

## CHAPTER 300 - SPECIAL ACADEMIC ACTIVITIES

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## **Chapter 300 SPECIAL ACADEMIC ACTIVITIES**

### **310 SPECIAL ACADEMIC ACTIVITIES**

Section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961 provides for furthering the purposes of the Act by "promoting modern foreign language training and area studies in United States schools, colleges, and universities by supporting visits and study in foreign countries by teachers and prospective teachers in such schools, colleges, and universities for the purpose of improving their skill in languages and their knowledge of the culture of the people of those countries, and by financing visits by teachers from those countries to the United States for the purpose of participating in foreign language training and area studies in United States schools, colleges, and universities." This function is delegated to the Department of Education by Executive Order 11034 of June 26, 1962. Rules and Regulations for the programs administered by the Department of Education are published in Volume 34 of the Code of Federal Regulations, Parts 662, 663, and 664.

Section 106(a)(1) of the Act authorizes the supervision of the above programs by the Board.

#### **310.1 Categories of Grants**

Grants available under section 102(b)(6) include Doctoral Dissertation Research Abroad, Faculty Research Abroad, Group Projects Abroad, and Seminars Abroad.

The Doctoral Dissertation Research Abroad program (Part 662) provides opportunities for advanced U.S. graduate students to engage in full-time dissertation research abroad in modern foreign languages, area studies, and world affairs. The Faculty Research Abroad program (Part 663) offers selected opportunities for U.S. scholars to conduct research abroad in similar fields, designed to help colleges and universities in the United States strengthen their programs of international studies.

The program of Group Projects Abroad (Part 664) has similar objectives. Universities, 4-year colleges, community and junior colleges, developing institutions, state departments of education, nonprofit educational organizations, and various consortiums of institutions are eligible to apply for grants.

The Seminars Abroad program provides similar opportunities for U.S. teachers, faculty, school administrators, social studies supervisors, and curriculum directors to participate in short-term seminars overseas.

### **310.2 Program Administration**

#### **310.2-1 Role of the Department of Education**

The Department of Education administers research and training programs in foreign languages, area and international studies. With the advice of academic consultants and U.S. Embassies and binational Commissions, the staff reviews proposals and recommends the distribution of awards. The Secretary of Education makes the awards with the approval of the Board. Eligibility and selection criteria, financial terms of grants, area and project emphasis, etc., for grants under section 102(b)(6) programs are determined in consultation with the Board.

#### **310.2-2 Role of the J. William Fulbright Scholarship Board**

The Board exercises responsibility for the final selection of all individuals proposed for grants under the Doctoral Dissertation Research Abroad, Faculty Research Abroad, and Seminars Abroad programs and for all projects submitted for funding under the Group Projects Abroad Program.

#### **310.2-3 Role of Recipient Institutions and Agencies**

Educational institutions and agencies submit proposals in accordance with their needs and administer any funds granted to them. Under the Doctoral Dissertation Research Abroad and the Faculty Research Abroad programs, the Department of Education makes grants to individuals through the institution at which they are enrolled or employed. The institutions submit proposals on behalf of their candidates.

Under the Group Projects Abroad program, the Department of Education awards grants directly to the educational institution sponsoring the group activity abroad. The institutions are responsible for selecting eligible project participants.

Interagency agreements and contracts support the overseas educational activities of Seminars Abroad participants. The Department of Education is responsible for selecting eligible participants.

## **320 SPECIAL ACADEMIC PROJECTS**

### **320.1 Responsibility of the J. William Fulbright Foreign Scholarship Board**

The Board shall be responsible for supervising all seminars, chairs, workshops, faculty exchanges, or other special academic projects funded under section 102(a)(1), 102(b)(4), or 102(b)(6) of the Fulbright-Hays Act, whether carried out by institutional contractual arrangements or otherwise. The Board will exercise its responsibility through (a) preliminary review and approval in principle of the project in advance of commitments by the agency financing the project; (b) approval of final project plans; and (c) any selection or other review action required of the Board that may be set forth in individual project descriptions.

### **320.2 Format for Presentation of Projects**

Proposed projects submitted to the Board for consideration either directly by institutions and organizations, or by the Bureau or the Department of Education, shall include the following items of information:

1. Project title;
2. General project description;
3. Academic subject matter, level, and recognition;
4. Procedures for administering the project in the United States;
5. Procedures for administering the project abroad;
6. Foreign participating institution(s);
7. Qualifications of organization or institution for carrying out the program;
8. Eligibility requirements for individuals;
9. Selection;
10. Stipends and allowances;
11. Contributions to educational exchange objectives; and
12. Proposed role of the Board in the project (to include a statement whether selection of individuals will be a Board or an institutional responsibility).

