

ARTICLE 35 -- FACT SHEET Regarding Community Advisory Boards and WFCR

1. Federal law (Section 396(k)(8) of the Communications Act) governing the Corporation for Public Broadcasting (CPB) requires privately-licensed public radio stations to maintain Community Advisory Boards that hold regular, open meetings and are reasonably representative of the diverse needs of the community. A Community Advisory Board “shall be permitted to review the programming goals established by the station, the service provided by the station, and the significant policy decisions rendered by the station.”¹ This regulation is voluntary for state-licensed stations such as WFCR.
2. Federal law also requires that the governing and advisory boards of *all* public radio stations, including WFCR, hold “open meetings preceded by reasonable notice to the public.”² A recent survey found that 33% of university-owned stations were failing to comply with this law, and were risking the loss of federal funding.³
3. WFCR has an “Advisory Committee,” but according to one member of that committee who was contacted by phone by a proponent of this article, that committee does not advise as to programming.
4. WFCR has another committee called the WFCR Foundation. During a recent meeting with WFCR General Manager, Martin Miller, Article 35 proponents were informed that the WFCR Foundation, whose first mission listed in its bylaws is providing financial support, also advises the station on programming.⁴
5. The WFCR Foundation does not provide adequate public access:
 - a. Its meetings are not open to the public (this seems in conflict with open meeting regulations cited above);
 - b. Minutes of its meetings are not posted on the WFCR website;
 - c. The WFCR website does not indicate if there is a public application process for members of the public who would like to apply to be a member of this board;
 - d. WFCR offers no mechanism for members of the public to learn about and offer input into WFCR programming decisions in advance. For example, there was no advance notice to the public and no forum to collect input in advance of recent WFCR management decisions to cancel *Afropop Worldwide*, *Tertulia* (which was partially restored after public outcry) *Thistle and Shamrock*, and *Valley Folk*.
6. Diversity, local relevance and public accountability are underpinnings of the mission of public radio. The Corporation for Public Broadcasting, guardian of that mission states, “the Corporation has particular responsibility to encourage the development of programming that involves creative risks and that addresses the needs of unserved and underserved audiences, particularly children and minorities.”⁵
7. Article 35 is not attempting to require WFCR to do any particular programming, rather it is asking Town Meeting to make recommendations for WFCR to have a process and advisory structure that are in line with federal regulations discussed in the beginning of this fact sheet and that allow for public input into programming.
8. The Town Meetings of Pelham and Shutesbury recently passed articles similar to Article 35 calling for public accountability of WFCR and the creation of a Community Advisory Board.

¹ Corporation for Public Broadcasting Community Advisory Board Requirements - <http://www.cpb.org/stations/certification/cert3.html>

² Corporation for Public Broadcasting Open Meeting Requirements - <http://www.cpb.org/stations/certification/cert1.html>

³ Corporation for Public Broadcasting Survey of Public Radio and Television Compliance - http://www.cpb.org/oig/reports/505_surveycommact.pdf

⁴ Meeting between proponents of Article 35 and WFCR management, May 10, 2007

⁵ Corporation for Public Broadcasting Mission Statement - <http://www.cpb.org/aboutcpb/goals/>