

## **International Travel Recommendations for University Employees on University Business**

### **Booking Travel through K-State System**

K-State has travel resources for all faculty and staff. You can book your trip through K-State Travel <https://www.k-state.edu/travel/>. Click on the Book Online tab and follow the instructions. Travel registration through K-State Travel provides the University with the information it needs to locate travelers and provide information or assistance in the event of a crisis or emergency. Available services may include emergency medical support, embassy information, repatriation, and medical evacuation. It also allows the University to evaluate the level of risk associated with the travel.

### **Communicating Contact Information**

Each employee traveling abroad on University business should provide their supervisor with contact information for the employee in the foreign country, along with emergency contact information if it is different than the emergency contact provided by the employee in HRIS.

### **Travel to High Risk Locations**

Supervisors and employees must consider risk factors prior to an employee undertaking international activities. The Department of State has a website which provides travel advisories, as well as safety and security information, for every country in the world. Kansas State University strongly recommends each traveler register on the website or download the mobile app to gain access to real time information. <https://travel.state.gov/content/travel/en/international-travel/before-you-go/about-our-new-products/staying-connected.html>

The State Department ranks travel advisory levels in 4 categories: 1) Exercise normal precautions; 2) Exercise increased caution; 3) Reconsider travel; and 4) Do not travel. In addition, the Centers for Disease Control and Prevention has three travel health Watch Levels: 1) Practice Usual Precautions; 2) Practice Enhanced Precautions; and 3) Avoid Nonessential travel. <https://wwwnc.cdc.gov/travel/notices>. If faculty or staff plan to travel to any locations categorized as Level 3: Reconsider Travel or Level 4: Do Not Travel by the U.S. Department of State or classified as Warning Level 3: Avoid Non-Essential Travel by the Center for Disease Control and Prevention, they should notify their Department Head of the risk level and commentary from the Department of State, prior to seeking approval to travel.

### **Extended Travel – HR and related Legal Considerations**

If an individual will be on international travel for longer than two weeks, they should contact Human Capital Services regarding and wage/payment issues. This is especially important if the traveler will be in area with limited internet capabilities. Human Capital Services can be reached at 785-532-6277.

Department heads and other supervisors of international travelers on university business should also consult with the Office of General Counsel regarding compliance with foreign employment, tax, and registration laws. Advance notice—prior to signing any employment-related documents and/or prior to assigning duties to occur abroad—is critical, preferably 6-8 weeks. OGC can be reached at 785-532-5730, or via email [attys@k-state.edu](mailto:attys@k-state.edu).

It is each employee's responsibility to ensure they are aware of and comply with applicable laws in the foreign country, just as they are responsible for complying with applicable law within the United States.

### **Activities and Services Abroad--Contracts**

Any business, research, or other similar services received by or provided to the University (or its employees) while in country should be documented within a University contract prior to traveling. Requirements for University contracts are in PPM Chapter 3070, and time for review of international activities contracts generally is more extensive due to necessary coordination with counsel in country.

### **Travel Assistance Program**

K-State faculty and staff traveling abroad on K-State business are covered under an international policy through Chubb Insurance. This policy covers important costs that could be incurred while traveling abroad, including Emergency Medical Evacuation, Repatriation of Remains, a Family Assistance Benefit, a Bereavement Reunion Benefit, a Security Evacuation Benefit, and Worldwide Travel Assistance.

To obtain additional valuable information about the policy, or health and safety in your destination of travel, employees are encouraged to sign-up for the Chubb Travel Assistance Portal and explore their resources. The Chubb Insurance Travel Assist Card (pdf) which includes procedures on how to use the insurance, as well as numbers to call for access to assistance while abroad, is available at <https://www.k-state.edu/oip/faculty/ChubbInsuranceAssistanceCard.pdf>.

