

	Office of Export Controls and Customs	SOP Number:	RPS001.0
	Standard Operating Procedure for:	Implementation Date:	JUL-31-2018
	International Students, Visiting Scholars, and Employees	Last Revision Date:	JUL-31-2018
		Related Policy Number:	REG01.15.08
	Related Policy Name	Export Controls and Customs Compliance	

## PURPOSE

Describe the process for screening International Students, Visiting Scholars, and Employees against various restricted party lists.

This SOP establishes the responsibilities of faculty and staff involved in the admission or hiring of international students, visiting scholars, and employees by ECU. Foreign national students, scholars, and employees may implicate export control requirements and a license may be required for them to conduct research at ECU, to receive distance education services, or be employed at ECU, including, but not limited to, employment in research laboratories.

## SCOPE

### RELEVANT ACTIVITIES

### RELEVANT AUDIENCE

Restricted Party Screening for incoming International Students, Employees, and Visiting Scholars.	Faculty, Staff, Students
<b>OUT OF SCOPE:</b> <b>Foreign Donor Screening</b> <b>Foreign Undergraduate Student Screening</b> <b>Foreign Vendor Screening</b>	

## RESPONSIBILITIES

TASK	RESPONSIBLE PARTY	WHEN
Notify OECC of intent to offer admission to new international graduate or exchange student to Graduate School	Graduate School Admissions/Student Services (See definition for "Requestor")	Prior to offering student admission
Notify OECC of intent to invite international Visiting Scholar	Global Affairs (See definition for "Requestor")	Prior to inviting scholar
Notify OECC of intent to hire a foreign national employee	Immigration Services (See definition for "Requestor")	Prior to employment start date

# DEFINITIONS/ACRONYMS

ACRONYM or TERM	DEFINITION
Export Control	Regulates the shipment or transfer, by whatever means, of certain items, technology, software, and services out of the United States.
Export License	A specific authorization provided by a government agency authorizing the export or activity that is subject to certain regulations or sanctions.
License Exception	A general authorization that allows for exports that may otherwise require a specific license to take place without obtaining a license if certain stated conditions are met and upheld.
OECC	ECU Office of Export Controls & Customs. Responsible for creating, implementing, and maintaining processes and procedures that facilitate and demonstrate ECU's compliance with federal import and export regulations; also promotes topic awareness and provides training to relevant audiences.
Requestor	For the purpose of this SOP, the term Requestor refers to the different ECU offices that handle the processing of incoming international graduate students, employees, and visiting scholars; including Graduate Student Services, Immigration Services, Global Affairs, etc.
Restricted Party	An individual or entity included on any government sanctions list, such as the Entity List, Denied Persons List, or Specially Designated Nationals List, among others. Inclusion on a sanctions list may restrict or prohibit engaging with the named individual or entity.
Technology Control Plan	A formally-agreed upon plan to prevent unauthorized access to export-controlled technology or software.
USCIS Form	Reference name for OECC's 'Certification Pertaining to the Release of Controlled Technology or Technical Data to Foreign Persons in the United States' form. Form is used to document the licensing determination for incoming foreign employees and supports the U.S. Citizenship and Immigration Services I-129, Petition for a Nonimmigrant Worker.

# PROCEDURES

For the purpose of this SOP and as listed in the following table, individuals are grouped into categories. Each procedural step applies to the categories identified in that step.

Category	Category Description	Qualifier
G	Graduate Students	Foreign only
X	Graduate Exchange Students	Foreign only
E	Employees	Foreign only
S	Visiting Scholars / Post-docs	Foreign only

Sequence	RESPONSIBLE PARTY	DESCRIPTION	APPLIES TO CATEGORIES
1.0	Requestor	Requestor notifies OECC of new foreign student, employee, or scholar	G/X/E/S
1.1	Requestor	Requestor uploads documents to Xtender (application, passport, transcripts, etc.) and notifies OECC via email at <a href="mailto:ECUExportControls@ecu.edu">ECUExportControls@ecu.edu</a>	G/X
1.2	Requestor	Requestor emails resume/CV to OECC at <a href="mailto:ECUExportControls@ecu.edu">ECUExportControls@ecu.edu</a>	E/S
2.1	OECC	OECC retrieves international student's documents, including transcripts, application, passport, etc. from Xtender system and conducts restricted party screening based on information provided by student; these may include screening the individual, foreign institutions attended, foreign employers, foreign references, etc.	G/X
2.2	OECC	OECC reviews international employee's resume/CV and conducts restricted party screening based on information contained therein, including the individual, previous employer(s), and institutions attended.	E/S
3	OECC	OECC provides approval to proceed or summary of concerns to Requestor based on results of export control screening (Does not include licensing determination because research project not typically known at time of admission. See SOP for Research for export screening that occurs once research project is identified.)	G/X/E/S

Sequence	RESPONSIBLE PARTY	DESCRIPTION	APPLIES TO CATEGORIES
4.1	OECC	OECC determines U.S. export license requirement, if any, completes USCIS form, and provides signed form to Requestor	E
4.2	OECC	If an export license is required and no license exception is available, for the employee to perform their intended duty at ECU, OECC will initiate the export license process and request that an ECU-internal Technology Control Plan (TCP) be implemented to restrict access to export-controlled technology until licensed	E
4.3	Requestor	Notify appropriate Department to work with OECC to implement TCP	E

## OECC SERVICE LEVEL TARGET

SERVICE PERFORMED	TRIGGER EVENT	TARGET Turn-Around-Time
Perform export control screening on all potential international graduate students, exchange students, visiting scholars, and employees to ensure the individual is not included on any prohibited party list issued by various US government agencies.	OECC is notified by requestor of potential of new incoming international graduate students, exchange students, visiting scholars, or employee.	3 business days from Request receipt

## REFERENCES

REFERENCE DESCRIPTION	LOCATION
ECU Export Control Policy	<a href="http://www.ecu.edu/pr/01/15/08">http://www.ecu.edu/pr/01/15/08</a>

## CREATION/REVISION/APPROVAL HISTORY

Create Date	Owner	Approver	Comments
Jul-31-2018	Daniel Gregory	Tony Rowe	First Release

<b>Revision Date</b>	<b>Owner</b>	<b>Approver</b>	<b>Significant Revisions</b>
Not Applicable	Not Applicable	Not Applicable	Not Applicable

END OF PROCEDURE