KUNM Policies and Procedures
(Approved by Provost; 12/19/2008)

All volunteers and paid staff are required to sign the KUNM Policies and Procedures.

Section A: Volunteers:

Local, State and Federal Policies:

1. Contract: These policies and procedures are not a contract; they may be revised by the Associate Provost for Academic Affairs after consultation with the General Manager, Radio Board, and after notice and consultation with the volunteers.

2. Duty Performance: I have read and will abide by the station's programming policies and goals, the Regents' Policy on KUNM and the expectations of professionalism and competency in my duties, to The best of my ability.

3. Discipline: I have read and will abide by the types and use of corrective discipline as set forth in The KUNM Volunteer Performance Management Procedure. I also understand that KUNM’s Grievance Procedure is another option for resolution of differences.

4. FCC: I understand that KUNM is licensed to the Federal Communications Commission and will abide by FCC rules as specified in these Policies.

5. Transmitter Operation: In accordance with the best broadcast practices, I will attend the station's control point at all times while I am signed on the log. I will leave only when I am properly relieved or when I have been authorized to leave by the General Manager, Chief Engineer, or a designated Operations Staff member.

On-air Policies:

6. Requirements: I will operate on-air equipment only after I have passed KUNM’s On-Air Operator exam, and am approved by the Operations Manager for on-air duties.

7. Personal Information: I will provide the Operations Manager with my current phone number, email address, mailing address, and emergency contact information.
8. **Training and Feedback:** To present the best programming possible, I will attend all required training and feedback sessions as requested by staff. As a volunteer, I may request feedback sessions and I will provide an aircheck tape for those feedback sessions.

9. **Accurate Records:** I will file accurate Equipment Trouble Reports when I have equipment problems. I will adhere to the program log and will limit my program to its scheduled time.

10. **Work Space Responsibilities:** I will put all production materials, records, CDs, tapes, and any other project material in the proper place immediately after I use them, leaving each work area ready for the next user.

11. **Shift Responsibility:** I will be responsible for all of my scheduled shifts, regardless of programming (including regularly scheduled programs, special broadcasts, fundraising efforts). I will be available to participate in membership, fundraising or promotional events. I will arrive at least 15 minutes prior to my shift. If I am going to be late, I will call KUNM and notify the on-air operator as soon as possible. If I cannot make a shift, I will either arrange for a qualified replacement and advise the Operations Manager, or contact the Operations Manager (by pager or cellphone if less than 72-hours notification) to find a replacement. I am responsible for my scheduled shift until a replacement has been confirmed by the Operations Manager.

12. **Leave of Absence Policy:** See attached.

13. **Live Announcement Language Policy:** See attached.

14. **Underwriting Policy:** See attached.

15. **Vacancy:** To resign from my scheduled duties as on-air host, I will give the Operations Manager at least three weeks written notice. The vacancy will be posted for three weeks, and the new host will be announced within four weeks following the three week posting. If I am suspended, the Operations Manager will be responsible for finding a substitute host. If I am terminated, the replacement procedure above will be used to fill the vacancy.

16. **Security:** I will admit only those persons who identify themselves, have a valid reason for entrance, and have their name on the entrance list in the control room. I am responsible for the conduct of my visitors and the on-air guests I admit to KUNM while on my shift. Only two visitors are allowed unless a waiver is requested and approved by the Operations Manager. Inappropriate conduct of visitors may result in suspension or termination of my position at KUNM.

17. **Disturbance:** As the operator signed on the log, and in the absence of Operations Staff members, I will ask people making a disturbance to leave KUNM and, I will call campus police if needed. Operations Staff should be notified of any disturbance occurring during regular work hours. Disturbances considered threatening to any person on duty at any time should be handled by campus police.
Equipment Policies:

18. *Theft:* All equipment related to KUNM radio station is the property of the University of New Mexico. I will take all reasonable precautions to avoid theft, destruction or damage to KUNM property and equipment.

19. *Repair:* I will not attempt any repairs or adjustments, or otherwise alter the functioning of any piece of KUNM equipment without permission from the Chief Engineer.

20. *Production Studios:* Access to KUNM’s production facilities will only be granted to Volunteers certified by the Production Director.

21. *Personal Use:* Personal use of KUNM production studios or equipment is prohibited without the written permission of the Production Director or designee. Personal long-distance phone use is prohibited.

22. *Loud Listening:* I understand that listening at high volumes has the potential to cause some degree of permanent hearing loss.

Behavior Policies:

23. *Substances:* The use of alcohol is prohibited on University property, except as provided under UNM UBP Policy 2140 “Use of Alcohol on University Property”. Smoking is not allowed in Oñate Hall per UNM Policy 2250 ”Smoking on University Property”. Food or drink is prohibited in KUNM control rooms or production studios. Failure to comply may result in disciplinary action being taken.

24. *Harmony:* KUNM is an equal opportunity employer in accordance with UNM policies. All staff is expected to regard others with respect and to practice tolerance of others regarding age, sex, race, class, nationality, sexual preference, spiritual or political beliefs, and those physically or mentally challenged.

25. *Violations:* I understand that violating these Policies and Procedures will result in disciplinary action as described in KUNM’s Volunteer Performance Management Procedure.

26. *Retaliation:* Retaliation for reporting misconduct is not allowed at KUNM per UNM Policy 2200.

Section B: PaidStaff: In addition to the policies above, the following apply to the Paid Staff.

1. *Job Descriptions:* Staff will perform their duties according to their job descriptions.

2. *Responsibility:* Staff is responsible for overall operation of KUNM including FCC license requirements, broadcast quality, music and program acquisition, the operation and maintenance of equipment and facilities, and the placement of volunteers in on-air and support positions.
3. **Training**: Staff will provide training for new staff and volunteers on station policies and applicable FCC rules and regulations. They will provide refresher courses and specialized training sessions in order to improve KUNM's service.

4. **Log and Volunteer List**: Staff will provide accurate program logs. The Operations Manager will maintain and publish an up-to-date volunteer list every two months. Telephone numbers of all staff and Campus Police will be posted in the control room for use during emergencies.

5. **Assistance and Recognition**: Staff will, in any way possible, support and assist programmers and producers in their efforts to produce quality programs. They will schedule regular volunteer feedback sessions quarterly. They will regularly recognize the contributions of volunteers in various ways, including listings in *Zounds!*, UNM ID upon request, Certificates of Recognition, and free compact discs or tickets when available.

6. **Program Pre-emption**: The Operations Manager will provide at least two weeks notice to the program host in the event of a program pre-emption. Notification will not be considered complete until the host has acknowledged the notification. Less than two weeks notice will only occur in the event of a significant need for pre-emption. The General Manager has final jurisdiction on pre-emption.

7. **Program Cancellation**: If a program is cancelled in accordance with the program change process established in the Bylaws of the KUNM Radio Board, the Operations Manager will provide at least two weeks written notice to the program’s host.

8. **Non-Grievance Matters**: All matters except grievances will be presented to the monthly General Meeting for discussion before being taken to the Radio Board. The General Meeting is conducted in accordance with the General Meeting Bylaws.

**ATTACHMENTS**: (referenced and associated policies)

- UNM Policy 2200 – Reporting Misconduct
- KUNM Volunteer Performance Management Procedure
- KUNM Grievance Procedure
- FCC Rules 73.4165 and 4170 on Obscenity and Indecency
- KUNM Leave of Absence Policy
- KUNM Live Announcement Language Policy
- KUNM Underwriting Policy
- Regents Policy on KUNM
- By-Laws of the KUNM Radio Board
- By-Laws of the KUNM General Meeting
- UNM Student Code of Conduct
- UNM Visitors Code of Conduct
KUNM POLICIES AND PROCEDURES  Adopted 12/19/2008

I have read and agree to comply with the KUNM Policies and Procedures above and the attachments referenced. I understand that the University of New Mexico may adopt campus-wide policies that refer to volunteers, visitors, and paid employees of the university.

__________________________________          _______ __________________________
Signature of Volunteer                                       Signature of Paid Staff Member

_________________________                            ________________________
Date                                                                      Date

___________________________________________________ __
Printed Name
1. General

The University of New Mexico strongly encourages all University employees, acting in good faith, to report any suspected misconduct that may be taking place at the University. An employee who interferes with or tries to interfere with the right of another employee reporting suspected misconduct is subject to disciplinary action, up to and including dismissal. The University is committed to protecting employees who report suspected misconduct in accordance with the Whistleblower Protection Act. Misconduct is any on-the-job activity performed by a University employee that violates state and/or federal laws or regulations, local ordinances, or University policy. A more detailed definition is provided in Section 2. below. For the purposes of this policy the term "employee" is broadly defined and includes all faculty, staff, and student employees; independent contractors; and volunteers. This policy describes the procedures for reporting and investigating suspected misconduct, interference with reporting suspected misconduct, and retaliation. Nothing in this policy limits the right of any person to seek individual remedies or otherwise proceed under any other state or federal remedy.

1.1. Whistleblower Protection Against Retaliation

Retaliation will not be tolerated and will be promptly investigated by the University. Any employee who retaliates against an employee who has reported suspected misconduct is subject to disciplinary action, up to and including dismissal. Retaliation and the procedures for reporting retaliation are described in Section 8. herein.

1.2. Employees Reporting Suspected Misconduct

An employee reporting suspected misconduct:

• will be protected from retaliation for reporting suspected misconduct;

• can report suspected misconduct anonymously, but doing so may limit an employee's protection from retaliation and the University's ability to conduct a full investigation;

• can contact the University Internal Audit Department at any time concerning the timeline of the review or investigation;

• can amend a report if new information become available;

• should not investigate suspected misconduct on their own; and

• will be notified when the investigation is complete.
2. Misconduct

Misconduct is any on-the-job activity performed by a University employee that violates state and/or federal laws or regulations, local ordinances, or University policy. Misconduct includes, but is not limited to, the examples listed below.

- Misuse, mismanagement, or misappropriation of funds, securities, vehicles, property, facilities or any other University asset.
- Corruption or bribery.
- Theft of University property.
- Paying or receiving money for hours not worked.
- Falsification of documents or reports.
- Willful failure to perform duties.
- Discrimination.
- Sexual harassment.
- Using or being under the influence of alcohol or drugs at work.
- Personal use of University materials or assets (other than incidental use as defined in Section 4.2 of Policy 4000 and Section 2.3 of Policy 2500).
- Endangerment of public health or safety.
- Unauthorized release of confidential information.
- Retaliation against an employee who has reported suspected misconduct or interference with the right of an employee to report suspected misconduct.

3. Confidentiality

The University will try to prevent disclosure of the identity of the employee reporting suspected misconduct without their consent. However, often the identity of an employee may become obvious to others due to the nature of the information. The reporting employee's identity may be disclosed if necessary or required:

- to any law enforcement agency investigating the matter;
- to University employees assigned to investigate the matter;
- to University administrators and Regents to the extent necessary to conduct an investigation (on a need-to-know basis only);
- if required pursuant to a subpoena or by law;
- if necessary to defend a grievance by an employee; or
- if required by due process in connection with disciplinary action against the person accused.

