



Corporation
for Public
Broadcasting

Office of the Inspector General

August 29, 2022

To: Jackie J. Livesay, Deputy General Counsel and Vice President, Compliance
Kathy Merritt, Senior Vice President, Radio, Journalism and CSG Services

From: Kimberly A. Howell, Inspector General

A handwritten signature in black ink that reads 'Kimberly A. Howell'.

Digitally signed by
Kimberly Howell
Date: 2022.08.29
16:14:41 -04'00'

Subject: Evaluation of WOI-FM, Iowa Public Radio Compliance with Selected Communications Act and Transparency Requirements, Report No. ECR2210-2211

We have completed an unannounced evaluation of compliance with selected requirements of the 2022 Corporation for Public Broadcasting (CPB) Community Service Grant (CSG) awarded to WOI-FM, Iowa Public Radio, licensed to the Iowa State University of Science and Technology, Ames, Iowa. Our specific objectives were to verify compliance with twelve requirements of the Communications Act of 1934, as amended (Act) for open and closed meetings and open financial records, as well as the CSG General Provisions and Eligibility Criteria (General Provisions) for transparency as presented in Exhibit A. Background information on the station and CSG program can be found in Exhibit B.

Based on our review of WOI-FM website on May 16, 2022, we found the station was compliant with seven of the eight requirements applicable. Four requirements were not applicable. The station was not compliant with the following requirement to:

- provide seven-day advance notice of board committee meetings.

In response to our draft report, WOI management stated that they are committed to ensuring compliance with CSG grant terms and CPB requirements. They believed they met the 7-day advance notice requirement by counting the day posted as day one and the day of the meeting as day seven. WOI management now understands that the notice should be seven days prior to the meeting date, and they will revise their posting practice to ensure CPB compliance. Based on WOI's response to the draft report, we consider our recommendations resolved but open pending CPB's management decision accepting the station's corrective actions. The station's response to the draft is presented in Exhibit D.

We initiated this evaluation to address station accountability as identified in our Annual Plan. We conducted our evaluation in accordance with the Council of the Inspectors General on Integrity and Efficiency *Quality Standards for Inspection and Evaluation*. Our scope and methodology are discussed in Exhibit C.

cc: Bruce M. Ramer, Chair, CPB Board of Directors
Robert Mandell, Chair Audit and Finance Committee, CPB Board of Directors
U.S. Senate Committee on Homeland Security and Governmental Affairs
U.S. House of Representatives Committee on Oversight and Government Reform
U.S. Senate Committee on Commerce, Science and Transportation
U.S. House of Representatives Energy and Commerce Committee
U.S. Senate Committee on Appropriations
U.S. Senate Labor-HHS-Education Appropriations Subcommittee
U.S. House of Representatives Committee on Appropriations
U.S. House of Representatives Labor-HHS-Education Appropriations Subcommittee

FINDING AND RECOMMENDATION

ACT COMPLIANCE

We found that WOI-FM was not fully compliant with Act requirements for open meeting advance notice requirements. WOI-FM did not provide seven-day advance notice for all public meetings of board committees. Specifically, we found that for two of the six meetings reviewed, seven-day advance notice for the meeting was not provided. For the two meetings that did not meet requirements, the Governance Committee on July 27, 2021 and the Finance Committee on February 14, 2022, WOI-FM provided six-day advance notice on the station's website.

The Act requires that stations make reasonable advance notice of open meetings to the public. Further, CPB's Communications Act Compliance requirements clarify that stations may satisfy the reasonable notice requirement by doing the following:

Stations may satisfy this requirement by providing at least seven days advance notice of an Open Meeting, including time and place of meeting by:

1. posting notice on the station's website;
2. broadcasting notice on-air between 6 a.m. and 11 p.m., as shown by station's log;
3. placing notice in the "Legal Notices" section of a local newspaper in general circulation in the station's primary coverage area; or
4. giving notice through recorded announcement accessible on the station's phone system.

CPB's Communications Act Compliance requirements, I. Open Meetings, E. Notice of Open Meetings (June 1, 2021).

The station was not fully compliant with open meeting advance notice requirements and may be subject to penalties under CPB's CSG Non-compliance policy.

Recommendations:

We recommend that CPB management require WOI-FM to:

- 1) fully comply with Act requirements for open meeting advance notices; and
- 2) identify the corrective actions and controls it will implement to ensure future compliance with Act requirements.

WOI-FM Response:

In response to our draft report, WOI management stated that they are committed to ensuring compliance with CSG grant terms and requirements. They believed they met the 7-day advance notice requirement by counting the day posted as day one and the day of the meeting

as day seven. WOI management now understands that the notice should be seven days prior to the meeting date, and they will revise their advance notice posting practice to ensure CPB compliance.

Office of the Inspector General Review and Comment:

Based on WOI's response to the draft report, we consider our recommendations resolved but open pending CPB's management decision accepting the station's corrective actions to ensure future compliance.

