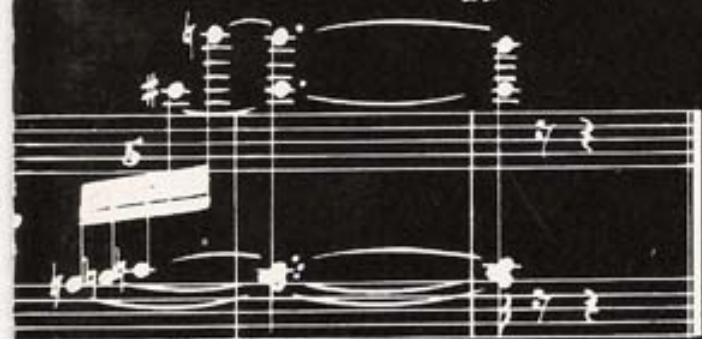
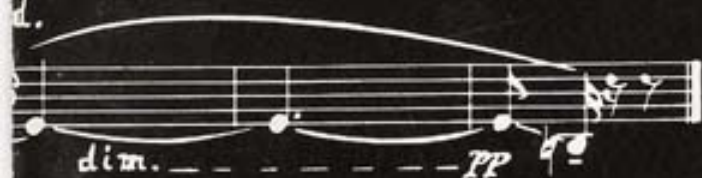




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FRESNO FREE COLLEGE FOUNDATION

ANNUAL REPORT 1974-75



ANNUAL REPORT

THE FRESNO FREE COLLEGE FOUNDATION

September 1, 1974 - August 31, 1975



Printed by The Central Valley Printing Company • Fresno, California

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Photograph by Gayle Smalley

There is no doubt that the Foundation's big event in the past year has been the establishment of radio station KFCF-FM. Only a year ago it was reported that an application had been submitted to the Federal Communications Commission. Since that time, our application has been granted, KFCF has been constructed, and the station began broadcasting on the night of June 9th. It was a momentous occasion, and we have not yet begun to realize the endless possibilities of this accomplishment, which has made the Foundation known to more than 12,000 northern Californians who subscribe to KPFA in Berkeley. Through KFCF, the Foundation is becoming known to listeners within an area comprising Turlock, North Fork, Auberry, Kings Canyon National Park, Visalia and Coalinga.

Events of the past year have established the Foundation as a positive force in the Fresno community. Friends of the Foundation, though, have always seen it this way. The surprising development is that we can be a force in all of California as well. The Foundation now has four funds which were established at the request of professors outside Fresno: two from California State College, Stanislaus in Turlock; one from California State University, Long Beach; and one from the United Professors of California, a statewide faculty organization with some 3,700 members.

The pages which follow will provide details about some of the funds so that you will appreciate more fully their significance. Other activities are noted so that the reader can appreciate the efforts made by the Board of Directors to fulfill the Foundation's commitment to "improve the cultural and intellectual environment" of the Fresno community.

Alex Vavoulis

September 1, 1975



II BOARD OF DIRECTORS

ALEX VAVOULIS, President

Professor of Chemistry at California State University, Fresno; member of the ACLU, NAACP and United Nations Association.

LESLY KIMBER, Vice President

Publisher of The California Advocate, a minority newspaper in Fresno; founder of the Central Valley Printing Company; Chairman of the Board of Directors of Minority Advisory Council for KFSN-TV; recipient of the 1975 Fresno ACLU Civil Libertarian award; and co-chairperson of the Fresno County California Criminal Justice Committee.

ALLEN B. SKEI, Treasurer

Musicologist; Associate Professor of Music, California State University, Fresno.

WILLIAM T. RICHERT

Attorney at Law; member of the executive Board of the Fresno Branch of ACLU, San Francisco and State Bar Association, Commonwealth Club of California, and the American Academy of Political Science.

EDWARD P. LESTER, Secretary

Bioanalyst; Director, Lester Medical Laboratory; Diplomat of American Board of Bioanalysis; Certified by American Association of Bioanalysts; former Vice President and Chairperson of Western Region AAB; and Chairperson of Fresno County National Foundation, March of Dimes.

