
Standards for Business Conduct

for Faculty and Staff



NORTHWESTERN
UNIVERSITY

Standards for Business Conduct

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MISSION STATEMENT

The mission of Northwestern University is to provide the highest-quality education for its students, to develop innovative programs in research, and to sustain an academic community that will embrace these enterprises.

MESSAGE FROM THE PRESIDENT

Dear Colleague:

Our commitment to excellence as an institution extends to all aspects of our educational and research enterprises. As stewards of the University's finances, assets, and resources, faculty and staff are responsible for conducting their work in the highest ethical fashion. It is imperative that each individual exercise sound judgment that will further the interests of the University community in a fair and balanced manner.

This document provides a framework for administering University resources, and the policy statements and guidelines discussed here establish a foundation for acceptable standards of behavior. Following these guidelines, as well as all University policies, is an important part of honoring the tradition of excellence at Northwestern.

We are challenged as an organization to make choices wisely and to avoid even the appearance of impropriety. Working together, we will continue to uphold the standards of excellence that define our institution.

Sincerely,



Henry S. Bienen

Overview

Northwestern University is a richly diverse organization with world-class programs in academics, research, performing arts, and many other endeavors that are a source of great pride to our institution. Our size and diversity of programming necessitate a high level of cooperation by a wide range of academic, research, and administrative resources in order to function effectively. To meet our unit goals, however, our organizational structure is decentralized. This means that responsibility for many of our administrative processes and procedures has been delegated to units; appropriate policies and procedures, such as those discussed in this booklet and in all University policies, allow us to operate efficiently and cooperatively as one organization while continuing to meet our individual unit goals.

Faculty and staff at all levels of the organization are charged with responsibility for ensuring that prescribed policies are followed when conducting business at the University. All employees are responsible for adhering to these policies and should already be or plan on becoming familiar with the policies outlined in this booklet, as well as the original sources for these statements, such as the *Faculty Handbook* (www.northwestern.edu/provost), the *Staff Handbook* (www.northwestern.edu/hr), and *Human Resources Policies and Procedures Manual* (www.northwestern.edu/hr/policies).

This document is intended to provide an overview of the major policies that guide business conduct at Northwestern as well as a reference for additional resources. While a broad range of administrative and business topics are addressed, this booklet does not include a reference to every policy at the University. More information on topics not specifically addressed can be found by contacting the central administrative office responsible for the policy area, visiting the University's web site (www.northwestern.edu), and consulting knowledgeable personnel in your school or department.

In addition to the general statements contained here, you will find more detailed information on selected topics that are of interest to a large segment of the University community. These sidebars are presented as either scenarios or simply brief statements on the topic. As with all the material in this document, the sidebars are not intended to exhaust all the possibilities or replace the more comprehensive guidelines.

Should you have questions regarding the statements or policies in this booklet, please contact the appropriate department or office for advice.

Northwestern expects faculty and staff in supervisory, managerial, and administrative roles to treat others with the respect, honesty, and civility that is the standard in the contemporary workplace. Meeting this standard is also an expectation for all employees, whether supervisory or nonsupervisory, and applies to interactions

It is the responsibility of faculty and staff at Northwestern to comply with Human Resources policies to promote a productive work environment and to ensure that employment laws are not violated.

with students, coworkers, and anyone else in the University community.

As an educational institution, Northwestern values self-expression. Faculty and staff members are responsible for promoting a spirit of respect that reflects the University's commitment to tolerance and diverse points of view.

Employment at the University also requires a commitment to work diligently, to perform assigned duties, and to strive to meet the objectives, goals, and mission of the organization. In exchange for this effort, the University provides a positive work environment and a compensation package.

