Asian American Affairs Commission of Nebraska

Board Meeting Agenda

Date: Saturday, February 3, 2024 Monday, February 3, 2025

Time: 15:00 CST

Location: Buffalo Room (2nd Floor, First Nebraska Administrative Building)

Address: 1526 K Street, Lincoln, NE

Agenda: Meeting called to order at 3:07pm.

1. **Call to Order**
   - Roll Call

     Commissioners present: Ryo Suzuki, Weysan Dun, Carol Wang, Hiep Vu, Vickie Sakurada Schaepler, Tram Kieu, Maureen Brase, Carolina Mapes (3:11pm), Dr. Yunwoo Nam (3:14pm), Dr. Maorong Jiang (3:14pm). Absent, Excused: Dr. Deepak Gangahar (flu), Dr. Joanne Li (traveling), Rebecca Jueyezi) Reinhardt (business), Arunkumar Pondicherry (traveling).
   - Statement of Compliance with Nebraska Open Meeting Act (Open Meeting Act posted in the meeting room) Posted.
2. **Public Comments**
   - Open floor for comments from the public (Limited to 3 minutes per speaker) No Public commenters present.
3. **Approval of Minutes** No voting until quorum of 8 commissioners present.
   - Review and approve the minutes from the previous board meeting

     Motion by Commissioner Wang and seconded by Commissioner Kieu, to approve the minutes of 11/04/2024, with the correction of "Vicki" to "Vickie" and Hiep Vu to absent in #2. Motion carried with all in favor, with the exception of Commissioner Vu abstaining.
4. **Approval of Bylaws**
   - Presentation of bylaws as cleared by the Attorney General's Office
   - Discussion and vote for ratification

     Lengthy discussion.* Motion by Commissioner Wang to accept the Bylaws/Policies & Procedures as amended, with approval of the A.G.; seconded by Commissioner Vu, with all in favor. Commissioner Suzuki will send the amended Bylaws/Policies & Procedures to A.G.
5. **Update from Executive Committee**
   - Overview of recent committee activities
   - Progress on key initiatives and next steps
6. **Announcements**

   Commissioner Chair Suzuki signed multiple documents to get the Commission going, including P-card for purchases. He has been informed that the E.D. posting, once approved by the State, will stay up for 90 days. Although this position has been 'vacant' for 90 days, it does not fall into the hiring freeze for vacant State of NE jobs.

- Upcoming events, deadlines, or key dates

Commissioner Chair Suzuki has been summoned by the Legislature to testify March 6, 2025 to defend the Commission's budget. Our commission does not yet have access to the budget, so funds are underspent. Other Commissioners are encouraged to attend if possible.

7. **Adjournment**

- Closing remarks

- Confirmation of next meeting date, time, and location

Meeting adjorned at 5:06pm; motion made by Commissioner Sakurada Schaepler and seconded by Commissioner Wang.
Next meeting Monday, May 5, 2025 @ 3:00pm.

*Bylaws discussion:
- Policy #13 - NE State law - our Bylaws can't supersede state law. Must have 8. Therefore, as revised, Policy #13, with the deletion of the last sentence in the first paragraph and the bullet point.

Asian American Affairs Commission of Nebraska

Meeting Minutes

Date: 11/04/2024

Time: 3:05 PM – 5:05 PM

Location: University of Nebraska at Omaha, Eppley Administration Building, Room 200 (Chancellor's Conference Room)

1. Call to Order

The meeting was called to order at 3:05 PM.

2. Roll Call

All commissioners were present except Carol Wang.

Commissioners Present:

- Ryo Suzuki
- Carolina Mapes
- Deepak Gangahar
- Hiep Vu
- Maorong Jiang
- Maureen Brase
- Rebecca (Jueyezi) Reinhardt
- Weysan Dun
- Vicki Sakurada Schaepler
- Joanne Li
- Arunkumar Pondicherry
- Yunwoo Nam, PhD
- Tram Kieu

3. Public Comments

There were no public comments.

4. Approval of Minutes

Motion by Commissioner Mapes and seconded by Commissioner Li to approve the minutes from the previous meeting. The motion carried unanimously.

5. Discussion with Students

Dat Chi Nguyen, Tomohiro Ide, and Jaisy Kumar from UNO joined to share their experiences. There was a lively discussion around employment opportunities and creating a community. Concerns about isolation during the holiday season were highlighted, as well as the economic impact made by international students.

6. Bylaws Discussion

The board reviewed the bylaws and made a few suggestions. The Executive Committee will work on finalizing them.

6.a. Elections of Officer Roles

- Dun was elected to be Vice Chair.
- Brase was elected to be Secretary.
- Pondicherry was elected to be Treasurer.

7. Executive Director

There was a discussion on the qualifications to ensure they match state statutes. The Executive Committee will work with the AG's office for compliance.

8. Adjournment

The meeting was adjourned at 5:05 PM. Motion made by Commissioner Li and seconded by Commissioner Shaepler.

NEBRASKA COMMISSION ON ASIAN AMERICANS COMMISSIONER POLICIES & PROCEDURES

NEBRASKA COMMISSION ON ASIAN AMERICANS

COMMISSIONER POLICIES & PROCEDURES

Contents

POLICY #1: VISION AND MISSION STATEMENTS

Vision Statement: The vision of the Commission on Asian Americans Affairs is that all Asian Americans have the opportunity to utilize their fullest potential to participate in the good life of Nebraska.

Mission Statement: The Commission on Asian American Affairs of Nebraska (CAAA) is established to serve and empower the Asian American community within Nebraska. The commission advocates for policies that support the economic, social, and political wellbeing of the community, promotes cultural understanding, and addresses key issues affecting Nebraska's Asian American population. The Commission on Asian American Affairs serves as a voice in the Nebraska State Government for Asian Americans. Guiding principles include respect for all people of the state of Nebraska, regardless of their race or national origin; the rights of all people to pursue their highest goals in life, limited only by their abilities; the role of government in advocating for the protection of individual rights; the development of information; and the education of all of the citizenry.

