

Office of Biotechnology
Guidelines for Departmental Approval of Consulting Relationships
Information for Department Chairpersons

Einstein's policy on consulting relationships requires each faculty member to obtain approval of any proposed consulting agreement from (1) his/her department chair *and* (2) from the Dean, through the Office of Biotechnology.

The Office of Biotechnology will only review a proposed consulting agreement after department chair approval has been obtained. The approval process conducted by the Office of Biotechnology will focus on ensuring that the terms of a proposed consulting agreement do not conflict with the obligations of the faculty member to Einstein, including obligations regarding intellectual property rights.

Department chair approval is at the discretion of the chair. However, adherence to the following guidelines, in general, should result in the application of uniform criteria across departmental borders, which is preferred. Nonetheless, these guidelines focus only on the key issues to consider, and these guidelines are not intended to be comprehensive or to exclude other issues that may arise in individual circumstances.

Finally, please keep in mind that consulting agreements are binding legal contracts between the faculty member and the company. As such, the faculty member should always be encouraged to seek legal advice from his/her attorney prior to signing any consulting agreement.

Consulting agreements must comply with the following Einstein policies:

▪Conflict of Commitment:

Will consultant be able to perform consulting duties without adversely affecting the amount of time or effort that he/she devotes to his/her academic duties (research, teaching, writing, etc)?

▪Conflict of Interest:

Is there any aspect of the consulting relationship which may create, or would appear to create, a conflict of interest that should be disclosed to the Committee on Conflict of Interest.

For example:

- consultant receives significant research funding from company
- consultant conducts clinical studies for company
- consultant or his/her relatives have significant equity stake or ownership in company

▪Non-Use of College Resources:

Will the consulting services be performed without reliance on Einstein resources, including facilities, equipment, students, staff or other departmental personnel?