

**Federal Asian Pacific American Council  
(FAPAC)  
National Institutes of Health (NIH)**

**CONSTITUTION AND BYLAWS**

**FAPAC NIH Chapter Planning Committee**

**August 6, 2015**

**LATEST REVISION: July 27, 2017**

# CONSTITUTION

## ARTICLE I

### NAME

The name of this organization shall be the Federal Asian Pacific American Council National Institutes of Health, the acronym for which shall be "FAPAC NIH."

## ARTICLE II

### PURPOSE

The FAPAC NIH is organized exclusively, for educational purposes within the meaning of Section 501 (c)(3) of the Internal Revenue Code. The primary purpose of FAPAC NIH is to serve as an employee association within the National Institutes of Health (NIH), providing a focus for over thirty ethnically distinct groups from Asia and other Pacific regions as recognized by the United States Bureau of the Census.

## ARTICLE III

### OBJECTIVES

The objectives of FAPAC NIH shall be:

**Section 1:** To assist the NIH in promoting, establishing, and maintaining an effective and equitable participation of Asian Americans and Pacific Islanders (AAPI) in the work force.

**Section 2:** To promote overall awareness of the impact of AAPI cultures, contributions, work ethics and behavior as related to government employment.

**Section 3:** To promote a better understanding of, and to seek solutions for, the particular problems, including equal employment opportunity, of AAPI in the NIH.

**Section 4:** To establish and maintain channels of communication and goodwill between AAPI and other individuals in the NIH and the community in general.

**Section 5:** To promote the career development and advancement of AAPI in the NIH and to do so through such vehicles as the sponsorship of training conferences, AAPI Heritage observances and developmental workshops.

## ARTICLE IV

### ORGANIZATIONAL POLICIES

**Section 1:** FAPAC NIH shall not discriminate against any person on the basis of race, color, religion, sex, national origin, age, or disability.

**Section 2:** FAPAC NIH shall be a nonprofit, nonpartisan, and noncommercial organization.

**Section 3:** Except as part of a duly administered FAPAC NIH internship and scholarship program, no part of the net earnings of the FAPAC NIH shall inure to the benefit of or be distributable to its members, officers or any other private persons except that the FAPAC NIH shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of Section 501(c)(3) purposes.

**Section 4:** FAPAC NIH shall be organized to conduct activities of interest common to its members, and shall expend its funds for that purpose.

**Section 5:** No substantial part of the activities of FAPAC NIH shall be the carrying on of propaganda or otherwise attempting to influence legislation, and the FAPAC NIH shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of, or in opposition to any candidate for public office.

Notwithstanding any other provisions of this Section, the FAPAC NIH shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code or (b) by an organization, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code.

## **ARTICLE V MEMBERSHIP**

### **Section 1: Membership**

Membership shall be open to all employees who are currently employed or previously employed in the NIH and who wish to make a positive contribution to the achievement of the FAPAC NIH goals and objectives. Non-NIH employees are eligible to join as other membership categories described under Section 2 below. To be qualified as a good standing member of the FAPAC NIH, an individual must complete and submit an application together with annual membership payment of appropriate dues. **Membership dues are for FAPAC NIH on a calendar year basis.** Members of FAPAC NIH are required to join FAPAC National and pay annual/lifetime membership dues as applicable.

### **Section 2: Categories of Individual Membership**

2.1 Regular Member: Any current employee of the NIH, who agrees to abide by the goals and objectives of FAPAC NIH, may become a Regular Member of this organization by submitting an application and paying the annual/lifetime membership dues.

2.2 Associate Member: Any individual who is in accord with the principles, policies and objectives of FAPAC NIH may become Associate Member by submitting an application and paying the annual/lifetime membership dues as applicable. Associate Members are not eligible to run for office.

2.2 Honorary Member: Any individual who is in accord with the principles, policies and objectives of FAPAC NIH may become Honorary Member via nomination by the Executive FAPAC NIH Constitution and Bylaws

Board, no annual fee is required. Honorary Members are not eligible to run for office nor have the right to vote.