Many of these expectations of employees are included in published University policies, such as the *Policy on Discrimination and Harassment* (www.northwestern.edu/provost/faculty/policy/discrimination.html) and the *Policy on Sexual Harassment* (www.northwestern.edu/sexual-harassment/policy/index.html). University policies also prescribe conduct on the parts of both the employer and the employee in matters involving wages, benefits, safety, and other conditions of employment. It is the responsibility of faculty and staff at Northwestern to comply with Human Resources policies to promote a productive work environment and to ensure that employment laws are not violated. For more information regarding these policies, please consult the *Faculty Handbook* (www.northwestern.edu/provost), the *Staff Handbook* (www.northwestern.edu/hr), the *Human Resources Policies and Procedures Manual* (www.northwestern.edu/hr/policies), or the Department of Human Resources.

Interviews

During an interview, questions must be directly related to the duties and responsibilities of the position. You may ask about the candidate's experience and training regarding the activities of the job and about his or her availability for doing the job during the required hours, such as availability to work weekends or to travel. However, inquiries into an applicant's availability to do the job are allowable only if they are requirements of the job and if they are asked of all applicants. It is not permissible to ask questions concerning personal matters not related to performance of the job, such as an applicant's age, race, citizenship or nationality, a arrest record, religion, sexual orientation, family status, sex, or disability.

Overtime

Federal law requires employers to keep records of total hours worked each workday and each workweek for nonexempt employees. The law also mandates that hourly employees who work in excess of 40 hours in a workweek receive pay at 1½ times their regular rate of pay. Not paying the premium rate of 1½ times the regular rate for hours worked beyond 40 in a workweek is a violation of federal law. Employees cannot elect to waive their right to premium pay for time worked in excess of 40 hours in a workweek, nor may they bank those hours for future compensatory time off.

CONFIDENTIALITY

Northwestern employees are entrusted with both University and personal information of a confidential nature. Care and judgment, based on a respect for individual privacy and concern for the

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University's interests, must be exercised to ensure confidentiality. University policy does allow for the release or exchange of individual or University information in accordance with guidelines outlined in this section.

Northwestern employees must not divulge any information regarding the University to an outside party except for a legitimate business, research, or academic purpose. Information should be released only with the expressed understanding that it is confidential and is to be used solely for the limited business, research, or academic purpose for which it was given and received. Additionally, certain information concerning the University, such as budget and other financial information, is confidential and should only be disseminated within the University and then only to authorized personnel on a need-to-know basis.

University information that includes tuition, financial aid, or salary plans that have not been approved may not be directly exchanged with another institution. Sharing prospective information directly with competitors, particularly on matters of price, may violate antitrust laws, putting the University and individual employees at risk. However, reporting prospective information in surveys administered by independent third parties may relieve liability associated with the exchange of this information.

More detailed information on this subject is provided in the University policy entitled *Guidelines on Exchanges of Information*, available from the Office of General Counsel. Questions regarding the appropriateness of requests for information from internal or external parties should be directed to a supervisor, chair, dean, the Department of Human Resources, the Controller's Office, or the Office of General Counsel.

How do I respond to an employment verification request for an employee in my department from an outside organization, such as a credit agency?

Refer all employment verification requests to the Department of Human Resources Records Office.

How do I respond to a subpoena for records, wage garnishment, or other legal document?

Any legal summons, subpoena, or court order should be forwarded immediately to the Office of General Counsel, which will respond.

Release of Information

This individual information may be disclosed without the affected student's or employee's consent:

Students As provided in the Family Educational Rights and Privacy Act, the following may be disclosed, unless the student has indicated otherwise: name, date and place of birth, local and home addresses, telephone numbers, school or college, class, participation in officially recognized activities and sports, dates of attendance, degrees and awards received, most recent educational institution or agency attended, and (for members of varsity athletic teams) weight and height.

Faculty Title or rank, department, campus address and telephone number, highest degree earned, and institution granting that degree.

Staff Title or position, department, campus address, and work telephone number.

