

Restricted Party and Export Controls Screening Process:
Educational Programs including Executive Education, Online Education, Workshops, and Conferences.

This Bulletin is issued as a reminder Schools and Units engaged in activities involving executive or continuing education, online education, workshops, conferences, and similar activities (collectively, “educational programs”) must comply with University guidance on screening requirements. This document supplements existing Harvard guidance on restricted party screening requirements. Please read it carefully and take steps to ensure compliance.

Sanctions and Restricted Party Screening

The U.S. Treasury Department’s Office of Foreign Assets Control (“OFAC”) and the U.S. Department of State administer and enforce economic and trade sanctions based on U.S. foreign policy and national security goals, such as countering terrorism, narcotrafficking, weapons of mass destruction proliferation, and other national security threats. The U.S. Commerce Department’s Bureau of Industry and Security (“BIS”) administers the Export Administration Regulations (“EAR”) and maintains an Entity List of governmental agencies, institutions, individuals and entities that cannot receive goods, software, or technology subject to U.S. export controls, unless a license or exception applies.

Together, these and other OFAC, State Department, and BIS lists are collectively known as Restricted Parties Lists (“RPLs”). These lists are regularly updated to reflect evolving U.S. policy and the results of federal investigations. **Dealings with parties on the Specially Designated Nationals List, which is the strictest of the RPLs, and with parties from embargoed jurisdictions, are prohibited by law in almost all circumstances unless expressly authorized by OFAC. Dealings with parties on other RPLs trigger legal restrictions on the sharing of technical information.**

- **Because of these extensive and ever-evolving economic and trade sanctions, members of the Harvard community must screen all international individuals and entities as provided in this Bulletin prior to engaging with them to make sure they are not a restricted party or employed by or affiliated with a restricted party and to take appropriate steps if they are.** All members of the Harvard community (including faculty, staff, and students) are required to comply with this screening process, related [Harvard international trade compliance policies](#), and applicable export controls and economic sanctions laws and regulations.
- **All Schools and Units must screen all international individuals and entities (including learners, attendees, speakers/panelists, organizers/vendors, clients, program and event hosts, and banks) participating in educational programs that Harvard, alone or with others, hosts online or sponsors, hosts or organizes outside the United States prior to engaging with them to ensure they are not on a RPL.¹ For programs held on Harvard’s campus or that Harvard, alone or with others, sponsors, hosts, or organizes off-campus at other U.S. locations, screening must be conducted if material to be conveyed in the program is subject to export controls.**

¹ Fully online programs conducted by Harvard units may limit screening to the Specially Designated Nationals List with respect to learners who wish to take courses that the unit, in consultation with the applicable ECA, has determined are not subject to export controls. Such programs may not be provided to learners in or ordinarily resident in comprehensively sanctioned countries.

- a. Screening must take place prior to accepting funds, entering into any agreements or contracts, and the start of the educational program.²
- b. If any new foreign participants are added after the start of an educational program, screening must take place prior to accepting funds from such parties or permitting their attendance. For educational programs that are ongoing or involve multiple meetings over the course of one or more years, screening must be updated and rechecked on at least an annual basis.
- c. Screening must also be conducted of all clients, co-hosts, collaborating universities, vendors and counterparties prior to entering into an agreement or arrangement for the provision or receipt of funding or services.
- d. In instances in which a client, co-organizer, or other third party is responsible for identifying or inviting speakers or participants to an educational program that Harvard, alone or with others, sponsors, hosts or organizes, the program may not proceed unless and until (i) the client, co-organizer, or other third party has provided a complete list of all participants to the responsible Harvard unit, including all information sufficient to allow Harvard to conduct RPL screening, and (ii) the Harvard unit has conducted the screening. No additions to the participant list may be made without prior RPL screening by the responsible Harvard unit. Contracts with clients, co-hosts, vendors and other counterparties involved in educational programs must specify their obligations to provide such information to Harvard well in advance of program start dates.
- e. Such screens must be conducted by program administrators or your [School or Institute's Export Control Administrator \("ECA"\)](#) using Harvard's Visual Compliance online platform or another screening tool approved by OVPR. See the University's [Export Control Guidance on Specially Designated Nationals List Screening Process and Monitoring](#) for further information on Visual Compliance and conducting such screens.
- f. **Faculty and administrators involved in or responsible for the educational program must alert their Export Control Administrator in advance and provide all information needed for conducting screening.** If the Export Control Administrator identifies any restricted party, the Export Control Administrator must document the finding and notify and advise faculty members and administrators responsible for the educational program so that they can ensure that compliant action is taken and transactions with restricted parties do not proceed.

Export Controls

In addition to screening for educational programs that take place online or outside the United States, it is important to ensure that the content conveyed through all educational programs (regardless of location) is not export controlled and to take appropriate compliance steps if it is.

- An export license may be required if an educational program involves the export of controlled goods, software, or technologies from the U.S., or the release of such items to foreign nationals in the United States. An export license may also be required for less sensitive technology if the educational program includes participation by a party on an RPL or from a jurisdiction subject to comprehensive sanctions.
- Most course catalog courses and courses in the humanities, social sciences, law, or business are not subject to these rules, but certain advanced STEM courses and other STEM educational

²Units offering open enrollment online education courses should consult OVPR to implement an automated screening against the Specially Designated Nationals List.

programs may be subject to export controls, based upon the content or restrictions placed upon the sharing of the content.

- Consult your [ECA](#) to determine whether the material you intend to transfer, release, or transmit is export controlled/requires an export license.

If an educational program could convey advanced STEM content, or content that is restricted under export controls in any way, consult with your [ECA](#) or OVPR well in advance to understand which restrictions apply and whether a license will be required.

Resources: [Export Control Policies & Procedures](#), [University RPL Screening Guidance](#)