POLICY #2: GOALS OF THE COMMISSION

1. To serve as an effective advocate for the Asian American population of Nebraska.
2. To serve as a comprehensive source of information regarding the issues and contributions of Nebraska's Asian American population.
3. To collaborate with state government (Governor, Legislature, state agencies), municipalities, and local, state, and national private organizations.
4. To enhance the capacity of the Commission on Asian Americans to utilize maximum resources for the advancement of our mandate and mission.

POLICY #3: COMMISSION FUNCTIONS

The functions of the commission shall be to:

1. Advocate on behalf of Nebraska's Asian American communities to the Governor, legislature, and relevant state agencies.
2. Promote state and federal legislation beneficial to the Asian American community in Nebraska.
3. Coordinate programs relating to the Asian American community in Nebraska regarding housing, education, welfare, health care, employment, economic development, law and order, and related problems.
4. Work with other state and federal government agencies and federal and state elected officials in the development of programs in the areas described in paragraph (3) above.

5. Keep the Governor's office apprised of the status of affairs in the Asian American community in Nebraska.
6. Provide the public with information and education relevant to Asian American affairs in Nebraska.
7. Develop programs to encourage the total involvement of Asian American people in activities for the common benefit of the Asian American community.

POLICY #4: COMMISSIONER RESPONSIBILITIES

Specific Duties and Responsibilities:

- Participate in the selection process of the Executive Director.
- Participate in the performance evaluation and merit/cost of living increases of the Executive Director.
- Provide direction concerning policies affecting the Asian American population within the state of Nebraska in the following areas:
    1. Evaluate existing programs and services impacting the Asian American community.
    2. Evaluate proposed legislation and propose support for key initiatives.
    3. Evaluate educational, emotional, health, financial, social, and well-being needs of Asian Americans in the state and propose solutions accordingly.
    4. Evaluate new immigration laws and discuss their impact on the Asian American community. Provide support or create awareness of the potential impact among stakeholders.
- Serve as a representative of the Commission at public and private meetings.
- Accept assignment to committees with enthusiasm and cooperate with fellow members.

Qualifications: Must be a good civic citizen/steward with an awareness of local issues and a strong desire to get involved with issues involving Asian Americans within the state of Nebraska.

Requirements:

- Meet at least four times a year.
- Participate in general discussions.
- Meet with State Legislators concerning legislation affecting Asian Americans.

Length of Commission Appointment: Four years.

Appointment by: Governor

POLICY #5: COMMISSION CREATION

Creation of the membership for the Commission on Asian Americans is established in STATUTE 81-3801. Fourteen members who shall be of Asian ancestry are appointed by the Governor to serve four-year terms based on date of appointment. As the terms of the voting members expire, their successors shall be appointed by the Governor from a panel of nominees submitted by the public. An appointment for an unexpired term shall follow the same procedure as for initial and subsequent appointments. Members shall be eligible for reappointment.

When vacancies occur, appointments will be made to fill the unexpired term.

Interested individuals may submit their names and resumes for consideration directly to the Governor's office. A Commission membership list is always kept current in the Commission's office and it is updated as changes occur.

The Governor or their appointee shall be an ex-officio member (nonvoting). All Commissioners, including newly appointed members, are required to attend an informational session each year concerning Commission functions, procedures, and so forth.

POLICY #6: NEW COMMISSION MEMBERS

It shall be the responsibility of the Chairperson of the Commission on Asian Americans upon notification and release of information from the Governor's office, to contact new Commission members. When changes in membership occur, the following items will be carried out by the Commission's Chairperson or can be delegated to the Executive Director:

1. The name of the new Commission member will be distributed to all Commissioners and staff.
2. The Commission Chairperson or its delegate will send a welcome letter to the new Commissioner along with a copy of Commission policies and relevant information.
3. The Commission personnel roster will be altered to reflect this change and redistributed.
4. The new Commissioner will be required to attend an informational session in the Commission office with the Executive Director soon after appointment or any other scheduled Commission training session following the Commission's first scheduled meeting.

POLICY #7: ELECTION OF OFFICERS

1. For purposes of administration of the commission during the interim between regular quarterly meetings, there is hereby established an Executive Board of the Commission on

Asian American Affairs consisting of the chairperson of the commission and four members of the commission for a total of five executive board members.

2. The Executive Board may enter into contracts for consultation services, supplies, and equipment, if the amount contracted for does not exceed two thousand dollars in any one contract, and may supervise all programs relating to the affairs of Asian American people residing in Nebraska instituted and authorized by the commission.
3. Members of the Executive Board shall be elected by the members of the Commission by closed ballot to serve two-year terms.
4. The members of the Commission shall also elect a chairperson, vice-chair and secretary from the members of the executive board.
5. The officers shall be elected by closed ballot to serve for two years or until their successors are elected, and their term of office shall begin at the close of the annual meeting at which they are elected. No absentee or proxy votes will be allowed. Voting by ballot will be repeated for each office as many times as necessary to obtain a majority vote for a single candidate.
6. No member shall hold more than one office at a time, no member should serve on more than two appointed or ad-hoc committees unless an exception is approved by the Commission members, and no member shall be eligible to serve more than four consecutive terms in the same office.
7. In the case of an office becoming vacant, the method of filling vacancies shall proceed vertically. For example, in the specific case of the Chairperson, the Vice-Chair automatically becomes Chairperson for the remainder of the term. The secretary would then automatically assume the Vice-Chair's office. An election to fill the remaining vacant office would then take place at the next regularly scheduled meeting.

The Commission will nominate an ad-hoc committee at the beginning of each fiscal year to serve as the "New Commissioner Nominating Committee." Such committee shall be composed of three of the five Commission members. The purpose of the New Commissioner Search Committee will be to identify a list of potential candidates that are representatives of the diversity of the Asian American community in the State of Nebraska, including but not limited to geography/county, gender, and country of origin or ancestry.

