

Vietnam Education Foundation

Minutes of the Meeting of the Board of Directors APPROVED for posting at VEF website

**January 6, 2010
The Desmond Hotel
Albany, New York**

List of Participants:

- **VEF Board members:**
 - **Dr. Stephen Maxner (Chair)**
 - **Mr. Viet Dinh (via teleconference)**
 - **Ms. Elizabeth Dugan**
 - **Mr. Chris Fussner**
 - **Dr. Stephen Hunt (Education) (via teleconference)**
 - **Ms. Shana Leenerts (State)**
 - **Ms. Sara Senich (Treasury) (via teleconference)**

- **VEF guests:**
 - **Ms. Mary Lou Forward (Executive Director, Open Courseware Consortium - OCWC)**
 - **Dr. Ray Gamble , National Academies (via teleconference)**
 - **Ms. Stephanie Nonluecha, Office of Government Ethics (OGE), VEF Desk Officer**
 - **Mr. Ryan Segrist, OGE, VEF Desk Officer**
 - **Ms. Lesly Wilson, GSA Legal Counsel**

- **VEF U.S. staff:**
 - **Dr. Lynne McNamara, Executive Director**
 - **Ms. Sandarshi Gunawardena, Program Officer**
 - **Ms. Suzanne Michaels, Administrative Assistant**
 - **Ms. Lana Walbert, Director of Finance, Accounting, and Administration and Designated Agency Ethics Officer (DAEO)**

- **VEF Hanoi, Vietnam, staff:**
 - **Dr. Phuong Nguyen, Country Director**
 - **Ms. Hanh Bui, Program Assistant**
 - **Mr. Hung Do, IT and Data Technician**
 - **Ms. Mai Nguyen, Program Assistant**

Call to Order -- Dr. Stephen Maxner

Dr. Maxner called the meeting to order and, after introductions, invited a motion to approve the minutes of the October 9, 2009, Finance Committee meeting and, on motion duly made and seconded, those minutes were unanimously approved. Dr. Maxner invited a motion to approve the minutes of the October 9, 2009, Board of Directors meeting and, on motion duly made and seconded, those minutes were unanimously approved.

Dr. Maxner recalled the discussion of an earlier meeting concerning publishing the minutes of VEF Board meetings. He expressed the opinion that VEF is a federal agency, the meetings are open to the public, and that minutes should be posted on the web. He noted that Mr. Plack (State Department) had expressed reservations concerning posting past minutes. Ms. Leenerts stated that she and Mr. Plack had not had an opportunity to discuss the rationale since the last meeting. Dr. Maxner asked if there are any legal issues. Ms. Wilson stated that the meetings are, in fact, open to the public, and documents (including minutes) are subject to the Freedom of Information Act, although certain parts may be redacted if privacy or security issues are involved. She added that most similar commissions publish minutes of public meetings on their web sites. Dr. McNamara commented that the only recent request for the minutes had come from certain Fellows, who were interested primarily in the Board's discussion of the new Academic Training policy and the reduction in the Professional Development Grant.

After this discussion there was consensus among the Board members that the minutes, after appropriate review and redaction of sensitive passages, should be made public, both retroactively and in the future. There was also agreement that, before publishing the minutes on the VEF web site, they should be reviewed by the Executive Director and that the Board representative of the State Department should also have an opportunity for review. A motion was made and duly seconded incorporating all of these provisions and unanimously approved.

Dr. McNamara suggested that all past minutes should be reviewed by both the VEF Executive Director and a representative from the State Department and then posted on the VEF web site. It was noted that Ms. Wilson would also be available to review the minutes, if requested.

Executive Director's Top Line Report - Dr. Lynne McNamara

Dr. McNamara began by expressing her appreciation for the Board's confidence in her appointment as Executive Director. Then, discussing several recent successes, Dr. McNamara pointed to the outstanding cooperation between VEF staff and RPI staff in putting together a very successful Annual Conference. She added that the next Annual Conference venue had been confirmed and the 2011 Annual Conference venue will be the University of Arkansas at Fayetteville. She noted that the required ethics training program had been performed and completed just prior to the Board meeting. In addition, it was noted that Ms. Walbert had accepted the responsibilities of the Designated Agency Ethics Officer (DAEO). Finally, the requirements of the GAO auditors had been satisfied thanks to the exceptional efforts of Ms. Walbert supported by Dr. McNamara.

