

DEPARTMENT OF EDUCATION**34 CFR Parts 662, 663, and 664**

RIN 1840-AC53

Fulbright-Hays Doctoral Dissertation Research Abroad Fellowship Program, Fulbright-Hays Faculty Research Abroad Fellowship Program, and Fulbright-Hays Group Projects Abroad Program**AGENCY:** Office of Postsecondary Education, Department of Education.**ACTION:** Notice of proposed rulemaking.

SUMMARY: The Secretary proposes to amend the regulations governing the Higher Education Programs in Modern Foreign Language Training and Area Studies—Doctoral Dissertation Research Abroad Fellowship Program, Faculty Research Abroad Fellowship Program, and Group Projects Abroad Program. These amendments are needed as a result of changes in terminology applicable to these programs and changes in the selection criteria. The proposed regulations would change the names of these programs, remove obsolete references, modify the selection criteria, and make other technical changes.

DATES: Comments must be received by the Department on or before July 20, 1998.

ADDRESSES: All comments concerning these proposed regulations should be addressed to Karla Ver Bryck Block, U.S. Department of Education, 600 Independence Avenue, SW., Suite 600C Portals Building, Washington, DC 20202-5331. Comments may also be sent through the Internet to: comments@ed.gov

You must include the term “Fulbright-Hays” in the subject line of your electronic message.

Comments that concern information collection requirements must be sent to the Office of Management and Budget at the address listed in the Paperwork Reduction Act section of this preamble. A copy of those comments may also be sent to the Department representative named in this section.

FOR FURTHER INFORMATION CONTACT: Karla Ver Bryck Block. Telephone: (202) 401-9774. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

Individuals with disabilities may obtain this document in an alternate format (e.g., Braille, large print, audiotope, or computer diskette) on

request to the contact person listed in the preceding paragraph.

SUPPLEMENTARY INFORMATION:**Invitation To Comment**

Interested persons are invited to submit comments and recommendations regarding these proposed regulations. To ensure that public comments have maximum effect in developing the final regulations, the Department urges commenters to identify clearly the specific section or sections of the proposed regulations that each comment addresses and to arrange comments in the same order as the proposed regulations.

All comments submitted in response to these proposed regulations will be available for public inspection, during and after the comment period, in Suite 600C Portals Building, 1280 Maryland Avenue, SW., Washington, DC, between the hours of 8:30 a.m. and 4:00 p.m., Eastern time, Monday through Friday of each week except Federal holidays.

On request the Department supplies an appropriate aid, such as a reader or print magnifier, to an individual with a disability who needs assistance to review the comments or other documents in the public rulemaking docket for these proposed regulations. An individual with a disability who wants to schedule an appointment for this type of aid may call (202) 205-8113 or (202) 260-9895. An individual who uses a TDD may call the Federal Information Relay Service at 1-800-877-8339, between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

To assist the Department in complying with the specific requirements of Executive Order 12866 and its overall requirement of reducing regulatory burden, the Secretary invites comments on whether there may be further opportunities to reduce any regulatory burdens found in these proposed regulations.

Background

On March 4, 1995 the President announced a Regulatory Reinvention Initiative to reform the Federal regulatory system. In response to the President's initiative, on August 23, 1996 the Secretary issued an Advance Notice of Proposed Rulemaking (ANPRM) to request public comment on the changes being considered in the Department's programs to simplify regulations and reduce regulatory burden (Regulatory Reinvention, 61 FR 43639, August 23, 1996). Regulations for the International Education Programs in 34 CFR Parts 662 (Higher Education Programs in Modern Foreign Language Training and Area Studies—Doctoral

Dissertation Research Abroad Fellowship Program), 663 (Faculty Research Abroad Fellowship Program), and 664 (Group Projects Abroad Program) were included in the ANPRM. The Secretary received no comments on changes proposed in the ANPRM for the International Education Programs.

Proposed Regulatory Changes

As part of the President's Regulatory Reinvention Initiative, the Department is reviewing and revising the regulations governing the Higher Education Programs in Modern Foreign Language Training and Area Studies—Doctoral Dissertation Research Abroad Fellowship Program, Faculty Research Abroad Fellowship Program, and Group Projects Abroad Program. The Secretary is proposing amendments which are needed to improve the application review process and to update the regulations in light of developments in the field of foreign language, area, and international studies, including political developments abroad, modifications in the policies and practices of the J. William Fulbright Foreign Scholarship Board, and interpretations of regulations. In the spirit of reinventing government, the goal of the proposed changes is to markedly reduce burden associated with the regulations.

The proposed regulations would change the names of these programs to align them with how they are popularly referred to in the field. Additionally, the proposed regulations would make changes in the terminology applicable to these programs, remove obsolete references, and make changes in the selection criteria. The proposed regulations would also reorganize the sections, change the names of several section titles, correct errors in the numbering of the sections, and make other technical changes to improve the regulations.

The substantive changes proposed in the regulations are discussed with respect to each part. A number of the substantive changes proposed would affect each of the parts being amended (34 CFR Parts 662, 663, and 664). Therefore, in the discussion of the proposed changes under Part 662, it is noted whether the proposed change would be duplicated in a corresponding section of Parts 663 or 664.

Part 662

The name of Part 662 would be changed to Fulbright-Hays Doctoral Dissertation Research Abroad Fellowship Program. Throughout Parts 662, 663, and 664 the “Board of Foreign Scholarships” would be changed to “J. William Fulbright Foreign Scholarship

Board" to reflect the change in the name of the board.

Proposed § 662.3 would delete current paragraph (a)(3) to eliminate persons "in the United States for other than a temporary purpose with the intention of becoming a citizen or permanent resident" as eligible applicants. The proposed change reflects the Secretary's decision that to receive a federally funded fellowship, a person should demonstrate commitment to the United States, either by being a citizen or permanent resident. The proposed change furthers the goal of the program to train people who will then serve in the United States educational field. The proposed change would also apply to §§ 663.3 and 664.3.

Proposed § 662.3 would also delete current paragraph (a)(4) which states that a resident of the Trust Territory of the Pacific Islands is eligible for a fellowship, since these islands are no longer a trust territory. The proposed change would also apply to §§ 663.3 and 664.3.

Proposed § 662.7 would revise the list of terms used in this part that are defined in 34 CFR Part 77, and it would add 34 CFR Part 80. Terms that are not used in this part would be deleted.

Proposed § 662.7(c) would change the definition of "dependent". The proposed regulation would add the requirement that the individual being claimed as a dependent must accompany the recipient to his or her training site for the entire fellowship period. Also, the proposed regulation would narrow the definition of "dependent" to exclude parent(s) of a participant or parents of the participant's spouse. Both changes in the definition are grounded in the need to conserve limited program funds. By requiring that in order to receive a dependent's allowance the dependent be at the training site for the entire fellowship period, the Secretary will preclude the use of program funds for short term visits. The changes in the dependent's definition with regard to parents would bring the program's policy toward dependents more in line with similar fellowship programs. Additionally, only once in more than 30 years of program administration has a dependent's allowance been requested for a parent.

