



BOARD POLICIES

For questions and/or concerns, please contact:

Executive Director
Educational Communications Board
3319 West Beltline Highway
Madison, WI 53713

Phone: (608) 264-9600 webmaster@ecb.org



Policy Preface

This Policy Manual has been developed to provide a convenient resource for individuals interested in the operation of the Wisconsin Educational Communications Board (ECB).

Section I of the Policy Book contains all ECB policy currently in effect. Policy is formally adopted by the ECB at regular meetings and is indefinite in duration. To provide quick reference, the policies are grouped by subject, numbered within each subject area.

Policy incorporated in other published documents such as Wisconsin Statutes, administrative rules and ECB Bylaws is included in the addendums contained in Section II.

Inquiries concerning this manual should be addressed to:

Office of the Executive Director
Wisconsin Educational Communications Board
3319 West Beltline Highway
Madison, Wisconsin 53713-4296

Or contact the Executive Director at (608) 264-9600 or via [email](#).

The Wisconsin Educational Communications Board is in full compliance with state and federal equal opportunity and affirmative action laws and regulations including Title IX of the 1972 Education Amendments and Section 504 of the 1973 Rehabilitation Act. It is the policy of the ECB not to discriminate on the basis of race, color, national origin, sex or handicap in educational programs, admonitions or activities. Coordination of Title IX and Section 504 have been assigned to the Affirmative Action Officer. Inquiries regarding equal opportunity may be directed to:

Affirmative Action Office
Wisconsin Educational Communications Board
3319 West Beltline Highway
Madison, Wisconsin, 53713

Or contact the Affirmative Action Officer at (608) 264-9600 or via [email](#).



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BOARD POLICY

SUBJECT	Policy Adoption Process	Number	101
		Effective Date	7/14/06
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All Educational Communication Board (ECB) policies shall be maintained in official form in both print and on the agency's web site.

Policy additions, modifications or deletions shall be brought to the Board at regularly-scheduled meetings. Such policy additions, modifications or deletions shall be brought forward at the request of the Board or Executive Director for Board consideration and action.

The Board shall review the Board policies for additions, modifications or deletions every five years. The Board may review policies at any time at the request of a Board member.

The official policies and web site shall be readily accessible to Board members, agency staff and the general public.

Adopted 7/14/06



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BOARD POLICY

SUBJECT	Board Roles and Relationships	Number	102
		Effective Date	7/14/06
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The Board shall establish overall policies which give direction to the Executive Director and the professional staff for the day-to-day operations of the agency.

Requests for information by Board members should be directed to the Executive Director.

Adopted 7/14/06
Revised Version Adopted 4/12/13



BOARD POLICY

SUBJECT	Board Member Designees	Number	103
		Effective Date	7/14/06
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In accordance with Wisconsin Statute Chapter 15.57(1), the Secretary of Administration, the State Superintendent of Public Instruction, the President of the University of Wisconsin System, and the Director of the Technical College System may appoint designees.

Such designee appointment shall be in writing to the Board Chair.



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BOARD POLICY

SUBJECT	Agency Staff Appointment Authority	Number	104
		Effective Date	7/14/06
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The Executive Director shall approve on behalf of the Board personnel actions involving ECB agency staff.

Adopted 7/14/06
Revised Version Adopted 4/12/13



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BOARD POLICY

SUBJECT	Public Records and Property Notice	Number	105
		Effective Date	7/14/17
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The Board follows state law and Federal Communications Commission and Corporation for Public Broadcasting criteria on open records. To assist the public in obtaining access to and copies of Board and agency records, there has been adopted the Public Records Notice, dated March 2016 (attached).

Adopted 7/14/06
Revised Version Adopted 4/12/13



BOARD POLICY

OPEN RECORDS POLICY

General Policy

- Except as otherwise provided by law, any public record of the Board shall, upon request, be made available for inspection at the office of the legal custodian during regular business hours. A notice (see attachment) shall be displayed informing the public how they can obtain records under the public records law.
- The ECB Executive Director shall serve as the official legal custodian of Board public records. For administrative purposes, the Executive Director is authorized to designate deputy custodians.
- No original public record of the Board may be removed from possession of a legal custodian. The legal custodian is responsible for designating where, when and how public records of the Board may be inspected and copied. Any request for a record must reasonably describe the record or information sought. If the legal custodian cannot reasonably determine what records or information are being requested, the request shall be denied.

Release, Inspection and Reproduction of Public Records

- Upon request for an public record, the legal custodian shall, as soon as practical and without delay, either fill the request or notify the requester of the legal custodian's determination to deny the request in whole or in part, and the specific reasons for the denial. Denied written requests shall be responded to by written explanation from the legal custodian. Oral requests that are denied may be responded to orally, unless a demand for a written statement of the reasons for denial is made by the requester within 5 business days of the oral denial. If a request cannot be responded to within 10 days, the requester shall be provided an estimate as to when the request can be fulfilled.
- Persons requesting access to Board records are not required to identify themselves in order to obtain a record, nor are they required to state any reason for the request.
- If the legal custodian determines, with legal sufficiency, that portions of a requested record should not be released, the legal custodian shall edit those records and remove the material not to be released, thereafter releasing the balance of the record. If portions of a requested record are not released, the requester should be so notified.



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PUBLIC RECORDS NOTICE

The Wisconsin Educational Communications Board (ECB) is an independent state agency responsible for the planning, development and operation of public broadcasting (Wisconsin Public Radio and PBS Wisconsin, in association with the University of Wisconsin-Extension) and educational telecommunications delivery systems. Policy is determined by a 16-member governing board and executed by the ECB Executive Director and staff.

ECB's Executive Director is the legal custodian of the agency's records; the Deputy Director and Administrator of Engineering serve as deputy custodians.

Requests for access to public records can be made orally or in writing and directed to any of the following:

ECB Executive Director
3319 W. Beltline Highway
Madison, WI 53713

(608) 264-9600
(7:45 a.m. – 4:30 p.m. Monday through Friday)

<https://ecb.org/contact/>

ECB will not charge for electronic records, but may charge the actual, necessary and direct costs of providing printed records. The standard fee is \$.25 per impression.

The agency will not charge for the cost of reviewing records for possible redaction or removal of confidential information, in compliance with the Wisconsin Supreme Court's ruling in *Milwaukee Journal Sentinel v. City of Milwaukee*, 2012 WI 65, 341 Wis. 2d 607.

If a requested record is not in readily comprehensible format (e.g. obsolete computer file or database entry), ECB may assess the actual cost of creating a readily comprehensible copy.

ECB may impose an hourly charge for the staff necessary to locate records, which will be billed at the hourly rate of salary and benefits for the lowest-paid employee capable of performing the task. This fee will only be assessed if the total cost of locating the requested document(s) is \$50 or more.

Requests which exceed a total cost of \$5.00 may require prepayment. The legal custodian or designee can provide other cost information. Make checks payable to the *Wisconsin Educational Communications Board*.

All requests will be processed as soon as practicable and without delay, as per gubernatorial Executive Order #189.



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BOARD POLICY

SUBJECT	Evaluation of the Executive Director	Number	106
		Effective Date	7/14/06
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The Executive Director shall have an annual performance review conducted by the Board in compliance with Wisconsin Administrative Code, Section ER 45.

Adopted 7/14/06
Revised Version Adopted 4/12/13



BOARD POLICY

SUBJECT	Strategic Planning	Number	107
		Effective Date	7/14/06
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Oversight of strategic planning is one of the Board's primary responsibilities and the Board shall develop and implement a strategic planning system with a three year review cycle. That system shall be presided over by the Executive Director. The planning documents resulting from such system shall address major policy issues as well as providing supporting information in sufficient detail to explain and justify changes proposed in programs, services and facilities.



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BOARD POLICY

SUBJECT	Health & Safety	Number	202
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The Educational Communications Board is committed to providing a safe and healthy workplace for all its employees, and shall do whatever is feasible and reasonable to protect employees and visitors from illnesses and accidental injuries. To meet this commitment, a comprehensive loss control and safety program shall be maintained and incorporated into daily operations.

