



**KKCR**  
**KAUAI COMMUNITY RADIO**

**VOLUNTEER HANDBOOK**

**P.O. Box 825**  
**Hanalei, HI 96714**  
**(808) 826-7774 [www.kkcr.org](http://www.kkcr.org)**

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# **ALOHA AND WELCOME TO THE KKCR `OHANA**

The success of our commercial-free, listener supported, volunteer powered, grassroots community radio station is dependent on support from volunteers like you. This Volunteer Handbook was developed to explain to volunteers the basic standards you are expected to follow, and to support more awareness of the legal and ethical issues affecting KKCR. When you volunteer for KKCR, you are responsible for the station and our role in the community. This handbook will help you understand and know our policies, procedures and the importance of treating equipment and people at KKCR with respect and integrity.

Violating Federal Communications Commission (FCC) regulations or station policies may result in KKCR being fined or losing our license. It is very important that you read through this entire handbook and keep it for future reference.

Knowledge gets passed along from volunteer to volunteer via the “coconut wireless” but it is not always correct, complete, or correctly understood. The policies enacted by this document supersede and replace any earlier policies and any individual agreements between individual programmers and past or present staff members.

## **KEKAHU FOUNDATION / KKCR MISSION STATEMENT**

KKCR is Kauai’s independent, non-commercial, listener-supported community radio station. KKCR seeks to:

- Stimulate, educate and entertain its audience
- Preserve, perpetuate and celebrate Hawaiian culture
- Reflect the diversity of the local and world community

KKCR provides a forum for overlooked, suppressed, or under-represented voices and music. The Kekahu Foundation facilitates this broadcasting opportunity.

## **KEKAHU FOUNDATION / KKCR VALUES**

Consistent with the Kekahu Foundation / KKCR Mission, the Kekahu Foundation, through its Board of Directors, and KKCR, through its staff and Community Advisory Board, are guided by the following values:

### **TOLERANCE AND RESPECT FOR INDIVIDUALS, GROUPS AND CULTURES**

- We respect individual rights, differences, and diversities of opinion.
- We practice inclusiveness and open-mindedness.
- We are non-partisan.
- We treat everyone with dignity and respect, free of discrimination and harassment.
- We acknowledge the importance of knowledge to be found in the Hawaiian culture and Kauai's other diverse cultures.

### **COMMUNITY EMPOWERMENT**

- The core purpose of the Kekahu Foundation and KKCR is to benefit the community and the public good.
- We promote an active, informed citizenry.
- We provide a forum for people who are trying to make a difference.
- We support organizations that are committed to community-based action.

## **COMMUNITY RADIO**

The FCC grants licenses to two types of radio stations: commercial and non-commercial. Commercial radio stations are licensed to a group of investors who make money on station profits. Non-commercial radio stations are licensed to a variety of non-profit entities ranging from state agencies to school boards, universities, and community groups. Historically, most non-commercial stations were owned, operated, and financed by educational institutions. Since 1949, when the first Pacifica station was founded, non-commercial licenses have been granted to non-profit corporations of community individuals. **KKCR IS A COMMUNITY RADIO STATION.**

## **COMMUNITY RADIO ON THE GARDEN ISLAND**

In the wake of Hurricane `Iniki's devastation in 1992, community members gathered to develop a plan to stay connected, informed and safe. The result was Kaua`i Community Radio. In the summer of 1997, KKCR broadcast its first signals island-wide. Our small, community-based, non-profit radio station connects all the remote communities on our isolated Garden Island. KKCR is committed to providing relevant, accurate, timely information. It's also dedicated to representing the unique character of our island community.

## THE KEKAHU FOUNDATION

The Kekahu Foundation is the governing body of KKCR. The Kekahu Foundation is a 501(c)(3) non-profit corporation established under the laws of the State of Hawai'i for the purpose of establishing and developing a community based group for the purpose of instruction in and dissemination of educational and cultural material in the public interest, including but not limited to the use of KKCR located in the County of Kaua'i. Current Kekahu Board member contact information is located in Appendix D.

## COMMUNITY ADVISORY BOARD (CAB)

The Community Advisory Board (CAB) advises the Kekahu Foundation Board Of Directors (BOD) on how programming and policies can best meet the educational and cultural needs of our island community. The CAB is mandated by grant funding KKCR receives from the Corporation For Public Broadcasting, the CPB, to operate independently from the BOD and hold public meetings with the community to receive programming feedback, policy suggestions and offer a starting point for those interested in learning about volunteering at KKCR. The CAB meets twice yearly at different locations around the island to make it easier for residents to attend. Current CAB member contact information is in Appendix D.

## BROADCASTING ON KAUA`I AND O`AHU – STREAMING ALOHA WORLDWIDE

KKCR broadcasts island wide on Kaua`i and parts of O`ahu. We transmit from translators in the following communities and frequencies: Kilauea 91.9, Moloa`a / Anahola 92.7, and O`ahu 88.9. Our primary transmitters are located at our station in Princeville and on Mt. Kahili. KKCR's internet stream broadcasts worldwide on [www.kkcr.org](http://www.kkcr.org). KKCR is available on cable at 95.1.

## KKCR CONTACT INFORMATION

### PHONE NUMBERS / EMAIL

OFFICE PHONE: (808) 826-7774 / [kkcr@kkcr.org](mailto:kkcr@kkcr.org)  
STUDIO PHONE: (808) 826-7771 / [dj@kkcr.org](mailto:dj@kkcr.org)

**PHYSICAL ADDRESS:** 4520 D Hanalei Plantation Road, Princeville, HI 96722

**MAILING ADDRESS:** P.O. Box 825, Hanalei, HI 96714

**WEBSITE:** [www.kkcr.org](http://www.kkcr.org)

### KKCR STAFF

Laura Christine	General Manager <a href="mailto:gm@kkcr.org">gm@kkcr.org</a> (808) 652-0458	Dean Rogers Engineering & Operations <a href="mailto:eo@kkcr.org">eo@kkcr.org</a> (808) 652-7420
Dove Liddle	Volunteer & Event Coordinator <a href="mailto:vc@kkcr.org">vc@kkcr.org</a> (808) 635-5556	Lindsay Lloyd Development / Music Director <a href="mailto:music@kkcr.org">music@kkcr.org</a> (808) 212-7088

# **RULES OF CONDUCT**

## **THE RULES OF CONDUCT AT KKCR ARE FOR ALL KKCR VOLUNTEERS, PROGRAMMERS AND STAFF**

**The Kekahu Foundation and KKCR policies are guided by the core value of treating everyone with tolerance, dignity and respect. Every person affiliated with the Kekahu Foundation and KKCR is therefore expected to exercise personal responsibility for courteous and respectful behavior to all people, including employees, volunteers, directors and visitors.**

**Staff members reserve the right to protect station equipment, the safety of KKCR volunteers, and the interests of third parties such as the station's listening audience, web site users, and community partners; volunteers retain the right to file a grievance with the station's governing body, the Kekahu Foundation (see Appendix A - KKCR Conflict Resolution and Grievance Policy).**

- Treat other volunteers and staff with respect. This includes respecting the personal space and personal information of other volunteers.
- NO SMOKING anywhere in the building.
- NO EATING or DRINKING in the studio. Alcohol is not allowed within 20 feet of the building. FCC regulations and station policies require each Programmer to be lucid, competent and in control of the broadcast. On-air intoxication can lead to immediate suspension or termination of the Programmer and/or their program.
- All equipment is the property of KKCR and is for KKCR use only.
- KKCR Equipment cannot be taken off station property; only certain remote equipment may be checked out with staff permission.
- Report all damaged equipment in writing to KKCR staff.
- KKCR's CDs, albums, and cassettes may not leave the station. Taking these items out of the station is considered theft.
- Theft of any kind is cause for immediate suspension pending investigation.
- Unscrupulous or unwarranted destruction of KKCR's property, signal or web functions shall also be cause for immediate dismissal.
- In grave instances of theft or destruction staff will alert Kaua'i police.

### **REMOVAL OF A VOLUNTEER / PROGRAMMER**

A volunteer may be terminated for any of the following reasons:

- Non-compliance with FCC regulations or station policies
- Abusive treatment of staff, volunteers or others involved with KKCR
- Theft of KKCR property or other items on the premises
- Intentional damage to KKCR equipment / property
- A pattern of late arrivals or no-shows
- Repeated absences at mandated volunteer meetings
- Non-support of KKCR during membership (pledge / fund) drives
- Failure to fulfill required volunteer time
- Leaving the station unsecured or unattended without consent of staff

## **FCC REGULATIONS**

The FCC is the acronym for the Federal Communications Commission, a government agency with headquarters in Washington, DC. It is a branch of the U.S. Government just like the Internal Revenue Service or the Federal Bureau of Investigation. Your job as a KKCR Programmer is to be familiar with the many rules for which the FCC holds stations and announcers accountable. The FCC consists of five commissioners who regulate all aspects of how the radio industry works – everything from issuing broadcast licenses, allocating call letters, regulating the Emergency Alert System (EAS), making surprise visits to stations to inspect the Public File, or just tuning in late at night to make sure legal IDs are done correctly. The FCC website is [www.fcc.gov](http://www.fcc.gov).

If you have any questions about specific FCC rules and regulations, please ask. You will learn about some of the most important FCC rules while studying this section of the manual. Perhaps the most important thing to keep in mind when studying these rules is that they are meant to be observed. Stations that fail to follow FCC rules are regularly fined large amounts of money and subsequently refused the privilege of broadcasting.

## **FCC INSPECTIONS**

The FCC is allowed to enter and inspect the station premises without notice during regular business hours. All KKCR volunteers must be prepared to greet an unannounced FCC visitor with complete respect, honesty and hospitality. All on-air programmers must be trained in the requirements of an FCC inspection, and be prepared to assist with one should the need arise. If an FCC inspector arrives at the station and no staff member is present, the volunteer who greets the inspector should immediately contact the General Manager or another staff member so that they may be present for the inspection.

## **THE PUBLIC INSPECTION FILE**

The FCC requires KKCR maintain a public file, which includes many of our most important documents. It is located on the bookshelf in the break room / kitchen and must be available during regular business hours, Monday through Friday 10am to 4pm. We are required by law to allow anyone inquiring about the public file to inspect it during normal business hours. Failure to provide access to the public file can result in large FCC penalties and be used against us when we ask to renew our broadcast license. If anyone wants to see the public file inform a staff member. Interested parties are also allowed to make photocopies. Copies of ten or fewer pages are free, while copies of 11 or more pages will cost \$0.15 per copy.

Contents of the public file include our FCC license, applications, contour maps, ownership reports, political file, equal employment opportunity file, a copy of The Public and Broadcasting manual, quarterly issues/programs lists, donor lists, local public notice announcements (dealing with license renewal) and any material relating to an FCC complaint or investigation.