### **320.3 Relationship of Board Members to Institutional Grant Proposals**

1. Members of the Board should refrain from giving advice on whether or how to prepare a proposal with respect to any institutional grant program or competition for which the Board has any selection or supervisory responsibility. This is particularly relevant with respect to organizations or institutions of which the member is an employee or in which he or she has a financial interest. Individuals and institutions seeking advice with respect to such grants should be referred to the appropriate Department of State or Department of Education office.
2. If an employer is an applicant for any such institutional grant, the Board member must refrain from participating in the review of or the decision on that application and in related decisions affecting competing institutional applications.

3. If an institutional grant award is made to such an employer, the Board member may participate in such project or activity but must refrain from receiving or having expended directly on his or her behalf any of these grant funds. Any such participation must also be limited so as not to be in real or apparent conflict with his or her responsibility as a member of the Board. Should any question involving that particular award come before the Board as part of its supervisory role, the member must refrain from participating in the resolution of such question or issue.

## **330 SPECIALIZED PROFESSIONAL GROUP PROJECTS**

Grants may be considered under Board-supervised programs for participants in specialized professional group projects, including multinational projects.

### **330.1 Participants Defined**

A participant in such group projects may be (a) an apprentice; (b) a trainee; (c) a person desiring increased knowledge of a specialized skill and broadening professional experience by participating in a preplanned program of practical experience in actual operations; for example, a participant in a jointly sponsored program for journalists or social workers; (d) a person recognized as a leading figure or expert in a particular field or activity who wishes to acquire advanced techniques or skills, or to engage in practical experience at a high level of specialization; or (e) a person of outstanding ability whose assignment is arranged at the request of an American organization or institution. Grants shall not authorize activity for which a license to practice medicine or nursing is required.

### **330.2 Invitational Recruitment of Participants**

A limited program of invitational recruitment for individuals participating in such group projects may be initiated with the assistance and cooperation of participating U.S. institutions and organizations and binational Commissions and posts abroad.

### **330.3 Program or Project Content**

Board approval of individuals and projects for participation as academic exchange grantees will be conditioned by the degree to which a workshop or seminar conducted by a university or other educational institution constitutes a major part of the grantees' experience in the United States and the degree to which such university or institution plans, or shares in planning, and participates in other parts of that program.

Each proposed project that would involve individuals who may be nominated to the Board for participation in such projects is subject to the review and approval of the Board prior to the implementation of such project or its announcement to posts and Commissions.

### **330.4 Duration of Grants**

Grants may be made to participants in group projects under this provision to visit the United States for programs of professional observation and highly specialized training of not less than 3 months duration. Grants for participation in projects of less than 3 months duration shall be made only in special circumstances upon justification to the Board.

### **340 HUBERT H. HUMPHREY FELLOWSHIP PROGRAM**

The Hubert H. Humphrey Fellowship Program, initiated by the President and the Congress in 1978, is carried out under Section 102(a)(1)(B) of the Mutual Educational and Cultural Exchange Act of 1961.

Its stated purpose "is to help educate a core group of a new generation of developing world leaders...The purpose of the studies will be to enhance the students' capabilities for public service, in particular to help improve incomes, living standards and employment and enable them to contribute more effectively to the equitable development of their country." (White House Proclamation, November 15, 1978) Section 106(a)(1) of the Act authorizes the selection of participants for the above program and its supervision by the Board.

### **341 Selection Criteria**

#### **341.1 General Criteria**

Candidates shall be drawn primarily from the following fields: agricultural development, banking and finance, communication and journalism, drug abuse prevention, economic, development, educational administration and planning, human resource development, law and human rights, natural resources and environmental management, public health policy and management, public policy analysis and public administration, technology policy and management, and urban and regional planning. Grants shall not authorize activity for which a license to practice medicine or nursing is required.

They must have a public-service orientation and be committed to their country's national development. They may be recruited from either the public or private sectors.

#### **341.2 Personal Factors**

##### **341.2-1 Citizenship**

- a. Applicants must be citizens, nationals, or permanent residents of countries outside the United States qualified to hold a valid passport.
- b. Persons who are U.S. citizens but who claim dual citizenship are ineligible for Humphrey awards.

##### **341.2-2 Nondiscrimination**



Candidates will be considered without regard to race, color, religion, sex, national origin, age, disability, political affiliation, marital status, status as a parent, protected genetic information, or sexual orientation.

#### 341.2-3 Health

Applicants must be able to fulfill the conditions of the grant as determined by a medical examination to be conducted no more than six months in advance of the grant period.

#### 341.2-4 Adaptability

Adaptability and personal suitability will be factors in nomination and selection. Applicants should be representative and responsible citizens who can contribute to a full and fair picture of the culture and civilization of their own countries and thereby contribute to understanding and friendship between the people of the United States and of other nations.

#### 341.2-5 Acceptability to the United States

Candidates must be acceptable to the United States and to the institutions with which they are affiliated, and must comply fully with immigration and naturalization laws and regulations.

### **341.3 Professional and Program Factors**

#### 341.3-1 Leadership Ability and Potential

Candidates should have demonstrated ability to achieve positions of significant responsibility and have the promise of assuming future leadership roles. Their professional experience should indicate a more than ordinary career pattern for their age and circumstances. There should be a clear indication that the nominated candidate has the promise of becoming an important figure in his/her field and will most likely hold a position where he/she can influence the policy and development of his/her country.