The employee will be notified by the applicable University administrator when the employee's identity will be disclosed under any of the above circumstances. Whenever possible, the employee will be notified in advance of the disclosure. Employees reporting suspected misconduct or subsequent retaliation may need to testify in order to prove misconduct occurred and to defend against a legal action or grievance that may be brought against the University, its officers, or its agents.
4. Reporting Suspected Misconduct

Employees who are aware of or have reason to suspect misconduct should report the conduct, either orally or in writing using any of the following methods. An employee should report suspected misconduct as soon as reasonably possible, preferably within sixty (60) days from the time the employee becomes aware of the suspected misconduct. Employees should select the reporting method listed below that they are most comfortable with and is most appropriate to the situation.

- Report the conduct to your supervisor unless there is reason to believe the supervisor may be involved in the misconduct.
- Call the UNM Hotline 1-888-899-6092-- call may be anonymous, but doing so may limit an employee's protection from retaliation and the University's ability to conduct a full investigation.
- Report the conduct to the Internal Audit Department--suspected misconduct by the Internal Audit Department should be reported to the University President's Office.
- Report the conduct to the department responsible for dealing with the conduct in question such as OEO, Campus Police, Risk Management, or HR as outlined in Section 6.1, herein.

Once an initial report has been filed, an employee may amend the report if the employee becomes aware of new information. Supervisors should not investigate reports, but instead must notify the Internal Audit Department when a report of suspected misconduct is received. The Internal Audit Department coordinates all responses to reports of suspected misconduct regardless of reporting method.

Reports of suspected misconduct should include the following information:

- Name of employee filing the report (a report may be anonymous, but such action may limit an employee's protection from retaliation and the University's ability to conduct a full investigation.).
- Address and telephone number where the employee prefers to be contacted.
- A detailed description of the suspected misconduct. This should include the name(s) and department(s) of all those believed to be involved.
- Dates or range of dates of suspected misconduct.
- Any supporting evidence or material that may be available to the reporting employee. However, employees are not to investigate suspected misconduct on their own or remove University records from their proper location.

If suspected misconduct is reported orally, the supervisor or University administrator receiving the report will document all information received at the time the report is made or as soon afterwards as possible.

All reports regardless of reporting method are coordinated by the Internal Audit Department. The Internal Audit Department will not accept complaints concerning allegations of suspected misconduct or retaliation that have been previously investigated or are currently being investigated by another University department.
5. False Information

An employee who knowingly gives false information or knowingly makes a false report of suspected misconduct or a subsequent false report of retaliation, or who knowingly provides false answers or information in response to an ongoing investigation will be subject to disciplinary action, up to and including dismissal, by the University.

6. Investigation of Suspected Misconduct

The Internal Audit Department will review and evaluate reports of suspected misconduct to determine if the report should be referred for further review and/or investigation. If such a determination is made, the Internal Audit Department will prepare a written report of the review. The University will act upon the Internal Audit Department's recommendations promptly. However, the timeliness of any investigation shall depend on the type and complexity of the report, the alleged act, and the type of investigation required. Time limitations for court actions or administrative proceedings are not delayed or interrupted during an investigation. In accordance with due process rights, the accused shall be notified that allegations of misconduct have been made and will be allowed to respond. The administrative department responsible for conducting the investigation will determine when it is appropriate to notify the accused. The employee reporting suspected misconduct may contact the Internal Audit Department for information on the timeline of the review or investigation.

6.1. Investigations will be conducted by the appropriate University department listed below in accordance with that department's investigation procedures. Allegations against any of the departments listed below will be investigated by the administrator to whom the department head reports. A joint investigation may be conducted when more than one (1) area is involved.

- The University Division of Human Resources will investigate allegations related to violation of personnel policies.
- The University Office of Equal Opportunity will investigate any allegations of discrimination or sexual harassment.
- The University Department of Safety and Risk Services will investigate any allegations concerning safety or an unsafe work environment.
- The Internal Audit Department will investigate any allegations concerning the handling of University financial matters, documents, information, or equipment in accordance with "Dishonest or Fraudulent Activities" Policy 7205, UBP.
- The University Police Department will investigate any allegations concerning security or criminal activity.

If the employee reports suspected misconduct which personally affects the reporting employee in the workplace, the Internal Audit Department may consult the University Dispute Resolution (DR) Coordinator to determine whether to proceed under this policy or to transfer the matter, in whole or in part, to the DR Coordinator for proceedings under "Dispute Resolution" Policy 3220, UBP.
6.2. Great care must be taken in dealing with suspected misconduct to avoid the following:

- Inaccurate accusations.
- Violating any employee's right to due process.
- Making statements that could lead to claims of false accusation or other offenses.
- Alerting suspected individuals that an investigation is under way.

7. Report of Investigation

7.1. When the investigation is completed, a confidential report of the investigation will be sent for appropriate action to the vice president responsible for the unit where the investigation was conducted or to the President for units that report to the President. If the investigation is conducted by the Internal Audit Department, the report will be filed in accordance with Internal Audit Department policies. The Internal Audit Department will notify the complainant when an investigation is completed.

7.2. If illegal activity appears to have occurred, the findings will be reported to the appropriate audit and law enforcement agencies. This will be coordinated with University Counsel and other appropriate University administrators.

8. Interference With or Retaliation for Reporting Suspected Misconduct

A University employee may not interfere or try to interfere with the right of another employee to report suspected misconduct and may not retaliate against an employee who has reported suspected misconduct. If an employee believes that retaliation or interference was threatened, attempted, or occurred, he or she may file a complaint with the Internal Audit Department. Employees reporting suspected interference with or suspected retaliation for reporting suspected misconduct by the Internal Audit Department may file a report with the President's Office. An employee may file a retaliation complaint only if he or she has previously reported suspected misconduct.

8.1. Retaliation is any adverse action taken against an employee who has reported suspected misconduct when business related reasons do not exist for the action or the action is outside of regular practice. Some examples of retaliation are listed below.

- Giving unwarranted negative performance evaluations to the reporting employee.
- Moving the reporting employee frequently and/or to undesirable locations, without legitimate business justification.
- Transferring the reporting employee, without legitimate business justification.
- Reprimanding the reporting employee, without legitimate business justification.
- Taking adverse salary actions against the reporting employee, without legitimate business justification.
- Suspending, demoting, or dismissing the reporting employee, without legitimate business justification.
- Creating a hostile work environment for the reporting employee.

Reporting suspected misconduct does not exempt an employee from legitimate personnel action taken during the normal course of business.
8.2. If the employee reports suspected retaliation, that personally affects the reporting employee in the workplace, the Internal Audit Department may consult the DR Coordinator to determine whether to investigate the retaliation report under this policy or to transfer the matter, in whole or in part, to the DR Coordinator for proceedings under "Dispute Resolution" Policy 3220, UBP.

8.3. The Internal Audit Department will review and evaluate reports of suspected interference with or suspected retaliation against an employee for reporting suspected misconduct to decide if an investigation is justified. Subject to Section 8.2, the Internal Audit Department will refer the investigation to the appropriate department for investigation. If an employee alleges retaliation by the Internal Audit Department, the President's Office will review and evaluate the report to decide if an investigation is justified. If an investigation is warranted, the report will be referred to the appropriate department for investigation.

9. False or Inaccurate Accusations

It is important to protect individuals from false, unsubstantiated, or inaccurate accusations. Therefore, when a report of suspected misconduct or suspected retaliation is not substantiated, the file containing all documents relating to the report, review, or investigation will be sealed and delivered to University Counsel's office. The file will be stored for six (6) years after the date the file is sealed, after which time it may be destroyed.

10. Disciplinary Action

All disciplinary action taken as a result of investigations will be in accordance with the personnel policies contained in the University Business Policies and Procedures Manual, the collective bargaining agreements, and the Faculty Handbook as appropriate.

Comments may be sent to UBPPM@UNM.edu
http://www.unm.edu/~ubppm
1. General

Volunteers play a valuable and critical role in helping KUNM fulfill its mission. Supervisors have a responsibility to train and support each volunteer in understanding requirements of his/her assignment and to assist them in improving performance. Volunteers should be treated with dignity and respect. Providing quality programs and services requires cooperation by volunteers and adherence to established policies, procedures, regulations, practices, and high standards of performance. In an effort to maximize the contribution of every volunteer, KUNM has adopted this policy on performance management.

KUNM encourages a supportive problem-solving approach to performance problems, but KUNM recognizes that misconduct and continued performance problems may require disciplinary action. KUNM uses the progressive discipline process described herein, to address misconduct and continued performance problems. Progressive discipline is intended to be corrective, not punitive in nature. It is designed to provide volunteers with notice of deficiencies and an opportunity to improve. However, some violations of policies and procedures, or continued negative behavior or performance may be of such serious nature that severe discipline, including immediate suspension or removal, may be appropriate. KUNM retains the right in accordance with applicable federal and state laws and Regents' policies to determine the methods, means, and personnel required to maintain efficient operations and the appropriate level of corrective or disciplinary actions in a given case.

2. Supervisor Responsibilities

Supervisors should seek to achieve a productive, effective work environment by ensuring that each volunteer's performance meets expectations. Supervisors should make appropriate efforts to ensure that volunteers understand the requirements and expectations of their assignment, and
supervisors should address problems that may impact on performance in a timely, constructive, and corrective manner.

KUNM does not condone poor performance; however, it recognizes that good "coaching" can correct many performance deficiencies. Good performance management involves continuous feedback to volunteers. Supervisors should evaluate performance, identify shortcomings, and plan training needed to correct any weaknesses. Additionally, it is incumbent upon the volunteer to be willing to seek and accept constructive coaching of his or her duties, specifically with regard to on-air programming.

Supervisors should use a problem-solving approach to resolving performance problems. When a volunteer is not suited to a specific position, a supervisor may wish to consider a transfer to a different position, which may be better suited to the volunteer. A transfer may be appropriate when there is a comparable position open at the station and such a transfer is reasonably predicted to result in improved performance. When performance problems continue or volunteer misconduct is of a serious nature, disciplinary actions will be the most appropriate measure. The objective of the following corrective actions is not intended to be punitive, rather it seeks to return the volunteer to positive productive performance.

3. Progressive Discipline

KUNM uses progressive discipline, which provides a volunteer a reasonable opportunity to meet the requirements of their assignment, comply with station and University policies, procedures, practices, and regulations, and to improve individual performance.

Progressive discipline may not be appropriate in all instances and is not a bar to KUNM taking such action as may be deemed appropriate under the circumstances of a given case. For example, some violations listed in Section 4 are usually considered to be of such a serious nature that disciplinary action could lead directly to suspension or removal. Progressive discipline actions include the use of oral warnings, written warnings, suspensions, and/or removal. Discipline should be administered equitably, consistently, and progressively. Depending on the nature of the performance problem or misconduct, a supervisor may start progressive discipline
at any appropriate point in the process. The following sections describe in detail the actions used in progressive discipline.

### 3.1. Oral Warning

The primary objective of oral warning(s) is to advise the volunteer that there is a performance problem and to tell the volunteer what he or she can do to restore satisfactory performance. It is expected that most such discussions will result in improved performance. An oral warning should include:

- A description of the nature of the problem and allow the volunteer to explain any reason for the problem and suggest ways to correct the situation;
- A description of the policies or rules violated (if any);
- The specific actions to be taken by the volunteer and/or supervisor to correct the problem, including specific time frames, if appropriate;
- That further disciplinary action will occur should the problem persist; and
- That disciplinary action may be disputed according to the provisions of the KUNM Grievance Procedure.

