

## **800.1 Standards of Performance and Conduct**

**Purpose** To establish Rensselaer's expectation that all members of the Rensselaer community adhere to Institute standards of performance and conduct.

**Definitions** Standards of Performance refers to the expectation that all Rensselaer employees perform at the highest level in accordance with his/her Performance Management Tool.

Standards of Conduct refers to the expectation that all Rensselaer employees conduct themselves to the highest ethical and professional standards, and demonstrate ethical behavior, honesty, integrity, and good judgment at all times in accordance with federal and state laws and Institute policies.

**Policy** It is the policy of Rensselaer Polytechnic Institute to demonstrate fair and equitable treatment within its working, living and learning environments. Rensselaer is committed to the highest ethical and professional standards of conduct and performance as an integral part of its mission. To achieve this goal, the Institute expects all members of the Rensselaer community to demonstrate ethical behavior, honesty, integrity, and good judgment at all times. All members of the Rensselaer community are expected to transact Institute business in compliance with all laws, regulations, and Institute policies. Each member of the community is expected to treat others with dignity and respect, and to be accountable for his/her actions. Supervisors, managers and leaders of the Institute are responsible for educating faculty, staff and students, and monitoring compliance in their areas of responsibility.

The Institute expects all members of the Rensselaer community to adhere to standards of conduct and performance that are established to enable all to work together to achieve the objectives of the Institute.

**Procedure** General standards of conduct and performance apply to all members of the Rensselaer community. Violation and/or failure to adhere to these general standards may result in disciplinary action up to and including termination. These standards include, but are not limited to the following:

1. Each employee is to spend the work day effectively – by performing the proper tasks safely, competently and in a timely manner and demonstrating an awareness of priorities.

2. Each employee is to spend the work day efficiently – by performing each task quickly, safely and well.
3. Each employee is to comply with Institute and departmental policies and procedures. Failure to comply may be grounds for disciplinary action up to and including termination.
4. Each employee is to report to work and be at work when scheduled.
5. Each employee is to notify the supervisor of an unscheduled absence no later than 30 minutes before the scheduled time to report to work. (See Human Resources Policy #800.2, *Employee Attendance – Notification Procedure*.)
6. Each employee is to devote their time and effort to Rensselaer during working hours, keeping personal phone calls, personal text messages, and personal use of electronic devices to a minimum and not attending to personal matters during work hours.
7. Each employee is to cooperate with reasonable requests from co-workers.
8. Each employee is to perform reasonable job duties as assigned by their supervisor, even if not stated in the performance management tool (position description).
9. Each employee is to respect the confidentiality of sensitive information. Such information should not be repeated, discussed, removed or electronically transferred from the work area except for legitimate work purposes.
10. Each employee is to safeguard his/her own personal property.
11. Each employee is to respect the property and work space of others and of the Institute, and to use Institute property only for legitimate work purposes. (See Human Resources Policy #800.7, *Electronic Media and Communications*, for additional information regarding the use of e-mail, facsimile machines, computers, copiers, and other Institute equipment). Unauthorized entry into the work space of another employee, or taking property belonging to others or to the Institute will not be tolerated and may be grounds for disciplinary action including immediate termination and/or criminal prosecution.
12. Each employee is to utilize internal administrative resources and procedures to resolve employment problems as set forth herein.

13. Each employee is to know the fiduciary duty associated with Institute employment and to perform the duties accordingly; conduct that conflicts with the interests of the Institute will not be tolerated and may be grounds for disciplinary action, up to and including immediate termination and/or criminal prosecution.
14. Each employee is to maintain appropriate work place behavior and conduct that fosters collegiality, respect and dignity.
15. Each employee is to respect the rights of others.
16. Each employee is expected to behave and perform their duties and responsibilities in a legal and ethical manner at all times.
17. Each employee is to be courteous towards fellow employees, faculty, students, and visitors. Disruptive, intimidating, hostile, offensive and/or discourteous conduct will not be tolerated and may be grounds for disciplinary action up to and including immediate termination.
18. Conduct that causes or threatens harm to others or that constitutes persistent, unwanted behaviors will not be tolerated and may be grounds for disciplinary action up to and including immediate termination.
19. Acts of insubordination will not be tolerated and may be grounds for disciplinary action up to and including immediate termination. Insubordination is defined as:
  - a) Refusal to perform a task assigned by management personnel<sup>1</sup>;
  - b) Refusal to adhere to instructions or standards, absent a concern for the safety of persons or property; or
  - c) Use of abusive language or derogatory comments towards a supervisor.
20. Employees are expected to behave and act on and off work in ways that do not bring Rensselaer into public disrepute.
21. Hazing against an individual or group is prohibited at any time. Hazing is defined by Rensselaer as any conduct that subjects another person, whether physically, mentally, emotionally or psychologically, to anything that may endanger, abuse, degrade or intimidate the person as a condition of employment, or association with a group or organization, regardless of the person's consent or lack of consent.

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<sup>1</sup> For situations involving unsafe working conditions, see Human Resources Policy #1400.2, *Refusing to Work in Unsafe Conditions*.

22. Faculty, staff and students are expected to adhere to requirements for the use of Personal Protective Equipment and attire based on their job duties and responsibilities.
23. Employees are prohibited from recording and using recording devices, video equipment and/or any other electronic devices (including but not limited to cell phones, "smart" phones, laptops, iPads, notebooks, etc.) to document a meeting or conversation with a Rensselaer employee or student without the express written permission of the individual.

#### Reporting Policy Violations

All members of the Rensselaer community are encouraged to protect themselves personally and the Rensselaer community collectively by reporting violations or concerns about violations of the code of conduct that come to his/her attention. Supervisors, managers and leaders of the Institute have an additional legal responsibility to adhere to the code of conduct, to recognize violations, and enforce the standards.

Any individual who believes that there has been a violation of Rensselaer's policies (including the standards of performance and code of conduct policy), any applicable law, or is involved with or participating in an unethical activity, should immediately contact the Vice President for Human Resources or his/her designee. All complaints are promptly investigated.

Rensselaer highly values the participation of applicants, employees and students in the investigation process, and strongly encourages such participation. If an applicant, employee or student chooses not to participate, the investigation may not be as thorough as otherwise would have been the case. Rensselaer, however, will decide whether to continue to investigate and to draw conclusions, regardless of an individual's decision not to participate. The information obtained during the course of an investigation is maintained in a confidential manner to the extent practicable and reasonable under the circumstances. The Institute reserves the right to discipline an employee, up to and including termination, for the refusal to participate meaningfully in an internal investigation.

For additional information regarding the reporting procedures, see Human Resources Policy #600.8, *Reporting, Investigation and Resolution Procedures for Complaints Involving Discrimination, Harassment, Retaliation, or Unethical Actions*.

## 800.2 Employee Attendance

**Purpose** To establish standards of satisfactory attendance and procedures for reporting unscheduled absences, late arrivals and early departures.

**Policy** All employees are expected to maintain satisfactory attendance and report to work on time every day. Unscheduled absences, late arrivals and early departures are considered as unsatisfactory work behavior.

This policy applies to all employees including faculty, staff, and members of the President's Cabinet.

### **Procedure** Notification Procedure

When an employee will be late reporting to work by 15 minutes or more without prior approval, he/she must notify his/her supervisor at least 30 minutes in advance of the scheduled start time, or as soon thereafter as feasible. If an employee does not call at least 30 minutes prior to the scheduled start time, the supervisor will evaluate the reason for such failure and determine whether the tardiness will be authorized.

When an employee is going to be absent without prior approval, he/she must notify his/her supervisor at least 30 minutes in advance of the scheduled start time. If possible, the employee should call personally and speak directly with the supervisor. Employees should not rely on friends, relatives, or co-workers for communicating their absence to the supervisor. If an employee does not call at least 30 minutes prior to the scheduled start time and does not report to work, the supervisor will evaluate the reason for such failure and determine whether the absence will be authorized.

Employees who will be absent for an indefinite period due to illness or emergency must inform their supervisor each day of the absence, unless other arrangements are made with and agreed to by the supervisor. Failure to return to work on the agreed upon return-to-work date, will be considered a failure to report to duty and will subject the employee to discipline up to and including termination.

### Excessive Use of Unscheduled Paid Time Off (PTO) Leave

PTO leave for sickness or injury is intended to be used only for situations where the employee is legitimately unable to work as scheduled because of his/her own illness or an illness of an eligible family member pursuant to the Family and Medical Leave Act (FMLA). (See Human Resources Policy #1300.1, *Paid Time Off (PTO) Program*.) Excessive use of unscheduled PTO leave, including exhaustion of accrued PTO leave on a regular and routine basis or

frequent unscheduled single day absences, are viewed as potentially abusive conduct and may result in particular monitoring by the employee's supervisor with specific compliance requirements imposed on the employee as determined by the supervisor. The supervisor may require a doctor's certificate in order for each future unscheduled PTO leave absence to be authorized with pay.

#### Discipline for Tardiness

Non-exempt employees who are late reporting to work by 15 minutes or more will not be paid for time missed. In some cases, with their supervisor's approval, non-exempt employees may be allowed to make up the lost time that same day. Employees, who have recurring late arrivals, whether more or less than 15 minutes, are subject to disciplinary action, up to and including termination.

#### Discipline for Unscheduled Absences

Unscheduled absences place an unfair burden on co-workers and should be avoided. Frequent unscheduled absences, including late arrivals and early departures or excessive absences, are grounds for discipline, up to and including termination. In addition, employees who fail to provide proper notification of late arrivals and unscheduled absences are subject to discipline, up to and including termination. Any employee who is absent for three consecutive unscheduled absences without notifying his or her immediate supervisor directly is considered to have resigned. Once the Division of Human Resources is notified of such three consecutive unscheduled absences without notification, the Division of Human Resources will send written correspondence to the individual's last known address confirming the voluntary resignation.

