

Get On the Air and Stay There:

**a guide to building and maintaining a
non-commercial educational community radio station**

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About NFCB

The National Federation of Community Broadcasters is a national alliance of stations, producers, and others committed to Community Radio. NFCB advocates for national public policy, funding, recognition, and resources on behalf of its membership, while providing services to empower and strengthen community broadcasters through the core values of localism, diversity, and public service.



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Introduction

Many people come to Community Radio from very different backgrounds with a variety of experience and for a variety of reasons. They may have decades of familiarity with radio in other sectors or this might be the first time they've ever been inside a station. They may have a sense of volunteerism that drove them to donating their time, or they may feel they have something important to say and that Community Radio is the only platform from which they can say it. What brought or keeps them there may change over time or remain the same for the duration. With those who want to begin their own Community Radio station, though, it is clear that there is a single unifying component that brought them the desire: they value the community in which they live and want to give voice to that community, to address its many issues, celebrate its cultures and uniqueness, and serve it with educational and entertaining discussions, music, and programming. In short, those who are building a new Community Radio station have a sense of Community that they wish to empower and want to provide a public service to that community.

What distinguishes Community Radio from other media is this goal of public service. Public service in different communities can mean different things. For some, preserving local culture might be a service that the station will provide. For others, serving communities not served by other media might be that public service. Whatever the case, there is an obligation at Community Radio stations to provide a public service, and as the station is rooted in the community, being engaged with it and learning about its needs is an important component to serving them.

Community Radio is also notable for its high level of participation from individuals in the community in areas as diverse as management, fundraising, content, and all aspects of running a station. Community Radio stations are often owned and operated by a Board of Directors from the community it serves. Furthermore, the principal sources of support for its operation are individual community members, local institutions, and those outside the community who have an interest in the proliferation of localized media.

Community Radio's program format can include music, news, talk programming, sports, event coverage, or any combination of those things. Whatever the format, its emphasis is most often on local content, local issues, or at least the local community's perspective on issues that affect the national or international community. Even when content features artists or issues from beyond the community, from a national or international scope, the station often maintains a focus on what local listeners will find most interesting.

For these reasons, Community Radio remains an important part of the ever-expanding landscape of media and content, and those individuals wanting to build a station of their own will become key players in their local community's access to relevant components of that landscape.

Vision & First Steps –

considering the big picture and how your station fits into the community; initial application

Define and keep refining the station's mission

Identify resources in the community

Complete and submit FCC application Form 340 and associated filing fees

Decide what the station should be in 3 or 5 years' time

At the point in which a Community Radio station looks to be a necessary and viable endeavor for a community, it is important to establish the vision for that station and build on that. In three or five years' time, what services will the station bring to the community? Those working on this must consider the needs of the community, prioritize the ones that can be addressed by the radio station, and decide the role that the station will take in the community. Before proceeding, the station's mission should be articulated. *(A sample list of mission statements from existing Community Radio stations can be found in the Appendix of this manual.)* Then, through public events in the community, the radio station can gain visibility and community support to get things started.

Obtaining a broadcast license from the Federal Communications Commission (FCC) for the station is the first major task. Unlicensed operation is prohibited, and because there is a heavy demand for new broadcast stations, the process for acquiring a construction permit (CP) and ultimately getting a license for operation, requires many steps and should be undertaken with help from professional broadcast attorneys or radio frequency engineers that specialize in the engineering and licensing procedures required to establish a station. Applicants should retain engineering consultants to perform frequency searches and help prepare the technical portions of construction permit applications. It is essential to find a good, reliable engineer who is responsive and stays abreast of changing circumstances around an application. The engineer will be like a partner to the station in the earliest stages as he/she determines the best available frequency for the proposal, and can give advice as to the optimal combination of transmitter height and power to cover the area. He/She also does not need to be located in the geographic region of the new station. It's more important that the engineer understands that the needs of the Community Radio station are not the same as those of a large commercial broadcaster. An attorney may also be necessary to address the legal portions of the application.

The FCC does not constantly accept applications for new FM non-commercial educational (NCE) broadcast stations. Filing window announcements are made prior to the opportunities opening via public notice. The Commission also posts the notices at several locations on its website (see the Audio Division's main page at <http://www.fcc.gov/mb/audio/index.html#HEADLINES>).

An overview of the process of applying for a broadcast station can be found on the FCC website at: <http://www.fcc.gov/mb/audio/howtoapply.html>. The FCC application Form 340 (for NCE stations) and associated filing fees are required. In order to apply for a radio station CP, a non-profit corporation with a Board of Directors must first be established to be the ultimate licensee. Applicants for new broadcast stations must give local notice in a newspaper of general circulation in the community in which the station is to be licensed to provide an opportunity for the public to file comments on these applications with the FCC.

In the event that an NCE application is mutually exclusive (MX), that is, when it conflicts with other applications filed at the same time by creating interference if all applications were to be granted, there is a point system in place for resolving the situation. The "point system" was determined to be the most efficient

method for selecting the “best” applicant—that is, the applicant that would best advance certain public interest factors. Points are awarded to applicants that further the goals of localism, diversity of ownership, expansion of a statewide network, and technical superiority. If there are no conflicting applications for the frequency that is being requested and the application is accepted for filing, or if an MX situation is resolved in favor of the Community Radio station in question, then a CP will be issued and the building process can commence.

During this entire period, and for the remaining years that the station is being built and actively broadcasting, the station’s mission should be at the forefront of its activities and must be refined or refocused when appropriate.

Governance –

the planning, influencing and conducting of policy and affairs of the organization

Select Project Manager

Develop a long-range plan and business plan including a capital budget and 1-2 year operating budget

Define organizational structure: Board (elected or self-perpetuating), update state registration if any changes are made to organizational structure or documents

Define roles, authorities, and responsibilities

Of board, committee(s), staff, and volunteers

Outline policies and procedures that govern all station dealings including grievance procedures

Establishing effective guidance to maintain a station's mission and vision is key to the health of the station overall. The Board of Directors is at the highest level of leadership at a Community Radio station. That is the body which takes on the mantle of Governance for the station. Matters of Governance in any organization deal with identifying the leadership and direction of the organization and ensuring that it has the resources and credibility to succeed. At radio stations licensed to a Native American tribe, the Tribal Governing Board or Tribal Council is the highest level of leadership governing the station followed by the Board of Directors and then a Community Advisory Board, both of which are usually appointed by the Tribal Council. Some Tribal Councils will designate a council member to oversee this work.

Board of Directors

It's imperative that an organization perform outreach to find core participants in the community for the radio station project, and establishes a Steering Committee for its work. These core participants often become founding Board members for the station. There are different models for forming the Board of Directors. A station with a geographically large or very diverse coverage area would ideally have a Board comprised of individuals who represent the various different sections of the community.

If the proposed radio station is being built under license to a larger non-profit organization with a mission and focus that's not specific to the radio station's mission, then the Governance of the station should be clearly defined as a subset of, or separate group from, that larger Board so that policies directly governing the radio station can be laid out. In the case of a Native station, the larger Board would be the Tribal Governing Board or Tribal Council and the Board of Directors for the station that is appointed by the Tribal Governing Board would be that separate governing body for the station specifically. In some cases, written agreements can be established early on to decide how the Board of the larger organization will relate to the Board governing the station. Alternately, if forming a Board to govern the station that's separate from the main Board of Directors isn't possible, then naming a committee within the main Board of Directors to be directly responsible for the radio station can be more efficient.

If a separate Board is established to govern the station and it is not a subset of the larger organization's Board of Directors, then continued communication between the two governing bodies should be maintained so that major issues arising at the station are reported to the licensee's Board of Directors. An advisory group to the main Board of Directors can be formed on behalf of the station then. Often, a radio station is the more visible entity in the community than the main organization that holds its license and if issues arise with the station, then the larger Board should be made aware of them first by the governing body of the radio station, rather than through news in the community.

A manual for the Board of Directors should be established early on and issued to all Board members immediately following their appointment to serve on the Board. The Manual can include such documents as:

- Station Mission, Vision, and Core Values
- Articles of Incorporation
- Bylaws
- Personnel Policies
- Most Recent Annual Report
- List of Station Staff and Board with Contact Information
- Biographies of Board Members
- Strategic Plan
- Implementation Plan
- Minutes from Most Recent Board and Committee Meetings
- Tribal Election Information and How it Relates to the Station (in the case of Native stations)
- Description of Being a Board Member
- Whistleblowing Policy
- Board Member Travel Policy
- Conflict of Interest Policy
- Financial Policies
- Revised Budget for Current Fiscal Year
- Profit & Loss Budget vs. Actual
- Balance Sheet
- Most Recent Reports from Current Staff
- List of Organizations Working Within and in Connection with Community Radio and Information about Each

The purpose of the Board of Directors is to serve as ambassadors for the station, adopt policies, hire a station manager, and raise funds. With a large Board, committees within the larger body are frequently used to get specific work done so that decisions needing to be made in certain areas do not have to be considered by all members. According to *Robert's Rules of Order*, a generally-accepted guideline to parliamentary procedure that is available for purchase at most bookstores, the traditional governance structure is comprised of:

- a Board President or Chair,
- Vice President or Vice Chair,
- Secretary,
- Treasurer,
- Parliamentarian (an expert in parliamentary rules and procedures),
- and other additional members.

There should be an odd number of Board members for easily determining a majority in matters put to vote.

The Board or Directors also articulates the station's Mission, develops its Bylaws, defines the roles of Board Members, develops their job description and that of the Station/General Manager, and deals with strategic planning and general policy making. The strategic plan of a station sets clear goals for it on a multi-year level along with strategies and benchmarks for working toward those goals. The job descriptions and roles that the Board defines include deciding if the station will appoint a Station Manager or General Manager to run the day-to-day operations of the station under them. The Board of Directors should develop a job description prior to hiring a station manager. Other job descriptions may be developed by that manager or a Board Committee for remaining positions around the Station/General Manager.

The Board of Directors also creates a Community Advisory Board (CAB) as necessary and defines the roles of participants, including terms of office. (The CAB is not mandatory unless the station wishes to qualify for funding from the Corporation for Public Broadcasting or some other granting agency that requires one.) The Board of Directors must define the roles of participants in the CAB because if there isn't a clear direction for

that group, it becomes difficult to engage people on that Board and keep them productive. Should the CAB become stagnant, the station will not benefit from input on its programming choices by interested parties in the community.

Being clear about the roles of Board and Staff is key, especially for people who serve the station in both a board and staff capacity. Individuals performing multiple duties should have a sense of what role they are playing at what point, and abide by the guidelines of that position. It is also critical to be clear about what role the Board will play and what is delegated to Staff.

One of the most essential responsibilities of the Board is to ensure that the station has the resources it needs to succeed. Helping with fundraising activities and being an ambassador to the community are activities that all Board members should do.

Other organizational functions that the Board may fulfill instead of the staff are developing the organizational chart, determining hiring practices and salaries, and setting conflict resolution policies.

Culture

From the beginning, a culture of change and good communication must be established so that service to the community remains the highest priority in the station's pursuits. If the station leadership is willing to change, the station can't easily become locked into a set of policies, programs, or formats that fail to serve its goals, functions, and the community itself, as these things change over time. Instituting this culture of change and communication early on will make things easier than trying to implement it later.

Being clear on the station's mission is also critical to successful Governance. All those participating in the radio station (Founders, Board, Staff, and Volunteers) should understand its mission. Having the mission posted prominently in the studios and offices, on the website, and in all communications on behalf of the station is one way to remind participants of the greater goal that they're serving. Having a retreat early on in the process of forming the radio station will also ensure that all core participants have agreed upon and understand the mission, principles, and policies that will govern the station. It could also benefit these core participants to include members of the community in these meetings to make sure that the station's mission aligns with the needs of the larger community. As time progresses for the established station, it remains important to keep in touch with prominent community groups to ensure that the station is aware of any changes in the community's needs.

Written Policies

Early in the planning process of the station, before it goes on the air, the Board of Directors should adopt written policies that will address issues pertaining to programming, finance, personnel, and grievances. For general programming policy, the Board should set broad-level programming guidelines (like the overall format of the station) that supports the station's Mission. The Board would not be responsible for selecting specific station programmers, as would be done on the Operations level. The finance policy should include fundraising and gift policies, state any specific types of underwriters from whom the station will not accept money, and establish firewalls so that funders can not influence programming content. The personnel policy should govern both paid staff and volunteers and put in place grievance procedures so that these are clear before any grievances arise. By establishing good conflict resolution norms in advance, the Board sets the

tone for best practices on the level of Operations. Finally, the written policies should be reviewed with Staff and Volunteers regularly.