Upcoming projects include the response to the GAO audit, which will require attention in February; the legislation about VEF that is pending; the

completion of the VEF Annual Report; and a plan to recruit one additional staff member for support in the U.S. office.

Asked about the possibility of online ethics training, Dr. McNamara invited Ms. Nonluecha to comment. Ms. Nonleucha confirmed that there were online training modules that the Presidential Board appointees, who are special government employees (SGE), could access to complete the training. The SGEs are subject to ethics requirements that are less stringent than those for federal employees, but includes policies on acceptance of gifts and on financial conflicts of interest during and after the appointment. The Presidential Board appointees are also required to complete a confidential financial disclosure form. Dr. Maxner noted that the U.S. office had purchased a lockable storage unit for sensitive and confidential materials.

Financial Report -- Ms. Lana Walbert

Ms. Walbert reported that the 2009 independent audit report was completed with only a minor issue included in the auditor's management letter, namely, a disconnect between requests to GSA to remove certain obligations and the actual removal, which at times did not occur. In response, procedures have been put in place to ensure prompt reports of action with regard to those requests. She added that the working relationship between VEF and the independent auditors continues to be satisfactory.

Concerning 2010 budget tracking, the revised accounting system that allows tracking of expenditures has been put in place. Ms. Walbert stated that she had spent a few days with GSA in Kansas City and the meetings went very well. However, there are a few issues affecting the final reporting that have yet to be fully resolved and the current numbers in the system are not completely accurate. Because of continuing accounting errors, no report to the Board is available for this Board meeting. Ms. Walbert added that the system is working well within VEF and that as soon as the GSA problems are solved a report will be provided to the Board.

Finally, Ms. Walbert announced that two Hanoi staff (the Deputy Director of Finance, Accounting, and Administration and the IT & Data Manager) would be visiting the U.S. office in April for training and would attend the April Board meeting.

Programs Report

Dr. McNamara stated that staff in the U.S. and the Hanoi offices play an integral part in preparing for the regular Board meetings. She expressed appreciation for the exceptional cooperation that exists between the two offices. Staff from both offices would participate in the Programs Report.

2010 Annual Conference

Ms. Michaels commented that the cooperation between the VEF staff and the RPI staff was the reason why the Annual Conference was so successful. She specifically mentioned three areas that were exceptionally valuable to those Fellows and Visiting Scholars, who attended: (1) the outstanding response to the VEF Fellows & Scholars Association (VEFFA) book drive, the expectations for which was to receive about 500 books and finally more than 2,000 were received; (2) the inspiring keynote speech by Dr. Robert Chernow on the theme of the meeting, “Leaders of the Future – Entrepreneurs”; and (3) the opportunities to develop networking connections, which the Fellows and Visiting Scholars enthusiastically embraced.

Dr. McNamara expressed appreciation for Ms. Michaels’ effective contribution to making the Annual Conference a success and confirmed that management of the next annual meeting would remain with VEF staff. She specifically thanked Dr. Gamble for the solid foundation that the National Academies laid in planning and executing the previous Annual Conferences.

Ms. Hanh Bui reported that 179 Fellows, eight Visiting Scholars, and three Faculty Scholars attended the Annual Conference. There was a significant delegation from Vietnam, including the Vice Minister of Science and Technology, Dr. Nguyen Quan. There were also invited speakers from U.S. academic institutions and from commercial ventures in Vietnam. She added that 14 members of the RPI staff, including faculty members and administrators, were in attendance and provided support to the Annual Conference.

Dr. Phuong Nguyen reported that the total attendance was about 250, including Fellows, Visiting Scholars, U.S. Faculty Scholars, VEF staff, RPI representatives, speakers, and guests. There were nine representatives available at the Job Fair session. Dr. Nguyen reported that the directory and calendar were distributed widely this year to recipients in Vietnam (VEF alumni, the Ministry of Science and Technology, the Ministry of Education and Training, Vietnamese universities, and other entities interested in VEF) and in the U.S. (Board members, Fellows, Visiting Scholars, U.S. Faculty Scholars, VEF Alliance Schools, the National Academies, and others).