## **ENTRY AND PARKING**

Please drive slowly along the winding, bumpy, one-lane dirt access road. The speed limit is 5 mph. Please tell your guests to drive slowly. Never drive on the golf course.

**GATE** – all official KKCR volunteers will receive a key to the main gate. It should always be locked after 5pm. Please make sure to lock the gate after you unlock it, last link to last link. You are responsible for your guests' entry and exit through the gate.

**PARKING** – Please park your vehicle diagonally along the fence lines. Make sure not to block the entry pathways or other parked vehicles with your vehicle. Do not park in the ADA or disability services space without proper permits.

### **ARRIVAL AND DEPARTURE**

Upon arrival, all volunteers, programmers and visitors must sign-in. The volunteer clipboards are located in the lobby and on-air studio. Remember to log both your arrival and departure times.

### **PHONE ETIQUETTE**

Proper phone etiquette is important. Always reflect the spirit of aloha. Answer phones with a greeting such as, "Aloha, KKCR, this is Leilani." Identify yourself when answering calls.

Please be considerate, patient, friendly and helpful. Usually, callers are positive, supportive and inquisitive. However, if you get a disgruntled caller, simply thank her/him for the phone call and say you'll pass along her/his opinions to KKCR management. Please take notes including the date and time of the call and forward to a staff member.

If a caller requests information that you're unfamiliar with, please ask a staff member. If no staff member is available, take the caller's name and phone number and tell her/him a staff member will be in touch with the information soon. Write down the caller's name and phone number, the time and date of the call and give the message to a staff member.

**Never distribute personal information – volunteer phone numbers and/or email addresses may only be given to other volunteers.** If someone wants to contact a person who isn't in the office or studio, please take a written message with the date and time and put in the person's box and/or call the person and give them the message directly.

### **HOUSEKEEPING**

Volunteers must keep work areas and the kitchen area neat and orderly. Volunteers are expected to clean up after themselves, to place rubbish in the proper bins, and to return equipment and materials where they belong.

### **ILLNESS**

Do not come to the station if you are sick. We need our volunteers to stay healthy. If you show up sick you will be sent home.

### **MEMBERSHIP / FUND / PLEDGE DRIVES**

All KKCR staff, programmers and volunteers are expected to attend a drive meeting (usually two are scheduled before the drive) and to participate during the Membership Drives at KKCR. Membership Drives are usually held twice a year (Spring / Fall). Participation includes, but is not limited to, signing up for and showing up for at least three phone shifts. During the phone

shifts you will take pledges from callers. It is VERY important to fill out the pledge forms neatly and accurately. Incomplete and or illegible forms result in the donor not receiving their mahalo gifts, receiving incorrect gifts and/or us being unable to collect the funds pledged. It is very important that you stay friendly and courteous at all times.

### **MUSIC LIBRARY**

KKCR record albums, tapes and compact discs are NOT available for loan. No recorded material may be taken from the station. All volunteers and programmers are expected to promptly re-file anything used from the music library.

### **SMOKING, DRUGS, AND ALCOHOL**

As a recipient of federal grants, KKCR is required by the Drug-Free Workplace Act of 1988 to maintain a drug-free workplace.

1. It is the policy of the Kekahu Foundation (KF) and KKCR that there be zero tolerance for the manufacture or sale of drugs or alcohol, and for the distribution of drugs or alcohol to minors, anywhere on the KKCR premises. Violation of this policy shall result in the termination of a person's status as a volunteer.
2. Being impaired from the use of drugs or alcohol, or behaving disrespectfully of others, anywhere on the KKCR premises, is prohibited.
3. Smoking is prohibited inside the KKCR building facility, including the KKCR studio. Smoking is prohibited outside the KKCR building facility within 25 feet of the building facility, except for the covered meeting area outside the studio, where respectful smoking of tobacco is permitted. This prohibition applies to all persons, including employees; volunteers, directors and visitors, and all volunteers are urged to ensure that visitors are aware of this prohibition.
4. The use or possession of drugs is always prohibited in the KKCR building facility, including the KKCR studio. The use or possession of open containers of alcohol is always prohibited in the KKCR studio. Alcohol may be used or possessed on the grounds outside the KKCR building facility during KKCR-sponsored social events, and on the grounds outside the KKCR building facility at other times, provided that: (i) being impaired or behaving disrespectfully is still prohibited at all times, and (ii) the consumer or owner of the alcohol is responsible for ensuring that all containers of alcohol are properly stored or disposed of.
5. All volunteers are urged to keep in mind that the Kekahu Foundation, KKCR and KF/KKCR policies are guided by the core value of treating everyone with tolerance, dignity and respect. Every volunteer is therefore expected to exercise personal responsibility for courteous and respectful behavior to all people, including other employees, volunteers, directors and visitors.
6. Violations of this policy may be reported by any person using the procedures specified in Appendix A - KKCR Conflict Resolution and Grievance Policy.

### **NON HARASSMENT**

KKCR prohibits sexual harassment, harassment based on pregnancy, childbirth or related medical conditions, race, religious creed, color, national origin or ancestry, physical or mental disability, medical conditions, marital status, age, sexual orientation or any other basis

protected by federal, state, or local law or ordinance or regulation. Prohibited unlawful harassment includes, but is not limited to, the following:

- Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments.
- Visual conduct such as derogatory and/or sexually oriented posters, photography, cartoons, drawings or gestures.
- Physical conduct such as assault, unwanted touching, blocking normal movement or interfering with work because of sex, race, or any other protected basis.
- Threats and demands to submit to sexual requests or added benefits in return for sexual favors.
- Retaliation for having reported or threatened to report harassment.

### **RECOURSE FOR HARASSMENT**

If you believe that you have been unlawfully harassed, provide a written complaint to the General Manager as soon as possible after the incident. Your complaint should include details of the incident, names of the individuals involved and names of any witnesses. KKCR will immediately undertake an effective and thorough investigation of the harassment allegations. If KKCR determines that unlawful harassment has occurred, effective remedial action will be taken in accordance with the circumstances involved. Any volunteer determined by KKCR to be responsible for unlawful harassment will be subject to appropriate disciplinary action, up to and including dismissal. A KKCR representative will advise all parties concerned of the results of the investigation. KKCR will not retaliate against you for filing a complaint and will not tolerate or permit retaliation by volunteers. KKCR encourages all volunteers to report any incidents of harassment forbidden by this policy immediately so that complaints can be quickly and fairly resolved. The Federal Equal Employment Opportunity Commission investigates and prosecutes complaints of prohibited harassment. If you think you have been harassed or that you have been retaliated against for resisting or complaining, you may file a complaint with the appropriate agency. The nearest office is listed in the telephone book.

### **WHISTLEBLOWER POLICY**

The Kekahu Foundation and KKCR require their directors, employees and volunteers to observe high standards of integrity in the conduct of their duties and to comply with all applicable laws and regulations.

The Kekahu Foundation and KKCR encourage volunteers to share their concerns regarding suspected violations of laws, regulations, or Kekahu Foundation or KKCR policies with the Volunteer Coordinator or General Manager, as appropriate. However, if a volunteer is not comfortable speaking with either the Volunteer Coordinator or General Manager on such matter, or is not satisfied with their response, the volunteer is encouraged to speak with the President of the Kekahu Foundation Board of Directors.

Reports of suspected violations of laws, regulations or policies may be submitted on a confidential basis or may be submitted anonymously. Reports of suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation. All reports will be acknowledged and promptly investigated, and appropriate corrective action will be taken if warranted by the investigation.

A volunteer who files a complaint concerning a suspected violation of a law, regulation, or Kekahu Foundation or KKCR policy must act in good faith and should have reasonable grounds for believing that the information disclosed indicates a violation of such law, regulation or policy. No volunteer who in good faith reports such a suspected violation shall suffer harassment, retaliation or adverse consequence from the Kekahu Foundation, KKCR, or their directors or employees.

### **EMERGENCY ALERT SYSTEM (EAS)**

The Emergency Alert System (EAS) is a national public warning system that requires broadcasters, cable television systems, wireless cable systems, satellite digital audio radio service (SDARS) providers, and direct broadcast satellite (DBS) providers to provide the communications capability to the President to address the American public during a national emergency. The system also may be used by state and local authorities to deliver important emergency information, such as AMBER alerts and weather information targeted to specific areas.

The FCC, in conjunction with Federal Emergency Management Agency (FEMA) and the National Oceanic and Atmospheric Administration's National Weather Service (NWS), implements the EAS at the federal level. The President has sole responsibility for determining when the EAS will be activated at the national level, and has delegated this authority to the director of FEMA. FEMA is responsible for implementation of the national-level activation of the EAS, tests, and exercises. The NWS develops emergency weather information to alert the public about imminent dangerous weather conditions.

The FCC's role includes prescribing rules that establish technical standards for the EAS, procedures for EAS participants to follow in the event The EAS is activated, and EAS testing protocols. Additionally, the FCC ensures that the EAS state and local plans developed by industry conform to FCC EAS rules and regulations. KKCR's EAS Handbook is in a white three-ring folder on the shelf next to the EAS machine in the on-air room. Take the time to look it over and become familiar with it.

When you hear the EAS Alert Tone followed by an emergency message immediately do the following:

1. Check the DJ Email to see the Alert Message
2. Repeat the message every 15 minutes, until the expiration of the emergency.
3. Check the [dj@kkcr.org](mailto:dj@kkcr.org) email for updates from the county. Read the updates as they come in.
4. Call Dean or a staff member immediately (Dean 652-7420 / Dove 635-5556 / Laura 652-0458).

If there is no message, just the Alert Tone, announce, "This was the weekly required test of the Emergency Alert System."

## **EMERGENCY PROTOCOL**

### **EQUIPMENT / BROADCAST EMERGENCIES**

- 1) Dean Rogers – 652-7420
- 2) Don Mussell – 831-588-9463

### **NATURAL DISASTERS / WEATHER ALERTS / NON-EQUIPMENT ISSUES**

- 1) Dean Rogers – 652-7420
- 2) Dove Liddle – 635-5556
- 3) Laura Christine – 652-0458

### **ALWAYS KEEP STUDIO MONITOR ON THE “AIR” SIGNAL**

If you're not monitoring the AIR signal, you won't hear the EMERGENCY ALERT SYSTEM when it's activated. That means the AIR button in the top right corner of the board should be RED – it's at the top of the pot where the main headphones plug in, and where the control room speaker volume control is located. If the pot is on PROGRAM you're only monitoring what you're playing through the board – not the air signal. It's critical for Programmers to monitor the AIR signal.

### **STAY CALM**

Listeners are tuned in for answers and updates. In a natural disaster or tsunami alert, they are looking for guidance and factual information. Stay calm and collected.

### **CALL STAFF**

The phone lines will be ringing during a crisis. Staff members often will not be able to reach the on-air Programmer with important information. It is each ON-AIR Programmer's responsibility to CALL a staff member whenever there is a crisis. When in doubt, call ANY staff person for guidance.