### **Section 3: Membership Rights**

Regular members will have all the rights and privileges including nomination and seek election as a [FAPAC NIH](#) Officer. Candidates whose names are nominated for elective office in the month of [August](#) must be a Regular member during the last twelve (12) months and in good standing. If a duly elected officer separates from the government during his or her term of office, the office will become vacant at the first day of the month following the effective date of separation. Associate and Honorary members will have all the rights and privileges; however, they are not eligible to hold elective office.

## **ARTICLE VI OFFICERS**

**Section 1:** The officers of [FAPAC NIH](#) shall be a President, Vice-President, Executive Secretary, and Treasurer.

**Section 2:** Only regular members shall be eligible to hold office in [FAPAC NIH](#).

## **ARTICLE VII FAPAC NIH Executive Board**

**Section 1:** The Executive Board shall consist of the elected officers: President, Vice-President, Executive Secretary, Treasurer, and **the immediate past President**.

**Section 2:** The presence of a majority of the Executive Board shall constitute a quorum at any meeting of the Board. The Executive Board may conduct its voting process via e-mail or teleconferences as appropriate.

## **ARTICLE VIII ELECTION AND TERMS OF OFFICERS**

### **Section 1: Officers**

All Officers shall be elected [bi-annually](#) during [September](#) to be conducted via telecommunication and email.

The term of Office begins on January 1 and ends December 31 the following year, a total of [24](#) months is considered one term. The limitation of total term of Office shall be no more than two consecutive terms.

### **Section 2: Installation of Officers**

The installation of newly elected officers shall be held prior to taking the office in [January](#).

## **ARTICLE IX**

## AMENDMENTS

**Section 1:** The Constitution may be amended by a two-thirds vote of current members.

**Section 2:** No amendment to the Constitution shall be put to a vote unless written notice thereof, stating the proposed amendment, shall have been emailed or delivered personally, to each current member at least thirty (30) days prior to the vote on the proposed amendment is to be taken.

**Section 3:** Any amendment to the Constitution shall take effect on the first day of the subsequent month after its passage.

## ARTICLE X DISSOLUTION

**Section 1:** [FAPAC NIH](#) shall be dissolved only upon approval by ballot of not less than two thirds (2/3) of the current members.

**Section 2:** Upon dissolution of the [FAPAC NIH](#), its assets shall be distributed for one or more exempt purposes within the meaning of Section 501 (c) (3) of the Internal Revenue Code or corresponding section of any future tax code, or shall be distributed to the [NIH](#) for a public purpose.

# BYLAWS

## ARTICLE I MEMBERSHIP

**Section 1:** Subject to limitations stated in Article V, Section 3 of the [FAPAC NIH](#) constitution, all members of [FAPAC NIH](#) shall have the right to vote upon any motion put forth by the Executive Board. Only Executive Board members may vote on matters before the Board.

**Section 2:** The President with the recommendation of the Executive Board shall offer honorary membership to those who have rendered outstanding services for furtherance of the objectives of [FAPAC NIH](#).

**Section 3:** The Chairperson of the Membership Committee shall produce a listing of all current members in [July](#). This listing will be based on membership dues received from [January 1 to July 31](#) of the election year. Members must be in good standing (six months prior to election) through membership dues payment to be eligible to vote. The Membership Committee Chairperson shall provide a list of current members to the Nomination and Election Committee Chairperson in [July](#) of the election year.

## ARTICLE II DUTIES OF OFFICERS

**Section 1: PRESIDENT.** It shall be the duty of the president, as chief executive officer, to:

- a. Prepare the agenda and preside at all [FAPAC NIH](#) meetings;
- b. Have overall responsibility for the coordination of all [FAPAC NIH](#) activities;
- c. Serve as the official representative and spokesperson for [FAPAC NIH](#);
- d. Appoint committee chairpersons and act as an ex-officio member of all committees except the Nomination and Election Committee;
- e. Sign and execute agreement(s) and obligation(s), as approved by majority vote of the membership; and
- f. Transfer the necessary documents to the newly elected president no later than [January 1](#) after he/she is sworn-in.

