



MEMORANDUM

To: Faculty and Staff
From: Karen Royal, Director of Compliance
Date: November 1, 2018
Subject: Export Controls Compliance Program—Phase Implementation
Phase 8 – Distance Learning

Summary: Distance Learning at Texas A&M University-Kingsville refers to credit-bearing, transcript courses offered to registered students where the course delivery occurs in a setting where the students and instructor of record are not in the same place at the same time or, where the instruction for the course occurs at an approved, off-campus educational site. Due to the element of distance in this education delivery method, export control concerns may arise. It is the responsibility of the academic department offering the course and the instructor of record to ensure export control requirements are reviewed before delivery and any concerns addressed with the Office of Compliance. The export of service, including educational instruction, is prohibited to certain sanctioned and embargoed countries. This means that students cannot receive educational instruction without a proper license while physically located in a prohibited country.

Detail: As previously indicated, implementation of the TAMUK Export Controls Compliance Program will be completed in phases. Phase 8, Distance Learning, is outlined in sections 8.0 of the TAMUK Export Controls Compliance Program Manual.

Faculty: To ensure compliance with export controls, the faculty is required to verify the status of their distance learning course in regards to the compliance guidelines in place. When offering a distance learning course, faculty must first submit a Request to Offer Distance Education course form. An acknowledgment box addressing compliance with export control protocols must be reviewed and checked to submit the form. If a faculty member is unsure about their course or its content, it is recommended that they speak to the Office of Compliance.

Students: Before registration, each student will be asked to certify that they will not access any TAMUK online courses while located in any embargoed or sanctioned country listed by the Office of Foreign Assets Control (OFAC).

Every student must accept the Distance Learning - Export Control Acknowledgment before registering for classes. Export Control compliance is required by law. Students who do not accept the terms cannot register for classes.

Texas A&M University - Kingsville makes no representation that materials available on online courses are appropriate or available for use in other locations. Access to course content from territories where such content is illegal is prohibited. Those who choose to access online courses from the specified locations do so on their own initiative and are responsible for compliance with applicable laws and registration penalties.

References:

- *Export Controls Compliance Program Manual*
http://www.tamuk.edu/compliance/TAMUK-Export_Controls_Manual.pdf

For further Export Controls assistance, please direct questions to the Office of Compliance at ExportControls@tamuk.edu.

Thank you,

Karen B. Royal, J.D., CCEP
Director of Compliance
Texas A&M University-Kingsville