

TEXAS STUDENT MEDIA

Chapter One 5/5/97

A. INTRODUCTION

The operations of student media, defined as all media, print and electronic, on the campus of The University of Texas at Austin are under the jurisdiction of the Board of Operating Trustees, subject to the Regents' Rules and Regulations. The Declaration of Trust provides the broad outline of the organization, responsibilities and policies to be followed. The purpose of this Handbook is to implement the Declaration of Trust in setting forth the operating policies of the operating trustees.

B. BOARD OF OPERATING TRUSTEES.

1. Composition.

a. Voting Members

(1) Three students elected from those students enrolled in the College of Communication.

Qualifications for these student positions include:

(a) Must have completed, or will have completed by the end of the semester in which the election is held, twelve hours of College of Communication courses.

(b) Must be in good standing (not on scholastic or disciplinary probation).

The dean of the College of Communication must certify the candidate's eligibility, as listed above, before the candidate's application can be considered complete.

(2) Three students elected at-large from the student body of U.T. Austin.

Qualifications for these student positions include:

(a) Must be in good standing (not on scholastic or disciplinary probation).

(b) Must have completed 30 or more hours in residence at The University of Texas at Austin.

A student who qualifies as a candidate for one of the College of Communication positions shall be neither qualified as a candidate, nor eligible to serve, as an at-large member of the Board.

(3) Two members of the voting faculty from the College of Communication and one member of the voting faculty from the College of Business Administration, all three appointed by the President of The University of Texas at Austin.

(4) Two media professionals appointed by the President of The University of Texas at Austin.

(5) The student officers of each campuswide medium which at present include the editor and managing editor of The Daily Texan, the editor of Cactus, the KVRX and KVR-TV station managers.

b. Ex-Officio Non-Voting Members.

The following shall serve as ex-officio, non-voting members: the Dean of Students or a representative, either the general manager of Texas Student Media Editor or the editor and the president of the Student Government Association if he or she is not one of the students elected to serve as a voting member.

2. Election of Student Members.

The TSM election, including runoffs, will be held concurrently with the Student Government election. All registered UT students are eligible to vote.

The TSM Board approves the election rules, and appoints a liaison to work with the Student Government election supervisor.

TSM board candidates shall be decided through a plurality. The candidate with the most votes for each place shall be elected, provided the candidate is eligible.

Slates, tickets, and endorsements between candidates or with candidates for other campuswide positions are strongly discouraged.

Names of any candidates for TSM positions may not appear as by-lines or in the staff box of the Texan during the campaign nor may candidates work on any TSM publications during the campaign. The election code is included as Appendix C.

3. Term of Office

Voting members shall serve a term of two years beginning June 1. No voting member shall serve more than four years consecutively.

Terms are staggered so that two College of Communication students and one at-large student shall be elected each even year and one College of Communication student and two at-large students shall be elected each odd year. Members appointed by the U.T. President shall serve staggered terms of two years. One College of Communication faculty member and one professional journalist will be appointed each year, and one College of Business Administration faculty member will be appointed each two years.

While the University is in session, a voting student member must be enrolled in residence at The University of Texas at Austin, except that, with approval of the Board, a student member may continue membership on the Board during the summer without being enrolled.

4. Absences.

Board members are expected to attend all meetings. Positions will be reviewed if a member has more than two unexcused absences within an academic year. An excused absence must be reported in advance, with the reason given. Examples of excused absences include illness, business, or academic matters which require attention away from campus or family emergency.

5. Special Provisions.

No elected student member of the TSM Board shall hold a regular or paid student position on any TSM medium.

The student editor and station manager board members shall take care to recuse themselves from votes in which they may have conflicts of interest, such as a vote establishing the salary for his or her position, disciplinary matters involving an editor or station manager and the appointment of the editor's or station manager's successor. At any time such a conflict comes into question, any board member may ask another board member to exercise recusal in a vote. If the matter of voting cannot be resolved in any specific case, the board will vote on the issue of recusal.

At such time as any student voting member of the Board files for campus-wide election to another student office, his or her seat shall become automatically vacant, unless this provision is waived by majority vote of the Board.

6. Filling of Vacancies.

Should a voting member resign, become ineligible or for any other reason fail to serve, successors shall be selected as follows:

a. If the member was appointed by the President of The University of Texas at Austin, the President shall appoint a successor, after consultation with the operating trustees.

b. Otherwise, the Board shall appoint the successor by majority vote, after consultation with the President. In the event of a tie vote by the Board, the U.T. President shall make the appointment.

If a vacancy occurs in a student position at least two weeks prior to the deadline for filing in the spring TSM election during the first year of the member's term, the appointed successor trustee shall serve only until May 31. The remaining year of the term shall be filled by the election of a successor trustee in the spring TSM election.

If the vacancy occurs later, the appointed successor trustee shall serve the remainder of the term.

If the vacancy occurs in a College of Communication student position, it will be filled by an applicant possessing the qualifications for the position. However, if the initial deadline passes without any qualified applicants filing, the deadline will be extended to include students who meet qualifications for member at-large. At the end of the appointment period, the position will revert to a College of Communication position.

7. Officers and Duties.

a. Officers shall be a president and a vice-President, selected from the elected student membership. Other officers may be elected if necessary to carry on the business of the media. All shall be elected from the voting members of the Board at the first meeting after June 1 each year. Terms shall expire on May 31 each year. The College of Communication faculty member who is in the second year of his or her term shall serve as temporary chair until the president is elected.

b. Duties.

