FREQUENTLY ASKED QUESTIONS REGARDING CONSULTING POLICIES AND REVIEW PROCEDURES

1. What types of agreements require review?

As outlined in WSE’s Policy on Conflict of Commitment and Conflict of Interest (see section 6.3), written agreements with outside entities must be reviewed whenever:

- The academic staff member’s relationship to the outside party might appear to influence the conduct of research within the University;
- The academic staff member’s relationship to the outside party might appear to influence the conduct of University business with the outside party;
- The agreement provides for intellectual property rights to an organization other than the University;
- The agreement restricts the academic staff member’s public reporting of information developed by the academic staff member under the agreement or of the existence of the agreement itself;
- The agreement involves the use of University facilities or resources; or
- The name, symbols, or logo of The Johns Hopkins University or the Whiting School of Engineering might be used by another party.

In addition to the activities requiring review, WSE recommends that academic staff review any agreement for professional services with the VDF before the agreement is signed to ensure that it is in compliance with University and WSE policies.

2. What is the process for reviewing consulting agreements?

The VDF’s office reviews proposed agreements promptly, usually within a few days of receipt. You will be notified in writing if any changes need to be made to an agreement and if it requires review by the Conflict Review Committee (CRC). If review by the CRC is necessary, final approval of an agreement may be conditional upon the
Committee's recommendations regarding conflict of interest management. If an agreement requires no changes or additional review, the VDF will inform you in writing that it meets University and WSE requirements.

3. What is the process if the VDF indicates that changes must be made an agreement?
After you receive a letter from the VDF regarding changes that must be made to your agreement in order for it to comply with University and WSE policies, you should send the outside entity a copy of the letter. Once the company has made all the changes outlined in the letter, the company should send you a revised agreement. Unless otherwise specified, the VDF must review the revised agreement. If the company has made all the changes requested, the VDF will inform you in writing that the agreement meets University and WSE requirements. In the event a conflict of interest is generated by the proposed consulting activity, final approval of the consulting agreement may be held until the Conflict Review Committee reviews the proposed arrangements.

4. What happens if a company does not make the required changes?
If the company fails to make all the required changes, you should contact the company directly. If the company has specific questions regarding revisions to the agreement that you cannot answer, a company representative may contact the VDF directly to discuss resolution of any differences.

5. Who keeps agreements after they are signed?
You should keep the original final signed agreement for your records and send a copy of the final signed agreement to the VDF’s office for its records. Any proposed changes, amendments, or extensions to previously reviewed agreements must be submitted to the VDF and are subject to additional review.

6. Is a consulting template available?
A consulting agreement template, which meets University and WSE standards, is available here (http://engineering.jhu.edu/include/content/pdf/adr/consulting-template.pdf). If you and an outside entity choose to use the template, please be aware that this does not eliminate your obligation to submit the proposed agreement to the VDF for review.

7. What happens if a problem arises with a company after an agreement is fully executed?
Please remember that private consulting agreements are contracts between you and an outside entity. Once an agreement is fully executed, you are responsible for fulfilling your obligations under the agreement. Responding to any claims made against you (e.g., for breach of contract) will be your personal responsibility and you will have to handle personally any claims you might have against the company (e.g., regarding timely payment). The Johns Hopkins University and its Schools and Divisions assume no liability or responsibility for such private agreements.