#### 341.3-2 Professional Qualifications

Candidates should have at least five years of substantial professional experience and a record of superior performance. The nature or quality of the candidate's professional experience should be commensurate with the type of study and training experience sought. The candidate should be at a point in his/her career where he/she will derive maximum benefit from a year of non-degree study and professional enrichment in the United States.

#### 341.3-3 Academic Qualifications

While academic qualifications are not to be the major consideration in choosing candidates, there should be evidence that the academic background is sufficiently strong, both in terms of the type of academic preparation and the level of achievement, to enable the individual to successfully

undertake graduate level study at a major university in the United States. As the program is nondegree in nature, candidates should have a first university degree; given a choice, candidates with a master's degree, Ph.D. or other graduate-level work would be preferred.

#### 341.3-4 Career Objectives

1. Candidates' stated objectives in applying for a fellowship should be consistent with the purpose and goals of the Humphrey Program. Their stated program plan and career goals must be clear, explicit, and well defined.
2. The programs designed for Humphrey Fellows will be geared toward enlarging the candidates' overall perspectives and enhancing their professional capabilities. Applicants wishing to complete a degree should not be nominated; those wishing to pursue traditional discipline-oriented programs cannot be accommodated. Candidates should be seeking broad-based, problem-solving training and increased professional contacts which they can draw upon to further the development needs of their countries, including internships or "professional affiliations."
3. There should be evidence of the candidates' seriousness of purpose and commitment to use this experience to make greater contributions in the area of public service. The program closely resembles a sabbatical year.

#### 341.3-5 Language Proficiency

Candidates must meet the English language requirements considered necessary for study or research and for adjustment to life in the United States.

#### 341.3-6 Participating Countries and Grant Distribution

1. The list of countries will be determined in consultation with the Board and summaries of applications will be presented annually to the Board for approval.
2. Panels of candidates recommended to the Board for selection shall be in the form of principal candidates and alternate candidates who will be offered fellowships as they become available through withdrawals of principals.

### **341.4 Placement Factors**

#### 341.4-1 University Programs

1. Fellows selected for the Humphrey Program are assigned in groups or clusters averaging 10 each to designated U.S. universities offering the most appropriate program in their area of interest. Clusters will be designed across geographic lines to permit international interaction among fellows from various countries and continents.
2. Participating universities will be selected on the basis of the type of specialized nondegree programs they are able to provide for a group of Humphrey Fellows in

one or more of the fields covered by the program. A Humphrey Program coordinator will be responsible for each university group or cluster.

3. Programs arranged for Humphrey Fellows are approximately ten months long: two semesters beginning in August or early September. They include academic graduate level course work, but place emphasis on such activities as seminars, special research projects, field trips, attendance at professional association conferences, meetings with professional counterparts, and internships with organizations of professional interest. Fellows are provided with practical experience in their fields outside the university setting. Each fellow designs his/her own program with his/her Humphrey coordinator.
4. Because of the Humphrey cluster approach, placement at a specific university requested by a candidate cannot be arranged; nor can fellowships be awarded to enable a candidate to attend a university in the United States solely on the basis that he/she has already been admitted.

#### 341.4-2 English Language Program

Candidates whose English is somewhat below the level required for participation in the program will be expected to participate in an English language training program in the United States preceding the university year.

#### 341.4-3 Workshops

In the fall, all fellows will convene in Washington, D.C., for one week of introduction to U.S. institutions, federal agencies and international organizations; they will meet with senior government officials and representatives of international organizations. The program is encouraged to organize a concluding workshop for the purpose of evaluation and planning for on-going involvement of fellows as alumni.

#### 341.4-4 Pre-departure Orientation

Prior to departure for the United States, Humphrey Fellows should meet with program alumni from their home country. In addition, Commissions and posts should arrange orientation programs as an introduction to the Humphrey Program, to life in the United States, the U.S. university system and related topics.

### **341.5 Eligibility Factors**

#### 341.5-1 Competition

Selections will normally be on a competitive or other objective basis to assure that candidates are representative of their country. Selections should be made in accordance with established criteria as noted in Section 341.

#### 341.5-2 Previous Experience in the United States

Previous experience in the United States is not necessarily a disqualifying factor provided the number of years spent in the United States has not been substantial (more than three years), and the candidate has been back in his/her home country and employed at a level of professional responsibility for at least four years.