Dr. McNamara commented that for the first time there will be an attempt to receive Annual Conference evaluation comments online from the Fellows, Visiting Scholars, and U.S. Faculty Scholars, as well as others, who attended the meeting. On behalf of the Board, Mr. Fussner stated that the entire conference was of the highest quality and that the presentations should have been very valuable to the Fellows, who attended them. He expressed appreciation to the members of RPI, who helped put the conference together and who attended and participated in the program.

Exchange Programs

Ms. Gunawardena announced that 40 Fellowship slots had been approved and one individual withdrew, leaving 39 nominees, who are now applying for admission to U.S universities. These 39 nominees fall into the Process A category, specifically, individuals who receive the promise of financial support but who have not yet been admitted to a university. The remaining slot may be filled by a Process B individual, who will have already gained admission to a U.S. university on his or her own initiative. Interviews by phone for that slot will be in early April. The Board will review all candidates recommended for Fellowships at the April meeting.

The online Process A application for the 2011 Fellowship cohort will be released in early February 2010, with the regular schedule of providing an orientation for the oral examination/interview in June 2010 and of holding the finalist interviews in August 2010. Process B applicants may begin the application process in February 2011.

Discussion on Compliance

In response to a prior request by the Board, Ms. Gunawardena stated that she had compiled a few examples of violations of the VEF Fellowship agreement and/or immigration regulations. She described one that involved a Ph.D. candidate, who chose to move down to a master's degree and now was unable to fulfill the requirements for a master's degree after being in the program for 4 ½ years. The Fellow had not communicated with VEF and had not gotten approval from VEF for a program change, but then returned to Vietnam without informing VEF. Another Fellow changed from a Ph.D. program to a master's program without notifying VEF. Such a downward change in an academic program is not permitted under the immigration regulations, and this Fellow voluntarily returned to Vietnam and sought reentry into the United States. Other situations were shown to the Board in a PowerPoint, but not specifically discussed.

Dr. Hunt commented that the compilation was useful, pointing to the importance of VEF developing a process to uncover such violations early on. He noted that, considering the number of Fellows in the program, the very few identified suggested a minor but nonetheless troublesome issue, made even more serious when VEF staff attempts to help the individual resolve the situation. He stressed the importance of our timely response to other federal authorities and of avoiding any action that would violate federal law. Dr. Maxner agreed, adding that an informal consultation between Dr. Hunt and Ms. Gunawardena might be appropriate. Ms. Gunawardena commented that one important step is to develop a system to monitor the students on a more timely basis, and not just at the end of each semester. She added that it was a time-consuming process and that resources would be required to accomplish it. Dr. McNamara noted that an additional staff member to support this effort was currently being sought, but that Ms.

Gunawardena had already established a requirement that Fellows submit performance and enrollment verification information by a set date each semester. When a Fellow fails to comply, there are immediate phone calls to discuss the matter. In addition, Ms. Gunawardena is beginning a program to develop closer ties with both research advisors and the universities' international offices. Dr. McNamara iterated that the approach of staff toward Fellows in these situations is not punitive or pejorative. Instead, an effort is made to help the individual regain the status required to remain in the program.

There was a brief discussion about the fact that Fellows are not even aware that they are in violation of law, let alone in violation of the Fellowship agreement (grant letter) signed at the outset of their tenure as Fellows, and that often they are embarrassed about their academic problems and, thus, fail to notify the staff. Ms. Gunawardena added that nearly all of the violations and problems stem from academic issues, although there are occasionally personal issues that cause problems. Dr. Hunt suggested that staff might consider establishing a peer counseling program to support students, who begin to fall behind. The peer support might come from other Fellows, who are secure in their performance records. Dr. Maxner agreed, suggesting that VEFFA might be a resource as well. Dr. McNamara added that students at times are unaware of counseling and other resources available at their institutions and staff could help them increase awareness of help that may be available.

