

FRESNO FREE COLLEGE FOUNDATION
Board of Directors Policies and Procedures Manual
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FRESNO FREE COLLEGE FOUNDATION

Board of Directors Policies and Procedures Manual (rev. 8-17-10)

I. BOARD OF DIRECTORS

A. Absence Policy, board members

Excused absence means that notice has been given before the meeting to the ED, President or Secretary with the reason for the absence. The person receiving the notice presents the information received to the full board at the meeting during the item on excuse of absence, and unless another member objects and the Board votes not to accept the excuse, the absence will be considered excused.

If a board member knows in advance that he or she is going to miss 3 or more consecutive meetings, he or she must present that information to the Board. The Board can decide if that member should be replaced.

Per Article III, §4 of the Bylaws, a Board vacancy may be declared when a Director has accumulated three unexcused absences within a twelve-month period. (Adopted 11-18-08)

B. Committee Structure & Membership

- 1) Committees are subordinate to the Board of Directors; no Committee may mandate any action that is denied to the Board of Directors, or to the Membership. No Committee may compel the Board of Directors to action or non-action; no Committee shall have decision-making authority unless specifically described and authorized by the Board of Directors.
- 2) Committee membership will consist of members of the Board of Directors, the Executive Director, and the membership of the Foundation, pending the purpose and structure of the Committee. Any Foundation member who attends a minimum of three (3) consecutive meetings may apply for Committee membership at the fourth (4th) meeting subject to approval by the Board; existing members on existing Committees shall be 'grandfathered' into the terms for their Committees on approval of this resolution. Committee membership shall conform to the following rules:
 - a. Unless specifically authorized by the terms of the Committee formation, all Committee members must be Foundation members in good standing.
 - b. Standing Committees shall consist of at least half (50%) members who are members of the Board of Directors. Ad Hoc Committees shall be required to have a Director as the Chair of the Ad Hoc Committee. Membership of Special Committees shall be determined at the time that the Board establishes the committees.
 - c. Terms of appointment to Standing Committees shall be one year, starting in February of each year. Appointments to fill vacancies shall be by the Board of Directors and are to complete the existing term of the vacant position.
 - d. Terms of appointment to Special Committees shall be to the end of the term of the Special Committee, but no longer than two years if the Special Committee is created for an extended term of appointment.
 - e. All Committees must have a Chair or President, selected from the attending members in order to conduct business. The chair of all committees must also be a board member.
 - f. The President of the Foundation shall be an ex officio member to all Committees except a Committee formed for disciplinary action against the President.
 - g. The Executive Director of the Foundation shall be an ex officio member to all Committees except those Committees which may be formed to investigate Directors or Members for disciplinary action.
 - h. It is recommended that a note taker or secretary be chosen from the Committee; without such, the responsibility for recording minutes or events shall be the responsibility of the Committee Chair or President.
 - i. Any member absent for three consecutive meetings without excuse shall be considered to have left their seat vacant, and the Board of Directors may appoint a new Committee member to that seat.
- 3) Committees perform the work of the Board of Directors, and submit written reports to the Board on a regular and timely basis.
 - a. If the Committee is a Standing Committee, it shall make reports at each meeting

of the Board of Directors, whether or not it met or performed any work. Standing Committees shall operate continuously from year to year.