### **MONITOR THE EAS – EMERGENCY ALERT SYSTEM**

During an emergency, The EAS will send out an Alert Tone. When you hear the EAS Alert Tone immediately do the following:

1. Listen to the message that follows the alert sound. Write it down.
2. Repeat the message over the air. If you are not able to get the full message, check the programmer email. (dj@kkcr.org/aloha) Most likely the County of Kaua'i will have sent an email repeating the message.
3. Repeat the message at least every 15 minutes, until the expiration of the emergency. Your audience changes every few minutes, what is repetitive to you is new to them.

(If you hear the Alert Tone when there is no emergency, there is no message - just the Alert Tone, announce, "This was the weekly required test of the Emergency Alert System.")

### **BROADCAST PROCEDURES**

Make sure your information is correct. All information should be **VALIDATED** before broadcast. Adding your personal interpretation is inappropriate because it may not be accurate and is not helpful.

During emergencies, make announcements every 15 minutes: TOP of the hour, QUARTER past, HALF past, 45 minutes past. Your listening audience changes every few minutes. Even though the information may be repetitive to you, it's not to most of your listeners. Please remember to **REPEAT** information often.

### **EMERGENCY INFORMATION POLICY**

It is the policy of KKCR to provide important emergency information as quickly as possible consistent with the need for accuracy and sensitivity regarding the impact the information may have.

#### Never Broadcast

- Information about death or injury unless specifically directed to do so by station management or authorized emergency personnel.
- Information from callers unless the information is very general in nature or has been verified.
- Personal opinions about what direct actions listeners should take in response to an emergency situation other than the most general statements such as "stay clear of the area".

#### Permitted to Broadcast

- Information from these sources may be immediately broadcast:
  - Station management staff
  - Authorized emergency personnel.

### **HELP THE PROGRAMMER**

During emergency situations, anyone who is at the station should help the on-air Programmer. Please drop everything and help the on-air Programmer answer the phones and make any necessary phone calls to staff members.

**ACCIDENTS:** All volunteers, staff and programmers are expected to be safety conscious. If an accident or injury occurs, respond immediately (i.e. call 911 for an ambulance) and then report the accident to the General Manager as soon as possible. There is a First-Aid Kit in the restroom.

**FIRE:** In case of fire the following procedure must be followed:

1. Call 911
2. Use extinguisher if possible - it is located in the kitchen and the on-air studio.
3. Close doors to prevent the fire from spreading
4. Evacuate in a calm and orderly manner

## KAUA`I EMERGENCY CONTACTS

[www.kauai.gov](http://www.kauai.gov)

**Civil Defense 808-241-1800**

**Police 808-241-1711**

**Fire 808-241-4980**

**Water 808-245-5444**

### EMERGENCY / EXTREME WEATHER INFORMATION

Department of State Civil Defense ( <a href="http://www.scd.hawaii.gov">www.scd.hawaii.gov</a> )	808-733-4300
Official Site of the State of Hawaii	<a href="http://www.hawaii.gov">www.hawaii.gov</a>
Official Site of the County of Kaua`i	<a href="http://www.kauai.gov">www.kauai.gov</a>
Hawaii State Government Information Line	808-586-2211
Governor's Office ( <a href="http://governor.hawaii.gov">http://governor.hawaii.gov</a> )	808-586-0034
Attorney General ( <a href="http://ag.hawaii.gov">http://ag.hawaii.gov</a> )	808-586-1500
Hawaii Tourism Authority ( <a href="http://www.hawaiitourismauthority.org">www.hawaiitourismauthority.org</a> )	808-973-2255
Department of Agriculture ( <a href="http://hdoa.hawaii.gov">http://hdoa.hawaii.gov</a> )	808-973-9560
DCCA ( <a href="http://cca.hawaii.gov">http://cca.hawaii.gov</a> )	808-587-3222
Department of Defense ( <a href="http://dod.hawaii.gov">http://dod.hawaii.gov</a> )	808-672-1207
Department of Public Safety ( <a href="http://dps.hawaii.gov">http://dps.hawaii.gov</a> )	808-587-1288
Department of Transportation ( <a href="http://hidot.hawaii.gov">http://hidot.hawaii.gov</a> )	808-587-2160
Office of Veterans Services ( <a href="http://dod.hawaii.gov/ovs">http://dod.hawaii.gov/ovs</a> )	808-433-0420
Department of Human Services 808-586-4997	<a href="http://humanservices.hawaii.gov">http://humanservices.hawaii.gov</a>
Department of Land and Natural Resources 808-587-0400	<a href="https://dlnr.hawaii.gov">https://dlnr.hawaii.gov</a>
Department of Health ( <a href="http://health.hawaii.gov">http://health.hawaii.gov</a> )	808-586-4400
Adult Mental Health Division ( <a href="http://www.amhd.org">www.amhd.org</a> )	808-586-4686
Hawaii Beach Safety	<a href="http://oceansafety.ancl.hawaii.edu">http://oceansafety.ancl.hawaii.edu</a>
National Weather Service Honolulu, HI 808-973-5286	<a href="http://www.weather.gov/Honolulu">www.weather.gov/Honolulu</a>
Kaua'i Island Utility Cooperative ( <a href="http://www.kiuc.coop">www.kiuc.coop</a> )	808-246-4300
U.S. Coast Guard District 14 ( <a href="http://www.uscg.mil/d14">www.uscg.mil/d14</a> )	808-842-2600
American Red Cross <a href="http://www.redcross.org">www.redcross.org</a>	1-800-RED-CROSS (1-800-733-2767)
Centers for Disease Control	<a href="http://www.cdc.gov">www.cdc.gov</a>
Environmental Protection Agency	<a href="http://www.epa.gov">www.epa.gov</a>
Federal Emergency Management Agency (FEMA) . . . 1-800-621-FEMA (3362)	<a href="http://www.fema.gov">www.fema.gov</a>
Agencia Federal para el Manejo de Emergencias (FEMA)	<a href="http://www.fema.gov/esp">www.fema.gov/esp</a>
National Oceanic and Atmospheric Administration NOAA	<a href="http://www.noaa.gov">www.noaa.gov</a>
National Weather Service	<a href="http://www.nws.noaa.gov">www.nws.noaa.gov</a>
National Data Buoy Center	<a href="http://www.ndbc.noaa.gov">www.ndbc.noaa.gov</a>
Central Pacific Hurricane Center	<a href="http://www.prh.noaa.gov/cphc">www.prh.noaa.gov/cphc</a>
Pacific Tsunami Warning Center	<a href="http://ptwc.weather.gov">http://ptwc.weather.gov</a>
National Oceanographic Data Center	<a href="http://nodc.noaa.gov">nodc.noaa.gov</a>
National Coastal Data Development Center	<a href="http://www.ncddc.noaa.gov">www.ncddc.noaa.gov</a>
Coastal Services Center	<a href="http://www.csc.noaa.gov">www.csc.noaa.gov</a>
US Department of Homeland Security	<a href="http://www.dhs.gov">www.dhs.gov</a>
USGS Volcanoes and Current Activity Alerts	<a href="http://volcanoes.usgs.gov">http://volcanoes.usgs.gov</a> Hawaiian RSS Feeds
National Environmental Satellite, Data, & Information Service (NESDIS) ..	<a href="http://www.nhc.noaa.gov/satellite.shtml">www.nhc.noaa.gov/satellite.shtml</a>

# PROGRAMMERS

## **KKCR PROGRAMMER RIGHTS**

- Information about FCC guidelines and station policies
- Access to KKCR regulations concerning station operations and federally-mandated laws
- A safe, secure, supportive environment
- Training in radio broadcast techniques / state-of-the-art equipment
- Feedback about programming and broadcast skills
- A good faith commitment from staff to help resolve grievances

## **KKCR PROGRAMMER RESPONSIBILITIES**

- Comply with all FCC and station policies
- Monitor on-air signal, EAS feeds and alerts
- Contact staff members during emergencies
- Present programming consistent with program's description
- Provide adequate notice of absences and late arrivals
- Comply with all items on the Program Log
- Sign off, clean up & clear away from the board with 5 MINUTES left in your program to allow the next programmer adequate set-up time
- Report any malfunctioning equipment to staff in writing
- Participate in pledge drives and other station fundraising efforts
- Attend mandatory meetings ~ usually two annually
- Answer all studio calls during your program
- During your program, it is your JOB to make us look awesome

## **BECOMING AN ON-AIR KKCR PROGRAMMER**

Becoming a programmer at KKCR takes commitment and training. Those who have fulfilled all the requirements are eligible to submit a program proposal. Although there may not be program slots available, inevitably things shift and change and slots become available. Preference is often given to programming that is not yet represented on the KKCR airwaves.

## **MEETING WITH THE VOLUNTEER COORDINATOR**

The first step in becoming a KKCR on-air programmer is to meet with our Volunteer Coordinator. The Volunteer Coordinator will schedule a meeting with you to discuss your interests, abilities and hours of availability. You are required to put in at least thirty (30) hours of volunteer time prior to Programmer Training. There are many volunteer opportunities at KKCR and KKCR events. Depending on your interests and abilities, the Volunteer Coordinator will help you decide how you can best contribute. You are responsible for ensuring that your volunteer hours are logged by KKCR staff.

## **PROGRAMMER TRAINING**

After completing at least thirty hours of volunteer work, you may be trained in the operation of the Broadcast Console, WaveCart, emergency alert system (EAS) and Burk Remote Control.

Training will also include KKCR On-Air policies, FCC regulations, emergency protocol, and other important skills (see Appendix E). After initial training with KKCR staff, you may schedule time in the production room for practice on your own. During this time it is strongly suggested that you sit in as an observer on at least one program. Once you have mastered the necessary skills, you will produce a 15-20 minute recording demonstrating your abilities. You are also required to pass a Programmer Skills Test. After successful completion of all the necessary steps, the Volunteer Coordinator will then add you to our list of qualified fill-in programmers. Fill-in programmers fill-in for current programmers who are not available to do their regular programs. How often you are called to fill-in depends upon need, your availability and your program/music preferences. You may also submit a program proposal for consideration. If and when you are offered a time slot on the KKCR program schedule, your program is subject to a 3-month evaluation review.

### **OVERVIEW - REQUIRED STEPS TO BECOME A KKCR ON-AIR PROGRAMMER**

1. Complete and Sign the KKCR Volunteer Application.
2. Read the KKCR Volunteer Handbook and sign the Show Description / KKCR Volunteer Programmer Agreement.
3. Volunteer at least thirty (30) hours at KKCR or KKCR events.
4. Complete volunteer training
5. Pass the KKCR Programmer Skills Test on KKCR's mission, policies, procedures, services, equipment, production board, and the Emergency Alert System (EAS).
6. Submit a sample recording of your on-air abilities.

