

# EDITORIAL INTEGRITY for PUBLIC MEDIA

Principles, Policies, & Practices

## Funding and Firewalls

*A Working Group discussion draft*

### Introduction

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The world of public media in America is made up of a diverse set of institutions; urban and rural, small and large, some focused primarily on news and others focused on a broad array of community services. Despite those variations, editorial principles are important to every licensee. We begin with a proposed overarching statement of principle which we believe all stations can subscribe to, no matter their specific orientation or mission.

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## Statement of Editorial Principle

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We believe public broadcasting/media occupies a unique space in American culture, an intersection where the public's overwhelming trust in our enterprise confronts today's fractured media environment. The trust we have been granted occurs at a time when consumers can readily select media that is designed to reinforce specific points of view, where opinion and fact become unlabeled and interchangeable. Public broadcasting, on the other hand, offers a trusted, non-partisan editorial safe harbor, where there is a constancy of purpose and an unfailing allegiance to truth, accuracy and fairness. Accordingly, all public broadcasting stations subscribe to this principle:

*Public broadcasting content will always represent facts as facts, opinions as opinions, and will exert care to label each accordingly. This standard applies to all content produced by public media, regardless of subject matter, including news, science, history, information and cultural content. It applies across all platforms: radio, television, print and online. We believe this principle should apply universally to all of the many broadcast and online services we provide to the American people, now and into the future.*

### The Challenge of Matching Principles with Resources

To produce content that subscribes to our stated principle obviously requires resources and funding support. And the source of that funding can, in turn, create questions about how faithfully stations adhere to the very beliefs described above. In 2004, University of Oregon professor Alan Stivitsky and NPR Ombudsman Jeffrey Dvorkin put the problem like this:

“The facts of life in public radio include the need to seek outside funding to pay for what we do. Money, of course, often comes with strings attached, whether explicit or implicit. Our challenge, then, is to obtain the funds we need, while keeping the funders from influencing our journalism.”

The Updated Guide for Public Radio Journalism, 2004

To contend with this challenge, we believe stations need to develop specific policies that define how they will maintain appropriate firewalls between funders and content production. It is understood that this is an arena where audience and funder perceptions will inevitably be affected by the actions and policies national program producers adopt, but that fact only adds to the importance that each station craft guidelines to reflect their specific orientation and service mission. The policies may vary, but each set of policies should be informed by our common adherence to our principles and to a process that safeguards the public trust.

## **Begin with a Mission Statement**

To begin, we believe that each station should adopt a specific mission statement that details its particular primary service orientation. The mission of an all-news public radio station, for example, may be different than that of a public television station which presents a content menu that ranges from performance programming to news. A clear, focused mission statement has value for consumers, the funding community and station staff. It defines the core purpose the station seeks to provide and informs the direction of other specific station editorial and funding policies. From that statement, stations can also derive a kind of rallying cry. Twin Cities Public Television, for example, uses the following phrase to describe the content it produces: *"We will never mislead viewers. Period"*

Once a station crafts its specific mission statement, it is crucial that it also develop policies that are *consistent with its mission* and defensible to all interested parties.

What follows are suggested guidelines and questions which we believe all stations should consider as they put their specific policies in place.

### **I. News programming:**

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We believe public media's news programs, above and beyond other forms of content, bear a special obligation to our overarching statement of principle. This is true of news content that appears on all-news stations as well as on general service operations. We believe *all* journalism presented by public media ought to avoid even the appearance of inappropriate influence involving underwriters, funders or community partners. This commitment applies across all content platforms, radio, television, print and online.

To insure that principle, we propose the following two policy statements. One focuses on underwriting for general news programming. The second focuses on production funding for news specials.

#### **Proposed News Policy 1: Underwriting General News Programming**

*Public media should exercise careful consideration when deciding who can underwrite its news programming. In particular, stations should carefully assess potential underwriters whose agenda is designed to bring about a specific political outcome or to influence public policy on controversial matters.*

The following questions may be helpful when considering such underwriting:

1. Is the underwriting organization's primary mission to influence governmental decision making about issues that are the subject of the station's ongoing news coverage?
2. Does the underwriting organization take positions on controversial public policy issues that are the subject of the station's current news coverage?
3. Does the underwriting organization's lobbying activities focus on issues that are the subject of the station's current news coverage?