**Section 2: VICE-PRESIDENT.** It shall be the duty of the Vice-President to:

- a. Keep [FAPAC NIH](#) current regarding activities involving AAPI;

- b. Advise and assist the president in the execution of his or her responsibilities;
- c. Serve as “acting as” President at the request of the President or upon resignation of the President; and
- d. Transfer the necessary documents to the newly elected Vice-President no later than [January 1](#), after he/she is sworn-in.

**Section 3: EXECUTIVE SECRETARY.** It shall be the duty of the Executive Secretary to:

- a. Keep minutes of all meetings;
- b. Maintain all official correspondence and documents of [FAPAC NIH](#);
- c. Prepare such reports and correspondence as may be assigned by the president;
- d. Notify the membership of all meetings and functions;
- e. Circulate minutes, agendas, and other pertinent documents;
- f. Establish and maintain membership and other records as needed;
- g. Assess the need for a Recording Secretary and make recommendations to the President as to candidates for appointment; and
- h. Transfer the necessary documents to the newly elected Executive Secretary no later than [January 1](#), after he/she is sworn-in.

**Section 4: TREASURER.** It shall be the duty of the Treasurer to:

- a. Receive and collect all funds payable to [FAPAC NIH](#);
- b. Pay all financial obligations of [FAPAC NIH](#), as duly authorized by the Executive Board;
- c. Prepare and submit an annual budget in [March](#);
- d. Keep a clear and accurate record of all [FAPAC NIH](#) receipts and disbursements; and
- e. Present a report on the financial status of [FAPAC NIH](#) to the Executive Board at the [bi-monthly](#) meetings.

**Section 5: REMOVAL OF MEMBERS and OFFICERS**

- a. The [FAPAC NIH](#) Members, Officers, and Standing Committee Chairs may be removed for malfeasance, misfeasance or nonfeasance in office by a vote of two-thirds of the current members after due notice and process. Prior to any vote on a removal, the Ethics Committee must have provided the member(s) with a thirty (30) days written notice of the specific acts or omissions which support a specific charge. The member(s) so charged must

be provided with an opportunity of no less than seven (7) business days in which to respond to the Ethics Committee's charges.

## **ARTICLE III Executive Board**

**Section 1:** FAPAC NIH Executive Board shall consist of the elected officers: President, Vice-President, Executive Secretary, Treasurer, and the immediate past President.

**Section 2:** The presence of a majority of the Executive Board shall constitute a quorum at any meeting of the Board. The Executive Board may conduct its voting process via e-mail or teleconferences as appropriate.

**Section 3:** The Executive Board shall consist of Standing Committee Chairs that are approved and are appointed by the President.

## **ARTICLE IV STANDING COMMITTEES**

**Section 1:** All standing committees shall act exclusively, on the basis of the specific authority designated to them by FAPAC NIH membership. The Chairperson of all standing committees shall be appointed and/or reappointed by FAPAC NIH president. The President, in consultation with and/or recommendations from the chairperson of the standing committee, may also appoint a co-chair for any Committee as necessary. The term of all standing committees shall not exceed two years.

**Section 2:** The standing committees provide organizational assistance and contribute towards achieving FAPAC NIH's established purpose and objectives. Each committee shall serve a specific function in contributing towards such purpose and objectives.

**Section 3:** The standing committee chairpersons shall coordinate committee functions, notify FAPAC NIH's President in advance of scheduled committee meetings, and appoint members of their respective committees.

**Section 4:** The standing committees consist of a Program Committee, Public Relations Committee, Nomination and Election Committee, Affirmative Employment Committee, Membership Committee, Constitution and Bylaws Committee, and Ethics Committee.

**Section 5: PROGRAM COMMITTEE.** The Program Committee shall:

- a. Consist of a Program Committee Chairperson appointed by the FAPAC NIH President, and other appointees selected by the Committee Chairperson from the general membership;
- b. Develop and submit an annual calendar of events for approval by the Executive Board, and then post on the FAPAC NIH website when available;



- c. Be responsible for identifying future issues and projects that will have an impact upon [FAPAC NIH](#); and
- d. Be responsible for researching, and proposing to the Executive Board a plan of action for each of the identified issues and projects.

