

# BYLAWS OF THE KUNM-FM RADIO BOARD

## 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;

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- 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

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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 month 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 meeting 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.

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- 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).

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- 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

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- 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 is 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.