Adopted 7/14/06



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BOARD POLICY

SUBJECT	Travel Policy for Board Members	Number	203
		Effective Date	07/14/17
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1. Purpose.

The Board of Directors of the Educational Communications Board (ECB) recognizes that Board members may be required to travel or incur other expenses from time to time to conduct ECB business and to further the mission of this nonprofit, state agency. The purpose of this Policy is to ensure that (a) adequate cost controls are in place, (b) travel and other expenditures are appropriate, and (c) to provide a uniform and consistent approach for the timely reimbursement of authorized expenses incurred by Board members. In accordance with Wisconsin's Division of Personnel Management (DPM), Board members are subject to all travel policies detailed in DPM's Compensation Plan. Subsequently, it is the policy of the Board to reimburse only reasonable and necessary expenses.

When incurring business expenses, Board members should:

- Exercise discretion and good business judgment with respect to those expenses.
- Be cost conscious and spend the ECB's money as carefully and judiciously as the individual would spend of his/her own funds.
- Report expenses, supported by required documentation, as they were actually spent.

2. Expense Report.

Expenses will not be reimbursed unless the individual requesting reimbursement submits a written Travel Expense Report (TER). The TER, which shall be submitted at least monthly or within two weeks of the completion of travel if travel expense reimbursement is requested, must include:

- The individual's name and other identifying information
- If reimbursement for travel is requested, the date, origin, destination and purpose of the trip, including a description of each ECB-related activity during the trip.
- An itemized list of all expenses for which reimbursement is requested

3. Receipts.

Original receipts are required for all expenditures billed directly to the ECB, such as airfare and hotel charges. No expense in excess of \$20.00 will be reimbursed to Board members unless the individual requesting reimbursement submits with the TER written receipts from each vendor (not a credit card receipt or statement) showing the vendor's name, a description of the services provided (if not otherwise obvious), the date, and the total expenses, including tips (if applicable).

4. General Travel Requirements.

A. Advance Approval.

All trips, other than required attendance at Board meetings, involving air travel or a least one overnight stay must be approved in advance by the Executive Director.

B. Necessity of Travel.

In determining the reasonableness and necessity of travel expenses, the Executive Director or designee shall consider the ways in which the ECB will benefit from the travel and weigh those benefits against the anticipated costs of the travel. The same considerations shall be taken into account in deciding whether a particular individual's presence on a trip is necessary.

Pursuant to §. 16.53(12)(b), Wis. Stats., the Executive Director shall determine that the proposed travel is appropriate and necessary to the mission, responsibilities or duties of the ECB.

Pursuant to §. 16.53(1)(c)7., Wis. Stats., before Board members are permitted to attend out-of-state conferences, conventions, seminars, meetings or training courses, the Executive Director should ensure that a clear state interest is being served.

In determining whether the benefits to the ECB outweigh the costs, less expensive alternatives, such as participation by telephone or video conferencing, or the availability of local programs or training opportunities, shall be considered.

C. Personal and Spousal Travel.

Individuals traveling on behalf of the ECB may incorporate personal travel or business with their ECB-related trips; **however**, Board members shall not arrange ECB-related travel at a time that is less advantageous to the ECB or involving greater expense to the ECB in order to accommodate personal travel plans. Any additional expenses incurred as a result of personal travel, including but not limited to increase in airfare due to date(s) of travel, extra hotel nights, additional stopovers, meals or transportation, are the sole responsibility of the individual and will not be reimbursed by the ECB. Expenses associated with travel of an individual's spouse, family or friends, including additional cost associated with occupancy rates and ground transportation will not be reimbursed by the ECB.

5. Air Travel.

A. General.

Air travel reservations should be made as far in advance as possible in order to take advantage of reduced fares. The ECB will reimburse or pay only the cost of the lowest coach class fare actually available for direct, non-stop flights from the airport nearest the individual's home or office to the airport nearest the destination.

B. Saturday Stays.

Board members traveling on behalf of the ECB are not required to stay over Saturday nights in order to reduce the price of the airline ticket. An individual who chooses to stay over a Saturday night shall not be reimbursed for lodging and meal expenses incurred over the weekend unless prior approval is received by the Executive Director and proper documentation indicating necessary attendance, such as a conference brochure or agenda, is produced.

C. Frequent Flyer Miles and Compensation for Denied Boarding.

Board members traveling on behalf of the ECB may NOT accept and retain frequent flyer miles or compensation such as free tickets for denied boarding for their personal use. Benefits from airline promotions, such as free tickets for frequent fliers, merchandise, etc., that accrue as a result of official ECB business belong to the State of Wisconsin.

6. Lodging.

Board members traveling on behalf of the ECB may be reimbursed at the single room rate for reasonable cost of hotel accommodations. Convenience, the cost of staying in the city in which the conference is located, and proximity to other venues on the individual's itinerary shall be considered in determining reasonableness. Board members shall make use of available government and discount rates for hotels. "Deluxe" or "luxury" hotel rates will not be reimbursed.

A. Maximum Lodging Rates.

The maximum permitted amount per day, excluding tax, for lodging for all in-state travel shall be reimbursable in accordance with the most current DPM Compensation Plan rate.

The in-state maximum reimbursement rate per night shall also apply to out-of-state travel, except lodging in higher cost cities as determined by DPM. For lodging maximums in higher cost cities, refer to the most recent issue of the DPM Bulletin titled *Maximum Reimbursement for Lodging in High-Cost Out-of-State Cities*.

B. Exceeding the Maximum Lodging Rates.

Any amount in excess of the schedule in § F.5.02 of the DPM Compensation Plan must be accompanied by a receipt and an explanation of the reasonableness of such expense. Except as provided in § F.5.01(2) of the Compensation Plan, maximums may be exceeded only when it is determined that unavoidable additional expenses would be incurred by trying to adhere to the specified maximums (e.g., high transportation costs incurred when staying at an economical hotel/motel at the edge of the city instead of staying downtown).

7. Out-of-Town Meals.

Board members traveling on behalf of the ECB are reimbursed for the reasonable and actual cost of meals (including tips) subject to the maximum meal allowance and the terms and conditions established by the DPM Compensation Plan.

8. Ground Transportation.

Board members are expected to use the most economical ground transportation appropriate under the circumstances and should generally use the following, in this order of desirability:

Courtesy Cars: Many hotels offer courtesy cars, which will take you to and from the airport at no charge. The hotel will generally have a well-marked courtesy phone at the airport if this service is available. Board members should take advantage of this free service whenever possible.

Airport Shuttle or Bus: Airport shuttles or buses generally travel to and from all major hotels for a small fee. At major airports such services are as quick as a taxi and considerably less expensive. Airport shuttle or bus services are generally located near the airport's baggage claim area. Pursuant to §. 20.916(9)(d)2., Wis. Stats. tips are reimbursable at a maximum rate of 15 percent of the charge.

Taxis: When courtesy cars and airport shuttles are not available, a taxi is often the most economical and convenient form of transportation when the trip is for a limited time and minimal mileage is involved. A taxi must also be the most economical mode of transportation between an individual's home and the airport. Pursuant to §. 20.916(9)(d)2., Wis. Stats. tips are reimbursable at a maximum rate of 15 percent of the charge.

Rental Cars: Car rentals are expensive so other forms of transportation should be considered when practical. Board members will be allowed to rent a car while out of town provided that advance approval has been given by the Executive Director and that the cost is less than alternative methods of transportation.

When a number of Board members are knowingly traveling to the same destination at the same time, it is their responsibility to arrange for pooled transportation where practicable.

9. Personal Cars.

Board members are compensated for use of their personal cars when used for ECB business. When individuals use their personal car for such travel, including travel to and from the airport, mileage will be allowed in accordance with the current DPM Compensation Plan.

In the case of individuals using their personal cars to take a trip that would normally be made by air, e.g., Madison to Minneapolis, mileage will be allowed at the currently approved rate in accordance with the current DPM Compensation Plan; however, the total mileage reimbursement will not exceed the sum of the lowest available round trip coach airfare.