Operations –

management of all station affairs and implementation of policies that are laid out in Governance

Create, refine, and maintain bookkeeping system

Join NFCB and other organizations of fellow stations in the industry

Implement the business plan

Determine station staffing (paid staff and volunteers)

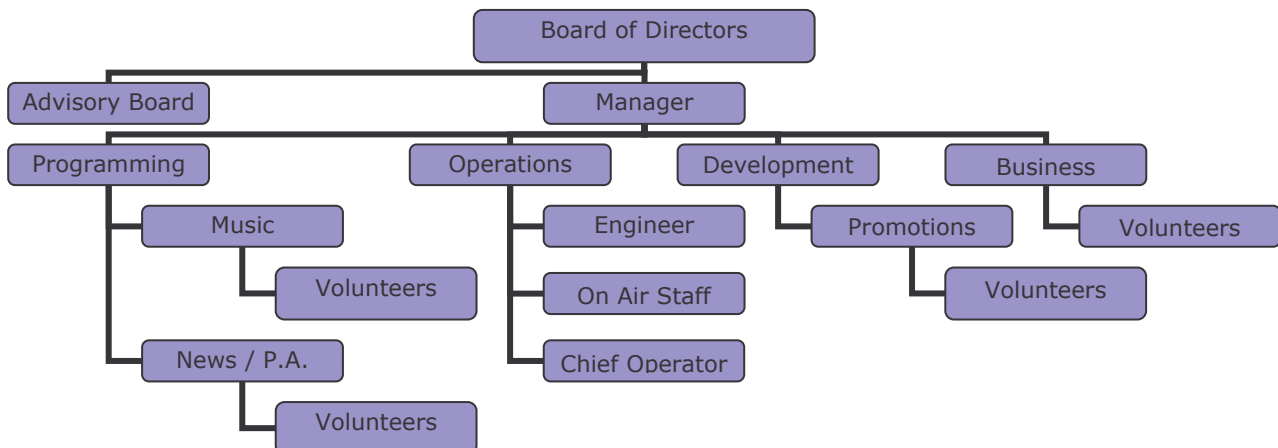
Ensure legal compliance with Federal, State, and local laws and regulations

If the Board of Directors deals with Governance at the highest level of leadership in a Community Radio station, then the Staff deals with its Operations, the day-to-day functions around the station, from running the business office to addressing issues of space, programming content, personnel, on-air talent, and a myriad of other things. This level of Operations should not be confused with the function of Operations that specifically deals with engineers and on-air staff. This general level of Operations also has station Staff sometimes working closely with the Board to perform functions that fall under both Governance and Operations, such as developing an organizational chart or setting up hiring practices and salaries for certain positions. However, more often, specific things such as drafting job descriptions for positions below the Station or General Manager are tasked to the Station or General Manager.

For new Community Radio Stations, the planning and building period is an opportunity to decide what job positions the organization will have. Many roles may be staffed by volunteers, particularly in the first months or years of the station's life. It is extremely important that the structure of the station is clearly defined and that each role is carefully thought out. Written job descriptions for each position should be established. There are many different organizational models on which a Community Radio station can be formed, from a purely hierarchical format to a general collective. To select the right model for a station, the staff structure and how it will evolve in the station's lifetime should be carefully considered. How would other positions be introduced later, given the arrangement being considered?

Traditional Organization

This is a traditional, hierarchical organizational structure at a Community Radio station:



Most stations subscribe to a structure very similar to this, though they may not be able to fill all of the positions listed with paid staff. Many of these roles can be done by volunteers. This organizational chart also shows the various departments that most stations will need. In thinking about which positions to include in the station's staff make-up, it's necessary to consider the order in which the roles should be added. Depending on the skills that the Manager already possesses, it would benefit the project if staff were hired on who fulfill certain duties that the Manager lacks.

Besides the Station or General Manager, another job that must be designated is that of Chief Operator. The FCC requires that broadcast stations designate their Chief Operator in writing and post a copy of the designation with the station license (Section 73.1870(b)(3)), usually in the main studio. Agreements with Chief Operators serving on a contract basis must be in writing with a copy kept in the station files. The Chief Operator is not required to have any specific license or a background in engineering. This person is only required to review the operations logs, sign off on them weekly, and maintain a file for them.

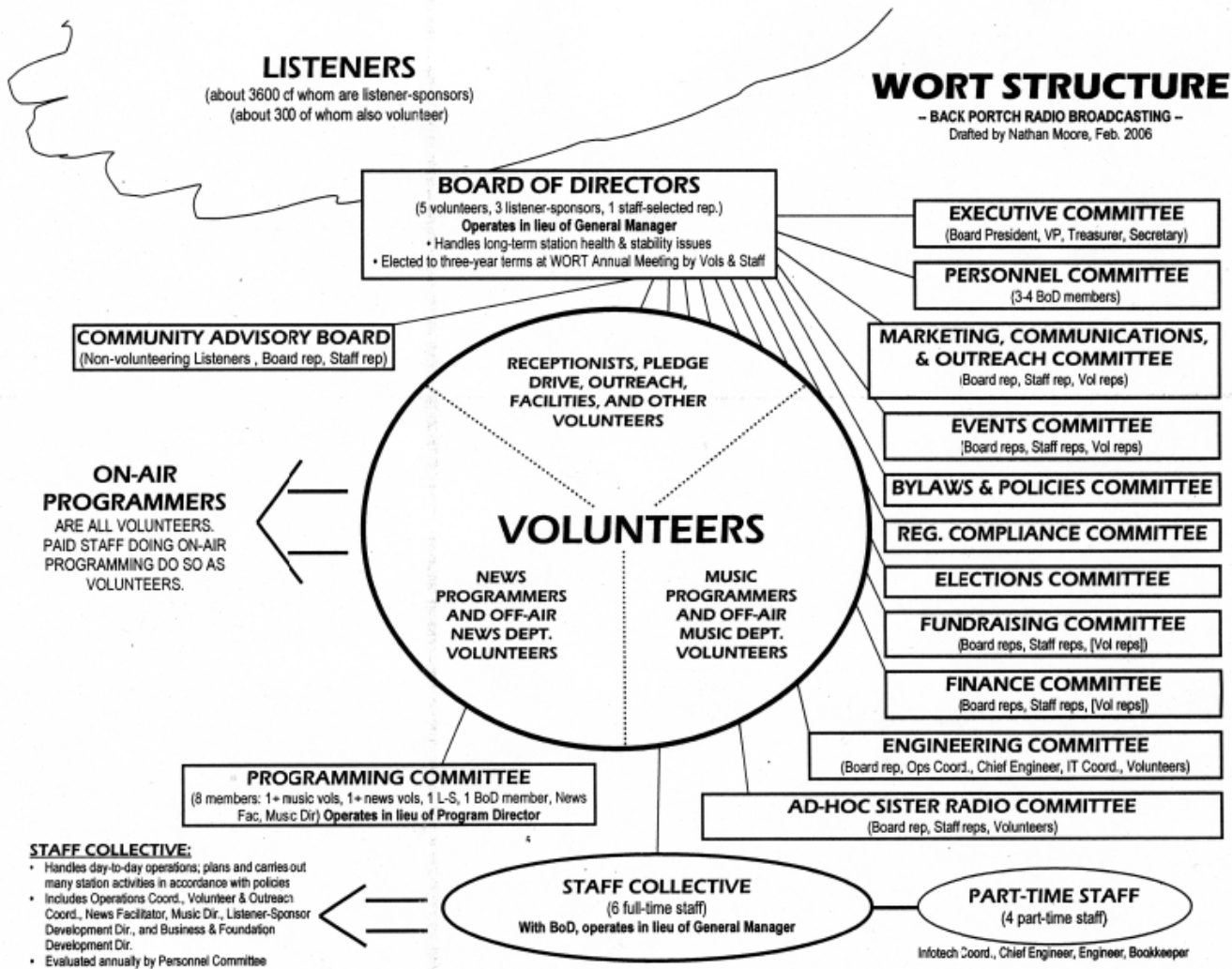
Beyond these two major positions, other possible jobs to consider at a Community Radio Station are:

- Program Director
- Music Director
- News/Public Affairs Director
- Operations Director
- Development Director
- Business Manager
- Volunteer Coordinator
- Programmers/DJs
- Producers
- Volunteers

The job descriptions for any of these positions may be developed by the Station or General Manager or a Board committee. Volunteers should have job descriptions just as paid staff would, and they should be expected to follow through with their assignments accordingly.

Collective Organization

This is one example of a successful collective organizational structure from a specific Community Radio station, WORT, Madison, Wisconsin:



Collective organizational structures are generally more time-consuming to uphold and trickier in their make-up and management. It often takes more time to accomplish certain tasks if there is not a single person responsible for moving things forward. The success of collective organizations depends largely on an open and trusting environment in which all participants, including Board Members, Staff, and Volunteers, are aware of the actions of one another. Under the right circumstances, a collective can be a very creative organizational structure.

Business Department

It is important to have a business department at every new station. This is the area responsible for maintaining documents and finances for the Community Radio station. It could have the 501(c)(3) determination letter that is often needed when the organization is seeking grants, or keep the Articles of Incorporation, Bylaws, and minutes of Board meetings for the station if the Board of Directors wants this. If the station employs full or part-time staff, the business department will post State Worker's Rights and Compensation information for employees to reference as needed. It will also post all FCC mandated documents like tower permits and licenses. While the station is in its construction phase, its CP must be

displayed at all times. Upon completion of construction and the station license has been received, the permit may be filed away and a copy of the license must be displayed in the main studio. The business department might also maintain the personnel records, volunteer records, and financial reports and audits for the station. Because it is so important to have all valuable documents housed in one location for easy access should an auditor, grant provider, or FCC staff person need to inspect them, organizing these records is vital to the station's professional image. Furthermore, some of these documents are required to be kept in the Public File (see the NFCB Public Radio Legal Handbook for a list).

Finances

Because the Board of Directors has fiduciary responsibility for the station, it must be kept aware of the station's financial situation. The Board should receive regular reports from the station's business department, which will come out of the station's accounting system. There should be at least one person appointed to keeping up the station's accounting and another to review it. In an ideal situation, a Station Manager overseeing the work of a Business Manager or bookkeeper on staff would ensure that income and expenses are tracked accurately so that the station operates within its budget. An accurate budget will assist in matters of fundraising. If there is no accountant on the Board of Directors at the station, an experienced bookkeeper will be necessary to work with staff. With Native radio stations, the bookkeeper is employed at the Tribal accounting office and visits the station on a weekly or monthly basis to help the Station Manager and Board track the budget accurately.

As financial rules change over time for a non-profit organization with a 501(c)(3) exemption, having a capable business department at the station to maintain the accounting records is key. These records are a matter of public information and if the station's budget is over \$25,000 per year, reports to the federal government are required (Form 990). A certified public accountant might be needed to oversee the bookkeeping of the station and secure an audit, or financial review of the records, each year if the station plans to apply for grants. Audits are necessary with some grantors. Others may only request a financial statement which can be generated from well-organized financial records. Any organization required to file Form 990 with the Internal Revenue Service (IRS) will need good financial records for any IRS audits. It is good practice to maintain all financial documentation and information for a minimum of three years and up to 10 years. Information on IRS tax-exempt status can be found online at: <http://www.irs.gov/pub/irs-pdf/p557.pdf>.

If the radio station is part of a larger non-profit organization, its accounting will be a function of the overall accounting system. The station's finances should be broken out separately from that of the larger organization so that as funding is sought for the station in particular, reports of the station's financial performance are clear. If the station ultimately receives funding from the Corporation for Public Broadcasting (CPB) after having been on the air for a year or more, CPB will require financial reports on a particular schedule that may not coincide with the schedule of reports for the larger organization.

Besides maintaining the station's financial information, the business department is also responsible for reconciling accounts that must be paid (Accounts Payable) and documenting funds that are received (Accounts Receivable). A filing system housed in locked filing cabinets should be kept onsite for accounting purposes. Files can be organized chronologically by date or alphabetically by account name. Often, financial managers will sort deposits made under Accounts Receivable by date of deposit (month and year) and bills paid by Accounts Payable alphabetically by vendor.

In the area of Accounts Receivable (when money is received by the station), each dollar amount should be documented in a ledger using any number of computerized financial software options from a simple Microsoft Excel spreadsheet, to QuickBooks®, or Sage MIP® (for non-profit accounting). A manual system, like a general ledger book or a simple software application like Excel, should reflect columns of information for the item number, date received, method of payment, amount, and payee, at the very least. All checks and money orders received should be copied and attached to a copy of the bank deposit slip and deposit receipt. The bank deposit can be numbered according to the item numbers entered in the ledger that includes those amounts. Deposits should always match entries in the ledger. If money received is in the form of donations to the radio station, file as much information as possible about the donor for future correspondence. Inform donors that their information is confidential and will not be shared with others outside the station. Cash received by the station should also be documented with receipts that are printed in duplicate. The person receiving cash payments at the station should print and sign his/her name and date the receipt. If an event is held as a fundraiser and the station receives cash payments for tickets, ticket stubs for each event ticket sold can serve as a receipt for the station's sales records. It is good practice to have two people, usually the Station Manager and bookkeeper, verify the amount of money collected and the number of tickets sold in these cases.

