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OF COUNSEL – SPRING 2009

the newsletter of

NORTHEASTERN UNIVERSITY OFFICE OF THE UNIVERSITY COUNSEL 378 COLUMBUS PLACE

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New Address:

The Office of University Counsel has moved. Please note our new address: 378 Columbus Place. Our phone number remains 617-373-2157 and our fax number remains 617-373-8090. Please feel free to come by and visit!

How does the new address affect the Contract Review Process?

All contracts for review and approval must now be submitted to our office at 378 Columbus Place. See our website at www.northeastern.edu/legal to review the University Contract Review Policy, locate a copy of the Contract Cover Sheet and find other information regarding contract processing.

Please note that the Office of the University Counsel receives thousands of contracts annually for review. While a number of agreements are limited in length and scope (for example, University template agreements), a significant number of agreements are increasingly complex and may require detailed negotiations with outside contracting parties and agencies. Therefore, you must allow for a two week turnaround period from the date you deliver your agreement to the Office for review. Please also note, however, statistics demonstrate that the average turnaround time for contracts, no matter the length or scope, by our Office is less than five days.

I hear there are new FERPA regulations. How do they affect the University's FERPA policy?

The Family Educational Rights and Privacy Act (FERPA) protects students' privacy rights in their education records and establishes rules about the circumstances under which the University may release education records. Revisions to FERPA regulations recently have gone into effect. However, the revised regulations are consistent with Northeastern's longstanding philosophy, policy and practices regarding the sharing and protection of student information. While the University's FERPA policy can be found in print in the 2008-2009 Undergraduate Student Handbook and Planner, the most up-to-date version of the policy, reflecting changes required by the new regulations can be found at the Registrar's website at <http://northeastern.edu/registrar/ferpa.html>. You are advised to check the website so that you and your department are familiar with the University's policy about how to handle student

education record information and requests to access such information. For example, one change is that date of birth can no longer be considered “directory information” (information that can be released without the specific consent of a student).

Background Checks

Employees in all types of positions across campus may be approached by someone who is looking for information about a student or an employee or who wants to perform a background check. Often this person will show you official identification and a signed release form. Please be advised that anyone requesting information about students or employees should be directed to the Counsel’s Office at 378 Columbus Place. It is imperative that we check an individual’s credentials and the scope of the release before providing him or her access to confidential record information.

Immigration

The U.S. Citizenship and Immigration Services (USCIS) has placed on hold the implementation of a new I-9 (Employment Authorization Verification) form. The new form is tied to the E-verify program and the changing requirements for documentation. We will keep the University community apprised of the status of the new regulations and will work with Human Resources and ISSI to conduct training sessions for those individuals who have the responsibility for new hires in their departments. Please also note that the University is moving toward enrollment in the E-verify system. The new process and training requirements will be shared as soon as they are finalized.

Past Editions of Of Counsel

Past editions of Of Counsel can be read at www.northeastern.edu/legal/newsletter.html.

If you have any questions you would like to see responded to in this space, please submit them to the Office of University Counsel at 378 Columbus Place. Depending upon the nature of your question, we’ll either answer you personally or address your issue in a future edition of this newsletter.

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 University Counsel, 378 Columbus Place, x2157.