**Summary of WOI-FM Website Review
as of May 16, 2022**

Requirements	Met	Not Met	Unable to Determine
1) Seven-day advance notice of governing body meeting:			
a) available on website	X		
b) available by other means			
2) Seven-day advance notice of board committee meetings:			
a) available on website		X	
b) available by other means			
3) Seven-day advance notice of Community Advisory Board meetings:	N/A		
a) available on website			
b) available by other means			
4) If closed meetings were held, was documentation prepared explaining the basis for closing meeting in accordance with the Act:			
a) available on website	N/A		
b) available at central office			
5) If closed meeting documentation was prepared, was it available within 10-days of the closed meeting	N/A		
6) Most recent Annual Financial Report available on website	X		
7) Most recent audited financial statements unaudited financial statements on website	X		
8) Senior/executive management information on website	X		
9) Governing body members on website	X		
10) Community Advisory Board members on website	N/A		
11) Diversity Statement:			
a) available on website	X		
b) available at central office			
12) Most recent Local Service Content Report (Section 6 of the SAS):			
a) available on website	X		
b) available at central office			

Background

WOI-FM, Iowa Public Radio (IPR), was created in 2004 by the Iowa Board of Regents to manage the radio groups of Iowa State University, University of Iowa, and University of Northern Iowa. On July 1, 2022, IPR officially became the owner of its 26 broadcast stations, rather than managing them for the state's public universities.

The IPR website states that its mission is to enrich the civic and cultural life in Iowa through high-quality news and cultural programming. Their goals focus on five major themes:

- Delivering programming excellence-statewide and beyond.
- Innovating in a changing media environment.
- Building a financially stable and well-respected statewide institution.
- Growing audience and building community.
- Maintaining excellence in technology and audio delivery.

CPB's Community Service Grant Program

The Act provides that specific percentages of the appropriated funds CPB receives annually from the United States Treasury must be allocated and distributed to licensees and permittees of public TV and radio stations. CPB distributes these funds through its CSG program. Grant award amounts are based in part on the amount of Non-Federal Financial Support (revenues) claimed by all stations on their Annual Financial Reports (AFR) or Financial Summary Reports (FSR) submitted to CPB.

In addition to the annual filing of a station's AFR or FSR for radio and/or television, the chief executive of the station and a licensee official annually certify to CPB the station's compliance with Act requirements and selected General Provisions requirements in the legal agreement awarding the station CSG funds.

These certifications specifically address open and closed meetings; open financial records; Community Advisory Board; CPB Employment Statistical Report; and donor information requirements under Section IV Communications Act Compliance of the agreement. Station officials responsible for closed meetings and the CPB Employment Statistical Report requirements are identified in the grant agreement. The certification also includes Website Postings Required under Section V. Selected General Provisions Requirements of the agreement.

Scope and Methodology

We performed an evaluation of WOI-FM's compliance with selected CSG provisions of the Act and grant certification requirements. Our specific objectives were to verify compliance with selected Act requirements for open and closed meetings and open financial records, as well as Radio Community Service Grants General Provisions and Eligibility Criteria for Transparency. The scope of the evaluation included reviews of the information posted on the station's website as of May 16, 2022, as well as information provided in response to our Preliminary Observations issued on May 31, 2022.

We reviewed documents supporting the station's compliance with the Act requirements to provide advance notice of public meetings; notice of closed meeting reasons; and make financial information available to the public. We also reviewed the station's website and processes to determine its compliance with CPB's transparency requirements for eligibility. We informed station management of our evaluation on May 31, 2022, and we requested additional information to support the station's compliance, including as applicable transparency information maintained at its central office was required to be made available to the public at its central office if not posted on its website.

We also reviewed CPB's Integrated Station Information System to determine if the evaluated information made available to the public was the most recent information submitted to CPB. In addition, we verified with station management that board and management listings posted to its website were current.

Our fieldwork was conducted from May 16 through June 9, 2022, and our evaluation was performed in accordance with the Council of the Inspectors General on Integrity and Efficiency *Quality Standards for Inspection and Evaluation*.

July 25, 2022

Kimberly Howell, Inspector General
Office of the Inspector General
Corporation for Public Broadcasting
401 Ninth St., NW
Washington, DC 20004-2129

Dear Inspector General Howell:

This letter is in response to your draft report, dated July 6, 2022, of an unannounced evaluation of WOI/Iowa Public Radio (IPR) compliance with 2022 CPB Community Service Grant requirements. Iowa Public Radio takes seriously our role as manager of public radio stations, and we are strongly committed to compliance with the Communications Act.

In your report you reported that IPR failed to meet the 7-day advance notice for two committee meetings of the IPR Board of Directors. We believed we had met the requirement in both cases noted. In both cases, we counted the day we posted our agenda as day 1, making the day of the meeting day 7 (e.g., July 21, 22, 23, 24, 25, 26, 27). We believed we were living up to both the spirit and letter of the requirements.

Based on the draft report, we now understand your intent for 7-day advance notice is for the day of the meeting to be day 8 from the day of posting. IPR will ensure that we will do that in all instances in the future. We met this threshold on all six board meetings and four of six committee meetings. IPR also followed Iowa law regarding meeting notifications, and were well within the Iowa state law requirement of 24 hours posted notice of agendas for public bodies.

In the future, we will revise our posting practice to ensure we are in CPB compliance. We currently post the committee meeting agenda as the announcement of the meeting date, time and location. In the future, we will post twice: the first post will list the date, time and location of the committee meeting, often several weeks in advance. The second post will be the agenda for the meeting. This will give the public even more advance notice of IPR committee meetings.

Please know that our intent was to be in full compliance. We believe that you can see that through the organization of our website, through your findings in all other categories, and through our thorough response to your questions in this process.



Thank you for the opportunity to respond to your draft report. Please let us know if there is anything else you need from us.

Best regards,

Myrna Johnson
Executive Director

Cc: Robert Downer, Chair, Iowa Public Radio Board of Directors
Jackie Livesay, Deputy General Counsel and Vice President, Compliance
Kathy Merritt, Sr. Vice President, Radio, Journalism and CSG Services