In the area of Accounts Payable (invoices paid by the radio station), each transaction should also be deducted correctly from the ledger to keep the accounts accurate. Monthly payments might be required on essential things like space rental, electricity, telephone and internet services, or equipment and office supplies. File all receipts for items purchased and all invoices for bills paid. If a receipt for payment such as rent is not available, a lease agreement or canceled check will suffice as record of each month's payment. Mark each paid invoice as "PAID" and include the date of payment, check number, and amount paid, or record this information on a check request form and attach it to the invoice. Payments made by check from the station's account must also be maintained in a check ledger. Periodically reconcile the station's checkbook with the bank account to ensure correct balances. The station's bank statements should be reviewed for discrepancies by the Station or General Manager prior to a bookkeeper reconciling it to the accounts.

Best practices dictate that accounting duties be separated among different people in a business office. These internal controls involving more than one person handling financial transactions for the station can ensure fewer discrepancies and maintain transparency. Often, money to be deposited into an account is taken to the bank by someone other than the person that compiled the deposit. Checks are written by someone other than the person signing them. Two signatures on checks over a specified amount is also common practice. If possible, bank statements should be opened and inspected by a manager or Treasurer of the Board of Directors prior to reconciliation with the books. Cancelled checks can then be compared to the statement to avoid discrepancies when reconciling.

Training Programs

Usually, Community Radio stations are centers for community participation, especially with volunteers. Since many volunteers who come to the station may have little or no experience working in radio, training is essential for the success of the station. Training is overseen by and often conducted in the area of Operations. Because it is such an important way to bring people in from the community, a new station should establish a prescribed training program. Attrition is often high in volunteer situations, so plan on training many more people than those that will stay with the station.

There are many models for setting up a station's training program. The training can be to perform day-to-day business functions in the business office, or it can be for audio production or on-air activities. Some stations charge a fee for training, especially in specialized areas of production, studio engineering, or on-air hosting. Most on-air training programs require a trial or probationary period of broadcast during difficult-to-fill overnight hours or as non-broadcast programs that are recorded in an auxiliary studio as practice. At one time, all on-air staff were required to have an Operator's permit issued by the FCC. This is no longer the case. Individual radio stations are now responsible for ensuring that their on-air staff understand and abide by FCC Rules and Regulations.

Common areas of training needed in most Community Radio stations are:

- FCC rules and regulations
- emergency broadcast procedures
- pledge pitching or answering phones during fundraisers
- operating the board in a studio
- on-air hosting of music programs
- interview recording
- sound engineering for live broadcasts of music performances
- editing and production using various audio editing software

Some stations form producer collectives around specific programs, commonly public affairs or some music programs. These collectives are groups of producers responsible for creating content for a single program. They work together to decide on content for their program and often divide up the responsibilities of various segments of the program according to interest and need. Producer collectives are an effective way to integrate new volunteers into the radio station's content production, and it can serve as a training ground for more experienced members to pass on information to new volunteers.

Working with Governance

While it is the responsibility of the Board of Directors to adopt all major policies governing the radio station, it is largely in the area of Operations that these policies are disseminated and enacted. The policies should be laid out in an operations manual: personnel policies for paid staff and volunteers, grievance procedures, programming policy (including contracts with programmers), underwriting policies, and others. All on-air staff should have a copy of the station's on-air guidelines and paid staff should have a copy of personnel policies and procedures. Staff and volunteers, especially on-air personnel, can be asked to sign a confirmation that they have received and read the manual. The radio station is responsible for everything that is broadcast, so it should have certain guidelines that all on-air personnel must follow. The station also must adhere to state employment regulations if it has any paid staff.

The Staff and Board of a Community Radio station should also work together to develop a strategic plan to determine where the station is going over the next year or more, how it will get there, and how to measure its progress. There are consulting organizations that will facilitate this process and assist stations in developing their strategic plan. The focus of the strategic plan should be on the entire organization. In the early years of the new radio station, the emphasis can be on building and maintaining the station's relevance and service to the community. It is the responsibility of both the Staff and Board to carry out this plan, but much of the essential work will be done under the auspices of Operations.

Protecting Station Assets

The Community Radio station is a valuable media tool with a great number of assets that must be protected. A successful station is a highly visible entity, so insuring it from potential liability is very important.

Directors and Officers Liability insurance (D&O insurance) should be purchased when an organization has assembled a Board of Directors. D&O insurance provides financial protection for the directors and officers of the organization in the event they are sued in conjunction with the performance of their duties as they relate to the organization. Some D&O insurance is referred to as Directors, Officers, and Organization Liability Insurance, which protects the organization as a whole. D&O insurance usually covers Employment Practices Liability and sometimes Fiduciary Liability as well. The former involves harassment and discrimination suits, and is where the majority of the Board's exposure will be. In the event of such lawsuits, the insurance covers court costs on behalf of the radio station.

Whether the radio station rents or owns the building in which its offices and studios reside, Property insurance is still vital. This insurance covers the space, material assets, and studio, transmitter, and broadcasting equipment owned by the station. Property insurance is typically acquired at a local level. Many states have local agencies that provide group buys for non-profit organizations within the state for property insurance and even health insurance for staff members.

Every station should also have Broadcast insurance which insures the content that the station airs. Broadcast insurance protects against complaints of libelous or slanderous content in the station's programming as well as insures against suits of copyright infringement, defamation, invasion of privacy, or unauthorized use of titles, ideas or characters that are not otherwise prohibited by state or local laws. It is vital that the station protect the Board of Directors with at least some coverage of Broadcast insurance.

Outside Resources

Every Community Radio station should feel that it belongs to a larger community of radio broadcasters and establish ties to others in that larger community. It is especially important for a new station to reach out for help when needed. They should use outside resources such as models, advice, and established group buys as tools early on. By joining organizations like the National Federation of Community Broadcasters (NFCB), state broadcaster associations in their specific state, and regional networks, they can communicate with other stations and gain from the experiences of many who have preceded them.

NFCB is one key organization that provides a comprehensive number of tools to its members. Besides the benefits of group buys, training, and discounts on many publications and services, NFCB's website includes a library of sample documents from existing Community Radio stations that can be adapted for new stations just establishing their processes. Additional sample documents and templates are continuously being added to existing areas such as:

- Job Descriptions
- Personnel Policies
- Grievance Procedures
- Program Evaluation Forms
- Station Policies for programming, underwriting, payola/plugola, and much more

- Logs
- Contracts
- Training Manuals
- Fundraising Materials
- Board Member Assessments
- Board Handbooks
- Bylaws

Business Planning & Development – all budgeting and fundraising activities

Decide on fundraising strategy and implement plans

- Major donors (angels)
- Legacy or Planned Giving
- PTFP grants, including match
- Small startup grants (local or national foundations)
- Business donations
- Listener support
- Underwriting
- Events
- Goal (or not) to reach CPB qualification

Consider long term vs. short term funding

The viability of a Community Radio station is only possible through secured funding. This makes the Development efforts by Board and Staff members at a new station paramount to its many other needs.

Business Planning

The first crucial step in looking at the development needs of a Community Radio station is to outline its Business Plan. A business plan, otherwise known as a business model, is a financial and communication tool, as well as a structure for deciding how an organization will be operated. When using it as a communication tool, the business plan serves as a road map for telling others how the station expects to reach its goals and what the station expects its results to be. To that end, the business plan incorporates benchmarks to monitor the station's fiscal performance. Every good business plan must list clear objectives first, then develop the business models that will achieve those objectives and allow for modification as needed. The business plan should be a flexible tool that allows station leadership to factor in actual results of tasks undertaken and forecast future results for activities to come. A business plan is the only way to realistically assess the financial viability of various options that a radio station may take. It will identify the resources and the amount of time needed for the station to succeed. It also allows the organization to look toward the future and plan for changes that may come along.

Those that should be involved in the creation of a business plan at a new station are the Board Members and key leadership of the station as well as possibly some partners in the community who have helped in the planning of the station. Support for a new business plan will be more likely from those individuals who participate in the building of the plan from the beginning. By giving individuals in the governance and upper management of the station a sense of ownership in the plan, they will have a vested interest in the success of the station.

Creating the first business plan for a new station should take place when the station has received its construction permit. However, later in the station's development, working on a business plan should happen as part of the organization's regular strategic planning; when the station has not achieved a prior year's budget and must therefore evaluate changes needed to improve the station's fiscal performance; or when the station wants to undertake any large, complex, or long-range projects.

To begin building a business plan, Board Members and key Staff should consider what they already know and the resources readily available to them. They should consult with other Community Radio stations who have undertaken similar ventures and find out if those stations achieved the results they expected or what surprises they encountered which should have been in their plan. Board and Staff should identify fiscal benchmarks such as expected operating costs and expected income, decide what they do not readily know, and define the elements that are needed in the new business model.

Some elements that can be in a business plan are:

- an estimated number of listeners, members, and underwriters
- the number of staff required at the station
- costs of program acquisition
- capital expenditures (any long-term expense that is greater than \$1000) for new equipment or a new signal
- financing costs for lines of credit
- any other possible ideas

It is imperative that all assumptions made to determine this information is documented as well.

Those pulling together a business plan or model must quantify the station's benefits in the short term. One main area of benefits for a new station will at first be major gifts, the single best way for new stations to develop capital. Individuals close to the station project who have significant resources (a prominent member of the community, an activist, or a founding Board Member) could donate to the station. It is essential that those donors are asked for this funding and that no one assume that because the individual is already giving his/her time to the project, he/she can't give money as well. In fact, a standard practice in grassroots organizing is to have every member of the organizing group contribute some amount of money, however small, to the project, to show their commitment and interest in its success. Grantors often want to know that the entire Board of Directors of an organization is contributing financially to the project at some amount. Membership, or donations gleaned from the listening audience of a new station, can also be counted among the sources of income in the business plan. Later, when the station is on the air and more established, underwriting by local businesses or other community groups can also be factored in as a benefit on which the station can build its business plan. Another benefit that would count in a station's business model would be listenership. In many cases, the number of listeners that a station has makes a difference, most obviously as it impacts membership drives and potential revenue with underwriters, but also because listenership measures the impact the station has on its community. Listener-sensitive income for the future is important. Other income can be grant funding, sales of station-branded merchandise, or revenue sources around events.

A benchmark analysis should be built into the business plan to measure all of these things. Performing such an analysis entails calling around to other stations that are at the point for which the new station is forecasting revenue and ascertaining how well those stations are doing in the different areas. Using those numbers, more accurate goals can be set for which the new station can aim when they reach those phases of development. For a good benchmark analysis, a new station must identify existing NCE stations that exist in similarly-sized markets and serve similar potential audiences.

To further complete the business plan of a station, short term costs must also be quantified. Obvious costs at a Community Radio station include:

- Personnel
- Program Fees

- Administrative Fees
- Development
- Investment in Capital Assets
- External Financing
- Engineering and Legal Fees
- Rent and Utilities

A benchmark analysis of these costs must also be completed for a business plan.

Creating a business plan for a station in the long term is not something done early on in its development. Years into the operation of an existing radio station, an assessment must be conducted on it to rework its business plan. A benchmark analysis should be performed with regard to the cost and benefits of its past strategic decisions. Other factors such as competition by other media forms, government or institutional support of the station, and inflation should also be considered. Finally, growth assumptions can be reviewed to consider the percentage of growth that the station has experienced in the number of listeners and members, in its expenses, and in other areas that affect the station's bottom line.

Evaluating a business model requires assessing financial outcomes as the station reaches different milestones in its beginning and throughout its operations. It also involves looking at the feasibility and timing of all the plans set in place, considering the public service potential of the station, ensuring that all the actions to be taken comply with the stated mission of the station, and judging the station's organizational readiness. Finally, a sensitivity analysis must be performed.

Besides a business model, the new station also requires a articulated narrative including an executive summary of that narrative, which clearly defines itself to outsiders, most especially potential funders. This written document should be made available for use in all grant and loan applications as well as should be adaptable for marketing materials of various kinds. Furthermore, alongside a business plan, a new station should have a defined Implementation Plan that outlines the necessary steps to achieve its stated goals. The Implementation Plan can be laid out by department, must have measurable goals, and must indicate the timing of each task (eg: by X date, we will attract \$X from local donors). Once implemented, progress on the plan must be carefully monitored and adjustments made in the business plan for actual results.

