Statement of Principles of Editorial Integrity in Public Broadcasting

(1985)

**We Are Trustees of a Public Service**

Board members have an absolute responsibility to serve as the public’s trustees of a service providing educational, cultural and informational programs; and to protect the credibility of that public trust. Because of public broadcasting’s broad and serious responsibilities, the structure and autonomy of its licensee boards is vitally important. The board can carry out these responsibilities effectively only if it is structured or convened solely to govern the public broadcasting enterprise.

The trustees are also responsible for protecting editorial integrity against undue influence from any source. Undue influence is any direct or indirect influence that seeks to leave the person with the assigned responsibility for programming decisions no alternative but to comply.

In order to serve the public by protecting editorial integrity, the trustees need to understand their vital role in this important enterprise. Dallin Oaks, chair of the PBS Board defined it very clearly:

First, boards must educate the public, public officials and policymakers in their chain of command so that they understand the need for editorial freedom. Second, we need to assure and certify to public officials and to the public that editorial freedom is being exercised responsibly.

To do this, trustees must be sufficiently involved with their institutions to set policies responsive to the public need, yet sufficiently detached from operations to evaluate the service objectively.

**Trustees are responsible for assuring that their enterprise provides services at a high level of quality and responsiveness to the public. To be responsive to the citizens they serve, the trustees must assure that there is a protocol to consider diverse views and opinions from the public. The station’s chief executive officer is responsible for creating and maintaining open and effective communication channels with the public.**

**Our Service is Programming**

The purpose of public broadcasting is to provide its audiences with programming of a quality, variety and type not readily available elsewhere. All other activities of a public broadcasting licensee should be defined by and secondary to that purpose, for the ultimate measure of its effectiveness is the success of its programming.

Audiences of all ages identify public broadcasting by the programs they use. To them, public broadcasting is not an institutional structure. It is the excellent national and local programs which provide them with educational, informational and cultural opportunities. Policies, procedures, goals, objectives and activities within a station should be defined by their contribution to the programming mission.

**To ensure the best environment for good program decision-making, and to ensure fundamental security for editorial integrity, the station’s chief executive officers should report directly to the licensee board, and should be responsible for developing and implementing objectives based upon service goals developed by the trustees.**

**Credibility is the Currency of Our Programming**

Programming is the purpose of public broadcasting and the product by which audiences judge its value. Audiences hold public broadcasting programs to a high standard of excellence and judge their public broadcasting operations by rigorous credibility criteria. Public broadcasters therefore must operate above suspicion of vulnerability to undue influence. Trustees are ultimately responsible for assuring the reality and the perception of credibility.

The process of developing programs to meet the audience’s needs must function under clear policies adopted and regularly reviewed by the trustees. This process must be managed by the professional staff according to generally accepted broadcasting industry standards, so that the programming service is free from pressure from political or financial supporters. The station’s chief executive officer is responsible for assuring that the program decisions are based on editorial criteria, such as fairness, objectivity, balance and community needs; not on funding considerations.

**To best assure that the trustees have the necessary authority to implement their responsibility in this area, the trustees should have the authority to hire, fire, and set compensation for the station’s chief executive officer, within fiscal realities of the times and the market. The chief executive officer, in turn, should have authority to set qualifications for staff; to hire, fire, assign, and set compensation for staff; all within guidelines established by the trustees. The chief executive officer should also have the established authority to act in the absence of stated policies.**

**Many of our Responsibilities Are Grounded in Constitutional or Statutory Law**

All broadcast licensees, public and commercial, operate under strict legal guidelines and restrictions. The license under which all stations operate is granted by the Federal Communications Commission according to federal statutory terms of the Communications Act of 1934 and subsequent amendments.

Certain provisions of the Communications Act, the Facilities Act of 1962, and the Public Broadcasting Act of 1967 as amended, apply specifically to public broadcasting. These provisions affect public broadcasting licensees’ operations by restricting the use of federally funded facilities for revenue-generating purposes, bans on advertising, and bans on endorsement or support of candidates for political office.

Public broadcasting licensees are scrutinized rigorously as recipients of direct and indirect governmental aid. Many licensees exist on the basis of various state and local statutes containing a variety of operational responsibilities and regulations. In addition, public broadcasters often operate charitable foundations, endowments or corporations for fundraising, program production, etc., which are subject to state and federal regulation as tax-exempt entities.

**Public broadcasting licensees also have the responsibility of operating within the areas of free press and free speech protected by the First Amendment. As such, they are held to the same public scrutiny and expectations as the largest and most prestigious journals and networks in the country.**

However burdensome or intimidating the complex labyrinth of statutory and regulatory responsibilities of public broadcasting licensees may be, they are far outweighed by the unlimited opportunities for service to the public. Trustees and station managers must master the intricacies of their legal circumstances and be prepared to seek remedy or exemption to any local or state regulation(s) which impair their ability to assure fidelity to the public trust which their broadcasting license represents. In no arena is the responsibility of the trustee to educate public policymakers more important.

**We Have a Fiduciary Responsibility for Public Funds**

Public broadcasting operations use millions of dollars of individual and corporate contributions; and federal, state and local taxes. Neither good structural design nor strict operational procedures will preserve the overall credibility of the system unless the public and its representatives perceive that they are getting good value for their money.

**Trustees are responsible for assuring continued public support for and funding of the public broadcasting station, and should have total control over all funds and resources regardless of source, whether appropriated, earned or given. Yet state laws, regulations and operating practices often prevent this. While such management controls are necessary for usual state government operations, they can seriously hamper public broadcasting’s ability to function efficiently and economically because its process and its product are so different from most state services and because it operates within deadline pressures unknown in most areas of government. It is often impossible to provide the high quality broadcasting service the public expects with many of the restrictions imposed by state operating systems.**

While trustees of institutional licensees may not have ultimate control over the allocation of funds, they are nevertheless responsible for ensuring that such funds are used effectively and efficiently. They must certify to the public and to all funders that they have spent public broadcasting funds wisely and well.

It is therefore necessary that trustees and station managers seek exemption from procedures and policies which may prevent the cost-effective and efficient operation of their license. Sound financial management of a public broadcasting station is crucial to its credibility.