

Vietnam Education Foundation

**Minutes of the
Meeting of the Board of Directors**

April 10, 2015

**2111 Wilson Boulevard, Suite 700
Arlington, VA 22201**

List of Attendees:

- **VEF Board members:**
 - **Dr. Edmund Malesky, Chair**
 - **Mr. Dan Greenland (Treasury)**
 - **Mr. Tim Marshall, (State)**
 - **Ms. Anhlan Nguyen (Board Chair)**
 - **Dr. KimOanh Nguyen-Lam (Education)**
- **VEF Staff:**
 - **Ms. Sandy Dang, Acting Executive Director**
 - **Ms. Helen Nguyen Tran, Director of Finance and Accounting**
 - **Ms. Sandarshi Gunawardena, Senior Program Officer**
 - **Dr. Peggy Petrochenkov, Program Officer**
 - **Ms. Diana Martens, Program Associate**
- **Guests:**
 - **Mr. John Peters (GSA Legal Counsel)**

Call to Order and Approval of Minutes

Ms. Anhlan Nguyen called the meeting to order and invited approval of the minutes of the last meeting. On motion duly made and seconded, the minutes of the November meeting were unanimously approved.

Ms. Anhlan Nguyen briefly reviewed the agenda and proposed deferring discussion on the roles and responsibilities of board members and staff in order to focus on program matters of greater importance. Discussion would then include the visa transition plan, a look at the strategic plan, discussion of the annual conference, and development of a public relations strategy. Two formal votes are on the agenda – approval of 2015 U.S. Faculty Scholars and approval of funding for selected board members to attend the pre-departure orientation program in Vietnam in June.

Ms. Anhlan Nguyen also commended the great work of all US and Vietnam staff during the past six months as VEF went through several human resource changes, special recognition to Acting ED Sandy Dang, now formally ED of VEF for working tirelessly to address all urgent issues of VEF through the transitional period.

Executive Director's Top Line Report, Sandy Dang

Ms. Dang confirmed that she had been appointed permanent executive director on February 21, 2015 and that the appointment had generated interest among members of the Vietnamese media that resulted in articles and interviews. At the request of the Ministry of Science and Technology (MOST), VEF has offered to help MOST enhance capabilities in order for the ministry to keep track of U.S. activities in science and technology in Vietnam. Ms. Dang commented that Hanoi staff had agreed to collect anecdotes about the experiences and successes of fellows who have returned to Vietnam. She added that staff would develop a brief information package that could be distributed to media and visiting dignitaries.

Ms. Dang described her efforts to solicit support from the State Department and from congressional representatives with regard to the upcoming 20th anniversary of normalization of relations between the U.S. and Vietnam. There will also be a plan developed to ensure a proper closing of the Hanoi office. There have been and will be periodic meetings with Hanoi staff via Skype to develop that plan. There have also been consultations with DNI law firm in Vietnam to ensure that the closing will be in keeping with Vietnamese law. Ms. Dang said that she would prepare and distribute a detailed timeline for the office closing, which should be available before the next Board meeting. Finally, she noted that special attention will be paid to the Hanoi staff to help them cope with the inevitable closing of VEF.

With regard to the final closing, Ms. Dang stated that records management is an important aspect of the process, and she and Dr. Petrochenkov have undergone training to more fully understand the process of archiving VEF documents, including the technology to digitize documents.

Finally, Ms. Dang commended the Hanoi staff and the U.S. staff for stepping up to the formidable needs that arose in the last six months or so, with special recognition for the contribution of Dawn Bethelmy, the former Director of Finance and Accounting for supporting the transition process when Ms. Tran came on board.

Selection Review Committee (SRC) Report, Tim Marshall

Mr. Marshall commented that, with excellent staff support, the SRC is on track and functioning well. The U.S. Faculty Scholar program has been very successful. Awards are made for proposal in the STEM fields, providing financial support to teach for one or two semesters. The professors can integrate videoconferencing into the course, and can arrange a course collaboration between the Vietnam institution and the U.S. Scholar's home institution. With

this year's awards, there will have been a total of 43 awards to teach in 25 Vietnamese institutions.