#### Family and Medical Leave

Employees who have a serious medical condition; who need time off to care for a covered family member with a serious medical condition, a newborn or newly adopted or foster child; who need time off to care for a covered family member wounded in active service in the U.S. Armed Forces, National Guard or Reserve; or who need time off related to a covered family member's active duty or call to duty, may be eligible to use paid leave or request unpaid leave in accordance with the Family and Medical Leave Act.

Absences or instances of lateness covered by an employee's use of approved FMLA leave are not considered grounds for disciplinary action. For detailed information about FMLA's requirements and procedures see Human Resources Policy #1300.6, *Family and Medical Leave Act (FMLA) Leave of Absence*.

### **800.3 Tobacco Use**

**Purpose** To ensure that all Rensselaer facilities and properties are tobacco-free in an effort to provide Rensselaer's faculty, staff, students and visitors with a healthy and respectful working, living and learning environment.

**Definitions** Tobacco Use

The act of using any tobacco product in any Institute facility or outdoor area, including, but not limited to chewing tobacco, smokeless tobacco, electronic cigarettes (with or without nicotine, tobacco and/or tobacco products) and the act of smoking or carrying a lighted cigar, cigarette, pipe or any other smoking material or device.

Institute Facilities

Any facility or property that is owned, leased, used or occupied by Rensselaer, including but not limited to: private offices, lounges, dining areas, recreational facilities, residence halls, storage areas, service shops, garages, tunnels, sidewalks, facilities operations areas, athletic facilities, all institute vehicles (owned or leased), and personally owned and rented vehicles when used to transport Rensselaer faculty, staff or students on any Institute-related business, academic or student life activities.

Outdoor Areas

Any Institute outdoor area that is open to access by the public or campus community, including but not limited to parking lots, sidewalks, athletic fields, lawn areas and any Institute facility entrance or egress.

**Policy** The preponderance of evidence and the trends reflected in that evidence all indicate that tobacco use, smoking and exposure to second-hand tobacco smoke are significant health hazards. Under the Environmental Protection Agency (EPA) Guidelines, secondhand smoke is a Group A carcinogen (cancer-causing agent), known to cause heart disease, cancer, respiratory issues and irritation of the eyes and nose.

In keeping with Rensselaer's desire to protect the health of its faculty, staff, students, visitors, other campus constituencies, and the public in general, it is Rensselaer's policy to provide a tobacco-free environment in all Institute facilities and outdoor areas in full conformance with applicable statutes including the New York State Clean Indoor Air Act (Public Health Law Article 13-E) and Section 31-40(s) of the Connecticut General Statutes.

It is also the policy of Rensselaer to prohibit the sale of tobacco products on campus.

This policy applies to all employees including faculty, staff, students, vendors, visitors and members of the President's Cabinet.

**Procedure** Tobacco use is prohibited in all of Rensselaer's facilities and outdoor areas.

Organizers of public events on campus are responsible for communicating this policy to attendees.

#### Responsibilities

Faculty, staff and students have a joint responsibility to share in the enforcement of this policy. Individuals found in violation are to be reminded in a professional and courteous manner of the Institute policy.

#### Enforcement

Rensselaer reserves the right to initiate the progressive disciplinary process against any individual found to be in violation of this policy. Disciplinary actions may include: verbal counseling and education about the health effects of tobacco use; written warnings; a monetary fine or community service; or other appropriate disciplinary actions in accordance with the Student Handbook of Rights and Responsibilities for students and the Human Resources Policy Guidelines for faculty and staff.

Visitors who violate the Tobacco Use Policy will be informed that Rensselaer is a tobacco-free campus. Visitors who continue to violate the policy following a warning will be escorted off campus.



## **800.4 Alcohol Use and Possession**

**Purpose** To establish standards for alcohol use and possession in Rensselaer facilities and Institute programs and activities.

**Policy** The unlawful manufacture, distribution, dispensing, possession, or use of alcohol is prohibited on Institute property or as part of any activity sanctioned or sponsored by the Institute. The administration at Rensselaer will not authorize events where drinking under the legal age, as determined by the States of New York and Connecticut, will be knowingly permitted.

The consumption or possession of alcoholic beverages on Rensselaer property, except for officially sanctioned functions or storage locations, is prohibited.

Any use of alcohol that adversely affects an employee's job performance or Rensselaer or jeopardizes the safety or property of employees, students or the public is prohibited. Employees are also prohibited from reporting to work under the influence of alcohol.

This policy applies to all employees, including faculty, staff and members of the President's Cabinet.

**Procedure** Use and abuse of alcohol can effect employee productivity, efficiency and negatively affect Rensselaer's learning and work environment as well as; jeopardize the safety of employees, co-workers, and the public; and bring the reputation of Rensselaer and its employees into public disrepute. Accordingly, Rensselaer has established the following rules to governing the use and possession of alcohol.

When an employee is involved in a workplace accident or when there is a reasonable suspicion that an employee is under the influence of alcohol on-the-job, Rensselaer can require the employee to submit to an alcohol and drug test. Employees who test positive are subject to corrective or disciplinary action up to and including termination.

The serving of alcohol at employee-related functions either on or off Rensselaer premises must be reviewed and approved by the Alcohol Review Committee. The committee may be reached through the Student Health Center.

Employees, who drive a motor vehicle as a part of their work duties, found to have been driving under the influence of alcohol, whether on duty or off duty, shall be subject to disciplinary action up to and including termination. (For information about blood alcohol and drug testing, see Human Resources Policy #200.11, *Physical/Medical Exams*)

- *Current Employees.*)

Referrals to Rensselaer's Employee Assistance Program for employees who may be abusers of alcohol are coordinated through the Division of Human Resources to assist both the employee and supervisor, and to assure compliance with all applicable laws.

## 800.5 Use and Possession of Illegal Drugs

**Purpose** To ensure that Rensselaer maintains a drug-free working, living and learning environment.

**Definitions** Illegal Drugs refers to controlled substances as noted in Schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812) as defined in regulation 21 C.F.R. 1308.15 and those identified by State law. The term “illegal drugs” does not mean the use of controlled substances pursuant to valid prescriptions or other uses authorized by law.

A Criminal Drug Statute refers to a Federal or State criminal statute involving the manufacturing, distribution, dispensing, possession, or use of any controlled substance.

Conviction refers to a finding of guilt including a plea of “nolo contendere” or imposition of sentence or both, by any judicial body charged with the responsibility to determine violations of Federal or State criminal drug statutes.

Workplace means any site where the performance of work for Rensselaer is performed.

**Policy** The unlawful manufacture, distribution, dispensing, possession, or use of illegal drugs is prohibited in Rensselaer’s working, living and learning environments.<sup>2</sup>

As a condition of employment, employees must abide by this policy.

It is also the policy of Rensselaer to provide, as an employee benefit, an Employee Assistance Program (EAP) that is designed to help faculty and staff deal with substance abuse and other problems that they and their families might encounter. (For more information about the EAP Program, see Human Resources Policy #1100.5, *Employee Assistance Services*.)

This policy applies to all employees including faculty, staff, vendors and members of the President’s Cabinet.

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<sup>2</sup> Although the State of Connecticut allows the use of marijuana for palliative purposes, the Institute does not permit the possession, use or ingestion of marijuana in its working, living and learning environments.

**Procedure** Rensselaer has a strong commitment to safeguard the health and welfare of its faculty, staff, and students, and provide a safe working, living and learning environment. Because substance abuse at work or away from work can seriously endanger the health and safety of faculty, staff, students, vendors and guests, Rensselaer has established a program under this policy to detect and remove users of illegal drugs or controlled substances from the working and learning environment. Rensselaer is committed to preventing the use and/or presence of these substances in the workplace.

#### Sanctions and Remedial Measures

Employees, including faculty, staff, and members of the President's Cabinet, who engage in conduct prohibited by this policy or are convicted under a criminal drug statute will be subject to discipline, up to and including termination, and/or may be required to participate satisfactorily in Rensselaer's Employee Assistance Program and any recommended rehabilitation program.

#### Responsibilities

Rensselaer employees must:

- 1) comply with this policy; and
- 2) notify his/her supervisor within five days after any conviction under a criminal drug statute.

Supervisors must:

- 1) participate in periodic training to assist them in identifying and addressing illegal drug use by employees; and
- 2) be cognizant of their responsibilities to refer employees who may be using illegal drugs on the job to the Division of Human Resources.

#### Drug Testing

Employees who are involved in work-related accidents or injuries or who are reasonably believed to be users or abusers of illegal drugs will be required to submit to a drug test. Employees who test positive are subject to corrective or disciplinary action up to and including termination. (For more information about blood alcohol and drug testing, see Human Resources Policy #200.11, *Physical/Medical Exams – Current Employees.*)

Referrals to Rensselaer's Employee Assistance Program for employees who may be users and/or abusers of illegal drugs or controlled substances are coordinated through the Division of Human Resources to assist both the employee and supervisor, and to assure compliance with all applicable laws.

## **800.6 Physical and Verbal Altercations**

**Purpose** To establish standards of behavior where members of the Rensselaer community are expected to behave in a civil, courteous manner toward each other at all times.

**Policy** To ensure both safe and efficient operations, Rensselaer expects and requires all of its employees to display common courtesy and engage in appropriate behavior at all times. For example, any involvement in incidents of physical violence, horseplay, shouting at others or making derogatory or provocative comments are considered dangerous and unacceptable behavior that violates this standard of appropriate behavior.