### **PROGRAM SCHEDULE / SLOTS**

No programmer, interest group, genre or other entity "owns" a time slot on KKCR. KKCR is a community radio station mandated by the federal government to monitor and modify programming to meet our community's needs. KKCR staff reserves the right to pre-empt programming. The programmer(s) affected will be given as much notice as possible.

### **PROGRAMMING-RELATED DECISIONS AND APPROVAL OF PROGRAM PROPOSALS**

The overall direction of KKCR's programming (the "programming mix") is determined collaboratively by the KKCR General Manager, the Kekahu Foundation Board of Directors, and the Community Advisory Board. The General Manager, the Chairperson of the Community Advisory Board and the Board of Directors meet biennially to discuss whether KKCR's programming is adequately implementing the Mission Statement and meeting the needs of the community, and whether any major changes of course are needed (and if so, whether they are achievable in light of resource constraints). KKCR also actively solicits input from listeners through periodic PSAs that request public input regarding programming desires and needs.

If either the General Manager or the Board want to substantially change the nature of the programming mix at other times, the General Manager and the Board must discuss the desired change. In all cases, consensus is sought, but in the event that consensus cannot be achieved, the final decision on major changes to the direction of KKCR's programming is the

Board's. Aside from this, the General Manager has the responsibility and the authority to determine and modify the programming mix.

Program proposals can come to the General Manager from all sources: volunteers, the general public, the Kekahu Foundation Board of Directors, and the Community Advisory Board (via the Board of Directors). The General Manager can also solicit program proposals.

The General Manager or his/her designee is responsible to approve or disapprove program proposals. Decisions are based on the following broad criteria: alignment with the Mission Statement; the existing programming mix and schedule; a volunteer's completion of volunteer requirements; and the General Manager's and staff's assessment of the personality, reliability, competence and suitability of a volunteer.

The General Manager or his/her designee is also responsible to make all programming related decisions, including determining or changing the time slots of programs, changing the nature or lengths of programs, preempting programs, terminating or temporarily suspending programs, and providing appropriate responses to requests or complaints from listeners.

The General Manager's programming-related decision can be appealed to the Kekahu Foundation Board of Directors, but only when the Board is given reason to believe that the General Manager's action in regard to the matter may be unduly discriminatory, unduly arbitrary or unreasonable, illegal, or in conflict with sound business practice or the KKCR/Kekahu Foundation's mission.

Appeals by a volunteer of a programming-related decision should be directed to the Chairperson of the Kekahu Foundation Board of Directors, who will determine whether an appeal meets the criteria (stated in the previous paragraph) that justify bringing an appeal to the Board. The Chairperson can also decide to bring an appeal to the Board for other, exceptional reasons.

The Board of Directors can also initiate discussions with the General Manager regarding programming-related issues under exceptional circumstances (for example, when there is a very large number of complaints alleging that programming does not align with the KKCR Mission Statement or meet the KKCR Programming Standards and Guidelines).

**ARRIVE EARLY:** Please arrive at least 15 minutes before your program. This will allow you time to check the Program Log, Emergency Alert System, and prepare for a smooth and stress-free transition into your program. If you cannot get to your program on time, you must call the office and tell a staff member or leave a voice mail. You **must** also notify the Programmer who is on the air before your program. We understand that unexpected situations arise, but it's important for you to notify the staff and prior Programmer as soon as possible. One late arrival – with proper notification – is excusable. Two or more late arrivals could result in suspension or termination.

**END ON TIME:** Please do not run your program over into the next time slot. Plan ahead. If you run over only two minutes a week, you are depriving the programmer after you to almost

a full two hour program a year. Respect their program by ending on time. Sign off and clear out your papers, music and other equipment at least 4 – 5 minutes before the top of the hour.

#### **LEGAL ID: “KKCR HANAIEI, KAQA KILAUEA”**

The FCC requires all stations to identify themselves in this specific way. Called the Legal ID, it must be broadcast during a natural break as close to the top of the hour as possible. Within five minutes on either side of the hour is generally acceptable. You may either say it live or play from the WaveCart. The FCC stipulates that the proper legal ID will have the station’s call letters followed by its city of license. In order to help reinforce our identity as KKCR and avoid confusion with the KAQA call letters, only use the Legal ID at the top of the hour. Our Legal ID is: “KKCR Hanalei, KAQA Kilauea”. Three times a day (8:00 am – 1:00 pm – 5:00 pm) our extended Legal ID “KKCR Hanalei – KAQA Kilauea – K224CQ Anahola – K284AL Haleiwa” must be used.

You are NOT allowed to insert any other information in between KKCR and Hanalei. This means “KKCR 90.9 FM,” “KKCR in Hanalei,” “KKCR The Sound of KAUA`I” and “91.9 KKCR” are not legal IDs. You may put whatever you want before or after it, but every legal ID must contain “KKCR Hanalei, KAQA Kilauea”. K224CQ Anahola and K284AL Haleiwa only need to be played at certain times, but it is ok to add it. Consistent failure to do a proper legal ID will lead to your suspension, and, depending on the blatancy of the infractions, could lead to your dismissal.

#### **NON-LEGAL ID: “KKCR” or “KAUA`I COMMUNITY RADIO”**

Non-legal ID may be broadcast at the bottom of each hour and at other times during the program.

#### **MUSIC PROGRAMS**

Music program hosts must comply with their music program format and with the KKCR Programming Standards and Guidelines (see Appendix B). If you host a music program, please don’t use your timeslot to criticize issues, people, policies, etc. KKCR has an outlet for your opinions – the call-in, community affair, talk programs. Among other factors, discussion of controversial topics is restricted to the talk shows in order to ensure legal compliance with disclaimers, as well as provide an appropriate forum that allows listener input and feedback.

Music programmers should avoid editorializing. Editorializing is when a programmer goes out of his or her way to offer an opinion about something other than the music played, such as the programmer’s views on abortion, campaign finance reform or the death penalty. KKCR strives to create a clear separation between our entertainment and public affairs programming. Think of the station in terms of a newspaper, where editorials are reserved for the editorial page. Reserve your editorials for community affairs programming. Non-commercial radio stations are prohibited by the FCC from endorsing political candidates. Do not endorse political candidates.

## **COMMUNITY AFFAIRS, CALL-IN, TALK SHOWS, NEWS PROGRAMS**

Talk show hosts must comply with station and federal requirements and with the KPCR Programming Standards and Guidelines (see Appendix B). The host of a call-in program has a special responsibility to rise above the role of biased activist – (s)he must maintain an atmosphere of respect and an open forum. Designated community affairs programs must air the Opinion Disclaimer card at the top of each hour. Non-commercial radio stations are prohibited by the FCC from endorsing political candidates. Do not endorse political candidates. Public affairs programs must fill out a program log for each broadcast, located in the in the main studio. Please refer to Appendix B (KPCR Programming Standards, Guidelines and Guidance) for more details on conducting community affairs, call-in, talk and news programming.

**GUESTS AND GUEST INTERVIEWS:** – Please apprise staff of all on-air guests at least 24 hours in advance. Among other issues, it's important to prevent a specific guest / topic from monopolizing the airwaves on multiple programs due to miscommunication among hosts and staff members.

Unauthorized and untrained individuals are NOT allowed to operate the control boards, computers, WaveCart or other studio equipment. KPCR's equipment is very expensive and critical for effective broadcasts. Violation of this rule could result in immediate suspension or termination. Friends and family members must be approved for studio access. Children must be supervised at all times. Each Programmer is responsible for themselves and their guests respecting and protecting the station equipment and environment at all times.

## **POLITICAL BROADCASTING**

On the air, do not support or oppose any candidate for political office. You may not advocate support or opposition for political candidates or legislation. Non-profit organizations are not permitted to participate or intervene in elections, nor may non-commercial stations support or oppose candidates or legislation. KPCR and its programming is thus intended to be nonpartisan.

To be considered a candidate for public office, a person must be a declared candidate running for an election. To be considered legislation, a bill must be properly filed with a US governmental body.

## **Prohibitions Outside of News/Public Affairs Programming**

- To engage in on the air endorsement of a candidate;
- To support or oppose candidates or legislation;
- To play songs or content for or against a candidate or legislation;
- To invite guests or political action committees to endorse candidates or legislation;
- To argue for or against a candidate or legislation with guests and callers;
- To air speeches by candidates in an election or speeches for or against legislation;
- Or to air the partisans of candidates, for or against legislation that take a position if they are indirectly speaking for or against a candidate or legislation.

You may broadcast some discussion of candidates and legislation that isn't advocacy. Discussions and opinions about election issues, legislation and candidate positions are permissible, so long as advocacy for or against a candidate or legislation is not a direct or indirect inference and it is part of a news or world affairs program.

### **PROGRAMMERS AS POLITICAL CANDIDATES**

When a programmer runs for political office they must relinquish their program. There are two situations that make a programmer considered a political candidate. The first is submitting necessary paperwork with election authorities for you to be placed upon the ballot. The second is announcing publicly that you are a candidate for a particular office. This public announcement may take many forms, from an official on-air announcement to a newspaper article regarding your candidacy, also including posting this information via social media (facebook, twitter, etc.) and making an announcement in any public forum. A programmer may return to their program once the election is certified complete, or if that programmer withdraws from the election.

### **PROGRAMMER DOCUMENTATION OF CANDIDATE VOICES**

Anything the public can recognize as a candidate's voice – recordings, visits, et al. – outside of bona fide news programming is considered an appearance that programmers must document. A candidate form must be completed and submitted to the General Manager for entrance to KKCR's public file preferably prior to the appearance or immediately after the appearance of a candidate for elected office on any program. Failure to document candidate appearances is subject to disciplinary action.

**PROGRAMMER ABSENCES:** The FCC requires us to ensure that all live broadcasts are supervised by a trained KKCR control board operator. If you cannot make it to your program, you must call the office and tell a staff member or leave a voice message. Also, you should notify the programmer who will be on the air before your program – it's a simple but important courtesy. It is each programmer's responsibility to find an appropriate substitute to host their program in their absence. Remember, only programmers who have successfully completed the KKCR broadcast training program are eligible substitutes. There is no need to pre-record your program – a live programmer is always preferred over a pre-recorded program.

Unless there are mitigating circumstances, a pattern of absences will result in suspension or termination. A no-show without proper notification can result in immediate suspension or termination. It's important to be a dependable programmer. A leave of absence can be taken with proper notice of two weeks or more. Staff members are available to help find substitute programmers during approved absences. A leave of more than 3 months can result in loss of time slot. However, upon return to KKCR a programmer is welcome to re-apply for a new timeslot.

**REBROADCASTS:** Rebroadcasts of prior programs – especially talk shows – usually contain outdated information and are confusing to listeners. A live programmer is always preferred over a canned program. All rebroadcasts must be approved by staff. A pre-recorded or rebroadcast program must be announced immediately prior to broadcast.

