

RON BRUSCHI

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**KGVA-FM**

## 2023 Radio Community Service Grant Agreement and Certification of Eligibility

[Radio CSG Agreement](#)[For inquiries, please send an email to csq@cpb.org.](mailto:csq@cpb.org)

By this agreement (the Agreement), dated October 1, 2022, by and between the Corporation for Public Broadcasting (CPB) and the Licensee and Grantee named in Section I below (collectively Grantee), CPB and Grantee, in consideration of the mutual covenants herein and for other good and valuable consideration, the sufficiency and receipt of which are hereby acknowledged, hereby agree as follows:

### I. Licensee/Grantee Information

ID	1491
Grantee Name	KGVA-FM
City	Harlem
State	MT
Licensee Name	Aaniiih Nakoda College, Inc.
Licensee Type	University

### II. Grant Offer, Acceptance and Conditions

- A. Grant Offer and Acceptance:** CPB offers and Grantee accepts the grants (Grant(s)) set forth in Section III below, subject to all the terms and conditions herein and subject to Grantee's certification that it complies with requirements described in Sections IV and V below. CPB has calculated and offered the Grants in reliance and contingent upon the accuracy of the following:
- The representations and warranties made by Grantee to qualify for and receive the Grants.
  - Grantee's FY 2021 audited financial statements (or unaudited if permitted by CPB) and its Annual Financial Report (AFR) or Annual Financial Summary Report (FSR), whichever is applicable.
- B. Conditions:** In addition to the terms and conditions stated herein, this Agreement incorporates by reference and Grantee must fully comply with the Communications Act of 1934, 47 U.S.C. § 396, et seq. ([Communications Act or Act](#)); CPB's Radio Community Service Grant General Provisions and Eligibility Criteria ([General Provisions](#)), the Financial Reporting Guidelines and the Application of Principles of Accounting and Financial Reporting Applicable to Public Telecommunications Entities. These documents are incorporated herein by reference as if fully set forth herein.
- C. Grant Adjustments:** Grantee acknowledges that the only source of funding for the Grants is the appropriation to CPB by the United States Congress, and that the Grants are, therefore, contingent upon CPB receiving its FY 2023 federal appropriation in the amount of **\$475,000,000**. In the event reductions occur in the amount of that appropriation, which is allocated to such Grants, whether by rescission or otherwise and whether before or after Grant funds are paid to Grantee, the Grants shall be recalculated based on the revised appropriation and reduced accordingly. CPB will notify Grantee of the amount of any such reduction, and Grantee agrees to promptly return the amount to CPB. CPB may, at its sole discretion, elect to recover all or part of such funds immediately or by reducing future payments that may be due Grantee under this or any other CPB grant program. Grantee hereby agrees to any adjustments to its Grants as determined solely by CPB.
- D. Indemnification by Grantee:** Unless Grantee is a governmental entity prohibited by applicable state law from providing indemnification, Grantee agrees to indemnify and hold harmless CPB, its directors, officers, agents, and employees, from and against any and all liabilities (including attorneys' fees) arising out of Grantee's use of the Grant(s), and any breach by Grantee of any term of the Agreement, or the General Provisions.

**E. Representations and Warranties:** Grantee represents and warrants:

1. That the information Grantee provided in this Agreement is true and accurate;
2. That Grantee shall promptly notify CPB, at [csg@cpb.org](mailto:csg@cpb.org), of its failure to comply with any of the requirements set forth in this Agreement and in the General Provisions, and of any changes to or inaccuracies in its Communications Act Compliance, as set forth in Section IV, below;
3. That Grantee shall comply with all the terms and conditions herein and in the General Provisions; and
4. That all funds Grantee received pursuant to the FY 2021 General Provisions were expended during the period beginning October 1, 2020 and ending September 30, 2022; and, if not, the unexpended funds were returned to CPB.

**III. Grant Amounts and Spending Period**

**A. Grant Amounts:** Below are the Grants and their amounts awarded by CPB to Grantee for all of Grantee’s radio stations. Grantee must expend the Grants during the period set forth below.

**Community Service Grant (CSG), Rural Support Grant (RSG)                      CAP Category: 1**  
**Spending Period: 10/01/2022 - 09/30/2024**

Grant	CSG	RSG
<b>Final Amount</b>	<b>\$145,550</b>	<b>\$37,799</b>

Note: The CSG offered includes a Rural Support Grant of \$37,799. Please note that the addition of this bonus changes the percentage allocations of the restricted and unrestricted portions of the CSG as shown in the section below.

<b>Radio CSG Amount (Unrestricted):</b>	<b>\$145,229</b>	<b>Percent:</b>	<b>79.21%</b>
<b>Radio CSG Amount (Restricted):</b>	<b>\$38,120</b>	<b>Percent:</b>	<b>20.79%</b>
<b>Radio CSG Amount Total:</b>	<b>\$183,349</b>	<b>Percent:</b>	<b>100%</b>

**B. Grant Payee:** Grantee will receive the Grant payment unless Grantee and CPB agree to an alternate payee in writing.