BLANCHE NOSWORTHY

Nursery School Director; Ananda School Board, Board member for Greater Fresno Area Hometown Plan; and recipient of the 1974 Fresno ACLU Civil Libertarian award.

AL VILLA

Attorney at Law; member of the Fresno City Council, the Democratic National Committee, the County and State Bar Association, the California Association for Mexican-American Elected Officials, and the Torreon Optimist Club.

III EDUCATIONAL PROJECTS



1. Radio Station KFCF

When KFCF (88.1 FM) began broadcasting on June 9th, a successful climax was reached to a three-year effort by the Board of Directors and a group of Fresno radio engineers. Subsequently, on June 11th at 6:45 p.m., the station was formally launched with a special program heard throughout northern California, including the Central San Joaquin Valley.

The present listening area extends from Turlock to Visalia and west to Coalinga and Los Banos, an area containing some 500,000 people. Listener-sponsored, the station adds a new dimension to communication in the Valley — for the first time that of listener-supported, noncommercial radio. Although the station now only transmits the signal of KPFA-FM in Berkeley, KFCF has the capacity to produce its own programs and to develop news and public affairs programs indigenous to the Valley community. Nevertheless, the station already provides a significant public service within the Valley. KPFA's programming is known throughout the West for its variety, originality, and general value; now, through the Foundation's efforts, Valley listeners can enjoy the benefits of that programming.

KFCF will operate with funds received from listener-supporters. We have been actively seeking subscribers to the station so that it can operate and also pay the debt that was incurred with the purchase of the necessary equipment.

2. Lecture on Cyprus

On June 13, the Foundation, with other community groups, sponsored a lecture titled, "Crisis On Cyprus." The speaker was Dr. Anastassios Simonidis, Honorary Consul of the Republic of Cyprus in the Western States. The program took place in the auditorium of the Retired Teachers Memorial Building. Dr. Simonidis reviewed the conditions in Cyprus and showed a film entitled "Bitter Fruit."

3. Anonymous: A Journal for the Woman Writer

About a year and a half ago, individuals in the Women's Studies program at California State University, Fresno, started a new periodical: Anonymous: A Journal for the Woman Writer. The first issue was published with financial assistance from the Women's Studies program at the University. Preparations were made for a second issue, but this time the Women's Studies program would finance only a small fraction of the printing costs. The Foundation offered its services and was able to assist in raising part of the funds. The second issue has been printed and is available for purchase.

4. Film Purchase

With a special contribution from an anonymous donor, the Foundation purchased the El Teatro Campesino film: "I AM JOAQUIN: An Epic Chicano Film Poem." The film is available as a rental and since its acquisition by the Foundation it has been used at Millbrook High School and at Fresno City College. The narration for the film is done by Luis Valdez, founder and director of El Teatro, the score was written by Daniel Valdez, and the photography was done by George Ballis.

IV THE FRESNO BEE CASE



Four newsmen of The Fresno Bee — a managing editor, city editor and two reporters — were sentenced to jail until they answered questions as to how they obtained secret Fresno County Grand Jury testimony. The newsmen have appealed to the 5th District Appeal Court to overturn 73 contempt citations and to invalidate the indefinite jail terms that were imposed by the judge.

The Foundation entered the appeal in an amicus brief on behalf of the newsmen. The Foundation asserted an interest in the case on behalf of the public's right to know, and in the right of newsmen to obtain news and publish it.

5 CIVIL No.

2623

In the Court of Appeal of the State of California

FIFTH APPELLATE DISTRICT

5 CIVIL No.
2
6
2
3

JOE ROSATO, WILLIAM K. PATTERSON, GEORGE F.
GRUNER and JIM BORT,

Petitioners,

vs.

THE SUPERIOR COURT OF THE STATE OF CALIFOR-
NIA IN AND FOR THE COUNTY OF FRESNO,

Respondent.