- b. If the Committee is a Special Committee, it shall submit a final report to the Board upon completion of its assigned tasks. This report shall be a part of the Board of Directors minutes at the meeting presented. Special Committees shall operate irregular terms, generally less than one year in length.
 - c. No Ad Hoc Committee is to be formed without action by either the Board of Directors or the President of the Foundation to approve such formation.
- 4) All Committees shall conform to the following requirements, regardless of status:
- a. All Committees must provide a minimum of five (5) days notice before any meeting may occur, whether open or executive session.
 - b. The location of each meeting must be announced, and must be accessible to the public and to the Membership, unless a duly and properly noticed executive session. It is recommended that a committee establish a regular meeting site and time so that the Members may attend on a regular basis.
 - c. A failure to provide adequate and proper notice shall void the proceedings of that meeting, and subsequent meetings, unless and until this notice requirement is complied with.
 - i. Notice shall be posted openly in locations that shall include but not be limited to posting to the Foundation office and Foundation website, and may include but not be limited to any of the following locations:
 1. On-Air announcements during the broadcast day
 2. Posting to community internet mailing lists
 3. Notice in various publications
 4. Leaflet or fliers
 - ii. Unanimous Consent rule
Should the need arise and all members of the Committee are in agreement in writing, a Committee may meet without the above notice. Said agreement in writing shall clearly state the reason and need for urgency, which shall be attached to the minutes of the Committee and forwarded for inclusion in the minutes of the Board of Directors next meeting, and shall be in conformity to Open Meeting Standards (as abstracted from the Ralph M. Brown Act) and Robert's Rules of Order.
 - d. All Committees shall keep and maintain records of meetings and decisions made, and archive these documents with full copies at the offices of the Fresno Free College Foundation.
 - i. All records of all Committees of the Board of Directors are Foundation property and must be maintained at the Foundation offices, and are recommended to be archived on the Foundation website as well, excluding personnel or other confidential matters as may be protected from public release by law, convention, rule, by-law, policy or Robert's Rules of Order.
 - e. A quorum of a Committee shall consist of at least fifty per cent (50%) of the Committee membership for Standing Committees, and at least thirty-three per cent (33-1/3) of the Committee membership for Ad Hoc or Special Committees.
 - i. In conformance to state law, any action must be approved with a minimum of two (2) affirmative votes.

- 5) The Board of Directors shall receive all reports of the Committees, but is not obligated to act on any report unless it has previously stated that it shall perform a specific action or series of actions based on the outcome of the various reports.
- 6) All Committees may be formed by action of the Board of Directors, but Special Committees may also be formed through appointment by the President of the Foundation. However, any Special Committee that is to operate beyond one year out of need or circumstance must be approved by the Board of Directors to continue to operate beyond one year.
- 7) Committees shall have access to Foundation resources as may be required to discharge the purposes of the Committee, but shall require approval by the President or Executive Director for expenses in sum and total over one hundred dollars (\$100.00), and approval by the Board for expenses in sum and total over five hundred dollars (\$500.00). Records of expenditures shall be maintained at Fresno Free College Foundation offices.

(Adopted 5-15-07)

C. Elections

1. Availability of Member/Subscriber Lists

Member and subscriber lists are to be made available to any member who requests same; member/subscriber lists compiled at the moment of request are to be made available upon request; use of such lists is restricted to uses not counter to the purposes of the Board of Directors or the Foundation, and publication or distribution of such lists outside of the Board is prohibited out of privacy concerns. (Adopted 3-21-00)

2. Breaking Tie Votes

In event of a tie to utilize draw of cards, aces high, to break any ties that may occur. (Adopted 10-22-02)

3. Equal Access to Station Resources

Station resources, including, but not limited to, services, and meeting space must be offered on an equal basis to all candidates. (Adopted 10-14-03)

4. Establishing Membership Date of Record

Establish member date of record at August 31 for future elections to provide ample time to verify member lists prior to mailing of ballots in November. (Adopted 1-18-05)

5. Use of Bulk Mailing Permit

Candidates for board may not use FFCF bulk mailing permit. (Adopted 12-16-08)

D. Representative to KPFA/LSB

The LSB representative from KFCF is required to be both a member of FFCF in good standing and a current member of the FFCF Board of Directors. If it happens that the current appointed representative is no longer a member of the Board of Directors of FFCF, a replacement representative should be appointed. If the appointed representative is unavailable to attend any particular LSB meeting, the FFCF Board can and should appoint a temporary replacement with the same rights as the regularly appointed representative.