The supervisor must state to the volunteer that this is an "oral warning." An oral warning is not documented in the volunteer's file, however, the supervisor shall maintain a record of any oral warnings given. The supervisor will normally refer to any previous oral warning if further disciplinary action is taken.

### 3.2 Written Warning

A written warning provides the volunteer with a written explanation of the events leading to the warning, an explanation of any applicable rules, and any subsequent information that can help the volunteer improve the identified performance problem. The written warning must state that this is a "written warning" and that if the volunteer does not improve performance to a satisfactory level within the time frames listed more serious disciplinary action will take place. A written warning is documented in the volunteer's file. The written warning should include:
A description of the nature of the problem, including reference to any earlier oral warning(s);
A citation of the policies or rules violated (if any);
The specific action plan to be taken by the volunteer and/or supervisor to correct the problem, including specific time frames, if appropriate;
A statement that further disciplinary action, up to and including removal, could occur should the problem persist; and
A statement that disciplinary action may be disputed according to the provisions of the KUNM Grievance Procedure.

3.3 Suspension

A suspension is a temporary involuntary separation from the volunteer’s assignment at KUNM resulting from performance problems that have not been satisfactorily corrected through the use of oral and written warnings or for misconduct or serious violation of policy. Suspensions range from one (1) workday up to thirty (30) workdays, depending on the seriousness of the problem. The supervisor must comply with the notice requirements of Section 5 of these Procedures, and should inform the volunteer in writing that the suspension is a disciplinary action and that removal could occur should the problem persist. A suspension requires approval, in advance, of KUNM’s General Manager.

3.4 Removal

A removal is a permanent involuntary separation of a volunteer from KUNM for disciplinary reasons. A removal requires approval, in advance, of KUNM’s General Manager.

4. Unacceptable Behavior

Unacceptable behavior is any behavior significant or substantial in nature relating to the volunteer's work that is inconsistent with the volunteer's obligation to KUNM. A list of examples of behavior, which when significant or substantial in nature, that is unacceptable is shown below for guidance only, and is not considered as an all inclusive list.
Assault or battery on another person.
Conviction of a felony or misdemeanor where the provisions of the Criminal Offender Employment Act apply, depending on the nature of the offense and the type of position.
Creating a hostile working environment.
Falsification (deliberate) or omission of information on employment applications or resumes, time cards/records, or other station records.
Illegal drugs and alcohol - violation of the University's "Policy on Illegal Drugs and Alcohol."
Incompetence.
Inefficiency.
Insubordination.
Intoxication on the premises.
Misappropriation or personal use of KUNM funds, property, possessions, or resources.
Misconduct
Negligence.
Performance that continues to be inadequate after reasonable time has been allowed to correct it.
Sexual Harassment
Theft or fraud.
Uncooperative behavior.
Confidentiality - violation of confidentiality or the release of confidential information.
Violation of University policies.

5. Notice Requirements

5.1 Notice of Contemplated Action

To initiate a suspension or removal of a volunteer, the supervisor must obtain prior approval as described in Section 3 and serve the volunteer with written notice of the contemplated action. This notice must include all the following points:
Cite the acts that the supervisor believes constitute unacceptable behavior. These may be any one (1) or more of the acts listed in Section 4 herein. Give a summary of the evidence against the volunteer. Specify the contemplated action. State that the volunteer has ten (10) calendar days from receipt of the notice to respond orally or in writing to the contemplated action.

5.2 Notices

Notices shall be in writing and should be served in person, if possible. At the time of service, the volunteer should be asked to sign an acknowledgement of receipt. If the volunteer declines, the supervisor shall so note for the record. If the notice cannot be served in person, the notice may be sent by certified mail with a return receipt requested. The notice must be properly stamped and addressed to the last address provided by the volunteer. Service of the notice is complete when the notice is hand delivered or deposited with the United States Postal Service by certified mail with a return receipt requested.

5.3 Computation of Time

Any time period defined by this procedure, does not include the day of the action from which the time period begins to run. If the last day of the time period falls on a Saturday, Sunday, or holiday, the last day of the time period shall be the next day of the normal work week (Monday – Friday).

5.4 Response to Notice of Contemplated Action

The volunteer or a representative of the volunteer's choosing may respond orally and/or in writing to the notice of contemplated action. The response is served to the supervisor who signed the notice. If the volunteer wishes to meet with the supervisor to respond to the notice of contemplated action, he or she must submit a written request for the meeting within five (5) work days from receipt of the notice, or the volunteer will be deemed to have waived the right to an oral response. As stated herein, the volunteer must respond orally and/or in writing within ten (10) calendar days from receipt of the notice. Any extension of time must be in writing and
agreed upon by both the volunteer and the supervisor no later than the date of the deadline for response.

5.5 Notice of Final Action

After considering the volunteer's oral and/or written response, the supervisor shall decide on the final action and serve the volunteer with a written notice of final action. The notice of final action shall be within thirty (30) calendar days after receipt of the volunteer's response and include all the following points:

The final action to be taken.
The acts constituting unacceptable behavior, which shall only include allegations specified in the Notice of Contemplated Action.
A summary of the evidence.
A reply to the volunteer's response, if any.
The effective date of any disciplinary action.

A statement that the volunteer may file a grievance in accordance with the KUNM Grievance Procedure within fifteen (15) working days of receipt of the Notice of Final Action.

6. Conclusion

This KUNM Volunteer Performance Management Procedure provides a procedure for performance management and corrective action with regard to KUNM volunteers. It is not intended to and does not constitute or create a contract of employment between any KUNM volunteer and KUNM and/or the University of New Mexico. The volunteers understand and agree that they remain volunteers and not employees of KUNM or the University of New Mexico.
KUNM GRIEVANCE PROCEDURE  
July 1, 1998

1. Purpose

1.1 The purpose of this procedure is to secure, at the lowest possible level, equitable solutions to individual grievances which may arise regarding terms and conditions of volunteer participation at KUNM.

1.2 The parties to any dispute between a paid staff member and a volunteer may, by mutual agreement in writing, ask the UNM Dispute Resolution Office to provide assistance in resolution of the dispute by mediation or other facilitation. If the parties elect to handle a grievance or dispute in this manner, use of the Dispute Resolution Office shall be the only remedy for the subject matter of the grievance, and no appeal to the Radio Board (Step 2) may be taken.

2. Definition

2.1 A grievance shall be defined as a complaint by a volunteer of KUNM that he/she has been adversely affected by a violation of KUNM's procedures, policies, or practices regarding terms and conditions of volunteering.

2.2 If there is a serious question whether the subject matter of a grievance meets the requirements of Sec. 2.1, either the General Manager or the aggrieved volunteer may request, in writing within 10 working days after the filing of a grievance, that the Radio Board review that issue in executive session at its next scheduled meeting. Both the General Manager and the volunteer may be present during the discussion by the Board, and for the purpose of a determination of this preliminary issue, the Board shall review only the facts contained in the written grievance, in the light most favorable to the aggrieved party. All time limits contained in the Grievance Procedure are tolled until a final decision by the Board. By mutual agreement in writing, the parties may refer this preliminary issue to the Personnel and Grievance Committee of the Board for a decision before the next scheduled meeting of the Board.

2.3 If the Board (or the Personnel and Grievance Committee) finds that the subject matter meets the definition in Sec. 2.1, then the grievance shall proceed in the manner outlined in Step 1. If the Board (or the Personnel and Grievance Committee) finds that the subject matter does not meet the definition in Sec. 2.1 and dismisses the grievance, the aggrieved volunteer may appeal that determination in the manner prescribed in Sec. 5.1 of this procedure.

As used in the Grievance Procedure, the term “working days” refers to any calendar day which is not a weekend day, a holiday observed by the university for all employees, or an official closure of the University, as defined by the academic year schedule published by the University Secretary.

3.1 A grievance must contain a statement of the grievance; the circumstances upon which it is based; the KUNM policy, procedure, or practice allegedly violated; and the remedy being sought.

3.2 Grievances must be filed within 15 working days following the act being grieved or discovery of the circumstances which gave rise to the grievance. (The General Manager shall hear the grievance unless the General Manager is the subject of the complaint, in which case the aggrieved and the General Manager shall agree on a member of the Radio Board to informally mediate between the aggrieved and the General Manager. If the aggrieved volunteer and the General Manager cannot agree on a mediator within five working days from the filing of the grievance, then the chairperson of the Radio Board will appoint a mediator to hear the first step of the grievance.)

3.3 Except in the case of an alleged violation which places KUNM's FCC license in jeopardy, the Provost or designee shall decide whether the suspension or dismissal of a volunteer will, at the aggrieved's request, be postponed pending the outcome of the grievance procedure.

4. Steps in the Grievance Procedure

4.1 Step 1

4.1a. A grievance is to be submitted in writing by the aggrieved volunteer to the station General Manager or designee within 15 working days following the act of being grieved or discovery of the condition which gave rise to the grievance. A copy of the written grievance shall be submitted to the KUNM Radio Board.

4.1b. The General Manager or designee will coordinate investigation of the charges and attempt to mediate the dispute. The station manager shall hold an informal meeting with the aggrieved volunteer. A period of ten working days from the date the General Manager or designee receives the grievance in writing (or from the date the Radio Board Chair appoints a member of the Board as the mediator) shall be allowed for this mediation effort; unless both agree in writing to an extension.

4.1c. If the grievance is resolved to the satisfaction of the parties, the General Manager or designee will prepare a report to the resolution, provide written notice to all involved parties, including the aggrieved volunteer and the chair of the KUNM Radio Board. At this point the grievance will be considered closed.
4.1d. If the grievance is not resolved to the satisfaction of all parties, the General Manager or designee will prepare a report stating that the Step 1 mediation effort has been concluded without resolution. Copies of the report will be provided to the members involved in the grievance, including the Radio Board Chairperson. The aggrieved volunteer may then appeal to Step 2.

4.2 Step 2

4.2a An appeal to Step 2 of the grievance procedure must be filed in writing by the volunteer to the General Manager or designee within five working days from receipt of the Step 1 report. The failure to appeal within one week will constitute forfeiture of the right to appeal, and the grievance will be considered closed.

4.2b. The grievance shall be heard by a due process board comprised of three members selected from the KUNM Radio Board. Related grievances may be consolidated for hearing in the discretion of the Radio Board.

4.2c. The selection will be made in the following order: (1) the aggrieved volunteer shall select one Radio Board member at the time of the filing of the appeal in Sec. 4.2a, or within five working days thereafter; (2) the General Manager or designee shall select one Radio Board member within three working days after the selection by the volunteer; and (3) the third member shall be selected from the Radio Board by mutual agreement of the two members selected by the parties within five working days thereafter.

4.2d. The due process board shall hold a formal hearing within ten working days after the General Manager certifies in writing to the Provost or designee that the hearing committee has been formed in compliance with Sec. 4.2c, unless an extension is granted by the Provost or designee. The board may call and examine witnesses and may obtain other testimony or factual evidence from any current KUNM volunteer or paid staff member as the board determines necessary for clarification of the grievance issues. The board will render its opinion within five working days and convey its opinion, in writing, including a statement of its reasons, to the aggrieved volunteer and other involved parties, including the station management, chairperson of the KUNM Radio Board, and the Provost or designee, by the end of that time period.
5. **Step 3, Final Appeal**

5.1 Either the aggrieved volunteer or the General Manager may appeal an adverse final decision of the due process board to the Provost or designee. The appeal to the Provost or designee must be made in writing, including a statement of his or her reasons, within five working days of the decision by the due process board. All written materials shall also be forwarded to the Provost or designee. The decision of the Provost or designee shall be rendered within ten working days, and that decision will be final, that is, there shall be no further appeal as a matter or right.