**Section 6: PUBLIC RELATIONS COMMITTEE.** The Public Relations Committee shall:

- a. Consist of a Public Relation Committee Chairperson appointed by the [FAPAC NIH](#) President and other appointees selected by the Committee Chairperson from the general membership;
- b. Publicize all special programs, projects and major events sponsored by [FAPAC NIH](#);
- c. Provide central control for the news media; and
- d. Coordinate outreach programs.

**Section 7: NOMINATIONS AND ELECTION COMMITTEE.** The Nominations and Election Committee shall:

- a. Consist of Committee Chairperson appointed by the [FAPAC NIH](#) President, the immediate past President, and other appointees selected by the Committee Chairperson from the general membership;
- b. Receive nominations for office from any current member of [FAPAC NIH](#) and obtain eligible nominees' approval in advance of the election;
- c. Prepare a slate of candidates;
- d. Provide a written list of eligible voters to all current members upon receiving the list from the Membership Committee Chairperson in [July](#);
- e. Distribute the slate of candidates to all members in [August](#); and
- f. Conduct the election, tally votes, and announce the results of the election in [September](#).

**Section 8: AFFIRMATIVE EMPLOYMENT COMMITTEE.** The Affirmative Employment Committee shall:

- a. Consist of Committee Chairperson appointed by the [FAPAC NIH](#) President and other appointees selected by the Committee Chairperson from the general membership;
- b. Maintain a candidate referral system;
- c. Coordinate demographic analyses of participation rates of AAPI employees in the workforces of the [NIH](#);

- d. Facilitate the implementation of Executive Orders regarding the employment of AAPI in the NIH;
- e. Provide updates to lists of AAPI community groups and Asian Serving Institutions of higher education;
- f. Participate in partnership agreements developed between FAPAC NIH and the other professional organizations or local communities;
- g. Facilitate training on Federal employment issues relevant to AAPI employees; including the processing of Equal Employment Opportunity complaints; and
- h. Otherwise act to further interagency employment opportunities for AAPI.

**Section 9: MEMBERSHIP COMMITTEE.** The Membership Committee shall:

- a. Consist of Committee Chairperson appointed by the FAPAC NIH President and other appointees selected by the Committee Chairperson from the general membership;
- b. Develop and carry out a program to promote membership;
- c. Establish and maintain a membership database (or directory) and make it available to membership only after approval from the Executive Board; and
- d. Maintain the membership list to support FAPAC NIH activities.

**Section 10: CONSTITUTION AND BYLAWS COMMITTEE.** The Constitution and Bylaws Committee shall:

- a. Consist of Committee Chairperson appointed by the FAPAC NIH President and other appointees selected by the Committee Chairperson from the general membership;
- b. Review and propose amendments to the Executive Board as needed; and
- c. Interpret the Constitution and Bylaws and process the implemented changes.

**Section 11: ETHICS COMMITTEE.** The Ethics Committee shall:

- a. Consist of Committee Chairperson appointed by the FAPAC NIH President and other appointees selected by the Committee Chairperson from the general membership;
- b. Investigate and resolve all complaints which allege misfeasance, nonfeasance, and malfeasance in the performance of their duties by any Member, Officer, Committee Chair and Member or any member in a position of responsibility in the performance of their duties, with respect to ethical and fiduciary duties;
- c. Work in close association with the Constitution and Bylaws Committee in developing

procedural guidelines for handling ethical complaints. At a minimum due notice and an opportunity for a response must be provided to any member charged with an ethical violation or a violation of the ethical principles embodied in the Constitution and Bylaws;

- d. Develop guidelines, in coordination with the Constitution and Bylaws Committee, for any member responsible for administering or disbursing [FAPAC NIH](#) funds;
- f. Base its decisions and recommendations on applicable Constitution and Bylaws principles and provisions, established Office of Government Ethics guidelines and Roberts Rules of Order.

**Section 12: TEMPORARY COMMITTEES.** Ad-hoc committees, as required to promote and advance the purpose and objectives of [FAPAC NIH](#), may be created, and appointed by the President.