### **341.6 Ineligibility Factors**

#### **341.6-1 Persons Associated with Specific Agencies and Organizations, and Members of their Families**

The following persons are ineligible for grants during and for a period ending one year following the termination of such employment, association, or service:

- a. Employees of U.S. missions abroad who work for the U.S. Department of State or the U.S. Agency for International Development. This provision includes all employees, paid or unpaid (including part-time or temporary employees, consultants, externs, fellows and contract employees). This provision does not apply to interns;
- b. Board members or staff of a Fulbright Commission;
- c. Officers of an organization, in the United States or abroad, including members of boards of trustees or similar governing bodies, and individuals otherwise associated with the organization, wherein the organization and the individuals are responsible for nominating or selecting individuals for participation in any exchange program of the Bureau of Educational and Cultural Affairs;
- d. Immediate families (spouses and dependent children) of individuals described in paragraphs a-c. This provision does not disqualify self-supporting children who live apart from their parents;
- e. For purposes of this section, the one-year period of ineligibility is calculated from the date of termination of employment, service, or association until the due date for submission of applications for programs under this chapter.

#### **341.6-2 Persons Arrested for, Charged with, or Convicted of a Crime**

A candidate who, at the time of application, or at any subsequent time prior to becoming a grantee as defined in Section 342.2 has been convicted of the commission of a crime (excluding minor traffic violations), must inform the Commission, the post, the Bureau, or the Board in writing of such fact. Similarly, a candidate who at the time of application, or at any subsequent time prior to becoming a grantee as defined in Section 342.2 has been arrested for or charged with a crime (excluding minor traffic violations), and the criminal matter has not been resolved, must inform the Commission, the post, the Bureau, or the Board in writing of such fact.

If the candidate has been convicted of a crime, the Board will not select such a candidate for a grant (or, if the candidate has already been selected, the Board will annul the selection) unless the Board is satisfied that the conviction does not represent an absence of the requisite moral and social attitude desired of grantees. Such a determination will be based upon the nature of the crime, the time and place of conviction, and the subsequent conduct of the candidate.

If the candidate is arrested or charged with a crime, the application (and, if already made, the selection) may be suspended by the Board until the criminal matter is resolved, or until such time that the Board is satisfied that the arrest or the charges do not represent an absence of the requisite moral and social attitude desired of grantees.

Similarly, a candidate who, at any time after becoming a grantee, as defined in Section 342.2 is arrested for, or charged with, a crime, must inform the Commission, the post, the Bureau, or the Board in writing of such fact. The grant may be suspended by the Board until the criminal matter is resolved, or until such time that the Board is satisfied that the arrest or the charges do not represent an absence of the requisite moral and social attitude desired of grantees. If a grantee is convicted, the Board may revoke the grant.

If an application, selection, or a grant is suspended on the basis of the criteria stated above, and the matter causing the suspension has not been resolved prior to the date set for the commencement of the grant activities, the Board may reject the application, rescind the selection, or revoke the grant, as applicable. Any funds disbursed to the grantee must be immediately returned to the source.

After a revocation, the grantee is considered as not having received the grant and will not be an alumnus or alumna of the Humphrey Program.

Grants are also subject to revocation, termination and suspension as provided in Section 342.2.

As used in this section 341.6 and Section 342.8, "crime" means a criminal offense punishable by imprisonment of one year or more.

## **342 General Terms Of Award**

### **342.1 General Provisions**

#### **342.1-1 Passports and Visas**

The grantee is personally responsible for obtaining a passport and any visas required by the countries through which the grantee will pass en route to the United States, as well as a visa for the United States. The grant does not provide for expenses related to any passport or visa fees. Such expenses must be borne by the grantee without recourse to claim for reimbursement.

#### **342.1-2 Exchange-Visitor Visa Program Number**

All Humphrey Fellows are required by the U.S. Department of State and the Board to travel on a J-1 visa.

### 342.1-3 Renewals and Extensions

Humphrey Fellowships are non-renewable; fellows are expected to return to their home countries following the conclusion of their program.

### 342.1-4 Liability

No one or more of the Board, the U.S. Department of State, the cooperating agency, and the Commission or post will be liable for any claim or claims resulting from a grantee's failure to enter upon or to complete the program outlined in the grant, even though the failure is beyond the grantee's control, including without limitation any failure resulting from a revocation, termination, or suspension effected pursuant to Section 341.6 or Section 342.2.

### 342.1-5 Resignation From Grant

When serious and compelling reasons, such as personal illness, death of an immediate member of the family, or other personal situations, make it impossible for a grantee to complete the grant period, the grantee will be permitted to suspend the award with the concurrence of the cooperating agency and the Bureau. The Board recommends that a flexible policy on return travel benefits be followed, so that grantees will not be penalized for circumstances beyond their control.

## **342.2 Revocation, Termination, and Suspension of Grants**

### 342.2-1 Definitions

1. For the purpose of Section 341.6-2 and this Section 342.2, a "grantee" is defined as a selected candidate who has signed the grant document (including all terms and conditions thereof) without qualification and has returned a signed copy to the corresponding cooperating agency.
2. A candidate who has been selected, but who has not signed and returned the grant document, is defined as a "selected candidate".
3. In the event a selected candidate fails to sign and return a copy of the grant document within a reasonable time after it is received by the selected candidate, the selection may be withdrawn by notice of withdrawal delivered to the selected candidate.
4. A grant may be revoked, terminated, or suspended. After a revocation, the grantee is considered as not having received the grant and will not be an alumnus or alumna of the Fulbright Program; after a termination, unless otherwise stated, the grant will be considered to have ended when the Board announces its decision to

terminate; and after a suspension, the grant will be considered inoperative until a decision is made to reinstate, revoke or terminate the grant.