AMICI CURIAE BRIEF IN SUPPORT OF PETITION
FOR WRIT OF CERTIORARI

MITCHELL ROGOVIN,
ARNOLD & PORTER,

1229 Nineteenth Street, N.W.,
Washington, D.C. 20036.
Telephone: (202) 872-6700.

*Attorneys for McClatchy Newspapers; The Reporters
Committee for Freedom of the Press; The National
Press Club; The Newspaper Guild; Mellett Fund
For a Free and Responsible Press; California Free-
dom of Information Committee; Fresno Free Col-
lege Foundation; Sigma Delta Chi; and California
Newspaper Publishers Association; as Amici Curiae.*

JOHN F. DOWNEY,
DOWNEY, BRAND, SEYMOUR & ROHWER,

555 Capitol Mall,
Sacramento, California 95814.
Telephone: (916) 441-0131.

*Attorneys for McClatchy
Newspapers, as Amicus Curiae.*

V UPC ACADEMIC FREEDOM LEGAL FUND



1. Frost Suits

a. The president at California State University, Fresno, was ordered to reinstate Dr. Everett Frost by the Chancellor of the California State University and Colleges because Frost was wrongfully terminated from the faculty in the English Department. Since that time, Dr. Frost has received tenure and has been promoted to associate professor. He has, however, been seeking back pay for the two years he was unable to teach as CSUF. The First Appellate Court of California upheld a lower court decision that stated he was not entitled to back pay because he was rehired rather than reinstated to his original teaching position. Last June the California Supreme Court refused to hear Frost's appeal, which brings an end to the matter.

b. Dr. Frost's second suit requests damages of Ralph Rea and the State of California. In the suit Frost alleges slander, misrepresentation to prevent his employment at other institutions, and intentional fraud. Donald C. Thuesen, Frost's attorney, has subpoenaed the records of these institutions. Depositions will be taken later. The suit, then, is in the discovery phase and the trial may occur in the middle of 1976.



pacifica

KPFA: THE FRESNO CONNECTION

- Morning Concert 9 to 11:15 A.M.
- Interviews, great literature, public affairs
- News in depth 6 and 11 P.M.

Welcomes KFCF-FM
Congratulations to the Fresno
Free College Foundation for estab-
lishing a new kind of radio br-
casting over KFCF-FM, 88.1.

New Radio Station

Total Programming Is Eyed

Foundation to Establish
Listener-sponsored Radio Station

Tapes Will Offer Renewal Of Musical Acquaintances

88.1

Foundation Gets FCC Radio OK

The Valley's

The Fresno Free College Foundation has received approval from the Federal Communications Commission to construct a non-commercial educational FM radio station.

KFCF New Station For

KFCF

A new radio station in serv-
ing the Fresno area. M 88.1
is unique because it is the
Valley because it is the
which is listener-sponsored
commercial. The station is
operated by the Fresno Free
Foundation, a non-profit educ-
corporation.

88

Page E4 Sunday, Jun.

College

Nonco

By DAVID HALE
Entertainment Wr

After years of wait-
waiting — and waiting
to put a noncommere-
station on the air in th
Valley, public broadc-
has slipped onto the ai

only Listener-supported Radio Station

The Valley

-FM

88.1
FM

THE FRESNO BEE

Foundation Will Start
Commercial Broadcasting

ANNIVERSARY OF WATTS RIOTS

ter
ing — and
for someone
ial television
e San Joaquin
asting quietly
waves.



The Fresno Free College
Foundation is seeking
\$7,000 in contributions to
establish a noncomm-
ercial public affairs and cul-
tural entertainment FM
station for Fresno

Foundation Seeks Aid For FM Radio Outlet

New FM Station Sets Monday Debut

A new FM radio station,
KFCF (88.1 mc) will air its
first programming Mon-
day at 6:45 p.m.

Jazz On FM

Recommends Station

I want to recommend to readers of The Bee Fresno's noncommercial educational radio station, KFCF, 88.1 FM. It offers stimulating programming of great diversity, and if area residents take the opportunity to listen each will find programs that are of interest to them.

CIA Hearings On Fresno Radio

The House Select Committee hearings on the CIA are being broadcast in full beginning daily at 7 a.m. on Fresno's public radio station, KFCF-FM, 88.1 mh.