Following the development of a business plan, it can be presented to station management, the Board of Directors, stakeholders, banks and other lenders, and foundations which may fund the station. The business plan should summarize the following: project initiative, business justification, expected results (good or bad), time to implement, and social and financial impact. It must also address the sensitivity of the analysis, the imperatives, and a back-up plan. It should also utilize graphics to quickly illustrate the expected outcomes outlined in the plan.

Lines of Revenue

Possible lines of revenue at most non-commercial radio stations include: foundation grants, listener support, major gifts, underwriting, and federal funding such as PTFP or CPB's Community Service Grant.

Foundation Grants: Obtaining grants is a challenging process that can often require the effort of a team of individuals. Doing great amounts of research on potential foundations that can fund a new radio station

should begin with learning what the foundation funds and what their giving history is, especially what their giving history is to radio stations. Finding out basic information of who the contact is at the foundation and what their grant timetable is will also inform the team's efforts to seek funding from the foundation. The station must develop its case for funding, submit grant applications as required by the specific foundation, obtain an interview with a grant officer at the foundation on which they can develop a relationship, then wait for potentially long periods of time (up to several months, in some cases) as decisions are made by a foundation as to whether or not they will grant the requested funds. Often, some follow-up is required for grant applications, and if a grant is made by a foundation, there will be some level of reporting needed on the grant. In some cases, there are further phases of additional grants for which stations can apply that will come after a successful grant application has been made with a foundation.

Listener Support: The goal of all radio stations is audience (and more audience)! Audience translates to support, both financial and otherwise. A station must have a compelling case to be able to cultivate an audience and create a relationship as well as build a community with them. The Development Exchange, Inc. (www.deiworksite.org) has a vast library of information around the topic of growing listener support and new stations can subscribe to their services or become NFCB members to take advantage of some of their tools through the DEI Lite program. There is an art to building listener support at stations, so it's best if new stations don't try to reinvent the process. There are also various software programs to help stations track their listeners and communicate directly with them. The key to a station's success is having lots of listeners! Listener loyalty allows a station to do significant things in its community. Therefore, stations must have compelling content that serves their listenership and appeals to their continued devotion to the station. Proof that a station has a significant number of listeners is one of the most important components of a compelling case that the station can make in its fundraising efforts.

Major Gifts: Developing a major gift program is an essential development task early on in the life of a new station. Cultivating donors of high net worth who are supporters of the station but can afford to give larger sums of money is possible even before a station has any listenership. A major gift program is all about the relationship the individual has with the station project and later, with the broadcasting station. Taking care of this relationship is essential to the station and should be done by the station's Board of Directors and or top-most management. The major gift program is a long-term project and should yield a return in the long-term. The project manager, board member, or station manager who cultivates a relationship with a potential major donor should never be afraid to ask for the funds, though they should be careful not to ask too soon. Asking for a major gift should also always be done with confidence and a great deal of passion for the station. The person asking for the donation must also be able to demonstrate the long-term viability of the station if they expect the kind of support that a major gift entails.

Underwriting: Underwriting is the receipt of financial support from an outside business or organization and the acknowledgement of that support through an on-air mention of the business or organization. It differs from a commercial in very distinct ways that will be covered in a later chapter on Legal Compliance. A station should develop a plan for selling underwriting on its airwaves. If the station has built up a significant audience and can provide proof that there are listeners at what time and for how long, then underwriting is a viable option for revenue at that station. The station should create a sales kit to send to potential underwriters in the community. They should determine the availability of placement for each underwriting

announcement. They should research the regulations around underwriting and underwriting language and observe them diligently. The station can also opt to add rules to further define their underwriting guidelines beyond that which is prescribed by the FCC if they wish. There are a number of software applications designed to track sales of underwriting as well as to schedule them for airplay in the studios. NFCB also publishes *The NFCB Guide to Underwriting, 2nd Edition* as a resource in this area.

PTFP Grants: Within the Department of Commerce in the Federal Government, the National Telecommunications and Information Administration (NTIA) oversees a federal funding program called PTFP, the Public Telecommunications Facilities Program. PTFP's website, www.ntia.doc.gov/ptfp, provides detailed information about all aspects of the program and application. PTFP is a competitive grant program that helps public broadcasting stations, state and local governments, Indian Tribes, and non-profit organizations construct facilities to bring educational and cultural programs to the American public using broadcasting and non-broadcasting telecommunications technologies. PTFP does also fund religious organizations if the station applying for funds runs a service that is primarily non-sectarian. Often, PTFP grants that are made to a project require that the grantee match the funds given at a rate of 25 or 50 percent. The program is approximately 30 years old and comes from an annual appropriation by Congress that is subject to the annual Congressional budget cycle. Funding for PTFP varies from \$15 million to nearly \$30 million each year. Unfortunately, PTFP is also routinely slated for abolishment.

A station does not necessarily have to have its FCC license in hand to apply for a PTFP grant, but must have a construction permit awarded by the time the grant is made. The organization applying for the grant also does not need to have 501(c)3 status to apply, but must have the non-profit status in hand before the grant is awarded. If a change in non-profit status occurs during the application process, the applicant should keep in touch with the PTFP program officer and advise him or her of the change.

PTFP funds sustainable (a very important concept to reviewers of PTFP grant applications in recent years) public radio and TV station construction and upgrades. It helps stations purchase equipment primarily, but will also fund professional installation of equipment, training on complex equipment, or initial software installation where necessary. These non-equipment costs are the only ones PTFP will fund. The program also funds radio and TV reading services, distance learning projects, and research projects for the field to test the viability of building a station. Funding research projects through planning grants differs from a construction grant because it covers more of the intangible things that must be done to organize and plan before the actual building gets done. To figure out what is needed to organize in the community, or get the financial support and engineering work done, requires staff time, which can be funded by a PTFP planning grant. In addition, travel to conferences (such as the NFCB Community Radio Conference) for training purposes as well as employing the services of consultants can also be included in a planning grant. An applicant can submit more than one application in a single year.

There is a list of equipment on the PTFP website that shows what kinds of equipment the program will fund, and standard pricing for each unit. If a station is granted PTFP funding, these are the things that the station can ask for. There is also no maximum amount that can be requested, but the higher the amount that is requested, the more scrutiny there will be of the grant application. As a general guideline, projects over \$500,000 receive a great deal of scrutiny. However, projects under \$10,000 get a lot of scrutiny too, because it is a lot of work applying for a PTFP grant for such a small amount of money. In general, 1 in 2.2 applications to PTFP are funded, so the odds of success for each application are very high.

PTFP grants are awarded to applications with the highest number of points, arrayed over the priorities 1 through 5. The best applications, not necessarily the neediest applicants, are most often funded, so the strategy for most applications should be to prove that a station project is needed to provide public service programming to as many Americans as possible. PTFP's purpose is *not* to provide training to students or volunteers. Of course, providing programming and training volunteers are not mutually exclusive in many cases, but applications that focus on public service programming score higher. With regard to programming content and format, PTFP does not distinguish between qualities of programming choices. Applications are not rated on the type of programming being offered or planned. Applications showing how a station's programming is different than that of an existing service in the same community, and how that service is needed in the community, will score higher; although that is not a specific criteria.

The application evaluation process includes each application getting scored by 3 station managers who are not from the same state or an adjacent state as the applicant. The evaluation criteria are addressed in the application narrative. In addition, the national review panel made up of a representative from NFCB, CPB, and National Public Radio (NPR) provide comments on each application submitted. The criteria and point values on which each application is judged are as follows:

- Applicant Qualifications (Yes or No)
- Financial Qualifications (Yes or No)
- Project Objectives (Possible 33 points)
- Urgency (Possible 33 points)
- Technical/Planning Qualifications (Possible 25 points)
- Involvement of Women and Minorities (Possible 9 points)

It is preferred that the PTFP application form be completed online. Using grants.gov for completion of the online form is possible, but not recommended. The thickness and length of the application is not necessarily advantageous to the applicant. The application narrative is limited to 5 pages, and these pages should be used wisely. A station applicant should develop a theme for their narrative and remember the points value of each item to be included in the narrative. Headlining each section as given in the criteria will help organize the information for reviewers. Applicants can add appendices to detail items discussed in the narrative at the end of the document. Finally, applicants who have significant involvement at the organization of women and minorities should fully explain the roles of those individuals at the station. These points can make or break an application.

Although points are not given for additional information requested, this material does inform the score of the application. Applicants should use the PTFP checklist to ensure that they have included everything. An inventory of needed equipment and 5-year equipment plan are essential. All FCC applications should be included in the grant application. Support letters from organizations around the community as well as those from city, state and Congressional leaders are highly recommended. Support letters from Congress are not required, but can help, and most members of Congress are happy to write them. Furthermore, one positive result of contacting the local Congressperson to request this letter is that the Congressperson knows about the importance of PTFP in the area. In addition, some application reviewers are suspicious if a support letter from the Congressperson is not included. In evaluating letters of support, keep in mind that emails which say exactly the same thing repeatedly are not considered very strong. If an applicant has a letter from the head of the School Board or another community official like that, it would be very powerful. Finally, incorporating photographs and maintenance logs of existing equipment that must be replaced, is also helpful.

Common mistakes made with PTFP applications are a misplaced emphasis on some fact or criteria that PTFP does not deem essential, a lack of documentation for the matching funds that are expected, or insufficient explanation for the request of a 75 percent Federal share of the funds required for the project. Furthermore, points are often lost by the lack of emphasis on the inclusion of women and minorities in the station project, or too much space is used in the narrative to describe programming, volunteers, or the governance structure of the organization, all of which are secondary to the main information required, as listed before.

After completing a PTFP grant application, it is recommended that applicants have at least one person review the *entire* application for content, clarity, and consistency. Assemble the application materials as is requested, for ease of the reviewers. In this case, presentation counts, so applicants should use the free folder that can be obtained from PTFP Program Officers in which to submit their documents. The process should be thought through like a prudent manager would think through any process: What happens if the application is not funded this year?, Is the case for a 75% Federal share explicit?, etc. Keep in mind that stations can apply two years in a row for PTFP grants and be successful both times. Many of the larger public radio stations do that. Be sure to send the application via a guaranteed delivery service and keep the receipt for the shipping in the event that the application is mis-delivered or held up due to inclement weather or natural disasters. As of the deadline of the grant application, stations can start spending their share of the matching funds at their own risk. If a project required a certain piece of equipment and the station spent the money to purchase that equipment as of or after the deadline date of the PTFP application, then the money spent will count towards the matching funds required for the grant if the grant is awarded.

PTFP calls any application that is not funded a “deferred application”. If a station wishes to reapply for PTFP funding in subsequent years after having failed to receive a grant, they can re-activate the deferred application by submitting an entire application which may or may not include elements collected in the previous deferred application. This process does not diminish the workload of assembling the new PTFP grant application. A station should reactivate a deferred application if it is for a project that the station was required to do anyway, with or without PTFP funding. If the station had already spent its share of the matching funds to do the absolutely necessary work already in the previous year, then applying again for a PTFP grant and using that money already spent as a match against the next grant would be highly beneficial.

Matching funds for a successful PTFP grant cannot come from Federal sources, such as CPB. Furthermore, the match must be for items in the PTFP project. Donated equipment can be used as part of the required match, if the equipment is evaluated and priced by an independent engineer. Likewise, professional services can be donated as part of the match. Public Radio Capital (PRC) offers a loan program, the Public Radio Fund, which can also serve as part of the match amount, though the funds will have to be paid back in time. See the Public Radio Fund webpage for addition information:
<http://www.publicradiocapital.org/fund/borrowing.php>.

It is best to contact the PTFP program officer assigned to the state in which the station is being built early with any questions about the application process. If an applicant was unsuccessful in a previous year, he or she can ask for a review of the application to see how the application can be improved in another round.

If a project receives a PTFP grant, the grantees must stay on top of the grant requirements, return paperwork to the PTFP office as soon as possible, provide reports in a timely fashion, and request any amendments to the grant terms that are needed during the course of the grant. Grantees should consider their Program

Officer to be their main point of contact for any questions relating to the grant. The Program Officer can provide advice on grant requirements as well as technical assistance on the project, and are expected to handle requests from grantees in a timely fashion.

When the award document arrives for a granted PTFP application, the recipient must see that copies of the document are signed by the authorized official of the organization and returned to PTFP offices, preferably *not* via U.S. mail, but through a more reliable courier service. The grantee should read the award information noting all deadlines, and make a copy of the *entire* award package for the station records. Finally, if there are any questions, the grantee should contact his or her program officer immediately. The grant number issued in the award document must be referenced in all correspondence with the PTFP office or in communications with NIST (National Institute for Standards and Technology). The grant manager should have the grant number ready anytime he or she calls a program officer or NIST specialist, so the grant number should be kept accessible in the station offices. NIST serves as the financial office for PTFP grants, and each grant made is assigned to a specific specialist in that office. The NIST office approves financial reports made by grantees, and approves payments made to grantees through the ASAP system. Reports filed by PTFP grantees come through a system called PORTS. The PTFP office issues an authorization code to each grantee to register in PORTS. The person registered in PORTS should be the person filing all reports. The authorizing official may be another individual who signs all contracts and amendments with PTFP.