(1) *President*. The president shall preside at all meetings of the Board and perform other duties assigned by the Board.

(2) *Vice-President* shall perform the duties of the president in the temporary absence of the President of the Board.

c. In the case of a vacancy in the office of president or vice-president, the Board shall meet at the earliest possible time to elect a successor for the remainder of the unexpired term.

8. Committees

a. Executive Committee.

(1) The Executive Committee shall consist of the three voting faculty members of the Board and two elected student members. The committee shall select its own chairperson. Committee members' terms shall be for one year, but a person is eligible to serve additional terms. All committee members shall continue to serve until their successors have been elected.

(2) Duties.

(a) Appoint a general manager annually in May for the fiscal year beginning September 1.

(b) Determine compensation of the general manager.

(c) Prescribe duties of the general manager subject to basic policies set forth by the Board.

(d) Review for academic eligibility the appointment of all student editorial staff editorial workers and report this action for the Board's information.

editor (e) Recommend budgets and budget amendments to the Board for adoption.

(f) Approve all non-budgeted equipment purchases for items over \$5,000.

(g) Hear complaints and attempt to resolve differences between student staff members and their advisers or student department heads upon appeal or request from the general manager.

Editor Editor c. TSM Election Committee.

(1) The TSM Election Committee shall consist of three students and two faculty members, appointed by the TSM board president from the voting membership. The committee shall select its own chair. Committee members' terms shall be for one year, but a person is eligible to serve additional terms. All committee members shall continue to serve until successors have been selected.

(2) Duties. The TSM Election Committee annually shall review TSM election rules. It also shall appoint a liaison to work with the Student Government elections chair. All appeals on decisions made by the Student Government Election Supervisory Board shall be heard by the TSM Election Committee. Appeals must be filed with the TSM general manager within 24 hours after an adverse decision, order or ruling is announced. The general manager will call a meeting of the TSM Election Committee within 24 hours to consider the appeal. The appellant has no right to appeal beyond the TSM Election Committee.

d. Minority Advisory Committee.

(1) The Minority Advisory Committee shall consist of the editor/manager or a designated representative of each Texas Student Media unit; one student voting member of the TSM Board appointed by the TSM Board President; one faculty member of the TSM Board appointed by the TSM Board President; the TSM General manager or a designated representative; and three student members selected and appointed by the TSM Board President from registered student organizations on campus. All committee members shall continue to serve until successors have been selected, and the chair shall be selected by committee members at the first meeting each year.

(2) Duties. The Minority Advisory Committee shall see that training on cultural diversity and sensitivity is offered to each incoming editors and station managers; editor; work with individual editors/managers to develop effective methods of recruiting and retaining minorities on various staffs and to monitor implementation; monitor compliance with University policy regarding discrimination on the basis of race, color, religion, sex, national origin, handicap, age, citizenship status, veteran's status or sexual orientation in employment and promotion practices; serve as a general resource on matters related to cultural diversity and sensitivity; and maintain a file of previous retention and recruitment programs or recommendations in the office of the general manager.

9. Meetings of the Board.

The Board shall meet at times to be scheduled by board members, such schedule to be set at the beginning of each semester. Special meetings may be called by the president, or in the president's absence, by the vpce-President. Upon the written request of three (3) voting members of the Board, the president, or in his or her absence the vice-president, shall call special meeting.

Meetings shall be conducted in strict adherence to Robert's Rule of Order.

Meetings shall be open, except that personnel and legal matters may be decided in executive session under provisions of the Texas Open Meetings law.

Agendas shall be distributed to all members no later than 72 hours before any regular meeting of the Board. No item may be added to the agenda without a two-thirds majority vote of the members present.

Minutes of each meeting shall be prepared promptly and must be approved by the Board before they are forwarded to the U.T. President for approval.

10. Duties of the Board.

a. Determine the character and policies of all student media, making certain, however, that all content decisions are determined by student editors and station managers.

b. Deliver copies of minutes of each Board meeting to the Vice-President for Student Affairs for distribution to other members of the administration and the Board of Regents.

c. Furnish special reports within two weeks upon request from the President of The University of Texas at Austin, the Chancellor, or the Board of Regents.

d. Approve all budgets and budget amendments, which are further subject to the approval of the Board of Regents.

e. Certify the eligibility of candidates for The Daily Texan Editor, appoint The Daily Texan Managing Editor and appoint the Editor and station manager of every student medium.

f. Fill vacancies for editor or station manager of all TSM media. A vacancy exists when an editor or station manager is unable to fulfill his or her duties.

g. Take disciplinary action against the employees, editors, station managers, editorial workers and staff members of student media for violation of Board policies or for non-performance of duties. This action may include removal from office after due notice by majority vote of the Board provided, however, that no action taken by the Board with respect to the employment, dismissal, salary or duties and responsibilities of the general manager shall have any force or effect until it has been approved by the Board of Regents. Action of the TSM Board in the matter of the appointment, discipline and removal of editors and/or station managers shall be final and complete.

Any incident involving intentional damage to TSM property or the threat of harm or actual harm to employees shall be reported within 24 hours by the respective student editor, station manager or media adviser to the general manager, who in turn will make a formal report to the Board at the earliest possible time.

h. Promulgate and implement a Handbook that shall contain the operating policies of the board.

i. No action of the operating trustees shall have any force or effect unless included in the minutes and approved by the President of The University of Texas at Austin, except as to actions of the Board with respect to the appointment, discipline or removal of editors and/or station managers, such actions need only be reported in the minutes for information, but are not reviewable outside the TSM Board.