### **342.3 Authority to Recommend Revocation or Termination**

1. The host institution or the Bureau have the authority to recommend that the Board revoke or terminate a grant to a grantee who has departed the home country for the United States.
2. The Commission or, in non-Commission countries, the post has authority to recommend that the Board revoke or terminate a grant to a grantee who has not yet departed the home country for the United States.

### **342.4 Grounds for Revocation or Termination**

In addition to the grounds specified in Section 342.2, grounds for revocation or termination include, but are not limited to: (1) violation of the laws of the United States or the home country, (2) any act likely to give offense to the United States because it is contrary to the spirit of mutual understanding, (3) failure to observe satisfactory academic or professional standards, (4) physical or mental incapacitation, (5) engaging in unauthorized income-producing activities, (6) failure to comply with the grant's terms and conditions, and (7) material misrepresentation made by any grantee in a grant application form or grant document; (8) conduct which may have the effect of bringing the Department of State or the Fulbright Program into disrepute; and (9) violation of the Policies of the J. William Fulbright Foreign Scholarship Board.

In addition, the Board has authority to terminate a grant if: (1) the grantee has exhausted all benefits of health and accident insurance provided to the grantee by the U.S. Department of State in connection with the grant, and continued medical treatment would lead to the grantee's becoming a public charge, or (2) the grantee requires such protracted medical treatment that successful completion of the objectives of the grant is jeopardized, or (3) medical information submitted in the application is found to be substantially inaccurate or incomplete. The procedure for any such termination shall be the same as that provided for the termination of grants generally, except that the recommendation for such termination, supported by the corresponding factual information, shall be made by the Bureau (not a host institution, Commission, post, or cooperating agency). In the event any such grounds occur during the period of a grant, it is the Board's policy that such a grant should not be renewed or extended. Grants shall not authorize activity for which a license to practice medicine or nursing is required.

### **342.5 Procedure for Revocation or Termination**

1. The procedure for revoking or terminating a grant when recommended by the Bureau is:
  - 1.1. The Bureau consults with the Staff Director of the Fulbright Scholarship Board
  - 1.2. The Bureau prepares a Statement of Fact and Recommendations for Specific Action by the Board and forwards them to the Staff Director;

- 1.3. The Staff Director provides a copy of these documents to the grantee and obtains proof of delivery; ;
  - 1.4. The grantee sends a written reply to the Staff Director within two weeks of receipt of these documents. The Board may grant additional time for reply if circumstances warrant. The Staff Director will inform the Board if the grantee does not reply within the specified time;
  - 1.5. The Staff Director provides a copy of all documents to the Bureau for review, evaluation, and recommendation;
  - 1.6. Following receipt of the Bureau's evaluation and recommended action, the Staff Director provides a copy of all relevant documents to the Board.
  - 1.7. The Board will inform the grantee, the Commission or post, the host institution, and the Bureau, expeditiously and in writing, of the Board's decision and the reasons therefore.
2. The procedure for revoking or terminating a grant when recommended by the Commission, post, or the host institution, is:
    - 2.1. The Commission, post, or the host institution consults initially with the Bureau of Educational and Cultural Affairs and the Staff Director of the Fulbright Scholarship Board;
    - 2.2. The Commission, post, or the host institution prepares a Statement of Fact and Recommendations for specific action by the Board and forwards them to the Staff Director;
    - 2.3. The Staff Director provides a copy of these documents to the grantee and obtains proof of delivery;
    - 2.4. The grantee sends a written reply to the Staff Director within two weeks of receipt of the documents. The Board may grant additional time for reply if circumstances warrant. The Staff Director will inform the Board if the grantee does not reply within the specified time;
    - 2.5. The Staff Director provides a copy of all documents to the Commission, post, or the host institution for review and to the Bureau for review, evaluation, and recommendation; ;
    - 2.6. Following receipt of the Bureau's evaluation and recommended action, the Staff Director provides a copy of all relevant documents to the Board.

The Board will inform the grantee, the Commission or post, the relevant cooperating agency, and the Bureau, expeditiously and in writing, of the Board's decision and the reasons therefore.

### **342.6 Financial Issues Related to Revocation, Termination and Suspension**

Unless otherwise specified by the Board, when a grant is suspended, revoked or terminated, disbursement of any allowances and benefits will cease, except for return travel, and medical benefits that may be authorized under the Bureau's accident and sickness program for exchanges; the grantee will also be required to immediately repay any advances in allowances or benefits disbursed for use in the period of time after the suspension, revocation or termination. Unless



otherwise authorized by the Board, Bureau, Commission or post, no further claim for disbursements of allowances or benefits will be honored.

