



LAMAR UNIVERSITY
MANUAL OF ADMINISTRATION

controlled tangible items, software, or information that will transit through one or more countries, or will be unloaded in one or more countries for reloading and shipment to a new country, or are intended for reexport to the new country, are deemed to be exports to the new country.

- H. Sponsored Programs. All externally funded activities, including but not limited to: research, training, instruction and/or public service projects involving funds, materials, or other compensation from sources (sponsors) outside of Lamar University, under a grant, contract or other agreement that meets any of the following conditions:
1. Lamar University is bound to a line of scholarly or scientific inquiry specified to a substantial level of detail. Such specificity may be indicated by a plan, by the stipulation of requirements for orderly testing or validation of particular approaches, o

2. There are economic sanctions or protections concerning the material.
3. The US government has published or expressed specific concerns about the destination country, organization, or individual.
4. There are specific US government concerns about the stated or suspected end use of the material or the end user receiving it.

B. These federal regulations apply to all activities at Lamar University, regardless of the source of funding or whether or not it is research. The University fully cooperates with federal agencies in these matters of the utmost importance. Lamar University employees or students who are unsure of the export status of their materials or foreign individuals should contact the Office of Research and Sponsored Programs Administration to seek guidance.

VI. EXPORT LICENSES FOR OVERSEAS TRANSPORT

A. The Commerce Department has export jurisdiction over all goods and all "technology" (Commerce Department term for information) in the United States unless another agency has expressly been given such authority. However, this does not mean that a license must be obtained before any item or piece of information can be shipped. An Export Control Decision Tree is available to assist in determining the applicability of export control regulations in the case of shipments of tangible items or transfers or transmission of software code or information outside US borders. In order to determine whether it is necessary to obtain an export license from the relevant federal agency to send tangible items or to transfer or transmit software code or information outside the United States, the researcher preparing the shipment or transfer needs to consider:

1. whether the software code or information is proprietary or disclosure-restricted and thus possibly export controlled, or whether it resulted from fundamental research to which export controls do not apply;
2. the description of the tangible item, software, or information;
3. the technical characteristics and specifications of the item, software, or information;
4. its intended end-use and end-user; and

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(EAR) available to those within the University community that may be useful. It is extremely important to keep them in mind should it become necessary to share any export-controlled items, computer code, or information beyond the original recipient. For questions regarding the use of "No License Required," Non-Disclosure Agreements, or license exceptions and exemptions, please contact the University Research Compliance Officer. In addition, records must be kept in order to demonstrate compliance.

VIII. ROLES AND RESPONSIBILITIES

- A. The roles and responsibilities of individuals who participate in research and sponsored programs are defined in this section to comply with Federal regulations, Uniform Guidance and the policies of Lamar University and Texas State University System. The responsibilities of program administration are shared by the Chief Research Officer, the Office of Research and Sponsored Programs Administration, and researchers employed by the grant resources.
- B. Chief Research Officer. The Associate Provost for Research and the Office of Research and Sponsored Programs Administration bear responsibility for all sponsored grants and contracts and their possible conflicts by providing continuous support and oversight of these activities.
- C. Office of Research and Sponsored Programs Administration. The Office of Research and Sponsored Programs Administration shall be represented by the Research Compliance Officer as appointed by the Chief Research Officer. This individual has the following responsibilities:
 - 1. Maintaining current and accurate files on every researcher involved in internal and external sponsored programs.
 - 2. Providing export licenses or licensure exceptions when applicable.
 - 3. Developing approved management plans when applicable.
 - 4. Providing and maintaining relevant training to researchers.
 - 5. Investigating non-compliance or misconduct.
- D. Researchers must promptly and fully disclose, in writing, any Export Control concerns (as defined in Section IV. DEFINITIONS) that may require a license or explicit licensure exception as determined by the Research Compliance Officer. Researchers must be aware of these regulations and contact the Office of Research and Sponsored Programs Administration if they determine that they must transmit, ship, or otherwise hand over any export-controlled items, computer code, or information to a foreign national or foreign organization as defined by the stated regulations.

IX. NON-COMPLIANCE

formal reprimand, non-renewal of appointment, termination of appointment, or other enforcement action.

- B. If the failure of a researcher to comply with this policy has biased the design, conduct or reporting of funded or unfunded research or sponsored programs activities, Lamar University will promptly notify the appropriate granting agency, sponsor, or other appropriate agency of the incident and corrective action will be taken.

X. EDUCATION AND TRAINING

- A. The University will provide education and training sessions through the CITI system on conflict of commitment regulations and best practices to ensure researchers understand their obligations and responsibilities.

XI. REVIEW AND RESPONSIBILITY

Responsible Parties: Academic Policy Advisory Council; Office of Research and Sponsored Programs Administration.

Review Schedule: Every three years on or before the date the policy was last revised and/or approved.

XII. APPROVAL

Dr. Brett Welch	11/08/2024
_____ Interim Provost and Vice President for Academic Affairs	_____ Date
Dr. Jaime Taylor	11/08/2024
_____ Lamar University President	_____ Date

POLICY LOG

Version	Date	Description of Changes
1	01/01/2011	Issued.
	08/01/2024	Last updated.
		Reviews by constituency groups completed.
		Review by campus community completed.
		Policy approved by President.

Related Links

Office of Research and Sponsored Programs Administration

<https://www.lamar.edu/research/research-and-sponsored-programs.html>)

NSDD 189 (<https://irp.fas.org/offdocs/nsdd/nsdd-189.htm>)

International Traffic in Arms Regulations (ITAR) ([https://www.ecfr.gov/.525-5-17\(f\)19nBTW*BT25-5-17\(f\)19nBTW*BT25](https://www.ecfr.gov/.525-5-17(f)19nBTW*BT25-5-17(f)19nBTW*BT25))