(Adopted 1-15-08)

E. Meetings

1. Agendas

a) Public Comment

Public Comment agenda item to be put on each agenda (Adopted 7-17-07)

b) Placement of Public Comment on Agenda

Public Comment to come after approval of minutes on all agendas (Adopted 8-21-07)

c) Submission of Agenda Items in Advance

Agenda items are to be submitted to either the president or the secretary at least seven days prior to the meeting date, and the agenda is to be published three days prior to the meeting date.
(Adopted 8-15-00)

d) Distribution of Agendas & Minutes

Agendas are to be sent out to everyone on the list serve and posted on the website, but minutes and reports are only to be posted once they are corrected and approved. (Adopted 12-16-08)

2. Consent Calendar

Be it resolved by the Fresno Free College Foundation that the Board of Directors shall adopt a consent calendar at each regular or special meetings as applies or is appropriate:

- 1) The Consent Calendar shall be acted upon following the reading and approval of minutes in a meeting agenda, and shall be a Standing Rule of the Board of Directors.
- 2) Items shall be submitted to Secretary for inclusion in the Consent Calendar using the following criteria:
 - a. Items must have a complete explanation of purpose and a resolution attached upon submission. If either part is missing, the item is not eligible for attachment to the Consent Calendar.
 - b. Items must be clear and unambiguous.
 - c. Items must be within the power of the Board of Directors to act upon.
 - d. Items shall be submitted no less than five (5) days prior to the Board meeting.
 - e. Items may not include capital purchases or expenditures above \$1,500.00.

Examples of Consent Calendar items would include but not be limited to:

Setting of next meeting date/time/location.

Approving non-routine payment of bills or debts.

Acknowledging, accepting or granting commissions, awards and honors.

Approval of proposals for which no dissent is anticipated.

- 3) The Consent Calendar is to be attached to the agenda distributed to Board Directors and Foundation Members co-simultaneously.
- 4) When the Consent Calendar is at hand in the agenda, the President shall ask if there are any objections to accepting the Consent Calendar as is, and pause before proceeding.
 - a. Objections are made for any reason by any Board member. No explanation nor reason is required to be given.
 - b. If any item requires explanation or presentation, the item is instantly removed from the Consent Calendar and placed under New Business.
 - c. Should any item cause a debate to occur, the item is instantly removed from the Consent Calendar and placed under New Business.
 - d. If no objections, the Consent Calendar is accepted by unanimous consent, and all remaining items are considered to have been approved by the Board.
 - e. If there is an objection, the specific item on the Consent Calendar is then moved to New Business or appropriate location in the agenda, unless "time sensitive" or urgent in nature.
 - i. If no objections remain, then the Consent Calendar is accepted as adopted for the remaining items.
 - ii. If there are further objections, then the items are reviewed until no objections remain, or the Consent Calendar is empty of items.
- 5) Once approved, the Secretary will note the remaining items, if any, from the Consent Calendar to be "approved by Unanimous Consent" in the minutes for the instant meeting.

(Adopted 6-21-05)

3. Meeting Effectiveness

Meeting effectiveness : collegiality, 20 seconds of silence can be called by any member of the Board, and point of discrimination can be raised by any member of the Board. (Adopted 11-18-08)

4. Minutes

- a) Authorship of Minutes to be Noted in Minutes

Author of minutes should be added to minutes (Adopted 2-27-07)

b) Use of Initials in Minutes

Secretary not to use initials for future minutes for names, organizations nor actions taken, except for commonly known organizations that are usually referred to by initials only (such as FFCE, KFCE, ACLU, etc.). (Adopted 9-18-07)

c) Timeline for Distribution of Draft Minutes

First draft of minutes to be sent to board within one week after meeting and final draft sent out 1 week before next meeting (Adopted 9-18-07)

d) Posting and Filing of Minutes

Minutes to be posted to website and kept in office folder in timely manner and secretary to send board "corrected" minutes after approval (Adopted 10-16-07)

e) Web Posting Approved Minutes & Committee Reports

(Note the following policy is also found under the Board/Meetings/Agenda heading above.)