C. EMPLOYEES.

1. General manager.

The general manager shall be appointed by the Executive Committee annually during the month of May for the fiscal year beginning September 1. The Executive Committee shall determine the compensation of the general manager. The duties of the general manager shall be prescribed by the Executive Committee subject to the basic policies set forth by the TSM Board. No action taken, however, with respect to the employment, dismissal, salary or duties and responsibilities of the general manager shall have any force or effect until it has been approved by the Board of Regents.

Following are the duties of the general manager:

a. Supervise the advising, business, production and advertising affairs of TSM.

b. Appoint or delegate the appointment of all employees other than student editors, station managers and student news and editorial staff members of TSM media .

c. Recommend budgets and budget amendments to the Executive Committee.

d. Administer budgets.

e. Perform general duties in connection with promotion of the media .

f. Assume advising responsibility as needed for all media in business, marketing, editorial and other content matters. editor

g. Provide to the Executive Committee periodic reports comparing actual income and expenses with budgeted income and expenses.

h. Supervise the filing of proper information by applicants for student management editor positions and recommend procedures for passing on qualifications of the applicants to the Board. Should a vacancy occur in any student office which the Board or Executive Committee is responsible for filling, the General manager will call for applications for the vacancy and submit these to the Board or committee.

General manager

i. Recommend advertising and subscription prices for the various media for approval by the Board.

j. Purchase supplies and services in conformance with the University's policies and procedures applicable to auxiliary enterprises. The General manager may designate representatives who may also be authorized to sign departmental requisitions and other pertinent documents involved with purchasing, assuming such purchases are covered by approved budgets.

k. Determine the proportion of news and advertising in *The Daily Texan* and all other student media published by TSP, subject to instructions from the Board.

l. Determine the publication dates and production schedules of the various media, with the advice and consent of the editors and station managers of the respective media.

m. Authorize contracts for printing, photography, wire service, and other work not performed by TSM employees, as approved in budgeted line items.

n. Post a memo announcing the timetable for selecting the editor and/or station manager of each medium at the offices of each. For those media whose editors or managers the Board will appoint, the General manager shall, seven days prior to review by the Board, solicit signed questions and comments from staff members of those respective media. The questions and comments shall be copied and made available to Board members two days prior to review by the Board.

2. Advisers

EditorAdvisers for the various media shall be appointed by the General manager subject to basic policies set forth by the Board and the Board of Regents. The student editors and station managers shall be involved in determining the duties for their advisers, and shall have opportunities to interview and evaluate candidates for advising positions. EditorEditorEditorEditorGeneral managerGeneral managerEditorEditorEditorEditor

3. Editors and Station Managers.

EditorEditorEditor

a.. Editors and station managers of all studentEditor media shall be appointed by the TSM Board. Any vacancy shall also be filled by the TSP Board. The salary of each editor and station manager, along with other compensation and emoluments, shall be set annually before the filing deadline by the Executive Committee subject to approval of the TSM Board.

b. Qualifications and Duties. Qualifications for candidates and duties of editors and station managers are listed in the chapters for the various media in the Handbook. Each editor and station manager shall enter into a contract (see

Appendix B) with the Board to perform duties for and in consideration of the salary.

4. Other Paid Student Staff Members.

Paid student staff members, other than the editors and station managers mentioned above, shall be appointed by the respective editor, managing editor, or station manager of the medium. This action shall be reviewed by the Executive Committee for academic eligibility and reported to the TSM Board for its information. All salaries and wages, along with other compensation and emoluments, shall be fixed annually by the Executive Committee subject to approval of the Board as a part of the budgeting process.

No student on scholastic probation may serve in a paid staff position on any student medium.

5. Business Staff.

Members of the TSM business staff shall be appointed by and be responsible to the General manager.

Rules governing University classified personnel shall apply to all members of the business staff. No voting member of the TSM Board shall be appointed to the business staff. The editor or managing editor of The Daily Texan or editor and/or station manager of any other medium may not serve on the business staff. No member of the business staff may serve on the TSM Board.

D. BUDGETS.

Budgets and budget amendments shall be recommended by the general manager to the Executive Committee, which will in turn make its recommendation to the TSM Board. Budget amendments, while discouraged, may be submitted for special circumstances.

The editors and/or station managers of the media shall be consulted by the general manager concerning all budgets and amendments affecting their media.

E. REPORTS.

The TSM Board shall furnish within two weeks special reports requested by the President of The University of Texas at Austin, the Chancellor of the U.T. System, and or the Board of Regents.

F. CHARACTER OF ADVERTISING.

The courts have upheld the theory that media do not have to accept all advertising that is offered. To protect the interest of readers, viewers, listeners and advertisers, TSM requires that each student medium have in place standards of advertising acceptability which generally fall within industry practice..These standards should be developed with the assistance of the TSM professional staff by the students in charge of content decisions of each medium. The advertising standards should be reviewed yearly, and a student committee composed of two representatives from the student marketing staff, along with the medium's editor or station manager will make final decisions on the standards. The same committee will rule on the acceptability of advertising or underwriting which may be controversial or may fall outside the scope of the current set of standards.

editorEditorEditoreditorGeneral managereditorGeneral managerGeneral manager

If any advertising or underwriting which has run in student media is questioned as objectionable, the offended person or group may request a review by

the same student committee. In all such matters, the action of the committee is final.