6. **Rights, Responsibilities, Contracts**

6.1 Nothing in the foregoing grievance procedure shall be construed as a restriction of the university's or station management's authority and responsibility to make all decisions concerning the management and operation of KUNM consistent with the Regents' policy then in force and as required by the FCC.

6.2 Revisions to this procedure may be made by the Provost or designee after consultation with the Radio Board at a regularly announced open meeting and notice to and consultation with volunteers.

6.3 This document cannot be unilaterally revised or rescinded except by action of the Regents. Any further revisions to this policy will not affect the processing of grievances pending at the time of the revision.

###
It’s Against the Law

It is a violation of federal law to air obscene programming at any time. It is also a violation of federal law to air indecent programming or profane language during certain hours. Congress has given the Federal Communications Commission (FCC) the responsibility for administratively enforcing these laws. The FCC may revoke a station license, impose a monetary forfeiture, or issue a warning if a station airs obscene, indecent, or profane material.

Obscene Broadcasts Are Prohibited at All Times

Obscene material is not protected by the First Amendment to the Constitution and cannot be broadcast at any time. The Supreme Court has established that, to be obscene, material must meet a three-pronged test:

• An average person, applying contemporary community standards, must find that the material, as a whole, appeals to the prurient interest;

• The material must depict or describe, in a patently offensive way, sexual conduct specifically defined by applicable law; and

• The material, taken as a whole, must lack serious literary, artistic, political, or scientific value.

Indecent Broadcast Restrictions

The FCC has defined broadcast indecency as “language or material that, in context, depicts or describes, in terms patently offensive as measured by contemporary community standards for the broadcast medium, sexual or excretory organs or activities.” Indecent programming contains patently offensive sexual or excretory material that does not rise to the level of obscenity.

The courts have held that indecent material is protected by the First Amendment and cannot be banned entirely. It may, however, be restricted in order to avoid its broadcast during times of the day when there is a reasonable risk that children may be in the audience.

Consistent with a federal indecency statute and federal court decisions interpreting the statute, the Commission adopted a rule that broadcasts -- both on television and radio -- that fit within the indecency definition and that are aired between 6:00 a.m. and 10:00 p.m. are prohibited and subject to indecency enforcement action.

Profane Broadcast Restrictions

The FCC has defined profanity as “including language so grossly offensive to members of the public who actually hear it as to amount to a nuisance.”

Like indecency, profane speech is prohibited on broadcast radio and television between the hours of 6 a.m. and 10 p.m.
Enforcement Procedures and Filing Complaints

Enforcement actions in this area are based on documented complaints received from the public about obscene, indecent, or profane material. FCC staff will review each complaint to determine whether it contains sufficient information to suggest that there has been a violation of the obscenity, indecency, or profanity laws. If it appears that a violation may have occurred, the staff will start an investigation, which may include a letter of inquiry to the broadcast station.

If the description of the material contained in the complaint is not sufficient to determine whether a violation of the statute or FCC rules regarding obscene, indecent, and profane material may have occurred, FCC staff will send the complainant a dismissal letter explaining the deficiencies in the complaint and how to have it reinstated. In such a case, the complainant has the option of re-filing the complaint with additional information, filing either a petition for reconsideration, or, if the decision is a staff action, an application for review (appeal) to the full Commission.

If the facts and information contained in the complaint suggest that a violation of the statute or FCC rules regarding obscenity, indecency, and profanity did not occur, FCC staff will send the complainant a letter denying the complaint, or the FCC may deny the complaint by public order. In either situation, the complainant has the option of filing either a petition for reconsideration or, if the decision is a staff action, an application for review (appeal) to the full Commission.

If the FCC determines that the complained-of material was obscene, indecent, and/or profane, it may issue a Notice of Apparent Liability (NAL), which is a preliminary finding that the law or the FCC’s rules have been violated. Subsequently, this preliminary finding may be confirmed, reduced, or rescinded when the FCC issues a Forfeiture Order.

Context

In making obscenity, indecency, and profanity determinations, context is key. The FCC staff must analyze what was actually aired, the meaning of what was aired, and the context in which it was aired. Accordingly, the FCC asks complainants to provide the following information:

• Information regarding the details of what was actually said or depicted during the broadcast.

The complainant may choose the format for providing the information, but it must be sufficiently detailed so that the FCC can determine the words or language used, or the images or scenes depicted during the broadcast and the context of those words, language, images, or scenes. Subject matter alone is not sufficient to determine whether material is obscene, indecent, or profane. For example, stating only that the objectionable programming “discussed sex” or had a “disgusting discussion of sex” is not sufficient. Moreover, the FCC must know the context when analyzing whether specific, isolated words or images are obscene, indecent, or profane. The FCC does not require complainants to provide tapes or transcripts in support of their complaints. Consequently, failure to provide a tape or transcript of a broadcast, in and of itself, will not lead to automatic dismissal or denial of a complaint. Nonetheless, a tape or transcript is helpful in processing a complaint and, if available, should be provided.
Under federal law, if the FCC assesses a monetary forfeiture against a broadcast station for violation of a rule, it must specify the date the violation occurred. Accordingly, it is important that complainants provide the date the material in question was broadcast. Indecent or profane speech that is broadcast between the hours of 10 p.m. and 6 a.m. is not actionable. Consequently, the FCC must know the time of day that the material was broadcast.

- **The call sign, channel, or frequency of the station involved.**

To take enforcement action for the airing of prohibited material, the FCC must be able to identify the station that aired the material. By providing the call sign, channel, or frequency of the station, you will help us to quickly and efficiently process your complaint. The name of the program, DJ, personality, song, or film; network; and city and state where you heard or saw the program are also helpful.

Any documentation you provide to the FCC about your complaint becomes part of the FCC’s records and may not be returned.

**How to File a Complaint**

There is no charge for filing a complaint with the FCC. You can file your complaint using an on-line complaint form found at [esupport.fcc.gov/complaints.htm](http://esupport.fcc.gov/complaints.htm). You can also file a complaint by e-mailing fccinfo@fcc.gov; calling 1-888-CALL-FCC (1-888-225-5322) voice, 1-888-TELL-FCC (1-888-835-5322) TTY; faxing 1-866-418-0232; or writing to:

Federal Communications Commission  
Consumer & Governmental Affairs Bureau  
Consumer Inquiries and Complaints Division  
445 12th St., SW  
Washington, DC 20554.

The best way to provide all the information the FCC needs to process your complaint is to complete fully the on-line complaint form. When you open the on-line complaint form, you will be asked a series of questions that will take you to the particular section you need to complete.

If you are submitting a video tape, DVD, CD, or other type of media with your complaint, please send it to the following address to avoid mail processing damage.

Federal Communications Commission  
Consumer & Governmental Affairs Bureau  
Consumer Inquiries and Complaints Division  
9300 East Hampton Drive  
Capitol Heights, MD 20743
For More Information

For more information regarding obscene, indecent, or profane broadcasts, visit the FCC’s Enforcement Bureau Web site at www.fcc.gov/eb/oip/. For a list of the Commission’s recent enforcement actions in this area, visit www.fcc.gov/eb/oip/Actions.html. Finally, for information about other telecommunications issues, visit the FCC’s Consumer & Governmental Affairs Bureau Web site at www.fcc.gov/cgb, or contact the FCC using the information provided for filing a complaint.

For this or any other consumer publication in an alternative format (electronic ASCII text, Braille, large print, or audio) please write or call us at the address or phone number below, or send an e-mail to FCC504@fcc.gov.

To receive information on this and other FCC consumer topics through the Commission’s electronic subscriber service, visit www.fcc.gov/cgb/contacts/.

This fact sheet is for consumer education purposes only and is not intended to affect any proceeding or cases involving this subject matter or related issues.

10/08/08

This document is available online at http://www.fcc.gov/cgb/consumerfacts/obscene.html
a. A leave of absence for programmers is available for reasons of health, travel, work and other extenuating circumstances. A leave of absence consists of a pre-scheduled period of time away from programming duties ranging from five weeks to six months.

b. At least four weeks notice must be given to the Operations Manager before a leave of absence is taken, except in cases of emergency leave, which may be requested on shorter notice.

c. The Operations Staff, in consultation with the volunteer taking the leave of absence, will select substitutes.

d. In the case of a leave of absence being taken from a “rotating host” position, the position will be offered to the people in the following sequence:
   1. The remaining “time-sharer” or “rotating hosts”.
   2. Other volunteers, including new recruits.

e. In the case of a leave of absence being taken from a position that is not a “time-share” or “rotating hosts” position, the position will be offered to other volunteers, including new recruits.

f. All vacancies will be posted at KUNM for at least two weeks following the date of notice of leave of absence.

g. A decision on replacement will be made within a two week period after the end of posting.

h. The program will be relinquished to the returning volunteer upon termination of leave of absence. The substitute host will receive two weeks notice before their services will no longer be required, due to the anticipated return of the regular host.

i. Should the person who was granted a leave of absence not return within the time limits, the shift will be permanently filled according to the process established in KUNM’s Policies and Procedure. The volunteer on leave of absence may request an extension up to the maximum allowable, with at least two weeks notice prior to the end of their scheduled time off. Persons may abbreviate their leave of absence and return to their normal shift with at least three weeks notice.

j. It is understood that a program may undergo “planned” growth and change during a host’s absence. The returning volunteer will be expected to accommodate such changes upon return. The returning volunteer may elect not to further host that show without losing his/her volunteer status.

k. There must be a minimum of 9 months from the end of one leave of absence to the beginning of the next leave.

<table>
<thead>
<tr>
<th>Tenure (since hire)</th>
<th>Maximum leave of absence</th>
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<tbody>
<tr>
<td>9 Months</td>
<td>3 Months</td>
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<tr>
<td>12 Months</td>
<td>4 Months</td>
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<tr>
<td>24 Months</td>
<td>5 Months</td>
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<tr>
<td>36 Months</td>
<td>6 Months</td>
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</tbody>
</table>

-- end --
On-air language issues are many and complex; therefore, no single document can provide definitive answers for all on-air language questions. If you have questions please consult with KUNM's Operations Manager, Program Director, Development Director or General Manager.

**Regents' Goals for KUNM:**

KUNM is a noncommercial radio station, licensed by the FCC to the Regents of the University of New Mexico. The Regents Goals for KUNM include the following:

Serve the people in KUNM's listening area by providing a variety of high quality programming that serves diverse interests, particularly programming that might not be available on commercial radio stations,

Comprise an integral component of the University's academic mission

Maintain a high standard of quality in content, presentation and technical competence.

**Few Clear-Cut Answers**

By their very nature, language issues are extremely complex. While the FCC has articulated some clear requirements, many regulations provide only broad guidelines which must then be interpreted and applied by station personnel.

However, this does not protect the station from liability. Anyone can challenge the legality of a specific message or wording. If the FCC rules that this language is unacceptable, they can (and usually do) impose a fine and/or other sanctions. *They can also impose fines on individual operators.*

Therefore, you are encouraged to be well-informed about your choice of words as they relate to this policy. Whenever you have a question, consult with KUNM staff. **If an immediate decision is required and you have any doubts, we strongly recommend that you not use the language in question.**

Remember that an incorrect decision can have serious consequences for KUNM, regardless of your good intentions.