**C. Grantee’s Financial Institution and Address:**

**Financial Institution (and address):**  
 Independence Bank Of Havre MT  
 435 3rd Street,  
 Havre, MT 59501

**IV. Communications Act Compliance**

Grantee certifies that it currently meets each of the following criteria as indicated below.

Yes	No	Question
A.		<b>Open Meetings</b>
		Meetings of Grantee’s governing body, its committees and CAB meetings must be open to the public (47 U.S.C. § 396 (k)(4)). In addition, CPB requires Grantees to give at least seven days’ advance notice of meetings, including the time and place.
	<input checked="" type="radio"/>	Does Grantee meet this requirement?
		If yes, identify which of the following CPB-required methods it uses to provide notice:
		<input checked="" type="checkbox"/> posting notice on its station website;
		<input type="checkbox"/> broadcasting notice on-air between 6 a.m. and 11 p.m., as shown by the station’s log;
		<input type="checkbox"/> placing notice in the “Legal Notices” section of a local newspaper in general circulation in the station’s primary coverage area; or
		<input type="checkbox"/> giving notice through a recorded announcement accessible on the station’s phone system.

**B. Closed Meetings**

Yes No

**Question**

Grantee must document why any meetings of its governing body, its committees, and CAB were closed and make available to the public a written statement of the reasons within a reasonable time after the closed meeting (47 U.S.C. § 396 (k)(4)). CPB also requires that the written statement be made available for public inspection, either at Grantee’s central office or posted on its station website, within 10 days after each closed meeting.

Does Grantee comply with these requirements?

Has Grantee designated a person responsible for documenting the reasons for closing meetings of the governing body, its committees, or meetings of the CAB?

If so, please furnish the information requested below even if Grantee posts the documentation on the station website.

Name of Responsible Person

Title of Responsible Person

Location of Documentation (Address)

Location of Documentation (City)

Location of Documentation (State)

**C. Open Financial Records**

The open financial records provisions of the Act require that Grantees make available to the public their annual financial and audit reports and other financial information they are required to provide to CPB (47 U.S.C. § 396(k)(5)). CPB also requires that Grantees post the following documents on its station website:

- Financial Statement: Most recent audited or unaudited financial statement, if permitted; and
- Annual Financial Report or the Financial Summary Report.

Does Grantee comply with these requirements?

**D. Community Advisory Board**

Grantees other than those owned by a state, a political or special purpose subdivision of a state or a public agency must have a CAB. This requirement includes private college or university licensees that are not “owned and operated by a State, a political or special purpose subdivision of a State, or a public agency” (47 U.S.C. § 396(k)(8)). The CAB responsibilities include:

- the right to review the station’s programming goals;
- the right to review the service provided by the station;
- the right to review significant policy decisions rendered by the station; and
- the obligation to advise the station’s governing body on whether the station’s programming and other significant policies are meeting the specialized educational and cultural needs of the communities served by the station, and to make recommendations that the CAB deems appropriate to meet such needs (47 U.S.C. § 396(k)(8)).

Is Grantee required by the Communications Act to maintain a CAB?

If yes, does the CAB advise the governing body of Grantee’s station on whether its programming and policies meet the specialized educational and cultural needs of the communities served by the station, and make recommendations that it deems appropriate to meet such needs? If yes, please answer the following questions.

A. The date of the CAB’s most recent communication of advice and/or recommendations to the station’s governing body (example: 00/00/0000):

B. How does Grantee’s CAB communicate its advice and recommendations to the station’s governing body (such as written reports, CAB presentations to the governing body, or through a station executive who attends CAB meetings)?

(500 characters)

Yes No Question

**E. CPB Employment Statistical Report**

The Act requires Grantee to certify compliance with equal employment opportunity regulations of the Federal Communications Commission (FCC), and to annually report to CPB the statistical employment data required by the FCC, including the reasons why any job openings were not filled in accordance with FCC regulations (47 U.S.C. § 396(k)(11)). Grantees meet these requirements through the annual Employment Statistical Report to CPB (provided as part of its Station Activity Survey (SAS)).

Does Grantee comply with each of these requirements?

The Act also requires Grantee to make the data in its Employment Statistical Report available for public inspection at:

- its central office; and
- each other location with six or more FTEs (defined in the General Provisions) (47 U.S.C. § 396(k)(11)).

Does Grantee make its Employment Statistical Report available to the public as required? If yes, please provide the following information on the person(s) responsible for making this report available to the public at Grantee's offices.