The Bureau, the Commission, or post will inform the grantee, whose grant has been suspended, terminated or revoked, of the impact of the Board's decision on past and future allowances and benefits; the Bureau, the Commission or post will take the necessary measures to implement the Board's decision, and to collect any advances in allowances and benefits that must be repaid.

### **342.7 Suspension**

1. The Board, at the recommendation of the Bureau, Commission or post may suspend a grant pending the procedure for revocation or termination of the grant, or if the grantee is arrested for, charged with, or convicted of commission of a crime, either before or after the grantee's departure for the United States, in accordance with Section 341.6-2.
2. The Bureau, Commission or post may suspend a grant if:
  - a. the grantee ceases to carry out the project during the grant period, and/or
  - b. the grantee leaves the United States for more than two weeks without the prior authorization of the Bureau.
3. A grant may also be suspended if the grantee requests suspension of the grant for personal reasons and the Commission, post or the Bureau concur.

### **342.8 Persons Arrested for, Charged with, or Convicted of a Crime**

The provisions of this Section 342 are in addition to the provisions of Section 341.6 regarding the suspension, termination, or revocation of grants to persons arrested for, charged with or convicted of a crime.

### **342.9 Notification**

The Commission or, in non-commission countries, the post will include Section 341.6 and this Section 342 in the grant document for signature and acceptance by the selected candidate.

## **343 Financial Terms of Award**

### **343.1 Benefits Included**

The Humphrey Fellowship includes tuition and fees for the English and academic programs; a monthly maintenance stipend varying with the cost of living in a given area of the United States; sickness and accident insurance; allowance for supporting the purchase of a computer; books and supplies; a special allowance for professional activities including field trips, conferences, and

expenses relating to internships; and round trip international air travel. All airline tickets purchased using U.S. Government money must comply with the Fly America Act.

### **343.2 Dependents**

Humphrey Fellowships do not provide travel or other allowances for dependents.

### **343.3 Grantees Remaining in the United States After Expiration of Grant**

Grantees who fail to return to their home countries at the conclusion of their sponsorship by the Humphrey Program without official approval, risk the loss of the return travel portion of their grants.

### **343.4 Sickness and Accident Insurance**

1. Grantees are provided with sickness and accident insurance during direct travel time to the United States, while participating in grant activities in the United States, and while directly en route back to the home country. They may also be eligible for emergency medical expenses not covered by the sickness and accident insurance. Grantees shall secure insurance protection meeting all State Department requirements for any accompanying dependents J visa regulations require anyone entering the United States on a J-1 or J-2 visa to have evidence of health insurance.
2. Neither the U.S. Department of State, the Board, nor the cooperating agency assumes responsibility for any injury, accident, illness (except as provided under section 343.4), loss of personal property, or other contingencies which may befall the grantee or accompanying dependents during, or as a result of the grantee's stay in the United States under the grant. It is recommended that the grantee personally obtain adequate insurance for personal property.

### **343.5 Income Tax Liability**

Humphrey Fellows shall be responsible for determining whether any part of funds received in the United States is subject to U.S. income tax regulations. The extent of liability is set forth in the Internal Revenue Code of 1954 and in subsequent amendments and regulations or guidance issued by the Internal Revenue Service. The U.S. Department of State shall issue information concerning the income tax liability of grantees as such information and regulations become available from the Treasury Department.

### **343.6 Passport, Visas, or Other Costs**

Unless the terms of award specify otherwise, the grant does not provide for costs of passports, visas, or other costs incidental to travel abroad.

### **344 Responsibilities and Rights of Grantees**

As provided in U.S. law, all recipients of Fulbright academic exchange grants will have full academic and artistic freedom, including freedom to write, publish, and create, and no grant made by the Board may be revoked or diminished on account of the political views expressed by the recipient or on account of any scholarly or artistic activity that would be subject to the protections of academic and artistic freedom normally observed in universities in the United States. It is the policy of the Board to ensure that the academic and artistic freedoms of all persons receiving grants are protected.

Grantees are responsible for observing satisfactory academic and professional standards and for maintaining a standard of conduct and integrity that is in keeping with the spirit and intent of the Fulbright Program and that will contribute positively to the promotion of mutual understanding between the peoples of the United States and those of other countries. Grant recipients are expected to obey the laws of the United States.

A person accepting a grant is not by virtue thereof an official or employee of the U.S. Department of State or other agency of the Government of the United States of America, or of an agency of the government of the home country.

### **345 Publications Resulting From Grant**

The Board welcomes the publication and dissemination through the usual channels of the results of research and other educational activities financed under the Fulbright Program. Authors should take care to avoid any impression that the Government of the United States or any agency representing it has endorsed the conclusions or approved the contents of the publication.