### **Immunizations**

A Travel Consult is available at the Lafene Allergy and Immunization Clinic to assist students, faculty, or staff who are traveling internationally. Two to three months before traveling (or as soon as practicable), schedule a travel consultation, which will include:

- Individual review of vaccination requirements for the region being visited.
- Travel recommendations for the region based on current health and safety precautions.
- Worksheet completion listing requirements and recommendations.
- Referral to a physician for any medications, health assessment, or needed instruction.
- Vaccinations are available and may be initiated at the time of the initial consult.

Information about health risks and suggested preventative measures is based on recommendations by the Centers for Disease Control and Prevention and the U.S. Department of State. Advance consultation with Lafene will help ensure that any recommended vaccinations, anti-malaria treatment (if indicated), medications, and other precautionary measures are made available to provide you with adequate protection by your departure date. Some vaccination requirements may take several months to be completed.

An initial consult requires a thirty-minute appointment. If vaccinations are to be given, allow for a sixty-minute appointment time. If a physician visit is recommended, an appointment may be made after the initial consultation. Please bring a record of prior immunizations to the initial appointment or upload the documents to the myLafene portal. Please also bring your completed Travel Clinic Form (<https://www.k-state.edu/lafene/services/travel/index.html>) to your initial consultation.

There is no charge for the travel clinic consultation, but you will be charged for received vaccinations and purchased medications.

You can receive current prices for services, appointments, or additional information by calling 785-532-6544.

## **Foreign Corrupt Practices Act and State Ethics Rules**

Generally, state ethics rules govern what state employees can receive, and the Foreign Corrupt Practices Act (“FCPA”) is more focused on what can be given to “foreign officials” — who are quite broadly defined, to include such folks as faculty members at public universities abroad. Employees traveling abroad must be familiar with these rules.

Accepting or requesting gifts, meals, entertainment and travel offered because of your official position is generally prohibited, with several very limited exceptions. The State Governmental Ethics Commission’s guidelines (<https://ethics.kansas.gov/state-level-conflict-of-interest/guidelines-for-state-employees/>), have different rules for each of those categories. All State of Kansas employees are subject to these rules, and violations can result in a civil fine of up to \$5,000 and/or removal from state service. You must be familiar with the rules, know where to find answers, and adopt a practice of asking questions when in doubt. Compliance with these ethics rules are personal obligations and subject to fines and criminal penalties against the individual.

The FCPA prohibits the University and its employees (among others) from paying, authorizing, or promising to pay money *or anything of value* to a foreign official to influence the foreign official or to secure any improper advantage in order to assist in obtaining or retaining business. “Foreign officials” include an expansive group of people. Notably, “foreign officials” include employees and agents of government-owned and -controlled universities and businesses, such as faculty, administrators and other employees (and their family members) at counterpart public universities around the globe.

There is no exception to the FCPA simply because the meal, entertainment, gift or other payment is small; rather, the focus of the FCPA remains on the purpose of the payment.

Any plans to provide gifts, travel, meals, or entertainment to any “foreign official” should be scrutinized closely for FCPA compliance. If the person to whom the payment or anything of value is going to is assisting you or the University in conducting or retaining business or other benefits (such as in association with a University contract) or relieving you or the University from a legal requirement, you should consult with the Office of General Counsel prior to making any payment or gift. You can read more about the FCPA in the DOJ’s resource guide <https://www.justice.gov/criminal-fraud/fcpa-guidance>.

## **Traveling with Students**

Any faculty or staff member traveling with students to a foreign country is required to notify the Office of International Programs, Education Abroad at [oip@ksu.edu](mailto:oip@ksu.edu). For more information, please see the memo from the Provost at [https://www.k-state.edu/abroad/documents/policies/provostmemo\\_oippolicies.pdf](https://www.k-state.edu/abroad/documents/policies/provostmemo_oippolicies.pdf).

## **Travel with Minimum Devices and Equipment**

Generally, employees should only travel with the minimum needed to get the work done while they are abroad. Electronic equipment that includes University data or other information should be kept to a minimum—if it is not needed, leave it at home.