This policy applies to all employees including faculty, staff, vendors, visitors and members of the President's Cabinet.

### **Procedure** Unacceptable Provocation

Making derogatory, racial or ethnic slurs, sexually harassing remarks, threats of violence, bullying and any other provocative comments, language, or actions are prohibited.

Employees who make derogatory or provocative comments or otherwise engage in derogatory or provocative conduct towards co-workers or other individuals will be held at least equally culpable for any ensuing physical altercation, even if they do not strike the first blow or otherwise initiate a physical confrontation.

### Off-duty and Off-site Conduct

Employees are responsible for their conduct while on or off Rensselaer's premises, and whether they are on or off duty.

Rensselaer's general rules of conduct and behavior also apply when employees are traveling on Rensselaer business and are participating in work-related or academic related activities as well as any time employees are working for or are representing Rensselaer away from the premises.

### Investigation

Rensselaer promptly investigates any physical or verbal altercation, threats of violence, bullying, derogatory or provocative conduct or other conduct by employees that threatens the health, safety, work, living or learning environment of others which might involve a breach of or departure from the conduct standards enunciated in this policy.

Complaints regarding physical or verbal altercations should initially be referred to the employee's immediate supervisor. If the matter is

not resolved within 30 calendar days of the occurrence of the incident, it must be reported immediately to the Division of Human Resources.

Discipline

All incidents of physical and/or verbal altercations are treated as misconduct and can result in disciplinary action, up to and including termination of employment.

## 800.7 Electronic Media and Communications

**Purpose** To establish Rensselaer's philosophy and set forth general principles for employees when using electronic media and communication services, and establish the Institute's right to access electronic data, communication and information on its systems.

**Policy** Use of electronic media and communications, and its associated services, including computers, e-mail, instant messaging, text messaging, telephones, voice mail, fax machines, wire services, on-line services and the Internet, are encouraged because they can make communication more efficient and effective and because they are valuable sources of information about vendors, customers, technology, and new products and services. Electronic communications and media give employees a useful way to exchange ideas, share files, and communicate with colleagues, whether they are located in the next room or thousands of miles away.

Rensselaer's electronic systems are a valuable business asset. The data and information sent and received on these systems are the property of Rensselaer. Only Rensselaer e-mail accounts may be used by employees (i.e., faculty, staff and members of the President's Cabinet) when **using e-mail to conduct** Institute business, which includes teaching and research. As such, employee access to Rensselaer systems and stored data will be terminated upon separation.

This policy applies to all employees, including faculty, staff, and members of the President's Cabinet.

**Procedure** Employees should not have any expectation of privacy with respect to information, data or files sent, received, or stored on Rensselaer's electronic media and communications systems. Electronic data, information and files, like other types of correspondence and Rensselaer documents, can be accessed and read by authorized employees or authorized individuals outside the Institute.

Authorized access to employee electronic media and communications by other employees or outside individuals includes, but is not limited to, the following:

- Access by the system's administration employees during the course of system maintenance or administration;
- Access approved by the employee, the employee's supervisor, or Officers of Rensselaer when there is an urgent business reason to access the employee's computer, files or databases –

for example, if an employee is absent from the office and the supervisor has reason to believe that information relevant to the day's business is located in the employee's computer, files or databases;

- Access approved by the employee's supervisor, Rensselaer's Division of Human Resources, or Rensselaer when there is reason to believe the employee is using electronic communications and media in violation of Rensselaer policies;
- Access approved by Rensselaer's Division of Human Resources or Legal Counsel in response to Rensselaer's receipt of a court order or request from law enforcement officials for disclosure of information contained in Rensselaer's electronic communications and media systems.

The electronic communications and media systems **should not** be used to communicate sensitive or confidential information. Employees should anticipate that data and information might be disclosed to or read by individuals other than the intended recipients, since information and data can be easily forwarded to other individuals. In addition, while Rensselaer endeavors to maintain the reliability of its electronic and media systems, employees should be aware that a variety of human and system errors have the potential to cause inadvertent or accidental disclosures of data and information.

Electronic communications, media, and services cannot be used for knowingly transmitting, retrieving, or storing any material that is:

- Discriminatory or harassing;
- Obscene or pornographic;
- Defamatory or threatening; or
- Engaged in for any purpose that is illegal.

#### Passwords

Each user accesses Rensselaer's electronic and media systems by means of a log-in name and password.

- a. Passwords are intended to keep unauthorized individuals from accessing messages stored on the system. From a systems perspective and from the perspective of an information and data recipient, passwords also establish the identity of the person sending the information and data. The failure to keep passwords confidential can allow unauthorized individuals to read, modify, delete, circulate, download or manipulate data and information files on other systems.
- b. The practice of using passwords should not lead employees to expect privacy with respect to data and information sent or received.



- c. Employees are prohibited from disclosing their log-in name or password, or those of any other employee, to anyone who is not authorized to receive the same by Rensselaer. Also, employees should not disclose their log-in or password to other employees, except when required by an urgent business matter. Employees should change their password as soon as possible after the urgent business matter has been resolved.

#### Personal Use

Electronic media and communication services are provided by Rensselaer for employee business use. Limited, occasional, or incidental use of electronic media and communication services (sending and receiving) for personal, non-business purposes is understandable and acceptable. However, employees are expected to demonstrate a sense of responsibility and not abuse this privilege, and use of Rensselaer's systems are subject to the following conditions and restrictions:

- a) Personal use must be infrequent and must not:
  - Involve any prohibited activity;
  - Interfere with the work productivity and/or learning environment of employees and students;
  - Consume system resources or storage capacity on an ongoing basis; or
  - Involve large file transfers or otherwise deplete system resources available for business purposes.
- b) Using electronic communications and media to participate in any newsgroup, mailing list, bulletin board, blogs, social media networks or other type of discussion forum that is not job-related and is not incidental personal use is strictly prohibited.
- c) Employees should not have any expectations of privacy with respect to personal communications sent or received on Rensselaer's electronic media and communications systems. Employees should delete personal communications as soon as they are read or replied to. Employees should not store copies of the personal communications they have sent.

#### Retiree E-mail Accounts and Identification Cards

Faculty and staff who retire from Rensselaer in good standing are eligible to receive a Retiree E-mail Account and a Retiree Identification (ID) Card. Retirees should submit requests to the Portfolio Owner (Vice President/Dean/Provost). Retiree E-mail Account requests must be received and approved by the Vice President for Human Resources and the Vice President for Information Services & Technology and Chief Information Officer or their designees. Retiree Identification Card requests must be received and approved by the Vice President for Human Resources

and the Vice President for Administration, or their designees.

Retiree E-mail Account and Retiree ID Card privileges must be renewed annually by reapplication. Retiree Guest Account and Retiree ID Card privileges may be revoked at any time by the Portfolio Owner, Vice President for Human Resources or the Vice President for Information Services & Technology and Chief Information Officer. For completed details about the Retiree E-mail Account and Retiree ID Card Program and the application forms, visit the Division of Human Resources web site (<http://hr.rpi.edu/setup.do>).

#### Access to Employee Communications

Rensselaer does not routinely access or monitor employee communications directly. However, individual use patterns – for example, telephone numbers dialed, sites accessed, call length, and time at which calls are made – are monitored for the following purposes:

- Cost analysis;
- Resource allocation;
- Optimum technical management of information resources; and
- Detecting patterns of use that indicate employee violation of Rensselaer policies or engaging in illegal activity.

Rensselaer reserves the right, at its discretion, to review any employee's electronic files and messages to the extent necessary to ensure electronic media and services are being used in compliance with the law, this policy, and other Rensselaer policies.

#### Security/Appropriate Use

Employees must respect the confidentiality of other individuals' electronic communications. Except in cases in which explicit authorization has been granted by management, employees are prohibited from engaging in, or attempting to engage in:

- Monitoring or intercepting the files or electronic communications of other employees or third parties;
- Hacking or obtaining access to systems or accounts they are not authorized to use;
- Using someone else's log-ins or passwords; and
- Breaching, testing, or monitoring computer or network security measures.

No electronic communications can be sent that attempt to hide the identity of the sender or represent the sender as someone else.

Electronic media and communication services should not be used in a manner that is likely to cause network congestion or significantly hamper the ability of other people to access and use Rensselaer's

systems.

Anyone obtaining electronic access to other companies' or individuals' materials must respect all copyrights and cannot copy, retrieve, modify, or forward copyrighted materials except as permitted by the copyright owner.

#### Prohibited Activity

Employees are strictly prohibited from sending information and data or otherwise using the electronic media and communication system in connection with any of the following activities:

- Engaging in illegal, fraudulent, or malicious activities;
- Engaging in activities on behalf of organizations with no professional or business affiliation with Rensselaer;
- Sending or storing offensive, obscene, pornographic or defamatory material;
- Sending uninvited information and data of a personal nature;
- Using another individual's account or identity without explicit authorization;
- Unauthorized or improper sending of copyrighted materials.
- Attempting to test, circumvent, or defeat security or auditing systems, without prior authorization;
- Permitting any unauthorized individual to access Rensselaer's electronic media or communication system; or
- Distributing or storing chain letters, solicitations or offers to buy or sell goods, or other non-business material.

#### Confidential Information

All employees are expected and required to protect Rensselaer's confidential information. Confidential information should never be transmitted or forwarded to outside individuals or companies not authorized to receive the information. Employees must exercise greater care when transmitting confidential information to authorized parties because use of electronic communications makes it easier to redistribute or misdirect secrets and confidential information to unauthorized individuals.