CONFLICT OF INTEREST

As members of academic disciplines, professions, and other fields of work, our professional, business, and service activities extend beyond the University. These activities take many forms, such as

Northwestern's reputation for impartiality and objectivity, as well as sound business practice, requires that employees not make decisions for the University if their personal economic interests are directly affected by the outcome.

public service, participation in professional organizations, consulting, and teaching. Northwestern's reputation for impartiality and objectivity, as well as sound business practice, requires that employees not make decisions for the University if their personal economic interests are directly affected by the outcome. A conflict of interest exists where an outside activity competes with or diminishes the interest of the University or interferes with the

employee's performance of duties on behalf of the University.

The *Policy on Faculty Conflict of Commitment and Conflict of Interest*, the *Policy on Conflict of Interest for Sponsored Programs*, and the *Policy on Staff Conflict of Interest* establish guidelines for permissible outside activities and provide for disclosure and regulation as circumstances warrant. Faculty and staff are responsible for complying with the policy that applies to them. Contact your department chair, dean, or the Office of the Vice President for Research for the *Policy on Faculty Conflict of Commitment and Conflict of Interest*, or find it on the web at www.northwestern.edu/research/policies/facultyconflict.html. The *Policy on Conflict of Interest for Sponsored Programs* is available through the Office of the Vice President for Research or on the web at www.northwestemedu.orsp/OSR_100_print.html. Staff may consult www.northwestern.edu/hr/policies/coip.html or contact the Department of Human Resources for more information regarding the *Policy on Staff Conflict of Interest*.

Managing a Potential Conflict

The first step in managing a potential conflict of interest is notifying your department chair or your supervisor that the potential for conflict exists. It is important to realize that conflicts may occur; however, if they are disclosed, they can be managed appropriately. The circumstances that may create a conflict vary widely, from accepting stock as remuneration for consulting to making a vendor selection decision where a relative is involved. But it is the need to disclose the potential for conflict that is critical. Please consult the applicable document, either the *Policy on Faculty Conflict of Commitment and Conflict of Interest*, the *Policy on Conflict of Interest for Sponsored Programs*, or the *Policy on Staff Conflict of Interest*, for more detailed information on disclosure requirements.

PURCHASING AND VENDOR RELATIONS

Northwestern has determined that purchasing and contracting decisions are made most effectively by the end user of the materials,

Quality, reliability, and related factors are legitimate considerations in the vendor selection process; however, it is important to maintain a competitive environment to ensure that the highest value is achieved for any goods or services provided.

supplies, equipment, or services. Authority and responsibility for various aspects of purchasing and contracting processes have been delegated to employees throughout the University. This approach requires that employees involved at any stage of the purchasing process take responsibility for understanding and implementing the University's policies and procedures regarding purchasing and vendor relations.

All faculty and staff should observe the following guidelines in the conduct of purchasing and vendor relations:

- 1.** Northwestern's goal in every purchasing transaction is the best value possible — a combination of price, quality, reliability, service, and delivery terms. Generally the best way to determine the most appropriate source for a product or service is to conduct a competitive bid among potential suppliers. Quality, reliability, and related factors are legitimate considerations in the vendor selection process; however, it is important to maintain a competitive environment to ensure that the highest value is achieved for any goods or services provided.
- 2.** All purchases of goods or services must be preceded by a properly issued Purchase Order from University Financial Systems or other properly approved written contract. The University's Purchase Order is a legal document containing terms and conditions specifying protections for the department, such as limits of liability and payment terms. In certain circumstances the department may pay cash for the item and be reimbursed. However, please note that the University is exempt from paying sales tax, and departments or individuals will not be reimbursed for sales tax already paid.

3. Employees may not solicit or accept, from any current or prospective vendor or supplier, any gift or gratuity, or anything else of more than nominal value other than occasional meals. As a general rule, employees should avoid attending social events sponsored by companies that are interested in keeping or gaining the University's business. However, occasionally attending this type of event may be acceptable if the decision is made in consultation with your supervisor. When accepting gifts or offers for social invitations from vendors, discretion should be exercised to avoid the appearance of impropriety or unfair business practice. Frequency and value are the factors to consider in determining if a gift or social invitation is appropriate.

4. Departments are not authorized to establish credit cards or charge accounts with vendors in the name of Northwestern University. Accounts Payable will not pay bills that are generated from charge account transactions.