## **PAYOLA/PLUGOLA**

No one may accept money or gifts in exchange for airing any programming. If you have a financial interest in a business or performing group, a book, or a speaking engagement, you may not promote that business / event on the air. You may provide information about events in the context of listing other events that would be of interest to your audience, but your event should not receive more favorable mentions than others.

You must disclose to KKCR staff any financial interests that may create a conflict of interest or even the appearance of a conflict of interest. You must disclose any money or gifts that are offered you in exchange for airing programming. The key here is exchange. You may accept tickets to an event as long as there is no promise to review or mention it or play music to support it on the air. These comps should come through management.

During remote broadcasts, you may mention where the broadcast is originating from, but may not promote the venue (i.e., you may not talk about what a great place it is or how good the food is...etc.)

**If you violate the Plugola ~ Payola Policy, you may be fined not more than \$10,000 or imprisoned for not more than one year or both for each violation. This is a situation where you are held responsible, as well as the station. If you have any questions, as always, please ask station management.**

## **PAYOLA**

Payola and plugola are two areas where it is very easy for the untrained programmer to get into trouble. Payola is the unreported payment to, or acceptance by, employees of broadcast stations, program producers or program suppliers of any money, service or valuable consideration in return for airplay of any programming. In simpler language, the programmer (or music director or program director) receives some form of compensation in exchange for playing a record over the air. Compensation can include cash, concert tickets, vacation packages, video games, computer equipment, extra copies of a CD (more than you would normally need for a giveaway) etc. The Communications Act of 1934 requires the licensee to announce that the material being broadcast is paid for and to disclose the identity of the sponsoring individual or organization. A 1960 amendment requires any station employee who accepts cash or other consideration in exchange for broadcasting material disclose that payment to the station, who in turn ensures proper disclosures are made. Simply put, it is illegal for you as an on-air talent to receive anything from anyone except KKCR for broadcasting on our station. Payola is a crime punishable by one year in prison and a fine of up to \$10,000.

## **PLUGOLA**

Plugola is the “plugging” (mentioning) of products, events, venues or services not paid for or underwritten by a sponsor. It occurs when someone responsible for program selection at a radio station gives on-air promotion for something in which he or she has a financial interest. Plugola is similar to payola, except that it need not involve an outside party or monetary payment of any kind and can be accomplished by a single station employee. Some examples of plugola are when a local night club provides payment to a radio announcer to spin records

at his or her club and the programmer in turn announces these appearances on the air, if staff schedules additional donor announcements for a company for which he or she also works, or when a station or programmer is provided with “gifts” such as concert tickets with an expressed or implied understanding that the programmer will hype the artist or event. Plugola is often considered a form of employee theft, as the programmer or other staff member is giving away announcements for which the company would otherwise need to pay. Bands and businesses will frequently ask the radio station to “plug” an upcoming event. Programmers are free to talk about upcoming events if they so choose, but should be aware that excessively mentioning a business could be perceived as plugola even if the programmer is not receiving any direct benefit. Programmers are also not allowed to play their own music on KKCR, as there is the public appearance that material would otherwise not have received airplay.

Below are some examples of what could be considered plugola.

- Programmer announces his public appearances (“I’ll be hosting 80s TV trivia tonight at Small Town Coffee”). Plugola. The programmer personally benefits from increased attendance at the event.
- Programmer directs listeners to her Web site for booking information (“If you want to book me for an upcoming gig, details are on my website”). Plugola. The programmer is blatantly promoting his or her personal business.
- Programmer is a waiter at a local restaurant. In his sign off, he tells the listeners he is going to work and if any listener wants to stop in, he’ll “treat you real nice.” While this might not be explicitly payola, the programmer is promoting his place of work and encouraging patronage with his promise of special service.
- Programmer is best friends with the bartender at a local bar. Each week, she mentions how much fun she has at the bar. Probably not meant to be payola, but mentioning the same business every week is promotional and should be avoided.
- Programmer is in a local band. When she reads the Community Calendar, she includes information on the band’s performance along with several other programs that night. This is perfectly acceptable. The programmer has simply provided information, giving no preference to her program or any of the other events mentioned.
- Programmer’s best friend from grade school now lives in Colorado and has released an album. The programmer personally gives the album to the music director with a recommendation. This is perfectly acceptable. The programmer is following proper procedure for submitting music.
- Programmer plays the same song by the same artist every week on her radio program. While probably not payola, that’s just bad radio.

### **DEFAMATION OF CHARACTER/SLANDER**

Defamation of character is “communication which exposes a person to hatred, ridicule, or contempt, lowers him in the esteem of his fellows, causes him to be shunned, or injured him in his business or calling.” Libel is the communication of such statements in a printed or fixed medium (including the KKCR website or facebook pages). Slander is the communication of such statements in a transitory or non-fixed medium, usually through oral (spoken) representation, such as making defaming remarks on the radio. The National Association of

Broadcasters' "FCC Rules and Policies for Radio" (2002) provides these examples of potentially defamatory statements:

- Accusing a person of professional incompetence or unethical business dealings.
- Accusing a person of a crime or past criminal record without verification.
- Attacking the honesty, virtue, temperance or truthfulness of a person.
- Calling someone, without verification, a liar or saying they have a drinking problem, a disease or a history of psychological problems.

Statements made against public figures need to be made with "actual malice," in which the speaker knew the information was false and would cause harm to the subject but broadcast it anyhow or acted with reckless disregard for the truth. Radio stations can also be charged with slander by re-broadcasting a defamatory statement made by someone else (such as in sound clip from a news story). The best defense against slander and libel is provable truth, so always double-check your facts.

#### **THE FCC'S PERSONAL ATTACK RULE**

If a broadcaster attacks the "honesty, character, or integrity" of an identified person or group while discussing a controversial issue of public importance, then that broadcaster must contact that person or group within a week, provide a script, tape, or accurate summary of the attack, and offer a reasonable opportunity to respond over the same station without charge. The FCC interprets the "personal" element of the rule strictly; attacks not going to personal character do not count (47 C.F.R. §§ 73.123, 73.300, 73.598, 73.679).

#### **FALSE INFORMATION/BROADCAST HOAXES**

It is illegal to knowingly broadcast false information about a crime or catastrophe, especially if such communications may cause substantial "public harm." Public harm includes direct and actual damages to people or property and the diversion of law enforcement or public health and safety authorities from their duties.

#### **OBSCENE, INDECENT AND PROFANE BROADCASTS**

Never broadcast obscene material. The FCC can levy a huge fine on KKCR and the programmer, or revoke KKCR's broadcast license. When in doubt, leave it out. **It is 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 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 at KKCR. Obscene material is not protected by the First Amendment and cannot be broadcast at any time. The Supreme Court has established that, to be obscene, material must meet a three-pronged test:

1. "The average person, applying contemporary community standards, would find that the work, taken as a whole, appeals to the prurient interest;

2. Whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law; and
3. Whether the work, taken as a whole, lacks serious literary, artistic, political, or scientific value” (Miller v. California, 1973).

### **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 to avoid its broadcast during times of the day when there is a reasonable risk 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 a.m. and 10 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.

**Note to KKCR programmers: With respect to the broadcast of obscene, indecent and profane material, KKCR will not air anything which could be construed to meet any of the above criteria. If a programmer is unsure or whether material is obscene or indecent, he or she should not air it. Although the FCC has established a “safe harbor” between the hours of 10 p.m. and 6 a.m. where broadcasters are allowed to air indecent material, KKCR does not recognize the safe harbor. This means that material broadcast on KKCR at 2 a.m. is subject to the same rules and regulations as material broadcast at 2 p.m.**

KKCR programmers are held responsible for all material broadcast during their programs. This includes what an announcer says on air, what his or her guests say on air, and the recorded music played during the program. Programmers who play music from CDs or other sources are responsible for ensuring the music is acceptable for broadcast.

FCC v. Pacifica Foundation (1978) identifies seven words specifically found to be actionably indecent. These words, collectively known as the “seven dirties” are shit, piss, fuck, cunt, cocksucker, motherfucker and tits. Broadcast of any of these words or their derivatives – at any time of day, in any context – are a violation of KKCR policy and the programmer responsible is subject to disciplinary action. Station policy also prohibits the broadcast of asshole, pussy, nigger/nigga and other slang terms used to degrade a person based on his or her race, color, religion, creed, sex, national origin, age, disability, veteran status, or sexual

orientation. **Public complaints need not be received for a programmer to be held in violation of this policy.**

### **RELIGIOUS BROADCASTING**

A broadcaster may not promote one religious belief over another, proselytize, or exhort others to embrace any particular religious point of view.

### **COMMERCIALISM AND UNDERWRITING**

KKCR is a non-commercial radio station. We are not permitted to carry commercial advertising. Programmers are permitted to promote non-profit events, but cannot mention prices unless ALL the proceeds of the event or sales of the product(s) go to KKCR. Free is a price, do not mention that something is free.

Programmers must play and log all underwriting announcements scheduled during their program. Underwriting is a significant portion of the station's revenue and is carefully regulated by the FCC. Announcements recognizing underwriting support are prerecorded. Failure to play the underwriting announcements during your program is grounds for disciplinary action. Programmers and volunteers receiving comments or questions regarding KKCR's underwriting should refer them to station management.

### **CALLS TO ACTION**

One of the major differences between a non-commercial station like KKCR and commercial stations is that we are prohibited by the FCC from issuing any calls to action. A call to action is when a programmer asks, urges, or suggests that the listener should perform some task that could result in a for-profit business making money. You should note that this rule does not apply to non-profit organizations. All donor announcements on KKCR should be in compliance with FCC regulations. If you suspect one is not, tell the general manager.

Calls to action include:

- Urging the listener to buy a record
- Urging the listener to go to a concert or performance
- Mentioning the price of a record or concert ticket, and
- Urging the listener to go to a certain store or club
- Urge listeners to support or oppose particular candidates for public office
- Supporting or opposing particular legislation pending before Congress or a state legislature. (This point is not quite absolute in that some limited amount of lobbying for legislation is allowed, particularly when it directly impacts KKCR.) The prohibition against supporting legislation applies to specific legislation, i.e., a bill. It does not prohibit us from issuing a general call, for example, for the government to do or not do something related to a social program or cause)
- Deliberately inciting listeners to violate the law in any way, including physically injuring someone or destroying property

Calls to action are especially important to watch when doing an in-studio interview with a band. You are allowed to give basic information about an event, but not directly tell listeners

to attend. Be sure to inform any on-air guests before they go on air. Below are examples of what does and does not constitute a call to action.

