

SUBJECT: Sanctioned Country Guidance with respect to Remote (On-line) Learning	Effective Date: 8-21-2020	Guideline Number: ECO-27	
	Supersedes: Original	Page 1	Of 4
	Responsible Authority: Office of Export Controls		

Existing U.S. Treasury sanctions administered by the Office of Foreign Assets Control (OFAC) prohibit the transmission of services from the U.S. to persons located in Cuba, Iran, Sudan, Syria, the Crimea Region of the Ukraine, or North Korea (herein after “T5+”), unless they meet very specific criteria. Requirements with respect to engaging with or within each country are nuanced, but prohibitions can be generalized to persons ordinarily resident in a T5+ in the following categories:

- Distance learning
- Providing business services (email, access to U.S. based systems or equipment)
- International employment, including payroll
- International activities that involve services of value provided to a person located in a T5+ (research, collaboration, professional advisement, etc).

This memo provides guidance on restrictions with respect to, and allowable activities with persons ordinarily resident in, the T5+ nations. The [CU Office of Export Controls](#) (OEC) recognize that academic exchange is vital to global innovation and solving some of the world’s biggest challenges, and we will work with you to navigate the fluid regulatory environment. OEC is the designated CU office to file OFAC license requests on behalf of CU Boulder. Please reach out to the OEC team with any questions or comments, at: exportcontrolhelp@Colorado.edu

Preliminarily, one should determine which of your remote-access students are located in any of the T5+ nations. Please check with the [International Admissions Office](#) and [Graduate School](#) to obtain their determination in this regard. In the Fall of 2020, OEC will implement an attestation requirement for students engaged in remote learning. [CU Integrity, Safety and Compliance](#) can screen for IP addresses located in sanctioned countries, as well as the use of VPN’s. Departments/units may also be proactive by emailing a questionnaire to potential students. The questionnaire is available from OEC.

1. GENERAL GUIDANCE REGARDING LICENSABLE EDUCATIONAL SERVICES, INCLUDING DISTANCE LEARNING (THE FOLLOWING ACTIVITIES REQUIRE A LICENSE)

- a. A U.S. person attending any conference in the T5+.
- b. Provisioning or providing professional services to a person who is in a T5+ related to a dissertation.
- c. Substantive enhancement of any information that are not fully created and in existence in the public domain.
- d. Teaching services to people located in a T5+, including, but not limited to, instruction, reviewing any work, and grading the work.

- e. U.S. instructors in resident in a 3rd country (not in U.S.) require license to provide instructional services to a person in a T5+.
- f. Importing T5+ origin materials for analysis in the U.S., even if fundamental research and published, when the results will be provided to someone in Iran (e.g. characterization of a material and providing the results to a researcher in Iran).

2. GUIDANCE SPECIFICALLY RELATED TO ON-LINE COURSES

Country	Online Internet-based Course Level/Description	Allowable/ Unallowable
Cuba	Undergraduate or below	Allowable under General License
	Graduate	Unallowable without OFAC License
	Online Course Software	EAR licensing determination required
North Korea	All Levels	Unallowable without OFAC License
Syria	Graduate and Undergraduate	Unallowable without OFAC License
Crimea Region of the Ukraine	Graduate and Undergraduate	Unallowable without OFAC License
Iran	Fee-based, Non degree-seeking Undergraduate Level Humanities, Social Sciences, Law, or business classes	Allowable via General License
	Introductory Undergraduate Level Science, Technology, Engineering, or Math classes <i>Not intended for degree-seeking programs in science or engineering ordinarily required for the completion of undergraduate degree programs in the humanities, social sciences, law or business.</i>	Allowable via General License
	Introductory Undergraduate Level Required for the completion of undergraduate degree programs in engineering, science, or math.	Unallowable without OFAC License
	Graduate Level	Unallowable without OFAC License
	Online Course Software	Allowable, provided EAR99 or Educational Information not subject to the EAR
Foreign Students within U.S.	Those on non-immigrant visas may “carry out in the United States those activities for which such a visa has been granted.”	