G. RELATIONSHIP OF TEXAS STUDENT MEDIA TO THE COLLEGE OF COMMUNICATION

Texas Student Media has a special relationship to the College of Communication.

Section 1. GENERAL.

(a) In promulgation of the Operating Procedures of Texas Student Media with the Department of Journalism of The University of Texas at Austin, the essential authority and responsibility delegated to student editors and station managers is restated at the outset: in all matters of editorcontent, the student editors and station managers of each medium will exert final judgment in day-to-day operations. editor (b) The chairman of the Department of Journalism shall assign faculty members to counsel and work with media staff members who have day-to-day responsibility for editorial and program content. The chairman of the Department of Journalism also shall make available faculty members to work with special departments of the media units on request.

(c) The faculty members may not be censors. The faculty members shall be directed by the chairman of the Department of Journalism and authorized by the Board of Operating Trustees, however, to see that students working in journalism and broadcast news laboratories associated with the media units carry out provisions of the TSM Handbook to the letter.

(d) Faculty members shall function in a positive manner while assisting student editors/managers and collaborating with students in the development of story assignments, advertising and marketing materials and other projects from inception to final publication or broadcast. As part of this function, faculty members shall relate to student editors and station managers those print and broadcast techniques designed to achieve the best possible results. Dialogue with competent faculty with previous professional experience is expected to prevent mistakes which could be embarrassing to the student editors and station managers.

(e) The Board of Operating Trustees shall direct its student staff and permanent staff to cooperate with faculty members appointed by the dean of the College of Communication .

Section 2. ASSIGNMENTS.

To avoid duplication of effort between lab students and "paid" staff members of each medium , laboratoryinstructors shall work closely with student editors and station managers.

Section 3. COPY FROM JOURNALISM OR OTHER APPROPRIATE CLASSES.

Any copy generated for class assignment turned over to media staffs by a student may not be altered in meaning or changed substantially by the staff without consulting with the laboratory instructor or the student, except as the change relates to length or accepted style.

Section 4. RIGHT TO HOLD COPY.

As may be set out in the TSM Handbook, the student editors and station managers are encouraged to, but not required to, use copy submitted by College of Communication students and may withhold copy or require alterations for

presentation. Grounds would include possible libel or otherwise falling outside the medium's standards.

H. AMENDMENTS TO HANDBOOK.

Amendments may be made to the TSM Handbook by majority vote of the Board of Operating Trustees, but will not be effective unless included in the minutes and until approved by the President of The University of Texas at Austin.

KVRX RADIO

CHAPTER FIVE 5/14/97

A. HISTORY.

KVRX Radio began broadcasting on community and campus cable systems on April 11, 1988, culminating two years of intense effort by a group of committed students to establish a student-run radio station on the campus of The University of Texas at Austin.

The effort began when the Students' Association created an ad hoc committee, the Student Radio Task Force (SRTF), in Spring 1986 to identify goals and objectives, evaluate needs, gain support and project technical requirements. Earlier student efforts to establish had failed.

During the next two years, the SRTF worked with students, faculty, and central administrators and with such groups as the College of Communication Foundation Advisory Council to develop widespread support for a student-operated radio station and to demonstrate a need for a second educational FM radio station on the campus. Members developed a two-fold purpose for the station: to provide opportunities for students to receive practical experience in radio news, sports and entertainment programming and in broadcast management, and to serve as a source of campus information for students, faculty and staff as well as an outlet for student and alternative programming unavailable in the Austin market.

Additionally, the SRTF planned and coordinated fundraising events, wrote grant proposals and raised funds for the first year of operation. Members negotiated with the Texas Union for studio space in the old Varsity Cafeteria, with the College of Communication and Austin radio station KLBJ AM-FM for donations of broadcast equipment, and with central administrators to find a place in the University's administrative structure. The latter led to informal conversations with TSP officials in Spring 1987.

Eventually, SRTF proposed a formal relationship between TSP and the planned radio station and, after an extensive review and

independent evaluation, the TSP Board passed a resolution incorporating KVRX as part of TSP on September 17, 1987. Before the relationship became official, however, it was necessary for the TSP Board and the Board of Regents to adopt a change in the Declaration of Trust specifying that "publications" could include electronic media.

In June of 1993, KTSB along with KOOP (An Austin community radio station) asked the FCC to approve a time-share agreement that would allow the two stations to share the last remaining non-commercial frequency in Austin, 91.7 FM. On July 21, 1993, the FCC approved this arrangement. KTSB would broadcast nights, KOOP days.

In September of 1993, the FCC issued the station's construction permit. In January of 1994, KTSB changed its call letters to KVRX, since an FM station was already broadcasting as KTSB.

On Nov. 15, 1994, KVRX began its FM broadcast. KVRX broadcasts Monday through Friday from 7 p.m. to 9 a.m. and Saturday and Sunday from 10 p.m. to 9 a.m. KVRX broadcasts 24 hours a day on 99.5 cable FM and on dorm cable channel 35.

