

KBOO Radio Policy	Cannabis-related Underwriting and Fundraising Policy	Rev. Date: 3-28-17
POLICY #73		Approved by: KBOO Board of Directors

Executive Summary

After extensive research, consultations with other stations throughout the country, and careful review of state issues, it is the recommendation of Staff that we add the following policies to allow limited program underwriting and donor acknowledgment of cannabis-related businesses and organizations.

While many stations are not yet accepting this kind of support, we would by no means be the first to do so; there are commercial and noncommercial stations--radio and television--in every state with approved medical or recreational cannabis who are accepting underwriting and working with cannabis-related businesses on station development and fundraising. The FCC has taken no action.

Regarding building membership matching funds during membership drives and other development activities, it should be noted that stations engaged in direct fundraising efforts (eg membership drives) are given wide latitude by the FCC to promote gifts donated by for-profit entities (eg premiums) for the purpose of increasing membership as well as acknowledging those donors, so long as it is done in a manner consistent with FCC regulations. Regarding acknowledging donors through online methods, The FCC does not regulate the internet nor the online content of FCC licensed broadcasters.

The state’s cannabis regulation agency--the Oregon Liquor Control Commission (OLCC)--has required broadcasters to make a good faith effort to prevent mentions involving cannabis when 30% or more of the audience can reasonably be expected to be under the age of 21. The FCC established “Safe Harbor” as a time that broadcasters may reasonably expect that young people do not constitute the majority of listeners and, for the time being, KBOO shall restrict underwriting from cannabis-related businesses and organizations to those hours. It should be noted that as we become able to definitively demonstrate additional hours that pose no threat of violation we will seek to expand those hours.

1. Fundraising

Fundraising, for the purpose of this policy, refers to accepting cash and in-kind donations for the direct benefit of the station which are not designated as membership or underwriting revenue. KBOO solicits and accepts gifts that are consistent with its mission and that support its core programs as well as special projects. Fundraising venues include, but are not limited to, accepting major gifts of cash for the purpose of building a match for on-air membership drives.

KBOO accepts gifts of this kind on the basis that the primary benefit is to the station rather than the donor. Gifts that name KBOO as trustee or requiring KBOO to act in any fiduciary capacity require the approval of the Executive Committee of the Board of Directors.

When accepting gifts of this kind, it is KBOO’s policy to offer donors the opportunity to have their name mentioned over the air or otherwise receive recognition for their donation. KBOO will extend this opportunity to donating cannabis-related businesses, provided they can demonstrate their compliance with OLCC regulations as license-holders (in the case of dispensaries, growers, etc.) or are registered non-profit cannabis advocacy organizations. Additionally, KBOO reserves the right to make mention of gifts made by the above mentioned entities in our social media and other online platforms.

As in the case of donations of alcohol, KBOO will not accept in-kind gifts from cannabis-related businesses, but will accept gift certificates.

2. Underwriting

For the purpose of this policy, underwriting refers to specific program support by individuals, businesses, and organizations, in the form of cash and in-kind goods or services, for which contributors (“underwriters”) receive approved on-air underwriting recognition.

1. KBOO may accept underwriting from authorized cannabis-related businesses and organizations during “Safe Harbor” (10:00pm - 6:00am).
2. KBOO may accept advertising revenue from cannabis-related businesses and organizations through our online avenues, including but not limited to:
 - a. banner ads on our website
 - b. graphics on our mobile app
 - c. interstitials on our webstream
 - d. mentions on our social media
3. All cannabis-related underwriting will comply with KBOO’s established restrictions on underwriting contributions, and KBOO shall not knowingly accept funds from individuals, organizations, or businesses which:
 - a. are involved in weapons manufacturing;
 - b. make investments in repressive governments (other than the United States);
 - c. have been shown to discriminate on the basis of race, color, gender, sexual preference, national origin, age, religion, marital status, or physical or mental disability;
 - d. have been shown to tolerate sexual harassment;
 - e. have been shown to use unfair labor practices;
 - f. have been shown to be environmentally irresponsible;
 - g. produce or distribute materials deemed offensive on the grounds listed above; or
 - h. KBOO’s Board of Directors determines would be detrimental to the social responsibilities of the station.
 - i. Additionally, KBOO shall not accept underwriting from religious organizations or political candidates.

Underwriter agrees that Underwriter’s support of Station, regardless of level or duration, shall not give Underwriter any right to directly or indirectly influence program selection or content or Station policy on any matter. Any attempt by Underwriter to influence programming based on advertiser’s financial support shall be grounds for terminating underwriting agreement.

4. Pending the acquisition of up-to-date listener demographics, this policy may be revised to expand allowable hours for cannabis-related underwriting.