As chair of the Finance Committee, Ms. Dugan affirmed the importance of keeping ahead of such problems even though it requires resources, since failure can be even more costly, as evidenced by the examples provided. One example was of a student who, though not actually in compliance with the program, received funding for a number of years. Dr. McNamara noted that there was no process in place to try to recover such expenditures, although the Board might consider the issue at a future meeting. Dr. Maxner suggested that, until that time, staff develop a file on students, who have received funds inappropriately, just so that the record is available if the Board considers recovery action at a future date.

Although funding is provided at the beginning of each academic year, Dr. Maxner noted that there should be some consideration to withholding subsequent funding (including funding for professional development) if a student fails to comply with the requirements to report. It was noted by staff that transcripts have been received in the past, from which the GPAs are compiled and have been reported to the Board in summary form for a number of years. Dr. McNamara stated that any Fellow with a C average for the semester or for the overall GPA was contacted as was the Fellow's advisor to secure assurance that the GPA could be improved by the next term. Now the effort would be to review transcripts on a more timely basis, to analyze any potential problems, and to act sooner. Finally, Dr. Maxner suggested that perhaps the basic agreement with the universities should be amended to increase the university's responsibility to report regularly on a Fellow's progress.

Alumni Data Enhancement

Ms. Gunawardena commented that VEF has begun an initiative to compile data on alumni, recording their graduate and postgraduate achievements, including their careers and locations after they leave the formal VEF exchange programs. The aim of this effort is to create a strong network of VEF alumni, who can be ambassadors for the VEF programs as well as a resource for future efforts. Ms. Bui summarized the current data on alumni. She noted that as of December 2009 there were 82 alumni, 39 of whom received Ph.D. degrees and 43 of whom received master's degrees. Forty-eight have returned to Vietnam and the others are continuing in various endeavors in the United States and elsewhere (i.e., pursuing further education while relying on other funding and working abroad). Of the 48 in Vietnam, 22 are working in the corporate sector, 16 in academia, four in the development area, two in the private sector (self-employed), and four are currently looking for employment. Eighteen Visiting Scholars have returned and are working in the academic sector.

Ms. Gunawardena commented that there will be an effort to improve the information on alumni, which will include follow-up by the Hanoi staff, research of Student and Exchange Visitor Information System (SEVIS) records, a periodic survey, maintenance of the online forum or networking tool that allows interchange among alumni, a possible alumni newsletter, and cooperation with VEFFA. Dr. Maxner noted that VEFFA may develop a Facebook page, which would enhance the exchange of information among alumni, but he added the caveat that it would be important to limit participation in the Facebook to alumni. Otherwise there may be hundreds or thousands of non-alumni participating, making it difficult to sort out the information that is posted. Facebook is also a way to broadcast announcements and alerts.

There was a brief discussion about how Facebook might be used to inform and communicate with both Fellows and alumni. There was an observation that not all Fellows belong to VEFFA (which charges dues) and not all members actually pay the dues.

Visiting Scholar Program/U.S. Faculty Scholar Program

Ms. Mai Nguyen briefly discussed the Visiting Scholar Program, which is now in the final application phase and closes on February 15th. The phone interview process will follow and the candidates would be selected in time for the Board to review them by April. Dr. McNamara stated that traditionally the Board reviewed the candidates for all of the programs during the April Board meeting. Ms. Nguyen reported that the U.S. Faculty Scholar Program is similarly under way and the candidates would also be interviewed by phone before the April Board meeting. She announced that the U.S. orientation for the U.S. Faculty Scholars would be held on the 28th of June.

Online Management System (OMS)

Mr. Hung Do described the OMS, which supports three functions: (1) online applications for programs; (2) screening of applicants for programs; and most importantly and most dominantly, (3) the management of all kinds of data related to Fellows, Visiting Scholars, and U.S. Faculty Scholars. The kinds of data that can be managed within the OMS include academic performance, immigration authorizations and applications, international travel, conference attendance, and personal information (including information on dependents). Staff in Hanoi and in the U.S. can work on items cooperatively, and communications can be facilitated between VEF and the U.S. universities. Furthermore, communications with various stakeholders can be generated automatically, thereby reducing staff time requirements.