10. Registration Fees.

An original paid receipt, a copy of the check or credit card purchase confirmation, or the attendee's customer copy of the credit card receipt must support claims for reimbursement fees over \$25.00. Additionally, documentation from the event's organizer stating date(s), location, scheduled meetings/workshops, purpose of the event and accommodations options will be required for reimbursement. Expenses of individuals not on official ECB business (spouse, family members, friend, etc.) that are included in the registration fees are not reimbursable.

11. Parking/Tolls.

Parking and toll expenses, including charges for hotel parking, incurred by Board members traveling on ECB business will be reimbursed. Receipts for parking and toll expenses exceeding \$25.00 per day are required for reimbursement. The costs of parking tickets, fines, car washes, valet services, etc., are the responsibility of the individual and will not be reimbursed.

12. Other Expenditures.

During out-of-town travel, reasonable ECB-related telephone, Internet and fax charges due to absence of Board members at their place of business are reimbursable pursuant to § F.7.02 of the DPM Compensation Plan. In addition, reasonable and necessary gratuities that are not covered under meals may be reimbursed pursuant to § F.7.03 of the DPM Compensation Plan.

13. Non-Reimbursable Expenditures.

The ECB maintains a strict policy that expenses in any category that could be perceived as lavish or excessive will not be reimbursed, as such expenses are inappropriate for reimbursement by a nonprofit, government agency. Expenses that are not reimbursable* include, but are not limited to:

- Travel insurance
- First class tickets or upgrades
- When lodging accommodations have been arranged by the ECB and the individual elects to stay elsewhere, reimbursement is made at the amount no higher than the rate negotiated by the ECB. Reimbursement shall not be made for transportation between alternate lodging and the meeting site.
- Luxury limousine travel
- Movies, liquor or mini-bar costs
- Membership dues at any country club, private club, athletic club, golf club, tennis club or similar recreational organization
- Spa or exercise charges
- Valet service
- Car washes
- Toiletry articles
- Expenses for spouses, friends or relatives. If a spouse, friend or relative accompanies Board member on a trip, it is the responsibility of the Board member to determine any added cost for double occupancy, transportation fares and related expenses, and to make appropriate adjustment in the reimbursement request.
- Additional/spin-off events such as retreats, workshops, social events, etc., sponsored by associated vendors/organizations of original event without prior approval of the Executive Director.

**The Wisconsin Attorney General offers this list of non-reimbursable expenses by way of example only, and in no way means to imply that categories of expenses not included on this list should automatically be eligible for reimbursement. This list is meant to be a guide to state agencies. Each agency should develop an expense reimbursement policy that is tailored to that agency's particular strategic objectives and budget.*

For all other matters regarding travel by ECB Board members or for clarification of policies pursuant to Wisconsin Statutes, please refer to the DPM Compensation Plan and/or the Wisconsin Statutes and Administrative Code.



BOARD POLICY

SUBJECT	Instructional Programming	Number	301
		Effective Date	7/14/06
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It shall be the policy of the Board that:

- The ECB shall collaborate with other educational agencies/systems to ensure that teachers are assisted through appropriate professional learning experiences and related print and computer resources for utilizing broadcast delivered or other multi-media based materials.
- Recognizing that education is a life-long pursuit, the ECB shall utilize public telecommunication services in providing K – 12 and adult-learning instruction.
- The ECB shall collaborate with other educational agencies/systems to develop or acquire high quality materials to help advance the educational goals of the state.
- The ECB shall not set academic standards nor prescribe curriculum.
- The ECB shall not require any person, group, agency or institution to use programs or instructional materials distributed through facilities under its control. Such use shall remain the prerogative of the individual or of the institution or agency responsible.
- Use of program services and materials under control of the ECB shall not be denied to any private, non-public educational agency or institution, nor denied to individuals schooling children within homes, providing such use requires no unauthorized additional expenditure of state funds.



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BOARD POLICY

SUBJECT	Media Library and Archives Of Educational Radio and Television Programs	Number	302
		Effective Date	7/14/06
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It is the policy of the Board to establish, maintain and operate a library and archives of educational/public radio and television programs and related materials copyrighted by ECB, to disseminate information about such programs and make suitable arrangements for the use of such programs and materials by colleges, universities, schools, noncommercial radio and television stations, and other appropriate users as allowed by copyright agreements.

Adopted 7/14/06



BOARD POLICY

SUBJECT	Digital Rights or Recording Use of Instructional Programs	Number	303
		Effective Date	7/14/06
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The Board holds all rights to programs, program segments or objects produced or created by ECB and shall:

- Inform Wisconsin educational institutions of any changes in the digital or re-recording rights policy of ECB or of those of national program distributors utilized by the ECB.
- Provide extended use rights to Wisconsin's public and private educational institutions, including homeschooling, for programs or segments of programs produced by the Educational Communications Board.

In addition, the ECB procures use rights for programs, program segments, and other media objects which are produced by independent producers or distributors, and ECB shall:

- Provide extended use rights to Wisconsin's public and private educational institutions, including homeschooling, for programs or segments of programs where ECB has acquired use rights from independent producers or distributors.
- Complete details of broadcast and digital use rights will be made available to users on the ECB website or will be made available in other formats upon request.

***BOARD POLICY***

SUBJECT	Programming Philosophy	Number	305
		Effective Date	7/14/17
		Page	1 of 2

It shall be the policy of the Board that Wisconsin Public Radio and PBS Wisconsin programming provide for the educational, informational and cultural needs and interests of the public and function in a non-commercial, independent manner, adhering to standards of broadcast excellence.

Wisconsin Public Radio and PBS Wisconsin shall provide the listener and viewer with aural and visual experiences which enrich and give meaning to the human spirit, which enhance our understanding of the past, deepen and challenge our understanding of the present, and advance our understanding of the future. These aural and visual experiences will report, interpret and foster discussion of public affairs, and encourage and present contemporary contributions to cultural advancement. The goal shall be to enhance intellectual development, expand knowledge, deepen aesthetic enjoyment, increase understanding of the interdependence required for living in a pluralistic society and seek to help listeners and viewers become more responsive, informed human beings. This goal should be the paramount focus when planning programming.

Programming decisions will be based upon professional judgments of expressions of public needs.

- The Board shall act as the final public representative to protect editorial integrity, fairness and balance.
- The Board shall act as final public authority to fulfill its mission as outlined by statute.

Administrative implementation of the Board's policy of fairness and balance shall be accomplished as follows:

- Programming managers of public broadcasting shall maintain records of viewer/listeners comments on programming.
- Records of viewer/listener comments shall be monitored regularly to determine the extent to which the public feels that programming is unbalanced, or unfair, or inappropriate in other ways.
- A pattern of complaints from a significant number of viewers/listeners shall result in further review as to their basis and validity. Performance evaluations of station and programming managers shall include a programming element measured by audience views and the responsiveness of the managers to audience concerns.

SUBJECT	Programming Philosophy	Number	305
		Effective Date	7/14/17
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The document known as the CODE OF EDITORIAL INTEGRITY as released in 2012 by the Editorial Integrity for Public Media Project shall be incorporated into this policy as Addendum A and will serve as the Board's basic principles.

Adopted 7/14/06
Revised Version Adopted 7/12/13



BOARD POLICY

SUBJECT	Wisconsin Public Radio and PBS Wisconsin Planning, Programming And Scheduling Guidelines	Number	306
		Effective Date	7/14/06
		Page	1 of 2

It shall be the policy of the Board that authority for operational, programming and scheduling decisions shall be delegated to assigned professional staff.