B. GENERAL ORGANIZATION.

1. **NAME.** The radio station shall carry the call letters KVRX, standing for Texas Student Broadcasting.
2. **BOARD OF OPERATING TRUSTEES.** Subject to provisions of the Declaration of Trust, the TSMP Board is the final authority on all matters pertaining to KVRX. The Board establishes broad policy and approves budgets. The Board appoints the General Manager and approves action of the Executive Committee in setting salaries and wages. The Board approves the logo for the station.
3. **EXECUTIVE COMMITTEE.** The Executive Committee reviews for academic standing the appointment of key student managerial personnel and reports this action to the Board for information. It sets salaries and wages of staff members and recommends budgets to the Board for approval.
4. **REVIEW COMMITTEE.** The Review Committee considers appeals made when program material is withheld by the Broadcast Supervisor. All appeals are to be considered within 24 hours after an appeal is made. See Chapter I for more details concerning the duties of the Review Committee.

45. GENERAL MANAGER. The gGeneral mManager administers Board policy regarding broadcast operations. More specifically, the gGeneral mManager supervises all support non-programming functions, assumes a general advisory responsibility for underwriting, fund-raising, station management and programming functions, and appoints and supervises a Broadcast radio adviser Supervisor, who advises and trains the student staff on and supervises day-to-day operations of the radio station. The gGeneral mManager recommends rates for advertising/underwriting, proposes budgets and budget amendments after consulting with the station mManager, and authorizes awards for the station mManager and staff, subject to approval of the Executive Committee and TSMP Board.

65. BROADCAST ADVISORY COMMITTEE. The Broadcast Advisory Committee shall be a standing committee of the TSMP Board, appointed by the President of TSMP Board each year to advise the Board, the Executive Committee and the station staff on policy and procedure, selection of mManager, FCC regulations, technical matters, etc. The members shall consist of a student TSMP Board member, who will serve as chairperson, one student and one faculty member from the Broadcast News sequence in the Department of Journalism, one student and one faculty member from the Department of Radio, Television and Film, and two professionals from the broadcast industry. The Advisory Committee also may be convened to hear appeals in circumstances in which the adviser withholds material from broadcast. Such appeals must be heard with 48 hours from the time the appeal is filed.

7. BROADCAST RADIO Adviser SUPERVISOR. The Broadcast radio adviser Supervisor shall be a member of the TSMP staff, hired by and reporting to the gGeneral mManager. The Broadcast adviser Supervisor provides the staff with on-going advice and counsel as well as recommendations on all aspects of broadcast operations, including broadcast standards, FCC rules and regulations, programming, production, engineering, editorial policy, broadcast reporting, writing and editing techniques, mass communications law, journalism ethics, and management techniques.

The Broadcast Supervisor has the authority to withhold pre-recorded programming temporarily from broadcast pending an appeals process when consultation with Manager fails to resolve problems involving good journalistic practice or material that the Broadcast Supervisor believes to be in contradiction to Board policy, state and federal law, judicial opinion, or FCC rulings with respect to libel, obscenity, invasion of privacy and misstatement of fact. If appealed by the Manager, the General Manager must be notified in writing by the Broadcast Supervisor that the programming was withheld, noting justification, and the General Manager then will notify the Review Committee, which must act within 24 hours.

a. Purpose

(1) This position exists to provide guidance, legal expertise and technical knowledge to the students at KVRX. The adviser is to serve as an assistant to the station manager in the recruiting and training of a staff, help students understand the technical and legal ramifications of their responsibilities and ensure that the station has the best resources possible. While not directly responsible for income generation, the position also assists in the marketing and promotion of the station and provides support as appropriate for advertising and underwriting sales.

b. Duties

(1) Duties of the adviser will be updated as necessary by the general manager in consultation with the station manager. The station manager and student staff also will be involved in the interviewing and selection of candidates for the position, although the final appointment will be made by the general manager.

(2) The adviser may withhold certain materials from broadcast if the adviser feels that the broadcast would violate FCC regulations. The adviser would only withhold materials after consultation with the station staff and if all means to resolve the concerns were unsuccessful. The general manager must be notified in the event material is withheld and will attempt to resolve the dispute. Either party may appeal the general manager's decision to the Broadcast Advisory Committee for resolution and then to the full TSM Board. The Board's decision is final.

C. STATION EDITORIAL STAFF.

1. STATION MANAGER. The station mManager shall be appointed by the TSMP Board for a term of one year. Members of the KVRX staff shall have an opportunity to cast an advisory vote on candidates as well, which will be forwarded to the TSM Board for information.

a. Qualifications.

An applicant for the position of station manager must:

(1) Be a registered UT-Austin student during the semester in which application is made.

(2) Have completed at least 45 hours of college work.

(3) Have completed at least 30 hours at UT Austin with a minimum grade point average of 2.25.

(4) Have worked at KVRX Radio for at least two semesters, with "on air" and production experience and at least one semester in an executive staff position.

(5) Have been approved for Board consideration by at least 30% of voting KVRX staff members, as determined by the most current staff roster.

Approval Process

(a) Staff approval voting by confidential ballot shall commence three weeks prior to Board selection of station manager and continue for two weeks.

(b) Each KVRX staff member will be allowed to approve as many candidates for station manager (as listed on the ballot) as he or she deems qualified. Candidates should declare intention to run before the voting process begins. Staff members may only vote once. Voting process will be supervised by the Broadcast radio adviser Supervisor. Approval votes will be counted by the Broadcast adviser Supervisor and one eExecutive staff member chosen by the current station mmanager, provided that the staff member is not a candidate.

b. Waiver of qQualifications. Qualifications 2, 3, and 4 may be waived by a two-thirds vote of members present.

c. Duties. The station mManager shall:

(1) Serve as an ex-officio voting member , without vote, of the TSMP Board.