Agendas are to be sent out to everyone on the listserv and posted on the website, but minutes and reports are only to be posted once they are corrected and approved. (Adopted 12-16-08)

f) Minutes to be in Roberts Rules Format

Minutes to be in Roberts Rules format (Adopted 2-17-09)

g) Recording Meetings as Backup for Minutes

Meetings to be recorded to help with minutes and to avoid future misunderstandings (First Adopted 1-5-2000 and again Adopted 5-15-07)

The ED will record meetings and download and preserve in a format which will be available to Board members. (Adopted 2-17-09)

5. Motions

a) Plan for Implementation to be Included in Motions

Any time a Board member makes a proposal it should include to the extent possible the specifics of who and how it will be implemented and should also include how it will be funded if relevant.
(Adopted 5-20-08)

b) Cost Estimates to be Included in Motions

All items submitted for Board approval are to include an estimate of the cost to the organization. This would apply only if the costs were to be more than \$100 (not including the costs of paper and ink for printing). (Adopted 8-19-08)

c) Motions to be Submitted in Writing

Whenever possible motions brought up at meetings are to be written and sent to the secretary at the time agenda items are called for and put in the consent calendar if appropriate. Background, documentation and reasoning can be included if wished. If they cannot be sent ahead with agenda items they should still be presented at the meeting in writing whenever possible.

(Adopted 8-19-08 as part of the consent calendar)

II. FINANCES

A. Reserve Account

Reserve Account of 3 months operating budget is to be implemented by putting aside monthly 10% of the KPFA subscriptions payment to us (approx 3 years to fulfill at current rate). The money is to go into the existing credit union account but would have its own subaccount in Quickbooks. (Adopted 11-18-08)

B. Approvals Needed for Unanticipated Expenditures

For unanticipated expenditures of between \$500 and \$999, the Executive Director is to get approval from the President, or, in the absence of the President, from any two officers; between \$1,000 and \$4,999, the Executive Director is to get approval from any two officers; for \$5,000 or more, approval by a majority vote of the board is required. Recurring expenses such as rent and satellite fees are excluded from this requirement. (Adopted 12-18-08)

III. MEMBERSHIP

A. *Membership Definition*

Any natural person, of at least 16 years of age, who donates \$25 or more to the Fresno Free College Foundation, or who subscribes to KFCE-FM directly or indirectly through KPFA-FM, during a 12-month period shall be a member of the Fresno Free College Foundation, and shall have all rights of membership under these bylaws. No individual may hold more than one membership. (Adopted 10-19-04)

B. Membership Established by Volunteer Work

In lieu of the \$25 annual donation required for membership, persons may become members of the Foundation by completing three hours of volunteer time at events, fundraisers or project at the office with certification by a board member or the staff person who supervised them.

(Adopted 10-16-07)

IV. MISSION

FFCF Mission Statement - The Fresno Free College Foundation is a community-based membership organization dedicated to the principles that the well-being of the community is measured by the respect that it shows for the civil liberties, intellectual and artistic freedom of its citizens, and that the exercise of this freedom enriches the individual and society as a whole.

(Adopted 1-18-05)

V. OPERATIONS—EXTERNAL (dealing with the public)

A. *Calendars & Public Service Announcements*

PSAs

These need to be no more than 60 seconds (35 seconds or ten lines of text plus music and need to be prepared by the organization proposing to run them, at a time convenient to FFCF staff. (Staff proposes that all PSAs be prepared, once approved, on Thursdays between 2 and 6 pm.) Decisions on what PSAs to run will be left to the Calendar PSA Director based on the number of events occurring the week the PSA is to air. Priority will be given to KFCF sponsored events (e.g. WILPF crafts fair, sleeping bag project, and our own fundraising outreach events) but as time allows we will accept PSA requests from any one time event or campaign that is open to the public (or seeks help from the community) as long as there is no commercial profit being made and it does not endorse a political candidate. Each organization will be limited to one PSA request per month. If there are too many PSA requests for a particular week, the PSA Director will inform the person requesting it that we cannot play a PSA but they can include the event in our community calendar.

All requests must be made in writing at least 4 weeks before the event and include a proposed script. Exceptions may be made on a case by case basis. The PSA Director will respond to the request within a week, either agreeing to do the PSA or explaining why it can't be done. PSAs will not generally be played during a KPFA marathon period, so if the person requesting it knows that a marathon is coming up they can request that the PSA be played the week before the marathon starts.

If accepted, the person must schedule with the office a time they can come in to prepare the cart, unless they have one already made and ready to do. The PSA will then be played during the week before the event (or the week before the marathon if applicable.) All approved PSAs will be available for local programmers to play during show breaks.