PACIFICA

Folio
KPFA-FM 94

2. Mabey Case

Dr. Rendell Mabey was reinstated to the faculty at California State University, Fresno and he began teaching again in September, 1974. His request for back pay is still pending. A motion for attorneys' fees, though, was denied by United States District Judge Sweigert. The denial was based on the recent U. S. Supreme Court decision in **Alyeska v. Wilderness Society**. This decision does not allow for the award of attorneys' fees in civil rights cases. Mark Himmelstein, of Himmelstein & Savinar in San Francisco, has been the attorney for Dr. Mabey.

3. Toney Suits

a. In October, 1973, a Superior Court jury awarded Dr. Joe David Toney \$10,000 damages in a civil suit against the Board of Trustees of the California State University and Colleges. The jury agreed with Dr. Toney that his professional reputation was injured following a campus confrontation in 1970. This decision has been appealed by the State.

b. In Dr. Toney's suit against CSUF President Norman Baxter, it was alleged that Baxter and other administrators violated provisions of the California State Labor Code when they attempted to interfere with a faculty contract he was negotiating with Atlanta University. A jury did not find for Toney, thus ending the matter.

VI THE DAVID S. BATES FUND



The Board established The David S. Bates Fund in memory of Professor Bates who died at the age of 38 after a long fight with cancer. Bates was a member of the Music Department at CSUF for three years. The fund will be used to preserve Bates' artistic legacy by the publication and performance of his works. The first project of the fund will be the publication of Bates' "Sueña (Gestures and Interludes One) for Viola and Piano."

The music will be published by APR Publications, Inc. and the Zumwalt Press. Allen Skei is assisting with the publication. An advertisement announcing the publication for sale has been sent to approximately 1,000 colleges, universities and music libraries.

Charles Amirkhanian, music director at KPFA in Berkeley, produced an hour and a half radio program on the life and work of Bates. The program was broadcast on June 18th.



Bee Photo

VII STATE-WIDE ACADEMIC FREEDOM PROJECTS



1. UPC Affirmative Action Legal Fund

This fund was established at the request of the UPC Council of the United Professors of California (AFL-CIO). The Council is the policy-making body for the 3,700 member organization. The Council's intention is to use the monies collected to finance research to determine the extent to which the California State University and Colleges system is violating affirmative action principles of HEW. It is anticipated that some kind of legal action may be taken by UPC when the research is completed.

2. Faculty Legal Defense Fund, CSULB

The Board established this fund at the request of faculty members at California State University, Long Beach. As of this writing none of the money in the fund has been spent.

3. Arnold Goldman and Sam Wellbaum Legal Defense Funds

Both of these professors were terminated from their positions at California State College, Stanislaus. There is no new development in the Goldman case. Wellbaum recently filed suit for reinstatement, but his suit lost in Stanislaus County Superior Court.

UPC officials and leaders of the Jewish community believe that the FEPC investigation gives substantial support to Goldman's and Wellbaum's charges of discriminatory practices. Both Goldman and Wellbaum have individual FEPC complaints pending against California State College, Stanislaus. Dr. Goldman's complaint alleges that he was discriminated against as a Jew, and Dr. Wellbaum (who is not a Jew) alleges that his termination was in retaliation for his active public support of the FEPC complaints.

Assembly
California Legislature

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ART TORRES
 ASSEMBLYMAN, FIFTY-SIXTH DISTRICT
 BELL GARDENS, BELTFOIRE, BUTLE HEIGHTS, CHRYSTOWN, COMMERCE
 DOMINICKVILLE, ENGLETON, EAST LOS ANGELES, LITTLE ROCK,
 MARSHALL, MAYWOOD, MONTEBELLO PARK

VICE CHAIRMAN
COMMITTEE ON CRIMINAL JUSTICE

March 25, 1975

The Honorable Leo T. McCarthy
Speaker of the Assembly
State Capitol Building
Sacramento, California 95814

Dear Mr. Speaker:

It has recently come to my attention that there exists a present "cover-up" in the California FEPC's three (3) year long investigation of charges of discrimination at Stanislaus State.

After meeting with the professors involved and who were discriminately fired, it is my conclusion that the FEPC is and has conspired with officials of the CSUC to cover up and otherwise suppress the results of the aforementioned investigation.