## **ARTICLE V NOMINATION AND ELECTION OF OFFICERS**

**Section 1:** The nomination and election of [FAPAC NIH](#) officers shall take place in [September](#) of the election year.

**Section 2:** All officers shall be elected for [a term of two years](#).

**Section 3:** Nomination shall start in [August](#) when the list of eligible voting members and candidates is available until [August 31](#). The committee shall send to the membership the ballot electronically with a slate of candidates.

**Section 4:** All eligible members (except the members of the Nomination and Election Committee) shall have the right to be nominated for office. Only eligible nominees, who consent personally, or in writing shall be declared valid candidates.

**Section 5:** Elections shall be electronically or in person by secret ballot and plurality vote. The votes shall be taken in the following sequence: President, Vice-President, Executive Secretary, and Treasurer.

**Section 6:** Nominations by any member of [FAPAC NIH](#) shall be sent to the Committee prior to [September 1](#) or date to be determined by the membership. Only [current active members](#) can vote in the election of Officers as stated in the membership rights.

**Section 7:** Members of the Nomination and Election Committee cannot run for any office.

**Section 8: SPECIAL ELECTIONS.** Within 30 calendar days after a vacancy occurs in an elected Office, the Nominations and Election Committee will receive nominations from any member. A written notice of special election, including the list of nominees, should be sent to all current members at least one week prior to the voting date. Election shall be in accordance with Article V, Section 9 below.

**Section 9:** The Election for officers shall be conducted using the process given below:

- a. The election process will be coordinated by [the President](#) and chaired by the Nominations and Election Committee Chairperson;
- b. The process begins by the announcement that any [FAPAC NIH](#) member eligible to vote can nominate any eligible [FAPAC NIH](#) member for an Office. There will be no discussion or debate regarding such nominations, except to ascertain whether the nominated person agrees to have his/her name placed in nomination;
- c. After all the nominations have been made by the announcement deadline, a final slate of candidates will be announced;
- d. Each of the candidates will be given an opportunity to provide a write-up (single space, 12 pitch font, and 1" margin) to the chairperson of the Nomination and Election Committee (NEC) for distribution with the electronic ballot to current members eligible to vote;
- e. After the ballots have been tallied, the NEC Chair will announce the results by the end of [September](#). In doing so, number of votes received by each candidate will be declared by the NEC Chair.
- f. Whoever gets a plurality of votes for an Office will be declared winner for that office;
- g. In the event of a tie for any Offices, a runoff election will be scheduled for the next meeting without changing the eligible voting members.
- h. If the same person wins election to two separate Offices, he/she will assume the highest ranking office of a tie for any Offices; a runoff election will be scheduled within 30 days without changing the eligible voting members. Also, if the same person wins election to two separate Offices, he/she will assume the highest ranking office, and the second highest vote-getter for the lower-ranked Office will assume that position. For the purposes of the [FAPAC NIH](#) election only, the Officers are priority-ranked as follows: President, Vice President, Executive Secretary, and Treasurer.

## **ARTICLE VI MEETINGS**

**Section 1: GENERAL MEETINGS.** A general body meeting will be held during Annual Conference of FAPAC in May.

**Section 2:** The Executive Secretary shall finalize and provide the meeting notice to current members. The Agenda will be included in the notice.

**Section 3:** A majority of all attending current members of [FAPAC NIH](#) shall constitute a quorum authorized to transact any business duly presented at any meeting of [FAPAC NIH](#).

**Section 4: EXECUTIVE BOARD MEETINGS.** There shall be [bi-monthly](#) meetings

conducted by the Executive Board. The meetings shall take place at a time and place designated by the Executive Secretary. Half of Executive Board members shall constitute a quorum of the Executive Board.

**Section 5: COMMITTEE MEETINGS.** All committee meetings shall be subject to the call of their respective chairpersons.

## **ARTICLE VII**

### **FUNDS AND ASSETS**

**Section 1:** All funds of the organization more than \$25.00 shall be kept in the name of **FAPAC NIH** in a federally insured financial institution selected by the Executive Board. The Treasurer and the President shall be the only officers empowered to write checks on behalf of **FAPAC NIH** and the signature of either shall be sufficient on the check. All funds not kept in the federally insured financial institution shall be retained in the petty cash fund administered by the Treasurer. The Treasurer shall reimburse duly authorized persons for all necessary expenses. The Executive Board shall have the authority to approve all expenditures in the budget and all legitimate expenditures. Unbudgeted expenditures exceeding \$25.00 must have the approval of the Executive Board. Such approval shall be recorded in the official minutes of the Executive Board meetings. Upon request, the Treasurer shall make all financial records available to any external auditors hired by the Executive Board.