	Central Office	Additional Location (if applicable)	Additional Location (if applicable)
Name of Responsible Person	Ron Bruschi	Ron Bruschi	Ron Bruschi
Title of Responsible Person	Station Director	Station Director	Station Director
Email of Responsible Person	rbruschi@ancollege.edu	rbruschi@ancollege.edu	rbruschi@ancollege.edu
Responsible Person Address	P.O. Box 159	P.O. Box 159	P.O. Box 159
Responsible Person City	harlem	harlem	harlem
Responsible Person State	Montana	Montana	Montana

**F. Donor Information**

The Act bars stations from renting contributor names, donor names, or other personally identifiable information (collectively, Personal Information) to or from or exchanging Personal Information with any Federal, State, or local candidate, political party, or political committee.

In addition, Grantees are barred, unless required by law, from disclosing Personal Information of contributors or donors to any Nonaffiliated Third Party (these terms are defined in the General Provisions), unless Grantee meets the following Communications Act requirements:

- clearly and conspicuously notifies contributors or donors that the station may release its Personal Information to Nonaffiliated Third Parties;
- advises contributors or donors before any disclosure, that they have the right not to have their Personal Information disclosed; and
- explains to the contributor or donor how to exercise that non-disclosure option (47 U.S.C. § 396(k)(12)).

Does Grantee disclose the Personal Information of contributors or donors to any Nonaffiliated Third Party? If yes, how does Grantee provide notification to contributors or donors (such as posting on the station's website or advising the contributor or donor using written correspondence or email)?

email and posting

(500 characters)

**V. Selected General Provisions Requirements**

Grantee certifies that it currently complies with each of the following requirements in the [General Provisions](#).

Yes	No	Question
<b>A. Annual Harassment and Bias Prevention Training Requirement</b>		
Annual harassment and bias prevention training is required for all officers, employees, and interns of each station as a condition of the CSG recipient's eligibility.		
<input checked="" type="radio"/>	<input type="radio"/>	Does Grantee comply with these requirements?
<b>B. Annual CPB-sponsored Compliance Training Requirement</b>		
Grantee must complete at least one live webinar or in-person CPB-sponsored compliance training session annually.		
<input checked="" type="radio"/>	<input type="radio"/>	Does Grantee comply with this requirement?
<b>C. Website Postings Required</b>		
At a minimum, Grantee must post the following on its station website:		
<ul style="list-style-type: none"> <li>• Station Senior/Executive Management: Names, titles and contact information;</li> <li>• Governing Body: Names;</li> <li>• CAB Members: Names (for stations that maintain a CAB pursuant to the Communications Act);</li> <li>• Financial Statement: Most recent audited or unaudited financial statement, if permitted; and</li> <li>• Annual Financial Report or Financial Summary Report.</li> </ul>		
<input checked="" type="radio"/>	<input type="radio"/>	Does Grantee comply with these requirements?
In addition, Grantee must post the following documents on the station website or make them available at the station's central office for review by the public:		
<ul style="list-style-type: none"> <li>• Diversity Statement, and</li> <li>• Local Content and Service Report.</li> </ul>		
<input checked="" type="radio"/>	<input type="radio"/>	Does Grantee comply with these requirements?
<b>D. Discrete Accounting</b>		
Grantees must use unique accounting codes for CSG revenues and expenses – restricted and unrestricted. Specifically, Grantee's accounting systems must be able to generate a report showing CSG revenues and how they were expended, using unique accounting codes. These accounts may not include non-CSG revenues or expenses.		
<input checked="" type="radio"/>	<input type="radio"/>	Does Grantee comply with this requirement? If yes, please identify the four unique accounting codes that Grantee uses to track CSG funds in its financial accounting system.
		Code CSG Unrestricted Revenues: <input type="text" value="103-4410"/>
		Code CSG Restricted Revenues: <input type="text" value="103-4415"/>
		Code CSG Unrestricted Expenses: <input type="text" value="103-400-Uxx-xxxx"/>
		Code CSG Restricted Expenses: <input type="text" value="103-400-Rxx-xxxx"/>

**VI. Signatures**

**CORPORATION FOR PUBLIC BROADCASTING**  
**Katherine E. Arno, Vice President, Community Service Grants and Station Initiatives**



October 1, 2022

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This Agreement must be executed by the licensee official and the head of grantee. The licensee official for community licensees is the licensee's governing body chair or vice chair; for other licensees, it is the licensee's governing body chair or vice chair, or a designated senior level representative, who is not a member of the station's management and who has the authority to enter into binding contracts on the licensee's behalf. The head of grantee is the highest-ranking representative of the station's management responsible for station operations, i.e., its president and chief executive officer.

The licensee official and head of grantee recognize that providing false information to CPB to obtain any CPB grant may subject them and Grantee to penalties under the Federal False Claims Act, 31 U.S.C. §§3729-3733 and CPB's CSG Non-Compliance Policy.

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Sean Chandler - (Accepted as Head of Grantee) - 6/13/2023 4:08:56 PM

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Debra Eve - Comptroller - (Accepted as Licensee Official) - 6/13/2023 4:08:09 PM

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Have you reviewed the Radio CSG Agreement?  Yes  No