CPB Funding: The Corporation for Public Broadcasting offers the Community Service Grant (CSG) program to public broadcasting stations that have been on the air for a year or more. Therefore, with a new NCE station just getting built, the CSG program is not a viable funding source, though plans for CSG eligibility can be made early on in the development of the project. To eventually qualify for funding from the CSG program, a station must be able to meet a specified minimum level of service to its community as well as meet a variety of legal, managerial, staffing, and operational criteria. Certification requirements for stations hoping to receive CSG funding can be found on the CPB website at <http://www.cpb.org/stations/certification/>. A PDF version of the document which can be downloaded and kept as a desk reference is online here: http://www.cpb.org/stations/certification/cpb_certification_req.pdf. It would benefit a station to understand the requirements for CSG funding early on, well before the station is eligible to apply, so that the requirements are planned for as the station is being built.

Legal Compliance –

completing/submitting forms, observation of FCC rules and regulations

File Ownership Report electronically (within 30 days following grant of construction permit)

Apply for station call letters

Designate Chief Operator

Prepare logs to be filled out upon sign-on and during broadcasts

Apply for license

Perhaps the most intimidating aspects of building a Community Radio station are those tied to legal compliance, especially as they are overseen by the Federal Communications Commission. The confusion of forms and deadlines, the complexities of FCC rulings, and the fear of fines or a threat to the station's license, all contribute to the general anxiety of rules and regulations. However, knowing the rules and keeping organized with documentation, calendars, and station policies will eliminate most of that apprehension. One reference tool comes from NFCB, which publishes print and online editions of the *Public Radio Legal Handbook*, completely revised by a team of communications attorneys led by John Crigler of Garvey Schubert Barer of Washington, DC. Member stations can obtain the handbook at a discounted rate. Besides this comprehensive volume, the following guidelines apply most directly to a new station in the process of being built.

The Public File

An applicant for a new NCE station must begin keeping a Local Public Inspection File (the "Public File"), a collection of documents that must promptly be made available to anyone who asks to see it, at the point in which the group has submitted an application to the FCC. Copies of the application must be maintained in the Public File at a location accessible to the public during normal business hours (e.g., Monday through Friday, 9 a.m. to 5 p.m.) in the community where the station is proposed, like a public library or post office. If the applicant group has offices that can house the Public File, it can be kept there as long as the office is open to the public.

Besides the station application, the Public File should include the following items, as required by the FCC (some of these documents do not yet apply to a new station that is not yet broadcasting):

1. Authorizations: a current FCC construction permit or license to operate and all modifications and conditions to those permits
2. Applications: a copy of all pending applications filed with the FCC; if the application contains a waiver of the FCC's rules, it must be maintained in the public file until the waiver is no longer needed
3. Ownership Information: a copy of the most recent, complete Ownership Report (FCC Form 323-E) and all contracts listed in the Ownership Report, including Articles of Incorporation and Bylaws, and any amendments to those documents
4. Contour Maps: a copy of any service contour maps that have been submitted with an application to the FCC, along with the address of the main studio and transmitter location
5. EEO Materials: Form 396 Broadcast EEO Program Report filed contemporaneously with the renewal application; Form 396A Broadcast Model EEO Report filed with the construction permit application for a new station if the applicant proposed to employ five or more full-time employees; Form 397 Mid-Term Report for radio stations employing more than ten full-time employees midway

through the renewal term; and Annual EEO Public File Reports for all stations employing five or more full-time employees

6. Political File: information concerning requests for and uses of airtime by qualified political candidates
7. *The Public and Broadcasting*: a copy of the FCC's manual
8. Issues/Programs Lists: a list of several community issues addressed by the station's programming, as compiled every three months
9. Donor List: a list of donors supporting specific programs broadcast on the station (donors making a general contribution to the station are not required to be listed)
10. Sponsors of Controversial Programming: a list of the Chief Executive Officers or members of the Executive Committee or Board of Directors of any group that sponsors or furnishes programming of a political nature or programming regarding a controversial issue of public importance
11. Renewal Announcement Certification: a certification that the required public notice of renewal filing was made for the station, including the dates and times of the pre-filing and post-filing announcements and the text of the announcements, until final action is taken on the renewal application
12. Material Concerning an FCC Investigation or Complaint

Avoid including too many documents that go beyond what is required from this list. Also, ensure that all station staff and volunteers know where the Public File is housed and who holds the key to the file. Access to the Public File is required by law for any stranger upon request during normal business hours. Individuals requesting a copy of the station's Public File must be furnished with it within seven days, at a nominal fee for copying expense, if the station wishes to charge one.

License and Renewals

Approximately three or four months before the new station is scheduled to go on the air, the project manager must file the FCC 302-FM application for a station license. After the license is issued, a station must file its renewal application four months before the expiration date that is listed on the license. Station Managers should mark the filing deadline in their calendars. Penalties for a late filing of the renewal application is a fine of up to \$3,000 and potential loss of the license. Although license terms are for eight years, the initial term will likely be considerably shorter depending on when the initial covering license is granted. The license renewal deadline is determined by the state in which the station's community of license is located, which means all stations in the same state file for license renewal at the same time.

Non-Profit Ownership and Transfers of Control

For reporting of ownership of a station to the FCC, the project manager for the station must file Form 323-E when a construction permit has been issued. This should be done within 30 days of the grant of the CP, but if more than 30 days have elapsed, then the project manager should submit that form as quickly as possible. Historically, there usually are no penalties for filing this form late, but if a consistent record of late filings develops with a station, the FCC may consider penalizing the station later. If the licensee's Board of Directors experiences a gradual transfer of control over time (50% or more) compared to the Board members the FCC approved in the initial application, the station must file a Form 316 application for FCC consent. If half the Board changes in one election, the station must file a Form 315 application for FCC consent to the transfer of control. Within 30 days after the grant of either the Form 315 or Form 316, the station must file a

Form 323-E ownership report reflecting the transfer of control. In general, there are 3 dimensions to the non-profit status of a Community Radio station: a non-profit under state law, a federal IRS Section 501(c) tax exemption, and the FCC non-commercial educational licensee. All three of these can impose restrictions on the sale of all or most assets of a station if the station is to be transferred to another entity for control.

EEO Requirements Imposed by the FCC

The FCC imposes Equal Employment Opportunity (EEO) requirements on stations even before they have received a CP and still have a pending application for a new station. The EEO Model Program Report (Form 396-A) must be filed by all applicants for a construction permit for a new station or for FCC consent to license assignment or transfer of the control of a station if they propose to employ five or more full-time employees. When filing license renewal applications, all stations must complete Form 396, the Broadcast EEO Program Report. In that, the station has to indicate whether it employs five or more full-time employees, and if it does, it is required to submit with that report its two prior Annual EEO Public File Reports. The deadline for filing the Form 396 is the anniversary of when the license renewal application is due (four months before license expiration).

Every station with five or more full-time employees is required to engage in affirmative outreach and recruitment activities for all full-time positions and to document their efforts in the annual EEO public file report. Affirmative outreach takes two forms: recruitment for each full-time vacancy and participation in general outreach initiatives even if no job openings occur at the station. The annual EEO Public File Report must be placed in the Public File and posted on the station's website (if it has one) on the anniversary of the date its license renewal application must be filed. Although the FCC does not have a prescribed form for this report, the report must contain a list of all full-time job openings (by position and date) filled during the prior year, the sources used to recruit for the opening (including name, address and phone number of the contact person at each recruitment source used), whether that source requested that it receive notice of openings, the source that referred the person hired, and a list of the number of people who were interviewed and which source referred them. Furthermore, the report must include a description of the outreach initiatives conducted, such as hosting of a job fair, training, internships, or scholarships, and who from the station with hiring authority participated in each initiative. A station is required to do four initiatives over a two-year period, unless the station is located in a small market (less than 250,000 in the Metropolitan Statistical Area) or has less than 11 full-time employees, in which case they must do two initiatives over a two-year period.

In addition, the FCC requires other EEO report forms, including the Broadcast Mid-Term Report (Form 397), for all radio stations with more than ten full-time employees, to be filed on the fourth anniversary of the filing for a license renewal. The station must upload the two most recent annual reports it produced for this.

The FCC does review this information submitted by stations. Not only at renewal and with the Mid-Term report, approximately 5% of stations are audited each year, so recordkeeping is key. A possible fine for violations to EEO requirements, lack of recruiting for full-time positions, or unfiled reports is \$20,000. The FCC might also impose harsher reporting conditions or a short-term license renewal period rather than the usual eight-year period. To understand the level of information that is requested in an FCC audit of EEO compliance, refer to the *Sample FCC Audit Letter of EEO Requirements in the Appendix of this manual*.

The area of non-discrimination in the matter of EEO also has both Federal and State laws and enforcement.

Regardless of whether you have five or more full-time employees, all stations are prohibited from discrimination under FCC rules. Federal and State laws also prohibit discrimination. The Equal Employment Opportunity Commission (EEOC) is the federal agency that oversees these matters on a national level, whereas on a state level there is typically a state agency that regulates employment discrimination claims. Enforcement is divided between these two parties. The “protected” class that these agencies recognize are racial and ethnic minorities, women, and individuals aged 40 years or more. A complaint can only occur if there is a loss of benefit by a staff person at the station resulting from discrimination based on one or more of these protected statuses listed. A “Benefit” could be pay, sick leave, or a promotion. A practical note about the filing of a discrimination complaint: Bringing such a complaint is easy and only requires a one or two page form and no lawyer. Based on just that form, the state or federal agencies will investigate all discrimination complaints. Such cases are usually also difficult fact-based cases because an adverse action by the station can be said to have a “mixed motive.” Furthermore, with wrongful termination cases, the stakes are even higher and damages could include back pay, benefits, and in some cases, attorneys’ fees for the complainant. A volunteer can also sue for “wrongful discharge” if the discharge is based on one of the prohibited motives listed. Like a complaint on the termination of “at will” employment, a breach of any contract or employment agreement isn’t necessary as long as an act of discrimination caused the dismissal of the volunteer.

Quarterly Issues/Programs Reports

As stated earlier in the section on the Public File of this chapter, Issues/Programs Lists must be included in the Public File quarterly, and it should be done within 10 days following the close of each quarter. It is imperative that station have this document in their Public File on time. When it is time to renew the station’s license, the FCC will ask whether the quarterly Issues/Programs Lists were placed in the Public File at the appropriate times. If the station is late doing that, even if they honestly reveal the truth of being late, the FCC will likely fine the station. If the station is late adding this report to the Public File and misrepresents that to the FCC and the truth is discovered, the station could be fined a much higher amount and could lose its license. The FCC typically levies \$10,000 fines for non-compliance with these reports. Even before license renewal time, if the station is inspected by the FCC and one or more of the quarterly Issues/Programs Lists is missing, the station will be fined. Stations must keep these lists for the entire license period of eight years, which means that at license renewal time, a station should have 32 lists in its Public File.

The FCC does not have a prescribed format for the Issues/Programs List, though it may adopt one in the near future. It does, however, specify that the station identify the most important issues to the community and show how programming content addressed those issues. The content of a typical list would include six to ten illustrative issues of importance to the community and the programs that were aired to address them.

Quarterly Issues/Programs Reports should include a brief narrative of how each issue was treated; that is, how the program responded to the listed issue; the date, time, and duration of each broadcast; and the title and type of programming (e.g., call-in show, public service announcement, documentary). The issues should not be framed too broadly (e.g. “business”) nor too narrowly (e.g. “neighbors fight blight”). Stations should be able to show that they have clearly defined community issues to cover, and that did not unreasonably ignore a particular community issue. Nationally syndicated programming as well as national issues that are locally significant can be included on this list. Furthermore, not all the programming has to be traditional public affairs. Stations can include educational, agricultural, meteorological, religious and entertainment programs that deal with community issues, but the bulk of the list should cover public affairs programs.

Hard news stories are generally not considered issue-responsive programming. It is also unacceptable to air all the issue-responsive programming for a station during overnight hours when a smaller audience would be able to listen. Stations have to show that some of the programs were broadcast at times when they could be reasonably expected to have a significant audience. The point of compiling such a list for the Public File is so that, at license renewal time, if individuals in the community challenged the station's claims that it is responsive to community issues, the station can show the FCC that it has a fairly comprehensive list of programming addressing a wide range of significant issues important to the community.