Proposed § 662.7(c) would eliminate the definition for "foreign currencies" since all foreign currency accounts previously available to the Secretary for operation of this program have been exhausted.

All of the proposed changes to § 662.7(c) would also apply to § 663.7(c).

Proposed § 662.10 incorporates the language found in current § 662.21. Paragraph (c) of current § 662.21 which addresses requirements for an applicant who plans to conduct research in the former USSR and Eastern European countries was deleted, since changes in the research climate in those countries have eliminated the need to require an applicant to apply to the International Research and Exchange Board. The proposed change would also apply to § 663.10.

Proposed § 662.20(d) preserves and clarifies the current position of the Department relating to veteran's preference. The regulation would add language to clarify that if two scores are tied and one of the applicants is a veteran, the applicant who is a veteran will receive a preference. The proposed change would also apply to § 663.20(d).

Proposed § 662.21 would revise the selection criteria. The revised criteria would reflect a greater consistency with criteria used in comparable fellowship programs. This would facilitate writing fellowship applications for individuals since the applications would be similar.

There would also be a greater emphasis on foreign language training. Since these programs were originally intended to enhance the foreign language competence of individuals trained in American schools, the criteria would be modified to give greater emphasis to having acquired a foreign language. Paragraph (c)(3) would add the requirement that the applicant be proficient in one or more of the languages of the country or countries of research, excluding English and the applicant's native language. The proposed language most likely would result in a decrease in the number of applications from individuals wishing to conduct research in English and would encourage non-native born United States citizens or resident aliens to acquire an additional foreign language. The Department has experienced a substantial increase in the number of applications for conducting research in English.

The points assigned would be changed to allow the readers greater ability to differentiate among the applications. The proposed changes in points assigned are reflected in § 662.21(a), (b), and (c). Due to the extremely high caliber of applications, there is frequently a clustering of high scores. The proposed point structure would allow readers a broader range in which to assign points. Under current § 662.21 points are assigned in a narrow range and a multiplication factor is applied, which results in significant clustering of like applications.

The Department has consulted with various experts in language and area studies as well as administrators of fellowship programs in developing the proposed revisions to the selection criteria. Their comments and feedback have been incorporated into these proposed changes.

The proposed changes to § 662.21 would also apply to § 663.21.

Proposed § 662.22 incorporates the language from current § 662.33 and would add a new paragraph (b) to prevent an applicant from receiving more than one fellowship under the Fulbright-Hays Act in a given fiscal year. The provision would prevent an applicant from receiving a fellowship from the Department and United States Information Agency (USIA) within the same fiscal year. The proposed change would ensure that limited funds appropriated to the agencies have a broader impact and are not used duplicatively. The proposal reflects the current policy statements of the Foreign Scholarship Board.

Similar to proposed § 662.10, proposed § 662.22 would eliminate language from current § 662.33(a)(2) which addresses requirements for an applicant who plans to conduct research in the USSR and Eastern European countries. Changes in the research climate in those countries have eliminated the need to require an applicant to apply to the International Research and Exchange Board. The proposed change would also apply to § 663.22.

Part 663

The name of Part 663 would be changed to Fulbright-Hays Faculty Research Abroad Fellowship Program.

Section 663.3 outlines who is eligible to receive a fellowship under this program. Current § 663.3(d)(1) and (2) would be deleted from the proposed regulations because they are part of the selection criteria and should not be considered under eligibility.

Part 664

The name of Part 664 would be changed to Fulbright-Hays Group Projects Abroad Program.

Proposed § 664.5 would revise the list of terms used in this part that are defined in EDGAR, 34 CFR Part 77. Terms that are not used in this part would be deleted.

Sections 664.11, 664.12, and 664.13 propose changes in the length of the projects, allowing for shorter project periods. The changes are proposed to allow applicants greater flexibility in carrying out their projects. The current provisions encouraged longer periods in

the field, even when they were not necessary for the successful accomplishment of the project goals. Proposed § 664.11 would change the length of a short term project from six weeks under current regulations, to four to six weeks. Proposed § 664.12 would change the length of a curriculum development project from six to eight weeks under current regulations, to four to eight weeks. Proposed § 664.13 would change the length of a group research project from two to twelve months under current regulations, to three to twelve months.

In order to be consistent with Parts 662 and 663, proposed § 664.30 would add a new paragraph (d) which establishes that the Secretary will consider for funding only projects that an applicant proposes to carry out in a country in which the United States has diplomatic representation.

Proposed § 664.31(a)(2)(v) and (b)(4) which address the inclusion of underrepresented groups in the selection criteria for applications would be revised to be consistent with the Education Department General Administrative Regulations (EDGAR) (§ 75.210(c)(5) and (d)(1)(iv)). The proposed language would require the applicant to ensure that participants in the Fulbright-Hays Group Projects and its personnel selected for employment are selected without regard to race, color, national origin, gender, age, or handicapping condition.

Proposed § 664.33(b)(1) would allow for greater flexibility in establishing annual per diem rates, consistent with the cost of living in overseas areas. Current regulations require a maintenance stipend to be based on 50 percent of the amount established in the U.S. Department of the State publication "Maximum Travel Per Diem Allowances for Foreign Areas". Proposed § 664.33(b)(1) would eliminate the 50 percent limitation which would permit an upwards or a downwards adjustment based on the cost of living in the host country.

Clarity of the Regulations

Executive Order 12866 requires each agency to write regulations that are easy to understand. The Secretary invites comments on how to make these proposed regulations easier to understand, including answers to questions such as the following: (1) Are the requirements in the proposed regulations clearly stated? (2) Do the proposed regulations contain technical terms or other wording that interferes with their clarity? (3) Does the format of the proposed regulations (grouping and order of sections, use of headings,

paragraphing, etc.) aid or reduce their clarity? Would the proposed regulations be easier to understand if they were divided into more (but shorter) sections? (A "section" is preceded by the symbol "§" and a numbered heading; for example, § 662.1 *What is the Fulbright-Hays Doctoral Dissertation Research Abroad Fellowship Program?*). (4) Is the description of the proposed regulations in the "Supplementary Information" section of this preamble helpful in understanding the proposed regulations? How could this description be more helpful in making the proposed regulations easier to understand? (5) What else could the Department do to make the proposed regulations easier to understand?

A copy of any comments that concern how the Department could make these proposed regulations easier to understand should be sent to Stanley M. Cohen, Regulations Quality Officer, U.S. Department of Education, 600 Independence Avenue, SW. (room 5121, FB-10B), Washington, DC 20202-2241.