POLICY #8: EXECUTIVE BOARD MEMBERSHIP

The Executive Board can be called into session by the Chairperson when any three Commission members request the board to meet on a specific topic or topics. The Commission's Chairperson will be the Executive Board Chairperson. The Executive Board shall research and evaluate the issue and prepare recommendations for presentation to the full Commissioner at the current or next Commission Meeting. If deemed appropriate, the Executive Board may call for a telephone conference call or emergency meeting to discuss the issue.

POLICY #9: AUTHORITY AS A PUBLIC BODY

The Commission on Asian Americans as an independent commission, created by law, is required to adhere to the Open Meeting Act, NEB. REV. STAT. 84-1407 to 84-1414. Therefore, it shall be the policy of the Commission on Asian Americans that formation of public policy shall be conducted in public meetings.

POLICY #10: PUBLIC MEETING NOTICE

It shall be the policy of the Commission on Asian Americans to provide a minimum ten-day advance notice of any regular or special meeting of the Commission, or its various committees, to persons, organizations, and news media agencies who request such advance notice in writing from the Commission's Executive Director or Commission Chairperson. All such public notices shall contain an agenda of subjects to be considered by the Commission, known at the time of the publicized notice. Agendas which will be kept current, shall be available for public inspection in the Commission's Lincoln office during normal business hours. Except for items of an emergency nature, the agenda shall not be enlarged later than twenty-four hours before the scheduled commencement of the meeting. However, the Commission maintains the right to modify the agenda to include items of an emergency nature only at the time of the publicized meeting in public session.

It shall be the responsibility of the Commission's office staff to maintain a list of news media requesting notification of meetings, and to make reasonable effort for providing notification of the time, place and subjects to be discussed at that meeting. When the Commission finds it necessary to hold emergency meetings without reasonable advance public notice (10 days), the Commission will adhere to Nebraska Revised Statutes, 84-1411, Subsection (3). In the event such an emergency meeting is necessary, the Commission Chairperson or a person designated by the Chairperson shall notify the news media as soon thereafter, as the time and place of the meeting is known. Telephone conference calls are also subject to the open meeting statutes, advance planning and preparation of an agenda is required. Scheduled telephone conference calls should be limited only to that issue determined to be of an emergent nature.

POLICY #11: COMMISSION AND COMMITTEE MEETINGS ROBERT'S RULES OF ORDER

It shall be the policy of the Commission on Asian Americans to use the Parliamentary procedure to conduct all regular, emergency, and official committee meetings based on Roberts Rules of Order.

POLICY #12: COMMISSION MEETING PARTICIPATION

The attendance of the Commission on Asian Americans staff and commissioners at quarterly meetings is critical to the organization. Participation in the entire meeting is equally as critical. It shall be the policy of the Commission to expect members to attend at least 50% of the meetings in a fiscal year (excluding telephone conference calls or emergency meetings). If a Commissioner misses more than 50% of the meetings in a fiscal year, the Chairperson will be asked to submit a letter to the Governor recommending the removal of the involved Commissioner. The attendance will be calculated at the end of the fiscal year and recommendations for removal will be made effective for the following fiscal year.

It shall be the responsibility of each Commissioner to make contact with the Executive Director or Chairperson if unable to attend the next scheduled meeting. After hearing the reasons for his/her absence, the Executive Board will decide whether the absences are excused or unexcused. Examples of excused absences could be: scheduled travel, family or work emergencies, weather events, illness, or other unforeseen circumstances. The Executive Board will work with said commissioner to determine the cause of the absence and see if a solution is workable. Action will be taken by the Executive Board at the time of roll call. The Chairperson will notify the particular Commissioner as to whether their absence was deemed excused or unexcused. Copies of the letter asking for the resignation of a particular Commissioner will be sent to all Commissioners and the Executive Director and be kept by the Commission Chairperson.

If a Commissioner misses two unexcused meetings per year, they will be asked to resign. The Chairperson will also submit a letter to the Governor recommending the removal of the involved Commissioner. The attendance will be calculated at the end of the fiscal year and recommendations for removal will be made effective for the following fiscal year.

POLICY #13: COMMISSION MEETING VOTING PROCEDURES

It shall be the policy of the Commission to require all actions to be recorded by voice roll call vote in open sessions. No vote of the Commission shall be taken in Executive Session or by secret ballot except as provided for the election of Commission officers. A quorum of the Commission consists of half (½) of the number of currently appointed commissioners plus one (1) as follows:

- ### NO. OF CURRENTLY APPOINTED COMMISSIONERS: QUORUM
- 10 ………………………. 6
- 11 ………………………. 6
- 12 ………………………. 7
- 13 ………………………. 7
- 14 ………………………. 8

A quorum shall be required to conduct business. A majority of such quorum shall be required to adopt any official act, motion on policy of the Commission. The Chairperson, or the Vice-Chair in the absence of the Chairperson, shall cast a vote on all actions before a tie, forcing a tie or establishing a clear majority, but is not required to cast either an affirmative or negative vote in any action before the Commission, provided that a record be maintained whenever the Chairperson chooses not to vote.

POLICY #14: PUBLIC PARTICIPATION AT COMMISSION MEETINGS

It shall be the policy of the Commission to include in agendas of all regularly scheduled meetings which are held at least four (4) times a year, an agenda item entitled "Public Participation". Under the "Public Participation" item on the agenda, the public in attendance will be invited to identify any topic on the agenda they wish to address. If any person expresses his or her intent to speak to an agenda item(s), the name of such person(s) will be listed under the agenda item(s) and he or she will be given the opportunity to speak when the item comes before the Commission. Members of the public will speak to an agenda item after Commissioners have commenced discussion, but prior to any formal action by the Commission regarding such item. Any member of the public exercising the right to speak on an agenda item will be limited to the amount of time allowed to speak at the discretion of the Chairperson. No member of the public exercising the right to address the Commission shall be allowed to examine any individual Commissioner on any item/question before the Commission unless invited to do so by the Chairperson. Public participation at all other meetings of the Commission including hearings, emergency meetings, special meetings, and committee meetings will be at the discretion of the presiding officer.