Community Calendar

Community calendar listings are available for any one time event that does not involve any commercial profit or endorsement of a political candidate. We will be running a cultural calendar and a social justice calendar, and groups can submit a calendar listing for either one, as long as there is no commercial profit involved. We will generally not list events that occur every week, unless there is a special speaker, film, etc. involved in a particular meeting. We will accept listings for monthly events [e.g. a Filmworks, FCNV or Cineculture film showing], but the item must be submitted by the group each month. All items must be submitted in writing at least 3 weeks in advance on a form available on the website, and should include both the date, time and location, and a contact number for more information. Exceptions can be made on a case by case basis.

Items are to be sent by mail, e-mail or fax to the office. The Calendar Director will collect these requests and review them to insure they meet application criteria. If any calendar item is rejected, the Calendar director will respond to the person submitting it explaining why it cannot be

included. Those approved will then be forwarded to staff by 10 a.m. on the Thursday before they are to air, so the on-air calendar can be recorded on Thursday before they are to air, so the on-air calendar can be a limit on the total number of items on the on-air calendar each week, but no limit on the on-line calendar as long as it fits within the above-described criteria, On-air items will only be played the week before the event. But on-line items be included as soon as they are submitted, and only taken off once the event ends (updates to the website should be done on a weekly basis by the assigned staff person.) The on-line calendar will also include appropriate links to the sponsoring organization's website, if appropriate.

Local Program Interviews

In addition to the above if a group or organization has an issue of general interest to the community for which they are requesting more on-air exposure, they can submit a proposal to the ED for a subject of an interview on a local program. Such requests should include the date of the event (if it is a specific event) or a summary of the issue, a name and phone number to contact, and, if there is a time limit on when it needs to be aired, that should be included as well. The ED will review each proposal to see if the subject fits within the scope of one of our local shows. The ED will then make an effort to forward the information to the local programmer or programmers in a timely manner, but it will be up to the programmer whether to invite the individual or group to be interviewed on the show.

(Adopted 3-17-09)

B. Events

Outreach committee to designate a person as coordinator for each event. (Adopted 8-23-05)

C. Community Use of Fresno Free College Foundation Studio and Equipment

If a community member or organization wants to use the Foundation studio or equipment for a purpose not directly related to the operation of the Foundation or its projects, a request should be submitted in writing to the Executive Director.

The ED will evaluate whether the requested use is in line with Fresno Free College Foundation's mission and if it is to be used for a purpose consistent with our 501(c)(3) non-profit status.

If not, the ED can only authorize the request if the person or organization pays for the use.

If so, the ED can either allow the use without charge (based on equipment and staff availability) or request that the individual or organization agree to reimburse the Foundation for its expenses. All use must be supervised by staff or an authorized volunteer appointed by the ED.

If the person or organization is dissatisfied with the decision of the ED, an appeal can be placed on the FFCF Board agenda by submitting a written agenda item to the Board Secretary or President.

(Adopted 8-17-10)

D. Complaint Procedure

If any staff member, Board member or Foundation member has a complaint about an action taken by a Foundation representative, including but not limited to the Executive Director, paid staff, Board members, volunteer programmers and other volunteers working on behalf of the Foundation, the complaint should first be submitted in writing to the Executive Director or, if the ED is the subject of the complaint, to the Board President. If the Board President is the subject of the complaint, it can be submitted to the Full Board.

The ED (or Board President) should provide a written response to the complaint within two weeks of receiving it. If the initial response by the ED or Board President is that further investigation is needed, the ED or Board President will provide the complainant with a projected timeline for processing the complaint.

If the complainant is dissatisfied with the decision made or action taken by the ED (or Board President), an appeal of the decision can be brought by submitting a written agenda item to the full Board, along with a proposed remedy.