Regulatory Flexibility Act Certification

The Secretary certifies that these proposed regulations would not have a significant economic impact on a substantial number of small entities. The small entities affected would be small institutions of higher education. The proposed regulations would not have a significant economic impact on any of the entities participating in the programs because the regulations impose minimal application and administrative costs necessary to protect Federal funds.

Paperwork Reduction Act of 1995

Sections 662.21, 663.21, and 664.31 contain information collection requirements. As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)), the Department of Education has submitted a copy of these sections to the Office of Management and Budget (OMB) for its review.

Collection of Information: *Application for Grants under the Fulbright-Hays Doctoral Dissertation Research Abroad Fellowship Program (Part 662)*, *Fulbright-Hays Faculty Research Abroad Fellowship Program (Part 663)*.

Under the Fulbright-Hays Doctoral Dissertation Research Abroad (DDRA) and Faculty Research Abroad (FRA) Programs, individual scholars and eligible institutions apply simultaneously for benefits under a single grant. Individual scholars apply for fellowships; however grants are made to the successful scholars' institutions. Respondents include individuals and institutions of higher

education. The data requested are used in determining the academic qualifications and suitability of the individual applicant, potential political sensitivity and feasibility of the project in terms of the host country reaction, research climate, and adequacy of the proposed budget.

The data requested are the minimum necessary to administer the grant in compliance with program regulations. The annual reporting and record keeping burden for: (1) student respondents is estimated to average 30 hours for each response for 600 respondents, totaling 18,000 burden hours; (2) faculty respondents is estimated to average 8 hours for each response for 70 respondents, totaling 560 burden hours; (3) project directors is estimated to average 15 hours for each response for 130 respondents, totaling 1,950 burden hours. Thus, the total annual reporting and record keeping burden for this collection is estimated to be 20,510 hours.

Fulbright-Hays Group Projects Abroad Program (Part 664)

Under these proposed regulations, institutions of higher education, State departments of education, and private nonprofit organizations are eligible to apply for grants to conduct educational projects abroad. Teachers, undergraduate and graduate students, and faculty are selected by grantees to participate in these projects. The proposed regulations will be used to obtain the programmatic and budgetary information needed to evaluate applications and make funding decisions. The data requested are used in determining the need and academic worth of specific projects, political sensitivity and feasibility in terms of host country reaction, and adequacy of the proposed budget.

Advanced intensive language projects, which apply every three years, do not have to submit full-blown proposals each year, only in the initial year for multi-year projects. The annual reporting and record keeping burden for this collection of information is estimated to average 100 hours for each response for 95 respondents, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Thus, the total annual reporting and record keeping burden for this collection is estimated to be 9,500 hours.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control

number. The valid OMB control numbers assigned to the collection of information in these regulations will be displayed at the end of the affected sections of the final regulations.

Organizations and individuals desiring to submit comments on the information collection requirements should direct them to the Office of Information and Regulatory Affairs, OMB, room 10235, New Executive Office Building, Washington, DC 20503; Attention: Desk Officer for U.S. Department of Education.

The Department considers comments by the public on these proposed collections of information in—

- Evaluating whether the proposed collections of information are necessary for the proper performance of the functions of the Department, including whether the information will have practical use;
- Evaluating the accuracy of the Department's estimate of the burden of the proposed collections of information, including the validity of the methodology and assumptions used;
- Enhancing the quality, usefulness, and clarity of the information to be collected; and
- Minimizing the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology; e.g., permitting electronic submission of responses.

OMB is required to make a decision concerning the collections of information contained in these proposed regulations between 30 and 60 days after publication of this document in the **Federal Register**. Therefore, a comment to OMB is best assured of having its full effect if OMB receives it within 30 days of publication. This does not affect the deadline for the public to comment to the Department on the proposed regulations.

Intergovernmental Review

These programs are not subject to the requirements of Executive Order 12372 and the regulations in 34 CFR part 79.

Assessment of Educational Impact

The Secretary particularly requests comments on whether the proposed regulations in this document would require transmission of information that is being gathered by or is available from any other agency or authority of the United States.

Electronic Access to This Document

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Note: The official version of this document is the document published in the **Federal Register**.

List of Subjects

34 CFR parts 662 and 663

Colleges and universities, Education, Educational research, Educational study programs, Reporting and recordkeeping requirements, Scholarships and fellowships.

34 CFR part 664

Colleges and universities, Education, Educational study programs, Reporting and recordkeeping requirements, Teachers.

(Catalog of Federal Domestic Assistance Numbers: 84.022 Fulbright-Hays Doctoral Dissertation Research Abroad Fellowship Program; 84.019 Fulbright-Hays Faculty Research Abroad Fellowship Program; and 84.021 Fulbright-Hays Group Projects Abroad Program)

Dated: June 15, 1998.

David A. Longanecker,

Assistant Secretary for Postsecondary Education.

The Secretary proposes to amend Title 34 of the Code of Federal Regulations by revising Parts 662, 663, and 664 to read as follows:

PART 662—FULBRIGHT-HAYS DOCTORAL DISSERTATION RESEARCH ABROAD FELLOWSHIP PROGRAM

Subpart A—General

Sec.

- 662.1 What is the Fulbright-Hays Doctoral Dissertation Research Abroad Fellowship Program?
- 662.2 Who is eligible to receive an institutional grant under this program?
- 662.3 Who is eligible to receive a fellowship under this program?
- 662.4 What is the amount of a fellowship?
- 662.5 What is the duration of a fellowship?
- 662.6 What regulations apply to this program?
- 662.7 What definitions apply to this program?

Subpart B—Applications

- 662.10 How does an individual apply for a fellowship?
- 662.11 What is the role of the institution in the application process?

Subpart C—Selection of Fellows

- 662.20 How is a Fulbright-Hays Doctoral Dissertation Research Abroad Fellow selected?
- 662.21 What criteria does the Secretary use to evaluate an application for a fellowship?
- 662.22 How does the J. William Fulbright Foreign Scholarship Board select fellows?

Subpart D—Post-award Requirements for Institutions

- 662.30 What are an institution's responsibilities after the award of a grant?

Subpart E—Post-award Requirements for Fellows

- 662.41 What are a fellow's responsibilities after the award of a fellowship?
- 662.42 How may a fellowship be revoked?

Authority: Section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961 (Fulbright-Hays Act), 22 U.S.C. 2452(b)(6), unless otherwise noted.

Subpart A—General

§ 662.1 What is the Fulbright-Hays Doctoral Dissertation Research Abroad Fellowship Program?

(a) The Fulbright-Hays Doctoral Dissertation Research Abroad Fellowship Program is designed to contribute to the development and improvement of the study of modern foreign languages and area studies in the United States by providing opportunities for scholars to conduct research abroad.

(b) Under the program, the Secretary awards fellowships, through institutions of higher education, to doctoral candidates who propose to conduct dissertation research abroad in modern foreign languages and area studies.