3. GUIDANCE SPECIFICALLY RELATED TO SERVICES AND ACTIVITIES IN A SANCTIONED COUNTRY

Activity	Type of authorization required
Acceptance of payments for submitted applications and tuition.	Permitted without further authorization from the OFAC
Banks processing student loan payments	Permitted without further authorization from the OFAC

Filing and processing applications.	Permitted without further authorization from the OFAC
T5+ students on a valid visa physically attending U.S. universities.	Permitted without further authorization from the OFAC
T5+ students paying tuition	Permitted without further authorization from the OFAC
Offering Online-based undergraduate courses in humanities, social sciences, law, business or STEM to an individual located in the T5+.	Permitted without further authorization from the OFAC
Publishing activities with T5+ academic personnel	Permitted without further authorization from the OFAC
Recruitment, hiring, or employing T5+ persons in a teaching capacity within the United States with approved visas.	Permitted without further authorization from the OFAC
Student academic exchanges.	Permitted without further authorization from the OFAC
Taking personal communication devices to a destination within a T5+.	Permitted without further authorization from the OFAC
U.S. persons providing services that are necessary or required for admission to U.S. academic institutions, to individuals who are located in a T5+, including: administering professional certificate examinations and university entrance examinations.	Permitted without further authorization from the OFAC
U.S. persons who are enrolled in U.S. academic institutions participating in graduate level educational courses in the humanities, social sciences, law, or business.	Permitted without further authorization from the OFAC
U.S. persons who are enrolled in U.S. academic institutions participating in graduate level noncommercial academic research at Iranian universities in the humanities, social sciences, law, or business.	Permitted without further authorization from the OFAC
U.S. persons who are enrolled in U.S. academic institutions participating in undergraduate educational courses or engaging in undergraduate noncommercial academic research at T5+ universities.	Permitted without further authorization from the OFAC
Exporting to a T5+ educational information (e.g. published papers, or electronic data) .	Permitted without further authorization from the OFAC as long as activities do not involve altering, enhancing, interpreting, or teaching the information.
Survey Assistance Services to a student on an F-type visa when they are physically present within a T5+.	Permitted without further authorization from the Office of Foreign Assets and Controls as long as the following conditions are met: <ul style="list-style-type: none"> • The survey must not involve anyone in Iran conducting any part of the analysis (e.g. a foreign professor at an Iranian university); • The survey must be pre-existing to be exported (e.g. cannot provide support to modify the survey); • There can be no export of any services to support the student while s/he is in Iran (e.g. Political Science Department providing field support of any type); and • The survey and all results must be intended to be fully publicly disclosed and published.
Attending a conference in T5+.	License required. Contact the Office of Export Controls.
Collaborating with an individual/sponsor who is located in a T5+.	License required. Contact the CU Office of Export Controls.
Employing a person located in Iran, to include research, distance learning, and/or internships.	License required. Contact the CU Office of Export Controls.
Enhancement of any information that are not fully created and in existence in the public domain.	License required. Contact the CU Office of Export Controls.
Importing T5+ origin materials for analysis in the U.S., even if fundamental research, when the results will be provided to someone in Iran (e.g. characterization of a material and providing the results to a researcher in Iran).	License required. Contact the CU Office of Export Controls.
Internships that involve a U.S. person and a T5+ student located in a 3rd country.	License required. Contact the CU Office of Export Controls.
Offering online graduate courses to individual located in a T5+.	License required. Contact the CU Office of Export Controls.

Paying a student in a T5+ via a bank account accessible in a T5+.	License required. Contact the CU Office of Export Controls.
Providing advice to a T5+ student who is in a T5+ related to a dissertation.	License required. Contact the CU Office of Export Controls.
Recruiting T5+ students to attend a U.S. university while attending an educational conference in a T5+.	License required. Contact the CU Office of Export Controls.
Sponsored undergraduate and graduate level research by U.S. students at a T5+ university.	License required. Contact the CU Office of Export Controls.
Teaching services to people located in a T5+, including, but not limited to, instruction, reviewing any work, and grading the work.	License required. Contact the CU Office of Export Controls.
U.S. professors outside the U.S. providing instructional services to someone in a T5+.	License required. Contact the CU Office of Export Controls.
Providing a CU email account to an individual in a T5+.	Prohibited under the Iranian Transaction Sanction Regulations