



OFFICE OF COMPLIANCE SERVICES  
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## POLICY

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**Title:** Export Controls

### Policy Statement

It is the policy of the University of Vermont (University) to comply with U.S. export control laws and regulations and to take appropriate measures to promote effective management and compliance with such laws and regulations with those University Personnel who are engaged in export-controlled activities.

### Reason for the Policy

The United States government implements a series of export control laws and regulations that are designed to assist with national security, foreign policy, and economic objectives, as follows:

- The U.S. Department of Commerce regulates certain dual-use technologies, materials, items, software, and technology under the Export Administration Regulations (EAR).
- The U.S. Department of State controls the export of defense articles, defense services and related technical data under the International Traffic in Arms Regulations (ITAR).
- The U.S. Department of the Treasury, Office of Foreign Assets Control (OFAC) regulates economic and trade activities with sanctioned and embargoed countries, as well as prohibiting U.S. persons from working with certain individuals and companies designated on various lists such as the Specially Designated Nationals (SDNs) list.

Export control laws and regulations apply universally to all University academic and research activities.

Violations or non-compliance with export control laws and regulations can result in civil and criminal penalties, fines, suspension, and debarment from government contracting, which may apply to an individual and/or the University. University Personnel who violate export control laws and regulations while acting within their scope of employment will result in the initiation of disciplinary action consistent with the standards and procedures of applicable policies or collective bargaining agreements. In addition, individuals can face imprisonment.

### Applicability of the Policy

This policy applies to all University Personnel.

## Definitions

Deemed Export: means the release of export-controlled technology to foreign persons in the U.S., which is then "deemed" to be an export to the foreign person's home country.

Empowered Official (EO): The University named EO is the Vice President for Research. The EO has the independent authority to:

- (a) Inquire into any aspect of a proposed export, temporary import, or any other transaction within the scope of export control regulations.
- (b) Verify the legality of the transaction and the accuracy of any information to be submitted for export licensing or other approval authority.
- (c) Refuse to sign any export license application or other request for approval without retribution.
- (d) Initiate and pursue all forms of investigation. Initiate violation or non-compliance reporting to the appropriate governing body when deemed necessary.
- (e) Delegate some or all of the EO responsibilities to one or more designee.

U.S. Person: A person who is: 1) a U.S. citizen (whether born or naturalized); 2) a lawful permanent resident of the U.S. (green card holders); or 3) a protected individual (granted asylum or refugee status). Corporations incorporated in the United States are U.S. persons for purposes of the ITAR and EAR.

Foreign Person: Any person who is not a U.S. Person as defined above, including foreign governments or entities not incorporated to do business in the U.S.

### Technology Control Plan:

A Technology Control Plan is a document that outlines the procedures to safeguard and secure certain export-controlled items (technical data, materials, software, or hardware) from unauthorized use, access, and observation by foreign persons. Technology Control Plans are project specific and customized dependent on the security measures needed for the circumstances and situations. Technology Control Plans are developed by the University Research Compliance Officer with assistance from the project Principal Investigator (PI). The project PI is responsible for the Technology Control Plan implementation, monitoring, and non-compliance reporting.

University Personnel: means all University of Vermont employees, students, trainees, visitors, and other persons retained by or are working at the University who are involved in research, scholarly activities, or other activities subject to export controls.

## Procedures

University Personnel play an important role in export control compliance by identifying potential export-controlled activities and where such activity is identified, contact the appropriate operational office listed in the contact section below, where further review and action will be taken, as needed.

Without approval coordinated through the Office of the Vice President of Research, University Personnel may not engage in the transfer of export-controlled information, equipment, technology, technical data, services or any other export-controlled commodity to a foreign country, a foreign person, including a foreign person located within the U.S.

Such an approval to transfer to any export controlled tangible item, equipment, technical and scientific data, information or software to a foreign country or foreign person, including a deemed export may require a government approved export license or other government approval.

Requests for an export license must be initiated and coordinated through the Office of the Vice President of Research.

License reviews, applications, approvals, or denials under this policy can take up to 3-6 months or longer before a final determination is made. Each license is for a specific export transaction.

In addition, University Personnel may be prohibited from conducting any activity with the foreign entities and individuals that are the subject to U. S. Treasury sanctions and embargos unless prior authorization is received from the Office of Foreign Assets Control.

Requests for approvals to conduct activities with embargoed and sanctioned countries or individuals must be initiated and coordinated through the Office of the Vice President of Research.