(Authority: 22 U.S.C. 2452(b)(6))

§ 662.2 Who is eligible to receive an institutional grant under this program?

An institution of higher education is eligible to receive an institutional grant.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e)(1))

§ 662.3 Who is eligible to receive a fellowship under this program?

An individual is eligible to receive a fellowship if the individual—

(a)(1) Is a citizen or national of the United States; or

(2) Is a permanent resident of the United States;

(b)(1) Is a graduate student in good standing at an institution of higher education; and

(2) When the fellowship period begins, is admitted to candidacy in a doctoral degree program in modern foreign languages and area studies at that institution;

(c) Is planning a teaching career in the United States upon completion of his or her doctoral program; and

(d) Possesses sufficient foreign language skills to carry out the dissertation research project.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e)(1))

§ 662.4 What is the amount of a fellowship?

(a) The Secretary pays—

(1) Travel expenses to and from the residence of the fellow and the country or countries of research;

(2) A maintenance stipend for the fellow and his or her dependents related to cost of living in the host country or countries;

(3) An allowance for research-related expenses overseas, such as books, copying, tuition and affiliation fees, local travel, and other incidental expenses; and

(4) Health and accident insurance premiums.

(b) In addition, the Secretary may pay—

(1) Emergency medical expenses not covered by health and accident insurance; and

(2) The costs of preparing and transporting a fellow or dependent who dies during the term of the fellowship to his or her former home.

(c) The Secretary announces the amount of benefits expected to be available in an application notice published in the **Federal Register**.

(Authority: 22 U.S.C. 2452(b)(6), and 2454(e)(1) and (2))

§ 662.5 What is the duration of a fellowship?

(a) A fellowship is for a period of not fewer than six nor more than twelve months.

(b) A fellowship may not be renewed.

(Authority: 22 U.S.C. 2452(b)(6))

§ 662.6 What regulations apply to this program?

The following regulations apply to this program:

(a) The regulations in this part 662; and

(b) The Education Department General Administrative Regulations (EDGAR) (34 CFR Parts 74, 75, 77, and 81).

(Authority: 22 U.S.C. 2452(b)(6))

§ 662.7 What definitions apply to this program?

(a) Definitions of the following terms as used in this part are contained in 34 CFR Parts 77 and 80:

Applicant
Application
Award
EDGAR
Fiscal year
Grant
Secretary

(b) The definition of *institution of higher education* as used in this part is contained in 34 CFR 600.4.

(c) The following definitions of other terms used in this part apply to this program:

Area studies means a program of comprehensive study of the aspects of a society or societies, including the study of their geography, history, culture, economy, politics, international relations, and languages.

Binational commission means an educational and cultural commission established, through an agreement between the United States and either a foreign government or an international organization, to carry out functions in connection with the program covered by this part.

Dependent means any of the following individuals who accompany the recipient of a fellowship under this program to his or her training site for the entire fellowship period if the individual receives more than 50 percent of his or her support from the recipient during the fellowship period:

(1) The recipient's spouse.

(2) The recipient's or spouse's children who are unmarried and under age 21.

J. William Fulbright Foreign Scholarship Board means the presidentially-appointed board that is responsible for supervision of the program covered by this part.

(Authority: 22 U.S.C. 2452(b)(6), 2456)

Subpart B—Applications

§ 662.10 How does an individual apply for a fellowship?

(a) An individual applies for a fellowship by submitting an application to the Secretary through the institution of higher education in which the individual is enrolled.

(b) The applicant shall provide sufficient information concerning his or her personal and academic background and proposed research project to enable the Secretary to determine whether the applicant—

(1) Is eligible to receive a fellowship under § 662.3; and

(2) Should be selected to receive a fellowship under subparts C and D of this part.

(Authority: 22 U.S.C. 2452(b)(6))

§ 662.11 What is the role of the institution in the application process?

An institution of higher education that participates in this program is responsible for—

(a) Making fellowship application materials available to its students;

(b) Accepting and screening applications in accordance with its own technical and academic criteria; and

(c) Forwarding screened applications to the Secretary and requesting an institutional grant.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e)(1))

Subpart C—Selection of Fellows

§ 662.20 How is a Fulbright-Hays Doctoral Dissertation Research Abroad Fellow selected?

(a) The Secretary considers applications for fellowships under this program that have been screened and submitted by eligible institutions. The Secretary evaluates these applications on the basis of the criteria in § 662.21.

(b) The Secretary does not consider applications to carry out research in a country in which the United States has no diplomatic representation.

(c) In evaluating applications, the Secretary obtains the advice of panels of United States academic specialists in modern foreign languages and area studies.

(d) The Secretary gives preference to applicants who have served in the armed services of the United States if their applications are equivalent to those of other applicants on the basis of the criteria in § 662.21.

(e) The Secretary considers information on budget, political sensitivity, and feasibility from binational commissions or United States diplomatic missions, or both, in the proposed country or countries of research.

(f) The Secretary presents recommendations for recipients of fellowships to the J. William Fulbright Foreign Scholarship Board, which reviews the recommendations and approves recipients.

(Authority: 22 U.S.C. 2452(b)(6), 2456)

§ 662.21 What criteria does the Secretary use to evaluate an application for a fellowship?

(a)(1) The Secretary uses the criteria in this section to evaluate an application for a fellowship.

(2) The maximum score for all of the criteria is 100 points. However, if priority criteria described in paragraph (c) of this section are used, the maximum score is 110 points.

(3) The maximum score for each criterion is shown in parentheses with the criterion.

(b) *Quality of proposed project.* (60 points) The Secretary reviews each application to determine the quality of the research project proposed by the applicant. The Secretary considers—

(1) The statement of the major hypotheses to be tested or questions to be examined, and the description and justification of the research methods to be used;

(2) The relationship of the research to the literature on the topic and to major theoretical issues in the field, and the project's originality and importance in terms of the concerns of the discipline;

(3) The preliminary research already completed in the United States and overseas or plans for such research prior to going overseas, and the kinds, quality and availability of data for the research in the host country or countries;

(4) The justification for overseas field research and preparations to establish appropriate and sufficient research contacts and affiliations abroad;

(5) The applicant's plans to share the results of the research in progress and a copy of the dissertation with scholars and officials of the host country or countries; and

(6) The guidance and supervision of the dissertation advisor or committee at all stages of the project, including guidance in developing the project, understanding research conditions abroad, and acquainting the applicant with research in the field.

(c) *Qualifications of the applicant.* (40 points) The Secretary reviews each application to determine the qualifications of the applicant. The Secretary considers—

(1) The overall strength of the applicant's graduate academic record; (10)

(2) The extent to which the applicant's academic record

demonstrates a strength in area studies relevant to the proposed project; (10)

(3) The applicant's proficiency in one or more of the languages (other than English and the applicant's native language) of the country or countries of research, and the specific measures to be taken to overcome any anticipated language barriers; (15) and

(4) The applicant's ability to conduct research in a foreign cultural context, as evidenced by the applicant's references or previous overseas experience, or both. (5)

(d) *Priorities.* (10 points) (1) The Secretary determines the extent to which the application responds to any priority that the Secretary establishes for the selection of fellows in any fiscal year. The Secretary announces any priorities in an application notice published in the **Federal Register**.