**Section 2:** No part of the net earnings of **FAPAC NIH** shall inure to the benefit of, or be distributable to its members, officers, or any other private persons, except that the **FAPAC NIH** shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of Section 501 (c) (3) purposes.

**Section 3:** No substantial part of the activities of **FAPAC NIH** shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the **FAPAC NIH** shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office.

Notwithstanding any other provisions of this Section, the **FAPAC NIH** shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from Federal income tax under Section 501 (c) (3) of the Internal Revenue Code or (b) by an organization, contributions to which are deductible under Section 170 (c) (2) of the Internal Revenue Code.

## **ARTICLE VIII**

### **PARLIAMENTARY AUTHORITY**

**Section 1: RULES.** Except as otherwise specified in this Constitution, Robert's Rules of Order current revised edition, shall constitute the parliamentary authority for **FAPAC NIH**. The President shall appoint someone from the general membership to serve as Parliamentarian at such meetings.

**Section 2: AUTHORITY.** Parliamentarian will rule on questions of parliamentary procedure. The decision of the Parliamentarian can only be reversed by a majority vote of the active members in attendance.

## **ARTICLE IX ORDER OF BUSINESS**

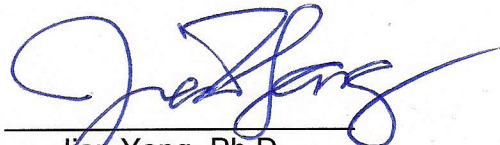
**FAPAC NIH** shall adopt the following “Order of Business” at its meetings:

1. Call to order
2. Approval of minutes of the prior meeting
3. Report of the Treasurer
4. Report of the Chairperson
5. Reports of the Standing committees
6. Reports of special committees
7. Unfinished business
8. Announcements
9. New Business
10. Adjournment

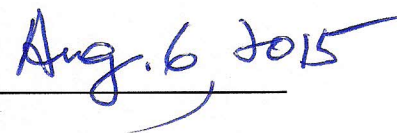
We acknowledge that the Constitution and Bylaws are subject to further revision by FAPAC NIH Constitution and Bylaws Committee.

**FAPAC NIH Chapter Planning Committee**

Chair:

  
Jian Yang, Ph.D.

Date:



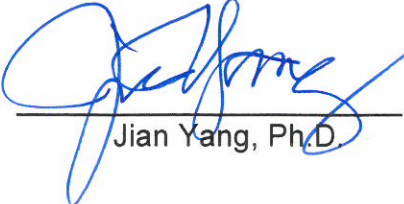
**Members**

Ms. Farheen Akbar, NIA, NIH  
Mr. Jimmy Do, NHGRI, NIH  
Mr. Edgar Esmabe, OD, NIH  
Ms. Meryl Fabro, OD, NIH  
Dr. Nga Hawk, NCI, NIH  
Mr. Michael Lu, NCI, NIH  
Dr. Jatin Raj Matta, NIDDK, NIH  
Ms. Kelley Smith, OD, NIH  
Dr. Thanda Wai, OD, NIH  
Ms. Azalia Zandieh, NCI, NIH  
Dr. Xinzhi Zhang, NIMHD, NIH

APPROVAL PAGE ONLY

In witness whereof, the undersigned, being duly elected officers of FAPAC NIH Chapter, have executed this revised Constitution and Bylaws on the 28 of July of 2017.

We acknowledge that the prior Constitution and Bylaws are hereby superseded.

President:   
Jian Yang, Ph.D.

Date: July 28, 2017

Executive Secretary:   
Jue Chen, Ph.D.

Date: 07/28, 2017

APPROVAL PAGE ONLY