A "yes" answer to any of these questions does not necessarily indicate that underwriting should be rejected, only that the station should pause and give such funding careful thought. For example, a station may conclude that Planned Parenthood or the American Petroleum Institute are normally perfectly acceptable underwriters for general news programming, even though each organization certainly takes positions on controversial issues or attempts to influence governmental decision making. However, it may also be that particular circumstances could alter that conclusion. If, for example, one of the funding organization's key "talking points" becomes the subject of intense local debate, and the news department is providing ongoing coverage of that same story, a station might conclude that such underwriting was problematic, at least at that particular time. In these particular situations, it's important that stations convey their decisions with thoughtfulness and clarity to everyone involved, including the funder in question.

While there are always shades of gray regarding the choices stations make, there are two classes of potential underwriters whose acceptability is far less equivocal:

- 1) Political parties and candidates
- 2) Organizations who espouse views that are generally accepted as extreme.

In the first instance, political parties or political candidates are not acceptable underwriters of news programs. In the second, organizations such as the Ku Klux Klan, whose values are clearly antithetical to the principles of a democratic society and whose goals are viewed with extreme distaste by the vast majority of citizens, would also be inappropriate underwriter of news programs.

In sum, different stations may come to different conclusions on who can underwrite its general news programming, but it is crucial that each station adopt a policy that guides its decision making process and that it is fully transparent about the policies and choices it makes with staff, the funding community and its audience.

## **Proposed News Policy 2: Production Funding for News Specials**

*In general, individual news specials should not be funded by organizations that have a vested interest in the specific content covered in the program. This includes funding from for-profit, non-profit and governmental institutions.*

The following questions may be used to determine what constitutes a vested interest.

1. Would a reasonable person conclude that a for-profit funder has a stake in the content of a program? Consider the following examples:
  - An energy company funding a news program on clean power alternatives.
  - A hospital or clinic funding a news program on health care costs.
  - A mortgage bank funding a news program on housing costs.

*Recommendation: If a consumer would reasonably wonder whether a for-profit funder might influence the direction of a news special, then stations will normally be well served to reject such funding.*

2. Non-profit and governmental entities raise particularly complex questions regarding what constitutes a vested interest. For example:
  - Can the city health department fund a news special on sexually transmitted disease? To answer that questions, stations may want to consider the following:
    - Is this a program the station would choose to do anyway?
    - Is the city health department's interest in funding the news special motivated by the desire to inform or are there other factors in play such as a desire to publicize pending city budget cuts?
  - Can a foundation with clear public policy interests fund station coverage of public policy questions (For example, the current Open Society Foundations initiative to fund how public stations cover governance)? In considering this option, stations may want to consider the following points:
    - Will the foundation play any role in determining the content of the program?
    - Is the perception of the foundation such that it will pose reasonable questions about whether the funded program will be unbiased?

*Recommendation: If a consumer would reasonably wonder whether a non-profit or governmental funder might influence the direction of a news special, then stations will normally be well served to reject such funding.*

As with general news underwriting, it's inevitable that there will be differing assessments about who can fund a news special, which is once again why full disclosure about the station's decision making process is particularly important.

### **Additional considerations in funding news programs.**

An additional question in funding news or news specials is whether having funders with off-setting interests negate the appearance of vested interest or undue influence on news content.

For example, Wisconsin Public Television and Radio has produced a long running series of candidate debates and public policy specials that is funded in part by the state teacher's union and the state's leading business lobby. Independently, each entity meets our definition of a vested interest. But do the off-setting nature of each organization's policy agenda serve to nullify any perception problems?

In assessing this question, stations should consider the following:

- What is the nature of the news special or series? A live candidate debate may not raise perception issues because the content of such an event is not tied to the specific areas of interest that overlap with the funding entities. However an individual special on education reform or business taxes might create perception issues even if the program has funders which seemingly off-set each other.
- Would a reasonable media consumer wonder if the news special in question explored all aspects of a particular topic? In other words, despite having funders with different public policy agendas, would consumers still wonder whether the program asked all the tough questions and explored not just the truth but the "whole truth."