This document does not address specifics of FCC rules on obscenity, indecent speech, libel or slander. These language issues are included in the KUNM Volunteer and Operating Staff Policies and Procedures.

**For-Profit Vs. Non-Profit (Tax-Exempt)**

The rules in this policy apply to "for-profit" and "non-profit" organizations. It is important that you, as a programmer, are able to understand and apply the distinction between for-profit and non-profit organizations.

Please note that in order to qualify as a non-profit organization, an organization must have been formally granted legal, tax-exempt status by the federal government (501c3 status). Government agencies are also considered non-profit organizations.

If you are not absolutely certain that an organization has legal tax-exempt status, you must treat it as if it were a for-profit organization.
Definitions:

- Non-profit organization: an official 501c3 organization.
- For-profit organization: all other (than non-profit) organizations and individuals.
- Promote: to state price information, call to action, inducements, or personal endorsement. Use of superlative, qualitative or comparative language.
- Identify or mention: stating only time, date, place, “value neutral” factual information.
- Consideration: anything of value given by a present underwriter, a non-profit organization or a for-profit organization to any KUNM staff member in exchange for an on-air statement being made.
- Transitory event: Concerts, plays, activities of non-profit and for-profit organizations, and other events where admission charges are required, or goods or services are offered for sale. FCC rules provide for some flexibility on language restrictions when it comes to transitory events. KUNM has adopted stronger standards which apply equally to transitory and non-transitory events.
- Disclosure: Prior to live, on-air statements, each staff member must make a written disclosure of receipt of consideration on the appropriate form.
- Length: The length of an announcement may also contribute to a message being judged “promotional” by the FCC. A lengthy description of a for-profit business may be considered promotional, even if it does not include qualitative language. And saying the name of a for-profit business repeatedly may also by considered promotional by the FCC. The FCC has made differing interpretations on standards for "length" and "repetition".

For-Profit Rules

The following are expressly prohibited by the FCC for for-profit organizations when consideration has been received by KUNM or a KUNM staff member:

- **Calls to action.** Examples: “Don’t miss it,” “Stop by,” “Get your tickets now.”

- **Inducements.** Examples: “Free buffet,” “Two-for-one drinks during happy hour,” “Free t-shirt to the first 50 attendees,” “I hope to see you there.”

- **Endorsements.** “I can’t wait to see them,” “This is going to be a great show,” “I love this band,” “I’ll be there.”

- **Any reference to price or value.** Examples: “Tickets are $10,” “Student discount available,” “Half off the regular price,” “Cheap,” “Tickets are reasonably priced.”

- **Superlative, qualitative, and comparative language.** Examples: Great, wonderful, best, biggest, luxurious, exciting.

While the FCC has more relaxed rules for for-profit organizations when no consideration is received, KUNM has adopted policy that also restricts the use of this language when there is no consideration.
Non-Profit Rules

The FCC has fewer restrictions for announcements related to non-profit organizations. However, KUNM has adopted policy that prohibits calls to action, inducements and reference to price or value.

KUNM does permit announcements for non-profit organizations to include endorsements and superlative, qualitative or comparative language.

A “Fact” Is Not Necessarily Legal

Through various rulings, the FCC has established that a factual statement is not necessarily a legal statement. For example, it may be a statement of fact that Acme Restaurant has a Happy Hour from 4-6 p.m. This statement is considered by the FCC as an inducement to patronize Acme Restaurant. Inducements for "for-profit" organizations are prohibited by the FCC when consideration is given, so this statement would be illegal.

Another example: Acme Restaurant is voted the best by the readers of the Weekly Rag. We cannot say this on air, because it clearly implies that Acme is the best, which is qualitative and comparative, which is prohibited.

Additional Mentions for Underwriters:

All underwriting carts must be aired as scheduled on the log; do not give these carts extra air play. Do not make comments on air about KUNM underwriters.

Personal Use of the Airwaves:

UNM policy prohibits the use of UNM facilities or property for personal benefit. You may not use your time on the air to look for a job, find a roommate, sell your car, find homes for your kittens, get free pizza delivered, or get a date, etc. UNM policy prohibits the use of UNM facilities or property for personal benefit. UBP Policy 7710, Section 1 states in part, “The University of New Mexico may acquire, maintain, protect, use, and dispose of property required to perform its mission. University property and resources may be used only for University business.” You should never mention a for-profit event or business through which you personally benefit, either directly or indirectly.
1.0 Definition of Underwriting

1.1 Underwriting is money, goods or services provided by businesses and not for profit organizations in support of KUNM programming. According to FCC rules, all such donations must be acknowledged on the air. Separate FCC rules apply to for profit and not for profit businesses.

2.0 Purpose of Underwriting

KUNM solicits and accepts underwriting for the following reasons:

2.1 To provide opportunities for sponsors to showcase their support of KUNM and KUNM programs

2.2 To raise operating funds from the community

2.3 To develop, strengthen and enhance KUNM’s image and relationships with the community

3.0 Underwriting Procedures

3.1 Full compliance with FCC rules on underwriting and non-profit paid announcements (NPAs) is the standard at KUNM. For clarification on the particulars of mandatory compliance, refer to the most recent NFCB Guide to Underwriting for Public Radio.

3.2 Any violation of these procedures will result in disciplinary action as outlined in the most recent KUNM Volunteer and Staff Policies and Procedures.

3.3 Standards for the production, length and frequency of Underwriting Announcements and NPAs (non-profit paid announcements) may be established to insure the continued uniqueness and noncommercial sound of KUNM.

3.4 The Development Director under the supervision of the General Manager is responsible for underwriting and NPAs at KUNM and has responsibility for managing underwriting and NPAs within policy.

4.0 Types of Announcements

4.1 In accordance with FCC rules, entities contributing money, goods or services to KUNM must by identified on air by means of Underwriting Announcements or NPAs.

5.0 Standards for For Profit Underwriting Announcements

5.1 Underwriting announcements on local programs are scheduled twice per hour, usually on the hour and half hour. Special scheduling is required for satellite programs.

5.2 Each underwriting announcement will include no more than two sponsors.
5.3 Two sponsor announcements will not include competing sponsors (e.g. two different bookstores).

5.4 Maximum length for a two sponsor underwriting announcement is 29 seconds. Single sponsor announcements should be kept to 15 to 20 seconds.

5.5 All underwriting copy must comply with FCC rules.

5.6 Underwriting copy may include name, location (including address and phone number), brand/trade names of products/services, brief value neutral description of products/services, slogans and length of time in business.

5.7 Underwriting copy may not include superlative, qualitative or comparative language; a call to action; price or value information; inducements to buy, sell, rent or lease; or endorsements.

5.8 The Development Director must approve all underwriting copy. KUNM standards that are stricter than FCC rules shall be incorporated as amendments to this policy.

5.9 Underwriting announcements will be produced by KUNM using KUNM voice talent with value neutral inflection.

6.0 Standards for Non Profit Paid Announcements (NPA)

6.1 In keeping with FCC rules, KUNM may air promotional spots for non-profit organizations in exchange for money, goods or services.

6.2 NPAs are scheduled once per hour.

6.3 NPAs are 30 seconds in length.

6.4 An NPA will be scheduled no more than five times per day.

6.5 Underwriting language restrictions do not apply to NPAs.

6.6 NPA copy will be tagged with the line, “This message sponsored by (XYZ), a tax exempt organization.”

6.7 The Development Director must approve all NPA copy.

6.8 NPAs will be produced by KUNM, using KUNM voice talent.

6.9 NPAs may be recorded with music.

6.10 The Development Director must approve all NPA copy. The FCC permits the broadcast of promotional messages for non-profit organizations and does not regulate the length or language of NPAs. KUNM may establish standards for NPAs and incorporate them in this policy.
7.0 Review

7.1 These policies shall be provided to any prospective underwriter who receives an adverse response to an underwriting proposal. The Radio Board expects a timely report from KUNM management whenever an adverse response to an underwriter is made. The review process shall result when underwriting meets FCC rules but receives an adverse response from KUNM management.

7.2 A joint committee composed of two members of the Radio Board (appointed by the Board Chair), two members of the Operations Staff, and two members of the Volunteer staff will meet to consider information regarding an adverse response. All consideration by this committee will be confined to the application of the policies as defined above. The recommendation of the committee will be forwarded to the Radio Board for review.

8.0 Staff and Volunteer Considerations

8.1 In order to provide tangible rewards to volunteers and employees of KUNM for their good efforts, the Development Department shall routinely request and seek passes to performances and/or other available benefits to be distributed to volunteers and staff in an open and equitable manner.

REGENTS' POLICY ON KUNM

PURPOSE OF POLICY
The Board of Regents of the University of New Mexico adopts this policy statement for noncommercial educational radio station KUNM-FM, Albuquerque. The Board is adopting this policy in order to continue to meet its responsibilities as licensee, to emphasize its commitment to programming of the highest quality on KUNM, to articulate the station's role in complementing the academic mission of the University and in meeting community needs, and to define the administrative structure for operation of the radio station.

KUNM is licensed to the Board of Regents of the University of New Mexico, and the Board has the responsibility, under the Communications Act of 1934, as amended, for all aspects of the station's operations, including programming. KUNM shall continue to operate in accordance with the Communications Act and all rules and policies of the Federal Communications Commission (FCC) that pertain to noncommercial educational radio stations.

The Board of Regents will not make decisions concerning specific programs at KUNM. Responsibility for day-to-day editorial decisions is delegated by the Board through the President and the Vice President for Academic affairs to the designated station management, subject to the advisory role of the Radio Board, discussed below. It is the intention of the Board of Regents to assure that the station enjoys the full protection of the First Amendment so that the station can continue to fulfill it's role as an institution of the press.

GOALS OF KUNM
As a noncommercial, educational radio facility of the University of New Mexico, the station shall fulfill the following goals:

1. Serve the people in KUNM's listening area by providing a variety of high quality programming that serves diverse interests, particularly programming that might not be available on commercial radio stations, including but not limited to:
   a. Providing programming, information and informed commentary including the arts, the sciences and culture generally;
b. Presenting information and discussion of significant issues facing society, thereby contributing to the development of an informed citizenry;

c. Conveying the diverse cultural richness of our society, and by presenting it, making it known to the present generation and also preserving it for future generations;

d. Developing diverse local programming;

e. Encouraging listeners to enrich their lives through music and the arts and encouraging new insights concerning life's experiences and the relationships between individuals, society and our cultural milieu.

2. Comprise an integral component of the University's academic mission, including but not limited to the following:

a. Encouragement of creative initiatives from all sectors of the university;

b. Scholarly and cultural activities such as broadcasting of lectures, recitals and other appropriate forms of faculty, staff and student expression;

c. Opportunity for experience in public radio station programming and operations.

3. Maintain a high standard of quality in content, presentation and technical competence.

OPERATION AND MANAGEMENT OF KUNM

The station will operate as a University radio station, with management responsibility delegated from the Board of Regents, as licensee, to the President as the chief administrative officer of the University and to the Vice President for Academic Affairs. Management, staffing and budgeting of the radio station will be carried out through normal University administrative channels under applicable University policies.

Volunteer participation in the operation of the radio station will be encouraged and will be subject to volunteer policies and procedures established by station management and the radio board and approved by the Vice President for Academic Affairs.