(2) Priorities may relate to certain world areas, countries, academic disciplines, languages, topics, or combinations of any of these categories. For example, the Secretary may establish a priority for—

(i) A specific geographic area or country, such as the Caribbean or Poland;

(ii) An academic discipline, such as economics or political science;

(iii) A language, such as Tajik or Indonesian; or

(iv) A topic, such as public health issues or the environment.

(Authority: 22 U.S.C. 2452(b)(6), 2456(a)(2))

§ 662.22 How does the J. William Fulbright Foreign Scholarship Board select fellows?

(a) The J. William Fulbright Foreign Scholarship Board selects fellows on the basis of the Secretary's recommendations and the information described in § 662.20(e) from binational commissions or United States diplomatic missions.

(b) No applicant for a fellowship may be awarded more than one graduate fellowship under the Fulbright-Hays Act from appropriations for a given fiscal year.

(Authority: 22 U.S.C. 2452(b)(6), 2456(a)(1))

Subpart D—Post-award Requirements for Institutions

§ 662.30 What are an institution's responsibilities after the award of a grant?

(a) An institution to which the Secretary awards a grant under this part is responsible for administering the grant in accordance with the regulations described in § 662.6.

(b) The institution is responsible for processing individual applications for fellowships in accordance with procedures described in § 662.11.

(c) The institution is responsible for disbursing funds in accordance with procedures described in § 662.4.

(d) The Secretary awards the institution an administrative allowance of \$100 for each fellowship listed in the grant award document.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e)(1))

Subpart E—Post-award Requirements for Fellows

§ 662.41 What are a fellow's responsibilities after the award of a fellowship?

As a condition of retaining a fellowship, a fellow shall—

(a) Maintain satisfactory progress in the conduct of his or her research;

(b) Devote full time to research on the approved topic;

(c) Not engage in unauthorized income-producing activities during the period of the fellowship; and

(d) Remain a student in good standing with the grantee institution during the period of the fellowship.

(Authority: 22 U.S.C. 2452(b)(6))

§ 662.42 How may a fellowship be revoked?

(a) The fellowship may be revoked only by the J. William Fulbright Foreign Scholarship Board upon the recommendation of the Secretary.

(b) The Secretary may recommend a revocation of a fellowship on the basis of—

(1) The fellow's failure to meet any of the conditions in § 662.41; or

(2) Any violation of the standards of conduct adopted by the J. William Fulbright Foreign Scholarship Board.

(Authority: 22 U.S.C. 2452(b)(6), 2456, Policy Statements of the J. William Fulbright Foreign Scholarship Board, 1990)

PART 663—FULBRIGHT-HAYS FACULTY RESEARCH ABROAD FELLOWSHIP PROGRAM

Subpart A—General

Sec.

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Subpart D—Post-award Requirements for Institutions

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Subpart E—Post-award Requirements for Fellows

- 663.41 What are a fellow's responsibilities after the award of a fellowship?
- 663.42 How may a fellowship be revoked?

Authority: Sec. 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961 (Fulbright-Hays Act), 22 U.S.C. 2452(b)(6), unless otherwise noted.

Subpart A—General**§ 663.1 What is the Fulbright-Hays Faculty Research Abroad Fellowship Program?**

(a) The Fulbright-Hays Faculty Research Abroad Program is designed to contribute to the development and improvement of modern foreign language and area studies in the United States by providing opportunities for scholars to conduct research abroad.

(b) Under the program, the Secretary awards fellowships, through institutions of higher education, to faculty members who propose to conduct research abroad in modern foreign languages and area studies to improve their skill in languages and knowledge of the culture of the people of these countries.

(Authority: 22 U.S.C. 2452(b)(6))

§ 663.2 Who is eligible to receive an institutional grant under this program?

An institution of higher education is eligible to receive an institutional grant.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e)(1))

§ 663.3 Who is eligible to receive a fellowship under this program?

An individual is eligible to receive a fellowship if the individual—

- (a) (1) Is a citizen or national of the United States; or
- (2) Is a permanent resident of the United States;
- (b) Is employed by an institution of higher education;
- (c) Has been engaged in teaching relevant to his or her foreign language or area studies specialization for the two years immediately preceding the date of the award;
- (d) Proposes research relevant to his or her modern foreign language or area

specialization which is not dissertation research for a doctoral degree; and

(e) Possesses sufficient foreign language skills to carry out the research project.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e)(1))

§ 663.4 What is the amount of a fellowship?

(a) The Secretary pays—

- (1) Travel expenses to and from the residence of the fellow and the country or countries of research;

- (2) A maintenance stipend for the fellow related to his or her academic year salary; and

- (3) An allowance for research-related expenses overseas, such as books, copying, tuition and affiliation fees, local travel, and other incidental expenses.

(b) The Secretary may pay—

- (1) Emergency medical expenses not covered by the faculty member's health and accident insurance; and

- (2) The costs of preparing and transporting a fellow or dependent who dies during the term of the fellowship to his or her former home.

(c) The Secretary announces the amount of benefits expected to be available in an application notice published in the **Federal Register**.

(Authority: 22 U.S.C. 2452(b)(6), and 2454(e)(1) and (2))

§ 663.5 What is the duration of a fellowship?

(a) A fellowship is for a period of not fewer than three nor more than twelve months.

(b) A fellowship may not be renewed.

(Authority: 22 U.S.C. 2452(b)(6))

§ 663.6 What regulations apply to this program?

The following regulations apply to this program:

(a) The regulations in this part 663; and

(b) The Education Department General Administrative Regulations (EDGAR) (34 CFR Parts 74, 75, 77, and 81).

(Authority: 22 U.S.C. 2452(b)(6))

§ 663.7 What definitions apply to this program?

(a) Definitions of the following terms as used in this part are contained in 34 CFR Parts 77 and 80:

Applicant
Application
Award
EDGAR
Fiscal year
Grant
Secretary

(b) The definition of *institution of higher education as used in this part is contained in 34 CFR 600.4*.

(c) The following definitions of other terms used in this part apply to this program:

Area studies means a program of comprehensive study of the aspects of a society or societies, including the study of their geography, history, culture, economy, politics, international relations, and languages.

Binational commission means an educational and cultural commission established, through an agreement between the United States and either a foreign government or an international organization, to carry out functions in connection with the program covered by this part.

Dependent means any of the following individuals who accompany the recipient of a fellowship under this program to his or her training site for the entire fellowship period if the individual receives more than 50 percent of his or her support from the recipient during the fellowship period:

- (1) The recipient's spouse.
- (2) The recipient's or spouse's children who are unmarried and under age 21.

