



UNIVERSITY OF MIAMI POLICY AND PROCEDURE MANUAL

TITLE:	Export Control Policy	REFERENCE:	New
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		SUPERSEDES:	New
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	Associate Vice President	EFFECTIVE:	02/02/2014
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PURPOSE:

UM employs foreign nationals and often hosts foreign visitors in connection with international exchange programs, degree-granting programs, and other business agreements. While UM welcomes the opportunity to employ foreign nationals¹ and host International visitors, it must also assure compliance with U.S. laws and regulations governing the export of certain commodities and technical data.

Export control laws and regulations apply to and affect the full range of UM activities including research and scholarly activity, software development, hiring, the selection and education of international students, scholars and graduate advisors, laboratory security, technology transfer, purchasing, receiving and shipping, international travel, exchanges of educational, research and technical information, and responsibility for the activities of visitors to the campus.

Failure to comply with export control laws and regulations affects both the individual(s) involved in the violation as well as UM. Criminal and Civil penalties can be financially severe and may also include imprisonment, deportation, or loss of licensure. Other administrative sanctions may include loss of research funding and export privileges.

SCOPE:

All UM personnel must be aware of the complex and detailed rules provided under Federal and non-Federal regulations as well as the terms and conditions of the individual sponsored activity. While compliance with all applicable requirements is essential, it is equally important to maintain an open research environment that welcomes the participation of researchers from around the world as part of UM's mission. To maintain this balance, UM personnel must be familiar with this policy in addition to the Federal and non-Federal regulations on restricted sponsored activities.

This policy applies to all UM personnel, namely:

- Faculty, including voluntary faculty.
- Faculty emeriti engaged as active researchers on UM research activities.
- Researchers, including research staff, postdoctoral fellows, and research associates.
- Graduate students, undergraduate students, and interns involved in research programs.

¹ A foreign national is any individual who is not a U.S. Citizen, Permanent Resident (green card holder), or protected under U.S. refugee or asylum status.

- Staff in departments, centers, institutes, and administrative offices charged with responsibilities under this policy.
- Consultants, agents, and volunteers associated with research and scholarly activities, as well as in departments and offices charged with responsibilities under this policy.

POLICY:

It is the policy of the University of Miami (UM) to comply with all U.S. export control laws and regulations, and to develop and maintain an export compliance program that enables UM employees, faculty, students, trainees, visiting scientists, and other persons, herein referred to as "UM personnel," retained by or working at or for UM to conduct business in accordance with these laws and regulations. No UM personnel may engage in any export activity that is prohibited by the U.S. Department of Commerce, the U.S. Department of State, the U.S. Department of Treasury's Office of Foreign Assets Control, or any other government agency that enforces export laws/regulations. Similarly no UM personnel may transfer any controlled item, including technology and technical data, without approved documentation.

Compliance with export control laws and regulations must be considered and achieved before traveling internationally, engaging in science or technology-based research, executing contracts or other agreements, purchasing high-technology devices or software, or engaging in any other activity that may be affected by export controls.

Export control requirements are constantly changing. Governmental and inter-governmental agencies in the U.S. and abroad are evaluating their regulations and protocols as a result of new laws and directives, as well as administrative and judicial experience. While this policy will be reviewed and revised on a regular basis, it is essential that all UM personnel keep current with information and training provided by the Director, Export Control Compliance within the Office of Research Administration.

The Assoc. Vice President for the Office of Research Administration and the Director, Export Control Compliance are UM's Empowered Officials.

DEFINITIONS:

Please refer to UM's ORA website for a list of acronyms and terms commonly used in sponsored/ research administration grants, contracts, and cooperative agreements:
<http://ora.miami.edu/assets/pdf/ora-policies/glossary.pdf>

PROCEDURE:

UM personnel are to use UM's [Office of Research Administration website](#) for guidance on matters pertaining to export controls.

UM personnel are to follow the Standard Operating Procedures (SOP) outlined as well as utilize the various required forms and templates that have been implemented for the activities that fall under the management of the ECO. (e.g., Purchase requisitions, hiring foreign nationals, observerships, technology control plan, federally funded research, shipping, international travel)

Where the [Office of Research Administration website](#) fails to provide the information or resources needed, UM personnel should contact the Director, Export Control Compliance directly for consultation. Contact information for the Director can be found on the [Office of Research Administration website](#).