Political Underwriting

During the political season, a station may be approached by candidates running for office who ask to buy advertising on station airwaves. Non-commercial stations have no advertising, however, not even for political candidates, so the station may consider accepting underwriting from the candidates.

Many rules exist around such political underwriting, however:

- Stations may not raise their underwriting rates for political underwriting
- Stations may not allow candidates to voice his or her own underwriting announcement. Doing so then becomes a "use" and the station is then required to provide all of the candidates opponents with equal air time (if requested) at no charge.
- Underwriting by a political candidate can-not advance that person's candidacy, oppose his or her opponent, or express a "view". Political underwriting must follow the rules of underwriting, including no calls to action, no comparative or qualitative language.
- Non-commercial stations are not required to accept political underwriting, even by candidates for federal office.
- Stations may choose not to accept any political underwriting, or may choose to accept only underwriting for local races, or only underwriting for national races. Stations may not choose to accept underwriting from one political party and not another, however, or from one candidate and not another. The station's underwriting policy must be nonpartisan.

Political File Requirements in the Public File

Stations must keep a "Political File" as a part of its Public File if they permit political "uses" of the station airwaves. The Political File rule requires that, for a period of two years, stations keep the following records in this Political File:

- A record of all requests for broadcast time made by or on behalf of candidates
- A record of the station's response, positive or negative, to any request for time by or on behalf of a candidate, and the charge made
- A record of any "use" by a political candidate

Handling of Complaints

While only commercial stations have to keep complaint letters from the public in the Public File, complaints made by listeners about broadcast content can be a good thing for a station. They can serve as a useful feedback mechanism. If a complaint is made in writing, a reply should be sent. If it is made by phone or email, it should also be collected and addressed. It is good practice to respond to all complaints when possible with courteous, professional comments, because this will reflect well on the station. In addition,

prompt response to a complaint may avoid escalation to a more formal FCC complaint process. Keep in mind, though, that in responding to a complaint, stations do not have to agree with all of the ideas expressed by the listener.

Engineering Compliance

A number of legal regulations also exist around studios, transmitters, and the broadcast technology of a radio station. For instance, at the station, it is necessary to post the station's original license in the main studio and the name of the designated chief operator and his or her contact information.

Each station must also keep a variety of logs, all of which should be retained on file for two years, must be kept in an orderly, legible manner, and must not show any erasures when errors are made and corrected on the logs. When an error is made on the logs, a single-line strike-through should be made through the mistake, and the information to be logged should be re-written next to it and signed and dated by the person making the correction.

There are also requirements pertaining to the antenna structure. If the antenna is on a tower taller than 200 feet, or within 2 miles of an airport and the height pierces the theoretical glide slope, the antenna structure registration number that is listed on the CP application must be posted at the transmitter site on a weather resistant sign that is visible at the site without trespassing.

If a radio tower is required to have lights mounted on it, a log must be kept to show that the lights are being checked to ensure they are functioning well. A tower light indicator must be checked manually once every 24 hours and noted on the engineering log in the studio. If the tower has an automatic alarm system that will notify the station if the tower lights should go off, then that system must be inspected every three months. Station staff are required to contact the Federal Aviation Administration (FAA) by phone within 30 minutes of a tower light outage and when the light is repaired. Such occurrences should be noted in the log along with the corrective action taken.

Meter calibrations must also be noted on an engineering log, and it should be done as often as necessary to maintain compliance. Older tower equipment likely needs to be checked more frequently than newer, more reliable equipment. When checking the meter calibrations, the engineer or operator should log the date of the calibration and any corrective measures taken.

Equipment performance measurements also need to be on hand in case of an FCC inspection. The station engineer is in charge of maintaining this. AM stations require these measurements every 14 months, but all stations require them after the installation of new equipment. Any FCC inspector will request this upon a visit to the station.

There should be established procedures for monitoring the operating power and modulation of the transmitter. The daily schedule for checking this is up to the licensee, unless the license requires a prescribed frequency. A good engineering practice for monitoring power is taking a meter reading every three hours to check the power and operating parameters of the transmitter and logging it. A station also must have the ability to turn off transmitter or reduce its power either via someone on site or remotely, or by an automated transmitter control. A transmitter's power level must be adjusted within three hours if it is operating over the licensed power limit, or with excessive modulation. If the above-power limit or excessive

modulation is causing harmful interference, or the station is operating substantially at variance from the authorized radiation pattern, then the adjustment must be made within three minutes.

Emergency Alert System (EAS)

The FCC requires that Emergency Alert System (EAS) equipment be installed, tested and (in certain emergencies) used by all broadcasting stations. All broadcast stations must have operational EAS equipment capable of sending (except Class D noncommercial FM stations) and receiving the digital EAS protocol. The only opportunity for a station to opt-out of participation in any EAS-related protocol is in cases of national level Emergency Action Notification (EAN) alerts. Upon receipt of a national EAN, a participating station will stay on the air providing necessary information while a non-participating station takes its signal off the air after announcing where listeners should tune for emergency information. All stations are considered participating stations, unless they submit a written request to become a non-participating station, and receive a written authorization to that effect. Regardless of their participating or non-participating status, all stations are still required to install and maintain EAS equipment and participate in the weekly and monthly tests of the system.

FCC inspectors often focus on this area of inspection because errors in EAS performance are fairly obvious, and common. EAS equipment must be installed and functional. The EAS Operating Handbook and log must be present at all EAS control points. Two sources, as set forth in the State Plan (usually two other broadcast stations) must be monitored at all times. The log must show that weekly and monthly tests, both those received from the monitored sources and those transmitted by the station, were being done. Because public safety is involved with the function of a station's EAS, possible hefty fines are incurred when a station is out of compliance in this area.

Station Identification

Station identification over the air is another area where there is little subjective interpretation of whether a station is in compliance. Appropriate station identification must be made at the beginning and ending of each period of operation, when a station signs on the air and before it signs off. It must also be done at the top of each hour, as close to the hour as feasible, at a natural break in programming. The content of the identification must consist of the station's call letters, immediately followed by the community of license and state. Any reference to additional communities must be made after the community of license. The name of the licensee, or the station Frequency may be inserted between the call letters and community of license, but no other insertion is permissible.

An FCC Self-Inspection Checklist (updated September, 2009) for broadcasting FM radio stations can be found in the Appendix of this manual.

Content: Obscenity and Indecency

Obscene, indecent, and profane language is a violation of federal law in any broadcast programming content except during certain hours of the day. Obscene material is not protected by the First Amendment to the Constitution and cannot be broadcast at any time. However, during the time period between 10:00pm and 6:00am local time daily (commonly referred to as the "safe harbor" period), a station may air indecent and/or profane material. In contrast, there is no "safe harbor" for the broadcast of obscene material.

Congress has given the FCC the responsibility for administratively enforcing these laws. The FCC may revoke a station license, impose a monetary fine, or issue a warning if a station airs obscene, indecent, or profane material. The definitions of these different terms are as follows:

- **Obscene:** To be obscene, material must meet three factors:
 - An average person, applying contemporary community standards, must find that the material, as a whole, appeals to the prurient interest;
 - The material must depict or describe, in a patently offensive way, sexual conduct specifically defined by applicable law; and
 - The material, taken as a whole, must lack serious literary, artistic, political, or scientific value.
- **Indecent:** 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, but may be restricted to certain times of the day when children may be less likely to be present.
- **Profane:** Profanity has been defined as “including language so grossly offensive to members of the public who actually hear it as to amount to a nuisance.”

The belief that *only* the Seven Dirty Words, as defined by comedian George Carlin in a 1972 comedy routine, are disallowed in broadcasts is not entirely true. While those words (shit, piss, fuck, cunt, cocksucker, motherfucker, and tits) will likely generate complaints to the FCC in any broadcast content and are the most likely words to catch the attention of general audiences, they are *not* the only questionable words. Complaints have been filed in certain cases around utterances of other words not on that list that were suggestive of obscene, indecent, or profane content. These seven words themselves are not automatically deemed obscene or indecent in all contexts. Furthermore, specific words are not all that can be deemed obscene, indecent, or profane. The overall message of a broadcast, repeated innuendos used, and the context of words chosen all factor into a ruling. In making these determinations, context is key, according to the FCC.

Other than “shit” and “fuck,” the FCC does not have a specific list of words prohibited from the airwaves. In the past, the law did not support the sanctioning of fleeting references to obscene or indecent content or single utterances of certain words. Repeated utterances of that kind of content were considered more dangerous. However, in recent years, the FCC has interpreted the regulations more strictly and has prosecuted broadcasters for even fleeting references. Note that as of this writing, in a case that arose in the context of the FCC’s change in its fleeting expletives policy, the Second Circuit Court of Appeals struck down the FCC’s indecency policy as unconstitutionally vague. At this time, it is not known whether the FCC will appeal the decision to the Supreme Court or attempt to rewrite its indecency policy.

Underwriting

As mentioned in a previous chapter, underwriting announcements are made when the radio station receives financial support from an outside business or organization and acknowledges that support through an on-air mention. Underwriting differs from a commercial in very distinct ways that the FCC has defined and continues to monitor, although there is dynamic tension in the Communications Act around it. The FCC must not “censor” a non-commercial station, but has an enforceable ban on advertisements over its airwaves.

Still, donors are required to be acknowledged over-the-air; hence, non-promotional acknowledgments are permitted.

The FCC does state that donor acknowledgement is mandatory when anything of value is received from a for-profit entity, including, but not limited to, monetary support. These on-air acknowledgements may consist of the name, location, telephone number, web address, and non-promotional audio logo of the business. The difficult parts of the FCC's underwriting rules are that the announcement may also include *value-neutral descriptions that do not promote a product or service*. It may not include price information for products or services sold by the business, calls to action on the part of the audience (e.g. "Call today!"), or inducements (e.g. "30% off"). Finally, underwriting announcements must be scheduled so as not to interrupt regular programming.

Fines for violations of these regulations, whether they are objective or are subjectively interpreted can be extremely expensive.

Broadcast of Telephone Conversations

The FCC prohibits the simultaneous broadcast, or the recording for later broadcast, of telephone conversations unless the recipient of the call has been notified beforehand. The only exception is when the party not associated with the station originates the call to a well-publicized request line or number for a call-in program where listeners are presumed to know that calls are customarily broadcast.

Music Licenses

For stations that intend to broadcast recorded music in their format, there are a number of music licenses that must be paid for, namely Public Performance Licenses from Performing Rights Organizations (PROs): the American Society of Composers, Authors and Publishers (ASCAP); Broadcast Music, Inc. (BMI); and Society of European Stage Authors and Composers (SESAC). Fees for the right to air recorded music were determined for public radio stations through 2012 by a private agreement approved by the Copyright Royalty Board. These fee must be paid annually by January 31. If a new station is not an affiliate of NPR, the fees to be paid are based on the population served within a 60 dBu contour at the following rates (as of 2009):

- Population less than 250,000: \$567 per year for ASCAP
\$567 per year for BMI
\$124 per year for SESAC

The rate increases incrementally with a population increase.

- The maximum rates for a population over 3 million are: \$5,150 per year for ASCAP
\$5,150 per year for BMI
\$1,030 per year for SESAC

Stations licensed to a college or university pay less:

Flat rate of \$287 to ASCAP and BMI annually

Flat rate of \$116 to SESAC annually

The rates for the Public Performance License and for reproduction are listed in the Appendix of this manual.

Many stations may have to provide an annual report based on 1 week of performances of music over the air if requested by a PRO. PROs can ask up to ten stations per year to report. If a station is rebroadcasting another station's music programs, it will need written consent to serve as rebroadcast permission.

Good Journalistic Practices

A new radio station can be a unique and important voice in the community, in part by airing original news and public affairs programming. Volunteers and staff who will be involved in this non-fiction programming must be aware of the legal setting, which carries certain responsibilities. Good journalistic practice implies that permission is routinely sought for on-air use of interviews. This can be done by written releases, or by verbally asking permission while recording and ensuring that the verbal answer is also recorded. This applies both to live interviews and interviews over the telephone. Some states have laws forbidding the recording of telephone conversations without the consent of the other party, which again can be obtained at the very start by recording the verbal request by the interviewer and the agreement by the subject. If an interview subject denies permission, the recording stops.

The courts recognize a broad latitude for news organizations reporting on public officials and even public figures. But it's desirable to act responsibly, check facts, and confirm controversial claims with multiple sources. Where the subject is not a public figure, several legal issues can be present. People enjoy an expectation of privacy, which can be violated when sensitive matters that they need or want to keep private is broadcast. Others who have a franchise name, such as a well-known band or actor, may have certain controls over their right of publicity that can be violated by misuse of their voice or image, or even their name. There can also be hazards in putting an interview subject in a false light, by taking their comments from one context and putting it in another. All of these issues can be tricky. At a minimum, news gatherers must be aware that these legal issues are ever-present, at least as potential problems in dealing with the public. No station wants to overlook these practice guidelines and end up with a lawsuit.