(Adopted 8-17-10)

VI. OPERATIONS—INTERNAL

A. *Emergency Alert System (EAS) logs*

New form made for EAS reports by program committee. Tapes to be attached and maintained in a binder and reports included in Chief Engineer month report. (Adopted 2-15-05)

B. Form 990 Policy

Board Policies to conform with Form 990 Requirements

1. **Conflict of Interest:** No Employees, Board members or Officers of the Fresno Free College Foundation who are in a position to participate in a decision-making process or gain inside information with relation to such activities, may have or obtain a financial interest or benefit from any contract, subcontract or agreement the Foundation enters into, either for themselves or for those with whom they have business or immediate family ties, during their tenure with the Foundation or for one year thereafter, unless the nature of the conflict is fully disclosed to the full Board at a regularly scheduled meeting of the Board of Directors at which the public is invited to attend. The Board will be authorized to approve an exception to this policy only if a majority of uninterested board members vote to approve the transaction after consideration of the following factors:
 - a. Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project that would not otherwise be available
 - b. Whether an opportunity was provided for open competitive bidding or negotiation
 - c. Whether the person affected has withdrawn from his or her functions or responsibilities, or the decision-making process with respect to the specific contract or activity in question
 - d. Whether the interest or benefit was present before the affected person was in a position to participate in the decision-making process or gain inside information
 - e. Whether undue hardship will result either to the Foundation or the person affected when weighed against the public interest served by avoiding the prohibited conflict
 - f. Any other relevant considerations.

2. **Whistleblower Protection:** It is the policy of the Fresno Free College Foundation to encourage employees, volunteers and others who participate in the programs of the Foundation and it's radio station, KFCF 88.1 fm, to notify an appropriate government or law enforcement agency when they have reason to believe the Foundation or the radio station is violating an applicable state or federal statute, rule or regulation. The Foundation and its Board or managing employees will not retaliate against an employee, volunteer, member or subscriber who makes such a report or refuses to participate in an activity that would result in a violation of a state or federal statute, rule or regulation. Anyone concerned about a possible violation of state or federal statute, rule or regulation is, however, encouraged (but not required) to first report the concern to the Foundation's Executive Director or Board President or, if either of those individuals are involved in the violation, to the full Board of Directors at a public meeting of the Board.

3. **Document Retention:** The Foundation shall maintain, at its principal office, the following documents and makes them available to the public for inspection during regular business hours:
 - a. The current Articles of Incorporation and Bylaws (these are also posted on the Foundation website)
 - b. Minutes of the meetings of the Board of Directors once approved by the Board

(these are also posted on the Foundation website)

- c. Reports of Board Committees once delivered to the Board of Directors
 - d. The FCC license and all documents required by the FCC to be maintained, including Emergency Alert System log
 - e. Financial records including but not limited to annual financial statements, tax reports and related documents, budget and bank statements. (Audited financial statements and Form 990 reports will be accessible to the public for inspection; other financial documents will be accessible to all Board members and, at the discretion of the Executive Director, to others on a “need to know” basis).
 - f. Employment and employee benefit records (which are maintained as confidential and are accessible only by the employee, the Executive Director and the Board of Directors)
 - g. Agreements or contracts with other organizations , businesses or independent contractors
 - h. The current Personnel and Board Policy Manuals
- Hard copies of these documents are to be maintained in good order and an easily accessible file system by the Executive Director and are not to be destroyed except by specific decision of the Board of Directors at a duly noticed public meeting, except that financial records, employment records and correspondence need not be kept for more than 10 years. To the extent possible, copies of these records are to be maintained in electronic form as well, with regular back-up to a disc or thumb drive on a monthly basis. Maintenance of these documents is the responsibility of the Executive Director. If any subscriber or member of the public wants a copy of the retained documents, these will be made available at \$.50 /page, during regular business hours.
4. Executive Compensation: Compensation of the Executive Director is established by an affirmative vote of the Board of Directors in closed session. Before changing the salary of the Executive Director, the Board (or its Personnel Committee) must conduct a survey of the salary paid to the Directors of at least 3 other non-profit radio stations or organizations with a comparable listenership or annual budget. The Executive Director will decide the salary or hourly pay of all subordinate staff, subject to the total annual personnel costs being included in the Foundation’s Annual Budget and approved by the Board. If additional personnel costs beyond those budgeted are considered necessary by the Executive Director, he or she must request an amendment to the Annual Budget by the Board.
 5. Compensation for Travel and Other Expenses: Any employee, Board member or volunteer required to drive their vehicle as part of a Foundation-sponsored activity may request reimbursement for mileage at the current IRS mileage reimbursement rate. Such request is to be made in writing on a form provided by the Foundation, and should be submitted no later than 10 days after the expense is incurred. If any employee, Board member or volunteer is required to attend an event more than 50 miles from the Foundation’s principal office, he or she may request reimbursement for housing and meals at a rate to be decided by the Board on an annual basis, and maintained in the Board’s policy manual. Any other request for reimbursement of out-of-pocket expenses is to be submitted in writing to the Executive Director within 10 days from when the expense is incurred. If the expense is not pre-authorized, reimbursement will be at the discretion of the Executive Director.

