Bernie Williams at: be.williams@northeastern.edu or extension 2157.

THE INTERVIEW

Continuing OGC's series in which we present a Q&A with key university partners, OGC spoke with **Art Kramer**, Senior Vice Provost for Research and Graduate Education.

What are some highlights of the research currently underway at Northeastern? What are you most excited about?

We have started several new interdisciplinary institutes at Northeastern University in the past year including the Global Resilience Institute (<https://globalresilience.northeastern.edu>), the Cyber-security and Privacy Institute (<https://cyber.ccis.northeastern.edu>), and the Coastal Sustainability Institute (<https://oceanconference.un.org/commitments/?id=14381>). Each of these institutes is off to a successful start organizing conferences, and recruiting faculty, staff and students.

The Interdisciplinary Science and Engineering Complex (ISEC) also opened this past year. This new facility provides state of the art support for wet, dry, and computational research at the university, all of which will be conducted in an interdisciplinary context. At present a number of cross-college research groups have been approved for ISEC including Robotics, the Internet of Things, Drug Discovery and Delivery, Translational Biophotonics, Cybersecurity and Privacy, Center for Cognitive and Brain Health, and Molecular, Cellular and Tissue Engineering.

What is the direction of research at NU?

It is just a little over a year since Northeastern achieved the highest research status as a Research 1 university in the [Carnegie Classification of Institutions of Higher Education](#). Last year was also our strongest year in terms of external support for research, with \$ 140M in new grants and contracts. To continue to move ahead in “use-inspired” research we need to continue to hire research-intensive faculty, across colleges, including both traditional tenure-track and tenured faculty as well as Clinical and Research faculty. We also need to continue to improve the infrastructure support for research with first rate (and well trained) staff and on-line systems. Finally, we need to ensure that adequate spaces are available on (and off) campus for a variety of different types of labs for our faculty and students.

We will continue to support disciplinary excellence in our programs and faculty. Given the increasing emphasis by the Federal government, corporations, and foundations for broad and deep solutions to real-world challenges it will be important for us to focus on interdisciplinarity of our research and scholarship teams. This is already being accomplished with our new institutes and centers and will continue to be an important direction for research at Northeastern.

What are the biggest challenges for research at NU and how do you believe those challenges will be met?

First, it is an increasingly competitive market for top talent – including professors and staff. In recent years we have been very fortunate to hire the best and brightest staff and faculty. So that we can continue to accomplish successful recruiting, we need to provide more efficient, timely and professional support for what is a progressively more complex and challenging research environment. That is, we need to up our game in research infrastructure support. Based on recommendations of the I-team on research administration we've started down this path, yet still have far to go. In addition, developing a long-term space and facilities plan will help to ensure that the space needs for research becomes a central theme in our support for research so that faculty who join us don't have to wait an inordinate amount of time to have their lab space renovated. New buildings on central campus, Nahant and Burlington, as well as renting and renovating space on central campus, will help address space needs.

What is your advice to new research faculty starting at NU?

I would suggest that new research faculty avail themselves of all of the support available on campus from their departments, colleges, and our Research web portal (see: <http://www.northeastern.edu/research/>). I also suggest that new faculty, and especially junior faculty, talk with their department heads about how they can get set up with a senior mentor.