J. William Fulbright Foreign Scholarship Board means the presidentially-appointed board that is responsible for supervision of the program covered by this part.

(Authority: 22 U.S.C. 2452(b)(6), 2456)

Subpart B—Applications**§ 663.10 How does an individual apply for a fellowship?**

(a) An individual applies for a fellowship by submitting an application to the Secretary through the institution of higher education at which the individual is employed.

(b) The applicant shall provide sufficient information concerning his or her personal and academic background and proposed research project to enable the Secretary to determine whether the applicant—

- (1) Is eligible to receive a fellowship under § 663.3; and
- (2) Should be selected to receive a fellowship under subparts C and D of this part.

(Authority: 22 U.S.C. 2452(b)(6))

§ 663.11 What is the role of the institution in the application process?

An institution of higher education that participates in this program is responsible for—

- (a) Making fellowship application materials available to its faculty;

(b) Accepting and screening applications in accordance with its own technical and academic criteria; and

(c) Forwarding screened applications to the Secretary through a request for an institutional grant.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e)(1))

Subpart C—Selection of Fellows

§ 663.20 How is a Fulbright-Hays Faculty Research Abroad Fellow selected?

(a) The Secretary considers applications for fellowships under this program that have been screened and submitted by eligible institutions. The Secretary evaluates these applications on the basis of the criteria in § 663.21.

(b) The Secretary does not consider applications to carry out research in a country in which the United States has no diplomatic representation.

(c) In evaluating applications, the Secretary obtains the advice of panels of United States academic specialists in modern foreign languages and area studies.

(d) The Secretary gives preference to applicants who have served in the armed services of the United States if their applications are equivalent to those of other applicants on the basis of the criteria in § 663.21.

(e) The Secretary considers information on budget, political sensitivity, and feasibility from binational commissions or United States diplomatic missions, or both, in the proposed country or countries of research.

(f) The Secretary presents recommendations for recipients of fellowships to the J. William Fulbright Foreign Scholarship Board, which reviews the recommendations and approves recipients.

(Authority: 22 U.S.C. 2452(b)(6), 2456)

§ 663.21 What criteria does the Secretary use to evaluate an application for a fellowship?

(a)(1) The Secretary uses the criteria in this section to evaluate an application for a fellowship.

(2) The maximum score for all of the criteria is 100 points. However, if priority criteria described in paragraph (c) of this section are used, the maximum score is 110 points.

(3) The maximum score for each criterion is shown in parentheses with the criterion.

(b) *Quality of proposed project.* (60 points) The Secretary reviews each application to determine the quality of the research project proposed by the applicant. The Secretary considers—

(1) The statement of the major hypotheses to be tested or questions to

be examined, and the description and justification of the research methods to be used;

(2) The relationship of the research to the literature on the topic and to major theoretical issues in the field, and the project's importance in terms of the concerns of the discipline;

(3) The preliminary research already completed or plans for research prior to going overseas, and the kinds, quality and availability of data for the research in the host country or countries;

(4) The justification for overseas field research, and preparations to establish appropriate and sufficient research contacts and affiliations abroad;

(5) The applicant's plans to share the results of the research in progress with scholars and officials of the host country or countries and the American scholarly community; and

(6) The objectives of the project regarding the sponsoring institution's plans for developing or strengthening, or both, curricula in modern foreign languages and area studies.

(c) *Qualifications of the applicant.* (40 points) The Secretary reviews each application to determine the qualifications of the applicant. The Secretary considers—

(1) The overall strength of applicant's academic record (teaching, research, contributions, professional association activities); (10)

(2) The applicant's excellence as a teacher or researcher, or both, in his or her area or areas of specialization; (10)

(3) The applicant's proficiency in one or more of the languages (other than English and the applicant's native language), of the country or countries of research, and the specific measures to be taken to overcome any anticipated language barriers; (15) and

(4) The applicant's ability to conduct research in a foreign cultural context, as evidenced by the applicant's previous overseas experience, or documentation provided by the sponsoring institution, or both. (5)

(d) *Priorities.* (10 points) (1) The Secretary determines the extent to which the application responds to any priority that the Secretary establishes for the selection of fellows in any fiscal year. The Secretary announces any priorities in an application notice published in the **Federal Register**.

(2) Priorities may relate to certain world areas, countries, academic disciplines, languages, topics, or combinations of any of these categories. For example, the Secretary may establish a priority for—

(i) A specific geographic area or country, such as East Asia or Latvia;

(ii) An academic discipline, such as history or political science;

(iii) A language, such as Hausa or Telegu; or

(iv) A topic, such as religious fundamentalism or migration.

(Authority: 22 U.S.C. 2452(b)(6), 2456(a)(2))

§ 663.22 How does the J. William Fulbright Foreign Scholarship Board select fellows?

The J. William Fulbright Foreign Scholarship Board selects fellows on the basis of the Secretary's recommendations and the information described in § 663.20(e) from binational commissions or United States diplomatic missions.

(Authority: 22 U.S.C. 2452(b)(6), 2456(a)(1))

Subpart D—Post-award Requirements for Institutions

§ 663.30 What are an institution's responsibilities after the award of a grant?

(a) An institution to which the Secretary awards a grant under this part is responsible for administering the grant in accordance with the regulations described in § 663.6.

(b) The institution is responsible for processing individual applications for fellowships in accordance with procedures described in § 663.11.

(c) The institution is responsible for disbursing funds in accordance with procedures described in § 663.4.

(d) The Secretary awards the institution an administrative allowance of \$100 for each fellowship listed in the grant award document.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e)(1))

Subpart E—Post-award Requirements for Fellows

§ 663.41 What are a fellow's responsibilities after the award of a fellowship?

As a condition of retaining a fellowship, a fellow shall—

(a) Maintain satisfactory progress in the conduct of his or her research;

(b) Devote full time to research on the approved topic;

(c) Not engage in unauthorized income-producing activities during the period of the fellowship; and

(d) Remain employed by the grantee institution during the period of the fellowship.

(Authority: 22 U.S.C. 2452(b)(6))

§ 663.42 How may a fellowship be revoked?

(a) The fellowship may be revoked only by the J. William Fulbright Foreign Scholarship Board upon the recommendation of the Secretary.

(b) The Secretary may recommend a revocation of a fellowship on the basis of—

(1) The fellow's failure to meet any of the conditions in § 663.41; or

(2) Any violation of the standards of conduct adopted by the J. William Fulbright Foreign Scholarship Board.

(Authority: 22 U.S.C. 2452(b)(6), 2456, Policy Statements of the J. William Fulbright Foreign Scholarship Board, 1990)

PART 664—FULBRIGHT-HAYS GROUP PROJECTS ABROAD PROGRAM

Subpart A—General

Sec.