5. For purchases of \$25,000 or more, federal regulations require the University to document that the price is competitive and fair.

When accepting gifts or offers for social invitations from vendors, discretion should be exercised to avoid the appearance of impropriety or unfair business practice. Frequency and value are the factors to consider in determining if a gift or social invitation is appropriate.

Competitive bidding means comparing prices, terms, and conditions of equal or similar items.

Purchasing Resource Services provides assistance and support, procurement expertise, resource information, and contracting knowledge to faculty and staff in the purchase of goods and services. Purchasing Resource Services has prepared vendor lists to assist you with the bidding process.

The Recommended Vendor Program at www.univsvcs.northwestern.edu

[/Purchasing/vendorlist.html](http://www.univsvcs.northwestern.edu/Purchasing/vendorlist.html) lists prequalified vendors who have contracted with the University to provide goods and services. Do not hesitate to use these services.

For additional information on vendor relations, purchasing policies, and other purchasing-related issues, contact Purchasing Resource Services.

TRAVEL, ENTERTAINMENT, AND GIFTS

The appropriateness of expenditures for travel, gifts, and entertainment is based on what is required to advance the academic mission of the University. As with all matters involving the expenditure of

The surest way to comply with University standards in these areas is to avoid expenditures on refreshments, meals, or entertainment that do not serve a business purpose.

University funds, faculty and staff should seek the best possible value when committing University resources for goods and services.

Travel

Northwestern reimburses faculty and staff and pays outside vendors for necessary, appropriate, and approved travel-related costs and

activities. University-approved travel is generally defined as transportation on Northwestern business in excess of one's normal commute. To avoid misunderstandings, travelers should verify that planned travel is eligible for reimbursement before making arrangements.

Entertainment

Entertainment expenditures, including meals, may be allowable or reimbursable costs when they satisfy the twin tests of advancing the University's mission and meeting standards of reasonableness.

During event planning, careful consideration should be given to the purpose served by the activity and how that purpose can be achieved in a cost-effective manner. For example, when hosting visitors to the University, such as guest lecturers and faculty candidates, reasonable meal expenditures are appropriate. However, the inclusion of University guests at these functions should be moderated as much as possible, and alternative forums for meeting and discussing University business should be explored.

Schoolwide or unit-wide celebrations, such as holiday parties, are appropriate forms of appreciation if they are reasonable in their frequency and commitment of University resources. Providing modest refreshments in reception areas where there is public traffic, at monthly or quarterly unit-wide business meetings, or at other infrequently scheduled work gatherings is also appropriate. Celebration

I am making travel arrangements to attend an out-of-town work-approved program that starts on a Monday. If I make plans to arrive on the Saturday prior to the start of the program, would the University also pay for these expenses?

Yes, provided the cost of staying overnight plus a reduced airfare makes the overall trip less expensive to the University. However, if the transportation and lodging expenses resulting from the extended stay increase the overall trip costs, then the individual must cover the difference between the two amounts.

As part of my job responsibilities, I occasionally must attend functions that occur outside normal business hours. Could I be reimbursed for my child care expenses?

No. Child care and other expenses associated with attending University-required events outside the normal workday, such as the cost of purchasing or renting formal wear, are not reimbursable.

of a routine life event, such as a birthday, is an inappropriate use of University funds. This type of employee recognition is acceptable when contributions are solicited from friends and fellow workers.

The surest way to comply with University standards in these areas is to avoid expenditures on refreshments, meals, or entertainment that do not serve a business purpose. Full details on the University's policies for travel, meals, and entertainment are available on the web at www.northwestern.edu/finsys/polcydoc/policymenu.html. Please also note that sponsored research programs frequently contain specific guidelines on allowable travel, meal, and entertainment expenditures that supersede the University's policies in these areas. For clarification of these guidelines, contact the Office of Accounting for Research and Sponsored Programs.