RADIO BOARD

A radio board shall make recommendations to station management on programming issues and other important station policies and practices. Because of the potential impact of major programming changes on the academic mission of the University and on the station's
responsiveness to the community, station management must consult with the board before making such changes, except in emergency situations. After the board has issued its recommendations regarding programming changes, station management may either follow the recommendations or may request that they be reviewed by the Vice President for Academic Affairs, who shall make the final decision as to whether a proposed program change shall or shall not be adopted. In making such decisions, the Vice President shall be guided by and act consistently with the current Regents' Policy Statement on KUNM. His or her decision, accompanied by a written explanation, shall be forwarded to the Radio Board and the station management.

The Board of Regents shall adopt bylaws governing the composition and duties of the board.

EFFECT OF POLICY STATEMENT

The Board of Regents, as holder of the FCC license for KUNM, hereby reaffirms its authority to make all decisions relating to management of the station to insure that KUNM is operated in the public interest.

This Policy Statement supersedes all previous resolutions of the Board of Regents and all current administrative policies and practices inconsistent with this Policy Statement.

Adopted and approved this _______ day of _____________________, 1988.

____________________________________  
President

Attest:

_______________________________  
Secretary and Treasurer

[SEAL]

[242Ov] 11/8/88
ARTICLE 1. PURPOSE

1.1 It shall be the responsibility of the KUNM-FM Radio Board, working with the station management, to help ensure that KUNM-FM is operated according to the Regent’s Policy. The Board shall advise station management as indicated in these Bylaws.

ARTICLE 2. OPERATION

In order to fulfill its purpose, the Board will perform its function as follows:

2.1 Review and comment on all changes to programming as detailed in Article 7 of these Bylaws.

2.2 Receive and review comments on any station policy or procedure when requested by any of the following:
   a. A request from the General Meeting via the Volunteer Representative
   b. A written request from at least five KUNM Volunteers
   c. A written request from any member of the KUNM Staff
   d. The Regents or their designee
   e. A member from the listening community
   f. A majority of the voting members of the Board.

2.3.1 Prepare an annual report for the Regents, copied to the Regents’ designee and station management and available to the public. The report will cover all actions taken, concerns raised by the Board, listeners, volunteers, or staff of KUNM, and recommendations for changes and improvements to meet those concerns.

ARTICLE 3: OVERSIGHT

All actions of the Board are subject to review by the Provost or Provost Designee. All actions taken by the Board must be in compliance with the applicable Federal Communications Commission rules and regulations, and Federal and State law.

ARTICLE 4. THE BOARD

4.1 The KUNM-FM Radio Board shall be comprised of fourteen (14) voting members selected according to the following procedures:

   a. two (2) undergraduate students, appointed by the President of ASUNM;
   b. one (1) graduate student, appointed by the President of the Graduate and Professional Student Association;
   c. two (2) faculty members, appointed by the President of the Faculty Senate;
   d. One (1) University staff member, appointed by the President of the Staff Council;
e. four (4) community members, elected by subscribers;
f. three (3) "at large" members appointed by the Provost and
g. one (1) Volunteer Representative, elected by KUNM Volunteers.

4.2 Preference for the appointed Board members will be given to persons with prior radio experience or with special skills that will be of particular importance to the responsibilities of the Board.

4.3 Except for the Volunteer Representative, no voting member of the Board shall be a past or present paid KUNM staff member or a volunteer who has been actively involved with KUNM-FM for one year prior to the terms for which they are selected.

4.4 Terms of Board members will be two years with the possibility of one two-year renewal, except for the ASUNM and GPSA representatives, whose terms shall be one year with the possibility of three one-year renewals.

4.5 Appointments to the Board will be staggered to ensure that some new members join each year. The Board shall have the option to establish “adjustment terms” for appointed positions as needed to ensure the staggering of terms. The Board shall determine the length of “adjustment terms” before the appointments to such positions are made, subject to the approval of the Provost or Provost designee.

4.6 Elections will be conducted every two years to fill four (4) elected community positions plus two alternates. Election rules and guidelines will be determined by the Office of the Provost. The four candidates receiving the most votes will fill vacant community member Board seats. The candidates placing fifth and sixth will be first and second alternates, respectively. An alternate is not a voting member of the board unless and until the alternate fills a vacancy. The first alternate will fill any elected vacancy that occurs in that term; the second alternate will fill any additional elected vacancy that occurs in that term, if any. Any additional vacancies will remain vacant until a regular election is held.

4.7 The appointment and election processes shall encourage the representation of women, minorities, and people of various socioeconomic backgrounds on the Board, as well as the representation of a broad array of points of view and philosophies.

4.8 Should a vacancy occur in an appointed position or the volunteer representative position with at least six months remaining in the term, a replacement shall be chosen to fill the remainder of the term using the same procedures described in
Sec. 4.1. Should a vacancy occur in an elected community representative Position with at least six months remaining in the term, the alternates will fill the vacancy according to the procedure described in Sec. 4.6. If a vacancy occurs with less than six months remaining in the term, the seat will remain vacant. Only a term which lasts more than twelve months will be considered a full term in regard to term limits.

4.9 Upon notification to the Board chair, leaves of absence of up to six months will be granted to UNM faculty, staff and student representatives who are on sabbatical or summer leave from the University.

4.10 Any Radio Board member not on a leave of absence will be considered to have resigned after two unexcused absences within any six month period, or three consecutive absences. An absence will be considered “excused” if 24 hours notice is given to the chair, or in case of illness or emergency.

4.11 There will be two non-voting ex-officio members of the Board:
   a. one representative elected by the KUNM paid staff, and
   b. the KUNM General Manager.

4.12 The search committee for the General Manager of KUNM-FM, in the event of a vacancy for that position, shall consist of approximately eight (8) persons appointed by the Provost in consultation with the Radio Board. A majority of the search committee will be Radio Board members representing various constituencies. The chair of the search committee will be selected by the Provost.

4.13 All board members must receive annual professional training to hear grievances in accordance with KUNM Grievance Policy and other applicable UNM policies.

4.14 A Personnel and Grievance Committee shall be a standing committee consisting of at least three members of the Board. The committee shall function as defined in Section 2 of the KUNM Grievance Procedure.

4.15 Other committees and standing committees (personnel, programming, etc.) shall be established by the Chair in conjunction with the Board.

4.16 Members of the Radio Board will perform their duties faithfully and efficiently and never to give rise to suspicion of improper conflict of interests with KUNM or the
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University. They must disclose any conflict of interest that may affect their independent judgment in the impartial performance of their duties.

ARTICLE 5. OFFICERS

5.1 A Chairperson, Vice Chairperson and Secretary shall be selected by a majority vote of the members and shall serve in office for one year.

5.2 The Chairperson shall prepare the KUNM-FM Radio Board agenda. Agenda items may be submitted by members of the Board, station management, the Provost, the public and volunteers. The Chairperson shall also conduct meetings, shall appoint members to committees established by the Board, and shall serve as the official representative of the KUNM-FM Board at official functions. The Chairperson shall vote only in the case of a tie vote. The Chairperson shall be responsible for the issuance of the Annual Report.

5.3 The Vice Chairperson shall assume the duties and responsibilities of the Chairperson in the event of the Chairperson’s absence. In the event of the Chair position becoming vacant prior to the end of the elected term, the Vice Chair shall automatically assume the position of the Chair and a new Vice Chair shall be selected by majority vote. If for any reason the Vice Chair is unable or unwilling to assume the role of the Chair, a new slate of officers shall be selected by majority vote of the members and shall serve until their term is completed.

5.4 The Secretary shall be responsible for taking and distributing minutes to Board members and for publicizing dates, times and places of meetings. The Secretary shall keep the KUNM Radio Board Roster up to date and forward updates to station management for updates to the website and Zounds!.

ARTICLE 6: MEETINGS

6.1 The Board shall meet at least once every other month.

6.2 All meetings shall be publicly announced on the air, on the KUNM website, and in the printed KUNM program guide, indicating date, time and place of meetings.

6.3 Special meetings (i.e., additional meetings beyond the regularly scheduled meetings) shall be called by the Chairperson as necessary or by written request of three members of the Board. The Secretary shall ensure that all members and the public are notified.

6.4 All meetings, regular or special, shall be open to the public and shall be conducted in public facilities, subject to all applicable federal and state open meeting requirements.

6.5 Executive sessions may be convened in response to Section 2.2 of the KUNM Grievance Procedure. These meetings will be closed, minutes will be kept confidential, and members may not divulge the proceedings of the session.

6.6 The Board shall allow public comments on all agenda items or any other items relevant to the Radio Board or KUNM operations at all of its regular and special meetings.

6.7 The order of business shall be decided by majority vote of the Board. The order of business may be altered or suspended at any meeting by a majority vote.

6.8 A quorum shall consist of a simple majority of those positions filled at the time of each meeting, excluding members on leaves of absence, but no fewer than five (5) Board members.

6.9 The rules contained in the current edition of Robert's Rules of Order, Newly Revised shall govern the Board in all cases to which they are applicable and in which they are consistent with these Bylaws and any special rules the Board may adopt.

ARTICLE 7: ROLE OF THE KUNM-FM RADIO BOARD IN DETERMINING PROGRAMMING

7.1 In accordance with the Regents Policy on KUNM, the Radio Board shall make recommendations to station management on programming issues and other important station policies and practices. Because of the potential impact of major programming changes on the academic mission of the University and on the station’s responsiveness to the community, station management must consult with the Radio Board before making such changes, in accordance with the procedures outlined in these Bylaws.

7.2 The Board defines major and other programming changes as follows:

a. Major Programming Change: A significant alteration of the substance, duration and/or broadcast time of a program that lasts longer than 13 consecutive weeks (including, but not limited to, changing the genre of a music program, substituting a news/public affairs program for a music program and vice versa, substituting or significantly changing the format of a locally-produced program for a syndicated program or vice versa).
b. Other Programming Change: A change that does not significantly alter the substance, duration, and/or broadcast time of a program.

c. Temporary Program Change: A change in programming that will not last more than 13 consecutive weeks.

7.3 Changes in programming, other than "major programming changes," according to the definition derived from 7.2, will be reported in writing outlining specific changes, rationale, service/benefit this change will offer the listening public, and costs, if any, to the Board by the station management, prior to the change occurring. If, for any reason, the change must occur prior to notification of the Radio Board, the station management will report on the change in writing at the next Radio Board meeting. The Radio Board reserves the right to comment and make recommendations regarding this program change to the station management.

7.4 The station management shall initiate consideration of a major programming Change by the Radio Board by submitting a written recommendation at least ten (10) days in advance of a regularly scheduled Board meeting. This process shall begin prior to the program change being implemented on the air. The recommendation must include the following information:

Regarding a recommended (new or modified) program:

a. The name, purpose, description and format of the program
b. The producer(s) and/or responsible party/parties and relevant experience
c. For music and arts programs, examples of the artists/performers/composers to be featured
d. For news and public affairs programs, sample topics and the names of potential guests
e. The specific service/benefit the program would provide
f. Whether this service/benefit is readily available on KUNM or elsewhere, and if so, how the recommended program would complement existing service
g. The audience segment(s) the program intends to serve
h. How the program furthers the Regents' Policy on KUNM
i. The time slot and frequency (daily, weekly, monthly, etc.) the program is to be aired, with a rationale for this choice
j. Any needs for training or other station support
k. The cost of the program (if any).