POLICY #15: GROUND RULES STANDARDS FOR COMMISSIONERS AND PUBLIC PARTICIPANTS AT ALL MEETINGS CONDUCTED FOR THE BUSINESS OF THE COMMISSION ON ASIAN AMERICANS

1. Everyone will have the opportunity to speak and receive the full attention of the other Commissioners and/or participants.
2. Everyone's opinion will be requested and listened to.
3. Everyone will be treated with respect - no interruptions, insults or personal attacks. Discussion will address content.

4. Chairperson will be responsible for assuring an orderly, positive environment - and all will follow his/her lead and instructions.
5. Chairperson can set and enforce time limits on discussion and individual presentations.
6. Everyone will speak only when recognized.
7. Violations of "respect" will be dealt with consistently and all are responsible for helping to enforce positive behavior.
8. Anyone who cannot follow the rules agrees to leave the meeting or be silent.
9. If frequent inappropriate behavior is displayed by Commission members, they may be asked to resign.
10. New Commission members will be asked to abide by these ground rules/standards of conduct prior to their first meeting.

POLICY #16: COMMISSION MEETINGS - MINUTES

It shall be the Commission policy to transcribe and make available for public inspection, minutes of all meetings containing the time, place, members present and absent and the substance of all matters discussed, within ten (10) working days after any meeting or prior to the next convened meeting whichever occurs earlier. Such minutes shall contain all action taken on motions moved and seconded and voted upon by roll call vote in an open session. In addition, the minutes shall also contain a record on how each Commissioner voted or if a Commissioner was absent or not voting. The transcribing and making written copies of Commission's minutes available shall be the responsibility of the Commission's administrative staff under the Executive Director. Such minutes will be available for inspection of either written or taped recordings for public inspection during normal business hours at the Commission's Lincoln office. Copies will be made available upon written request.

POLICY #17: LEGAL OPINIONS

It shall be the policy of the Commission on Asian Americans to contact the Attorney General's office when questions arise which require legal opinion. Further, it shall be the responsibility of the Executive Director with the concurrence of the Chairperson to make the appropriate inquiry.

POLICY #18: MEETING WITH THE GOVERNOR

It shall be the policy of the Commission that any meeting between the Commissioners and the

Governor be arranged through the Commission’s Chairperson and Executive Director.

POLICY #19: PUBLIC STATEMENTS AND LETTERS ON BEHALF OF THE COMMISSION

Members of the Commission on Asian Americans are chosen because they are leaders in the Asian American community, so they are likely to have opinions on most matters touching upon the community. Because the Commission is a creature of law, created by statute with specific powers and duties, though, it is able to speak officially only collectively and after a vote of the Commissioners on a particular subject. Therefore, individual commissioners shall make clear in their public statements and in their private letters their own personal views and not those of the Commission. Failure to observe and comply with this policy will lead to disciplinary action, including termination of duties as a commissioner. Whenever feasible a vote of the Commission may authorize a Commissioner to express that viewpoint as the official position of the Commission in a particular and defined topic or situation. Stationary bearing the Commission’s name and return address implies official communication and should be used only for Commission business by the Commissioners. Ordinarily, official correspondence of the Commission should be conducted through the Executive Director and staff at the direction of the Commission as a body or the direction of the sitting Chair of the Commission for routine business.

POLICY #20: LEGISLATIVE BILLS

The Commission Executive Director will evaluate proposed legislation. The selected legislation will be brought to the attention of the Commissioners via a memorandum emphasizing its implications and possible effects on Nebraska Asian Americans. The Executive Director will then discuss the legislation with the Executive Committee. A decision will then be made to:

- Provide oral and/or written testimony by appointed Commissioner during scheduled Committee hearings.
- Provide oral and/or written testimony by Executive Director or designee during scheduled Committee hearings.
- Provide written testimony to Legislative Committees informing them on the Commission’s Position on the proposed Legislation.
- Monitor only.

POLICY #21: STAFF ATTENDANCE TO COMMISSION MEETINGS

When the Commission holds its regularly scheduled Commission meetings, and other non-scheduled meetings, staff members may attend at the request of the Executive Director. Any staff person(s) expressing the desire to attend may do so, if budget permits the expense.

POLICY #22: ETHICS POLICY – PART I

Overview: This policy describes the conduct expected of all employees and Commissioners. It is general and not intended to be all-inclusive.

Moral and Ethical Standards: All employees are expected to adhere to sound moral and ethical standards.

Loyalty: All employees and Commissioners have a duty of loyalty to the Commission and may not take personal advantage of any opportunity that properly belongs to the Commission.

Kickbacks and Gratuities: The Commission considers it to be unethical and illegal for any employee to accept or offer payment, gift, gratuity, or employment to or from vendors, contractors, or government officials as an inducement for preferential treatment. All offers for kickback and gratuity shall be reported to the Executive Director or the Chairperson of the Commission. The commission does not consider the giving or acceptance of non-tangible or nominal value items such as ball cap, tee shirt, jacket, an occasional lunch, game of golf, or the like with non-government officials to be a kickback, gift or gratuity for the purpose of this policy.

Conflicts of Interest: The best interests of the Commission are expected to be foremost in the minds of our employees, officers, and commissioners as they perform their duties. No employee shall be, potentially be, or appear to be, subject to influences, interests, or relationships, which conflict with the best interests of the Commission. Employees should not engage in outside interests that divert time and attention from properly attending to Commission affairs. The Commission does not make loans to or guarantee obligations of Commission Officers and Commissioners.

Improper Influence on Conduct of Audits: No commissioners, director, or any other person acting under the direction thereof, shall take any action to fraudulently influence, coerce, manipulate, or mislead any independent public or certified accountant engaged in the performance of an audit of the financial statements of the Commission for the purpose of rendering such financial statements materially misleading. Examples of such behavior include, but are not limited to:

- Offering or paying bribes or other financial incentives, including offering future employment or contracts for non-audit services.