6. Gift Acceptance: As outlined in the KFCF Station Handbook, no employee or volunteer who has any role in the selection of broadcast matter will, on behalf of his or her own person,
- a. Accept money, services, goods or other valuable consideration from individuals, organizations, associations or other entities to broadcast a program or program material
 - b. Promote any activity, event or matter in which he or she has an direct or indirect financial interest
 - c. Broadcast any material that, to his or her knowledge, requires sponsorship identification as outlined in the FCC's regulations and that does not include the required announcements.

Any gift or donation accepted on behalf of the Station or the Foundation is to be reported to the Executive Director and acknowledged in writing to the donor.

7. Joint Ventures: There will generally be no joint ventures between FFCF/KFCF and any "for profit" organization. Only joint ventures with other 501(c)(3) [or comparable organizations] will be considered. If any other joint ventures are proposed these will be on a case by case basis with Board approval required.

(Adopted 7/21/09)

VII. STAFF AND VOLUNTEERS

A. Health Insurance

Health insurance for part-time employees. For employees who work 20-32 hours per week we will offer a flat \$200 a month and they will pay their own co-pays. (Adopted 11-21-06)

B. Non-Discrimination and Anti-Harassment Policy

FRESNO FREE COLLEGE FOUNDATION

NON-DISCRIMINATION AND ANTI-HARASSMENT POLICY

The Fresno Free College Foundation is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Therefore, the Foundation expects that all relationships among persons in the workplace will be professional and free of bias, prejudice and harassment.

Equal Employment Opportunity

It is the policy of the Fresno Free College Foundation to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, national origin, religion, sex, age, disability, alien status or citizenship status, marital status, creed, genetic predisposition or carrier status, height or weight, sexual orientation or any other characteristic protected by law. The Fresno Free College Foundation prohibits and will not tolerate any such discrimination or harassment.

The Executive Director has the overall responsibility for the implementation of this Policy. This includes:

- (1) Recruiting, hiring, training and promoting in all job classifications without regarding to race, color, national origin, religion, sex, age, sexual orientation, disability, veteran's status, marital status, or height or weight.
- (2) Basing decisions on employment so as to further the principle of equal employment opportunity.
- (3) Insuring that promotion decisions are in accordance with principles of equal employment opportunity by imposing only valid requirements for promotional opportunities.
- (4) Insuring that all personnel actions and practices are administered in a fair, equal and consistent manner.

Definitions of Harassment

a. Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (ii) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (iii) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors;

sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, catcalls or touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually suggestive objects or pictures (including through e-mail); and other physical, verbal or visual conduct of a sexual nature. Sex-based harassment - that is, harassment not involving sexual activity or language (e.g., male manager yells only at female employees and not males) - may also constitute discrimination if it is severe or pervasive and directed at employees because of their sex.

b. Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, national origin, age, disability, or citizenship status, marital status, creed, genetic predisposition or carrier status, height or weight, sexual orientation or any other characteristic protected by law or that of his/her relatives, friends or associates, and that: (i) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through e-mail).

Individuals and Conduct Covered

These policies apply to all employees and volunteers, and prohibit harassment, discrimination and retaliation whether engaged in by fellow employees, by a supervisor or manager or by someone not directly connected to the Foundation (e.g., an outside vendor or member of the public).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

Any employee who engages in such harassment by any means, including in person and/or through the use of e-mail, voicemail, telephone, audio or video devices and/or computer or hard-copy documents, will be subject to discipline, up to and including termination.