It shall further be the policy of the Board that professional staff shall use the following criteria and adhere to the following requirements in the selection and scheduling of radio and television programming:

- A. Strategic directions for radio and television programming, financing, staffing and structure shall be prepared and included as part of the ECB's Strategic Plan.
- B. Annual operational plans for radio and television programming, financing, staffing and structure shall be developed as outlined in the annual affiliation agreement (Policy 701) between ECB and the University of Wisconsin Madison and shall be presented annually to the ECB.
- C. Programming staff will also consider:
 - 1. Relationship of programs to strategic directions.
 - 2. Internal precedent at Wisconsin Public Radio and PBS Wisconsin,
 - 3. External precedent: that is, the experience of other public broadcasters who have faced similar decisions,
 - 4. Ability to manage program within the constraints posed by scheduling, budget, and technical limitations.
 - 5. As an assist in making programming and scheduling decisions, programming staff will ascertain audience program preferences and community needs at regularly-scheduled times through the following means:
 - a. Periodic surveys and focus groups,
 - b. Analysis of mail, email and telephone calls received,
 - c. Measures of actual listening and viewing patterns.
- D. Programming decisions shall not be made solely for the purpose of gaining support, economic or otherwise, of any person or group.

SUBJECT	Wisconsin Public Radio and Television Planning, Programming And Scheduling Guidelines	Number	306
		Effective Date	7/14/06

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- E. The Executive Director shall be informed by the Directors of Public Radio and Public Television of planned programming and scheduling changes and operational problems which arise. Information on planned programming and scheduling changes shall be provided to the Executive Director at the onset of such planning and continue as required. This information shall contain intended results of such proposed changes, including anticipated audience impact and reactions.
- F. The Board shall be briefed by the Executive Director on programming, scheduling, and operational issues which may arise at its regularly-scheduled meetings and at such other times as may be appropriate.

Adopted 7/14/06
Revised Version Adopted 5/3/19



BOARD POLICY

SUBJECT	Programming: Non-Commercialism and Underwriting	Number	307
		Effective Date	7/14/06
		Page	1 of 1

It shall be the policy of the Board that:

- Programs shall be guided by the agency's non-commercial mission and not by the sale of goods or services for financial profit. No program may recommend or imply recommendation of one commercial product or service over another similar product or service if any consideration is involved.
- Programming shall not advertise or promote the sale of non-program related products of services.
- In accordance with Federal Communications Commission (FCC) regulations and Public Broadcasting Service (PBS) and National Public Radio (NPR) standards, programs must identify the funding source by means of an underwriting credit. For program specific support, this credit shall occur both before and after the programs.



BOARD POLICY

SUBJECT	Programming: Entertainment/Sports	Number	308
		Effective Date	7/14/06
		Page	1 of 1

It shall be the policy of the Board that:

- Athletic and other unique entertainment programming may be included as part of an overall program schedule.



BOARD POLICY

SUBJECT	Programming: Political	Number	309
		Effective Date	7/14/06
		Page	1 of 1

It shall be the policy of the Board that:

- Programs shall deal with political subjects incisively, fairly, accurately and responsibly. Qualified spokespersons of significant points of view will be accorded opportunity to support their positions, within the bounds of responsibility and to the extent allowed by time and financial limitations.
- The sole purpose of any program dealing with candidates for public office or with issues scheduled for a decision by voters shall be to inform and interest viewers and listeners in the affairs of citizenship.
- Political use of public broadcasting services by candidates for public office shall be governed by FCC regulations.
- The facilities and equipment of the agency shall not be used in the preparation of political advertising for any candidate for public office.



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BOARD POLICY

SUBJECT	Programming: Special Events and Community Outreach	Number	310
		Effective Date	7/14/06
		Page	1 of 1

It shall be the policy of the Board that:

- Special events programs, including community outreach efforts, designed to inform citizens about their state, its policies, communities, agriculture, businesses, industries, cultural life and people are encouraged to the extent they serve the general welfare and quality of life in Wisconsin.

Adopted 7/14/06



BOARD POLICY

SUBJECT	Distribution of Licensee Produced Materials	Number	311
		Effective Date	7/14/06
		Page	1 of 1

It shall be the policy of the Board that:

- Materials which are the sole property of the licensee will be made available to those organizations or institutions with which the licensee is affiliated.
- Materials which are the sole property of the licensee shall be made available to public institutions, public and/or private schools, and other appropriate units within the state at a charge not to exceed the cost incurred in the production, duplication and distribution of these materials.
- Subject to copyright restriction, materials which are the sole property of the licensee may be made available for broadcast on commercial radio and television stations, or other platforms, such as the internet; and for purchase by the public as deemed appropriate by management.



BOARD POLICY

SUBJECT	Wisconsin Public Radio Network Services	Number	313
		Effective Date	5/20/2024
		Page	1 of 1

It shall be the policy of the Board to collaborate with the University of Wisconsin Board of Regents to provide two statewide radio network services and to provide other additional services which may be developed:

- WPR News. This network will focus on journalism from Wisconsin, the nation and world.
- WPR Music. This network will focus on providing locally hosted classical music, along with other genres such as jazz, world and folk.



BOARD POLICY

SUBJECT	Programming: Non-Discrimination	Number	314
		Effective Date	7/14/06
		Page	1 of 1

It shall be the policy of the Board that:

- No program shall be for the purpose of discriminating or advocating discrimination against any person or persons.
- Programs shall not advocate acceptance or rejection of any religious dogma or belief.



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BOARD POLICY

SUBJECT	Audit	Number	401
		Effective Date	7/14/06
		Page	1 of 1

Annually, at a regular or special meeting, the Board will review financial audit(s) of the ECB (Wisconsin Public Radio and PBS Wisconsin) and of the Wisconsin Public Broadcasting Foundation. The audit(s) and any accompanying management letter will be provided to the Board in advance of the meeting. Representatives of the auditing entity will be present to respond to the questions on the audit(s).

Adopted 7/14/06



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BOARD POLICY

SUBJECT	Financial Statements	Number	402
		Effective Date	7/14/06
		Page	1 of 1

The Board will be provided financial statements for the ECB and the Wisconsin Public Broadcasting Foundation in advance of each regular Board meeting.

Adopted 7/14/06



BOARD POLICY

SUBJECT	Equal Employment Opportunity/Affirmative Action	Number	501
		Effective Date	7/14/06
		Page	1 of 1

The Board shall adopt the policies of the State and by the Federal Communications Commission (FCC), and the Corporation for Public Broadcasting (CPB) regarding Equal Employment Opportunity and Affirmative Action.

Adopted 7/14/06
Revised Version Adopted 7/12/13



BOARD POLICY

SUBJECT	Reasonable Accommodations	Number	502
		Effective Date	7/14/06
		Page	1 of 1

The Board shall have administrative guidelines and procedures regarding reasonable accommodations consistent with those established by State and by Federal Communications Commission regulations.



BOARD POLICY

SUBJECT	Program Funding Standards and Practices	Number	601
		Effective Date	7/14/06
		Page	1 of 1

ECB Public Broadcasting Services shall operate in regard to program funding standards and practices as free and independent broadcasting systems, committed to providing programming produced in accordance with the highest ethical, journalistic, and professional standards. In the operation of these telecommunication services, the Board is directed by such standards, by the regulations of the Federal Communications Commission, by relevant state statutes, and by the "Code of Editorial Integrity for Local Public Media Organizations," included in the ECB Policy Book (See Policy 305: Programming Philosophy).

To help assure the free and independent nature of the public radio and television services, the following additional standards and practices have been adopted to provide staff with policy direction in regard to program underwriting:

- Editorial control of the programs or series of the ECB Public Broadcasting Services by the funders or underwriters of such programs or series shall not be permitted. This policy shall be made known in negotiations with underwriting entities, and no exceptions shall be permitted.
- Every effort shall be made to avoid the appearance of such control or influence by funders or underwriters of programs or series. This practice shall be given special consideration in instances in which a close commercial association may exist, or appear to exist, between the interests, products or services of a corporation or other underwriting entity and the title, subject or potential subject of a program or series. In those cases in which it might reasonably be assumed by the audience that there may exist a commonality of commercial interests, products, or services on the part of the funding agency and the underwritten program or series, staff must be able to provide assurance that no influence or control on the part of the underwriter has, in fact, been exerted and that none shall be allowed. Further, prior to approval of the underwriting agreement in such instances, program and financial justification must be provided to the responsible administrators of Wisconsin Public Radio and PBS Wisconsin, as designated by the ECB and University of Wisconsin Madison management. Underwriting arrangements of this sort in regard to controversial issues are not to be encouraged.