(2) Serve as a member of Radio Management Team.

(3) Select and appoint the members of the eExecutive sStaff, none of whom may be on scholastic or disciplinary probation. Executive sStaff members all of whom head various departments, will select their staffs, subject to approval of the station mManager.

(4) Establish a program schedule, including news, sports, and entertainment programming.

(5) Manage day-to-day program operations of the radio station, including news, sports and entertainment programming, as well as business, marketing and underwriting functions, subject to the limitations of the policies adopted by the TSMP Board.

(6) Work closely with the gGeneral mManager and Broadcast adviser Supervisor to manage non-programming functions, i.e.,

engineering, business support and physical facilities affairs, public relations, etc.

(7) Attend all Broadcast Advisory Committee meetings in an advisory, non-voting capacity.

(8) Be responsible for recruiting and retaining a staff reflective of the cultural diversity of the student body by developing and implementing, with the advice and counsel of the Minority Advisory Committee, specific, detailed recruitment and retention plans. TSMP remains committed to seeking the best qualified person to fill each available position and to reward each employee based on merit.

2. STUDENT EXECUTIVE STAFF. The KVRX Executive Staff consists of the heads of various departments, who are appointed and assigned duties by the Manager. No member of the Executive Staff may be on scholastic or disciplinary probation, and the Executive Committee reviews the appointments for academic standing and reports the action to the TSMP Board for information. Executive Staff members appoint staff members in their individual departments, subject to approval of the station mManager.

3. GENERAL. No elected student voting member of the TSMP Board may serve in a regular or paid position on the staff of the radio station.

4. STAFF AWARDS. Subject to budgetary limitations, the General Manager may authorize for the TSP Board special plaques or certificate awards to the Manager and staff members.

D. PROGRAMMING AND EDITORIAL POLICIES.

1. BASIC PRINCIPLES.

a. The purpose of KVRX shall be two-fold: (1) to provide students with an opportunity to receive experience working and managing a radio station and (2) to serve as an alternative radio station in the Austin market with programming for and about students. KVRX Radio shall strive to become "the voice of the students at The University."

b. KVRX Radio shall operate as a non-commercial FM station on an assigned frequency in the public interest, convenience and necessity. KVRX Radio shall accept the privilege of broadcasting on an assigned frequency as a public trust and be, therefore, subject to certain rules and regulations required to protect the public interest, convenience, and necessary because of the limitations of the broadcast band.

2. SPECIFIC POLICIES.

a. KVRX Radio shall provide listeners with a variety of music, news, sports, and informational programming. The pProgram dDirector, in consultation with other members of the KVRX EExecutive Staff, will establish a weekly program schedule.

b. KVRX Radio shall abide by all rules and regulations, as well as subsequent rulings, of the Federal Communications Commission as contained in the Code of Federal Regulations with respect to obscenity, andAND by all other rules and regulations contained therein as may apply to KVRX Radio broadcast operations.

c. Likewise, KVRX Radio subscribes to various codes of ethics regarding professional performance, i.e., The Society of Professional Journalists, Sigma Delta Chi, National Association of Broadcasters, and in keeping with this commitment, shall make every effort to avoid libel, obscenity, invasion of privacy, and misstatement of fact on all broadcasts. When an erroneous statement is aired, KVRX Radio shall issue a correction at an appropriate time as soon as possible.

d. KVRX Radio may broadcast editorials and endorse candidates for election at the discretion of the station mManager. Editorials, either by the station manager or by other staff members, shall follow accepted procedure as determined by TSMP Board policy and FCC rules and regulations. All editorials will be preceded by the following pre-produced disclaimer:

"The following editorial is the personal opinion of the producer. It does not necessarily reflect the opinion of this station, The University of Texas at Austin, or the UT System Board of Regents. KVRX encourages public comment to this editorial. We will offer FAIR AND EQUAL TIME to differing opinions. Please contact the Program Director of this station for more information.''

e. KVRX shall abide by the following principles regarding endorsements for elections:

(1) All candidates for the same office shall receive fair balanced consideration in the matter of content and treatment of political announcements.

(2) All candidates for the same office shall receive fair balanced consideration in the matter of content and treatment of political announcements.

(3) The KVRX newscasts shall not discriminate against nor favor any bona fide candidate for office.

(4) The Manager shall select an editorial board, which shall have the responsibility of compiling information about the candidate or subject, and then deciding on an endorsement. The editorial board shall deliver the endorsement in the form of a pre-produced editorial and shall publish the endorsement in the monthly newsletter.

(5) The KVRX Program Director shall make FAIR AND EQUAL time available to those candidates who do not receive the station's endorsement.

E. BUSINESS POLICIES.

1. UNDERWRITING. As a non-commercial FM radio station, KVRX Radio is prohibited from selling commercial time. However, the radio station may ask individuals and businesses and industry in the community to sponsor hourly programming through underwriting.

2. FUND RAISING. KVRX Radio may raise funds to supplement other sources of income, i.e., Student Service Fee Allocation and uUnderwriting, by (1) sponsoring concerts and other similar events, (2) preparing grant proposals for presentation to appropriate foundations, corporations, and individuals, (3) mounting fund-raising campaigns among various constituent groups, and (4) conducting merchandise sales.