Retaliation Is Prohibited

The Fresno Free College Foundation prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports. Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action.

COMPLAINT PROCEDURE

Reporting an Incident of Harassment, Discrimination or Retaliation

The Foundation strongly urges the reporting of all incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe they have experienced conduct that they believe is contrary to this policy or who have concerns about such matters should report their complaints to the Executive Director, or the Foundation Board of

Directors, if the Executive Director is involved in the complaint, before the conduct becomes severe or pervasive.

Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. Therefore, while no fixed reporting period has been established, the Foundation strongly urges the prompt reporting of complaints or concerns so that rapid and constructive action can be taken. The Foundation will make every effort to stop alleged harassment before it becomes severe or pervasive, but can only do so with the cooperation of its staff/employees.

The availability of this complaint procedure does not preclude individuals who believe they are being subjected to harassing conduct from promptly advising the offender that his or her behavior is unwelcome and requesting that it be discontinued.

The Investigation

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly, thoroughly and impartially. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Each complainant will receive a written response following the completion of the investigation which will state whether corrective action was taken. In the usual course the Foundation will endeavor to complete investigations within thirty days or less. Where the circumstances are more complicated, the Foundation will endeavor to complete the investigation within forty-five days and will notify the complainant if they are unable to do so.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Responsive Action

Misconduct constituting harassment, discrimination or retaliation will be dealt with promptly and appropriately. Responsive action may include, for example, training, referral to counseling, monitoring of the offender and/or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reduction of wages, demotion, reassignment, temporary suspension without pay or termination, as the Foundation believes appropriate under the circumstances. Individuals who have questions or concerns about these policies should talk with the Executive Director.

These policies should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions in order to avoid allegations of harassment. The law and the policies of the Fresno Free College Foundation prohibit disparate treatment on the basis of sex or any other protected characteristic, with regard to terms, conditions, privileges and prerequisites of employment. The prohibitions against harassment, discrimination and retaliation are intended to complement and further these policies, not to form the basis of an exception to them. (Adopted 1/18/05)

C. Programmers to be Foundation Members

Program hosts must be FFCF members (this does not apply to organizations).

(Adopted 5-17-05)

D. Time Off & Office Holidays

Time Off Policy

1. Vacation Time: All full time employees of FFCF/KFCF are entitled to the following paid vacation time:

| | |
|--------------------|-------------|
| 6 mos. To 2 years: | two weeks |
| 2-5 years: | three weeks |
| more than 5 years | four weeks |
2. “Full time” will be considered 40 hours/week. The Executive Director can request “comp” time for time worked more than 40 hours/week, but such hours must be recorded on a time card and the comp time must be requested as any other time off.
3. Family Leave: FFCF is in compliance with the Family Leave Act, and all full time employees may take up to 3 months unpaid leave for their own illness or to care for immediate family members, upon written notice and submission of medical documentation if requested.
4. Bereavement Leave: Full time employees are entitled to up to 5 days of “bereavement” leave for the death of an immediate family member. “Immediate family member” includes a spouse or domestic partner, child (including stepchild), grandchild, sibling, parent or grandparent.
5. For all vacation requests, the employee is required to submit a written request to the Executive Director (or, if the Executive Director is making the request, to the President of the Board of Directors with e-mail copy to the full Board), at least 2 weeks before the time off is to start, unless the request is due to an “emergency.” (Whether a request qualifies as an emergency will be determined by the position to whom the request is made.) The request should include a proposal as to how the employee’s job duties will be covered during his or her absence.
6. For bereavement leave or family leave, the employee is requested, whenever possible, to provide as much advance notice as possible. At minimum, the Executive Director (or Board President if it is the Executive Director taking the bereavement leave or family leave) must be given notice no later than the day when the bereavement leave or family leave is taken. The employee must also provide notice as to an expected date of return and medical documentation if requested.

(Adopted 5-16-06)

VIII. APPENDIX -- FORMS AND DOCUMENTS