



January 4, 2022

VIA ELECTRONIC MAIL

Mr. Mark Munger
Station Manager
KWIT-FM
Western Iowa Tech 65
PO Box 5199
Sioux City, IA 51102

Dear Mr. Munger,

RE: Evaluation of KWIT-FM Compliance with Selected Communications Act and Transparency Requirements as of August 31, 2021 (Report No. ECR2113-2201)

The evaluation referenced above concluded that KWIT-FM (KWIT) was compliant with seven of nine select requirements in the Communications Act of 1932, 47 U.S.C. §396, et sec. (Communications Act), and in the General Provisions and Eligibility Criteria (General Provision) governing the 2021 community service grant (CSG) awarded it by the Corporation for Public Broadcasting (CPB).

The specific findings and CPB's determination for KWIT follow.

I. Advance Notice of Meetings

The Communications Act requires that stations provide advance notice of their open governing body meetings, open governing body committee meetings, and Community Advisory Board (CAB) meetings and CPB finds stations compliant if they provide at least seven-days' advance notice by posting the meeting information on the station's website¹. The evaluation found that KWIT did not provide notice for a governing body meeting held during the reporting period. The station indicated that it misunderstood the requirement and provided advance notice of CAB meetings but not governing body meetings, and that it did provide some notice, as KWIT's licensee, has a policy of posting advance notice on its website at least 24 hours prior to meetings.

The report recommended that CPB require KWIT identify the corrective actions and controls it will implement to avoid this error in the future. KWIT explained that it has put procedures in place to provide and document advance on-air notice of future governing body meetings in its response dated October 15, 2021.

¹ 2021 Compliance Document, Section 1.E. Notice of Open Meetings

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General Manager
KWIT-FM

CPB adopted the CSG Non-compliance Policy to encourage grantees to comply with the applicable provisions governing their CSG and the Communications Act. Failure to comply with a category in the Act subjects the station to a penalty of \$5,000. With KWIT's prompt resolution of the issue and considering the overall report results, we will assess a reduced penalty of \$2,500 against KWIT and we require no further documentation.

Action: KWIT must provide the \$2,500 penalty to CPB within 45 days of the date of this correspondence.

II. Governing Body Members

CPB requires stations to post the members of their governing body on its website². The report found that KWIT was not compliant, and it recommended that CPB require KWIT to identify the controls it will implement to avoid this error in the future. The station indicated that it misunderstood the requirement, posting the names of its CAB members but not the governing body members, and it promptly addressed the issue before the evaluation's completion.

In accordance with CPB's Non-compliance Policy, failure to comply with a category in the General Provisions subjects a station to a penalty of \$1,000. Since KWIT quickly corrected the issue and considering the overall results of the report, we will assess a reduced penalty of \$500 and we require no further documentation.

Action: KWIT must provide the \$500 penalty to CPB within 45 days of the date of this correspondence.

Please forward a check in the amount of \$3,000 for the penalties, payable to CPB, to the attention of Nick Stromann, Vice President, Controller, Corporation for Public Broadcasting, 401 Ninth Street N.W., Washington, D.C. 20004-2129.

If you wish CPB to consider additional information relating to this matter, please provide the same in writing within 30 days of the date of this letter. Otherwise, CPB will consider these determinations final, and KWIT must comply with the actions set forth above. CPB reserves the right to take any other action it deems appropriate until these issues are resolved to CPB's satisfaction.

Kind regards,

Jackie J. Livesay

Jackie J. Livesay
Deputy General Counsel & Vice President, Compliance

CC: VIA ELECTRONIC MAIL
Troy Jasman, Licensee Official, KWIT-FM
Michael Levy, Executive Vice President & Chief Operating Officer, CPB

² 2021 Radio CSG General Provisions, Section 9B. Documents for Public Inspection: Website Posting Required

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General Manager
KWIT-FM

J. Westwood Smithers, Jr., Senior Vice President & General Counsel, CPB
William P. Tayman, Jr., Chief Financial Officer & Treasurer, CPB
Kimberly Howell, Inspector General, CPB
William J. Richardson, III, Senior Director & Deputy Inspector General, CPB
Kathy Merritt, Senior Vice President, Radio, Journalism & CSG Services, CPB
Katherine Arno, Vice President, Community Service Grants and Station Initiatives, CPB
Nick Stromann, Vice President, Controller, CPB
Andrew Chamik, Director, Radio CSG Policy & Administration, CPB
Forrest Lillibridge, Director, Grants Administration, CPB