The station mManager and his staff will work closely with the gGeneral mManager and Broadcast adviser Supervisor to develop programs of uUnderwriting and fFund rRaising, with final authority regarding specific activities resting with the General Manager, except where other guidelines, i.e., approval of Underwriting rates, within this Handbook apply.

3. PURCHASING. All requests for the purchase of supplies and services will be made to the TSMP business ofOffice Manager, who which will follow prescribed University purchasing procedures.

Declaration of Trust Appendix A

(Includes amendments approved by TSP Board through December 1991)

and by Board of Regents through April 1988)

Texas Student Publications, Inc., acting by and through the undersigned as officers and directors, and the undersigned as officers and directors hereby convey, assign and transfer all assets of Texas Student Publications, Inc., of every kind character, including, but not limited to, cash, bank accounts, personal property and real property, to the Board of Regents of The University of Texas System (hereinafter referred to as "Trustees") in trust, subject to the terms and conditions of this instrument.

1.

There is hereby created an Operating Board of Trustees, here in after called "Operating Trustees," who shall operate as here in after provided.

2.

All assets of Texas Student Publications, Inc., are hereby delivered to the Trustees and recorded in the accounting records of The University of Texas at Austin, to be used solely for the maintenance and support of the Texas student publications de scribed in Paragraph 4 below. The recording, budgeting and expenditure of these assets will be in accordance with the Trustees' **Rules and Regulations** for the management of this type of funds and account.

3.

The operations of student publications on the campus of The University of Texas at Austin are under the control and jurisdiction of the Operating Trustees, constituted as hereinafter set out. All actions of the Operating Trustees and all business connected with student publications, which are defined for the purpose of this Declaration of Trust as all media, print or electronic, on the campus of The University of Texas at Austin conducted by them shall be pursuant to, subject to and in accord with Trustees' **Rules and Regulations**.

4.

The Operating Trustees are responsible for the issuance, publication and distribution of the student publications on the campus of The University of Texas at Austin. Such publications presently consist of *The Daily Texan*, *The Summer Texan*, *The Texas Ranger Magazine*, *Cactus*, *Peregrinus*, *Texas Engineering and Science Magazine*, and *Riata*. The Operating Trustees may authorize other publications.

5.

The Board of Operating Trustees is composed of eleven voting members, composed as follows:

- A. Three students out of the College of Communication of The University of Texas at Austin, elected by registered students in The University of Texas at Austin. Said election is to be held concurrently with the Spring student the student body of The University of Texas at Austin shall draw lots in the presence of a quorum of the Board of Operating Trustees to determine which one shall serve an initial term of one year and which one shall serve an initial term of two years.
- C. The President of The University of Texas at Austin shall appoint one of the faculty out of the Department of Journalism for an initial term of one year, and he shall appoint the other journalism faculty member for an initial term of two years. The President of the University of Texas at Austin shall appoint the remaining faculty member for an initial term of two years.

- D.** The President of The University of Texas at Austin shall appoint one of the professional journalists for an initial term of one year, and shall appoint the other professional journalist for an initial term of two years.

6.

Voting members of the Board of Operating Trustees shall serve a term of two years beginning June 1 of each calendar year. No voting member shall serve more than four years consecutively. However, in order to provide staggered terms, the following procedure shall be used concerning the first Board of Operating Trustees under this section, to take office June 1, 1972.

- A.** The four journalism students elected from the Development of Journalism shall draw lots in the presence of a quorum of the Board of Operating Trustees to determine which two shall serve initial terms of one year and which two shall serve initial terms of two years.
- B.** The two undergraduate students elected at-large from the student body of The University of Texas at Austin shall draw lots in the presence of a quorum of the Board of Operating Trustees to determine which one shall serve an initial term of one year and which one shall serve an initial term of two years.
- C.** The President of The University of Texas at Austin shall appoint one of the faculty out of the Department of Journalism for an initial term of one year, and he shall appoint the other journalism faculty member for an initial term of two years. The President of the University of Texas at Austin shall appoint the remaining faculty member for an initial term of two years.
- D.** The President of The University of Texas at Austin shall appoint one of the professional journalists for an initial term of one year, and shall appoint the other professional journalist for an initial term of two years.

7.

Should any voting member or members of the Board of Operating Trustees resign, become ineligible or for any other reason fail to serve, if such member be one who was appointed by the President of The University of Texas at Austin, such President, after consultation with the Operating Trustees, shall appoint a successor, and if such member be one who is otherwise selected, then a majority of the Operating Trustees, after the consultation with the President, shall appoint a successor trustee, and in the event of a tie vote by the Operating Trustees, the President shall make such appointment. Each successor trustee shall possess the qualifications of his predecessor in office. If the vacancy occurs at least two weeks prior to the deadline for filing in the Spring student publications election during the first year of the member's term, the appointed successor trustee shall serve only until May 31. The remaining year of the term shall be filled by the election of a successor trustee in the Spring student publications election. If the vacancy occurs after two weeks prior to the deadline for filing in the Spring student publications election during the first year of the member's term, the appointed successor trustee shall serve the remainder of the term.

8.

In addition to the aforementioned voting members of the Board of Operating Trustees, the following persons shall serve as ex-officio, non-voting members: the Dean of Students or the Dean's

representative; the Editorial Manager of *The Daily Texan*; the General Manager of the publications; the Editor and Managing Editor of *The Daily Texan*; and the student editors and/or managers of all other publications published by the Operating Trustees.