Rensselaer also requires its employees to use electronic communications in a way that respects the confidential and proprietary information of others. Employees are prohibited from copying or distributing copyrighted material – for example, software, database files, documentation or articles – using Rensselaer's electronic communications system.

Use of an electronic communications system, such as e-mail, is an inappropriate method for communicating certain types of confidential information. Employees should consult their supervisor and the

systems administrator before using Rensselaer's electronic systems to send highly sensitive or confidential information.

#### Storage Policy

Rensselaer strongly discourages the storage of a large number of e-mail or other types of electronic communication messages. Retention of messages takes up a large amount of space on the server and can slow down system performance. In addition, because electronic communication messages can contain Rensselaer confidential information, it is desirable to limit the number, distribution, and availability of such messages.

#### Policy Violations

Employees violating Rensselaer's Electronic Media and Communications Policy are subject to disciplinary action, up to and including termination. Employees using the electronic media and communications systems for defamatory, illegal, or fraudulent purposes and employees who infiltrate unauthorized areas of Rensselaer's computer system are also subject to civil liability and criminal prosecution.

## 800.8 Social Media

**Purpose** To establish Rensselaer's philosophy and set forth general principles for employees when using social media.

**Definition** "Blogging", for purposes of this policy, means posting information on your own, or on someone else's, Web log ("blog"), journal or diary on the Internet. "Blogging" also includes any other form of posting information on the Internet, such as postings on a personal Web site, social networking or affinity Web site, on a bulletin board, or in a chat room.

Social Media activity refers to all types of posts and other communications on the Internet, including but not limited to, posts on social networking or affinity sites (such as Facebook, LinkedIn, and Tumblr); blogs and other on-line journals and diaries; bulletin boards and chat rooms; microblogs, such as Twitter; and posts of video or audio on media-sharing sites, such as YouTube or Flickr. "Social media activity" also includes permitting, or failing to remove, posts by others where the employee can control the content of posts, such as on a personal page or blog.

**Policy** Rensselaer respects the rights of its employees, including faculty and staff, and understands that employees' time outside of work is their own. However, employees should be mindful that their social media activity, even if done off premises and while off-duty, could affect Rensselaer's legitimate business interests. For example, the information posted could be Rensselaer's confidential business information. In addition, some readers may mistakenly view the employee as a spokesperson for the Institute. Consequently, social media activity is a legitimate and proper focus of Institute policy.

This Policy applies to social media activity that relates in any way to Rensselaer's business, employees, customers, vendors, or competitors or that identifies an employee's affiliation with the Institute (other than as an incidental mention of place of employment in personal social media activity unrelated to the Rensselaer).

This Policy applies to social media activity when on or off duty, while using Rensselaer's or personal electronic resources, and whether or not the employee posts anonymously or using a pseudonym. Employees who are expressly authorized to engage in social media activity on the Rensselaer's behalf should contact the Director of Information Security for guidance. Unless specifically authorized, employees are prohibited from using Rensselaer's electronic resources to engage in social media activity. Employees may use

personal devices, such as a non-Rensselaer smart phone or tablet, during meal and break periods to engage in social media activity as long as the employee's personal device is not connected to Rensselaer's network.

This Social Media Policy provides guidance on responsible social media activity by faculty and staff. This Policy does not and cannot cover every possible social media activity. If you are unsure how this Policy may apply to your social media activity, contact the Division of Human Resources.

This policy applies to all employees, including faculty, staff, and members of the President's Cabinet.

**Procedure** Rensselaer has spent substantial time and resources building its brand reputation and good will relationships. These are valuable and important organizational assets. When you engage in social media activity that identifies you as a Rensselaer employee, or in any way relates to the Institute, you should bear that in mind and follow the guidelines listed below:

- Employees may use Rensselaer's electronic resources to engage in social media activity for non-business purposes as long as that activity involves only an incidental amount of your time, does not interfere with your or your co-workers' job responsibilities, and complies fully with all institute policies. You may not maintain an open connection to, or stream, any social media site. Such non-business use is a privilege that may be withdrawn if abused.
- Before making any posting in a blog that identifies you as an employee of the Institute, or that identifies the Institute, please consider whether you are damaging the Institute's reputation. If you are uncertain, you must inform the Division of Human Resources and your Portfolio Owner at least five (5) business days before making the posting.
- Your social media activity is subject to all pertinent Rensselaer policies, including, but not limited to, Standards of Performance and Conduct, Protection of Confidential Information, Personnel Information and Employee Privacy, Non-Discrimination and Harassment, Electronic and Media Communications, Electronic Citizenship and Computer Use Policies, and other personal conduct and information technology policies.
- Unless you have received prior authorization from your Portfolio Owner (Vice President, Provost, School Dean) **AND** the Vice President for Human Resources, you should not represent or suggest in any social media activity that you are authorized to speak on Rensselaer's behalf, or that Rensselaer has reviewed

or approved your content. If that will not be obvious from the content or context of your post, you should specifically state, *"The views expressed in this post are my own. They have not been reviewed or approved by Rensselaer."*

- The Federal Trade Commission requires that endorsements be truthful and not deceptive. If your social media activity endorses Rensselaer's products or services, *i.e.*, expresses opinions, beliefs, findings or experiences concerning the Rensselaer's products or services, you must disclose your name and position with Rensselaer. However, unless Rensselaer has approved any such endorsement in writing and in advance, you should specifically state, *"The views expressed in this post are my own. They have not been reviewed or approved by Rensselaer."*
- You should consider using available privacy filters or settings to block any overly personal information about you from co-workers, customers, vendors or competitors who may have access to your social media activity.
- You should not post content about Rensselaer, management, co-workers or customers that is vulgar, obscene, threatening, intimidating, defamatory, harassing, or a violation of the Institute's policies against discrimination or harassment based on a protected characteristic, such as race, gender, national origin, religion, age, disability or sexual orientation. (See Human Resources Policy Section 600, *Non-Discrimination/Non-Retaliation Equal Employment Opportunity*.) You should not make knowingly or recklessly false statements about Rensselaer's products or services, or the products or services of its customers, vendors or competitors.
- Respect the intellectual property rights of Rensselaer and others by not posting copyrighted material unless (a) you have the permission of the copyright owner, or (b) you know that the doctrine of "fair use" allows you to post the material without the owner's permission.
- You should not use Rensselaer's trademark or proprietary graphics in a way which suggests that you are representing the Institute or while engaging in conduct that is unlawful or violates Rensselaer policy. For example, you should not create a social media page with Rensselaer's logo placed in a way which might suggest to readers that Rensselaer is sponsoring the page.
- You should not disclose, or post images or video of, any of Rensselaer's trade secrets or confidential business information or of any confidential business processes. Trade secrets may include information regarding the development of systems,

business processes, products, know-how and technology. Confidential business information may include non-public financial data, such as estimates of financial performance; sensitive business information, such as marketing strategies, product launches, and pricing policies; plans for the acquisition or disposition of Institute assets; information about customers or students; information about employees obtained from the Rensselaer's personnel files; and Rensselaer's attorney-client communications or other internal business-related confidential communications.

- Employees should not post images or video of Rensselaer's employees, customers, vendors or competitors that would be discriminatory, harassing, threatening, sexually explicit, racist or similarly inappropriate or offensive. You should not post images or video of yourself that identifies you as a Rensselaer employee and depicts you engaging in illegal conduct, such as acts of violence or the illegal use of drugs, or in conduct that violates any Institute policy.
- To reduce the risk of identity theft, stalking, and similar conduct, you should not disclose personally identifying information (such as personal contact information obtained from Rensselaer's files, Social Security numbers, credit or debit card numbers or financial account numbers) of Rensselaer's employees, customers, vendors or competitors.
- To ensure that Rensselaer communicates with the media in a consistent, timely and professional manner about matters related to the Institute, employees should speak to his/her Portfolio Owner (Vice Presidents/Provost/School Deans) and the Division of Strategic Communication and External Relations before responding to any inquiry from a journalist or the news media about their social media activity related to Rensselaer.
- Anyone concerned about social media activity relating to Rensselaer that may require a response may contact the Division of Strategic Communication and External Relations.

The following guidelines also apply to your social media activity:

- Managers should not gain access to the restricted social media page of a subordinate — for example, by sending or accepting a "friend" request — unless there is a valid business purpose for doing so, which requires the approval of the Portfolio Owner AND the Vice President for Human Resources. Any such access to a subordinate's restricted social media page should be limited to that which is necessary to accomplish the Institute's business purposes. Any employee may reject, without fear of retaliation, any request from any other employee that, if accepted, would permit access to a restricted social media page — such as a



friend or connection request. Managers should also avoid situations that may compromise their ability to lead or make objective management decisions.

- Employees may not use Rensselaer-sponsored sites to solicit for or promote personal businesses or any organization, including but not limited to outside business ventures, charities, political campaigns, religious groups, or other membership organizations.
- Employees may not use their Rensselaer e-mail address to register for any social media account or site, or as an identifier needed to participate in any social media activity, except to engage in social media activity authorized by the Institute and for the Rensselaer's business purposes. Employees may reference Rensselaer as their employer and include business contact information on social and professional networking sites only, such as LinkedIn and Facebook.
- Employees should use only approved social media channels — and not personal social media sites or pages — to conduct Rensselaer business. Without prior Rensselaer approval, social media should not be used to arrange business meetings, communicate with customers about specific transactions, or to search for information about current or prospective employees for purposes of making an employment decision.
- All requests for references or recommendations received through social media activity must be handled in accordance with Rensselaer's policy on responding to these requests. (See Human Resources Policy #400.2, *References and External Requests for Employee Information.*)

Rensselaer has the right to request, in its sole and absolute discretion, that employees temporarily confine their social media activity to matters unrelated to Rensselaer if the Institute determines this is necessary to ensure compliance with securities regulations or other laws.