2015 U.S. Faculty Scholar Awards

Dr. Petrochenkov explained that this year there were 13 applicants for the U.S. Faculty Scholar award, 4 of whom were previous awardees. After an online review for technical experience, five were selected to be personally interviewed by three volunteer U.S. professors and several VEF staff. Their recommendations went to the SRC, which selected the three finalists, who were in three distinct fields (animal behavior, engineering, and biostatistics) and who would teach at three Vietnamese institutions (Vietnam National University, Can Tho University, and Hue University).

Dr. Malesky asked that staff contact one of the applicants to address a few concerns about the budget. The Board agreed that an inquiry was appropriate, and Dr. Petrochenkov requested that the wording indicate that final approval would be dependent on the response to the inquiry.

The Board agreed to separately approve each award. On motion duly made and seconded, the Board unanimously approved the awards to two of the applicants. On motion duly made and seconded, the Board unanimously approved the award to the third applicant, pending appropriate response to the Board's questions about the grant budget, and final approval after Board review of the response. There was agreement that Dr. Malesky should develop the wording for the questions. Final approval will be by e-mail vote.

2015 VEF Fellowship Program

Dr. Petrochenkov explained that the 2015 fellowship award process was completed and 30 fellows and alternates were approved. Thirty were accepted at qualified U.S. institutions. There are 11 on the waiting list pending admission to a qualified U.S. institutions. There were 13 withdrawals by selected fellows (about 2/3 received funding from other U.S. institutions and 1/3 chose to attend schools in other countries) and 14 withdrawals of alternates. It was noted that a few of the fellows on the selected list might still withdraw. There was a discussion about whether to settle on 30 or up to 33 fellows, allocation of funding for the 2015 Fellowship program, and the option of supporting a 20th anniversary celebration. There was also consideration of the annual conferences for which commitments have been affirmed for the next three years (University of Iowa, University of North Carolina and University of Wyoming). There was a brief discussion of the annual conference formats.

Ultimately the Board agreed that the number of fellows be limited to 31 and to use remaining funding for purposes to be determined later. On motion duly made and seconded, that proposal was unanimously approved.

Finally, Dr. Petrochenkov provided the list of professors who would participate in the 2015 interview mission, composed of six females and four males.

Discussion of Immigration Transfer/Transition Policy

Mr. Marshall and Ms. Gunawardena guided a discussion about immigration transfer/transition policy and implications for VEF in the light of the impending closure. Because of the sunset provisions of the legislation, it will be necessary to transfer fellows who need additional time to complete academic program requirements to their university's J visa sponsorship, if more time is required by program participants beyond 09/30/2016 for either program completion or to participate in Academic Training. If the university cannot accept an internal J immigration transfer, program participants will be required to return to Vietnam and return to their U.S. university on an F-1 visa sponsored by the university to complete their academic programs. While each student's program completion plan is in unique, VEF will facilitate this process in a relatively orderly way by establishing a transfer for each cohort. For example, cohorts 2008 through 2010 will complete transfers by August 2015 (if they are finishing this year). Thereafter, the 2011 and 2012 cohorts will complete transfer by August 2016 and August 2017 respectively. Then cohorts 2013 through 2016 will complete transfer by August 2018.

Mr. Marshall explained that the reason for the schedule is to ensure that the fellows have an opportunity to complete their academic programs and also perhaps to avail themselves of the Academic Training benefit that is available on the J status, if they are able to obtain an appropriate training opportunity that meets the requirements. When the fellow transfers to another institution's sponsorship, it will also end VEF's financial obligation, including the original obligation to provide airfare back to Vietnam.

During the discussion the question of liabilities was raised – whether there is a legal responsibility to provide the ticket home, and the extent of liability related to our responsibility to ensure that these program participants leave the U.S. at the end of the program, and whether the policies under consideration constitute a violation of the legislative mandate. Dr. Malesky also suggested that a document to amend the original fellowship contract should be created to clarify the change in terms and to provide a student acknowledgement of the change. Finally, he felt the process should be clearly described in a document. Specifically Dr. Malesky suggested that the document describe the incremental strategy that offers fellows the option to transfer to university J visa sponsorship, consequently removing them from the VEF immigration sponsorship, with the provision that students who exercise the option would not be entitled to the airfare back to Vietnam provided in the original fellowship agreement, a policy that would apply to all remaining VEF-sponsored fellows (and future students), who are required to transfer their J status to complete their original program of study.

He also requested that these issues be addressed by legal counsel. Mr. Peters said he would look into the issue. Mr. Marshall agreed to put a document together and distribute it to each board member. There was agreement that a motion could be put forward including the

provisions presented to the board earlier for consideration, including the timetable for transfers.