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BOARD POLICY

SUBJECT	Support/Friends Groups	Number	602
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The Board recognizes the value of local groups to Wisconsin Public Broadcasting. Therefore, the Board will encourage and assist in the development of such groups in a manner determined to be in the best interest of the Board's responsibility to meet the needs of public service media and to achieve the Board's goals and objectives.

The following criteria must be met by any outside organization which has as its primary purpose fundraising, support or promotional activities undertaken on behalf of the Educational Communications Board or any of its operations:

Formal written approval must be obtained from the Board to use the name of the ECB or any of its operating entities in the title of any outside organization which wishes to function in a support capacity by such means as the raising of funds and promotional endeavors. The organization must be eligible or in tax exempt status under Section 501 of the Internal Revenue Code, or, if not tax exempt, the funds designated as being tax exempt donations during the solicitation must be directed entirely to the Wisconsin Public Broadcasting Foundation, Inc. (a tax exempt organization).

The organization shall be required to submit to the ECB through the Executive Director an annual plan of proposed fundraising, promotional, and other support activities. Significant alterations of the plan must be cleared with the Executive Director or staff designated by the Executive Director.

ECB or other agreed-upon staff shall provide coordination of all fundraising, promotional, or support activities undertaken on behalf of the ECB or any of its operations.

An annual statement assuring tax-exempt status from the Internal Revenue Service and IRS forms verifying that, demonstrating compliance with Chapter 440 of the Wisconsin Statutes, or other statutes created in the future, shall be filed with the Executive Director. Also required shall be timely filing of required financial reports which "provide sufficient detail to permit public evaluation of the organization's operations."

SUBJECT	Support/Friends Groups	Number	602
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The organization shall provide an annual accounting of all funds (both receipts and disbursements), either by depositing and disbursing funds through the Wisconsin Public Broadcasting Foundation, Inc. or through an annual external audit of the organization's funds, (both receipts and disbursements).

Support organizations shall follow specified procedures for transmittal to the ECB of any fundraising proceeds obtained from ECB authorized activities.

It shall be a general principle that funds contributed by organizations shall be presented to the Wisconsin Public Broadcasting Foundation, Inc. for acceptance. Accepted funds shall be administered consistent with the designated purpose, if any. A portion of funds raised can be used by support organizations to cover their administrative costs, as long as the decision to disburse funds in this manner resides with the ECB.

It shall be understood that the FCC does not allow a broadcasting licensee (in this instance the ECB) to cede control over programming and stations operations to any other entity.

Adopted 7/14/06



BOARD POLICY

SUBJECT	Development Activities Fundraising	Number	603
		Effective Date	7/14/06
		Page	1 of 1

Activities which are deemed by ECB management to be of a development (fundraising) nature, may be entered into by the agency provided such activities:

- Have been properly budgeted.
- Are planned and instituted in response to identifiable financial need.
- Are in keeping with the general and acceptable development practices of public and well-regarded nonprofit organizations.
- Are properly evaluated for productivity and efficiency, and for acceptability by the public radio and television audience.
- Are in accordance with relevant state and federal regulations.

***BOARD POLICY***

SUBJECT	Enterprise Activities	Number	604
		Effective Date	7/14/06
		Page	1 of 1

Activities which are deemed by ECB management to be of an enterprise nature may be entered into by ECB staff provided:

- The enterprise is in keeping with the mission and character of the ECB and its operations.
- The enterprise to be undertaken is not in violation of any relevant state and federal regulations.
- The enterprise is in association with individuals or corporate entities of proven integrity and reliability and whose record in that regard has been closely examined.
- The Executive Director brings to the Board for its approval a complete description of the project, including a detailing of the obligations and responsibilities of all parties concerned and projections of estimated expenditures and revenue, as well as workload impact on ECB staff, facilities and other affected resources and operations.
- Funds received from participation in revenue-producing activities are to accrue to the programmatic and operational benefit of the ECB.
- Contracts for enterprise activities should utilize these guidelines:
 - Conduct reference checks concerning the technical capabilities of parties with which it contracts prior to entering into any formal contractual arrangement related to technical services;
 - Contractually obligate contractors to provide all technical services using only technically-qualified personnel under their direct and continued supervision, in accordance with sound engineering practices and consistent with industry standards;
 - Provide the Department of Administration with an analysis of the extent to which contractual arrangements may obligate the state to provide continued financial support of the investments following termination of the contract;
 - Establish procedures for monitoring the activities of all contractors throughout the period of the contract, including the use of formal acceptance procedures which will be used to evaluate the work of contractors prior to certifying that all contractual obligations have been fulfilled; and
 - Incorporate and invoke standard penalty clauses for non-performance.

***BOARD POLICY***

SUBJECT	Gifts, Grants and Bequests	Number	605
		Effective Date	10/19/07
		Page	1 of 1

The Board may accept gifts, grants, bequests, and other devices from private, public and governmental sources.

The use of the monies received will reflect the provisions and purposes intended by the donor or grantor, subject to approval by the Executive Director.

Certain gifts should only be accepted after being approved by the Board. These include:

- Tangible personal property that is not readily marketable
- Real-estate/properties
- Closely-held and S Corporation stock
- Partnership interests
- Accounts receivable (gifts of loans, notes, mortgages, etc.)
- Gifts of intellectual property, mineral reserves, precious metals and other types of assets carrying their own challenges
- Gifts whose structure falls outside the ordinary purposed, bylaws and procedures of the Foundation.
- Life insurance policies requiring future premium payments by the Foundation.

Generally, costs associated with the acceptance of a gift such as attorney fees, accounting fees, other professional fees, as well as, other costs to establish a gift such as appraisal, escrow, evaluation, and environmental assessment fees will be borne by the donor.

Subject to Board approval, the Board may elect to delegate acceptance of gifts to the Chairman of the Foundation. The Board Chair will inform the Board of any conditions attached to the gift.

The Board, with the monies received, shall establish programs and projects, and be responsible for administration and fiscal control. Funds will be deposited and accounted for in accordance with existing state practices, and in compliance with Wisconsin Statutes.

Adopted 7/14/06
Revised Version Adopted 10/19/07



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BOARD POLICY

SUBJECT	Membership Lists	Number	606
		Effective Date	7/14/06
		Page	1 of 2

It is the policy of the Educational Communications Board that the ECB, or agents on its behalf, shall not engage in the exchange, rental, or sale of donor or member names to, from or with any candidate for public office, committees or organizations supporting or opposing a candidate, political parties, issue advocacy groups, or organizations that solicit or use funds for use in political campaigns. The ECB may seek legal counsel or a court order if approached by agents of the state or federal government for access to donor or member names. However, if ECB or its agents enter into such activities, they must be in compliance with all other provisions of this policy and 47 USC 396 (K) (12).

The ECB, or agents on its behalf, shall maintain complete and accurate records of the use of membership lists by which it may be assured that ECB and its agents are in compliance with all applicable laws and regulations of the state or federal government, and the eligibility requirements for public telecommunications entities as established by the Corporation for Public Broadcasting (CPB).

The ECB shall meet the following compliance requirements of CPB:

- A. Definitions.
 - 1. Candidate: means an individual who seeks nomination for election to Federal, State or Local office.
 - 2. Authorized committee: means the principal campaign committee of a candidate for public office.
 - 3. Political Party: means an association, committee, or organization which nominates a candidate for election to any office whose name appears on the election ballot as the candidate of such association, committee, or organization.
- B. Requirements
 - 1. Annually certify to CPB continued compliance with the laws and regulations Internal Revenue Service, and with all other applicable Federal laws or regulations governing political activity and lobbying in effect at the time of certification.
 - 2. Not sell, rent, lease, loan, trade, give, donate, transfer or exchange membership or donor names to, with or from any candidate for public office, committees, or organizations supporting a candidate, political parties or organizations that solicit funds for use in political campaigns for any purpose whatsoever.