#### Addressing Concerns

Experience demonstrates that you are more likely to resolve concerns about work by speaking directly with your co-workers, supervisor or other management-level personnel, or by contacting the Division of Human Resources, than by posting them on the Internet. If you decide to express concerns in social media, avoid using any content that reasonably could be viewed as malicious, obscene, threatening or intimidating; that disparages employees, customers, or vendors; or that might constitute harassment or bullying.

### Policy Violations

Employees are solely responsible for their social media activity and will be held accountable for violating this Policy. Rensselaer will not construe or apply this Policy in a manner that improperly interferes with or limits employees' rights under the National Labor Relations Act.

Rensselaer, in its discretion, may review social media activity to the fullest extent permitted by applicable law. If you engage in social media activity anonymously or using a pseudonym in a manner that violates this Policy, Rensselaer will, in appropriate circumstances, take steps to determine your identity. Failure to comply with this Policy may lead to discipline, up to and including termination of employment, and if appropriate, Rensselaer will pursue all available legal remedies. The Institute also may report suspected unlawful conduct to appropriate law enforcement authorities.

### Retaliation is Prohibited

Rensselaer Polytechnic Institute strictly prohibits retaliation against any person for using this reporting procedure, or for filing, testifying, assisting or participating in any manner in any investigation or proceeding involving allegations of discrimination, harassment, or an unethical action. Any person who violates this policy will be subject to disciplinary action, up to and including termination.

## **800.9 Workplace Searches**

**Purpose** To establish Rensselaer's authority to conduct workplace searches.

**Policy** Rensselaer reserves the right to conduct a search of any employee's work area, equipment and personal belongings that are on Rensselaer's property.

All searches shall be conducted pursuant to an investigation by the Vice President for Human Resources or his/her designee, the Vice President for Information Services & Technology and Chief Information Officer or their designee, the Director of Public Safety or their designee, or a member of the President's Cabinet. A search of a work area is not an accusation of wrongdoing.

This policy applies to all employees including faculty, staff, and members of the President's Cabinet.

### **Procedure** Items Subject to Search

Rensselaer can search employee work areas, including but not limited to the offices, desks, files, computer and electronic files, e-mails, telephone voice mails, lockers and personal belongings. All offices, desks, files, computer files, telephones, and lockers are Rensselaer property, and are issued to employees, including faculty, staff, and members of the President's Cabinet, for business use and for the duration of employment only. These items can be searched at any time.

### Search Procedure

Designated Rensselaer personnel will search employee work areas and belongings only if Rensselaer has a reasonable belief that the Institute's policies or safety may be compromised.

### Failure to Submit to a Search

Refusal to submit to a search can lead to disciplinary action, up to and including termination of employment.

### Possession of Stolen Items or Contraband

Employees who are found in possession of illegal or stolen property or other contraband will be subject to appropriate disciplinary action up to and including termination. If warranted, criminal prosecution may be pursued.

## **800.10 No Solicitation/No Distribution**

**Purpose** To establish rules which govern solicitation, distribution of written materials and entry into any Institute facility or Institute outdoor area.

**Definitions** Institute Facilities

Any facility or property that is owned, leased, used or occupied by Rensselaer, including but not limited to: private offices, lounges, dining areas, recreational facilities, residence halls, storage areas, service shops, garages, tunnels, sidewalks, facilities operations areas and athletic facilities.

Outdoor Areas

Any Institute outdoor area that is open to access by the public or campus community, including but not limited to parking lots, sidewalks, athletic fields, lawn areas and any Institute facility entrance or egress.

**Policy** No employee shall solicit or promote support for any cause or organization during his or her working time or during the working time of the employee at whom such activity is directed. Meals and breaks do not constitute working time.

**Procedure** No employee shall distribute or circulate any printed, written or electronic material in work areas at any time or during his or her working time or during the working time of the employee at whom such activity is directed.

Subject to the foregoing, Rensselaer may authorize a limited number of fund drives on behalf of charitable organizations and these may be conducted with the supervisor's permission during work hours.

Authorized fund drives may include the United Way, American Heart Association and American Cancer Society.

Fundraisers, such as Girl Scout cookie sales or similar charitable activities, **must be done during the employee's meal or break time period.**

Under no circumstances will non-employees be permitted to solicit or distribute printed, written or electronic materials for any purpose on Rensselaer's premises.

## **800.11            Acceptance of Gifts, Gratuities and Favors**

**Purpose** To establish protocols regarding the acceptance of gifts, gratuities and favors.

**Definitions** Gifts, Gratuities and Favors refers to the use of property or facilities, gift certificates, entertainment, or other items of value extended to Rensselaer employees, including faculty, staff, vendors, and members of the President's Cabinet, or their families, subcontractors or consultants.

**Policy** It is Rensselaer's objective to award business to others on the basis of such considerations as quality, services, pricing, and technical ability; to obtain grants from and contracts with private and governmental agencies on the basis of mutual interest; and to avoid the appearance or actuality of impropriety in the receipt of personal gifts, gratuities, favors, and/or kickbacks in connection with Rensselaer endeavors.

The solicitation or the acceptance of personal gifts, gratuities, favors, or kickbacks in any form by Rensselaer employees, subcontractors, or consultants from any Rensselaer supplier or contractor is inconsistent with the above objective and is prohibited, except when it might be inappropriate or insulting to refuse a gift offered.

This policy is not intended to eliminate ethical activities such as business luncheons or the exchange of token mementos of nominal value. However, such activities should be kept to the minimum level necessary for maintaining effective business relationships.

**Procedure** On the occasion when it might be inappropriate or insulting to refuse a gift offered, the gift is to be accepted in the name of Rensselaer and reported to the applicable Vice President or Provost who will determine a suitable distribution. All gifts whose value may be in excess of \$1000 must be formally reported to the Divisional Vice President, Provost or the President.

### Offenses Meriting Disciplinary Action

Violations of this policy should be reported to the Vice President for Human Resources or his designee, who will work with the Secretary/General Counsel in conducting an investigation. Consistent with Rensselaer's policies, disciplinary action instituted will depend upon the extent of or potential for damage to Rensselaer and can range from reprimand to termination of employment.

## 800.12 Financial Conflict of Interest/Conflict of Commitment

**Purpose** To promote objectivity in research by establishing standards that provide a reasonable expectation that the design, conduct, and reporting of sponsored research is performed in a manner that is free from bias resulting from Investigator financial conflicts of interest.

**Definitions** Conflict of Interest (Individual) occurs when the private interest of Institute employees interferes with their loyalty to Rensselaer, either in practice or appearance. Relationships or activities with outside entities may impair an individual's ability to be objective in the design, conduct, or reporting of sponsored research activities concerning their institutional responsibilities at Rensselaer.

Conflict of Commitment occurs when an employee's involvement in outside activities substantially interferes with their primary commitment to Rensselaer, even if the outside activity is valuable to the Institute or contributes to the employee's professional development and competence.

Business Transaction refers to the procurement of goods and services (including consulting and other types of contractual agreements), disposition of Institute property, and use of Institute facilities. Being involved in a business transaction includes: initiating, recommending or approving a purchase order, contract, gift or grant; preparing and/or negotiating the terms of a transaction; or authorizing a payment from Institute accounts.

Disclosure of Significant Financial Interest means an Investigator's disclosure of significant financial interests to Rensselaer.

Family means spouse, parents, siblings, children, dependents, or a member of the immediate household.

Financial Conflict of Interest means a significant financial interest that could directly and significantly affect the design, conduct, or reporting of sponsored research.

Financial Interests means anything of monetary value, whether or not the value is readily ascertainable.

Gift(s) means a voluntary and irrevocable transfer of money, services or property (for example, equipment, Intellectual Property, employees time and skill, etc.) from a donor without any expectation of or receipt of direct economic or other benefit or provisions of goods or services from the recipient. A gift also includes entertainment at no cost or at unreasonably discounted prices, from persons or entities doing business with the Institute, particularly in situations in which a reasonable person would infer that the intention of such gift was to influence decisions and actions on behalf of the Institute. An

occasional lunch or dinner is not prohibited by this paragraph, nor is the receipt of an occasional holiday (or other) gift or attendance at a charitable event as a guest. Acceptance of a personal gift having more than a nominal value is prohibited under this definition.

Institute Employees means all faculty, staff, academic and administrative leaders, officers, deans, department heads, trustees, and post-doctoral fellows.

Institutional Responsibilities means an Investigator's professional responsibilities on behalf of Rensselaer, including but not limited to: activities such as research, research consultation, teaching, professional practice, institutional committee memberships, and service on panels such as Institutional Review Boards or Data and Safety Monitoring Boards.

Investigator means the principal investigator, co-investigators, project director and any other person (e.g. post-doctoral fellow, graduate students, research assistants, business managers) who is responsible for the administration, design, conduct or reporting (progress and financial) of sponsored research.

Key Personnel means the principal investigator, co-investigator, project director and any other personnel regardless of the title or position, considered to be essential to the design, conduct or reporting of sponsored research. This includes individuals identified as senior/key personnel in: the contract, grant proposal or application process, the progress report; or other reports submitted by the Institute to the funding entity.

National Science Foundation (NSF) is an independent Federal agency created by Congress in 1950 to promote fundamental research and education in all the non-medical fields of science and engineering.