- *“This is the latest single from Apple Sauce.” – Legal. You are just pre-selling a song.*
- *“That was the Wood Brothers. Their new album comes out next Tuesday.” – Legal. You are only providing information.*
- *“That was Animal Dream. Their new album comes out next Tuesday and you should go buy it at Mountain Apple Records.” – Illegal on several levels. You are urging the listener to make a purchase, as well as mentioning a specific business.*
- *“That was Larry Rivera. He is playing tonight at Tree’s Lounge.” – Legal. Again, you are only providing information.*
- *“That was Makana. I saw him last week at Tahiti Nui and he was awesome.” – Legal. It is a myth you can never mention a business on the air. If you find yourself constantly mentioning a business, however, you are bordering on plugola.*
- *“I have Neil Young here with me in the studio. He is playing tonight at the Taro Patch and we have a pair of tickets to give away to the second caller.” – Legal. You are just doing a giveaway.*

So when can you issue a call to action? If you are referencing a non-profit organization, such as KKCR, then you can urge all you want. Even if the non-profit will financially benefit (i.e. “send your donations to the American Red Cross”), it is still legal. This is how we are allowed to run public service announcements that contain calls to action. If KKCR is listed as a co-sponsor of an event you must consider who the primary beneficiary is before issuing any calls to action. If it is KKCR, then go for it. If it is a for-profit business, then regular rules apply and you should avoid calls to action. If you are not sure if something is a non-profit, it is best to err on the side of caution.

Another thing you will want to file under “things not to say” is price information. Mentioning the price of a concert ticket, that a student discount exists or even that an event is free is all prohibited by the FCC. Free is still a price. While this applies more heavily to donor announcements, it is important to keep in mind for everyday broadcasting as well.

### **DIRTY LAUNDRY POLICY**

Airing dirty laundry, as it relates to Kaua`i Community Radio, is defined as disclosing or discussing, while on the air, sensitive operational or management information which, by its disclosure, could cause functioning of KKCR to be damaged or impeded. Do not broadcast complaints about the radio station, other volunteers, staff, board members, underwriters, PSAs, program content, specific community members, or other radio stations. Complaining or “airing dirty laundry” is considered substandard programming and only alienates our audience. A Programmer or guest may never air “dirty laundry.” Programmers may not use their programs to ask listeners to rally against station policies or procedures. Consider the effect upon listeners of airing complaints about the equipment or facilities, or of commenting negatively about staff, volunteers, events or policies. Such actions will be subject to

disciplinary action. Do not engage in any conduct harmful to KKCR. Please discuss all grievances with staff or the Kekahu Foundation Board of Directors. Violation of this policy can result in suspension of programmer or termination of program.

In the event of public concern regarding internal KKCR matters, separate programming, with a structured and fair format to be authorized and supervised directly by the general manager, may be produced.

If you are uncertain whether a topic of on air discussion falls within the scope of airing dirty laundry, or if your topic of discussion falls within a gray area that may be interpreted as a violation of the dirty laundry policy, it is your responsibility to discuss such topics with the General Manager at least 24 hours before airing your program.

### **DISCIPLINARY PROCEDURES AND PENALTIES**

KKCR regards violations of KKCR policies and violations of federal laws and regulations as a serious matter. KKCR also recognizes that volunteers sometimes make mistakes. Therefore, KKCR's disciplinary policy is generally one of progressive or corrective discipline, i.e., discipline and penalties gradually increase depending upon the severity and/or frequency of the infractions.

The General Manager (or his/her designee) is responsible for administering disciplinary action for both programming-related and non-programming-related violations of federal laws and regulations and Kekahu Foundation and KKCR policies, standards and guidelines. KKCR's disciplinary procedures and appeal process are described in Appendix C.

### **PROGRAMMER / PROGRAM REVIEW**

The primary purpose of programmer and program reviews is to provide feedback and additional training that will help programmers to provide the highest quality programming that meets all KKCR standards and guidelines. Reviews will factor into decisions about continuing or modifying programming, and will be used to determine for constructive discipline when needed.

All programmers and programs will be reviewed periodically (not less than annually, subject to availability of staff resources) and in addition, as needed in response to training needs, management concerns, listener complaints and/or programmer requests. Special emphasis will be given to reviewing talk/public affairs programmers and programs. New programmers and programs will also be reviewed within 30 days.

The review process will be conducted by the Volunteer Coordinator and the General Manager, using feedback and input from staff, the public, peers, Programming Committee members and self-evaluations. After compiling all input, the Volunteer Coordinator and the General Manager will meet with the programmer to discuss the input, provide feedback to the programmer, and mutually develop a plan of action, which will be signed by the programmer and placed into the programmer's file.

Each programmer must participate in his/her review. This includes the requirement to participate in self-evaluations, as determined by KKCR management. A programmer's refusal to fully participate in the review process can result in a programmer losing his/her programming privileges.

Peer review is also an important tool to assist programmers in improving their skills. Programmers are therefore encouraged to take the time to provide thoughtful, respectful, constructive reviews of other programmers and programs.

Listeners are actively solicited, through periodic PSAs and through additional announcements at the start and finish of public affairs programs, to provide feedback about programmers and programs by all methods (email, mail, phone call to KKCR's office, and on-line feedback forms and listener surveys available at [kkcr.org](http://kkcr.org)). All input from listeners and the general public is logged and filed.

## **APPENDIX A: KEKAHU FOUNDATION / KKCR CONFLICT RESOLUTION AND GRIEVANCE POLICY**

### **I. Positive Conflict Resolution**

The day-to-day operation of KKCR involves over 100 volunteers, staff and board members. Needless to say, people are not going to agree on everything or get along with each other all of the time. Conflict is an inevitable part of life. Often, conflict between people occurs because of the following:

- Miscommunication: making assumptions about what someone else has said, not checking what the other person actually said, or that the other person actually meant what he/she said.
- Reacting to a person rather than focusing on the person's behavior.
- Lack of clarity about what is appropriate behavior (both "what to do" and "how to do it").
- Unprofessional, rude, inconsiderate or disrespectful behavior.
- Violation of any station policies that affect others in a negative way.

The Kekahu Foundation (KF), and KKCR policies are guided by the core value of treating everyone with tolerance, dignity and respect. Every person affiliated with the KF and KKCR is therefore expected to exercise personal responsibility for courteous and respectful behavior to all people, including employees, volunteers, directors and visitors.

Many differences can best be worked out directly between the parties involved, and a great deal of hardship can be avoided by following the principles:

1. If you have a problem with a staff member, board member or another volunteer, the best thing to do is talk with that person about the problem. But first: try to understand the other person's point of view, and give the other person a chance to see yours. Focus on expressing yourself clearly rather than on being "right" or trying to change the other person's opinion. Try to "walk in the other person's shoes," keeping in mind that staff, board members and volunteers each see a different piece of KKCR and may need to consider factors of which the other person may not be aware.
2. When someone does something that you feel to be inappropriate, take the person aside (privately, not publicly) and describe to the person how what he/she said or did affected you. Do not attack the other person or accuse him/her: meeting fire with fire only creates more fire and more hard feelings.
3. It is best not to leave an incident unresolved for very long. It is also better that people be informed about inappropriate behavior sooner rather than later, so they can correct such behavior.
4. But if you cannot address a problem constructively at the moment, take some time out and make time with the person later when everyone is calmer.
5. Always seek to understand, remembering that no person can read another person's heart or mind.
6. If you need to vent or to discuss a problem with a third party, do so with someone who will listen objectively and help lead you to a solution. When venting is not done with

the intention of finding constructive solutions, it is simply destructive gossip, more about building your case rather than solving the problem.

The Positive Conflict Resolution process described above is voluntary, and use of the process is not a mandatory pre-condition to using the grievance procedures described below.

If a conflict has not been resolved using the Positive Conflict Resolution process, or if you do not feel that a conflict can be resolved using the guidance above, the Grievance Procedures described below should be followed.

## **II. The Role of KKCR's Grievance Procedures**

The KKCR Grievance Procedures are to be used in cases in which an employee or volunteer has a grievance (i.e., an actual or supposed circumstance regarded as just cause for complaint) with a volunteer, employee, management, or management policy or procedure, when such grievance has not been resolved through the normal channels of communication, including the KKCR Positive Conflict Resolution process described above. The KKCR Grievance Procedures can also be used in situations in which an employee or volunteer believes that existing KKCR policies or procedures do not adequately protect the employee's or volunteer's rights. General complaints that do not meet these criteria do not warrant use of the grievance process.

## **III. Informal Grievance/Suggestion Procedure**

Any volunteer or employee may, as an alternative to the Grievance Procedures described below, file a complaint, make a recommendation, or raise a concern related to any policies or the operation of the Kekahu Foundation and/or KKCR by submitting a written description of such complaint, recommendation or concern in the KKCR Suggestion Box. KKCR management and the Kekahu Foundation Board of Directors are committed to expeditiously considering such complaints, recommendations or concerns, and if the submittal is not anonymous, to providing a timely response to the person who submitted the complaint, recommendation or concern.

## **IV. KKCR Formal Grievance Procedures**

KKCR and the Kekahu Foundation are committed to the fair resolution of grievances and problems, and will make good faith efforts to do so expeditiously. But it must be understood that due to the extensive responsibilities associated with the real-time operation of KKCR, limited staffing, unavailability of staff or Board members, and reasonable expectations regarding time commitments by volunteers including Board members, KKCR management and KF Board members may not always be able to respond within the timelines stated below.

### **(A) If a Volunteer Has a Grievance with Another Volunteer**

1. First, the volunteer should try to follow KKCR's Positive Conflict Resolution process, as long as the volunteer feels comfortable in doing so. Talk the problem over with the other volunteer. Give yourselves a chance to work things out. Often a simple misunderstanding can be resolved if the two volunteers are clear about what they need and listen with respect to each other.

2. If the Positive Conflict Resolution process does not resolve the problem, the KKCR Volunteer Coordinator will act as mediator of the dispute. Speak with the Volunteer Coordinator or, if required to do so by time constraints, set up an appointment to discuss the problem with the Volunteer Coordinator. The Volunteer Coordinator may choose to mediate the dispute, facilitate a mediation meeting with the parties who are involved in the dispute, or to direct the issue to the KKCR General Manager. In any case, the Volunteer Coordinator will make a good faith effort to provide a response to the aggrieved volunteer within 5 working days.
3. If the Volunteer Coordinator chooses to set up a mediation session, each of the volunteers involved in the dispute may choose to have another KKCR volunteer (an "advocate") accompany and assist the volunteer. An advocate may help to describe the situation less emotionally and may also provide "another set of ears," hearing the situation described differently and thus shedding additional light on the problem.
4. If mediation does not produce a satisfactory resolution to the problem, the aggrieved party may file with the KKCR General Manager, within 5 working days of the mediation, a written description of his/her grievance. Each of the other parties involved in the dispute may file a written response within 5 working days of the filing of the first document. Subject to his/her availability, the General Manager will make a good faith effort to provide a decision and respond to the involved parties within 5 working days of the deadline for the receipt of the final documents that are filed.
5. If the Volunteer Coordinator initially refers the dispute directly to the General Manager, the General Manager will make a good faith effort to resolve the matter and respond to the involved parties within 5 working days.
6. If a party disagrees with the General Manager's decision, the party may file a written appeal to the Chairperson of the Kekahu Foundation Board of Directors within 5 working days of the General Manager's decision. Each of the other parties involved in the dispute may file a written response within 5 working days of the filing of the first document. The Chairperson, with the assistance of the Personnel Committee of the Board of Directors if the Chairperson so chooses, will make a good faith effort to review all evidence and respond to the appeal within 10 working days of the deadline for the receipt of the final documents that are filed. The Chairperson's response may be to decline to act upon the appeal, to affirm the General Manager's decision, or to modify the General Manager's decision.
7. If any party is not satisfied with the Chairperson's response, that party may make a final written appeal to the Board of Directors of the Kekahu Foundation within ten working days of the Chairperson's action; however, the Board may or may not act upon the appeal, at its own discretion. If the Board chooses to act upon the appeal, it will make a good faith effort to conduct a hearing, to be held in executive (closed) session, within 20 working days of its decision to act upon the appeal, at which the Board will hear testimony from all sides. The Board's decision will be final.

