



Compliance & Strategic Initiatives *Export Control*

Export Controls Compliance with Distance Education at Universities

Checklist for Review of Distance Education Courses | 2020-September

The United States federal government regulates the export of certain commodities and information for reasons of national security, foreign policy, and competitive trade reasons. As an entity of the United States, institutions of higher education are subject to compliance with export control laws and regulations through several federal bodies to include the Department of Commerce Bureau of Industry and Security (BIS) who administers the Export Administration Regulations (EAR), the Department of State Directorate of Defense Trade Controls (DDTC) through its International Traffic in Arms Regulations (ITAR), and the Department of Treasury Office of Foreign Assets Control (OFAC), amongst others. Distance education provided through a degree granting institution of higher education allows enrolled students to receive instruction from practically any location in the world. Seemingly, and in tandem with compliancy expectations and obligations, this scenario creates risk related to potential export control violations.

Date: _____

Semester Course Delivery Date: _____

Course Instructor and Department: _____

Course Number: _____

Course Title: _____

Course Content and Materials:

Yes **No** Does an exception to export control laws and regulations apply to the course materials (i.e. ITAR §120.11 “public domain,” EAR §734.7 “published,” or EAR §734.8 “fundamental research”)?

Yes **No** Will there be an export of physical items or a transfer of controlled technical data?

Yes **No** Does the course content contain graduate level topics in a STEM discipline?

Yes **No** Does the course content contain materials not commonly taught in colleges and universities?

Yes **No** Does the instructor potentially intend to stray from the general course topic?

Instructor Signature

Date

If “yes” is indicated on any of the above assessments other than question 1, administering employee consultation with the export control office is imperative. The course should not be delivered, or controlled items or information exported before ensuring compliancy through licensing authorization or general license applicability.

Embargoed Countries:

Yes **No** Will individuals from or located in an embargoed country be enrolled in the distance education course?

If “yes,” the export control office should ensure compliancy through licensing authorization or general license applicability.

Restricted Party Screenings:

Yes **No** Has restricted party screenings been conducted on all enrolled non-US persons?

Export Control Review Signature

Date