



Constitution
CKRK-FM, Kahnawake Broadcasting Services

CONSTITUTION OF THE CKRK-FM BROADCASTING SERVICES

PURPOSE: To promote a better understanding of Kanien'keha:ka identity within the community of Kahnawa:ke and the community at large by providing meaningful, culturally entertaining programming and promoting Mohawk Language.

WHEREAS the CKRK – Kahnawa:ke Broadcasting Services, hereinafter referred to as K103, whose purpose is to provide a public educational forum for the promotion of community events and issues, to educate the community by providing culturally entertaining programming showcasing the Mohawk Language.

WHEREAS CKRK- Kahnawa:ke Broadcasting Services is located with the Mohawk Territory of Kahnawa:ke and whose operation is confirmed by the Mohawk Council of Kahnawa:ke governing body through resolution (# ____).

WHEREAS the CKRK FM Broadcasting Services (K103) Constitution now requires further amendment to better service the management and governance needs of the station, while promoting trust and accountability to the community of Kahnawa:ke

CKRK-FM KAHNAWAKE BROADCASTING SERVICES BOARD OF DIRECTORS

It is hereby confirmed that there is a Board of Directors in place to oversee and assist K103 to achieve their goals in providing essential services to the community of Kahnawa:ke, to which it is accountable.

MANDATE

The K103 Board of Directors is mandated with the authority to govern the affairs of K103 in a manner that is consistent with this constitution, its By-Laws and the interest of the community.

RESPONSIBILITIES, DUTIES AND POWERS OF THE BOARD OF DIRECTORS

The K103 Board of Directors is the governing body for K103 Mohawk Radio in Kahnawa:ke and is empowered with the following responsibilities. The Board has the full power and authority to govern the affairs of K103 in a manner that is consistent with this Constitution and By-Laws, and in the best interest of the community of Kahnawa:ke.

1. Establish effective policies and guidelines for the management and administration of the radio station;
2. Provide direction to the K103 Station Manager, and monitor his/her performance;
3. Ensure sufficient radio programming content promotes the Mohawk language and culture;
4. Ensure reporting mechanisms are established between management and the Board
5. Define, through consultation, the station's vision, mission and values;
6. Ensure staff are adequately trained to perform their duties and, when required, are provided with essential training opportunities;
7. Provide responsible financial oversight by managing resources effectively by implementing budgets, internal controls and accountability mechanisms;

8. Perform an annual self-assessment of the Board operation to identify strengths and weaknesses through an organizational and strategic planning session that will address financial and or administrative deficits and promote strengths to the community;
9. Ensure an auditor, or auditors, is appointed for the purpose of auditing and verifying the accounts of K103 and to make funding available for the service; the Board shall oversee the hiring of the auditor(s) and make auditor's statement available for viewing by community members via appointment;
10. Ensure the community is formally surveyed every three years on the content broadcasted by K103;
11. Ensure K103 Employee Personnel Policy is up to date, and that staff compensation and benefits are fairly evaluated in light of current laws and regulations;
12. The Board of Directors, from among its members, will choose those who will have the authority to sign cheques for K103 Radio;
13. A more detailed list of by-laws, guidelines and guiding principles of the Board of Directors is included in the document entitled "Responsibilities of the Board of Directors."

BUDGETARY ADMINISTRATION AND FINANCIAL ACCOUNTABILITY

The Station Manager of K103 will submit quarterly formatted budgets to the Board of Directors. The formatted budgets will contain:

- a) All Revenue received, from the last quarterly report;
- b) Operational costs, including administrative expenditures and total overhead costs

The K103 Board of Directors has the authority to appoint a member to witness and verify weekly Radio Bingo Revenue.

BOARD COMPOSITION

The K103 Board of Directors consists of five (5) community members.

QUALIFICATIONS TO BE A BOARD MEMBER

- a) Must be a Mohawk of Kahnawa:ke in accordance with the Kanien'keha:ka Mohawk Registry;
- b) Be a minimum age of Twenty-one (21) years;
- c) Demonstrates an interest in the well-being of the community of Kahnawa:ke

DISQUALIFICATIONS OF A BOARD MEMBER

- a) A paid employee of the K103 Radio station;
- b) Former employees or Board Members who have left the organization in bad standing shall not be eligible to serve on the Board of Directors for a period of three (3) years. For the purposes of this Constitution, "Bad Standing" refers to a person who has been terminated, or has left K103 without adequate approved notification. After three (3) years such an individual may apply to rectify or nullify his/her "Bad Standing" by providing a Letter of Intent addressed to the Board of Directors for a decision.

BOARD GOVERNANCE

The members of the Board shall elect a Chair at the Board's first meeting after each election. The Board also will elect a Vice-Chair at the first meeting after each election. The Vice-Chair shall act as the Chair if the Chair is absent or if the Chair's position is vacant.

