

KPFA ELECTIONS POLICY AND REQUIREMENTS

KPFA programmers must refrain from endorsing or opposing candidates for public office. KPFA programmers are also prohibited from giving exclusive or unequal access to the air to a candidate or candidates.

This applies to volunteer programmers as well as paid programming staff. We could lose our 501(c) (3) status. Volunteers can speak their minds off the air, but on the air they have to follow the rules as if they were the station.

You do not instruct people how to vote.

You do not announce whom you are voting for.

You do not give candidates unequal access to KPFA's air.

Details from Chapter 7 of The Public Radio Legal Handbook:

Whenever a legally qualified candidate makes "use" of a broadcast station in a non-exempt program, that station must afford all opposing candidates equal opportunities to air programming that reaches comparable audience size. The obligation is to provide "equal opportunities", not equal time. For example, if one candidate has been given five minutes during peak audience, morning drive time, while an opposing candidate is given five minutes at 1:00 am, the two candidates would have been given equal time but not equal opportunities to communicate with the public.

A station is not obligated to contact candidates to offer "equal opportunities" after a competing candidate has appeared on the station. The station's obligation is simply to place a record of "use" in its Public File as soon after the appearance as possible. Legally qualified opponents must assert their right to equal opportunities within seven days of the appearance by the first candidate so prompt placement of a record of the appearance in the Public File is critical.

Candidates for any state, local or federal election may exercise the right of equal opportunity.

The F.C.C. exempts from these requirements any "bona fide newscast", "bona fide news interview" and "bona fide news documentary" and "on the spot coverage of bona fide news events including but not limited to political conventions".

KPFA Election Policy is More Comprehensive:

In keeping with the F.C.C. requirements and the general principal of fairness to candidates and to our audience, KPFA has adopted the practice of inviting **all** candidates for a particular public office onto an interview or other program – and not just the “progressive” candidate.

It is the KPFA programmer’s responsibility to notify the Program Director or Chief Engineer if they intend to have a candidate participate on their show. The programmer will be required to provide equal opportunity to all other candidates within two weeks of the original program, or less, if election day is within two weeks.

Ballot Measures:

KPFA Programmers who are discussing ballot measures must invite both sides pro/con on the air – not just the representative from one side – and give reasonable notice and opportunity to both sides to appear.

KPFA Programmers Who Run for Office

KPFA removes from the air programmers who decide to run for public office and requires them to stay off the air until the election is over. This applies to all programmers, including music programmers and not just public affairs hosts. Allowing them to remain on the air, even if they don’t discuss their candidacy, would trigger the F.C.C. equal opportunity requirement.

Music Shows

The requirements apply to music programs as well as public affairs shows. Some programmers have asked about songs that endorse candidates or parties. Songs are considered artistic statements and are exempt from the rules. But you must not say you agree with the song.

Mandated Reporting

If you do invite candidates on the air, you must keep a log of whom you talked to, for how long and about what. This information must be reported to Engineering preferably immediately and definitely within 24 hours of broadcast for inclusion in KPFA's F.C.C. Public File.

If you have any questions about this, or would like to read up on it further, please contact Aileen Alfandary in the News Department, aileen@kpf.org