NAME	Standard Operating Procedure (SOP): Export Control Compliance For Online Distance Education
VERSION	1.0
PREPARED BY	Export Control and Research Cybersecurity Office
APPROVED BY	AVP, Research Compliance and Regulatory Affairs
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LAST REVISED	

Purpose and Scope

This SOP is aimed at ensuring that academic departments at Emory University comply with U.S. export control laws and trade-related sanctions when offering online undergraduate and graduate courses. Non-compliance with these regulations can result in severe civil and criminal penalties. Academic departments offering online courses and/or distance education programs must take all reasonable steps to avoid noncompliance.

Procedures

1. **Pre-Registration Screening**

   Rationale: Federal trade and economic sanctions restrict the services that Emory can provide to individuals whose ordinary residence is in comprehensively sanctioned countries. Certain online undergraduate and graduate level courses for students ordinarily domiciled in a comprehensively sanctioned countries are prohibited unless specific authorization is granted by the Office of Foreign Assets Control (OFAC), Department of Treasury.

   Review procedure: To ensure compliance with the regulations, online course registration forms must incorporate a country-of-domicile check. This can be done by asking prospective students to indicate their country of permanent residence during the application or registration process.

   Applications from comprehensively sanctioned countries will be referred to Export Control and Research Cybersecurity (ECRC) for review. Student enrollment must be paused until the ECRC review is completed. Should a student later report that they have relocated to a comprehensively sanctioned country, academic units must pause access to instructional materials and notify ECRC promptly for further guidance.

2. **Program Content Review**

   Rationale: Under the Export Administration Regulations (EAR) Educational information released by instruction in a catalog course or associated teaching laboratory of an academic institution is generally **not** subject to export controls. There are exceptions when it comes to information related to encryption or defense-related articles.

   Review Procedure: Before developing or offering a course in the following areas, academic units must contact ECRC for review:
   - Content related to encryption software
   - Content involving information or technical data with military application, including information that is in the public domain.
   - Use of external instructional software or cloud-based tools not centrally supported by Emory, particularly if the hosting location or data flows are uncertain.

   Where supported by existing Emory systems or vendor capabilities, academic units should use standard platform settings that limit unintended sharing, downloading, or redistribution of course content.

3. **Third Party Agreements**

   Academic departments and schools that use third parties to recruit students or deliver for online and distance programs will ensure that the third-party service providers agree to comply with all applicable U.S. export control laws and regulations, including associated embargo and sanction regulations.

   Third-party providers should only use those delivery platforms and content-distribution methods approved by Emory for instructional use. Providers must not distribute course content outside approved systems.

4. **Comprehensively Sanctioned countries**

   Currently, comprehensively sanctioned countries include Cuba, Iran, North Korea Ukraine regions of Crimea, Donetsk, and Luhansk. ECRC will update this list should there be changes.

Related policies

Emory Policy 7.11 Export Controls