## Sponsored Project Administration Procedures

Sponsored Project Administration (SPA) procedures implementing this policy can be found at the following webpage: [Research Integrity - Export Control Regulations](#).

Following SPA procedures, any identified export-controlled award will require a Technology Control Plan. The project Principal Investigator is responsible for the subsequent Technology Control Plan implementation and monitoring, including making sure all University Personnel working on an export-controlled project complete the required export control training as listed in the below training section.

If a University researcher needs to export any item restricted for export under Export Control laws, including a deemed export, the export activity must pause until a review to determine if a license is required under the U.S. export control laws and regulations.

Alleged violations of this policy should be reported to the direct supervisor of the University Personnel. The supervisor then informs the Department Chair, Dean, the Director of Compliance Services, and the Vice President of Research. At their discretion, the appropriate Department Chair or Dean will determine the manner in which the alleged violation will be investigated. The Dean will consult with the Vice President for Research on the appropriate discipline, if any, to be imposed. For represented employees, provisions of any applicable collective bargaining agreement will apply.

## Contacts

<b>Questions concerning the daily operational interpretation of this policy should be directed to the following depending on the subject matter of your request:</b>	
<b>Title(s)/Department(s):</b>	<b>Contact Information:</b>
Vice President for Research/Empowered Official	ovpr@uvm.edu
University Research Compliance Officer	exportcontrols@uvm.edu
Executive Director for Research Administration and Integrity	exportcontrols@uvm.edu
Associate Dean for Research	See UVM directory

Office of International Education	internationalstudents@uvm.edu
Foreign Travel	travel@uvm.edu
ETS	helpline@uvm.edu
Purchasing	purchasing.department@uvm.edu
Print and Mail Center	print.mail@uvm.edu
Office of the General Counsel	General.Counsel@uvm.edu

The above contacts will arrange for appropriate support both within the University and, where necessary, outside the University, to address export control and license issues.

### Forms/Flowcharts/Diagrams

- [Sponsored Project Administration Export Control Checklist](#)

### Related Documents/Policies

- University [Research Integrity - Export Control Webpage](#)

### Regulatory References/Citations

- U.S Dept of Commerce: [Export Administration Regulations \(EAR\)](#)
- U.S. Dept of Commerce: [Export Control Training Videos](#)
- U.S. Dept of State: [International Traffic in Arms Regulations \(ITAR\)](#)
- U.S Dept of Treasury: [Office of Foreign Assets Control \(OFAC\)](#)

### Training/Education

Training/education related to this policy is as follows:

<b>Training Topic:</b>	<b>Required for project specific University Personnel</b> <ul style="list-style-type: none"> <li>• Introduction to Export Compliance (ID 16800)</li> <li>• Export Compliance for Researchers: Part I (ID 16801)Export Compliance for Researchers: Part II (ID 16802)</li> </ul> <b>Optional Training</b> <ul style="list-style-type: none"> <li>• Export Compliance for Research Administrators (ID 16803)</li> <li>• Export Compliance and Biosafety (ID 16805)</li> <li>• Export Compliance for Operational Departments (ID 16806)</li> <li>• Export Compliance for International Shipping (ID 16807)</li> <li>• Export Compliance and Purchasing (ID 16808)</li> <li>• Export Compliance and International and Foreign Waters (ID 16809)</li> <li>• Export Compliance and Collaborations (ID 16810)</li> <li>• Export Compliance and United States Sanctions Programs (ID 16812)</li> </ul> <p>Note: CITI Training periodically changes course, course names and course ID #.</p>		
<b>Training Audience:</b>	Required: University Personnel working on an export controlled sponsored project.	<b>Delivered By:</b>	<a href="#">CITI Program</a>

<b>Method of Delivery:</b>	On-line training provided by CITI Program	<b>Frequency:</b>	As needed
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### About this Policy

<b>Responsible Official:</b>	Vice President for Research	<b>Approval Authority:</b>	President
<b>Policy Number:</b>	V. 6.2.5	<b>Effective Date:</b>	May 5, 2025
<b>Revision History:</b>	<ul style="list-style-type: none"> <li>• V. 6.2.2/V. 3.2.4.2 effective July 6, 2011</li> <li>• V.6.2.4 effective January 10, 2025</li> <li>• V.6.2.5 effective May 5, 2025</li> </ul>		

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