- Providing an auditor with an inaccurate or misleading legal analysis.
- Blackmailing, and making physical threats.

Employees and Commissioners may not divulge confidential or proprietary information except as authorized by the Executive Director or Commission Chairman.

Employee Privacy: The Commission is committed to protecting the privacy of its employees. This includes employee data maintained by the Commission. Employee data will primarily be used to support Commission operations, provide employee benefits, and comply with laws and regulations. The Commission and all employees are expected to comply with all data protection laws, regulations, and Commission policies.

Computing Resources, E-mail, and the Internet: All Internet related services are intended to be used for Commission business. All information on Commission computer systems, including electronic mail, is the property of the Commission. To ensure that commission computing resources are used in accordance with expectations, management may inspect and disclose the contents of electronic messages if such inspection and disclosure is made for legitimate business purposes or as necessary to protect the rights and property of the Commission. Use of commission computing resources to offend or harass others is not acceptable and prohibited. Employees who use the Internet to access sites that contain offensive materials related to sex, race, or other protected categories, or who otherwise violate these prohibitions, will be subject to termination.

Political Activities: The Commission considers itself apolitical organization. As such, no Commission funds or assets will be contributed or used for the purpose of influencing any election without the approval of the Executive Board. This policy does not prohibit Commission participation in trade or special interest organizations.

Safety and the Environment: The Commission is committed to full compliance with all safety and environmental laws and regulations. All employees are expected to comply with these laws, regulations and Commission policies.

Timeliness: All employees are expected to carry out their assigned duties in a timely manner.

Compliance Procedures: Any employee, Commissioner or Executive member who knows, or has reason to believe, of violations to this or other Commission policies and procedures is expected to promptly report the violation to:

- Executive Director
- Chairperson

POLICY #23: ETHICS POLICY – PART II

I. CONFIDENTIALITY: A Commissioner shall make a pledge of confidentiality upon acceptance of their appointment as a Nebraska Asian American Commissioner. Any private, restricted, or sensitive materials must be held in strictest confidence. This shall be especially true of information of a confidential nature regarding an individual or organization. Such information shall be left undisclosed and its confidentiality safeguarded. No confidential or highly sensitive information or materials shall be disseminated, verbally or in writing, by any Commissioner without the express permission of a majority of those seated; or in accordance with the personnel rules and regulations that govern the State of Nebraska.

II. TRUTHFULNESS: All public statements made by a Commissioner should be voiced (or written) in an objective and truthful manner. Each Commissioner shall strive to distribute only factual-based information to peers, staff, constituents, associates, and the general public.

III. HONESTY: It is the duty of a Commissioner to diligently expose and oppose errors and frauds when discovered. To avoid misleading peers, staff, constituents, associates, and thegeneral public. To be sincere, candid, forthright, and ever truthful to the mission of the commission, which is to enhance the cause of Asian American rights. Commissioners must never condone or support deceit, nor act in a devious manner.

IV. INTEGRITY: Commissioners shall conduct themselves at all times with the utmost integrity in their professional relationships and when acting in their capacity as a Commissioner. A Commissioner shall, at all times, comport themselves in a principled, honorable, upright, and courageous manner. A Commissioner shall act upon their convictions, never promoting unscrupulous behavior; Commissioners shall never operate under an “end justifies the means” philosophy that ignores the above distinguished principles.

V. FIDELITY: A Commissioner shall adhere to a strict code of loyalty to serve the public interest to the best of their ability; Commissioners should be ever mindful of their responsibility to promote and advocate for Asian American people and their rights with peers, staff, constituents, governments, and the general public.

VI. JUSTICE: It shall be the responsibility of a Commissioner to promote equity and justice for Nebraska’s citizenry in general. Furthermore, a Commissioner shall openly recognize this responsibility and promote it within Commission operations and with the general public by providing training, support, and education as determined by the Commissioners and the Executive Director.

VII. PRUDENCE: Commissioners shall strive to associate with people and organizations that uphold the above ideals and to recognize those individuals and organizations who conduct themselves in a reputable fashion in their efforts to enhance the cause of Asian American rights. A Commissioner shall endeavor, through prudent behavior, to attain wisdom and be willing to share that wisdom with the Commission to support its mission. A Commissioner shall always act in an appropriately deferential manner when dealing with elders as doing so shows respect for the customs of Asian American people of all cultures.

VIII. SOCIAL RESPONSIBILITY: A Commissioner shall act with social responsibility within their personal and professional life. They shall work towards using their knowledge to advance human welfare at home, at work, and within their community, to benefit both Asian American and non-Asian American people of Nebraska.

IX. FAIRNESS: It shall be the duty of a Commissioner to work and act in a strict spirit of fairness with staff, constituents, associates, and the general public. Commissioners shall avoid unnecessary secrecy or concealment of information and assure that others have the information needed to make intelligent choices and exercise their rights fully under the law. Additionally, a spirit of personal helpfulness and fraternity toward their peers shall be achieved. Criticism may be offered (verbally or in writing) with regards to an issue. It is never fair or appropriate to use criticism against an individual person and all Commissioners shall champion that belief. A Commissioner shall not discriminate in the performance of their duties due to race, creed, color, sexual orientation, cultural norms, family status, or for any cause. Fairness within this meaning shall include being open-minded and willing to admit effort, and when appropriate, changing positions and beliefs; the above is especially appropriate in demonstrating a commitment to justice, tolerance, and diversity.

X. WILLING COMPLIANCE: It is the obligation of all Commissioners to act in willing compliance with the laws of the land: be they tribal, local, federal, or state. Furthermore, that willingness shall be with the express intent of following the spirit of the law, and not merely the letter of the law as the Commission's statutory mission to enhance.

XI. GOOD FAITH: All Commissioners shall promote good faith in all negotiations. That good faith shall be defined as acting fairly within the context of Commission business (both in person and in writing) or in any activity that may reflect on the Commission. Good faith is constituted by forthright, factual, and honest statements made to the best of a Commissioner's knowledge and/or understanding.