(B) If a Volunteer Has a Grievance with an Employee or with KKCR Management Policy

1. First, where possible, the volunteer should try to follow KKCR's Positive Conflict Resolution process, as long as the volunteer feels comfortable in doing so. Talk the problem over with the KKCR employee involved in the dispute. Alternatively, talk the problem over with the Volunteer Coordinator. If that does not resolve the problem,

then, consistent with the Positive Conflict Resolution process, talk the problem over with the KKCR General Manager.

2. If the Positive Conflict Resolution process does not resolve the problem, the General Manager will act as mediator of the dispute. Subject to his/her availability, the General Manager will make a good faith effort to mediate the problem within 5 working days.
3. If mediation fails to resolve the dispute, the General Manager will act as arbitrator of the dispute. In an arbitration meeting, each of the parties involved in the dispute may choose to have another KKCR volunteer or employee (an "advocate") accompany and assist the party. An advocate may help to describe the situation less emotionally and may also provide "another set of ears," hearing the situation described differently and thus shedding additional light on the problem. [Note: if the volunteer's grievance is with the General Manager, Step 3 of the process may be bypassed, at the volunteer's discretion.] The General Manager will make a good faith effort to resolve the matter and respond to the involved parties within 5 working days.
4. If a party disagrees with the General Manager's decision, the party may file a written appeal to the Chairperson of the Kekahu Foundation Board of Directors within 5 working days of the General Manager's decision. [Note: if the volunteer's grievance is with the General Manager and Step 3 of the process is bypassed, the volunteer should file his/her written appeal to the Chairperson within 5 working days of the completion of Step 1 of the process.] Each of the other parties involved in the dispute may file a written response within 5 working days of the filing of the first document. The Chairperson, with the assistance of the Personnel Committee of the Board of Directors if the Chairperson so chooses, will make a good faith effort to review all evidence and respond to the appeal within 10 working days of the deadline for the receipt of the final documents that are filed. The Chairperson's response may be to affirm or modify the General Manager's decision (or in cases in which Step 3 of the process is bypassed, to issue his/her own decision).
5. If any party is not satisfied with the Chairperson's response, that party may make a final written appeal to the Board of Directors of the Kekahu Foundation within ten working days of the Chairperson's action; however, the Board may or may not act upon the appeal, at its own discretion. If the Board chooses to act upon the appeal, it will make a good faith effort to conduct a hearing, to be held in executive (closed) session, within 20 working days of its decision to act upon the appeal, at which the Board will hear testimony from all sides. The Board's decision will be final.

(C) If an Employee Has a Grievance with a Volunteer, an Employee other than the General Manager, or with KKCR Management Policy

1. First, where possible, the employee should try to follow KKCR's Positive Conflict Resolution process, as long as the employee feels comfortable in doing so. Talk the problem over with the other volunteer(s) or employee(s) involved in the dispute. Give yourself a chance to work it out. Often a simple misunderstanding will be resolved if the two parties are clear about what they need and listen with respect to each other. If that does not resolve the problem, then, consistent with the Positive Conflict Resolution process, talk the problem over with the KKCR General Manager

2. If the Positive Conflict Resolution process does not resolve the problem, the General Manager will act as mediator of the dispute. Subject to his/her availability, the General Manager will make a good faith effort to mediate the problem within 5 working days.
3. If mediation fails to resolve the problem, the General Manager will act as arbitrator of the dispute. The aggrieved party may file with the KKCR General Manager, within 10 working days of the event that prompted the grievance, a written description of his/her grievance. Each of the other parties involved in the dispute may file a written response within 5 working days of the filing of the first document. Subject to his/her availability, the General Manager will make a good faith effort to provide a decision and respond to the involved parties within 5 working days of the deadline for the receipt of the final documents that are filed.
4. If a party disagrees with the General Manager's decision, the party may file a written appeal to the Chairperson of the Kekahu Foundation Board of Directors within 5 working days of the General Manager's decision. Each of the other parties involved in the dispute may file a written response within 5 working days of the filing of the first document. The Chairperson will make a good faith effort to review all evidence and respond to the appeal within 10 working days of the deadline for the receipt of the final documents that are filed. The Chairperson's response may be to affirm or modify the General Manager's decision.
5. If any party is not satisfied with the Chairperson's response, that party may make a final written appeal to the Board of Directors of the Kekahu Foundation within ten working days of the Chairperson's action; however, the Board may or may not act upon the appeal, at its own discretion. If the Board chooses to act upon the appeal, it will make a good faith effort to conduct a hearing, to be held in executive (closed) session, within 20 working days of its decision to act upon the appeal, at which the Board will hear testimony from all sides. The Board's decision will be final.

(D) If an Employee Has a Grievance with the General Manager

1. First, where possible, the employee(s) should try to follow KKCR's Positive Conflict Resolution process by talking the problem over with the General Manager, as long as the employee(s) are comfortable in doing so.
2. If the Positive Conflict Resolution process does not resolve the problem, the aggrieved employee(s) may request a meeting with the Chairperson of the Kekahu Foundation Board of Directors. The Chairperson will make a good faith effort to meet with the aggrieved employee(s) within 10 working days of the request. After discussion of the problem, the Chairperson may attempt to mediate the grievance within 10 working days or may refer the matter to the Personnel Committee of the Board of Directors within 5 working days.
3. If the Chairperson refers the matter to the Personnel Committee, the Personnel Committee may choose to act as arbitrator of the grievance or may choose to seek outside mediation, arbitration or legal counsel to help resolve the grievance. If outside mediators, arbitrators or legal counsel are sought, the timelines and procedures will be those appropriate to the use of such outside personnel. If the Personnel Committee chooses to act as arbitrator, the aggrieved employee(s) shall file with the Personnel Committee a written description and evidence related to the grievance within 5

working days of the Personnel Committee's decision to arbitrate. Each of the other parties involved in the dispute may file a written response within 5 working days of the filing of the first document. The Personnel Committee will make a good faith effort to review all evidence and act upon the matter within 10 working days of the deadline for the receipt of the final documents that are filed. Such action may include a request for additional information, a decision on the matter at hand, a decision to seek outside counsel or advice, or other actions. The Personnel Committee's decision may in certain instances require the approval of the Board of Directors of the Kekahu Foundation.

4. If any party is not satisfied with the Chairperson's mediation or with the Personnel Committee's final action (whichever is applicable to the case at hand), that party may make a final written appeal to the Board of Directors of the Kekahu Foundation within ten working days of the Chairperson's mediation or the Personnel Committee's action; however, the Board may or may not act upon the appeal, at its own discretion. If the Board chooses to act upon the appeal, it will make a good faith effort to conduct a hearing within 20 working days of its decision to act upon the appeal, to be held in executive (closed) session, at which the Board will hear testimony from all sides. The Board's decision will be final.

#### (E) Reprimands and Disciplinary Actions

The General Manager shall inform the Chair of the Personnel Committee of the Kekahu Foundation Board of Directors regarding any formal reprimands issued or disciplinary actions undertaken by the General Manager with regard to volunteers or employees.

The General Manager should consult with the Personnel Committee prior to undertaking serious disciplinary actions. Members of the Personnel Committee shall be available to assist the General Manager in undertaking such actions.

A volunteer or employee may appeal the issuance of a reprimand by presenting a written appeal to the Personnel Committee within thirty days of the issuance of the reprimand.

#### (F) Record-Keeping

The Personnel Committee of the Kekahu Foundation Board of Directors shall maintain, for a period of at least 5 years, complete files on all grievance matters that come before the Committee. All grievance matters are to be treated as highly confidential and dealt with accordingly.

## **APPENDIX B: KKCR PROGRAMMING STANDARDS, GUIDELINES AND GUIDANCE**

In addition to technical and legal standards, all KKCR programming must meet the following standards and strive to abide by the following guidelines.

These standards and guidelines should guide programmers in preparing and conducting their programs. They will be used in programmer training, review and evaluation, and discipline. None of the standards or guidelines is intended to limit the *content* of any programming. They apply to *how*, not *what*, material is presented.

### **A. Standards Applicable to All Programming**

- a) The spirit of all of KKCR's programs (KKCR's "voice") must be consistent with KKCR's Mission and Values.
- b) Programmers must ensure that the contents of their programs are consistent with their approved program proposals.
- c) All KKCR programming must comply with all FCC and CPB rules related to political and religious proselytization.
- d) Respect<sup>1</sup> for all must be at the core of every program. All programming must be characterized by civility, respect and tolerance for all people, all ideas and all points of view, verbal non-violence, and integrity and accuracy of content.
  - i. Verbal non-violence is the standard for all programming: programming should encourage thoughtful consideration rather than attempt to provoke outrage; it should not use inflammatory or culturally insensitive language, terms or labels, or "hot button" slogans; it should not deliberately incite anger or resentment; it should not attack or insult individuals, groups or cultures; and it should never incite hate, intolerance, or religious or cultural bigotry.
  - ii. The hosts of programs are responsible for creating an environment that encourages their guests and callers to meet the same standards of civility, respect, calm discussion and verbal non-violence that are expected of the hosts. They are responsible for educating their guests and callers of their obligations to participate in a respectful dialogue.
  - iii. The hosts of programs are responsible for conducting their programs in a manner that strives to achieve a productive dialogue, with the goal that all contributing voices feel heard and respected. They are responsible for screening and/or cutting off guests or callers who do not meet KKCR's verbal non-violence standards, as well as for not allowing endless rambling or rants by callers.

<sup>1</sup> Note: "respect" and "respectful" are used in the sense of "courteous, polite, and treating with civility and dignity," not in the sense of "showing admiration or esteem."

## **B. Guidelines Applicable to All Programming**

- a) KKCR's audience is the entire community, and all programming should strive to be respectful of community values.
- b) KKCR, KKCR's staff and programmers, and KKCR's programming should strive to create an environment in which the expression of diverse views is encouraged and in which all views are treated with dignity.
- c) Programmers should strive to ensure that their programming is high quality. They must be prepared for their programs.