The FCC formerly required that stations give "fair" and "adequate" attention to controversial issues of public importance. The "adequate" part, while not required, is a good aspirational goal. Community stations should "adequately" cover controversial issues and must not perceive a broadcast license as an authorization to be unfair. Specifically, when someone is personally attacked on the air, it is good journalistic practice to give them an opportunity to respond. That opportunity usually takes the form of being interviewed by a reporter or on-air host, and does not normally involve granting them unedited response time on the station.

Even where the station personnel involved are all volunteers, news gathering and news and public affairs programming should be approached in a professional manner. In our system of government, keeping the public informed is a high, recognized constitutional purpose. A community broadcaster has a privileged position to do that, and should strive honestly to inform, engage, provoke, and enlighten – all in a manner that earns credibility.

Finally, stations should keep in mind that a single chapter in a manual such as this provides a general overview and cannot possibly serve as a substitute for specialized FCC or IRS advice. Nor, can it cover all of the variations of factors that are considered in many of these legal cases. In any tricky area of legal compliance, it is best not to assume something, but rather to seek professional advice or other references. Similarly, most of the legal and FCC precepts described here are a minimum standard. As a matter of policy, stations can always decide to surpass the minimum and set higher guidelines for their own staff and volunteers. Finally, note that little or nothing in the rules set forth by the FCC is about *excellence*. Individual stations add a touch of quality and merit to what they do.

Programming & Format – on-air content and network affiliations

Define target audience(s)

Formulate program schedule

Periodically review programmers and shows

Training of on-air staff

Contract with programming networks and producers for outside station content

Programming is ultimately why anyone builds a radio station. It is the fun part of all the hard work that goes into building one. It is also the part of the radio station that makes the community service possible. There are many ways to program a non-commercial Community Radio station. There are no “wrong” ways, but there *are* consequences for all the programming choices made at a station. If station staff and programmers can understand these consequences (more or fewer listeners, certain types of listeners, more or less impact, etc.), the station’s programming choices will be better informed.

Programming a radio station begins with how the station Board and Staff defines public service and how they define success. A station might want to have a committee work on developing a programming schedule. Before going on the air, a new station must have a defined schedule. To create that schedule, the station must define its target audience or audiences and ensure that the programs scheduled meet the needs of that specific audience.

There are three basic principles of programming a radio station:

1. **The business of radio is programming.** Its business is not community-building, or movement-building, or developing an exemplary internal process. These things may result and can be part of the station’s mission, but the core business of the station is programming and the product of the station is programming. There are other legitimate purposes for starting a radio station, but for most non-commercial educational radio stations, the business objective is quality programming.
2. **Programming exists to serve listeners.** Programming does *not* exist to serve volunteer programmers, Board members, funders, or underwriters.
3. **Programming causes audience.** Either a large number of listeners, or large number of people who find the station’s programming important and like it; or a small number of listeners (relative to the community population), or small number of people who find the station’s programming important. Radio interference (poor signal quality), lack of promotion, or other factors might contribute to the extent of station listenership, but for the most part, audience size starts with the station’s programming choices.

Radio listening is determined by how people live their lives. It is very habitual, and not usually appointment-driven. People generally listen to the radio at the same times each day, on the same days of each week. Most listener tune-out is induced by lifestyle while most tune-in is by habit. Generally, radio tune-in does not occur because a listener remembers that it is 4:00pm on a Monday and that is the time for a specific program that he or she does not want to miss. Something like that only occurs for the occasional and extraordinary program. Certainly, now that so much audio content is available on-demand via online audio archives and podcasts, a listener is even less apt to rearrange his or her lifestyle to accommodate the broadcast schedule of a specific program.

Radio listening is also decided by the coherence of a station's format. Stations with the most listeners have a single format, ie. classical music, news and information, sports talk, jazz, etc. If a station is not going to have a single format, it should still be as listener-friendly as possible with strip-programming, or programs that are similar in format for large periods of the day during most days of the week, wherever possible. Because strip programming is used to deliver consistent content to targeted audiences, it requires a great deal of thought and consideration. The needs of the target audience should be researched for this style of programming to be successful. If a program schedule resembles a patchwork quilt or large map of the continent of Europe, it will be difficult for a listener to follow for large segments of the day.

Finally, radio listening is influenced in large part by what the station's competition has programmed. There is so much competition for a listener's attention, beyond even other radio stations. Other media, including online content, available to a potential listening audience also serves as competition to what a new NCE station can provide.

When deciding to add a Program Director, Programming Committee, or other staff equivalent to the station, three factors should be considered: Whether or not the station is encountering mutually exclusive programming options that all seem to fulfill the station's mission and some level of decision-making is required; if recruitment, training, and maintaining on-air programs get to be too difficult for the volunteer or volunteers doing the work ad hoc; and if and when the station's budget can afford to employ the new staff person or can arrange for an effective committee to take over the work. Most public and Community Radio stations are structured with a Program Director who has clear authority for all programming choices. A good Program Director will often consult on various decisions, but this does not necessarily have to be. Some stations have a more "democratic" approach to programming choices and will institute a Program Committee to make programming recommendations or even final decisions. Democratic input from a Program Committee is often more likely if it is codified into a process, but decisions are made quite slowly this way.

Following is a short list of programming content that Community Radio stations can consider:

- national or local music programs
- local weather
- local traffic reports
- national or local news programming
- national or local public affairs (talk) shows
- call-in shows
- cultural programs (including literature, radio theater, etc.)
- emergency news services
- special local and national events
- seasonal specials, holidays, ceremonies
- local (youth) sporting events
- station promotional announcements
- Public Service Announcements (PSAs)
- underwriting announcements

Designing a Program Grid

The main charge of the Program Director or Programming Committee at a radio station is to arrange the station's program schedule to be of the greatest service to its community and to grow the largest number of listeners. The leadership at a Community Radio station must know its community and identify who within that community the station wishes to reach. Each station has its own set of goals, and the programming choices made must adhere to those goals. The audience that the station wants to reach and the goals that the station must uphold has direct bearing on how the station's Program Grid (or Program Schedule) will be designed. Some things are likely consistent for all stations, however. Every station wants a large number of

people to tune in each week (Cume). Every station wants a lot of people listening at any given time (AQH). And, every station wants the people who tune in to stay tuned in (TSL).

While these terms, defined and put into use by Arbitron, the leading consumer research company in the country that collects listener data on radio audiences, are often used to rank the performance of commercial radio stations, they are still relevant to Community Radio stations, which also get measured in all but the smallest markets. The terms provide a somewhat objective measurement of the impact a station is having in its community and the level of its public service.

- *Cume*, short for “cumulative audience,” is a measure of the total number of unique listeners over a period.
- *AQH*, an abbreviation for Average Quarter-Hour Persons (AQH Persons), is a statistic that measures broadcast radio listenership as the average number of persons listening to a particular station for at least five minutes during a 15-minute period.
- *TSL*, or time spent listening, is the amount of time the average listener surveyed spent listening to each radio station at one time, before changing the station or turning it off.

To get people to tune in, stay tuned in, and tune back in later, station programming staff should understand when people tend to use radio and the internet. Peak usage for radio is between 6:00am and 9:00am (morning drive), and again between 4:00pm and 7:00pm (evening drive) on weekdays. Peak usage for the internet is between 10:00am and 12:00pm, and 4:00pm and 9:00pm on weekdays, and again on Saturday and Sunday mornings. This general timeframe does differ in certain markets or in relation to certain communities within some markets (e.g. in farmworker communities, the early peak period of radio usage is much earlier because farmers are typically early-risers; in college communities, students tend to wake up later, so the early peak period of radio usage is much later than the norm).

If a station remembers to employ vertical flow, ensuring that one program leads well into the program after it, to keep listeners tuned in over several programs during the day (typically resulting in block programming), the station will increase its TSL measurement. Vertical flow, on a basic level, often means minimizing transitions between music and public affairs programs, especially during peak listening hours. Programs need not be identical from one to the next, but there must be some connection between them, enough to develop an overlap in audience. Most radio listeners tune into a station to hear music or news/talk programming and every time a station’s program shifts from one of those formats to another, the station will lose some audience share, often significant numbers, and it takes a long time to build up a new audience in the new format.

Likewise, by employing horizontal flow in which a station programs like content the same time each day across all weekdays or across both days of the weekend, a station benefits from the fact that people tend to listen to radio at the same times each day, and most of them don’t radically shift their programming tastes from one day to the next. It is best if stations also don’t radically shift their programs from one day to the next.

Thoughtful programming choices for a Community Radio station might mean that local and national programming are both used to complement one another on the schedule. The temptation at Community Radio stations may be to only broadcast local music DJs and program hosts, but listeners might also want access to national issues to balance their consumption of the local content. Very few local stations have the resources to cover national issues thoroughly. If more than one genre or format of programming content is

being planned for at the station, then balancing them will be a delicate process. Keep in mind, though, that one or two hours of Spanish-language radio will not win over Latino listeners from an all-Spanish station in the region, and one or two hours of hip-hop music will not pull many listeners away from the local “urban” music station, if the market has this sort of competition in existence. The Program Director or Programming Committee must find the right time of day for a genre or format and stick to it.

Examples of Program Grids:

The following station program grids represent successful programming choices evidenced by the fact that these stations have large audiences.

	MONDAY - FRIDAY	SATURDAY	SUNDAY
12:00 AM	Sleepers Awake! With Bob Chapman	Sleepers Awake! With Tara Lynn	Sleepers Awake! With Bob Chapman
1:00 AM			
2:00 AM			
3:00 AM			
4:00 AM			
5:00 AM	Weekend Classics	Rise and Shine! With David Ballantyne	Weekend Classics
6:00 AM			
7:00 AM	Sing for Joy	WCPE Morning Concert With Terry Marcellin-Little	
7:30 AM	Great Sacred Music With Ken Hoover		
8:00 AM			
9:00 AM			
10:00 AM	Weekend Classics	Your Classical Lunch With Larry Kirwan	
11:00 AM			
11:30 AM			
12:00 PM			
1:00 PM			
1:30 PM			
2:00 PM		Metropolitan Opera (Dec-May) or Weekend Classics	
3:00 PM			
4:00 PM	Allegro! With Deana Vassar		
5:00 PM			
6:00 PM	Preview! With Deana Vassar	M-W-F: WCPE Concert Hall Th: WCPE Opera House	Saturday Evening Request Program
7:00 PM			
8:00 PM			
9:00 PM	Peaceful Reflections	Music in the Night	
10:00 PM			
11:00 PM			

WCPE (Wake Forest, NC): Single-format classical music station.

	MONDAY- FRIDAY	SATURDAY	SUNDAY
12:00 AM	News and Notes	News and Notes	All Things Considered
1:00 AM	BBC World Service	This Week in Northern CA	Living on Earth
1:30 AM		Soundprint	
2:00 AM	Radio Specials	Commonwealth Club	To the Best of Our Knowledge
3:00 AM	Morning Edition	Washington Week	To the Best of Our Knowledge
3:30 AM		Inside Europe	Commonwealth Club
4:00 AM		It's Your World	
5:00 AM	KQED Morning News, The California Report, Perspectives	Weekend Edition	Weekend Edition
6:00 AM	Morning Edition	Weekend Edition Perspectives 8:37	Weekend Edition
7:00 AM			
7:30 AM			
8:00 AM	Forum	Weekend Edition	Weekend Edition Perspectives
9:00 AM			
10:00 AM	Forum	Car Talk	Car Talk
11:00 AM	Talk of the Nation	Wait, Wait Don't Tell Me	A Prairie Home Companion
12:00 PM	Talk of the Nation	This American Life	
1:00 PM	Fresh Air	Radio Specials	City Arts & Lectures
2:00 PM	World	The California Report	On the Media
3:00 PM	News Hour	BBC World Service	BBC World Service
4:00 PM	Marketplace	Living on Earth	Says You!
4:30 PM	All Things Considered		All Things Considered
5:00 PM		All Things Considered	All Things Considered
6:00 PM		Marketplace	A Prairie Home Companion
6:30 PM	Humankind		
7:00 PM	Fresh Air	Selected Shorts	To the Best of Our Knowledge
8:00 PM	Radio Specials		To the Best of Our Knowledge
9:00 PM	BBC World Service	Studio 360	Marketplace Money
10:00 PM	Forum	This American Life	Tech Nation
11:00 PM	All Things Considered	Wait, Wait Don't Tell Me	On the Media

KQED (San Francisco, CA): Single-format news and information station.

