University Compliance

exportcontrol@tarleton.edu | 254-968-9415

Export Control - New Course Checklist

Course Teacher of Record: _____

Course No. & Title: _____

Department: _____

Anticipated Semester & Year of Course Delivery to Begin: _____

Intended Course Delivery Method (e.g., face-to-face, online, hybrid, etc.): _____

Background: Most educational activities at a US–based institution of higher education may fall under a specific exception to some export control laws and regulations. Generally speaking, release of information by instruction in catalog courses and associated with a US academic institution will most likely not require a license from BIS or DDTC. The following indicates several exceptions available that might apply to course content.

ITAR §120.10 Technical Data and **§120.11 Public Domain** – "Technical Data" excludes information concerning general scientific, mathematical, or engineering principles that are generally taught in schools, colleges, and universities (§120.10). Additionally, information meeting the definition and release requirements of "public domain" (§120.11) to include fundamental research, is not subject to the ITAR.

EAR §734.7 Published and **EAR §734.8 Fundamental Research** – Information that meets the requirements of §734.7 as "published" and/or §734.8 that meets the requirements of "fundamental research" is excluded from the EAR.

Course Content and Materials:

☐ **Yes** ☐ **No** 1. 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** 2. Will there be an export of physical items or a transfer of controlled technical data?

☐ **Yes** ☐ **No** 3. Does the course content contain graduate level topics in a STEM discipline?

☐ **Yes** ☐ **No** 4. Does the course content contain materials not commonly taught in colleges and universities?

☐ **Yes** ☐ **No** 5. Does the instructor potentially intend to stray from the general course topic?

☐ **Yes** ☐ **No** 6. Does the course include encryption technology?

_____   _____
Course Teacher of Record Signature   *Date*

If your answer to question 1 is "No" or your answer to questions 2-6 is "Yes," export control compliance review by University Compliance is required and this completed and signed form must be emailed to exportcontrol@tarleton.edu. In such instance, the course should not be delivered before University Compliance has conducted an export control review and cleared by indication below.

Export Control Office Review:

☐ **Yes** ☐ **No** Export Control compliance review completed and cleared for course delivery.

Comments or requirements if not cleared for course delivery: _____

_____

_____   _____
Export Control Review Signature   *Date*