SUBJECT	Membership Lists	Number	606
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This section is not intended to prohibit the buying, selling, exchanging, leasing or renting donor lists to, from, or with non-profit organizations other than candidates for public office, authorized committees for such a candidate and political parties, or issue advocacy groups, even if the organizations take positions on social or policy issues, apart from candidates, including issues that might be the subject of specific ballot propositions. However if ECB or its agents enter into such activities, they must be in compliance with all other provisions of this policy.

3. Maintain active control of membership and donor lists, and take all appropriate measures to ensure against unauthorized use of such lists including requiring any third party, including but not limited to list brokers, mail-list management organizations, Friends organizations, fundraising organizations, or advertising or public relations agencies to abide by these compliance requirements.
4. Periodically inform members/donors of any potential for sale, rental, lease, loan, trade, gift, donation, transfer, or exchange of their names; and offer a means by which the names may be suppressed upon request; and suppress names as requested; and
5. Maintain complete and accurate records of all uses of membership and donor lists for fundraising purposes, and furnish such records on request.

Under any circumstances, the ECB, or agents on its behalf, shall maintain complete and accurate records of the use of membership lists by which it may be assured that ECB and its agents are in compliance with all applicable laws and regulations of the state or federal government, and the eligibility requirements for public telecommunications entities as established by the Corporation for Public Broadcasting (CPB).

C. Documentation.

1. The ECB shall develop documentation indicating the manner of compliance with requirements.
2. Documentation shall be kept and made available to CPB, upon request, to determine the fact and extent of compliance. The documentation shall also be made available to auditors who may be making periodic audits of a station.

D. The ECB shall be in compliance with all applicable IRS requirements, including those for Tax Exempt Organizations under Section 501(c)(3) – The Internal Revenue Code; tax Exempt Organizations’ Lobbying and Political Activities Accountability Act of 1987 under which 501(c)(3) organizations must:

...”not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of any candidate for public office.”

Adopted 7/14/06
Revised Version Adopted 7/12/13



BOARD POLICY

SUBJECT	Joint Agreement to Operate Wisconsin Public Radio and PBS Wisconsin	Number	701
		Effective Date	7/14/06
		Page	1 of 1

It shall be the policy of the Board to enter into a joint agreement with the University of Wisconsin Board of Regents to operate the entities identified as Wisconsin Public Radio and PBS Wisconsin. Wisconsin Public Radio shall consist of the radio licenses held by the Wisconsin Educational Communications Board and the University of Wisconsin Board of Regents. PBS Wisconsin shall consist of the television licenses held by the Wisconsin Educational Communications Board and the University of Wisconsin Board of Regents. Wisconsin Public Radio and PBS Wisconsin collectively shall be identified as Wisconsin Public Broadcasting.

The joint agreement shall be executed in writing by the Executive Director of the Wisconsin Educational Communications Board and the Chancellor of the University of Wisconsin Madison on behalf of the principals and annually reviewed and modified as agreed to. Annual and longer term goals and strategic directions shall be developed. Annual and biennial budgets shall be prepared carrying out the intent of the agreement.

It shall be understood that each licensee retains final responsibility for the stations for which it holds licenses.



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BOARD POLICY

SUBJECT	Cable Carriage of ECB Broadcast Services	Number	703
		Effective Date	7/14/06
		Page	1 of 1

The Board may secure the carriage of both broadcast public television programming and non-broadcast programming on Wisconsin cable and satellite systems, or other program delivery services such as those provided by telecommunications companies pursuant to the Federal Communications Commission (FCC) rules and regulations.

Adopted 7/14/06
Revised Version Adopted 7/12/13



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BOARD POLICY

SUBJECT	Satellite Terminal Operation Policy	Number	801
		Effective Date	7/14/06
		Page	1 of 1

In accordance with ss.39.11(5), (7), (12), (13), and (17), Wis. Stats., and any subsequent amendments or changes to the statutes, the Board will secure, install, operate and maintain satellite communications terminals for the purposes of telecommunicating educational, instructional and other categories of programming as determined by the Board.

The Board shall have guidelines and procedures covering the operation, maintenance and user fees relating to satellite terminal operations.

Adopted 7/14/06



BOARD POLICY

SUBJECT	Excess Capacity Use	Number	803
		Effective Date	7/14/06
		Page	1 of 1

The Board's telecommunications facilities may be made available to both public and private entities for excess capacity use when the following conditions are met:

- All legal and staff costs associated with negotiating, coordinating and billing for these uses are recovered;
- A reasonable fee above that associated with recovering costs is received by the ECB for use in funding other telecommunication-related activities;
- When applicable, the local user group agrees to accommodate the excess capacity user;
- All excess capacity programming is clearly identified; and
- An Excess Capacity Use Agreement is entered into which adheres to all Board policies related to revenue-producing activities.
- In the context of digital changes, this policy will be reviewed on an ongoing basis by senior staff with appropriate recommendations for policy change made through the Executive Director to the Board.



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BOARD POLICY

SUBJECT	Tower Use	Number	804
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It is the policy of the Board to allow for the attachment or installation of antennae and associated appurtenances to agency owned tower facilities by and in the following priority order: state agencies; state educational institutions; local, county, and federal governments; publicly owned utilities; cooperatives and other non-profit organizations having a mission to serve the citizens of Wisconsin.

The Board may also lease tower and associated space to commercial enterprises when the approval of the request will clearly serve the interests of the Board and the State of Wisconsin and the priority order has been met.

The Executive Director shall receive formal requests for use of ECB tower space and associated facilities, and respond to those requests with guidelines and procedures that must be followed to receive further consideration of their request.

Adopted 7/14/06



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BOARD POLICY

SUBJECT	Office/Facilities Use	Policy Number	805
		Effective Date	7/14/06
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Board staff shall comply with DOA guidelines regarding the use of ECB office building facilities by outside organizations, including other state agencies, for the purposes of meetings, teleconferences and other gatherings.

Adopted 7/14/06
Revised Version Adopted 7/12/13

Guidelines for Local Policies

Code of Editorial Integrity

UPDATED MAY 2019

Public broadcasters have adopted shared principles to strengthen the trust and integrity that communities expect of valued public service institutions.

Public media organizations contribute to a strong civil society and active community life, provide access to knowledge and culture, extend education, and offer varied viewpoints and sensibilities.

The freedom of public media professionals to make editorial decisions without undue influence is essential. It is rooted in America's commitment to free speech and a free press. It is reflected in the unique and critical media roles that federal, state, and local leaders have encouraged and respected across the years. It is affirmed by the courts.

Trust is equally fundamental. Public media organizations create and reinforce trust through rigorous, voluntary standards for the integrity of programming and services, fundraising, community interactions, and organizational governance.

These standards of integrity apply to all the content public media organizations produce and present, regardless of subject matter, including news, science, history, information, music, arts, and culture. These standards apply across all public media channels and platforms – broadcasting, online, social media, print, media devices, and in-person events.

Public media, individually and collectively:

- Contribute to communities' civic, educational, and cultural life by presenting a range of ideas and cultures and offering a robust forum for discussion and debate.
- Commit to accuracy and integrity in the pursuit of facts about events, issues, and important matters that affect communities and people's lives.
- Pursue fairness and responsiveness in content and services, with particular attention to reflecting diversity of demography, culture, and beliefs.
- Aim for transparency in news gathering, reporting, and other content creation and share the reasons for important editorial and programming choices.
- Protect the editorial process from the fact and appearance of undue influence, exercising care in seeking and accepting funds and setting careful boundaries between contributors and content creators.
- Encourage understanding of fundraising operations and practices, acknowledge program sponsors, and disclose content-related terms of sponsor support.
- Maintain respectful and accountable relationships with individual and organizational contributors.
- Seek editorial partnerships and collaborations to enhance capacity, perspective, timeliness, and relevance and apply public media standards to these arrangements.