Outside Activity involves work, either professional or non-professional, for a non-Rensselaer entity or for oneself. Outside professional activities involve the use of an employee's expertise, the practice of their profession, or any interest that contributes to their professional competence and development.

Public Health Service (PHS) Awarding Component means the organizational unit of the U.S. Department of Health and Human Services and any components of the PHS to which authority involved may be delegated, including the National Institutes of Health (NIH) that funds the research that is subject to financial conflicts of interest.

Research means a systematic investigation, study or experiment designed to develop or contribute to generalized knowledge, and includes research projects that are fully or partially funded from outside sources under agreements which contain any of the following:

- A line-item that binds the Institute to scientific inquiry at a

- specified level of detail;
- A line-item budget is included (expenses by activity, indirect costs, project period);
- The requirement to submit financial and technical reports;
- The requirement to be subjected to an external audit;
- The requirement to return unexpended funds; or
- Requirements regarding the disposition of property.

Significant Financial Interest means a financial interest consisting of one or more of the following interests of the Investigator (and those of the Investigator's family) that reasonably appears to be related to the Investigator's institutional responsibilities:

- With regard to any publicly traded entity, a *significant financial interest* exists if the value of any remuneration received from the entity in the twelve months preceding the disclosure and the value of any equity interest in the entity as of the date of disclosure, when aggregated, exceeds \$5,000. For purposes of this definition, remuneration includes salary and any payment for services not otherwise identified as salary (e.g., consulting fees, honoraria, paid authorship); equity interest includes any stock, stock option, or other ownership interest, as determined through reference to public prices or other reasonable measures of fair market value; or
- With regard to any non-publicly traded entity, a *significant financial interest* exists if the value of any remuneration received from the entity in the twelve months preceding the disclosure, when aggregated, exceeds \$5,000, or when the Investigator (or the Investigator's family) holds **any equity interest** (e.g., stock, stock option, or other ownership interest); or
- Intellectual property rights and interests (e.g., patents, copyrights), upon receipt of income related to such rights and interests.

The term *significant financial interest* does not include:

- salary or other remuneration from the Institute;
- royalties;
- income from seminars, lectures or teaching engagements sponsored by federal, state or local government agencies or institutions of higher education;
- income from service on advisory committees or review panels for federal, state or local government agencies or institutions of higher education; or
- income from investment vehicles, such as mutual funds and



retirement accounts, as long as the Investigator does not directly control the investment decisions made in these vehicles.

Small Business Innovation Research (SBIR) means the extramural research program for small businesses that is established by the Awarding Components of the Public Health Service and certain other Federal agencies under Public Law 97-219, the Small Business Innovation Development Act, as amended. For purposes of this policy, the term **Small Business Technology Transfer (STTR)**, established under Public Law 102-564, is also included.

Technology Transfer is the process of transferring the practical knowledge that is the result of scientific research and includes the licensing of intellectual properties in which the Institute acquires equity or ownership rights.

#### Travel Reimbursement

Investigators must disclose the occurrence of any reimbursed or sponsored travel related to **PHS-funded research only** (*i.e.*, that which is paid on behalf of the Investigator and not reimbursed to the Investigator so that the exact monetary value may not be readily available), related to their Institutional responsibilities. The requirement to disclose reimbursed or sponsored travel does not apply to travel that is reimbursed or sponsored by a Federal, state, or local government agency, an Institution of higher education, an academic teaching hospital, a medical center, or a research institute that is affiliated with an Institution of higher education.

**Policy** All members of the Rensselaer community are expected to understand the ethical responsibility and service toward their peers, employees, students and society and follow appropriate guidelines regarding conflict of interest and conflict of commitment. Institute employees must use good judgment to protect themselves and to protect the Institute from potential conflicts of interest. By adopting this Conflict of Interest Policy, Rensselaer demonstrates its commitment to the ethical principles that guide Rensselaer's research and establishes a mechanism to safeguard Rensselaer, and faculty integrity and objectivity.

This policy is intended to assist all members of the Rensselaer community, including faculty, staff, students, academic and administrative leaders and Rensselaer's Board of Trustees, with avoiding conflicts of interest or any appearance of conflicts between their own personal interests and the interests of the Institute. Any situation or activity involving a potential conflict of interest or conflict of commitment must be disclosed in advance. The premise of this policy is that each member of the Rensselaer community has an obligation to act in the best interests of the Institute, and must not permit financial and/or personal interests to interfere with that

obligation.

The outline provided in the following policy is intended to assist Institute employees, students and members of the Board of Trustees in understanding and identifying what constitutes a conflict, evaluating possible conflicts of interest, how and when situations should be disclosed and who will determine whether the conflict needs to be managed, reduced or eliminated.

The intent of this policy is not to eliminate conflicts of interest in all cases, but to disclose and manage the conflicts using ethical principles. Through disclosure, individuals and the Institute can work together to prevent situations that harm or could harm the reputation of the Institute and its mission and objectives. In addition, there can also be a difference in opinions about whether a conflict of interest exists or not. Therefore, the best practice for Institute employees is to disclose the conflict to the appropriate authorities of the Institute **in advance** and seek advice and a review of the particular circumstances so a determination can be made by the Vice President for Human Resources in coordination with the Institute-wide Conflict of Interest Committee. This policy is also intended to increase the awareness of faculty, staff, students and other members of the Rensselaer community to the potential for conflicts of interest and conflict of commitment.

The primary mission of Rensselaer is to offer strong educational programs. Our goal is to be a top-tier world-class technological research university with global reach and global impact. Our basic objectives are to provide the best possible educational experience for Rensselaer's students, to provide the proper environment for Rensselaer's faculty to teach and do research, and to maintain the Institute on a sound financial footing. We cherish and preserve the principals of academic freedom. Promoting secrecy harms the progress of science and diminishes the role of the Institute as an impartial and credible resource. All employees must be committed to Rensselaer's objectives and recognize that their primary responsibility is to the Institute. Sound higher education should enhance the best intellectual, social, and personal development of the university community. Employees should recognize a shared responsibility to ensure that they conduct themselves in an unbiased manner and serve the goals and objectives of Rensselaer. It is thus the responsibility of Rensselaer and its employees to guard against conflicts of interest and commitment which might compromise the integrity and objectivity of our community.

Private interests such as outside business activities or financial relationships can be or can be perceived to be in conflict with the Institute's mission or interfere with an individual's primary responsibility. A conflict of interest does not mean the activity is inappropriate. Because of Rensselaer's research endeavors, the

Institute must be careful to maintain objectivity and not have personal gain influence decision making.

Rensselaer's policy is to avoid ethical, legal or financial conflicts of interest whether apparent, potential or perceived. It is recognized, however, that faculty and staff activities, such as, outside employment, consulting and their financial interests, extend beyond that of Rensselaer. Engagement in outside activities is permitted provided such activity is disclosed in advance leading to a discussion of the conflict of interest or conflict of commitment so that it can be managed, reduced or eliminated when necessary.

Research faculty must certify that they have disclosed any financial interest (and that of their immediate family) related to a Public Health Service, National Institutes of Health or National Science Foundation proposal. Prior to award, Rensselaer must determine how the potential conflict will be managed, reduced or eliminated. (Reference: Code of Federal Regulations (CFR) Title 42, Part 50, Subpart F and NSF 05-131, Chapter V-Grantee Standards)

All faculty and staff, including, principal investigators, co-investigators, project director and any other person (e.g. post-doctoral fellow, graduate students, research assistants, business managers) who are responsible for the administration, design, conduct and reporting (progress and financial) of sponsored research, must participate in financial conflict of interest training prior to engaging in research related to any sponsored grant or contract, and at least every four years thereafter, and immediately when any of the following circumstances apply:

- 1) Rensselaer revises its financial conflicts of interest policies or procedures in any manner that affects the requirements of Investigators;
- 2) An Investigator is newly hired or rehired by the Institute; or
- 3) Rensselaer finds that an Investigator is not in compliance with the regulations or with the Institute's financial conflicts of interest policy or management plan.

This policy applies to all Rensselaer employees (full and part-time), including faculty (research and teaching), academic and administrative leaders, staff, officers, trustees, deans, department heads, students and post-doctoral fellows, unless otherwise excluded.

This policy does not apply to charitable or volunteer community service activities.

**Types of Conflicts**    **Category I – Individual Conflicts of Interest**

An individual conflict of interest occurs when the private interest of Institute employees interferes with their loyalty to Rensselaer, either

in practice or appearance. All Institute employees who are required to report potential conflicts of interest or commitment are responsible for disclosing all significant financial conflicts of interest or commitment related to his or her institutional responsibilities, not just those related to the sponsored research project. This may include research, research consulting, teaching, Institute committee memberships, or service on panels (e.g., Institutional Review Boards or Data Safety Monitoring Boards).

Relationships or activities with outside entities may impair an individual's ability to be objective in the administration, management, instruction or research activities concerning their responsibilities at Rensselaer.

The potential for a perceived or actual conflict of interest in a **business transaction** can occur when:

- An Institute employee (or member of their immediate family) is an officer, director, employee, proprietor, partner, trustee or stockholder in or is in a position to personally profit from the company seeking to do business with Rensselaer;
- An Institute employee has an interest in a company that is in competition with a firm already doing business with Rensselaer and that employee's position provides him/her with access to proprietary information about a company which could help the company in which he/she has an interest; or
- Use of information received as an Institute employee for personal purposes.

The potential for a perceived or actual conflict of interest in **research** can occur when an employee's interest in personal financial gain outweighs the employee's professional objectivity. Caution must be exercised when:

- A faculty member is being paid consulting fees; or
- A faculty member is sharing in royalties as a result of commercialization of their research.

