



September 22, 2023

Ms. Cynthia Sosa  
Interim General Manager  
KCCU-FM  
2800 West Gore Boulevard  
Lawton, OK 73505

Dear Ms. Sosa,

RE: Evaluation of KCCU-FM, Cameron University, Compliance with Selected Communications Act, Diversity, and Transparency Requirements (Report No. ECR2309-2309)

The evaluation referenced above concluded that KCCU-FM (KCCU) was compliant with five of seven 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 Provisions) governing the 2023 community service grant (CSG) awarded it by the Corporation for Public Broadcasting (CPB).

The specific findings and CPB's determinations for KCCU follow.

### **I. Posting Current Financial Information**

The Communications Act requires stations to make available to the public their annual financial and audit reports they are required to provide to CPB.<sup>1</sup> CPB also requires that each CSG recipient post its most recent audited financial statement and annual financial report (AFR) on its website.

The evaluation found that KCCU had not posted its most recent AFR on its website, although it immediately addressed the issue by updating its website to include the document. The report recommended that CPB require KCCU to identify the controls it will adopt to avoid this error in the future. KCCU explained that they will increase the number of website reviewers to ensure compliance.<sup>2</sup> Considering KCCU's swift action to correct the issue, the station's express commitment to compliance detailed in that correspondence, and the penalty assessed below, we will not require additional documentation.

CPB adopted the CSG Non-compliance Policy to encourage grantees to comply with the applicable provisions governing their CSG and the Communications Act. Stations are subject to a penalty of \$5,000 for failure to comply with a category in the Communications Act and a penalty of \$1,000 for failure to

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<sup>1</sup> General Provisions, Section 2 (C), Open Financial Records.

<sup>2</sup> Exhibit D of the evaluation report.

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comply with a category in the General Provisions. Considering the prompt action KCCU took to correct the issues, its compliance representations, and the overall results of the report, we will assess a reduced Communications Act penalty of \$2,500 for the open financial records non-compliance.

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

## **II. Diversity Statement**

The Communications Act requires CPB to support diverse non-commercial, educational content for unserved and underserved audiences. CPB's goal, therefore, is to support stations in providing a wide variety of educational, informational, and cultural content that addresses the following elements of diversity: gender, age, race, ethnicity, culture, religion, national origin, and economic status. Towards this end, the General Provisions for the applicable years, requires grantees to annually review their diversity goals and any revisions thereto with their governing board or licensee official, and maintain on its website or at its central office a diversity statement that reflects on the elements of diversity that are important to its public media work, the extent to which staff and governance reflect such diversity, the progress made to increase its diversity in the last two to three years, and diversity plans for the coming year.<sup>3</sup>

The evaluation found that KCCU had not reported the progress it made to increase its diversity in the last few years or reviewed its diversity goals and revisions with its governing body. Consequently, the report recommended that CPB require KCCU to update its Diversity Statement to meet the requirements. KCCU promptly corrected this issue before the evaluation's completion. In its correspondence,<sup>4</sup> KCCU explained that it updated its Diversity Statement and created an annual plan for maintaining compliance with the provision. Because the diversity statement requirements are currently under review, CPB will not assess a penalty for this non-compliance.

Considering the swift action that KCCU took to meet this requirement, no additional action is required.

Action: No further action is required of KCCU.

KCCU must provide the Communications Act non-compliance penalty to CPB by forwarding a check payable to CPB to Nick Stromann, Vice President, Controller, Corporation for Public Broadcasting, 401 Ninth Street N.W., Washington, D.C. 20004-2129.

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<sup>3</sup> General Provisions, Section 8, Diversity Statement.

<sup>4</sup> Exhibit D of the evaluation report.

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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 KCCU 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

John McArthur, Licensee Official, KCCU-FM

Michael Levy, Executive Vice President & Chief Operating Officer, CPB

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 Charnik, Director, Radio CSG Policy & Administration, CPB

Forrest Lillibridge, Director, Grants Administration, CPB