Regarding the existing program to be replaced:

a. The name, purpose, description and format of the program
b. The producer(s) and/or responsible party/parties and relevant experience
c. The specific service/benefit the program provides
d. Whether this service/benefit is readily available on KUNM or elsewhere

e. The audience segment(s) the program appears to serve

f. How the program furthers the Regents’ Policy on KUNM

g. Any needs for training or other station support

h. The cost of the program (if any)

i. A rationale for replacing this program with the recommended program.

7.5 Input by the operations staff and volunteers is a critical aspect of the program change process. Prior to coming before the Radio Board, all major program changes must be discussed at the KUNM General Meeting.

7.6 The following information must be broadcast on KUNM for one week prior to the first Radio Board meeting at which the major program change is scheduled to be considered:

a. A brief description of the new program, the time slot when it will be broadcast, and a description of the existing program affected.

b. An announcement relating the time, date, and place of the Radio Board meeting, inviting public comment (both in person and/or in writing) on the proposed changes.

At the discretion of the Board, additional announcements may be made in Zounds!, the Daily Lobo, other daily newspapers, and/or appropriate outlets.

7.7 The Board shall take public comments at all meetings at which the recommended programming change is considered. This shall include oral comments by members of the public attending the meetings, and any written comments received by KUNM staff, which shall be forwarded to the Radio Board in a timely manner.

7.8 The Board shall begin discussion of a major program change at the meeting at which the program change proposal is presented by the station management. The Board will make its recommendation at this initial meeting or the next succeeding meeting of the Board. At the request of the Board or General Manager, the Provost or Provost designee may approve extensions of time for the Board’s recommendation.

7.9 The Board may hold additional public hearings and/or invite further written comments from the public concerning the proposed programming change(s). The information described in Article 7.6 must be broadcast on KUNM for one week prior to the next Radio Board meeting at which the station management’s recommendations are scheduled to be considered. At the discretion of the Board, additional announcements may be made in other appropriate media outlets.
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7.10 After the Board has completed its review of the major program change, the Board shall decide, by a majority of the members present and voting at a regularly scheduled meeting, to accept or reject the proposed program change.

7.11 Any recommended major programming changes approved by the Board may be immediately put into effect by the station management.

7.12 If the Board votes against the major programming change, the station management shall have ten (10) days to request a review of the Board’s recommendation by the Provost or the Provost Designee. The Provost or Designee will then meet with the Board and station management at the next Board meeting to hear arguments. At this meeting, the Board may present any proposed modifications to the programming change as an alternative. The Provost or Provost Designee shall decide whether to adopt, reject or modify the Board’s recommendation. Upon review, the Provost or Provost Designee shall have the discretion to incorporate some or all of the recommendations of the Board or the station management. In making such decisions, the Provost or Provost Designee shall be guided by and act consistently with the current Regents’ Policy Statement on KUNM.

7.13 The Board is charged with undertaking periodic, comprehensive reviews of all programming, preferably on a bi-annual basis, and with making recommendations to station management. A written copy of these reviews will be provided to the Provost. The Board shall seek ongoing input from the station management regarding these recommendations.

ARTICLE 8: AMENDMENTS

8.1 These Bylaws may be amended by two-thirds of the voting members of the Board provided that such amendment has been submitted in writing at the previous regular meeting, and received by any members not in attendance at such meeting, together with notice of the meeting at which items will be considered. These Bylaws and any such amendments are subject to approval by the Board of Regents, which reserves the right itself to make amendments to the Bylaws.
GENERAL MEETING
BYLAWS

ARTICLE I. PURPOSE

1.1. The purpose of the General Meeting is to provide a forum where all aspects of radio broadcasting at KUNM will be presented for discussion. The General Meeting provides an opportunity for all individuals who have an interest or involvement in KUNM to have direct input into the decision making and policy making process at KUNM. The General Meeting has an additional purpose of providing a means for volunteers to voice their concerns and opinions to the KUNM Radio Board through the Volunteer Representative.

ARTICLE II. MEETINGS

2.1. Procedure. The General Meeting will be conducted by Robert’s Rules of Order except on points that are in conflict with these bylaws.

2.2. Frequency. The General Meeting will be held at least once a month for 11 months of the year. In allowance for the holidays, the November and December meetings can be consolidated into one meeting.

2.3. Scheduling. Any change in the time and place of the forthcoming regular meeting is fixed by vote during the previous meeting. Otherwise, the established pattern for day, time, and place shall be followed.
2.4. Announcements. The meeting will be announced in the KUNM newsletter, in the KUNM program guide, on air by scheduled cart or live announcements, and by bulletin board posting. When one or more of these methods are not available, a special mailing, phone networking, or leafletting station mailboxes may be employed. If phone networking is employed, there must be at least one attempt to reach each volunteer on the current KUNM volunteer phone list. Mailed announcements shall be posted at least ten days before a meeting. Other methods should begin preferably a full seven days but not less than five days before a meeting.

2.5. Reporting. The results of the General Meeting, including attendance, all motions, and vote counts, shall be submitted for the record in the KUNM newsletter. Attendance, motions which passed except for procedural motions, and the corresponding vote counts shall be published in the KUNM program guide. A written or oral report shall be submitted to the KUNM Radio Board, and a report of the previous Radio Board meeting shall be given to the General Meeting by the Volunteer Representative.

2.6. Special Meetings. A special meeting may be called by the Chair or by the Volunteer Representative. Notice shall be given as stated in Article 2.4. unless this is not possible due to emergency. Notice of an emergency meeting requires at least one attempt by the Volunteer Coordinator or his or her designee(s) to reach each volunteer on the current KUNM volunteer phone list. Notice will be given to the General Manager, who, in turn, will be responsible for notifying paid staff. A bulletin board notice shall be immediately posted. Quorum rules apply as stated in Article 3.1.
2.7. Meeting duration and topic duration. The meeting will begin promptly at the scheduled time and will last for two hours. The length of each item on the agenda will be announced by the Chair at the beginning of each meeting. The timetable shall be followed as closely as possible, but the Chair may grant requests for extensions of time on an agenda item at his or her discretion.

2.8. Agenda. The agenda for each upcoming General Meeting will be posted at the station not less than one full week before the meeting. Carryover items and items mandated by the Radio Board shall precede new items. An individual may add items to the agenda up to 24 hours before the meeting. In the meeting, the order of topics shall ordinarily be as originally listed on the agenda. Members may make a nonbinding request to the Chair to alter the order. The final determination of the order is made by the Chair.

ARTICLE III. VOTING

3.1. Quorum. For purposes of voting, the presence of five percent of the volunteers listed on the current volunteer list and a minimum of one of the full-time paid staff will constitute a quorum. The volunteer list will be kept current as required in the KUNM Policies and Procedures. A quorum once attained continues until adjournment despite voluntary withdrawal of enough members to leave less than the five percent initial requirements.

3.2. Voting privileges shall be one vote for each individual member, however the Chair only votes in the case of a tie. Proxy voting and absentee voting is not allowed.

3.3. Except as noted in Article 3.2. and 3.5., motions pass by a simple majority.
3.4. Elected officers are seated by attaining the highest vote count in the field of candidates.

3.5. Vote count of volunteers. Immediately following a vote, a second vote count consisting of only volunteers may be called by the Volunteer Representative. This vote is informational only and is not reported in the KUNM program guide.

3.6. Rescinding votes. A motion which rescinds or negates the intent of a motion previously passed at a General Meeting shall require a two-thirds majority vote to pass.

ARTICLE IV. STRUCTURE

4.1. Membership. Any person interested in KUNM becomes a member of the General Meeting by the act of attending the meeting. Excepting officers, only those in attendance are members of any given General Meeting.

4.2. Officers. Members of the General Meeting shall elect a Chair, a Volunteer Representative, and a Secretary. An individual may be elected to serve in more than one office. Terms for Chair and Secretary are one year. The Volunteer Representative is elected to a two-year term.

4.3. Recall. An officer may be removed by a two-thirds majority vote by members.

4.4. Absence of Chair. A temporary Chair will be selected by majority vote at the beginning of a meeting where the elected Chair is absent.
4.5. Absence of Secretary. A temporary Secretary will be selected by majority vote at the beginning of a meeting where the elected Secretary is absent.

ARTICLE V. OFFICERS, DUTIES AND RESPONSIBILITIES

5.1. Chair. The Chair is responsible for convening and facilitating each General Meeting.

5.2. Volunteer Representative. Volunteer ideas, proposals, and concerns are brought to the KUNM Radio Board by the Volunteer Representative. In addition, the Volunteer Representative works in the interest of volunteer staff with the General Manager and paid staff.

5.2. Secretary. The Secretary shall keep the minutes of the General Meeting, and shall give notice of all meetings as directed.

ARTICLE VI. AMENDMENTS

6.1. These Bylaws may be amended by a vote of two-thirds of the members provided that such amendment has been submitted in writing at the previous regular meeting. Notice of the proposed amendment together with notice of the meeting at which it will be considered shall be given in the KUNM newsletter.

(BOLD type indicates sections already adopted by vote at the April 1994 General Meeting.)
STUDENT CODE OF CONDUCT

Adopted by the UNM Regents April 14, 1992
Revision approved by the Regents May 12, 1995

It is important for all students to be aware of conduct that will lead to disciplinary action by the University. In order to clarify the types of conduct which shall be considered to affect adversely the University’s educational function, to disrupt community living on campus, or to interfere with the rights of others to pursue their education, to conduct their University duties and responsibilities or to participate in University activities, the Board of Regents hereby adopts the following Code of Conduct for students:

1. SCOPE

The University may take disciplinary action for an offense against the Code of Conduct when the offense occurs on University premises or at University-sponsored events, or when an offense which occurs off campus is such that in the judgment of the Dean of Students, failure to take disciplinary action is likely to interfere with the educational process or the orderly operation of the University, or endanger the health, safety or welfare of the University community.

The term "student" includes both full-time and part-time students pursuing undergraduate, graduate or professional studies.

2. MATTERS SUBJECT TO DISCIPLINARY ACTION

Appropriate disciplinary procedures and sanctions shall be applied to any student who commits, or attempts to commit, any of the following acts of misconduct:
2.1. Actions which have great potential for physically harming the person or property of others, including that of the University, or which actually result in physical harm, or which cause reasonable apprehension of physical harm.
2.2. Any type of sexual assault including rape.
2.3 Making false representations to the University, including forgery and unauthorized alteration of documents; unauthorized use of any University document or instrument of identification.
2.4. Academic dishonesty, including, but not limited to, dishonesty in quizzes, tests, or assignments; claiming credit for work not done or done by others; hindering the academic work of other students; misrepresenting academic or professional qualifications within or without the University; and nondisclosure or misrepresentation in filling out applications or other University records.
2.5. Substantially interfering with the freedom of expression, movement or activity of others.
2.6. Initiating or causing to be initiated any false report, warning or threat of fire, explosion or other emergency. Misusing or damaging fire safety equipment on University premises.
2.7. Theft of property or of services. Possession of property that is known to be stolen.
2.8. Failure to comply with the lawful directions of University officials, including campus police officers and other law enforcement officials, acting in performance of their duties.
2.9. Willfully refusing or failing to leave the property of or any building or other facility owned, operated, or controlled by the University when requested to do so by a lawful custodian of the
building, facility or property if the person is committing, threatens to commit or incites others to commit any act which would disrupt, impair, interfere with or obstruct the lawful mission, processes, procedures or functions of the University.