The Board shall not hold less than ten (10) meetings per calendar year, set by date, time and location for the calendar year by the Chair.

A majority of the members of the board will constitute a quorum. All decisions are to be taken by at least three (3) members present at a duly convened meeting of the Board.

The Board shall establish its own rules and procedures in performing its duties (formatted as policy and passed via resolution)

All transactions relative to the station and its operations will be conducted by the Board of Directors via the Station Manager. Under no circumstances shall a Board member act in a manner contrary to this clause unless by clear agreement between the Board and the Station Manager.

In order to protect the integrity of the processes included herein, the Board will create the position of Ombudsperson. The Ombudsperson can be engaged should there be a dispute between the Board of Directors and the Station Manager based on matters of interpretation of this *Constitution* or the *Responsibilities of the Board of Directors* and the station's by-law's and/or policies.

AD HOC COMMITTEE

The Board may set up AD HOC committees as needed. Ad Hoc committee consisting of the Board Members and/or specialized resource people may be appointed by resolution of the Board of Directors, with such powers and authority as designated by the Board, Committee members will determine their own procedures for the meeting.

BY-LAWS

The K103 Board of Directors may adopt By-Laws consistent with this Constitution.

The By-Laws may be amended and/or further developed by a majority vote of the Board of Directors, and voted on at any meeting, provided written notice of said proposed amendments has been distributed by the Secretary to each Board Member at least thirty (30) days of the date which the amendment is to be considered.

This Constitution is a public document and, as such, shall always remain available to the community. It shall be posted permanently on the CKRK-FM website. Any amendments to this Constitution proposed by the Board of Directors must be posted on the CKRK-FM website for a minimum of thirty (30) days to be considered. Additionally, the community must be informed regarding any proposed amendments to this Constitution by broadcasting an advertisement outlining the proposal(s) a minimum of six (6) times per day at regular intervals between the hours of 6 am and 12 midnight during the same thirty (30) day period. Community members can make comments or offer feedback by visiting www.k103radio.com/board, by letter to P.O. Box 1050 or by email to the Station Manager.

At no time can the Board of Directors amend this Constitution without informing the community of its

intentions. Any such actions will be deemed a breach of public trust.

TERM OF OFFICE

Each Board Member will serve a minimum of a two (2) year term. Termination of their period will coincide with the date of the Election.

ELECTION OF COMMUNITY REPRESENTATIVES

The Board of Directors shall have community members who have met all criteria, who are elected by nomination and secret ballot voting every two (2) years.

An Electoral Officer will be contracted by the Station Manager with input from the Board of Directors to conduct nominations and elections.

The Board Members shall serve a two (2) year term.

NOTICE OF ELECTIONS

Notices shall be posted in all major establishments throughout the community. Elections will be held within thirty (30) days after posting, at a time and place designated by the Electoral Committee/Officer.

VOTING

Only Board Members shall have the right to vote at any general or special meeting of the Members of the Board, or to hold office of Chairperson, Vice-Chairperson, and Secretary/Treasurer.

REMUNERATION

No Board Member shall receive any remuneration for acting in such capacity, unless otherwise decided by the Board.

INDEMNIFICATION

Each Board Member, his/her heirs, executors and administrators will not be held responsible for any costs, charges and expenses that may arise from any legal proceedings in the course of execution of his/her duties as a Board Member, unless these are brought about through his/her own willful neglect or default.

RESIGNATION/DISMISSAL OF BOARD MEMBERS

Resignation

A Board member may resign by submitting a letter of resignation addressed to the Board of Directors.

Upon resignation of a community representative, the Board may appoint an Electoral Officer to conduct a by-election to fill the vacancy should there be more than one (1) year left on their term, should the number of Board Members be less than three (3).

The appointment/election of the new representative as a Board Member shall take effect as soon as the Secretary of the Board has been given written notice of the appointment of the term of office to the Board.

Dismissal

A Board Member may be removed for just reason in alliance with the code of ethics/By-Laws governing Board of Directors, by a quorum of three (3) Board Members.

Should a Board Member miss three (3) consecutive meetings in one (1) year without just cause, that individual shall forfeit his/her seat of the Board.

The procedure for replacement of said Board Member coincides with those followed for resignation.

ARTICLE IV

STATION MANAGER

At the direction of and under the supervision of the Board, the Station Manager shall:

- a) Manage the affairs of the organization and direct its work with employees;
- b) Be entitled to attend all meetings of the Board of Directors but he/she has no-vote at such meetings. Similarly, he/she may also be an ex-officio member of Ad Hoc Committees;
- c) Make monthly reports of the work and affairs of the organization to the Board of Directors;
- d) Make special reports to the Board of Directors and the Ad-Hoc Committee(s) upon their request

Certified a true copy of the Constitution of the Kahnawake Broadcasting Service, adopted by the Board of Directors at a meeting held at Kahnawake, Quebec, Mohawk Territory on the 30th of October, 2017.