Therefore, a motion was made and duly seconded as follows:

- o In the light of the impending VEF closure and our inability to extend any current Fellowships beyond Sept. 30, 2016, all Fellows who need further time to complete their academic programs will transfer to the University's J sponsorship, if they meet the eligibility criteria for an immigration transfer
- o A departure from the U.S. and returning on a F visa will only be an option if the university does not agree to a transfer or the student does not meet the eligibility criteria for an internal transfer of J status
- o Detailed procedures and guidance will be provided to all Fellows and Universities to facilitate transfers
- o If an internal J transfer is executed, Fellows shall not be provided a return ticket and a waiver must be signed
- o Transfers will be done an academic term prior to the end-date of the Fellow's academic program or end-date of the current DS-2019 (for cohorts 2012-2016), and dates will be finalized in consultation with the U.S. university's international office

The transfers would be made on the following schedule:

Cohorts 2008-2010: By August 2015

Cohort 2011: By August 2016

Cohort 2012: By August 2017

Cohorts 2013-2016: By August 2018

The motion was unanimously approved.

Review of Strategic Plan

Ms. Anhlan Nguyen referred to the VEF Goals, which were previously approved. The focus in 2015 has been on risk mitigation, the closure plan and preparation for the legislative termination process. She noted that the strategic plan on the web site is out of date. She also briefly described the several goals and outcomes in the PowerPoint presentation:

- Goal 1 – VEF must meet all legal/federal requirements related to final closure (IT security, telecommuting data access protection, intellectual property protection, financial and internal controls, other issues as they arise);
- Goal 2 – Clarify downsizing and closure process and insure conformance with U.S. federal and Vietnamese government regulations;
- Goal 3 - Ensure efficient program operations during the closure process;

- Goal 4 - Continue to support U.S.-Vietnam educational and research-related exchanges; and
- Goal 5 - Provide for a legacy that would remain after VEF is no longer operational.

Ms. Anhlan Nguyen stated that the outcome of the meeting held the day before the Board meeting was an agreement that the two important goals to focus on were #2 and #3. Goal #1 is mainly staff input. Staff has agreed to develop a budget proposal for the three-year closure process (2016 through 2018), which could be ready for review at the next board meeting.

With regard to the legacy-related goal, Dr. Malesky commented that, after spending \$90 million and enabling the fellows to achieve educational credentials, there is nothing in the legislation to provide support for their reentry and career development when they return to Vietnam. It was noted that the original legislation was created with no continuity of support in mind after the basic goal of helping Vietnamese students earn appropriate degrees was achieved. Dr. Malesky suggested that two clauses in the enabling legislation might be interpreted to indicate a follow-on potential – furthering bilateral relationships, and providing education/research exchange opportunities. He added that examples of support would include a small grants program for VEF alumni, funding of a peer-reviewed Vietnamese journal of science, or a more formal relationship with the VEF alumni group. He suggested staff could develop a description of the potential projects (including funding estimates for each project) and submit it to legal counsel for review.

Discussion of Annual Meeting/20th Anniversary Celebration and 2015 Pre Departure Orientation Program

Ms. Dang expressed the opinion that an event in 2015 is very important, whether it is in the form of an annual conference/meeting or the anniversary celebration. Concerning the event in 2016, she suggested that she could develop a new proposal that might not fit the currently scheduled model. She agreed to develop a plan with a more practical and economical approach to present at the next board meeting.

Ms. Dang commented that for any of the special events related to the 20th anniversary of normalization, there should be a plan to share VEF's accomplishments and impact. That includes having an information package that is available to the public. Dr. Malesky suggested that if high-ranking officials of Vietnam and/or the U.S. State Department attend functions in the U.S., fellows should be given an opportunity to participate in some of the events.

Ms. Dang commented that the staff attending the PDO includes Ms. Gunawardena and herself, and there is interest on the part of Ms. Anhlan Nguyen and Mr. Marshall representing the board. On motion duly made and seconded, the Board approved funding for travel for Ms. Anhlan Nguyen and Mr. Marshall to attend the PDO in June 2015.

Future Meetings and Adjournment

Ms. Anhlan Nguyen announced that future meetings of the board are scheduled on July 17, 2015, November 20, 2015, and April 8, 2016.

There being no further business, the Board meeting was adjourned.