2.10. Unauthorized presence in or use of University premises, facilities or property, in violation of posted signs, when closed, or after normal operating hours.

2.11. Illegal use, possession, or distribution of any controlled substance, illegal drug or alcohol.

2.12. Use or possession of fireworks on University premises or at University-sponsored events, unless expressly authorized in writing by the President.

2.13. Use, possession or storage of any weapon on University premises or at University-sponsored activities, unless expressly authorized in writing by the President. Weapon includes, but is not limited to, firearms, ammunition, bombs, explosives, incendiary devices, or other dangerous weapons, substances or materials.

2.14. Misusing University computing resources by intentionally making or receiving, accessing, altering, using, providing or in any way tampering with files, disks, programs, passwords or hardware belonging to other computer users without their permission.

2.15. Violation of published or posted University regulations or policies, including but not limited to regulations prohibiting discriminatory activity.

2.16. Aid to others in committing or inciting others to commit any act mentioned above.

2.17. Action(s) or conduct which hinders, obstructs or otherwise interferes with the implementation or enforcement of the Code of Conduct including failure to appear before any of the University’s disciplinary authorities and to testify as a witness when reasonably notified to do so by an appropriate University officer.

2.18. Any other acts or omissions which affect adversely University functions or University-sponsored activities, disrupt community living on campus, interfere with the rights of others to the pursuit of their education, or otherwise affect adversely the processes of the University.

2.19. Violating the terms of any disciplinary sanction imposed in accordance with this Code.

3. RIGHTS OF STUDENTS IN DISCIPLINARY MATTERS

Students’ rights under the state and federal constitutions are specifically acknowledged and affirmed, including the rights of freedom of speech, freedom of association, freedom of religion, and due process. The provisions of this Code of Conduct shall be construed so as not to infringe upon these rights, as those rights are defined by law.

4. SANCTIONS

4.1. Any student who violates any of the rules set forth in Section 3 above, shall be subject to warning (verbal or written), disciplinary probation, suspension, expulsion, dismissal from University employment, or being barred from campus. Student sanctions imposed under this Code of Conduct shall be imposed pursuant to the Student Standards & Grievance Procedure, or its successor.

4.2. As used in this subsection:

4.2.1. "Verbal warning" means an oral reprimand.

4.2.2. "Written warning" means a written reprimand.

4.2.3. "Disciplinary probation" means the establishment of a time period during which further acts of misconduct may or will result in more severe disciplinary sanctions depending on the
conditions of the probation. Conditions of probation can include community service, attendance at workshops and/or seminars including but not limited to alcohol, drug or safety workshops and/or seminars, mandatory mental health evaluation and/or counseling or other educational sanctions.

4.2.4. "Suspension" means losing student status for a period of time specified in the terms of the suspension. A suspension may commence immediately upon a finding of a violation or it may be deferred to a later time.

4.2.5. "Expulsion" means losing student status for an indefinite period of time. Readmission may not be sought before the expiration of two years from the date of expulsion, and it is not guaranteed even after that time.

4.2.6. "Dismissal" means termination of student employment, either for a stated time period or indefinitely.

4.2.7. "Barred from campus" means being barred from all or designated portions of the University property or activities.

4.3 The sanction imposed shall be set based upon numerous factors, including the severity of the offense, the amount of harm created, the student’s record, and sanctions imposed in recent years for similar offenses. In considering the harm created, there shall be taken into account whether any harm or injury was targeted against a person or group because of that person or group’s race, color, religion, national origin, physical or mental handicap, age, sex, sexual preference, ancestry, or medical condition.

5. IMPLEMENTATION

The President of the University may adopt such procedures, rules or regulations as deemed necessary to implement this Code of Conduct.

1. All references to University officers, by title, in this Code shall also include the designee(s) of that officer.
VISITOR CODE OF CONDUCT

Adopted by the UNM Regents April 14, 1992
Revision approved by the Regents May 12, 1995

It is important for all members of the University community to be aware of conduct that will lead to disciplinary action by the University. In order to clarify the types of conduct which shall be considered to affect adversely the University’s educational function, to disrupt community living on campus, or to interfere with the rights of others to pursue their education, to conduct their University duties and responsibilities or to participate in University activities, the Board of Regents hereby adopts the following Code of Conduct for visitors.

1. SCOPE

The University may take disciplinary action for an offense against the Visitor Code of Conduct when the offense occurs on University premises, as part of a University-sponsored event or in connection with University activities. "Visitor" means a person who is not a Regent or a student and is not employed by the University.

2. MATTERS SUBJECT TO DISCIPLINARY ACTION

Appropriate disciplinary procedures and sanctions shall be applied to any visitor who commits, or attempts to commit, any of the following acts of misconduct:

2.1 Actions which have great potential for physically harming the person or property of others, including that of the University, or which actually result in physical harm, or which cause reasonable apprehension of physical harm.

2.2 Any type of sexual assault including rape.

2.3 Making false representations to the University, including forgery and unauthorized alteration of documents; unauthorized use of any University document or instrument of identification.

2.4 Substantially interfering with the freedom of expression, movement or activity of others.

2.5 Initiating or causing to be initiated any false report, warning or threat of fire, explosion or other emergency. Misusing or damaging fire safety equipment on University premises.

2.6 Theft of property or of services. Possession of property that is known to be stolen.

2.7 Failure to comply with the lawful directions of University officials, including campus police officers and other law enforcement officials, acting in performance of their duties.

2.8 Willfully refusing or failing to leave the property of or any building or other facility owned, operated, or controlled by the University when requested to do so by a lawful custodian of the building, facility or property if the person is committing, threatens to commit or incites others to commit any act which would disrupt, impair, interfere with or obstruct the lawful mission, processes, procedures or functions of the University.

2.9 Unauthorized presence in or use of University premises, facilities or property, in violation of posted signs, when closed, or after normal operating hours.

2.10 Illegal use, possession, or distribution of any controlled substance, illegal drug or alcohol.

2.11 Use or possession of fireworks, unless expressly authorized in writing by the President.

2.12 Use, possession or storage of any weapon unless expressly authorized in writing by the President or designee. Weapon includes, but is not limited to, firearms, ammunition, bombs,
explosives, incendiary devices, or other dangerous weapons, substances or materials.

2.13. Misusing University computing resources by intentionally making or receiving, accessing, altering, using, providing or in any way tampering with files, disks, programs, passwords or hardware belonging to other computer users without their permission.

2.14. Violation of published or posted University regulations or policies, including but not limited to regulations prohibiting discriminatory activity.

2.15. Aid to others in committing or inciting others to commit any act mentioned above.

2.16. Action(s) or conduct which hinders, obstructs or otherwise interferes with the implementation or enforcement of the Code of Conduct.

2.17. Any other acts or omissions which affect adversely University functions or University-sponsored activities, disrupt community living on campus, interfere with the rights of others to the pursuit of their education, or otherwise affect adversely the processes of the University.

2.18. Violating the terms of any disciplinary sanction imposed in accordance with this Code.

3. RIGHTS OF VISITORS IN DISCIPLINARY MATTERS

Visitors’ rights under the state and federal constitutions are specifically acknowledged and affirmed, including the rights of freedom of speech, freedom of association, freedom of religion, and due process. The provisions of this Code of Conduct shall be construed so as not to infringe upon these rights, as those rights are defined by law.

4. SANCTIONS

4.1. Any person who violates any of the rules set forth in Section 3 above, shall be subject to warning (verbal or written), probation, denial of future University employment or admission, removal from campus, arrest, or being barred from campus. Additionally or alternatively, any sanction applicable to a student under the Student Code of Conduct may be provisionally applied to a visitor, to be made effective should the visitor ever enroll or re-enroll at the University.

4.2. As used in this subsection:

4.2.1. "Verbal warning" means an oral reprimand.

4.2.2. "Written warning" means a written reprimand.

4.2.3. "Probation" means the establishment of a time period during which further acts of misconduct may or will result in more severe sanctions depending on the conditions of the probation.

4.2.4. "Removal from campus" means being physically escorted or forcibly removed to a location off property owned or controlled by UNM, by UNM police officers or other UNM agents.

4.2.5. "Barred from campus" means being barred from all or designated portions of University property or activities.

4.3. The sanctions of denial of admission, readmission, or employment by the University, or barring from campus, will be applied only after notice and an opportunity for an informal hearing before a University officer appointed to review the matter by the President or his/her designee.

4.4. The sanction imposed shall be set based upon numerous factors, including the severity of the offense, the amount of harm created, the visitor’s record, and sanctions imposed in recent years for similar offenses. In considering the harm created, there shall be taken into account whether any harm or injury was targeted against a person or group because of that person or group’s race,
color, religion, national origin, physical or mental handicap, age, sex, sexual preference, ancestry, or medical condition.

5. IMPLEMENTATION

The President of the University may adopt such procedures, rules or regulations as deemed necessary to implement this Code of Conduct.

STATE OF EMERGENCY

1. As used in this Policy:
   a) "President" means the President (or acting President) of the University or any person or persons designated to act in his or her behalf for purposes of these rules.
   b) "Official" means any person authorized by the President to act on behalf of the University.
   c) "Student" means a person who is a student at the University in an undergraduate, graduate, or professional program on campus, whether for credit or no credit, full or part-time.
   d) "Visitor" means any person on campus who is not a student or member of the faculty or staff.
   e) "Person" means any student, member of the faculty or staff or visitor.

2. The President is authorized to declare a State of Emergency at the University upon a finding by him or her that the orderly processes of the University are seriously threatened. In making such a finding the President shall consider whether disrupting activities are such as to require immediate, extraordinary measures to safeguard persons or property or to maintain the University’s educational function. As soon as reasonably possible after the Declaration of Emergency, the President shall inform available Regents of his or her action. When the President determines that the serious threat has passed, he or she shall, after consultation with available Regents, declare the State of Emergency to be at an end.

3. a) During a State of Emergency, the President, in the exercise of reasonable judgment in the circumstances, is authorized to take whatever actions he or she finds necessary in order to safeguard persons or property or to maintain the University’s educational function. Such actions shall remain in effect during the State of Emergency unless sooner canceled by the President. During a State of Emergency, the President may, if in his or her judgment the circumstances warrant it, suspend University activities for a day or a portion thereof.
   b) During a State of Emergency, the violation by any person of a presidential order or ruling under 3(a) of this Policy, or the commission during such State of Emergency of any act or acts of misconduct of the kind set forth in 6(a)(i) through 6(a)(xi) of the Regents’ Statement on Rights and Responsibilities will be considered an offense of the gravest nature, and sanctions (as listed in Section 6 of the Statement on Rights and Responsibilities) appropriate to the gravity of such offense or offenses shall be imposed.
   c) A visitor who, after appropriate hearing, is found to have violated a presidential order authorized by Section 3 of this Policy may be denied admission to and employment by the University.

4. During a State of Emergency, any person who, after being requested to do so by a properly identified official and after being advised by such official of the sanction for failure to identify oneself, fails to identify himself or herself by name and status as a student, member of the faculty or staff, or visitor to such official shall have imposed upon him or her, after appropriate hearing, the sanctions set forth in Section 6 of the Statement on Rights and Responsibilities.