XII. RESPECT: A Commissioner shall proceed on the ideology that all human beings are entitled to respect. That respect shall encompass their physical, emotional, and spiritual well-being. The fundamental courtesy of respecting personal liberty and the general public, without exception, by Commissioners.

XIII. LOYALTY: All employees and Commissioners have a duty of loyalty to the Commission and may not take personal advantage of any opportunity that properly belongs to the Commission.

XIV. ACCOUNTABILITY: In all ways, a Commissioner shall act upon the belief that everyone has the right of informed consent. All people have the elementary right to know the truth. Commissioners shall be willing to accept responsibility for their decisions and their foreseeable consequences, including both their actions and inactions. They accept the challenge to set an example for their peers, staff, constituents, associates, and the general public, but especially for our Asian American youth.

XV. CONFLICTS OF INTEREST: The best interests of the Commission are expected to be foremost in the minds of our employees, officers, and commissioners as they perform their duties. No employee shall be, potentially be, or appear to be, subject to influences, interests, or relationships which conflict with the best interests of the Commission. Employees, without prior approval of the Executive Director, may not serve as an officer, director, manager, employee, or agent of any commission that is a competitor, supplier, or constituent of the Commission. Employees should not engage in outside interests that divert time and attention from properly attending to Commission affairs. The Commission does not make loans to or guarantee obligations of Commission Executive Board Members, Commissioners, and/or employees.

XVI. COMMISSION FIDUCIARY RESPONSIBILITY: Every Commissioner assumes the charge of fiduciary use of Commission Funds. Acting with financial responsibility, in a trustworthy manner, necessitates each Commissioner work from a place of devotion to duty. Never should any professional action taken by a Commissioner be undertaken for the realization of any personal or financial gain. All financial decisions, large or small, shall be made with the best interest of the Commission and its constituents in mind. Fiduciary responsibility by Commissioners carried out as herein set forth shall result in a protection of the Commission's public trust.

XVII. EXTREME PRIORITIES: In addition to the above principles, a Commissioner shall be of moral character, refraining from the use of profanity or vulgarities in their capacity as Commissioner. They will uphold the ideal of the sanctity of each individual's right to voice their opinion without fear and, competency in their dealings. A Commissioner's devotion to duty includes promise-keeping, the exercising of due care need for a peer-to-peer relationship and chain of command in daily operations and adhere to that fundamental in conducting Commission business.

XVIII. PURSUIT OF EXCELLENCE: Commissioners shall pledge themselves to the principle of pursuing excellence in all matters. They agree to be diligent, reliable, industrious, and committed in their service to the Commission. Performance of all tasks assigned to them will be to the best of their ability. They will strive to maintain a high degree of competence, be well informed on issues that impact Asian American issues and always be prepared to rise to any occasion to advance the cause of Asian American rights. Commissioners are never content with mediocrity in their position as representatives of Asian American people on the Commission. They shall always strive for excellence.

XIX. KICKBACKS & GRATUITIES: The Commission considers it to be unethical and illegal for any employee to accept or offer payment, gift, gratuity, or employment to or from vendors, contractors, or government officials as an inducement for preferential treatment. All offers for kickback and gratuity shall be reported to the Executive Director and/or the Chairperson of the Commission.

XX. IMPROPER INFLUENCE ON CONDUCT OF AUDITS: No commissioners, director, or any other person acting under the direction thereof, shall take any action to fraudulently influence, coerce, manipulate, or mislead any public accountant engaged in the performance of an audit of the financial statements of the Commission for the purpose of rendering such financial statements materially misleading.

XXI. SAFETY & ENVIRONMENT: The Commission is committed to full compliance with all safety and environmental laws and regulations. All employees are expected to comply with these laws, regulations, and Commission policies.

XXII. Personnel matters regarding employees and/or Commissioners will be addressed in Executive Session of Quarterly Meetings and/or Special Meetings as necessary.

In all their actions as a Nebraska Commission on Asian Americans Commissioner, each person is charged with temperance. Moderation, constraint, and self-restraint are essential to the success and effectiveness of the Nebraska Commission on Asian Americans and its statutes. By adhering to the above Ethics Policy and its founding principles, each Commissioner shall guide the Commission in a professional and ethical manner that promotes respect for all people.

POLICY #24: NON-CONTRACT EMPLOYEE EVALUATION AND SALARY INCREASES

The following parameters will be used for the only Non-Contract Employee, the Executive Director, of the Commission on Asian Americans. At the beginning of each fiscal year, the Commission’s only Non-Contract Employee, the Executive Director, may receive incentive-based pay increase from 0% to 4% at the discretion of the Commissioners, PROVIDED THAT, aggregate spending does not exceed the current fiscal year Salary Limit as specified within the Appropriations Bill. The Commission’s Plan is as follows:

1. Performance and adherence to the Commission ethical and behavior policies will be the factors considered when determining the annual salary increase.
2. The Commissioners will be expected to use only job-related factors. Apply judgments in a fair and equitable manner and be able to support decisions.
3. Performance evaluations and discussions with the Commission’s only Non-Contract employee, the Executive Director, will be initiated by the end of each fiscal year and completed no later than December 31 of the following fiscal year. The Executive Director will provide a self-evaluation and the Commission will choose and approve a standard evaluation format for the performance review.
4. The Performance evaluation rating and potential salary increase, for the Commission’s Director, will be governed by the following performance rating/salary table:

- Rating Scale Salary Increase
- 5 - Outstanding 4%
- 4 – Excellent 3 - 3.5%
- 3 - Satisfactory 2 - 2.5%
- 2 - Unsatisfactory 0%

5. The proposed salary increase shall be approved by a majority of the Commissioners and documented in regular or special meeting minutes. The Commission will assign performance goals and objectives for the Executive Director every year and no later than by the completion of the annual performance review.