Gifts

The prudent use of University funds also pertains to gifts for University employees. Gifts purchased with University funds should be limited to those provided by University Department of Human Resources employee recognition programs and to memorial gifts upon the death of an employee or a relative of an employee. Holiday or birthday gifts are not to be paid for with University funds.

PROPER ACCOUNTING

Sound business practice calls for each member of the Northwestern faculty and staff to assume responsibility for safeguarding and preserving the assets and resources of the University. The University, as a nonprofit institution, fulfills its mission of teaching and research by using assets that are donated, earned, or contracted. The University has a moral and legal obligation to assure that these resources are applied to the purposes for which they are given.

The following policy statements pertain to all business activities of the University, all sources of funds, and all members of the faculty and staff. It is the responsibility of all supervisors to ensure that their staffs are aware of and familiar with these policy statements.

- 1.** All revenue generated by University activities and all expenditures for goods and services must be recorded and accounted for in the University financial system. All University employees who are required to administer financial transactions should be familiar with the University's accounting structure and the policies that guide these transactions.
- 2.** The University financial system consists of the general ledger and all subsidiary systems, manual and automated, that serve as the basis for ledger entries. All transactions, whether recorded directly into the general ledger or entered through a subsystem, should be transcribed in a way that allows for the preparation of financial statements in conformance with *Generally Accepted Accounting Principles*. The Controller's Office is responsible for the accuracy, integrity, and overall management of the University financial system and should therefore be consulted on any matters where there is ambiguity or lack of knowledge relating to accounting policies and procedures.
- 3.** The recording of all financial transactions must be timely and accurate, leading to a clear identification of the true business nature of the transaction. Specific guidance pertaining to the timely posting of transactions is provided on the Financial Systems web site at www.northwestern.edu/finsys.
- 4.** No transaction, whether recorded directly into the general ledger or indirectly from either a subsystem or any supporting documentation, should be deliberately left incomplete or distorted. No payments

In order to provide for certain recurring needs, my department has recently opened a checking account. Is this permissible?

No. The checking account must be closed. Your department should consult the Controller's Office to develop a system that will both address its needs for handling miscellaneous or program income and expenses and ensure that activity is being properly recorded in the University financial system. Please refer to the web site www.northwestern.edu/finsys.

made on behalf of the University are to be approved with the understanding that any part of such payments is for any purpose other than that described on its supporting documents.

5. The use of University funds or assets for any unlawful or improper purpose is prohibited. This activity subjects the party to disciplinary action up to and including discharge from University employment. For further guidance on the allowability of particular expenses, please refer to the Financial Systems web site at www.northwestern.edu/finsys.

6. All contracts with entities outside the University must be signed by a University officer or his/her designee and require review by the Office of General Counsel.

7. No bank accounts are to be established by individual schools, departments, units, or others acting on their behalf for the purpose of supporting any University activity without the prior written approval of the Controller's Office. No credit relationship may be established with any vendor without the express approval of Purchasing Resource Services and through a contract approved by the Office of General Counsel.

8. Each account in the University financial system has been assigned an organization manager — usually a department chair, administrator, or principal investigator. It is the responsibility of the organization manager assigned to an account to

- Ensure that monthly reports of account activity are reviewed to determine that all charges and entries are accurate and complete.
- Verify that all entries made to each account have been properly allocated, representing expenses for activities that pertain to the purpose of the account.
- Take appropriate action to correct any improper charges attributed to an account by notifying the Controller's Office (Accounting Services or Accounting for Research and Sponsored Programs). Specific guidance for reviewing accounts and for making any necessary adjustments is provided in the Financial Systems web site at www.northwestern.edu/finsys.
- Ensure that all charges made to government and other restricted sponsoring-agency accounts are appropriate and allowable under the sponsor's regulations and are known to and authorized by the principal investigator responsible for the account.
- Ensure that adequate supporting documentation exists to substantiate all transactions.

