
Approved

Stretch Goal or Strategic Initiative: N/A

MATTERS FOR ACTION:

The Board of Governors of the Colorado State University System (Board): Approval of Board policy calling for adoption by Colorado State University System (System) of a System wide export control policy which also directs each institution within the System to adopt policies and procedures to promote compliance with applicable United States export control laws and regulations.

RECOMMENDED ACTION:

MOVED, that the Board of Governors of the Colorado State University System hereby approves the Board export control policy statement set forth below for the System and its institutions, Colorado State University, Colorado State University-Pueblo and Colorado State University-Global Campus.

EXPLANATION PRESENTED BY: Michael D. Nosler, General Counsel

The purpose of this Policy is to define and promote compliance with United States export control laws and regulations within the System.


Export control laws are the federal laws and regulations governing the export of commodities, software, technology, goods and materials, and data. These laws and regulations include the Commerce Department's Export Administration Regulations (EAR), State Department's International Traffic in Arms Regulations (ITAR), the Treasury Department's Office of Foreign Assets Controls (OFAC), and others.

Failure to comply with export control laws subjects the researcher (and others involved) to potential *criminal and civil penalties*. It also subjects the System and its institutions to potentially serious sanctions, including loss of the ability to export, loss of federal funding, and monetary penalties.

POLICY STATEMENT:

The Colorado State University System is committed to the highest level of compliance with all applicable United States export control laws and regulations governing the transfer of tangible items, software, technology, and information to a foreign national or foreign country. Research, scholarly, and other activities of the system and its institutions are subject to export controls. Penalties for non-compliance are severe, and impact both the institution and the principal investigator. If a person seeks to export a controlled item, the person shall first secure the appropriate license(s) or approvals in accordance with this Policy and all applicable policies and procedures prescribed by the respective institution.

Each institution shall develop specific policies and procedures as necessary to comply with this Policy, aid researchers and employees, and further its research, academic and service mission, and shall maintain such policies and procedures to remain current with changes in applicable laws. Such policies and procedures shall be maintained on the institution's website and available to all faculty and staff of the institution. Incidents involving a violation or threatened violation of export control regulations shall be reported to and documented by the institution's vice president for research or other, appropriately responsible official.



Approved

Denied



Marylou Makepeace, Board Secretary

10-05-12