The complaint, filed by the United Professors of California, in November, 1972, charged that Jews at Stanislaus State had been systematically discriminated against in personnel decisions from 1968-1972. The Stanislaus Administration was also accused of discriminatory practices against other ethnic and racial minorities and women, and administering its personnel practices in an arbitrary manner.

However, what is even more shocking is that the present Chairman of the FEPC has refused to meet with the affected parties prior to the formal hearing on the matter. Objectivity is altogether sacrificed by such an unjustified decision.

On behalf of these professors and the United Professors of California, I urge you to have an immediate legislative investigation by the appropriate legislative committee and that that committee investigate, but not be limited to, the following issues:

1. Why the original staff report by the FEPC on this matter has never been disclosed?
2. The establishment of safeguards within the CSUC to insure that discrimination against faculty members because of race, ethnic background, creed or sex cease immediately; and,
3. That the legislature demand that the FEPC act swiftly and conscientiously in the future to end discrimination wherever it occurs.

I shall anxiously await your reply so that I might communicate your anticipated interest in this matter.

Sincerely,

ART TORRES
Assemblyman

 $\Delta T = 470$

VIII PHILIP H. STEPHENS HANDICAPPED STUDENTS FUND



This fund was established to assist handicapped persons to achieve an education. Philip Stephens is a paraplegic who completed a master's degree in economics at CSUF this past spring. With the Foundation's help, Stephens was able to attend the President's conference for the handicapped in Washington, D.C.

The Foundation is seeking ways to support a suit filed against San Francisco State University by handicapped persons. The suit seeks to prevent completion of the Student Union, which is being built in violation of existing law, because the building will not be able to accommodate handicapped people. Mark Himmelstein is the attorney for the plaintiffs. At this time the plaintiffs have achieved a preliminary agreement with the State for a \$10,000 feasibility study. The study is to be completed by the end of September.

The Foundation is seeking to publicize the suit in the hopes of preventing future violations of the law. It will do this by participating in a series of radio programs being produced by KPFA. Sometime in September or October these programs will be aired by KPFA and will be heard in the Central Valley over KFCF.

IX SAN JOAQUIN CONSERVATORY OF MUSIC



In May, 1975, the Board was requested to establish a fund for the purpose of bringing a music conservatory to Fresno. The aims of the Conservatory are: (1) To make available for all people of all ages a quality education in music and the arts; (2) To provide the Valley community with the opportunity for participation in a wide variety of experiences in the performing arts; and (3) To cooperate with existing institutions in the development of music programs and activities which will benefit the community. The Conservatory's steering committee consists of musicians who have been teaching and performing in Fresno. The program's director is Lee Burtner.

A physical facility has been obtained for the Conservatory as part of the City of Fresno's cultural arts program. Individual and class instruction will begin in the near future.

X CORPORATE DATA



LEGAL STATUS

Federal

The Fresno Free College Foundation is exempt from Federal income tax under Section 501(c) (3) of the Internal Revenue Code. Donors may deduct contributions to the Foundation as provided in Section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to the Foundation are deductible for Federal estate and gift tax purposes under Sections 2055, 2106 and 2522 of the Code.

State

The Fresno Free College Foundation is incorporated under Section 9501 of Part 1 of Division 2 of Title 1 of the Corporations Code of the State of California, also known as the General Nonprofit Corporation Law of California. The Foundation has also satisfactorily complied with the requirements of the Attorney General, Registry of Charitable Trusts, and the California Tax Board has ruled the Foundation exempt under the Revenue and Taxation Code, Section 23701(d).

XI CONTRIBUTIONS AND INCOME TAX



There are two ways for an individual to make a contribution to the Foundation and reduce adjusted gross income. This reduction may bring a taxpayer into a lower tax bracket.

1. **Cash Gifts.** This amount is entered as "Contributions" in Schedule A of Form 1040. This cash contribution can amount to 20 percent of 1974 income. (See IRS publication #526 "Income Tax Deduction for Contributions.")