ECB Board Policies – Addendum B
Wisconsin Statute 15.57

Electronic reproduction of updated 2017 – 2018 Wis. Stats. database, published 7/1/2019:

15.57 Educational communications board; creation. There is created an educational communications board consisting of:

- (1) The secretary of administration, the state superintendent of public instruction, the president of the University of Wisconsin System and the director of the technical college system board, or their designees.
- (2) Two public members appointed for 4-year terms.
- (3) One representative of public schools and one representative of private schools or of tribal schools, as defined in s. 115.001 (15m), appointed for 4-year terms.
- (4) One majority and one minority party senator and one majority and one minority party representative to the assembly, appointed as are the members of standing committees in their respective houses.
- (5) One member appointed by the board of regents of the University of Wisconsin System for a 4-year term.
- (6g) The president of the Wisconsin Public Radio Association.
- (6m) One member with a demonstrated interest in public television who resides within the coverage area of an education television channel subject to s. 39.11 (3).
- (7) One member appointed by the technical college system board for a 4-year term.

History: 1971 c. 100 s. 4; Stats. 1971 s. 15.57; 1977 c. 325; 1983 a. 27; 1985 a. 29; 1991 a. 39; 1993 a. 399; 1995 a. 27; 1997 a. 27; 2009 a. 302.

CHAPTER 39

HIGHER EDUCATIONAL AGENCIES AND EDUCATION COMPACTS

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SUBCHAPTER I

EDUCATIONAL COMMUNICATIONS BOARD

39.11 Educational communications board; duties. The educational communications board shall:

(1) Receive and disburse state, federal and private funds and engage or contract for such personnel and facilities as it deems necessary to carry out the purpose of this section.

(2) Plan, construct and develop a state system of radio broadcasting for the presentation of educational, informational and public service programs and formulate policies regulating the operation of such a state system.

(3) Protect the public interest in educational television by making application to the federal communications commission for educational television channels reserved for Wisconsin, and take such action as is necessary to preserve such channels to Wisconsin for educational use.

(4) Initiate, develop and maintain a comprehensive state plan for the orderly operation of a statewide television system for the presentation of noncommercial instructional programs that will serve the best interests of the people of the state now and in the future.

(5) Work with the educational agencies and institutions of the state as reviewer, adviser and coordinator of their joint efforts to meet the educational needs of the state through radio, television and other appropriate technologies.

(6) Furnish leadership in securing adequate funding for statewide joint use of radio and television for educational and cultural purposes, including funding for media programming for broadcast over the state networks. The educational communications board may submit joint budget requests with state agencies and other nonstate organizations or corporations for the purposes enumerated in this subsection.

(7) Lease, purchase or construct radio and television facilities for joint use, such as network interconnection or relay equipment, mobile units, or other equipment available for statewide use.

(8) Apply for, construct and operate radio and television transmission equipment in order to provide broadcast service to all areas of this state.

(9) Establish and maintain a continuing evaluation of the effectiveness of the joint efforts of all participating educational institutions in terms of jointly-established goals in the area of educational radio and television.

(10) Act as a central clearing house and source of information concerning educational radio and television activities in this state, including the furnishing of such information to legislators, offices of government, educational institutions and the general public.

(11) If appropriate funds are made available, file applications after appropriate engineering studies and feasibility surveys for the construction and operation of noncommercial educational radio and television transmitters in the vicinities of Wausau, Colfax, La Crosse and Appleton and translators in the Platteville and Ashland area.

(12) Establish and operate, as soon as practicable, an interconnection between the broadcast facilities and higher education campuses to facilitate statewide use of closed circuit and broadcast radio and television for educational purposes. Additional facilities may be authorized by the educational communications board if deemed necessary and if funds are available for such purposes.

(13) Throughout this development, seek to cooperate with similar bodies in other states and participate in regional and national network planning so as to insure maximum educational benefits for the people of this state.

39.11

EDUCATIONAL AGENCIES; EDUCATION COMPACTS

Updated 17-18 Wis. Stats. 2

(14) Coordinate the radio activities of the various educational and informational agencies, civic groups, and citizens having contributions to make to the public interest and welfare.

(15) Manage, operate and maintain broadcasting station WLBL.

(16m) Give priority in the development of instructional television programs to programs specific to this state.

(17) Assist any state agency, upon its request, in the development and review of plans for the utilization of educational radio and television to include, but not be limited to, equipment, personnel, facilities and programming.

(17m) Maintain annual records of its expenditures for programming purposes by type of programming and by source of revenue. By December 1, 1981, and annually thereafter, the educational communications board shall submit to the governor and the chief clerk of each house of the legislature, for distribution to the legislature under s. [13.172 \(2\)](#), a report on all of the board's sources of revenue by source and amount.

(21) Operate an emergency weather warning system.

History: 1971 c. 211; 1973 c. 90, 333; 1975 c. 39; 1981 c. 20; 1985 a. 29; 1987 a. 186, 399; 1991 a. 39, 269; 1993 a. 16, 213, 437; 1997 a. 27; 1999 a. 83; 2003 a. 33; 2015 a. 55.

The board's relationship with support organizations is discussed. 70 Atty. Gen. 163.

39.115 Educational communications board; powers.

The educational communications board may:

(1) Copyright in its own name or acquire copyrights by assignment and charge for their use.

(2) Review capital equipment purchases related to public broadcasting made by any state agency.

(3) Enter into a contract with any state agency, county, cooperative educational service agency, technical college district, municipality or school district for the educational communications board to furnish engineering and other services related to the construction or operation of telecommunications facilities.

History: 1985 a. 29 ss. 711g, 711r; 1995 a. 27.

39.12 Nonstock corporation. **(1)** The educational communications board may organize and maintain a nonstock non-profit corporation under ch. [181](#) for the exclusive purpose of raising funds for the educational communications board to support the activities of the educational communications board. Any funds raised by the corporation shall be expended to carry out the purposes for which received.

(2) The educational communications board shall enter into a contract with the corporation under sub. **(1)**. The contract shall provide that the educational communications board may make use of the services of the corporation and that the educational communications board may provide administrative services to the corporation. The type and scope of any administrative services provided by the educational communications board to the corporation and the educational communications board employees assigned to perform the services shall be determined by the educational communications board. The corporation may neither employ staff nor engage in political activities.

(2m) The corporation under sub. **(1)** shall donate any real property to the state within 5 years after acquiring the property unless holding the property for more than 5 years is consistent with sound business and financial practices and is approved by the joint committee on finance.

(3) The educational communications board, the department of administration, the legislative fiscal bureau, the legislative audit bureau and the appropriate committee of each house of the legislature, as determined by the presiding officer, may examine all records of the corporation.

(4) The board of directors of any corporation established under this section shall consist of 5 members, including the execu-

tive director of the educational communications board and 4 members of the educational communications board, elected by the educational communications board, of which one shall be a legislator. No 2 members of the board of directors may be from the same category of educational communications board members under s. [15.57 \(1\)](#) to [\(7\)](#).

(5) Any corporation established under this section shall be organized so that contributions to it will be deductible from adjusted gross income under section [170](#) of the internal revenue code and so that the corporation will be exempt from taxation under section [501](#) of the internal revenue code and ss. [71.26 \(1\)](#) **(a)** and [71.45 \(1\)](#) **(a)**.

History: 1983 a. 27; 1987 a. 27; 1987 a. 312 s. 17; 1991 a. 39, 269; 2007 a. 20.

39.13 Board staff. **(1)** The educational communications board shall appoint an executive director outside the classified service. The executive director shall coordinate the activities and execute the program and orders of the board, maintain liaison with the various federal and state agencies interested in the system of state radio and television broadcasting and exercise such further powers, functions and duties as the board prescribes.

(2) The executive director may employ a deputy director, the number of division administrators specified in s. [230.08 \(2\)](#) **(e)** and 11 professional staff members outside the classified service. Subject to authorization under s. [16.505](#), the executive director may employ additional professional staff members for development and grant projects outside the classified service or for other purposes within the classified service.

(3) The educational communications board may provide a plan for bonus compensation for employees appointed in the unclassified service whose principal responsibility is fund raising, whereby the employees may qualify for an annual bonus for meritorious performance. No bonus awarded by the board to any individual employee for any fiscal year may exceed a total of 25 percent of the annual salary of the employee at the beginning of the fiscal year. In awarding bonus compensation for a given period, the board shall award no more than 3 percent of the amount of private funding raised during the preceding fiscal year which is in excess of the amount of private funding raised during the 2nd preceding fiscal year. The board shall provide for a portion of the bonus compensation awarded under this subsection to be distributed to employees over a 3-year period conditioned upon continuation of employment to the time of distribution.