### **Summary statement on funding news programs.**

While individual stations may come to different conclusions regarding these issues and questions, we believe it is crucial that stations sort through the ramifications of each potential course of action to be sure that their decisions meet a reasonable standard for avoiding the appearance of undue influence when producing news content. We also believe it's critical for stations to convey to staff, users and the funding community the reasons behind specific decisions, particularly if a decision to either accept or reject a particular funder is likely to be controversial.

## **II. Funding standards for non-news programming**

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If news programs require particularly scrupulous funding standards, what standards are applicable for other content areas including cultural programming, history, and information?

### **Cultural programming**

Arts and culture programs can reasonably be supported by a variety of funding sources. The question of a funder having inappropriate influence on a cultural program is clearly less problematic than in news programming. One area, however, that stations should think through is whether they wish to allow cultural organizations to fund programs about themselves. For example, should a station accept funding from the local chamber orchestra to broadcast one of its concerts? Some questions to consider:

- Is the performing arts group one which has widespread community support or interest?
- Would this be a performance the station would broadcast anyway?
- Is there a defensible rationale for accepting production funding from one arts organization while declining funding from another community arts group?

### **History and information programming**

While funding standards for news and performance programming lie at opposite ends of the spectrum, the funding of history and information programming occupies more complex middle ground which deserves careful station consideration.

#### **History**

In what ways, for example, are news and history programs different? Both often deal with complex and controversial matters of public importance and as such both must adhere to strict standards of accuracy and fairness. So can a history program be funded by an entity which has a vested interest in the outcome? Two station examples to consider:

- The Nebraska Beef Council providing major funding of an NET (Nebraska's public television network) program on the history of beef called "Beef State".
- A non-profit organization, with close ties to a well-known vintner, providing funding for a KQED film focusing on the history of wine making, including the role of that vintner.

Both of these examples raise important questions about perception and the role of vested interest. In the “Beef State” program, NET proceeded with the program but did so in partnership with the state historical society – which served as co-producer - in order to insure historical accuracy and allay viewer perception issues. It should also be noted that “Beef State” adhered to all of NET’s editorial standards and that additional funders were also involved, including both those with direct and indirect ties to the beef industry (the Nebraska Cattlemen Association and Farmers Mutual of Nebraska).

Some questions to consider:

- Would a reasonable viewer wonder whether the program in question would yield a “no holds barred” account?
- Does the addition of a respected entity like the state historical society negate perception questions?
- Does the nature of the historical subject matter? In other words, is it different for the beef council to fund a program on the history of beef than for an arts organization to fund a program on the history of marching bands?

Carefully thinking through the answers to these questions will help stations decide their course of action. Similarly, the history of wine making example from KQED raises an additional complication. In this case the funder had both a vested interest in the history topic and in one of the featured winemakers. In the end, in part because of considerable unfavorable publicity, KQED backed away from the program.

Again, as with our earlier examples, thoughtful managers may answer these questions in different ways. The common denominator is not so much the nature of the answer *but the nature of the questioning process* each station goes through. That questioning process needs to be both thorough and transparent so that staff, the funding community and consumers all understand how decisions were reached. We will offer more suggestions on the importance of transparency later in this report.

### **Information programming.**

Information programs obviously carry the same obligation to truth and accuracy as news and history content and therefore the funding questions are essentially the same. However, one wrinkle which deserves additional exploration is the creation of partnerships which allow outside organizations to both fund content *and* play a role in shaping that content.

A case in point is Twin Cities Public Television deciding to produce a local follow-up program to a *Frontline* film on Parkinson's disease. TPT approached the Mayo Clinic about both funding the program and working collaboratively on it. The Mayo Clinic agreed and the resulting program featured interviews with patients, families and a physician from the Mayo Clinic. The program presented factual information about Parkinson's and did not feature specific services of the Mayo Clinic. The station was also transparent about the nature of the funding and editorial partnership and acknowledged the co-production relationship on air.

Some questions to consider:

- Is it appropriate for a funder to also be an editorial partner?
- If so, are there particular kinds of programs where such funding is appropriate and others where it isn't?
- Is the funding organization, which would share editorial direction in the project, generally well respected?
- Were any strings attached to the funding of the program such as a requirement that a representative of the funding organization be included in the program?
- Would the station have produced the program with the same editorial approach if funding had come from a different source? In other words, did the nature of the funding in any way alter the nature of the content?

