



NCRA-ANREC
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Ottawa, ON K1N 7G2

Robert A. Morin
Secretary General
Canadian Radio-television and Telecommunications Commission
Ottawa, ON K1A 0N2

July 22, 2011

Dear Secretary General:

Re: Proposed NCRA/ANREC Codes of Conduct

1. The National Campus and Community Radio Association/l'Association nationale des radios étudiantes et communautaires (NCRA/ANREC) is pleased to submit to the Commission the following two documents:
 - A. **The NCRA/ANREC Codes of Conduct.** These Codes were developed through a collaborative process by NCRA/ANREC members, and based on *Guidelines for Developing Industry-Administered Standards, CRTC 1988-13*. The Codes are intended to be voluntary, administered by the Commission, and replace the CAB Code of Ethics for NCRA/ANREC stations that choose to adopt them as a Condition of License.
 - B. **The NCRA/ANREC Guidelines and Best Practices.** This document was developed at the same time and through the same collaborative process as the Codes, but it is intended as a non-binding supplement that will not be administered by the Commission. The Guidelines are intended to provide the Commission with additional context for the interpretation of the Codes, and to provide NCRA/ANREC stations with guidelines and best practices for topics not covered in the Codes.

2. The NCRA/ANREC first proposed developing our own Codes to the Commission during the *Campus and Community Radio Policy Review (CRTC 2009-418)*. In our submission in that proceeding, we proposed to develop a document of basic minimum standards to which our members could adhere. We proposed that these standards should be geared specifically to the volunteer-based and not-for-profit environment in which our stations operate, and would replace the CAB Code of Ethics as the document the Commission relies on to determine whether stations have met the “high standard” requirement when complaints are received.

The Process of Developing the Codes

3. After the new *Campus and Community Policy (CRTC 2010-499)* was released, we developed a small committee of volunteers to examine and assess policy documents from more than 35 NCRA/ANREC member stations, as well as standards documents from the CBSC, the CBC and the c/c sector in Australia. Over a period of approximately 8 months, the committee completed several drafts of preliminary standards documents, and circulated two completed versions to our members for comments and revisions. A workshop was then held at the National Campus and Community Radio Conference (NCRC) in Halifax to discuss content and development of the Code, with approximately 40 delegates from member stations in attendance.
4. At the NCRC, NCRA/ANREC members voted to strike an ad-hoc committee to complete revisions and finalize the draft standards documents. This large committee was composed of representatives from 18 member stations, NCRA/ANREC board members and staff, and a representative from GroundWire, our national grassroots news collective. Committee members canvassed their stations’ programmers, staff and volunteers for feedback, provided extensive input using online questionnaires and shared web-based documents, collaboratively edited approximately five subsequent drafts, and participated in two conference calls to discuss details. In the end, we believe this document reflects a significant range of NCRA/ANREC members and the communities they serve.
5. Our members’ philosophies about and approaches to representing their local communities differ considerably, and this fact was evident throughout the process of drafting these documents. In the end, we hope that the content of the Codes is broadly-stated enough to represent the interests and values of all of our members, and to serve the interests of the Canadian public as well.
6. These documents represent the best products we could come up with considering our scarce resources and the fact that they were mainly produced through volunteer labour. We recognize that they may contain errors or oversights, or that there may be unforeseen repercussions from the content. We are, however, open to any changes or recommendations that arise through a public proceeding, and to working with the Commission to develop the codes and guidelines further.

Why we proposed to develop these Codes

6. When a complaint is received by the Commission about programming broadcast on one of our stations, the Commission has stated (in CRTC 2010-499) that it currently uses the CAB Code of Ethics to guide its determinations of whether or not content is of high standard for campus and community radio licensees. We believe that the CAB Code, and other codes developed by the CBSC and its members, are, in many cases, not a good fit for our stations, because they were developed by the commercial sector to suit their needs and values, which can be very different from those of the community sector in both structure and substance.
7. In the community radio sector, we take our values from the local community much more directly than commercial stations do. We develop our priorities, services, and broadcast content based solely on the needs and interests of the community as stated by community members themselves. We fulfill those needs independently, without concern for corporate interests or profit. The community-driven nature of our stations leads to a very wide range of programming content and priorities.
8. Many of our members don't have professional journalists on staff, and they prioritize news and public affairs content for different reasons than commercial broadcasters do. Many provide airtime to marginalized groups whose authentic voices and program content may seem risky to an audience that is not accustomed to hearing such content. Our independent nature may also lead to our members prioritizing music that would not be considered commercially viable, and to broadcasting spoken word content that pushes boundaries for artistic, social, cultural or educational reasons.
9. Conversely, some of our members also receive community input that is based on more traditional values and a desire for more familiar broadcast content that serves basic community needs for music and local information. Their broadcast content may be quite similar to public or private broadcasters in other locations, except that it is locally-produced with community participation, and geared specifically towards the particular interests of their communities.
10. We also rely heavily on volunteers in our programming, operations and governance, although the tasks and responsibilities assigned to volunteers varies from station to station and depends on their budget, location, number of staff, availability of dedicated volunteers, and a host of other considerations. Overall, our members have structures that are participatory and community-driven.
11. The characteristics described above mean that stations need flexibility in how best to serve their unique audiences and communities, particularly when many of them strive to provide training and airtime to such a diverse range of individuals and groups within their communities. We have attempted to create Codes that incorporate that flexibility to the greatest extent possible.