Delegation

It is appropriate and allowable for the designated organization manager for a particular University account to assign the detailed review of account activity to someone on his or her staff. However, the manager remains responsible for the activity in this account, which involves taking action to resolve any errors or misrepresentation in the account and informing the supervisor of any discrepancies. It is the organization manager's responsibility to be knowledgeable and familiar with account activity at all times during the year.

PROPER USE OF UNIVERSITY ASSETS

All Northwestern employees are responsible for securing and caring for University property, resources, and other assets. Those responsibilities involve actions ranging from those as obvious as locking doors and cabinets to a willingness to investigate when confronted

with patterns of unusual behavior.

Preventing and detecting the misuse of assets requires the attention and cooperation of every member of the Northwestern community.

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Misuse of assets takes on many forms and generally involves some type of deception or misrepresentation of facts and information for personal

(often material) gain or the deliberate appropriation of University property or funds for personal purposes. Some examples that could occur include falsification of time worked; falsification of expenses claimed for reimbursement; theft of cash or property; use of University facilities, vehicles, or equipment for personal purposes; and personal use of phones, postage, or supplies. Any of these improprieties or other actions of a similar nature are serious violations of acceptable University business conduct.

All faculty and staff should be able to perform their work in an environment where employees are not put in a position to be suspected of fraudulent activities. An environment with adequate “checks and balances” allows proper identification of individuals who are responsible and accountable for their actions. If you are aware of or suspect a case of fraud, misappropriation of funds, theft, or some other misuse of University assets, however, you should report the situation immediately to your supervisor, department chair, dean, or the director of auditing. Every attempt will be made to maintain the confidentiality of sources. Although an investigation is aided when sources reporting suspicion of fraud identify themselves, anonymous fraud allegations are accepted for consideration when supported by specific facts. Such allegations should be forwarded to the Auditing Department via phone, mail, or e-mail.

My supervisor suggested that I submit a timesheet with extra hours that I did not work as a reward for my outstanding performance on a recent project. If my supervisor signs the timesheet, is this an acceptable practice?

No. Falsification of a timesheet is a fraudulent activity that cannot be authorized regardless of the intent or purpose. This activity can subject both parties to disciplinary action up to and including discharge from University employment.

Please note: Policy guidelines pertaining directly to the subjects of scientific misconduct and intellectual property require additional consideration. For more information regarding scientific misconduct, please consult the Guidelines for Investigators in Scientific Research and Integrity in Research and Procedures for Reviewing Alleged Misconduct. For information regarding intellectual property, please consult the Patent and Invention Policy and Intellectual Property Guidelines. All of these policies are available on the web site of the Vice President for Research, www.northwestern.edu/research/policies.

Disposal of Property

All merchandise purchased with University funds is the property of the University and must be disposed of in accordance with University policy. In situations where the plan is for permanent disposal, such as in the case of the replacement of outmoded computer equipment, it may be permissible for employees to claim the property if the unit manager authorizes it and appropriate reimbursement to the University is received. Federally titled equipment may not be sold or given away without the permission of the original federal granting agency.

Northwestern University Information Technology (IT) provides a powerful network system to deliver voice, data, and video services to faculty, staff, and students. The Northwestern computer network consists of a campuswide backbone network, local area networks, and many shared computers in addition to personal desktop computers. Users of this system, facilities, and services must adhere to the University's policies for responsible use of these resources.

University Computing and Network Facilities and Services

Authorized persons may use the resources mentioned above only for legitimate purposes including instruction, course work, research, and administration at the University. These facilities and services are not for commercial use, and the reselling of network services that the University provides to its faculty, staff, and students is unlawful.

Network System Access and Security

Proper authorization is required to access or attempt to access any University computing and networking resources, including telephone services, telephone long-distance access codes, user passwords, data, systems, accounts, user IDs, electronic mail addresses, network addresses, computer equipment, or the computer network. The term "access" includes, but is not limited to, reading, writing, creating, transmitting, deleting, copying, moving connections, disconnecting cables or devices, changing equipment settings, wire-tapping, or packet snooping. The term "data" includes printouts, contents of diskettes or other computer storage media, telephone conversations, and data communications. If an individual knowingly violates a network responsibility, his or her access to some or all of the services may be suspended.