TIME	SUNDAY	MONDAY	TUESDAY	WENESDAY	THURSDAY	FRIDAY	SATURDAY
5:00 AM	After Hours	Other Voices	Promenade	A Musical Offering	Variations on a Theme	Fantasia	Crazeology
6:00 AM	Hmong Radio						Los Madrugadores
7:00 AM	Musica Antiqua	Eight O' Clock Buzz					The Dusties Storm
8:00 AM		Her Turn	World Book of Records	Pastures of Plenty	Back to the Country	Diaspora	Mud Acres
9:00 AM	Her Intimate Variety	A Public Affair	A Public Affair	A Public Affair	A Public Affair	A Public Affair	Tropical Riddims
10:00 AM		Democracy Now!					
11:00 AM	Better Living Through Show Tunes	All Around Jazz	Fire Worship!	Journeys into Jazz	Strictly Jazz Sounds	Who Cooks For You?	Pan Africa
11:30 AM	On the Horizon					Democracy Now!	La Junta
12:00 PM	Third World View	BBC Newshour				Labor Radio	I Like It Like That
1:00 PM	Salamat	Free Speech Radio News				Blues Cruise	
2:00 PM	Pachyderm Parade	In Our Backyard - Local News					Friday on my Mind
3:00 PM	The Best of Gospel	Access Hour	En Nuestro Patio	Query	Radio Literature	Cipher Zone	
3:30 PM		Something Wonderful	The Original Wilson Brothers	This Way Out	Perpetual Notion Machine / Healthwriters		
4:00 PM	R.T.Q.E.	Mosh Pit	Leopard Print Lounge	Guilty Pleasures	Psycho-acoustics	Below the Radar: Minds Eye Radio Live & Local Fiction Jones	Universal Soul Explosion
4:30 PM					Hour of Slack		
5:00 PM	Weekly World Noise	Rolling with Scissors	Kosmic Radiation	La Botica/ Phil Live on the Air	Azrael's Litterbox	Crazeology	After Hours
5:30 PM	Rock en Espanol						
6:00 PM	In One End	See Top of Schedule					
6:30 PM							
7:00 PM	Classical	Folk	Jazz	Rock	Blues		

WORT (Madison, WI): Multi-format station that considers vertical and horizontal flow in its strip-programming.

Growing a station's audience and advancing its mission means that the station must define its target(s), which should include audience size and reach. As stated earlier, a consistency of format is also desirable, especially during both morning and evening drive times. Schedule only the best programs during the peak listening times (morning and evening drive times as well as on Saturday and Sunday mornings). There should never be a block of programming shorter than 2 hours in length. Keep in mind that as people's lives change, so will their taste in different formats of radio programs. Therefore, a consistency of appeal will be very difficult to predict and will be easier to analyze once the station is on the air. Don't assume that people who like world music will want to listen to a discussion of world affairs, and vice versa. Furthermore, listeners will be attracted to quality programs, because people want to be engaged. How the content is delivered is very important. Otherwise, the very important content that is being delivered won't be heard by many. Finally, while on-air promotion doesn't usually garner more listenership at a station, it will accelerate the discovery of programs by people who like certain kinds of programs, so promoting various programs during morning and afternoon drive-time will help.

Common mistakes and faulty beliefs that Program Directors or Programming Committees commit are that listeners tune into the station and never change the dial. This makes their programming stagnant and will cause the station to lose audience. Additionally, the idea that people listen to Community Radio differently than other radio also causes programmers to ignore conventional wisdom around quality programs. The belief that listeners tune in at the top of the hour is also erroneous. Listeners usually tune in when they can, regardless of when a program begins or ends. Finally, for stations that have volunteer programmers, if it believes that it must schedule a program for broadcast when the volunteer is available, it runs the risk of building a patchwork quilt of a program grid and will not necessarily be optimizing the time at which that program will be heard by its target audience. *Programmer contracts, similar to the sample version included in the Appendix of this manual*, should state the days and times that a particular program will air. That time should be determined for the program before the producer and host is determined and can be listed in the contract. Keep in mind that programming a Community Radio station is an art and a science. As both, it allows for experimentation as a station proceeds. Encouraging flexibility among volunteer programmers is fine so that they can see what works and have fun making radio as well. But, make sure that there is thoughtfulness and purpose attached to all programming choices made at the station and that for every choice made, a consequence, good or bad, has been identified, and is acceptable for the station.

It is the responsibility of the station's General Manager, Program Director, or Programming Committee to ensure that on-air who staff represent the station fully understand the station's mission and any boundaries for broadcasting, be they station standards or federal broadcasting regulations. Programmer contracts, regular reviews of on-air programs regularly, and on-going training of all programmers will maintain this. Programmers must understand that the station's airwaves belong to the licensee of the station and not to individuals.

Program Evaluation and Improvement

Periodically reviewing a station's programs will help improve their content and give show producers and hosts helpful feedback for their own individual development as broadcasters. Each program can be evaluated in numerous areas, including mission fulfillment, radio mechanics, content selection, or genre-specific factors. *A few evaluation forms and other similar tools can be found in the Appendix of this manual.* It is important to continuously review on air programs not so that the station can remove programmers from

the schedule, but to improve the skills of the programmers, improve the quality of the shows so that listenership will grow, and to increase listener loyalty.

Program reviews can be done by many different participants involved with the radio station, and different kinds of reviews will call for different reviewers. A Program Director, Programming Committee, or others entrusted by the station to think about the programming needs of the target audience and make decisions about programming would be some obvious reviewers. Having programmers self-review is also helpful. Asking the programmer's peers at the station to review the program allows those who know the genre and broadcast issues best to give an evaluation. Finally, some stations opt to have the listenership or other members of the community review shows. Given unlimited time and resources, allowing all of these groups to review a program will make for a well-rounded assessment. That said, early on in a new station's development, self and peer reviews would be easiest to implement and still yield good information. Getting programmers accustomed to the review process from the beginning will make it easier to always implement this essential component of the programming process.

Broadcast Skills Training

Helping volunteer programmers who may have never worked in radio before to learn broadcaster skills and find their voice to make a connection with the station's audience is also a crucial function of the Programming Department.

Different skill sets are required for programmers, producers, and show hosts of different formats. Specifically for volunteer music programmers, the skills that need to be developed are:

- voice skills and comfort on mic
- program mechanics: start and end on-time, legal IDs, logs, playlists for posting and reporting
- board operations
- programming music sets and breaks
- FCC compliance with rules against indecency and other regulations

For volunteer news and public affairs programmers, similar skills are needed including voice skills and comfort on mic, as well as compliance with FCC rules against indecency, but other, more specialized proficiencies are required for this format:

- interviewing
- writing for radio
- digital audio editing
- production: planning and assembling components of stories and pieces
- community journalism, journalism ethics and philosophy

The process for training volunteer programmers and on-air personnel differs among different Community Radio stations. Researching the process at existing stations can inform a new station what options there are. NFCB members also have access to training manuals and various tools provided by other stations in the Document Library of the Member Area of the NFCB website. However a new station wishes to go about establishing its training curriculum, it is extremely important that the station have designated personnel to train others and manage the volunteers. They could be paid staff, a group of veteran volunteers, or other experienced members of the group. Following the training period for a new programmer, there should be a clear process by which the programmer can get involved with station broadcasts. For most new volunteer

and programmer training programs, three steps are often incorporated into the process in one form or another:

- First contact: a tour of station facilities and studios, discussion of how the volunteer programmer wishes to be involved with on-air content, introduction of training process
- Initial training: at least one hour of one-on-one or group instruction on the basics, practical training in the studio with an instructor or experienced programmer
- Follow-up training: peer training or demonstrations of on-air broadcasts supplemented by trial periods of broadcasting or production work by the trainee in practice studios or during overnight air shifts.

Some community stations, especially those offering robust training programs taught by radio professionals or certified instructors, or those linked to colleges and universities, will charge nominal fees for training. This can be a supplemental revenue source for a Community Radio station and it will ensure that the station's producers and on-air staff are committed to the training process.

Networks and Options for Syndicated Programming Content

National Public Radio (NPR), Public Radio International (PRI), American Public Media (APM), Pacifica Radio Network, the Associated Press (AP), and various satellite services are just a few of the broadcast industry news sources available to non-commercial and commercial radio stations. Most of these are national news services only and do not offer much local content. With some of these, including AP, some limited free services are available, but for most, a station must obtain a paid subscription.

There are also a number of groups independently run by volunteers or other organizations offering news and information programs at a minimal cost or at no cost. Here are a few that are available:

The A-Infos Radio Project: www.radio4all.net

Amateur Radio World-Wide: www.hfradio.org

American Indian Radio on Satellite from Native American Public Telecommunications (NAPT):
www.airos.org

Free Speech Radio News: www.fsrn.org

Independent Media Center: www.indymedia.org

National Radio Project: www.radioproject.org

Native Voice One (NV1): www.nv1.org

Prison Radio: www.prisonradio.org

Radio Bilingüe: www.radiobilingue.org

World Radio Network: <http://www.wrn.org/corporate/re-broadcasting/>

Workers Independent News: www.laborradio.org

Randall Davidson, an independent radio professional, also maintains a list of news wire services, non-commercial satellite services, and programs for non-commercial radio available by means other than satellite download. Interested stations can contact him by e-mail (davidsor@uwosh.edu) to request the list.

Benediction & the Greater Radio Community

Though the task of building and running a non-commercial educational radio station may be difficult and seem endless, Community Radio has its own society of stations and other organizations that can serve as support. Becoming a part of that greater community, be it on a regional level, through mentorships with neighboring stations, or as part of an association of professionals at stations, will help a new station face its challenges with the benefit of decades of collective knowledge from radio professionals in the industry.

Join any number of these associations in broadcast media to get direct access to peers and professionals through listservs, and explore the many tools and resources offered by each:

National Federation of Community Broadcasters (NFCB): <http://www.nfcb.org/index.jsp>

The Association of Independents in Radio (AIR): <http://www.airmedia.org/>

Association of Music Personnel in Public Radio (AMPPR): <http://www.amppr.org/>

Center for Asian American Media (CAAM): <http://asianamericanmedia.org/>

Eastern Region Public Media (ERPM): <http://www.easternpublicradio.org/>

Development Exchange Incorporated (DEI): <http://www.deiworksites.org/>

Integrated Media Association (IMA): <http://integratedmedia.org/home.cfm>

Intercollegiate Broadcasting System (IBS): <http://www.ibsradio.org/>

National Association of Black Journalists (NABJ): <http://www.nabj.org/>

National Association of Broadcasters (NAB): <http://www.nab.org/>

National Association of Hispanic Journalists (NAHJ): <http://www.nahj.org/>

Native American Journalists Association (NAJA): <http://www.naja.com/>

Native Public Media (NPM): <http://www.nativepublicmedia.org/>

Prometheus Radio Project: <http://prometheusradio.org/>

Public Radio News Directors Incorporated (PRNDI): <http://www.prndi.org/>

Public Radio Programmers Association (PRPD): <http://www.prpd.org/topmenu/home.aspx>

Radio Television Digital News Association (RTDNA): <http://www.rtdna.org/>

Unity: Journalists of Color, Inc.: <http://www.unityjournalists.org/>

University Station Alliance: <http://www.us-alliance.org/>

World Association of Community Broadcasters (AMARC): <http://www.amarc.org/>

Each group serves a different population of stations and in some cases, a different role within a station, but all of these are service organizations with benefits that any Community Radio station would be able to utilize. Become a member or subscribe to some of these services early, because the work that every new NCE station has ahead of it is daunting and getting assistance from others who have accomplished similar things will make the process easier.

It was stated earlier in this manual that Community Radio is an important part of the ever-expanding landscape of media and content, and that individuals building a new station are key players in their local community's access to that landscape. For this reason, a new Community Radio station must begin with a carefully thought-out plan and the right processes in place for a firm foundation on which to grow. For all the changes and challenges that the station will face in the future, its greatest chance for success will be because it was established with a strong plan behind it. This guide to building and maintaining a non-commercial educational radio station was produced in the hopes that each construction permit issued by the FCC results in a viable, thriving radio station that provides an important public service to its community.

The important work of broadcasting each community's unique perspective to educate members of that community and meet the needs of its people is a worthwhile endeavor. Good luck.

Appendix

Sample and Reference Documents

1. Sample Mission Statements
2. Sample FCC Audit Letter of EEO Requirements
3. FCC Self-Inspection Checklist for FM Broadcast Stations (updated Sept. 2009)
4. Rates list for the Public Performance License and for Reproduction of Music

Templates and Tools

1. Station Budget
2. Programmer Contract
3. Programmer Evaluation Form: Self and Program Director
4. Programmer Evaluation Form: Self Review
5. Programmer Evaluation Form: Peer and Program Committee