

UNIVERSITY OF NORTH CAROLINA SCHOOL OF THE ARTS
Export Control Policy
Policy #112

Source of Authority: Various Federal Laws & Regulations as stated herein;
N.C.G.S. § 116-34(a)
UNC Code 502(A)

Revision Authority: Chancellor

History: **First Issued:** February 17, 2011

Related Policies: US Department of Commerce [Export Administration Regulations](#);
US Department of State [International Traffic in Arms Regulations](#);
US Department of the Treasury [Office of Foreign Asset Control](#);
UNC [Regulatory Compliance, Export Controls Website](#);
Improper Activities Reporting Policy #114

Responsible Offices: Chancellor;
Chief Academic Officer;
Chief Operating Officer

Effective Date: February 17, 2011

I. Purpose

This policy effectuates UNCSA’s compliance with United States Export Control laws and regulations which restrict, for reasons of national security and foreign policy, the shipment, transmission or transfer of certain items, software, technology and services from the U.S. to foreign countries, as well as “deemed exports,” which are releases of controlled technology and software source code to foreign nationals located in the U.S

II. Scope

This policy applies to all UNCSA employees and students.

III. Definitions

IV. Policy

- A. **Compliance.** All UNCSA employee and students must comply with all United States Export Control laws and regulations, including but not limited to the Department of Commerce's Export Administration Regulations (EAR), the Department of State's International Traffic in Arms Regulations (ITAR), and the regulations administered by the Treasury Department's Office of Foreign Assets Control (OFAC).
- B. **Prior Authorization.** Prior written authorization from one or more U.S. government agencies may be required to carry out certain activities involving specified technologies or certain countries.

C. UNCSA Empowered Official

1. The Chief Advancement Officer (CAO) will serve as UNCSA's Empowered Official as defined in the International Traffic in Arms Regulations (22 CFR § 120.25). In the event the CAO cannot legally serve as the Empowered Official, the Chief Operating Officer will serve as the Empowered Official.
2. The Empowered Official is authorized to sign export license applications or other requests for approval on behalf of UNCSA and will have overall responsibility for the University's compliance w/ this policy and any other applicable laws and regulations.

D. Failure to Comply. Failure to comply with United States Export Control laws and regulations may result in criminal and civil penalties (e.g. fines and prison sentences), as well as administrative sanctions (e.g. loss of research funding and export privileges), being levied against the individual or UNCSA.

V. Revision History

- A. February 17, 2011 – Adopted by Board of Trustees as part of UNCSA Policy Manual