6. Job Requirements for Executive Director:
   - Candidate must be a legal resident of Nebraska and of Asian American ancestry.
   - Occasional overnight/evening travel and event attendance required.
   - Must have a clean driving record to be eligible to drive a state vehicle.
   - Grant writing skills preferred.

POLICY #25: IN CASE OF INCAPACITATED, RESIGNING, OR TERMINATION OF EXECUTIVE DIRECTOR

In the case when an Executive Director becomes ill or injured and is unable to carry out the duties of the position of the Executive Director, the next responsible staff employee will be empowered by the Commission to carry out duties of the Executive Director.

1. Consideration for appointment of an acting director shall be made when the Executive Director has been incapacitated for at least two weeks, and/or when medical advice indicates that the Executive Director will be unable to work for a period of time beyond the initial two weeks.

2. The Commission Chair or the Vice-Chair (in absence of Chair) will inform the next responsible staff employee, in writing, that he/she shall be appointed Acting Director and shall assume the duties of the Executive Director until such time when the Executive Director can return to the office and resume such duties.

3. Supervision of the Acting Director shall be the responsibility of the elected Chair of the Commission. The Chair, in agreement with the Acting Director, shall set the conditions for the temporary appointment. Consultation with the incapacitated Executive Director regarding issues or Commission business will be at the discretion of the Chair of the Commission.

4. If the Acting Director moves from a union-represented position, salary considerations shall be in accordance with the negotiated contract between the State of Nebraska and the Nebraska Association of Public Employees/American Federation of State, County and Municipal Employees, (NAPE/AFSCME).
5. In case of an Executive Director resignation, it will be requested that notice of resignation should be presented at least three months prior to expected last day of employment. The Commission will appoint an ad-hoc search committee with no more than half of the current Commission members.
6. The Commission shall reserve the option to name an interim executive director upon the circumstances of the resignation and timeline of the search process. The Commission will follow the guidelines set forth on numerals 2-4 of policy #25.
7. Ad-Hoc Search Committee should receive approval to set up a timeline and budget for the recruitment, interview, and selection process. The ad-hoc Search Committee should prepare a slate of potential candidates for the Commission review and selection of the new Executive Director. The ad-hoc Search Committee will discuss and agree with the Commission members what type of assistance will be needed from staff during the process.
8. The new Executive Director Search and selection process will be considered "CONFIDENTIAL," and all who come in contact with information related to the search and selection will abide by the ethical standards set forth in Policy #23.
9. If at the end of the search process the Commission does not agree upon a candidate or no suitable candidate is found, the search and selection process will be started again. A longer-term acting director will be appointed if needed.

Termination of Executive Director: The Executive Director may be terminated for reasons including, but not limited to, failure to perform duties, misconduct, violation of Commission policies, or other actions deemed detrimental to the Commission. The process for termination will follow state law and union rules, and will involve consultation with the Administrative Services Division and/or Attorney General's office.

POLICY #26: TRAVEL EXPENSE POLICIES FOR COMMISSIONERS AND STAFF (INSTATE/OUTSIDE TRAVEL)

CRITERIA: When more than one Commissioner submits a travel request to attend the same conference the following criteria shall be used:

1. Availability of budget funding
2. Whether or not has attended past conferences

3. Attendance record at Commission meetings

AIR TRAVEL: Air travel shall only be authorized when it is more economical than surface transportation or will result in a substantial savings or productive time. Reimbursement for commercial air travel will be limited to “coach fare” if such seating is available at the time of ticket purchase. Commission staff and Commissioners will be responsible for all arrangements for purchasing air tickets through a travel agency. The travel agency will bill the Commission office directly.

OUT-OF-STATE TRAVEL: Commissioners and Commission staff out-of-state travel should be directly related to the functions outlined in the Commission’s goals and objectives. Budget limitations will be the basis for approval of any travel request.

PERSONAL VEHICLE: Reimbursement for personal mileage is based on the current U.S. Internal Revenue Service (IRS) allowance for business travel for Commissioners and staff, and is based on the actual number of miles traveled by the most direct route-reference to the Nebraska State map mileage chart.

STATE VEHICLE: Payment for use of state vehicles will be in accordance with rates established by the Department of Administrative Service and the State of Nebraska.

LODGING: Commissioners and Commission staff must report only actual expenses paid for lodging. Receipts for lodging are required to be filed with the expense claim. Commission staff and Commissioners will be responsible for appropriate lodging arrangements while attending Commission meetings or conferences. The staff will make arrangements as much as possible with hotels/motels for direct billing to the Commission office for the convenience of the traveler. Associated expenses billed to rooms should be limited to (1) official telephone call and (2) parking fees.

LONG DISTANCE TELEPHONE CALLS: Commissioners and staff making telephone calls during travel status either on credit cards or direct bill to the hotel shall provide the following documentation:

1. Reason for call
2. Relationship to person called

Commissioners and staff in travel status will be allowed one call upon arrival and one call at departure. Special consideration will be given to the length of time in travel status which may necessitate one, or in case of emergency or family illness, calls as needed. Telephone calls should be limited to 3-5 minutes.

POLICY #27: PER DIEMS

Commissioners will abide by all Administrative Statutes for state agencies, the guidelines of the Department of Administrative Services, and recommendations regarding the expenditure of state funds as they relate to the payment of per diems. The members of the commission shall each receive fifty dollars for each day spent in the performance of their duties and shall receive reimbursement for any expenses as provided in sections 81-1174 to 81-1177). Sec. 186; Attorney General's opinion (8-22-80) indicates that fractions of days are usually counted as full days however, state auditors look for abusiveness in per diem payments, such as payment for 1/2 hour. Per Diems shall be paid for each regularly scheduled Commission meeting and all emergency meetings of the full Commission.

