⟲SAN Essentials

Global Compliance 101

Similar to authorization in the United States, institutions that offer courses and activities outside of the United States should determine if the activity is regulated in the country where the activity occurs.

Potential Issues for Consideration

Issues to consider may include, but are not limited to:

- Institutional approval [may also be called validation, incorporation, etc.]
- Professional licensure [determine the requirements for obtaining a professional license]
- Consumer protection [disclosures and more]
- Marketing/advertising/recruiting [for example, targeted marketing or advertising may be prohibited]
- Website and internet accessibility [for example, (1) some websites or platforms may not be available in all countries and (2) countries may have their own laws relating to accessibility]
- Export controls [Office of Foreign Assets Control - Sanctions Programs and Information]
- Copyright and intellectual property rights
- Employment-related issues [such as insurance, tax withholding, etc.]
- Recognition of degrees for purposes of employment or transfer of credit
- Taxes [digital sales tax, value added tax, etc.]
- Data privacy and/or breach notification requirements

Getting Started

1. Establish a compliance team.
2. Determine institutional priorities for operating internationally.
   - Gather data on where the institution plans to, or is, operating internationally.
   - Consult with leadership to prioritize countries/programs/issues.
3. Research
   - Determine whether the activity is regulated in the countries in which the institution operates or wishes to operate.
   - Assess whether the countries have any other compliance obligations in addition to institutional approval (ex. Program approval, data privacy, taxes, etc.)
   - Complete risk assessments
4. Seek appropriate approvals (authorization/registration/exemption/not regulated) in countries where the institution is operating or plans to operate.
5. Develop a compliance management plan to maintain compliance.
   - Document key approvals, policies, procedures, and practices
   - Document whether compliance obligations apply to your institution, and if so, how they are being met.
   - Develop a compliance calendar or schedule to keep track of key dates or tasks.

For a list of additional resources, view the International Approvals section on the SAN website.