664.1 What is the Fulbright-Hays Group Projects Abroad Program?

664.2 Who is eligible to apply for assistance under the Fulbright-Hays Group Projects Abroad Program?

664.3 Who is eligible to participate in projects funded under the Fulbright-Hays Group Projects Abroad Program?

664.4 What regulations apply to the Fulbright-Hays Group Projects Abroad Program?

664.5 What definitions apply to the Fulbright-Hays Group Projects Abroad Program?

Subpart B—What Kinds of Projects Does the Secretary Assist Under This Program?

664.10 What kinds of projects does the Secretary assist?

664.11 What is a short-term seminar project?

664.12 What is a curriculum development project?

664.13 What is a group research or study project?

664.14 What is an advanced overseas intensive language training project?

Subpart C—How Does the Secretary Make a Grant?

664.30 How does the Secretary evaluate an application?

664.31 What selection criteria does the Secretary use?

664.32 What priorities may the Secretary establish?

664.33 What costs does the Secretary pay?

Subpart D—What Conditions Must Be Met by a Grantee?

664.40 Can participation in a Fulbright-Hays Group Projects Abroad be terminated?

Authority: 22 U.S.C. 2452(b)(6), unless otherwise noted.

Subpart A—General

§ 664.1 What is the Fulbright-Hays Group Projects Abroad Program?

(a) The Fulbright-Hays Group Projects Abroad Program is designed to contribute to the development and improvement of the study of modern foreign languages and area studies in the United States by providing

opportunities for teachers, students, and faculty to study in foreign countries.

(b) Under the program, the Secretary awards grants to eligible institutions, departments, and organizations to conduct overseas group projects in research, training, and curriculum development.

(Authority: 22 U.S.C. 2452(b)(6))

§ 664.2 Who is eligible to apply for assistance under the Fulbright-Hays Group Projects Abroad Program?

The following are eligible to apply for assistance under this part:

- (a) Institutions of higher education;
- (b) State departments of education;
- (c) Private non-profit educational organizations; and
- (d) Consortia of institutions, departments, and organizations described in paragraphs (a), (b), or (c) of this section.

(Authority: 22 U.S.C. 2452(b)(6))

§ 664.3 Who is eligible to participate in projects funded under the Fulbright-Hays Group Projects Abroad Program?

An individual is eligible to participate in a Fulbright-Hays Group Projects Abroad, if the individual—

- (a)(1) Is a citizen or national of the United States; or
- (2) Is a permanent resident of the United States; and
- (b)(1) Is a faculty member who teaches modern foreign languages or area studies in an institution of higher education;
- (2) Is a teacher in an elementary or secondary school;
- (3) Is an experienced education administrator responsible for planning, conducting, or supervising programs in modern foreign languages or area studies at the elementary, secondary, or postsecondary level; or
- (4) Is a graduate student, or a junior or senior in an institution of higher education, who plans a teaching career in modern foreign languages or area studies.

(Authority: 22 U.S.C. 2452(b)(6))

§ 664.4 What regulations apply to the Fulbright-Hays Group Projects Abroad Program?

The following regulations apply to this program:

- (a) The regulations in this part 664; and
- (b) The Education Department General Administrative Regulations (EDGAR) (34 CFR Parts 74, 75, 77, and 81).

(Authority: 22 U.S.C. 2452(b)(6), 2454(e)(1), 2456(a)(2))

§ 664.5 What definitions apply to the Fulbright-Hays Group Projects Abroad Program?

(a) *Definitions in EDGAR.* The following terms used in this part are defined in 34 CFR Part 77:

Applicant
Application
Award
EDGAR
Equipment
Facilities
Grant
Grantee
Nonprofit
Project
Private
Public
Secretary
State
State educational agency
Supplies

(Authority: 22 U.S.C. 2452(b)(6))

(b) *Definitions that apply to this program:* The following definitions apply to the Fulbright-Hays Group Projects Abroad Program:

Area studies means a program of comprehensive study of the aspects of a society or societies, including the study of their geography, history, culture, economy, politics, international relations, and languages.

Binational commission means an educational and cultural commission established, through an agreement between the United States and either a foreign government or an international organization, to carry out functions in connection with the program covered by this part.

Institution of higher education means an educational institution in any State which—

(1) Admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate;

(2) Is legally authorized within such State to provide a program of education beyond secondary education;

(3) Provides an educational program for which it awards a bachelor's degree or provides not less than a two-year program which is acceptable for full credit toward such a degree;

(4) Is a public or other nonprofit institution; and

(5) Is accredited by a nationally recognized accrediting agency or association.

J. William Fulbright Foreign Scholarship Board means the presidentially appointed board which is responsible for supervision of the program covered by this part.

(Authority: 22 U.S.C. 2452(b)(6), 2456)

Subpart B—What Kinds of Projects Does the Secretary Assist Under This Program?

§ 664.10 What kinds of projects does the Secretary assist?

The Secretary assists projects which are designed to develop or improve programs in modern foreign language or area studies at the elementary, secondary, or postsecondary level by supporting overseas projects in research, training, and curriculum development by groups of individuals engaged in a common endeavor. Projects may include, as described in §§ 664.11 through 664.14, short-term seminars, curriculum development teams, group research or study, and advanced intensive language programs.

(Authority: 22 U.S.C. 2452(b)(6))

§ 664.11 What is a short-term seminar project?

A short-term seminar project is—

(a) Designed to help integrate international studies into an institution's or school system's general curriculum; and

(b) Normally four to six weeks in length and focuses on a particular aspect of area study, such as, for example, the culture of the area or a portion of the culture.

(Authority: 22 U.S.C. 2452(b)(6))

§ 664.12 What is a curriculum development project?

(a) A curriculum development project—

(1) Is designed to permit faculty and administrators in institutions of higher education and elementary and secondary schools, and administrators in State departments of education the opportunity to spend generally from four to eight weeks in a foreign country acquiring resource materials for curriculum development in modern foreign language and area studies; and

(2) Must provide for the systematic use and dissemination in the United States of the acquired materials.

(b) For the purpose of this section, resource materials include artifacts, books, documents, educational films, museum reproductions, recordings, and other instructional material.

(Authority: 22 U.S.C. 2452(b)(6))

§ 664.13 What is a group research or study project?

(a)(1) A group research or study project is designed to permit a group of faculty of an institution of higher education and graduate and undergraduate students to undertake research or study in a foreign country.

(2) The period of research or study in a foreign country is generally from three to twelve months.

(b) As a prerequisite to participating in a research or training project, participants—

(1) Must possess the requisite language proficiency to conduct the research or study, and disciplinary competence in their area of research; and

(2) In a project of a semester or longer, shall have completed, at a minimum, one semester of intensive language training and one course in area studies relevant to the projects.

(Authority: 22 U.S.C. 2452(b)(6))

§ 664.14 What is an advanced overseas intensive language training project?