### **350 [DELETED]**

### **360 INSTITUTIONAL PARTNERSHIP GRANTS**

Section 102(a)(1) of the Mutual Educational and Cultural Exchange Act of 1961 provides for furthering the purposes of the Act by "financing studies, research, instruction, and other educational activities...and by financing visits and interchanges between the United States and other countries of students, trainees, teachers, instructors, and professors." Section 106(a)(1) authorizes the supervision of these activities by the Board. These activities may be administered directly by educational institutions when these institutions submit proposals to work in mutually beneficial partnerships with one another within the guidelines outlined in this Chapter. The overall goal of partnership grant projects funded under this Section shall be to strengthen mutual understanding and cooperation among U.S. and foreign educational institutions on themes of enduring common interest to the participating colleges and universities, to the United States, and to all the countries and societies which the partner institutions serve.

## **361 Program Summary and Overview**

### **361.1 Mutuality of Benefit**

Institutional partnership grant projects funded under this Section are not one-way technical assistance programs. Accordingly, while the benefits of the project to each partner institution may differ significantly in nature and scope, projects should demonstrate mutuality of benefit by outlining the cooperative pursuit of objectives that serve the needs of all institutional partners.

### **361.2 Mutuality of Institutional Commitment**

Proposals should demonstrate an institutional commitment to cooperation as reflected in contributions by all participating institutions within the context of their respective resources.

### **361.3 Allowable Activities**

Partner institutions may pursue their objectives through exchanges of lecturers, researchers, administrators, or other representatives for any appropriate combination of teaching, consultation, research, and outreach. These activities may be reinforced through the provision of project-related educational materials. All activities shall relate directly to the overall project objectives outlined in project proposals.

### **361.4 Role of Individual Fulbright Grantees and Alumni**

The U.S. and foreign institutions of current Fulbright grantees and alumni are encouraged to cooperate in institutional partnership project proposals that build on the achievements of the individual Fulbrighters and extend their impact through broadened cooperation between the Fulbright host institution and the one to which the individual participant returns at the conclusion of the grant period.

### **361.5 Selection Criteria**

In view of the overall goal of partnership grant projects, selection criteria shall include such factors as the broad and enduring significance of institutional objectives; the relevance of project objectives to institutional needs; the creativity and feasibility of the means proposed for achieving project objectives; the institutional commitment to cooperation as reflected in the institutional contributions; and the plan to evaluate the project's achievements including its influence within the participating institutions and their surrounding communities.

## **362 Program Administration**

Institutional partnership grants shall be based on proposals submitted by colleges and universities outlining strategies for the cooperative pursuit of mutual objectives that support the overall goal of strengthening mutual understanding and cooperation on themes of enduring common interest. All proposals shall be reviewed competitively in response to public announcement of each

annual competition. Grants should be of sufficient duration to enable participating institutions to achieve significant objectives.

### **362.1 Principle of Open Competition**

Competitions for institutional partnership grants shall be designed with due regard for the principle of open competition. Accordingly, these competitions shall be publicized nationally and they shall not be defined so narrowly as to restrict unduly or to eliminate the basic principle of open competition.

### **362.2 Institutional Eligibility**

In the United States, participation in the program shall be open to accredited two- and four-year colleges and universities, including graduate schools. Applications from community colleges, minority-serving institutions, undergraduate liberal arts colleges, research universities, and combinations of these types of institutions shall be eligible. Efforts will be made to ensure that a broad range of institutions will be funded. In other countries, participation is open to recognized institutions of post-secondary education, including independent research institutes, relevant governmental organizations, and private nonprofit organizations with project-related educational objectives.

### **362.3 Role of Independent Reviewers**

All technically eligible proposals shall be reviewed by committees of scholars, educators, or other professionals who are independent of the Department of State and who are qualified to provide advice in the academic disciplines, themes, or geographic regions of the proposals submitted. These committees shall recommend proposals for or against additional consideration by the Department and the J. William Fulbright Foreign Scholarship Board, and shall provide written appraisals in sufficient detail to provide a basis for additional review. These appraisals shall also be designed to provide helpful guidance to the applicant organizations. No proposal shall be considered by the Department or the Board unless it has been recommended for consideration by an independent committee of qualified experts.

### **362.4 Role of the J. William Fulbright Foreign Scholarship Board**

The Board exercises responsibility for the final selection of all projects funded under this Section and for the approval of all individuals designated as project directors. To facilitate the Board's selection of projects, the Department shall provide the following information: name of U.S. and foreign college, university, or other educational institution(s); name and curriculum vitae of each project director; academic field(s) and project objectives for each cooperating partner institution; total project cost, including amount requested from the Department of State and amount proposed as contribution from each partner institution; number of U.S. and foreign participants; names of U.S. and foreign participants who have held Fulbright awards as individuals, together with the category and date of award and the educational institution with which the individual Fulbright grantees were affiliated.

### **362.5 Role of the Department of State**

The Department of State administers institutional partnership competitions and grants and shall provide for the independent review of eligible proposals. Considering the appraisals of independent review committees together with advice from American Embassies and binational Commissions, the staff reviews proposals and recommends the distribution of awards. The Bureau of Educational and Cultural Affairs shall make funding decisions from among the projects approved by the J. William Fulbright Foreign Scholarship Board. The Department shall monitor project implementation to assure compliance with terms of the grant award and to ensure satisfactory progress toward the achievement of grant objectives.