POLICY #28: CONTRACTUAL AGREEMENTS

The Executive Director with the concurrence of the Chairperson is authorized to enter into an agreement with a third party to provide consultant/services on a contractual basis in the amount not to exceed $500.00. Amounts in excess of $500.00 would require Commission board action at a scheduled Commission Meeting. Documentation including explanation/rationale for consultant services shall be attached to all signed contractual agreements. Agreements for contractual services for amounts in excess of $500.00 shall be reviewed by the Attorney General's office prior to execution and shall include the Commission's motion to approve and voting record. Such consultant/services are those considered to be in the interest of the Commission and such authority is given with the purpose of obtaining consultant/services in a timely manner between Quarterly Commission Meetings.

POLICY #29: CO-SPONSORSHIP FUNDING AGREEMENTS

The Executive Director with the concurrence of the Chairperson is authorized to enter into co-sponsorship agreements of $500 or less with individuals, agencies, universities, private groups, etc., whenever the co-sponsorship is deemed to be in harmony with the goals and objectives of the Commission. Any request for funding for co-sponsorship shall include, but not be limited to the following information:

1. Name of group and contact person initiating the request
2. Name, date, time, place of event
3. Specific amount of money requested
4. Rationale for the funding request including relationship to Asian Americans in Nebraska

Uniform guidelines will be provided as funding requests are made. Requests for funding in excess of $500 shall require Commission action at a scheduled quarterly Commission meeting. If co-sponsorship is approved, the Executive Director shall execute a signed agreement. Such signed agreement shall include all details of the event, as well as indicating the method by which payment shall be made. It shall also require that the name of the Commission on Asian Americans appear on all promotional and program information.

POLICY #30: POLICY FOR STATE INVENTORY

It shall be the policy of the Commission on Asian Americans to comply with Section 81-1118.02 which requires all agencies to file and certify an annual physical inventory with the State Surplus Property by August 31 of each year. The inventory report shall include all personal property purchased by state funds. All items (personal property) with a purchase value of $1,500.00 or more (excluding laptop computer, digital camera) shall be maintained on the Department of Administrative Services, Materiel Division on-line system. The current Equipment and Furniture Inventory Manual, Department of Administrative Services, Materiel Division shall be used as reference for required inventory information. An internal inventory listing all other non-reported items shall also be maintained by the Executive Director. Excluded from this list will be consumable items such as, pens, pencils, paper goods, notebooks, etc. An internal inventory listing of library books, videos, and posters shall also be maintained. *Software is not considered an inventory item since only the license to operate or the right to use the software is purchased. Also, software should be destroyed rather than surpluses.

Job Title: Executive Director, Commission on Asian American Affairs
Location: Lincoln, Nebraska
Position Type: Full-Time
Reports to: Commission on Asian American Affairs

Job Overview:

The Executive Director serves as the chief executive officer of the Commission on Asian American Affairs for the State of Nebraska, responsible for directing the Commission's initiatives, promoting its mission, and overseeing all operations. The Executive Director plays a key role in enhancing engagement with the Asian American community, advocating for issues that impact the community, and ensuring the delivery of high-quality programs and services. This position requires innovative leadership, strategic oversight, and effective communication to manage relations with government officials, community partners, and the general public.

Key Responsibilities:

- **Strategic Leadership and Direction:**
    - Develop and lead the strategic initiatives of the Commission, ensuring alignment with its mission and state policies.
    - Provide visionary leadership to enhance the Commission's impact within Nebraska's Asian American community.
    - Draft policies and strategies to promote the well-being of the Asian American population through education, community involvement, and legislative advocacy.
    - Advise the Commission on key matters affecting the Asian American community, providing well-researched recommendations for program changes and development.
- **Community Outreach and Advocacy:**
    - Represent the Commission at public forums, legislative sessions, and civic

functions, advocating for the needs and rights of the Asian American community.

  - Build and maintain relationships with community organizations, government agencies, and other stakeholders to enhance awareness and engagement.
  - Organize and present testimony at the Nebraska Legislature on issues related to the Asian American community.
  - Oversee the Commission's public outreach and education programs, coordinating responses to third-party inquiries and presentations.

- **Operations and Personnel Management:**
  - Manage and supervise the agency's personnel, fostering a collaborative, respectful, and performance-oriented work culture.
  - Set goals, objectives, and performance standards for staff, conducting regular evaluations and providing necessary professional development opportunities.
  - Ensure compliance with state policies, legal standards, and financial regulations in the execution of programs.
- **Fiscal Oversight:**
  - Prepare and manage the Commission's budget, working closely with the state budget division and legislature to ensure adequate funding.
  - Identify and pursue grant and funding opportunities to enhance the Commission's resources and capacity to serve the community.
  - Present the annual budget and significant revisions to the Commission for approval.
- **Policy and Program Development:**
  - Coordinate and prepare for Commission meetings, reporting on the status of programs, initiatives, and fiscal matters.

- Ensure that data collection and program evaluation are conducted in line with state mandates and the Commission's goals.
- Provide the Commission with insights and recommendations for new programs or policy changes that would benefit the community.

- **Government Relations:**
  - Establish and maintain strong working relationships with the Nebraska Legislature, state agencies, and other governmental entities.
  - Monitor policy developments at the state and federal levels that may affect the Asian American community in Nebraska, keeping the Commission informed of potential impacts.
- **Other Duties:**
  - Perform other duties as assigned by the Commission to ensure the success of its programs and services.

Qualifications:

- A college or university degree in public administration, business administration, social sciences, or a related field is preferred; and/or
- Preferred 5 years of executive leadership experience and demonstrated success, preferably within a government agency or community organization.
- Proven experience in developing and leading strategic initiatives and managing personnel.
- Strong fiscal management skills, including budgeting and financial oversight.
- Excellent communication skills, both written and verbal, with experience in public speaking and legislative advocacy.
- A deep understanding of the Asian American community and issues that impact minority groups in Nebraska.

- Ability to work collaboratively with diverse stakeholders, including government officials, community leaders, and advocacy groups.

- Candidate must be a legal resident of Nebraska and of Asian American ancestry.

- Occasional overnight/evening travel and event attendance required.

- Must have a clean driving record to be eligible to drive a state vehicle.

- Grant writing skills preferred.