

MICHIGAN STATE UNIVERSITY

Dear Colleagues,

With your help, Michigan State University is continuing its efforts to provide a high-quality educational and scholarly experience for all community members during Fall Semester 2020 (“FS20”), even amid the challenges posed by COVID-19. We appreciate all you have done during a time of unprecedented challenge, and all you continue to do in support of our scholarly mission.

One issue that confronts us is a cohort of graduate students – many newly admitted – who are unable to come to Michigan for FS20. A number of units wish to appoint these students as teaching assistants (TA’s) or graduate research assistants (RA’s), thus permitting them to be supported financially while working abroad. There are also faculty members and post-docs overseas for whom similar but distinctive arrangements are desirable. To the extent possible under law, funder regulations, and internal MSU policies, the University seeks to accommodate all of those individuals and the units that wish to support them.

An *ad hoc* screening process is being deployed to review such overseas appointments of individuals with teaching or research responsibilities in FS20. This process will seek to ensure that our newest colleagues still abroad, their units, and MSU as a whole avoid difficulties with the export control, trade sanctions, and other regulatory obligations we must meet. The attached form collects information on each graduate assistant (TA or RA), postdoc, and faculty member to be appointed for virtual teaching or research abroad. Forms submitted will be screened in Research & Innovation, in cooperation with the many other administrative units affected by unconventional teaching and research abroad.



OFFICE OF THE PROVOST

Michigan State University
Hannah Administration Building
426 Auditorium Road, Room 430
East Lansing, Michigan 48824

Phone: 517-355-6550
Fax: 517-355-9601
provost.msu.edu

It is anticipated that the majority of screening requests will meet with timely approval, in light of the combination of their individual fact sets. However, it is **not** anticipated that MSU will be able to approve every possible desired appointment. In particular, Federal sanctions now in place against Cuba, Iran, North Korea, Sudan, and Syria result in a presumption of denial for appointment requests in those countries.

More generally, it must be remembered that the Fundamental Research Exclusion (FRE) “safe harbor” from export control – something that all major American universities rely upon for conducting and openly publishing fundamental research (other than certain encryption and projects restricted by funders) – is **only** available for work undertaken within the United States. Thus, for example, NSF-funded research work on fingerprint identification that could be conducted freely on our campus would be captured by export control regulations if conducted abroad. In the case of teaching, normal catalog courses are exempted from export control, even if occurring abroad. However, certain commercial tools (such as advanced software and other information technology tools) still remain controlled when used

within those courses. These research and teaching considerations necessitate the screening.

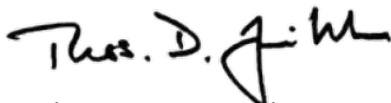
Please note that the appointments to be screened are for FS20 **only**. At this time, similar appointments abroad due to COVID-19 have not been authorized thereafter.

Orientation programs for new academic colleagues for graduate students, postdocs, and faculty typically contain presentations relevant to export control, and those planned for FS20 are no exception. In some cases, the envisioned appointment request screening will result in recommendations or requirements for additional training, to minimize the likelihood of misunderstandings resulting in violations.

Additional guidance will follow on other issues arising from those appointments abroad that are approved. Such issues include health care and tax compliance, which will vary by the country of residence of those appointed. To ensure adequate time to handle the second wave of issues, the University seeks to perform the initial screening of requests as soon as possible. Thus, your cooperation in submitting screening requests by **Friday, July 31, 2020** will be sincerely appreciated. If you need assistance with your requests, please refer to the phone numbers printed directly on the forms.

We are all confronting unfamiliar challenges in unfamiliar times. With your assistance, we will strive to minimize adverse impacts on our new, highly valued, scholarly colleagues. Thank you for your kind and swift support of these efforts.

Sincerely,



Thomas D. Jeitschko
Acting Provost and Executive Vice President for Academic Affairs;
Associate Provost for Graduate Education and Dean, Graduate School



Douglas A. Gage
Interim Vice President, Office of Research & Innovation