### **362.6 Role and Status of Recipient Institutions**

Educational institutions and agencies submit proposals in accordance with their needs and objectives, and administer any funds granted to them. These institutions shall comply with all reporting and other requirements specified in their grant awards. Following approval by the Board and upon completion by the Department and the recipient institution of a grant agreement, each participating institution shall be considered a Fulbright institutional partner.

### **362.7 Role and Status of Project Participants**

Summary biographical data of all project participants shall be provided in the proposals of their institutions. When additional participants are proposed during the grant period, similar data shall be submitted for the Department's review and approval, together with an explanation of how their qualifications to participate in a project will contribute to the achievement of project objectives. With the exception of translators and consultants providing external evaluations of the degree to which project objectives have been achieved, all project participants funded by the Department shall be professors, teachers, researchers, U.S. graduate student teaching or research assistants, foreign student teaching or research assistants, or administrators from the participating institutions. Although recipient institutions shall be considered Fulbright institutional partners, individual project participants shall not be considered Fulbright grantees, nor shall their participation in a Fulbright institutional partnership project be considered with regard to their eligibility for a future individual Fulbright grant.

## **363 Revocation, Termination, and Suspension of Grants**

### **363.1 Definitions**

1. For the purpose of Section 363 a grantee institution is defined as one whose proposal has been selected and whose authorized official has signed the grant agreement (including all terms and conditions) without qualification and has returned a signed copy to the corresponding grants officer responsible for the grant award. An institution whose proposal has been selected but which has not signed and returned the grant agreement is defined as a selected applicant.

In the event a selected applicant fails to sign and return a copy of the grant agreement

within a reasonable time after the grant agreement is received by the selected applicant, the selection may be withdrawn by the Board or the Bureau by notice of withdrawal delivered to the selected applicant.

2. A grant agreement may be revoked, terminated, or suspended. After revocation, the grantee institution is considered as not having received the Fulbright institutional partnership grant; after a termination, unless otherwise stated, the grant agreement will be considered to have ended when the Board announces its decision to terminate; and after a suspension, the grant agreement will be considered inoperative until a decision is made to reinstate, revoke or terminate the grant agreement.

### **363.2 Authority to Recommend Revocation or Termination**

A Commission or post, as applicable, or the Bureau, has authority to recommend that the Board revoke or terminate the grant agreement held by the grantee organization. Before acting on such recommendations, the Board will review them with the Department of State.

### **363.3 Grounds for Revocation or Termination**

Grounds for revocation or termination include, but are not limited to: (1) violation of any law of the United States or a partner country; (2) failure to observe satisfactory academic or professional standards; (3) engaging in any unauthorized income-producing activity; (4) failure to comply with the grant agreement's terms and conditions, and (5) material misrepresentation made by any grantee organization in a grant application form or grant document; (6) conduct which may have the effect of bringing the Department of State or the Fulbright Program into disrepute, and (7) violation of the Policies of the J. William Fulbright Foreign Scholarship Board.

### **363.4 Procedure for Revocation or Termination**

The procedure for revoking or terminating a grant for cause is:

1. The Bureau and the Commission or post consults initially with each other and the staff director of the J. William Fulbright Foreign Scholarship Board;
2. The Bureau, Commission or post prepares a Statement of Fact and Recommendations for Specific Action by the Board and forwards them to the Staff Director;
3. The Staff Director provides a copy of these documents to the grantee organization and obtains proof of delivery;
4. The grantee organization sends a written reply to the Staff Director within two weeks of receipt of the documents. The Board may grant additional time for reply if circumstances warrant. The Staff Director will inform the Board if the grantee organization does not reply within the specified time;

5. The Bureau reviews all relevant documents and prepares a written evaluation and recommendation for consideration by the Board;
6. Following receipt of the Bureau's evaluation and recommended action, the Staff Director provides a copy of all relevant documents to the Board.

The Board will inform the grantee organization, the Commission or post, and the Bureau expeditiously and in writing, of the Board's decision and reasons therefore. Final technical authority for the revocation or termination for cause of assistance awards resides with the Bureau's grants officer.

### **363.5 Financial Issues**

Unless otherwise specified by the Board, if a grant award is revoked or terminated, the remaining grant payments will cease except for any outstanding expense required for the return travel of the participants. If a grant award is revoked, the grantee institution may be asked to repay any advance in payments received under the grant.

### **363.6 Suspension**

The Bureau may suspend any grant pending the procedure for revocation or termination of the grant. During a period of suspension, the grantee organization will not receive any grant payments. If the grant is terminated or revoked by the Board, no claim for payments withheld during the period of suspension will be honored.

### **363.7 Notification**

The grants officer will incorporate the contents of this Section 363 into the grant agreement for signature and acceptance by the selected applicant.