Allowing funders to play an editorial role is one way some public television stations have utilized to increase the amount of local content they produce and sustain their production efforts during difficult economic times. Practitioners of this approach would also note that the programs produced using this model *must still adhere* to station editorial standards. In other words, such programs must meet the standards outlined in our earlier proposed policy, that they "represent facts as facts, opinions as opinions, and will always exert care to label each accordingly." In sum, this point of view argues, the proof of editorial integrity comes from the program itself not the source of its funding.

Overall, this approach to content production raises a series of important questions. Is it acceptable to produce an informational program that meets station editorial standards for fact based reporting yet allows a funder to play a role in shaping that content? Will such programming prompt concerns about whether the program is an "infomercial" even if the program meets the station's editorial standards? Conversely, will rejecting such relationships mean depriving the audience of useful content that might not otherwise get produced? In the end, where does the greater audience service lie? Stations that choose to pursue projects where editorial direction is shared should be prepared to answer these questions and adopt transparent policies that will guide their decision

making. TPT's own rallying cry is worth remembering: *"We will never mislead the public. Period."*

**Sample statement of principle for the funding of history and information programming:**

*Public media stations will seek and accept financial support from a wide variety of underwriters and partners. We believe that public media consumers have the right to expect and demand that stations will not allow those financial or other relationships to deform or corrupt the pursuit of our overall editorial goals or mislead the public in any way.*

**Additional sample policy standard for stations that allow funders to play a partnership role in shaping content for non-news informational programming:**

*Public media stations may elect on occasion to accept funding from an organization that will also play a role in the creation of informational content. However in no instance can that participation result in the presentation of content that does not meet the station's editorial standards for accuracy and fairness. Whenever public stations engage in these funder/partner relationships, the station must be fully transparent, both on air and online, about the specific nature of the relationship.*

### III. The need for greater transparency

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As has been noted, the increasing intricacy of funding relationships necessitates a renewed commitment to overall station transparency. In NPR's 2004 journalism ethics guide, authors Alan Stivitsky and Jeffrey Dvorkin note that "Our journalism should be transparent and accountable — that is, we share with our listeners our policies and practices, and discuss how we resolve thorny ethical problems."

We believe that it is crucial for public media to be fully transparent not only about our journalism practices but our funding policies as well.

We also believe that commitment represents a unique opportunity for public media. In today's media environment, transparency can become public media's calling card. In other words, the more we reveal about the nature of our policies and practices the more we have the opportunity to distinguish what is unique about our collective enterprise. We would also encourage public media to be as fully transparent as possible about the specific nature of our financial relationships and our contractual obligations with non-profit foundation funding sources.

We believe each station should commit itself to a specific policy regarding transparency. That policy could include some of the following elements:

1. If the station receives a grant from a foundation to produce programming, it should consider publishing the amount of the grant and what its contractual obligations entail.
2. If the station engages in a funder/editorial partner relationship described earlier in this report, it should disclose the specific nature of that relationship both financially and editorially.
3. All stations should publish their standards for accepting funding.
4. All stations should publish the editorial guidelines that all of its programs adhere to.
5. All stations should consider disclosing a glossary of terms which explains what certain phrases mean such as "brought to you in part by" or "with additional assistance from."

Our view is that the more stations disclose the better and that the very act of disclosure reinforces our unique role within the American media environment. We believe, in short, that transparency provides a powerful antidote to concerns over undue influence and that embracing greater transparency represents a huge opportunity for public media.

## **IV. Five additional funding and firewall issues**

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### **1. Community engagement: partners and perception**

Just as stations must sort through whether funding sources pose perception for the content they produce, similar questions can be raised about community engagement partners. Stations frequently forge partnerships to extend the impact of their programs in the community. These community engagement efforts take many forms ranging from online forums to old fashioned town hall discussions. These efforts are often done in partnership with a variety of community groups. In creating these partnerships, stations should be just as concerned about perception of vested or undue influence as they are with funding relationships. In general, any organization that a station would reject as a program funder should also be rejected as an engagement partner.