Inappropriate Use of the Northwestern University Network System

The University computing and network facilities may not be used for improper or illegal purposes, such as the unauthorized use of licensed software, the intent to breach security, the sending of chain letters, the forgery of mail, the deliberate interference with the work of others, or the introduction of computer viruses.

I use my e-mail account to communicate with other groups and individuals within the University. Is it permissible for me to occasionally send personal e-mail to colleagues outside of the University?

Northwestern has met the challenges of heavy e-mail usage by staff and faculty by investing in a high-capacity data network. The network enables staff to fulfill daily University business and faculty to carry out research and scholarly communications. Use of the network for personal purposes is a drain on resources intended for University business; therefore, e-mail users should keep personal correspondence to a minimum, and these activities should, as a general rule, not be conducted during the workday.

Is it allowable for my spouse and/or children to use the University network during the evening hours to access the World Wide Web or to create their own personal home pages?

No. Since the network system is heavily used by students, faculty, and staff to conduct University business and scholarly communications and research, you should not allow others to use your account, even during nonwork hours.

Responsibilities of Holders of Northwestern University Accounts and Passwords

Individuals are responsible for protecting all assigned personal system utilization authenticated through access codes, accounts, and passwords. This includes, but is not limited to, University and Internet access, Internet addresses issued to a user, and telecommunication services. No one may share the use of a personal computer to provide University network access to unauthorized individuals. No user may reveal his or her password to another person, including any other member of University staff. Securing and frequently changing passwords minimizes the risk of outsiders gaining access to the University's system, which contains institutional data and information unavailable to the general public.

As a member of the Northwestern community, you can expect the following privileges in regard to the use of the campus network and its services:

- **Intellectual freedom:** The University is a free and open forum for the expression of ideas, including viewpoints that are strange, unorthodox, or unpopular. The University network is operated and maintained under the same set of principles; however, personal opinion may not be represented as the view of Northwestern University.
- **Safety from threats:** Users who receive threatening communications should bring them to the attention of the University Police and Information Technology. Users must also be aware that there are many services on the Internet that might be considered offensive to groups of users. Therefore, network users must take responsibility for their own navigation of the network.
- **Privacy:** Data files and messages traversing the University network are not private communications. The University reserves its right, as owner of the network and the computers in question, to examine, log, capture, archive, and otherwise preserve or inspect any messages transmitted over the University's network and any data files stored on University-owned computers.

Users of the campus network system have the responsibility to follow the guidelines in this section. If network guidelines are knowingly violated, network access may be suspended and the user may be subject to disciplinary action. For more information about Information Technology policies, please visit the IT web site at www.it.northwestern.edu/policies.

COPYRIGHT AND TRADEMARK INFRINGEMENT

Northwestern University adheres to the requirements of U.S. copyright law, including the requirement that the bounds of copying per-

missible under the fair use doctrine are not exceeded. In addition, the University abides by the licensing restrictions that apply to the reproduction of software.

Copyright permission should never be assumed. The safest course is always to get permission from the copyright owner before using copyrighted material.

Use of the Northwestern University Name, Seal, Trademarks, and Logo

The Northwestern University name, seal, and logo are registered trademarks and may not be used without the written permission of the University. The University's name, symbols, and locations may not be used in any manner to endorse any product or service, either explicitly or implicitly, without the written permission of the Vice President for University Relations. Requests for use of trademarked symbols for licensing purposes should be directed to the Northwestern University Trademark Licensing Office.

Copyright of Intellectual Material

Copyright is a form of protection that the law provides for the creators of "original works of authorship fixed in any tangible medium of expression," both published and unpublished.

Copyright protection arises from the time the work is created in fixed form. Copyright is generally owned by the author of the work for the duration of the author's lifetime plus 70 years. In cases of works made for hire, the employer — not the employee — is considered to be the author. In these cases, the copyright is valid for 95 years from the year of the first publication, or 120 years from the date of creation, whichever comes first.