Dr. McNamara noted that the U.S. Embassy, MOET, and the Vietnam International Education Development (VIED), which is a division of MOET, have expressed enthusiasm about the OMS and, at their request, have all received an orientation to, and/or training in, its use from VEF staff. VEF is willing to share the technology, and there has been significant interest among some universities in Vietnam. Dr. McNamara also commended the IT Team for creating nearly all of the OMS as well as managing the VEF web site. There was a comment that the OMS could be used to announce the presence of the minutes on the VEF web site. Asked about security of information, Dr. McNamara stated that there were stringent password requirements to access any of the OMS. For example, Fellows may only access their own records, not those of others, and no unauthorized person can gain access.

Vietnam OpenCourseWare (VOCW) Project

Dr. McNamara announced that the transfer of VEF responsibilities regarding VOCW to the control and management of the Vietnamese government is almost complete. The memorandum of understanding has been completed and reviewed by most stakeholders. It is in the hands of the U.S. Embassy for final review, after which a signing ceremony is planned during the January education conference in Hanoi, at which Dr. Maxner will represent VEF. After that, a careful plan for transition will be executed.

Dr. Phuong Nguyen stated that 15 servers have been donated to 15 Vietnamese universities. She added that she and the IT & Data Manager, Mr. Tu Ngo, had attended the Asia Regional OpenCourseWare Conference (OCWC) in Seoul, Korea, where they networked and invited the participants to the OCWC Global Meeting that will be held in Hanoi in May 2010. VEF also recently held an e-conference on the Creative Commons licenses for Vietnam, which relate to intellectual property rights. The e-conference served as the public discussion phase of the porting process of the CCL Vietnam in order to inform and to gather

feedback. Dr. McNamara explained that the Creative Commons allows authors to upload courses to the VOCW site without violating intellectual property laws.

Ms. Mary Lou Forward, representing the OCW Consortium of 250 universities globally, explained that the Consortium members make courseware and educational materials available for free and rely on Creative Commons Licenses so that this material can be legally licensed to be shared without restriction. She added that there are more than 12,000 courses currently available and openly licensed for use by anyone. The OCW Consortium is supporting the Hanoi conference that will focus on OpenCourseWare and education policy. The Consortium believes that once the OpenCourseWare platform is fully established, it will provide a vehicle to improve graduation rates; support transition from secondary education to higher education; provide the basis for government-education partnerships; and help less developed countries improve their higher education. She welcomed attendance at the conference by the VEF Board members.

Dr. McNamara thanked the Consortium for selecting VEF to serve as the local host and organizer together with MOET. She assured Ms. Forward that, even though VEF is transitioning the VOCW to MOET, VEF would continue to fully support the conference through to its completion. She added that VEF is providing the personnel time required to manage the conference.

VEF Events

Dr. Maxner mentioned the events on the calendar at which Board members may participate: the 2010 Pre-Departure Orientation in June, the 2011 Cohort Interview Mission in August, and the Alumni Conference. He noted that the Education Conference sponsored by the U.S. Embassy would take place in late January and he would attend in part as a representative of his university and in part as a representative of VEF. In addition, the OCW Consortium's Hanoi conference will be held in May and Mr. Fussner had volunteered to attend.

Dr. McNamara commented that there had been a proposal that the November VEF Alumni Conference be moved to late August immediately after the Interview Mission. Economically it would be a positive change since all of the VEF staff would be present. Asked about the interest that the alumni had expressed in managing the conference, Dr. McNamara stated that, if VEF is sponsoring the event, then VEF must have full management responsibility. Nonetheless, there could be alumni representation in the planning of the program and, in essence, the alumni could have input regarding what they felt was appropriate, which would need to be reviewed and approved by VEF. She added that the idea put forward by the alumni of holding the conference in Can Tho could be considered, but there would be budgetary implications.

Finally, Dr. McNamara announced that the 7th U.S.-Vietnam Joint Commission Meeting on Scientific and Technical Cooperation (JCM) had been postponed, probably until fall of 2010.

Operations Report

Noting that the VEF legislation has probably failed for this term and would have to be revived in the next Congress, Dr. McNamara commented that there were rumors that are unfounded about the budget and the absorption of VEF into the U.S. Embassy in Vietnam. Individuals should check with VEF staff in the U.S. for accurate information.