#### **Sample Policy statement on community engagement partnerships.**

*Public media stations may forge partnerships with community organizations to extend the impact of their media content. Such partnerships should be carefully selected to avoid the appearance of bias or partisan point of view.*

### **2. Posting links to funder and community partner websites.**

While station editorial principles and policies apply to all public media platforms including online content, many stations also post links to funder and partner websites. These links take a user from the branded station site to a site authored by another organization. These links are posted as a convenience to users but also serve the additional purpose of transparency given that they provide a way for consumers to learn more about the organizations who support public media. We recommend that personnel responsible for the station's website be fully aware of the content of each of those sites. While there is no requirement that the linked site adhere to station policies and standards, stations would be well served to be familiar with the content of those sites in case they are ever the subject of user generated questions or concerns. Additionally, we recommend that a disclaimer appear on each station website that informs users that stations are not responsible for the content of linked sites and that such links are provided as a user service.

### **3. The role and responsibility of news personnel in maintaining station standards.**

The perception of any station's editorial integrity is shaped by many factors, including the role news personnel play in fundraising.

### **Sample policy statement on role of news personnel in fund raising:**

*Public media should adopt policies which guide how its news personnel participate in fund raising activities. In particular, news reporters, hosts and news managers who appear on station membership drives to “make the case” for public media journalism, should not make qualitative endorsements regarding the products or premiums members receive. Similarly, news personnel are sometimes involved in making funding requests to potential underwriters. In general, helping to make the case for a specific project or crafting a project proposal is perfectly acceptable, but care should be exercised in involving news reporters too deeply in the funding process, particularly if that reporter might later have to cover that funder as part of a news story.*

#### **4. The Impact of funding availability on editorial choices.**

News managers are sometimes confronted with determining whether or not their pursuit of specific funding sources impacts their editorial priorities. For example, if funding is available for health reporting, but not criminal justice coverage, how does this impact what stories get covered? This is a problem sometimes known as “Editing by RFP.” This dilemma is addressed very thoroughly in NPR’s 2004 ethics guide, which we quote here in full:

*Funders may shape our news coverage, whether deliberately or not, by offering money to cover certain subjects. Managers should base decisions on whether to accept targeted financial support solely on the interests of the listeners. Would funding enable us to serve them better? Funders should be encouraged to contribute to a general fund that supports all news coverage. In either case, tell your listeners who provides the funds.*

*Questions to ask when considering targeted funding:*

- *Is the issue a legitimate topic for coverage, something we wanted to cover anyway?*
- *Is the funder’s interest altruistic, as opposed to seeking financial or political benefit?*
- *Would it appear to listeners that the funds come with strings attached?*

We recommend stations adhere to this NPR policy.

## **5. The need for feedback**

Sorting through the difficult questions posed by editorial and funding standards is not a task to be undertaken solo. We believe that station managers should actively consult with other professionals and with media consumers when formulating station policies, dealing with specific funding dilemmas and monitoring the station's adherence to its policy tenets.

We recommend that each station construct a "kitchen cabinet" which includes station staff, community members and colleagues from other institutions. These are individuals who would be available collectively or on a one-on-one basis to provide consultation to station managers when assessing policy formulation, specific funding questions or when monitoring station compliance with its standards.

## V. Summary Recommendations

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As noted throughout this document, we accept the reality that different stations with varied service missions will craft differing funding and firewall policies. But we also believe that our common commitment to certain principles is a powerful, uniting and distinguishing force. We believe it is of paramount importance, particularly in these times, that stations commit to rigorous policies that flow from our shared principles and common purpose. Among these are:

- A commitment to accuracy, fairness and truth in all our content creation regardless of subject area or distribution platform.
- A commitment to “truth in labeling” in all our programming in that we will never label opinion as fact or fact as opinion.
- A commitment to avoiding even the perception of undue funder influence over any of our news product.
- A commitment to never letting funders distort our core editorial principles when creating content including news, performance, history and informational programming.
- A commitment to full transparency of all station policies, including the nature of our financial relationships with our funders.

We believe that if stations commit to these core principles, and develop specific policies derived from their overall stated mission, the opportunity for public media to strengthen its unique status within American culture will only increase.