The doctrine of fair use provides guidance to scholars and students with regard to the use of copyrighted materials, without infringing unduly on the rights of copyright holders. This doctrine does not provide explicit rules but rather sets forth a framework for considering how to balance educational needs with the author's rights. Fair use allows reproduction of copyrighted material for the purpose of criticism, comment, teaching, scholarship, or research.

Would it be considered a violation of copyright law if I copied a software program and gave it to a colleague to use on his or her personal computer?

Copyright law permits the making of a single archival backup copy. Most software, however, is licensed to the user only, and the terms of the license agreement govern the extent of the user's rights to copy beyond that permitted by copyright law. You should strictly adhere to the provisions of the software license agreement.

Considerations for determining whether such a reproduction constitutes fair use include

- purpose and character of the use (nonprofit as opposed to commercial)
- nature of the copyrighted work
- amount and substantiality of the portion used
- effect of the use on the value of market for the work

Copyright permission should never be assumed. The safest course is always to get permission from the copyright owner before using copyrighted material. Moreover, some materials lacking a copyright notice nonetheless may be copyrighted. The safest course is to assume the material is protected by copyright.

REPRESENTING THE UNIVERSITY

Northwestern University enjoys an outstanding reputation as an institution of higher learning in both the local and broader communities. Employees are responsible for supporting and advancing the reputation of the University by serving its mission. Professional and ethical conduct are essential elements in continuing Northwestern's tradition of excellence.

The situations in which faculty and staff represent the University are numerous and varied. Two areas with broad application for the University — contact with donors and contact with student athletes — have been selected for further discussion. Both situations are illustrative of the complex environment in which we operate and the need, when confronted with unfamiliar circumstances, to seek the knowledge of a specialist or consult a published reference for further clarification.

Donor and Alumni Relations

It is essential to Northwestern's continued success that relationships with alumni, donors, and other supporters remain professional and mutually beneficial. This includes utilizing the funds and other assets they provide for the purposes for which they were intended and in a fiscally sound manner. In all cases confidentiality of information is to be respected where requested. Northwestern has adopted the professional standards developed by the Council for the Advancement and Support of Education and the National Society of Fund-Raising Executives as guides for appropriate conduct when serving as a University representative to the larger community. Should you be confronted with a situation involving an alumnus, donor, potential donor, or benefactor and require guidance on appropriate action, please contact the Office of Alumni Relations and Development for assistance.

Contact with Student Athletes

As a member of the National Collegiate Athletic Association (NCAA), the University is subject to its rules and regulations. Faculty and staff should be aware that their conduct when interacting with prospective student-athletes and enrolled student-athletes might be governed by these regulations. It is also important to realize that employees who are the parents or legal guardians of a student-athlete or have shown an active interest in Northwestern

Donor Contact

Requests for information concerning donors and giving opportunities should be directed to the Office of Alumni Relations and Development or to your school or unit development officer.

If my meeting with a Northwestern student-athlete extends into the lunch hour, may he or she accompany me to lunch at a local restaurant as my guest?

No. Taking a student-athlete to lunch is considered an "extra benefit" under NCAA rules and is not permissible.

athletics by donating money to a program; joining a club, such as the Gridiron Network; arranging summer employment for a student-athlete; promoting University athletics; or participating as a varsity athlete at Northwestern are considered “boosters” under NCAA guidelines. NCAA “booster” status specifies certain standards of conduct when in contact with student-athletes. Please contact the Athletic Department Compliance Office if you have questions regarding these guidelines. Copies of these standards of conduct are available from the Athletic Department.

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Any alleged violations of this policy or questions regarding the law with respect to nondiscrimination should be directed to Director of Equal Employment Opportunity, Affirmative Action, and Labor Relations, 720 University Place, Evanston, Illinois 60208-1147, phone 847/491-7458; Office of the Provost, Rebecca Crown Center, Evanston, Illinois 60208-1101.

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