REGULATION TITLE:
Export Controls

REGULATION NO:
FGCU-PR TBD

SUMMARY:
This Regulation is being created in order to prepare a framework for an export control compliance program.

FULL TEXT:
The full text of the regulation being proposed is attached and can also be found at http://www.fgcu.edu/generalcounsel/promulgation.asp

AUTHORITY:
Code of Federal Regulations; Board of Governors Regulation 1.001

UNIVERSITY OFFICIAL INITIATING THE PROPOSED/REVISED REGULATION:
T.C. Yih, Ph.D., Associate Vice President for Research and Dean of Graduate Studies

UNIVERSITY OFFICIAL APPROVING THE PROPOSED/REVISED REGULATION:
Ronald B. Toll, Ph.D., Provost and Vice President for Academic Affairs

CONTACT INFORMATION REGARDING THE PROPOSED/REVISED REGULATION:
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Any person may submit written comments concerning a proposed regulation, amendment, or repeal to the contact person identified above within 14 days after the date this notice was posted. The comment(s) must identify the regulation to which you are commenting.

THIS NOTICE WAS POSTED ON THE FGCU WEBSITE ON MARCH 17, 2016.
A. GENERAL STATEMENT

It is the policy of Florida Gulf Coast University (“FGCU” or “University”) to comply with U.S. export control laws. Export control laws restrict access to certain types of information, technologies, and commodities that can be transmitted or shipped overseas to individuals, including U.S. citizens, or made available to foreign persons on U.S. soil. It is the responsibility of faculty, staff, and students to be aware of and comply with U.S. export control laws as well as with the University’s written policies and procedures before engaging in any activities that may raise compliance issues under U.S. export control laws or regulations.

B. RESPONSIBILITY FOR COMPLIANCE

It is the responsibility of the Office of Research and Graduate Studies (ORGS) to provide training and guidance on export control regulations. The University will develop and implement a written policy, procedures, and guidelines to implement an Export Control compliance program.

C. RECORDKEEPING

The University shall use a commercially available software program to record and track all export control compliance reviews.

D. VIOLATION

As an institution of higher education, the University must comply with federal laws and regulations relating to the United States Export Controls. Failure to comply could result in the following:

1. Criminal penalties for unlawful export and disclosure of information in violation of U.S. export control laws exposes both the individuals involved and the University to severe criminal and civil penalties as well as administrative sanctions (loss of research funding and export privileges).

2. A student found to be in violation of this policy may be subject to discipline under Regulation FGCU-PR 4.002, Student Code of Conduct and Student Conduct Review Process, and may be referred to law enforcement officials for prosecution.

3. An employee found to be in violation of this regulation may be subject to discipline under Regulation FGCU-PR 5.016, Disciplinary Actions, or as may be provided in the Collective Bargaining Agreement, as applicable, and may be referred to law enforcement officials for prosecution.
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Action by Florida Gulf Coast University Board of Trustees
Approved ____________

Specific Authority
Code of Federal Regulations; Board of Governors Regulation 1.001

History of Regulation
New ____________

Effective Date of Regulation

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