2. **Gifts of Assets.** In this type of contribution, the individual gets credit for the contribution at its current market value, and does not pay capital gains tax on the asset appreciation. Assets may be stock certificates, paintings, books, etc. An independent appraisal sets the value of the asset and that value is recorded as a gift under "Contributions" in Schedule A of Form 1040.

XII FINANCIAL REPORT

September 1, 1974 — August 31, 1975

RECEIPTS:

Balance from previous year		\$ 1,082
Contributions received:		
General Fund	\$3,346	
UPC Academic Freedom Legal Fund	1,505	
KFCF Fund	4,372	
UPC Affirmative Action Legal Fund	1,612	
Caroline Cooper Student Fund	297	
Faculty Legal Defense Fund, Long Beach	959	
Anonymous: A Journal for The Woman Writer..	418	
The David S. Bates Fund	575	
Sam Wellbaum Legal Defense Fund	140	
Philip H. Stephens Handicapped Students Fund..	290	
San Joaquin Conservatory of Music	25	
Savings Interest Income	80	
Monies Borrowed for KFCF	<u>5,100</u>	<u>18,719</u>
Total:		\$19,801

EXPENDITURES:

General Fund:		
KFCF Expenses	\$1,038	
Operating Expenses	1,750	\$2,788
UPC Academic Freedom Legal Fund		
Legal Fees and Costs		2,025
KFCF Fund		
Equipment Purchases	6,484	
Legal Fees	500	
Interest	106	
KPFA Fees	613	
Operating Expenses	672	
Insurance	197	
Printing	594	
Loan Reduction	440	
Paid by General Fund	<u>(1,038)</u>	<u>8,568</u>
Caroline Cooper Student Fund		
Student Loans	400	
Student Loan Payments	100	
Expenses	<u>101</u>	<u>401</u>

Anonymous Fund		
Publication Expenses	431	
The David S. Bates Fund		
Publication Expenses	209	
Sam Wellbaum Legal Defense Fund		
Legal Costs	102	
Philip H. Stephens Handicapped Students Fund		
Supplies	<u>39</u>	\$14,563
Excess of receipts over expenses: \$5,238		

FUND BALANCES:

General Fund	\$1,028	
UPC Academic Freedom Legal Fund	(519)	
KFCF Fund	904	
UPC Affirmative Action Legal Fund	1,612	
Caroline Cooper Student Fund	241	
Faculty Legal Defense Fund, CSULB	959	
Anonymous Fund	(14)	
The David S. Bates Fund	366	
Sam Wellbaum Legal Defense Fund	38	
Philip H. Stephens Handicapped Students Fund	251	
San Joaquin Conservatory of Music	25	
Arnold Goldman Legal Defense Fund	<u>347</u>	\$ 5,238



XIII TABLE OF CONTRIBUTIONS AND CHARITABLE DISBURSEMENTS

Year	Contributions	Charitable Disbursements
1968	\$ 4,251	\$ 1,700
1969	3,504	4,733
1970	8,971	7,741
1971	12,811	10,004
1972	6,870	7,423
1973 (to Aug. 31)	4,518	3,257
1973-74	7,379	6,263
1974-75	13,539	14,563
	<hr/>	<hr/>
TOTAL	\$61,843	\$55,684



The Fresno Bee

Founded 1922

CARLOS K. McCLATCHY *editor, 1922-1933*

Sunday, June 15, 1975
Vol. 106, No. 19026



Published each afternoon
and Sunday morning.

GEORGE F. GRUNER, *managing editor*
DONALD R. SLINKARD, *assistant to the managing editor*
TOM KIRWAN, *associate editor*
GENE GRIGG, *associate editor*
JAMES H. BORT JR., *city editor*