Identifying a conflict of interest is not a simple task. A member has a conflict of interest if his or her judgment and discretion in research or in other matters affecting Rensselaer is or may be influenced by considerations either of a personal gain or financial benefit. Some examples of Individual Conflicts of Interest (not inclusive) are listed below:

- Ownership of or a substantial financial interest in a business with whom Rensselaer may do business;
- Acceptance of gifts or entertainment from suppliers or potential suppliers;
- Acceptance of employment as an officer, director or any

management capacity in a public, commercial, industrial, financial or other organization which transacts business with Rensselaer or wants to do so;

- Use of the Rensselaer name in such a way that would imply Institute sponsorship;
- Relationships that might influence decisions that would lead to personal gain;
- Directing students into a research area or other activity that would lead to personal gain;
- Requiring others to purchase a product in which there is a proprietary interest and from which income will be received;
- Accepting a position on a scientific or administrative board or an organization that has research contracts with Rensselaer;
- Directly or indirectly lease, rent, trade or sell real or personal property to Rensselaer;
- Being in a position to influence contractor selection or limiting competition in purchasing supplies or services;
- Recommending that a graduate student pursue research in an area in which the commercialization of the product would bring financial benefit to the faculty member;
- Submitting a proposal and acting as principal investigator on a research project at another institution;
- Requesting a sole source procurement of material or services from a company in which an Institute employee or a member of that individual's immediate family has a consulting or employment relationship with and/or significant financial interest in the proposed company;
- Assigning duties or offering employment to students in a faculty member's outside activity when the student is enrolled in a course being taught by the faculty member or the student's academic work (including work as a teaching or research assistant) is being supervised by that faculty member; or
- Engaging in the unauthorized use or dissemination of confidential, privileged or proprietary information obtained as a result of your employment at the Institute.

### **Category II – Conflict of Commitment**

A conflict of commitment relates to an individual's distribution of effort between Institute employment and commitment to external business, professional or other activities. All external activities must be arranged so as not to interfere with the primary commitments following Rensselaer's policies and procedures. A conflict of commitment occurs when the external activities interfere with the

employee's primary obligations and commitments to Institute responsibilities.

Examples of Conflicts of Commitment (not inclusive)

- Agreements that involve frequent or prolonged absences from Rensselaer on non-Institute business (e.g. faculty absences that are in excess of the one day/week or 4 days/month that are allotted per the Faculty Handbook).
- Agreements that reduce the amount of time expected to perform Rensselaer job responsibilities.

**Procedure Disclosure Reporting Requirements**

General (All Institute Employees)

It is the responsibility of each Investigator to disclose Significant Financial Interests (and those of the Investigator's spouse, domestic partner, parents, siblings, dependent children, or a member of the immediate household) related to the Investigator's institutional responsibilities:

- No later than at the time of application for sponsored research;
- During the annual disclosure process; and
- within 30 days of discovering or acquiring a new Significant Financial Interest.

All such disclosures are to be made to the Division of Human Resources and will be reviewed by the Vice President for Human Resources or designee.

It is the responsibility of every employee to discuss with his or her supervisor who will then involve their Portfolio Vice President or the Provost **AND** the Vice President of Human Resources in any situation or activity that might result in a conflict of interest, conflict of commitment or a violation of this policy before participating in that situation or activity. Employees are not permitted to participate in any questionable activity unless and until the case has been reviewed, discussed and the activity disclosed to the Portfolio Vice President or the Provost **AND** the Vice President of Human Resources, who shall determine whether the questionable situation or activity presents a potential conflict of interest. Such determinations shall be set forth in writing.

All Institute employees who anticipate or suspect a situation where a conflict of interest may be present must fully disclose and obtain approval prior to engaging in the activity. Updates of such information will be requested on an annual basis by the Vice President for Human Resources. Disclosure applies to the activities of the immediate family of Institute employees as well. Specifically, the

following outside activities must be disclosed:

- a. Those in which use of the Institute's facilities, equipment, and/or services will be more than incidental. The completed Conflict of Interest and Commitment Disclosure Form is required to be attached to the Request to use these facilities, equipment or services.
- b. Those outside activities in which an Institute student or employee is directly or indirectly supervised by an Institute employee if that employee in any way supervises or evaluates the student or the employee at the Institute.
- c. Management, employment, consulting, and contractual activities with, or ownership interests in, a business entity which does business with the Institute. When involved in procurement decisions, a copy of the Financial Conflict of Interest and Commitment Disclosure form must be attached to the requisition to purchase.
- d. Management, employment, consulting, and contractual activities with, or ownership interest in, a business entity which competes with the Institute.
- e. Candidacy, election or appointment to a public office.
- f. Requiring the use of instructional resources (e.g. books, supplies, equipment) at the Institute when they have been created or published by Institute employees or that person has a financial interest in the creation or publishing of the material.
- g. Employment as an expert witness, teaching at another institution, or honoraria (beyond travel expenses) for which Institute employees are compensated.
- h. Service on the board of directors, committees, advisory groups or other management positions, in a business entity in the same field in which the faculty or staff member is employed.
- i. Any employment, contractual relationship, or financial interests of the employee which may create a continuing or recurring conflict between the employee's interests and the performance of the employee's public responsibilities and obligations, including time commitments. This includes any outside activity in which the employee is required to waive rights to intellectual property.

For Researchers (Those with research sponsored by PHS or NSF) Researchers conducting research funded by the Public Health Service (including the National Institutes of Health) and the National Science Foundation are subject to agency specific regulations. These regulations set forth the obligations of investigators, co-investigators, project directors, researchers, sponsors and institutions for research involving significant financial interests or other conflicts of interest,

and affected parties are advised to review the relevant regulations prior to submission of a research proposal or application. Links to these regulations are:

NSF Grant Policy Manual –

[http://www.nsf.gov/pubs/manuals/gpm05\\_131/gpm5.jsp](http://www.nsf.gov/pubs/manuals/gpm05_131/gpm5.jsp)

NIH Grants Compliance and Oversight –

<http://grants2.nih.gov/grants/compliance/compliance.htm#glance>

PHS Responsibility of Applicants for Promoting Objectivity in Research

[http://grants.nih.gov/grants/compliance/42\\_CFR\\_50\\_Subpart\\_F.htm](http://grants.nih.gov/grants/compliance/42_CFR_50_Subpart_F.htm)

SBIR/STTR (U.S. Small Business Administration, Office of Technology)

– <http://www.sba.gov/SBIR/>

ATP (National Institute of Standards and Technology, Advanced

Technology Program) – <http://www.atp.nist.gov/>

A general description of what is required is:

- Research proposals must contain conflict of interest disclosures **IN ADVANCE** of the submission. Researchers must disclose all significant financial interests (including those of their immediate family) that:
  - (a) would reasonably appear to be affected by the research or educational activities funded by the agency; or
  - (b) are in entities that would reasonably appear to be affected by such activities.
- If there is no significant financial interest at the time of submission but one develops prior to award or during the funding period, it must be immediately reported.
- If there is no significant conflict of interest, conflict of commitment or report of financial interest, the researcher must certify such annually on their *Conflicts of Interest and Commitment Disclosure Form*.
- Financial disclosures are to be indicated on the Financial Conflict of Interest and Disclosure Form and will be reviewed by the Division of Human Resources to determine if a conflict of interest exists and determine what conditions or restrictions should be imposed, if any, to manage, reduce or eliminate the conflict of interest. The Division of Human Resources in collaboration with the Division of Research will decide if the significant financial interest could affect the design, conduct, or reporting of the research or educational activity.

### **Training Requirements**

The Division of Human Resources is responsible for informing employees, including all Investigators, of the Institute's Financial Conflict of Interest and Commitment Policy, disclosure requirements



for significant financial interests, and federal regulations.

All faculty, Investigators and Key Personnel are required to complete Financial Conflict of Interest and Commitment training:

- Prior to engaging in research related to any sponsored research or grant;
- At least every four (4) years; and
- Immediately if:
  - The Institute revises its Financial Conflict of Interest and Commitment Policy as it affects the requirements of investigators;
  - An investigator is new to Rensselaer; and
  - An investigator is not in compliance with the Policy or a Management Plan.

### **Management of Policy**

#### General (All Institute Employees)

- The Vice President for Human Resources shall annually conduct a financial conflict of interest and commitment survey of all applicable employees and trustees of the Institute.
- Employees shall promptly disclose all potential conflicts of interest and conflicts of commitment in conformance with this Policy.
- The Vice President for Human Resources, in coordination with the Institute-wide Conflict of Interest Committee, shall review all disclosure forms and determine if a conflict of interest or conflict of commitment exists and if so, what actions are to be taken. Decisions will be based on what is in the best interest for Rensselaer, in accordance with applicable regulations. The individual disclosing the potential conflict of interest or conflict of commitment cannot be involved in the decision process.
- At least annually: the Vice President for Human Resources shall report all conflicts and resolutions to the Audit Committee of the Board of Trustees; and the Chairperson of the Audit Committee of the Board of Trustees shall report all conflicts and resolutions to the Board of Trustees.

Addressing conflicts and developing management strategies requires the collaboration of all parties involved and may require one or more of the following:

- 1) No action beyond disclosure;
- 2) Disclosure and management (including alteration or elimination of the conflict); or
- 3) Prohibition of the activity.

The Vice President for Human Resources is responsible for completing and documenting retrospective reviews within 120 days of the Institute's determination of non-compliance for Significant Financial Interests not disclosed timely, or previously reviewed, or whenever a Financial Conflict of Interest is not identified or managed in a timely manner, as may be required by applicable regulations.