History: 1971 c. 125, 211; 1983 a. 27; 1987 a. 27; 1989 a. 31, 336; 1991 a. 316; 1997 a. 27.

39.14 Affiliation agreement. **(1)** The educational communications board may enter into an affiliation agreement with broadcast radio and television licensees for the purpose of furthering its responsibilities under s. [39.11 \(2\)](#), **(4)**, **(7)**, **(13)** and **(14)**. An affiliation agreement shall include the minimum amount of programming of the Wisconsin educational radio or television network to be carried by the affiliated radio and television station.

(2) Any amendment to an agreement under sub. **(1)** in the amount of programming to be carried by the affiliated licensee which is offered by the Wisconsin educational radio or television network may be made by mutual agreement between the affiliated licensee and the educational communications board.

(3) Any nonprofit affiliated licensee of the Wisconsin educational radio or television network shall be required to submit to the educational communications board an annual report of their operating and capital budgets, plans for future development and expansion, schedules of weekly broadcast programming, and all other information deemed reasonable and appropriate by the contracting parties.

(4) The educational communications board shall negotiate an affiliation agreement under s. [36.25 \(5\)](#) with the University of Wisconsin System.

History: 1973 c. 333; 1975 c. 41 s. 52.

**BYLAWS
of the
STATE OF WISCONSIN
EDUCATIONAL COMMUNICATIONS BOARD (ECB)**

**ARTICLE I
MEETINGS AND BUSINESS OF THE BOARD**

Section 1. Notice and Record of Meetings. The notice calling any regular or special meetings of the Board shall be served by the ECB executive director on each member of the Board in writing and in accordance with the State of Wisconsin open meetings and public records laws.

On behalf of the Board secretary, ECB staff shall keep a record of the proceedings of the ECB Board and committee meetings conducted in open session. Minutes of closed session meetings shall be executed by the executive director for the Board secretary, except for closed meetings which pertain to Board evaluation of the executive director. In such instances, the minutes shall be taken and maintained by the Board secretary.

Section 2. Regular and Special Meetings. Regular meetings of the ECB Board and committee meetings shall be in accordance with a schedule adopted by the Board unless otherwise specifically ordered by the Board. Special meetings of the Board may be held upon the call of the chair or a majority of its members, with not less than 48 hours advance notice. Unless the call of the special meeting is limited, it shall be valid to act on any subject within the power of the Board.

Section 3. Place of Meetings. All meetings of the Board shall be held in Madison, unless specifically ordered by the Board. Options for virtual attendance may be made available at the discretion of the Chair of the Board.

Section 4. Quorum. A majority of the members of the Board, the Executive Committee or any special committee shall constitute a quorum.

Section 5. Parliamentary Rules. General parliamentary rules as set forth in Robert's Rules of Order, Revised, as modified by rules and regulations of the Board, and the Open Meeting Law, secs. 19.81 – 19.98, Wis. Stats., shall govern the conduct of the Board in session.

Section 6. Agenda. The agenda of matters to be considered by the Board shall be prepared by the Executive Director in consultation with the Chair of the Board. The order of business at all meetings of the Board shall be as follows:

- Roll Call
- Amendment or Approval of the Minutes of the Last Meeting
- Report of the Chair of the Board
- Report of the Executive Director
- Action Item Agenda
- Information Item Agenda
- Board Member Questions or Comments

ARTICLE II **OFFICERS OF THE BOARD AND THEIR DUTIES**

Section 1. Officers of the Board. The officers of the Board shall consist of a chair, a vice chair, and a secretary.

Section 2. Eligibility for Office. All members of the ECB Board shall be eligible for election to Board office.

Section 3. Nominating Procedure. At the first meeting of the year the Board shall elect from among its members a Chair, Vice-Chair and Secretary. The chair shall convene the meeting with the chair or chair pro tem conducting the election by soliciting nominations for officers from the membership from the floor.

In order for a name to be placed in nomination for any of the above-named offices, a motion and a second are required. The chair or chair pro tem will call for the closing of the nominations. .

The election of officers will be conducted in the following order: Chair, Vice Chair and Secretary. In the event of a single slate, a single voice vote may be called. In the event of competitive votes, votes may be cast by voice, paper ballot or electronic poll at the discretion of the Chair of the Board. A majority vote is required; and in the case of a tie, ballots shall be recast. In the case of two consecutive tie votes, the nominations will be reopened.

At the conclusion of the election, the newly-elected officers shall assume their duties.

Section 4. Mode of Election and Term of Office. The officers of the Board shall be elected at the first Board meeting of the calendar year, and shall hold office for one year, beginning immediately upon election and until their successors shall be elected.

Section 5. Duties of the Chair. The chair of the Board shall preside at all meetings; shall appoint the members of all committees of the Board; shall be an *ex officio* voting member of all committees; and shall discharge the ordinary duties of such officer pursuant to parliamentary procedure. The chair, or designee, shall also serve as an official Board delegate to the Corporation for Public Broadcasting, and such other organizations as the Board may determine.

Section 6. Duties of the Vice Chair. The vice chair of the Board shall be an *ex officio* voting member of all committees, and shall, in the absence of the chair, perform all the duties of the chair.

Section 7. Duties of the Secretary. The secretary of the Board is the recording officer of the Board. The secretary of the Board shall assure that an accurate record is kept of the proceedings of the Board and its committees at its meetings, and in the absence of the chair and vice chair, shall perform all the duties of the chair.

ARTICLE III **COMMITTEES OF THE BOARD**

Section 1. Committees. The ECB Board shall act as a committee of the whole, with an executive committee, ad hoc committees, task forces, or other such bodies appointed, charged, and terminated as may be deemed necessary.

Section 2. Executive Committee. There shall be an executive Committee consisting of the Chair, Vice Chair, Secretary and two additional members to be appointed by the Board Chair. The Executive Committee shall exercise the powers of the Board, when the Board is not in session, and shall provide for the execution of orders and resolutions not otherwise committed or provided for. A separate record of the proceedings of this Committee shall be kept by the Secretary, and the same shall be submitted to the Board for inclusion in the record at the next regular or special meeting.

Section 3. Creation of Special Committees. Special Board committees may be created from time to time as necessity demands. The Chair of the Board shall appoint the members thereto with one member designated as the Chairperson.

Section 4. Special Committee Meetings. Meetings of special committees shall be called by the Chairperson or upon request of a majority of the members of the special committee.

ARTICLE IV **ADMINISTRATION**

Section 1. Executive Director. The Executive Director shall serve at the pleasure of the Board and has full executive responsibility for the operation and management of the independent agency known as the Educational Communications Board. This person shall carry out the duties prescribed in Wisconsin Statutes for this office, and such other duties as may be assigned by the Board or be implicit in policy actions of the Board. The Executive Director shall appropriately staff the administrative office of the Board and shall direct and coordinate the activities of staff as needed to fulfill their responsibilities.

All items to be brought before the Board for action, except matters which come to the Board pursuant to its administrative rules or existing policy and those initiating in the Board itself, should reach the Board through the Executive Director. A decision by the Executive Director that a matter should not be considered by the Board may be appealed directly to the Chair of the Board.

The Executive Director is authorized to sign all contract and instruments authorized or issued by authority of the Board except those specifically requiring the signature of the Chair. The Executive Director may authorize other Board employees to sign such documents as the Executive Director so designated.

ARTICLE V **CHANGE IN BYLAWS**

Section 1. Amendments. These bylaws may be added to or amended by any meeting of the Board by an affirmative vote of a majority of the members of the Board – provided that proposed amendments shall be specifically set forth in the notice of such meeting.

Section 2. Suspension of Bylaws. Any section of the bylaws may be suspended by any meeting by an affirmative vote of two-thirds of the total members of the Board and not otherwise..

Adopted May 20, 1994
Amended July 20, 2007
2nd Amendment April 21, 2023
3rd Amendment July 21, 2023