To that end, employees traveling abroad should be aware of any confidential information on any device they are traveling with. There can be limited to no right to privacy in foreign countries and information may be copied or removed from phones and other devices.

If you do not feel you can travel without a laptop, phone, USB or other devices or equipment, please consult with IT services regarding a loaner laptop and other devices.

### **Export Controls**

Individuals traveling internationally on university business or with university property also are responsible for complying with export control laws and regulations. Export control regulations may restrict or prohibit some travel related activities or destinations, and/or may require licenses for others. The University Research Compliance Office (URCO) can help travelers assess what export control requirements apply to ensure institutional and individual compliance.

#### Travelling with K-State Equipment

Most items, including laptops, tablets, cellphones, and commercial software, may be taken outside the U.S. under a license exception, "Temporary Imports, Exports, Re-exports, and Transfers (In-Country) ("TMP"). The TMP license exception allows the traveler to take K-State property out of the U.S. provided the item is (a) kept under the traveler's effective control and, (b) brought back to the U.S. within a year of the departure date. The traveler should use the TMP Certification to document application of the TMP license exception.

TMP does NOT apply to items or technologies controlled under the International Traffic in Arms Regulations (ITAR). In addition, some equipment such as global positioning systems, thermal imaging cameras, and inertial measurement systems are highly restricted and may require a license even when hand carried. Travelers are advised to contact URCO for guidance

K-State employees involved in export controlled research must ensure that there is no export controlled information on electronic devices taken during travel unless a specific license or other authorization is in place to take the information to the travel destination.

#### Travelling with Personal Equipment

For personal laptops, tablets, cell phones, and commercial software, the Baggage ("BAG") license exception may apply. Similar to the TMP, the BAG license exception allows travelers to take certain personal items out of the U.S. provided the item is (i) kept under the traveler's control and (b) brought back to the U.S. within a year of the departure date. Traveler should use the BAG Certification to document application of the BAG license exception. The traveler is responsible for export controls compliance related to travel with personal items.

All forms can be found at <https://www.k-state.edu/comply/ecp/travel/index.html>

#### Travel to Embargoed Destinations

The U.S. Department of Treasury, Office of Foreign Assets Control (OFAC), administers a number of economic sanctions and embargoes. The sanctions may be comprehensive and target a wide range of

activities involving a specific country, or selective, targeting activities involving specific individuals, entities, or governments. Comprehensive sanction programs apply to all imports, exports, and services related to the target government and individuals residing in the countries. Comprehensively embargoed countries include Cuba, Iran, North Korea, Syria, and the Crimea Region of Ukraine. Application of exceptions such as TMP and BAG is unavailable or limited for embargoed destinations. In addition, research and research related activities including attending conferences might require specific licenses or other authorization. Prior to travel, a traveler to embargoed destinations must contact URCO ([comply@ksu.edu](mailto:comply@ksu.edu)) for country specific guidance, using the Export Controls Compliance Review, International Travel form.

#### Restricted Party Screening

The U.S. federal government maintains several lists of individuals and entities for which the Government has imposed restrictions related to exports, imports and services. Additional due diligence is required when dealing with an individual or entity appearing on these lists. Activities involving the individual or entity may be prohibited or restricted. When traveling internationally, it is important to ensure that the individuals and/or entities the traveler is meeting with are not restricted, and that the topics of discussion or other proposed activity is not restricted. To facilitate restricted party screening, the traveler must submit Export Controls Compliance Review, International Travel prior to their departure.

#### Conferences

Most travel for conferences will fall under exclusions to the export control regulations such as the publicly available and public domain exclusions. In general, information that is published and is generally accessible to the public through publication in books or periodicals available in a public library or in bookstores or information that is presented at a conference, meeting, seminar, trade show, or other open gathering, is usually considered to be in the public domain, and not export controlled. Travel for other reasons such as to conduct research/research related activities or to explore future collaborations are subject to export control review. Travelers must submit Export Controls Compliance Review, International Travel prior to their departure.