#### For Researchers

All financial disclosures will be reviewed by the Vice President for Human Resources and the Institute-wide Conflict of Interest Committee to determine if a conflict of interest or conflict of commitment exists and what actions are to be taken to manage, reduce or eliminate that situation. If the disclosure is determined to be a significant financial interest that could affect the design, conduct or reporting of the research, one of the following management strategies could be imposed:

- Public disclosure of the significant financial interest;
- Monitoring of the research by independent reviewers;
- Modification of the research plan;
- Disqualification from participation in all or a portion of the research;
- Divestiture of significant financial interests; or
- Severance of the relationships that create the actual or potential conflicts.

### **Remedies and Non-Compliance**

#### General (All Institute Employees)

Employees who fail or neglect to disclose potential conflicts of interest or conflicts of commitment will be subject to normal disciplinary processes contained in the Human Resources Policy Guidelines and the Faculty Handbook.

#### For Researchers (All Sponsored Research Activity)

If a researcher fails to comply with this Financial Conflict of Interest/Conflict of Commitment Policy, disciplinary action ranging from a written reprimand to termination of employment could be imposed.

If the failure to comply with this Financial Conflict of Interest/Conflict of Commitment Policy concerns research funded by PHS, the following actions must take place.

Whenever Rensselaer identifies a significant financial interest that was not disclosed timely by an Investigator or, for whatever reason, was not previously reviewed by the Institute during an ongoing sponsored research project, the Vice President for Human Resources, or designee shall, within 60 days: review the significant financial

interest; determine whether a financial conflict of interest exists; and, if so:

- 1) Implement, on at least an interim basis, a management plan that shall specify the actions that have been, and will be, taken to manage such financial conflict of interest going forward; and
- 2) Whenever a financial conflict of interest is not identified or managed in a timely manner including failure by the Investigator to disclose a significant financial interest that is determined by the Institute to constitute a financial conflict of interest; failure by the Institution to review or manage such a financial conflict of interest; or failure by the Investigator to comply with a financial conflict of interest management plan, the Institution shall, within 120 days of the Institute's determination of noncompliance, complete and document a retrospective review of the Investigator's activities and the sponsored research project to determine whether any of the funded research, or portion thereof, conducted during the time period of the noncompliance, was biased in the design, conduct, or reporting of such research.

If the failure of an Investigator to comply with the Institute's Financial Conflicts of Interest and Commitment Policy or a conflict of interest management plan appears to have biased the design, conduct, or reporting of the PHS-funded research, the Institute shall promptly notify the PHS Awarding Component of the corrective action taken or to be taken. The PHS Awarding Component will consider the situation and, as necessary, take appropriate action, or refer the matter to the Institute for further action, which may include directions to the Institute on how to maintain appropriate objectivity in the PHS-funded research project.

#### **Maintenance of Records**

All Financial Conflict of Interest and Commitment Disclosures and related records will be maintained by the Division of Human Resources for at least three (3) years from the date of final expenditure reports are submitted to the fund granting agency.

#### **Public Accessibility**

Rensselaer will make available information concerning identified Financial Conflicts of Interest by Investigators and Senior/Key Personnel within five (5) calendar days of a written request. All written requests should be sent to the Division of Human Resources.

## **800.13 Intellectual Property Agreement**

**Purpose** To protect Rensselaer's confidential proprietary scientific or technical information and research, while encouraging and enabling technology development and transfer.

**Policy** As a condition of employment, all employees, including faculty, staff and members of the President's Cabinet, are required to sign an Intellectual Property Agreement upon hire or at other times as designated by the Institute.

Rensselaer's Intellectual Property Policy ([http://www.rpotechnology.com/files/ip\\_policy.pdf](http://www.rpotechnology.com/files/ip_policy.pdf)), as currently set forth, and as it may change from time to time, constitutes an understanding that is binding on Rensselaer, creators, and Rensselaer faculty, staff, and students. It is also binding on any participants in Rensselaer projects or programs as a condition of their participating in Rensselaer projects or research programs or their Significant Use of Rensselaer Support.

This policy applies to all employees, including faculty, staff and members of the President's Cabinet.

**Procedure** Rensselaer will inform prospective faculty and employees before hire about the requirement to sign the Intellectual Property Agreement they will be asked to sign.

Rensselaer may, at its sole discretion, require a formal written Intellectual Property agreement or other relevant documents to facilitate implementation of the Policy as appropriate. The absence of such executed agreements shall not invalidate the applicability or enforceability of this Policy as it currently exists and as it may from time to time be amended. This Policy shall take effect immediately upon adoption by the President of Rensselaer. Amendments will become effective in a similar manner.

## **800.14 Rules for Maintenance of Public Order on Institute Property**

**Purpose** To maintain the safety of the campus community, while providing a procedures for faculty and staff to engage in peaceful demonstrations on Institute property.

**Definitions** Institute Facilities

Any facility or property that is owned, leased, used or occupied by Rensselaer, including but not limited to: private offices, lounges, dining areas, recreational facilities, residence halls, storage areas, service shops, garages, tunnels, sidewalks, facilities operations areas, and athletic facilities.

Outdoor Areas

Any Institute outdoor area that is open to access by the public or campus community, including but not limited to parking lots, sidewalks, athletic fields, lawn areas and any Institute facility entrance or egress.

**Policy** It is the policy of Rensselaer to allow peaceful demonstrations by faculty or staff members as a means to support their freedom of expression.

Academic freedom is essential to a university community. Freedom of speech and freedom of assembly are essential to academic freedom. Every member of the academic community should be free to pursue full involvement in the educational process of the university without interference from others. All members of the university community should be able to express their views by words and actions and to express by words and actions their opposition to the views and opinions of others. In order to preserve these rights all members of the university community have a responsibility to conduct themselves so that such rights may be exercised without interfering with the rights of others and without fear of violence or injury or interference.

The following rules and regulations are adopted to maintain public order on the university campus and other university property.

1. Any act which would constitute a violation of federal, New York, or local law if committed off-campus is prohibited on campus or on other university property.
2. No unauthorized person or persons shall interfere with reasonable and free access to, exit from, and normal use of any university building, classroom, or other university premises.
3. No unauthorized person or persons shall disrupt or interfere with classes, educational activities, or any events sponsored by any

university officer or official, faculty group, or student group.

4. No unauthorized person or persons shall utilize or threaten physical force, physical harassment, or physical obstruction.
5. No person or persons shall cause injury or damage to person or property.
6. Any action or situation which recklessly or intentionally endangers mental or physical health or involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization is prohibited.
7. The possession of any rifle, shotgun, or firearm in or on the campus or other university property is prohibited.

In addition to complying with the requirements of the foregoing specific regulations, which are not exhaustive, members of the academic community shall conduct themselves in a manner which does not unreasonably disrupt the academic community or unreasonably infringe upon the rights of others.

When requested by the Vice President of Human Resources or designee, persons engaged in any demonstration, meeting, or other occasion on campus or on Institute property used for educational purposes, or on other Institute property shall identify themselves in a manner satisfactory to the Vice President or designee. This Policy is intended to complement the policy and procedures set forth in The RULES FOR MAINTENANCE OF PUBLIC ORDER set forth in the Rensselaer Handbook of Student Rights and Responsibilities.

This policy applies to all employees, including faculty, staff and members of the President's Cabinet.

**Procedure** Only peaceful demonstrations are appropriate in an academic community and the Trustees are confident that no member or group of the Institute community will go beyond the bounds set by this Policy. In order to maintain the safety and to safeguard the interests of all members of the Institute community, any group or individual planning a demonstration (other than a student who must follow the protocol set for the in the Rensselaer Handbook of Student Rights and Responsibilities) must submit an 'Application For Approval of Peaceful Demonstration' to the Office of the Vice President of Human Resources at least seven (7) days prior to the proposed demonstration date and include its proposed location and the object of the intended protest, or other purpose. If a situation emerges for which a seven day notice is neither appropriate nor practical, the Vice President of Human Resources shall exercise reasonable discretion by reviewing the application to reasonably assure safety and to safeguard the interests of all members of the Rensselaer community. The Vice President for Human Resources, or designee,

shall respond to such requests in a timely manner.

At any demonstration, meeting, or other occasion, judgment as to whether the regulations are being observed shall be made at the scene by the Vice President of Human Resources or designee. The Vice President of Human Resources or designee may, before making a judgment, consult with appropriate individuals at the scene who are not involved in the demonstration, meeting, or other occasion.

Responsibility for exercising such judgment shall rest solely with the Vice President of Human Resources or designee. It must be emphasized that judgment as to whether the regulations are being observed shall not be exercised by demonstrators, those demonstrated against, or spectators in contradiction to the expressed judgment of the Vice President of Human Resources or designee, except at the risk of such individuals.

If the Vice President of Human Resources or designee at the scene of any demonstration, meeting, or other gathering determines that one or more of the regulations are being breached, he or she will request the participants to modify their conduct so as to comply with the regulations, indicating briefly and informally the nature of the breach of regulations and the requested corrective action. All participants and spectators shall comply immediately, fully and cooperatively with the requests of the Vice President of Human Resources or designee.

Should any participant or spectator decline to comply with the requests of the Vice President of Human Resources or designee, they shall be subject to ejection from the campus and, in the case of students, faculty and other staff, subject to disciplinary action by the university including termination of employment, suspension, expulsion, or other disciplinary action. Thereafter if, in the judgment of the President or any one of the President's designees, there appears to be a clear and present danger of injury to person or property or disruption of university operations is threatened, the President or designee shall seek the aid of Public Safety, the courts, or other civil authority in maintaining or restoring order including, when appropriate, ejection of the violators from the campus or other Institute property.