12. Finally, although our Codes are similar to the CAB Code of Ethics in many respects, it was important for our members to articulate their own priorities and key principles, and to participate in developing Codes for themselves. We believe a sense of ownership over the Codes will increase stations' levels of commitment to them, and may increase the quality of their programming as they feel more recognized and empowered in the regulatory environment.

Why the Codes and Guidelines are voluntary

13. For the reasons described in the section above, it is also important for our Codes to be voluntary. Our bylaws stipulate that we are a member-driven association, and therefore the NCRA/ANREC is not in a position to require its members to adhere to the proposed Codes, nor can we decide for our members whether the Codes are more appropriate for them than the Commission's current practice of using the CAB Code of Ethics to guide its determinations. We believe our proposed Codes are more appropriate for community broadcasters, we have engaged in significant consultation to confirm that, and our code development committee and board of directors have approved the Codes for submission to the Commission. However, some of our members may not agree.
14. Even for stations that do agree that our Codes are more appropriate for them than the CAB Code of Ethics, we think it is important to give them the opportunity to commit to them as Conditions of Licence independently, without linking that decision to their membership in the NCRA/ANREC. Our association is dedicated to creating resources to assist our members in achieving their mandates, and to supporting them in the regulatory environment. We believe creating these Codes and Guidelines is in the best interests of our members, but we are more comfortable leaving the decision of whether to commit to the Codes as a Condition of Licence up to them.

Why the Codes and Guidelines will need to be updated

15. We recognize that new stations, existing NCRA/ANREC members, and the communities our members serve are constantly developing new goals, priorities, and practices. For that reason, we may need to update our Codes and Guidelines regularly as our members change and evolve.
16. We have committed to updating the Guidelines up to once per year, and as stated in the Guidelines, we will provide each updated version to the Commission for reference purposes. Updates will only be made by the NCRA/ANREC with substantial input and agreement from our members and the communities they serve.
17. The Codes contain a proviso that they will be reviewed in consultation with the Commission after they have been in operation for three years, and requests that the Commission consult with the NCRA/ANREC on broad issues that arise in the meantime in their administration and interpretation. We consider the Codes to be a

living document, and we look forward to continuing to develop and improve them in the future, in accordance with CRTC procedures.

Self-Administration of these Codes

18. Many of our member stations have suggested that the NCRA/ANREC should eventually develop our own standards body to receive complaints pertaining to our members' programming and administer these Codes. We cautiously agree that this is a reasonable long-term goal. This arrangement would suit our sector well because our standards body would be governed and carried out by individuals who are familiar with the c/c sector, our members' mandates, and the particular difficulties that stations in our sector face.
19. However, at this point, the NCRA/ANREC does not have sufficient resources or staff capacity to carry this out. In order for this goal to be achieved, the NCRA/ANREC would have to find sources of funding, and increase our capacity considerably. One day we believe it may be both appropriate and possible to administer our own Codes, and we will continue to discuss that possibility with our members and with the Commission.

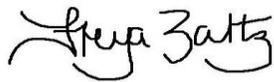
How we expect the guidelines to work with the Codes and why we separated them.

20. As we have mentioned in various interventions and proceedings, stations in our sector vary in their approaches to policy making. Many of our members have developed extensive, comprehensive, and detailed policy documents, in close consultation with their staff, volunteers, and communities. Others choose to develop detailed policies only where required, and otherwise create more general, flexible and loosely-articulated principles to guide their staff and volunteers. Depending on stations' communities and circumstances, their policies vary widely in terms of how lenient or strict they are regarding content they do and do not permit and the procedures their staff and volunteers must follow. These divergent approaches were difficult to reconcile when drafting the Codes.
21. With this in mind, we intentionally kept the Codes as brief as possible and expressed only minimum requirements, in order to suit them to our varied membership and reduce the number of areas in the Codes that were contentious amongst our members. However, we realized during the drafting process that many of our members would like to make additional commitments in priority areas that are not currently addressed in legislation or CRTC policy decisions, and therefore may not be appropriate to include in Codes that will be administered by the Commission.
22. The Guidelines were developed based on these suggestions. We intend them to provide our members with a non-comprehensive resource of generally accepted best practices that they could strive to uphold but would not be bound by. We also hope that the guidelines can provide valuable information about our members and their priorities and goals, which can be used to inform the Commission's enforcement of

the codes. It is possible that we have not been correct in determining which content properly falls into the Codes vs. the Guidelines, and we remain open to changes that may be required.

23. Please do not hesitate to contact us if you require further information.

Sincerely,

A handwritten signature in black ink that reads "Freya Zaltz". The letters are cursive and fluid.

Freya Zaltz
Regulatory Affairs Director

A handwritten signature in black ink that reads "C Fisher". The letters are cursive and fluid.

Catherine Fisher
President
NCRA/ANREC

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