## **C. Additional Guidelines Applicable to Public Affairs Programming**

In addition to the standards and guidelines in Sections A and B:

- a) Programming should inform and educate.
- b) Programming should strive for objectivity, as follows:
  - i. Programming should strive for thoughtful, rational discussion rather than sensationalism. It should strive for reasoned dialogue rather than venting.
  - ii. Programs should attempt to fairly convey all sides of an issue that is under discussion. Programmers are expected to strive for balanced discussion and to moderate discussions fairly, rather than to promote personal, political or religious agendas.
  - iii. Programmers should probe and question rather than give credence to rumor, biased or partisan sources, or statements of questionable accuracy. They should not contribute to the spreading of disinformation. They should strive to clearly separate fact from opinion. Where "facts" are cited, it is desirable to cite the source of such material.
- c) In addition to the above, for news programming:
  - i. The distinction between opinion and news programming must be made clear, both in program proposals and in actual operation.
  - ii. Hosts of news programs should not editorialize or promote their personal agendas or politics.
  - iii. Content should come from credible sources. Programs that discuss science or present materials as factual should cite the sources of materials.

## **D. Additional Guidelines Applicable to All Music Programming**

In addition to the standards and guidelines in Sections A and B:

- a) Consistent with the approved proposals for music programs, programmers should play songs that express their personal or political point of view, rather than verbally express those points of view during their programs. (Programmers who wish to make commentary part of their programs must state that in their original or revised program proposal.)
- b) To the extent that commentary is part of music programming, the guidelines in Section C also apply to such programming.

## **E. Additional Guidance for Call-In Programming**

KKCR's call-in programming provides unique and important opportunities for community members to connect, inform, react, and collaborate. As host of a call-in program, you are providing a critical service to the members of our remote island community.

### **a) Host Responsibilities**

- DISSEMINATE information.
- FACILITATE communication.
- INVITE participation.
- ENCOURAGE interaction.
- MAINTAIN control.

### **b) The Forum**

- Must remain RESPECTFUL and OPEN.
- The DISCLAIMER provides you with the freedom to explore a variety of topics and perspectives.

### **c) Call-In Responsibilities**

Taking phone calls live allows us to encourage community participation. Ultimately, the host has the power over the caller, and thus should use that power to be fair and inclusive.

\*\*If you are off air, take only as much information as needed. Ask only who they are and where they're calling from, and if they'd like to let the host know what topic they're calling on. (For example, "Do you want to comment on another call, to mention a website pertinent to the discussion?, etc.)

Take calls even if the host may personally disagree with the caller. Encourage a diversity of voices in discussions. Treat callers politely. Be courteous as possible to callers. Do not attack callers after they're off the air.

### **d) Call-in Rights of Programmers**

- To remove callers who violate basic guidelines (see below).
- To determine the order of callers as appropriate for the program. This includes encouraging gender parity, holding regular callers for new callers, and moving up long-distance calls in priority. One may not leave a caller on hold because of their opinions, but may if the programmer reasonably believes the caller may disrupt the program.
- To manage callers on air only in the interests of broadcast continuity. This means a host is allowed to remind a caller going off topic to speak on the program's topic.
- To regulate calls fairly. Those callers who violate specific call policies should be given a warning and only sanctioned after subsequent violations.

### **e) Basic Guidelines for Disallowing Callers:**

- Ad hominem attacks arguing against a person's identity or character, rather than using evidence or arguments, are not permitted. Programmers should discourage them.
- Repeating the same points already made, rather than adding to the conversation.
- FCC-regulated profanity or other violations of federal guidelines (e.g. indecency).

- Comments that violate the KKCR Mission, Programming Standards and Guidelines, or Rules of Conduct.
- Getting on the air under false pretenses (such as making up one's name).
- Making a speech instead of having a conversation, or using the topic as a pretext for discussing something else. In this respect, the host judges.

After the caller is removed, the host should explain that the caller was removed, the guidelines covering such issues, and if there are questions, contact a staff member.

**f) Remember:**

- Always comply with station & FCC guidelines – you must ensure your guests and callers are also aware of the broadcast parameters. It's not OK for an ill-informed or irate guest to jeopardize KKCR's broadcast license.
- Never preach, condemn, ridicule, slander.
- Always strive to be fair, accurate, balanced. You don't have to agree with all perspectives, but you do have to allow all perspectives to be expressed.
- Never criticize callers or guests. Focus on the person's opinions/perspectives, not the person.
- Ask concise and relevant questions.
- Encourage callers / guests to express diverse opinions / perspectives.
- Always thank callers / guests for their input (whether or not you agree with them).
- Avoid interruptions, except as needed to meet Standard A(d)(iii) above.
- If pre-recording an interview, conduct it as if you're broadcasting live.

**g) When Things Go Bad:**

- If a guest or caller is disrespectful or slanderous, pull down her/his mic. You must maintain control. Use your common sense to determine if an opinion is appropriate.
- Remind listeners that they are welcome to express their opinions as long as they comply with station rules and remain respectful.
- If the discussion disintegrates or you lose control, pull down all mics and fire music while you re-group and regain control and focus.

**h) Guests:**

- KKCR Management reserves the right to pre-empt programming and schedule special guests during any program.
- Keep staff informed about guests: Email information to gm@kkcr.org for posting on KKCR's facebook and/or kkcr.org.

## **APPENDIX C: KKCR DISCIPLINARY PROCEDURES AND APPEAL PROCESS**

### Progressive, Corrective Discipline

Disciplinary actions generally progress from verbal warning with written notation in the volunteer's file, to written reprimand or warning of further disciplinary action, to suspension of a volunteer and/or program, to termination of the volunteer and/or program. However, based on individual circumstances (including the severity of the offense, mitigating circumstances, and previous infractions), the General Manager (or his/her designee) has the authority to institute disciplinary actions and impose penalties at any level, provided that those actions and penalties are not unduly discriminatory, arbitrary or harsh, illegal, or in conflict with the Kekahu Foundation's mission or goals.

Violations of "zero tolerance" standards (such as violations of KKCR's verbal nonviolence standards, or other serious infractions (such as or actions that might threaten KKCR's license), can warrant immediate suspension or termination, as appropriate.

### Procedure

In general, prior to determining the appropriate action (if any) to be taken, the General Manager (or his/her designee) will:

- Investigate facts surrounding the cause for possible disciplinary action;
- Meet with the volunteer to inform the volunteer of the specific problem and discuss the volunteer's action(s) that may be cause for discipline;
- Where appropriate, discuss with the volunteer how behavior can be improved and what is expected;
- Where appropriate, warn the volunteer that failure to correct behavior will result in further disciplinary action;
- If disciplinary action is warranted, take and document disciplinary action;
- Allow the volunteer to submit a letter into the volunteer's file, regarding the volunteer's view of the problem and/or action.

However, if the General Manager (or his/her designee) feels it would be in the best interest of KKCR and/or the Kekahu Foundation, the General Manager (or his/her designee) may suspend a volunteer/program for a reasonable length of time while conducting an investigation of the circumstances related to a possible infraction or violation.

### Documentation

All disciplinary actions and reprimands will be fully documented in the volunteer's file. Documentation should generally include: a statement of the problem including specific reasons for the warning, reprimand or disciplinary action; a summary of previous discussions and/or discipline, if any; a summary of what corrective action (if any) is expected of the volunteer; and a warning that failure to correct behavior will result in further disciplinary action, up to and including discharge/termination; and/or reasons for suspension or termination.

The General Manager (or his/her designee) will inform the Chair of the Personnel Committee of the Kekahu Foundation Board of Directors regarding any formal reprimands issued or disciplinary actions undertaken by the General Manager (or his/her designee) with regard to a volunteer.

### Appeal

If a volunteer believes that a formal reprimand, disciplinary procedure or penalty was unduly discriminatory, arbitrary or harsh, illegal, or in conflict with the Kekahu Foundation's mission/goals, the volunteer may appeal the issuance of the reprimand, procedure or penalty by presenting a written appeal to the Personnel Committee of the Kekahu Foundation Board of Directors within thirty days of the reprimand, procedure or penalty.

The Personnel Committee shall first determine whether it believes that the grievance meets the following threshold criterion for further action: that it is reasonably possible that the formal reprimand, disciplinary procedure or penalty might have been unduly discriminatory, arbitrary or harsh, illegal, or in conflict with the Kekahu Foundation's mission/goals.

If the Personnel Committee believes that the threshold criterion has not been met, the Personnel Committee will so notify the volunteer, who may make a final written appeal to the Board of Directors of the Kekahu Foundation within ten working days of the Personnel Committee's notification.

If the Personnel Committee believes that the threshold criterion may have been met, the Personnel Committee may choose to act as arbitrator of the grievance or may choose to seek outside mediation, arbitration or legal counsel to help resolve the grievance. If outside mediators, arbitrators or legal counsel are sought, the timelines and procedures will be those appropriate to the use of such outside personnel.

If the Personnel Committee chooses to act as arbitrator, the aggrieved volunteer shall file with the Personnel Committee a written description and evidence related to the grievance within 5 working days of the Personnel Committee's decision to arbitrate.

The General Manager (or his/her designee) shall file a written response within 5 working days of the filing of the first document. The Personnel Committee will make a good faith effort to review all evidence and act upon the matter within 10 working days of the deadline for the receipt of the final documents that are filed. Such action may include a request for additional information, a decision on the matter at hand, a decision to seek outside counsel or advice, or other actions. The Personnel Committee's decision may in certain instances require the approval of the Board of Directors of the Kekahu Foundation.

If the aggrieved volunteer is not satisfied with the Personnel Committee's final action, the programmer may make a final written appeal to the Board of Directors of the Kekahu Foundation within ten working days of the Personnel Committee's action; however, the Board may or may not act upon the appeal, at its own discretion. If the Board chooses to act upon the appeal, it will make a good faith effort to conduct a hearing within 20 working days of its decision to act upon the appeal, to be held in executive (closed) session, at which the Board will hear testimony from all sides. The Board will provide written notification of its decision to the volunteer. The Board's decision will be final.

The Personnel Committee of the Kekahu Foundation Board of Directors shall maintain, for a period of at least 5 years, complete files on all grievance matters that come before the Personnel Committee or the Board of Directors.

Confidentiality

All disciplinary and grievance matters will be treated as confidential and dealt with accordingly. Nonetheless, prior to, during, or after taking disciplinary action, the General Manager (or his/her designee) may discuss the matter with the Chairperson of the Kekahu Foundation, the Personnel Committee of the Kekahu Foundation Board of Directors, and/or other parties whose participation might be warranted.

**APPENDIX D:**

**KEKAHU FOUNDATION BOARD OF DIRECTORS  
and COMMUNITY ADVISORY BOARD**

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