Editorials

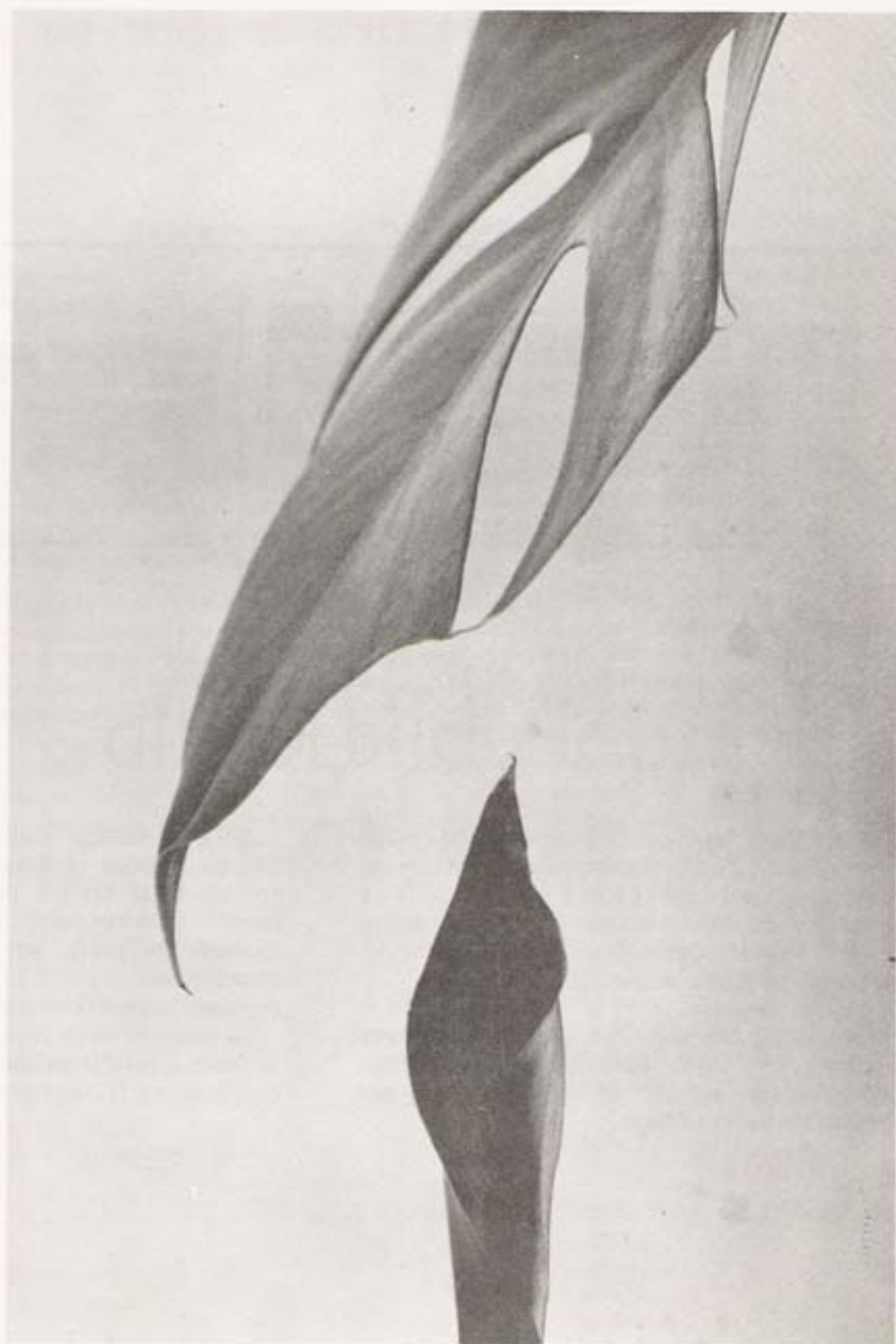
Public Radio

The Fresno Free College Foundation has made a new contribution to the community with the on-the-air start last week of KFCF-FM (88.1 MHz), a noncommercial radio station intended, as stated in the federal application, "to enrich the intellectual and cultural life of the community."

For 18 or more hours a day the station is broadcasting the signal of the Pacifica Foundation's KPFA-FM, Berkeley, which provides varied programming of music, news and provocative commentary.

The Free College Foundation was formed in 1968 by a group of Fresno State professors to provide legal defense funds to an embattled faculty member over a free speech issue. Through the years, the foundation's board of directors has changed to become more broadly representative of the community.

Its projects have spread into such areas as lectures, scholarships and publications. And now, broadcasting. It is an impressive list of credits.



Photograph by
Gayle Smalley