The GAO audit team in Vietnam invited VEF staff to accompany them on the visit to MOET and MOST, and results of the meetings were positive. There should be a draft report by the GAO in mid-February, after which VEF will have an opportunity to respond, including technical comments, i.e., to correct statements VEF considers inaccurate or erroneous.

Dr. McNamara stated that the meetings in October 2009 with the Vietnamese government departments went well and that the Ministry of Foreign Affairs was pleased with the accomplishments of VEF. Concerning public relations, there have been a few announcements to the media: the appointment of the VEF Executive Director, announcements of the Visiting Scholar and U.S. Faculty Scholar programs, and a notice about the 2010 VEF Annual Conference.

In terms of near-term priorities, Dr. McNamara commented that previously mentioned projects would be addressed: the final GAO audit process, the Annual Report, supporting the nominees in applying to universities, the selection of potential Visiting Scholars and U.S. Faculty Scholars, and the conduct of the August Interview Mission.

Old Business

Dr. Maxner stated that the Board would be reviewing the Annual Report prepared by Dr. McNamara and that some attention would be paid to the strategic plan, perhaps including a meeting with some Vietnamese representatives, after which a draft would be developed for Board consideration.

New Business

Dr. Maxner commented that an issue raised during the Board Forum at the Annual Conference was VEFFA's desire to participate in some way with the VEF Board process. He said it might be appropriate to invite the VEFFA President to sit in on the quarterly Board meetings and Dr. Hunt endorsed the idea, adding that the President of VEFFA should have a participatory role. Ms. Dugan agreed and added that the additional input would be welcome as long as the prerogatives of

the Board were preserved and the final decisions would be made as before. Dr. McNamara commented that sensitive information (likes names in the context of the violations discussion) could be eliminated from discussion. She wondered whether there was a legal issue related to the fact that VEFFA is a nonprofit corporation. Ms. Wilson assured the Board that, since meetings are open, such an organization could legally attend and that, if a sensitive privacy-related subject came up, it would be acceptable to ask non-members of the Board to recuse themselves and leave the meeting room.

Dr. Maxner stated his aversion to establishing a “closed” meeting or portion of a meeting, preferring to simply discuss such issues in another venue, such as by e-mail among the Board members. Ms. Gunawardena commented that having a single representative present at the meeting might not meet the expectations of the VEFFA membership. Dr. Hunt stated that since the meetings are open anyway, any number of VEFFA members could attend although none should expect expenses of attendance to be paid. He suggested that a session at the Annual Conference could be devoted to hearing the views of the VEFFA membership in general. Ms. Dugan suggested that the Forum might be restructured to provide that opportunity.

Ms. Walbert noted that if the Board intended to financially support the one VEFFA member, the funding would have to be identified since there is no provision in the current budget for that purpose. Dr. Maxner asked that she review the budget to see if there were funds available anywhere in the budget that could be redirected to that purpose.

During the discussion, Ms. Wilson offered to review minutes of some other similar agencies to determine their policies on issues such as how expenses are handled. Also on the legal side, there was a brief discussion about redaction of sensitive information. There was also a suggestion that some materials be prepared for the VEFFA representative ahead of the meeting to allow some preparation for the discussion. That material could be shared with the VEFFA membership or some portion of the membership. It was also suggested that for future meetings an announcement/invitation be sent to VEFFA to ensure that the membership knows that they may attend the meetings.

Dr. Maxner invited a motion that would authorize the VEFFA president or his representative to attend the Board meetings, that would ensure that a briefing document is prepared and sent in advance of the meeting, and that an announcement be made to all VEFFA members that their attendance at Board meetings (with notification of intent to attend) is welcome. That motion failed for lack of a second, but an alternative motion was made to develop a policy statement on inviting a representative of VEFFA to attend Board meetings, including a discussion of the details of participation. That motion, duly seconded, was unanimously approved.

Future Meetings

Dr. Maxner stated that the April Board meeting, previously scheduled for the 9th, would probably have to be rescheduled to fit Board member calendars. April 23rd and 30th were suggested as alternative dates. A decision would be made through e-mail contact with members. Dr. McNamara stated that the approval of the Fellowship recipients must be completed before April 15th. The Board agreed that an e-mail or teleconference process on April 7th would be acceptable.

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