(a)(1) An advanced overseas intensive language project is designed to take advantage of the opportunities present in the foreign country that are not present in the United States when providing intensive advanced foreign language training.

(2) Project activities may be carried out during a full year, an academic year, a semester, a trimester, a quarter, or a summer.

(3) Generally, language training must be given at the advanced level, i.e., at the level equivalent to that provided to students who have successfully completed two academic years of language training.

(4) The language to be studied must be indigenous to the host country and maximum use must be made of local institutions and personnel.

(b) Generally, participants in projects under this program must have successfully completed at least two academic years of training in the language to be studied.

(Authority: 22 U.S.C. 2452(b)(6))

Subpart C—How Does the Secretary Make a Grant?

§ 664.30 How does the Secretary evaluate an application?

(a) The Secretary evaluates an application for a Group Project Abroad under the criteria in § 664.31.

(b) In general, the Secretary awards up to 95 possible points for these criteria. However, if priority criteria are used, the Secretary awards up to 110 possible points. The maximum possible points for each criterion are shown in parentheses.

(c) All selections by the Secretary are subject to review and final approval by the J. William Fulbright Foreign Scholarship Board.

(d) The Secretary does not recommend a project to the J. William

Fulbright Foreign Scholarship Board if the applicant proposes to carry it out in a country in which the United States does not have diplomatic representation.

(Authority: 22 U.S.C. 2452(b)(6), 2456)

§ 664.31 What selection criteria does the Secretary use?

The Secretary uses the criteria in this section to evaluate applications for the purpose of recommending to the J. William Fulbright Foreign Scholarship Board projects for funding under this part. The criteria are weighted and may total 105 points:

(a) *Plan of operation.* (Maximum 25 points).

(1) The Secretary reviews each application for information to determine the quality of the plan of operation for the project.

(2) The Secretary looks for information that shows—

(i) High quality in the design of the project;

(ii) An effective plan of management that insures proper and efficient administration of the project;

(iii) A clear description of how the objectives of the project relate to the purpose of the program;

(iv) The way the applicant plans to use its resources and personnel to achieve each objective; and

(v) A clear description of how the applicant will ensure that project participants who are otherwise eligible to participate are selected without regard to race, color, national origin, gender, age, or handicapping condition.

(b) *Quality of key personnel.* (Maximum 15 points).

(1) The Secretary reviews each application for information to determine the quality of key personnel the applicant plans to use on the project.

(2) The Secretary looks for information that shows—

(i) The qualifications of the project director;

(ii) The qualifications of each of the other key personnel to be used in the project;

(iii) The time that each person referred to in paragraphs (b)(2) (i) and (ii) of this section will commit to the project; and

(iv) The extent to which the applicant, as part of its nondiscriminatory employment practices, will ensure that its personnel are selected for employment without regard to race, color, national origin, gender, age, or handicapping condition.

(3) To determine the qualifications of a person, the Secretary considers evidence of past experience and training in fields related to the objectives of the

project as well as other information that the applicant provides.

(c) *Budget and cost effectiveness.* (Maximum 10 points).

(1) The Secretary reviews each application for information that shows that the project has an adequate budget and is cost effective.

(2) The Secretary looks for information that shows—

(i) The budget for the project is adequate to support the project activities; and

(ii) Costs are reasonable in relation to the objectives of the project.

(d) *Evaluation plan.* (Maximum 10 points).

(1) The Secretary reviews each application for information that shows the quality of the evaluation plan for the project.

(2) The Secretary looks for information that shows that the methods of evaluation are appropriate for the project and, to the extent possible, are objective and produce data that are quantifiable.

(e) *Adequacy of resources.* (Maximum 5 points).

(1) The Secretary reviews each application for information that shows that the applicant plans to devote adequate resources to the project.

(2) The Secretary looks for information that shows that the facilities, equipment, and supplies that the applicant plans to use are adequate.

(f) *Specific program criteria.* (Maximum 30 points).

(1) In addition to the general selection criteria contained in this section, the Secretary reviews each application for information that shows that the project meets the specific program criteria.

(2) The Secretary looks for information that shows—

(i) The potential impact of the project on the development of the study of modern foreign languages and area

studies in American education. (Maximum 15 points).

(ii) The project's relevance to the applicant's educational goals and its relationship to its program development in modern foreign languages and area studies. (Maximum 5 points).

(iii) The extent to which direct experience abroad is necessary to achieve the project's objectives and the effectiveness with which relevant host country resources will be utilized. (Maximum 10 points).

(g) *Priorities.* (Maximum 15 points) The Secretary looks for information that shows the extent to which the project addresses program priorities in the field of modern foreign languages and area studies for that year.

(Authority: 22 U.S.C. 2452(b)(6); 2456(a)(2))

§ 664.32 What priorities may the Secretary establish?

(a) The Secretary may establish for each funding competition one or more of the following priorities:

(1) Categories of projects described in § 664.10.

(2) Specific languages, topics, countries or geographic regions of the world; for example, Chinese and Arabic, Curriculum Development in Multicultural Education and Transitions from Planned Economies to Market Economies, Brazil and Nigeria, Middle East and South Asia.

(3) Levels of education; for example, elementary and secondary, postsecondary, or postgraduate.

(b) The Secretary announces any priorities in the application notice published in the **Federal Register**.

(Authority: 22 U.S.C. 2452(b)(6), 2456(a)(2))

§ 664.33 What costs does the Secretary pay?

(a) The Secretary pays only part of the cost of a project funded under this part. Other than travel costs, the Secretary does not pay any of the costs for project-

related expenses within the United States.

(b) The Secretary pays the cost of the following—

(1) A maintenance stipend related to the cost of living in the host country or countries;

(2) Round-trip international travel;

(3) A local travel allowance for necessary project-related transportation within the country of study, exclusive of the purchase of transportation equipment;

(4) Purchase of project-related artifacts, books, and other teaching materials in the country of study;

(5) Rent for instructional facilities in the country of study;

(6) Clerical and professional services performed by resident instructional personnel in the country of study; and

(7) Other expenses in the country of study, if necessary for the project's success and approved in advance by the Secretary.

(Authority: 22 U.S.C. 2452(b)(6), 2454(e)(1))

Subpart D—What Conditions Must Be Met by a Grantee?

§ 664.40 Can participation in a Fulbright-Hays Group Projects Abroad be terminated?

(a) Participation may be terminated only by the J. William Fulbright Foreign Scholarship Board upon the recommendation of the Secretary.

(b) The Secretary may recommend a termination of participation on the basis of failure by the grantee to ensure that participants adhere to the standards of conduct adopted by the J. William Fulbright Foreign Scholarship Board.

(Authority: 22 U.S.C. 2452(b)(6), 2456, Policy Statements of the J. William Fulbright Foreign Scholarship Board, 1990)

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