9.

Until the selection of the initial eleven-member Board of Operating Trustees as set out under Paragraph 5 hereof, there shall be nine (9) Operating Trustees as follows:

Name	Address
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Details of this section have been deleted.

10.

The officers of the Board of Operating Trustees shall be a President, a Vice-President and a Secretary, and such other officers as the Board of Operating Trustees may from time to time find necessary to carry on the business of the publications. Officers shall be elected from among the voting members of the Board of Operating Trustees at the first meeting after June 1 of each year. Officers' terms shall be for one year, but a person is eligible to serve an additional one year term.

11.

Concurrently with the student government elections, there shall be a student publications election on the campus of The University of Texas at Austin. At such election there shall be elected the Editor of *The Daily Texan* by the student of The University of Texas at Austin, but voting members of the Board of Operating Trustees shall appoint the Editor of *The Daily Texan* in the case of a vacancy. The eligibility of a candidate for Editor of *The Daily Texan* must be certified to by the Operating Trustees on standards set out in their Handbook prior to the time of said election. The Operating Trustees shall set out in its Handbook the conditions under which said elections may be held, including length of the campaign. The Editor of *The Daily Texan* shall serve for a term of one year beginning on June 1. There shall also be elected at this election the student members of the Board of Operating Trustees as provided in Section 5.

12.

Subject to the provisions of this instrument, in the performance of all of its duties and in the exercise of all of its powers, the Board of Operating Trustees shall be subject to the direction of the Regents' *Rules and Regulations*. The Board of Operating Trustees shall conduct its meetings in strict adherence to Roberts' *Rules of Order*.

13.

There shall be an Executive Committee of the Board of Operating Trustees to be composed of three faculty members and two students to be elected by the Board of Operating Trustees from its voting membership.

14.

The Executive Committee shall appoint a general manager who shall be selected annually during the month of May for the fiscal year beginning September 1. The Executive Committee shall determine the compensation of the General Manager. The duties of the General Manager shall be prescribed by the Executive Committee, subject to the basic policies set forth by the Operating Trustees. The Editorial Manager(s) will be appointed by the Executive Committee, subject to basic policies set forth by the Operating Trustees. The Editorial Manager of *The Daily Texan* shall be authorized to coordinate the activities between *The Daily Texan* and the Department of Journalism so as to secure the most effective use of the journalism laboratories and classes in the preparation of material for *The Daily Texan*. The Executive Committee shall fix the compensation of all editorial workers on student publications subject

to the final approval of the Operating Trustees. The Executive Committee shall fix the compensation of Editor, Manager and Managing Editor of every publication, subject to final approval of the Operating Trustees at their next regular meeting.

15.

The Executive Committee is authorized to implement and is responsible for implementation of the policies of the Operating Trustees between meetings of the Operating Trustees.

16.

A definitive relationship between the Department of Journalism of The University of Texas at Austin and *The Daily Texan* published by the Operating Trustees must exist. Accordingly, the President of The University of Texas at Austin shall promulgate an operating procedure to establish this relationship. The operating procedure may be amended from time to time by mutual agreement between the Department of Journalism, through its chairman, and the Operating Trustees, with the concurrence of the President of The University of Texas at Austin. In the event the Chairman of the Department and the Board of Operating Trustees are unable to agree on amendments, the President of The University of Texas at Austin shall make the final decision.

17.

There shall be established within the Board of Operating Trustees a Review Committee which shall be composed of one member of the College of Communication faculty, one College of Communication student, and one professional journalist. Such members are to be elected by the Operating Trustees out of the membership of the Board of Operating Trustees. All appeals on material withheld from publication by the Editorial Manager, or respective publications supervisors, shall be considered by the Review Committee within 24 hours of the action. A decision of the Review Committee may be appealed to the Operating Trustees, but seven affirmative votes of the Operating Trustees are required to overrule said decision of the Review Committee. In all such matters, the actions of the Operating Trustees shall be final and complete without review outside the Operating Trustees.

18.

It shall be the duty of the Board of Operating Trustees to furnish on request to the President of The University of Texas at Austin, the Chancellor of The University of Texas System and the Board of Regents of The University of Texas System, within two weeks of such request, any special reports requested by such officials.

19.

Copies of the minutes of all meetings of the Operating Trustees shall be delivered promptly to the President of The University of Texas at Austin for distribution to the Chancellor, the Executive Vice Chancellor for Academic Affairs, the Executive Secretary to the Board of Regents and such members of The University of Texas at Austin administration as the President of The University of Texas at Austin may direct. No action of the Operating Trustees shall have any force or effect unless included in the minutes and until it has been approved by the President of The University of Texas at Austin, except actions of the Operating Trustees pertaining to the decisions of the Review Committee, and except as to actions of the Operating Trustees with respect to the appointment, discipline or removal of editors and/or managers, which actions need only be reported in the minutes for information, but are not reviewable outside the Board of Operating Trustees.

20.

No budget or budget amendment adopted by the Operating Trustees shall have any force or effect until such budget or budget amendment has been approved by the Board of Regents.

21.

No expenditure shall be made by the Operating Trustees unless it is made in accordance with and pursuant to a budget item that has been previously adopted by the Operating Trustees and approved by the Board of Regents.

22.

Within ninety days following the close of each fiscal year, the President of The University of Texas at Austin shall be furnished for distribution to the Chancellor and to the members of the Board of Regents, the Executive Secretary to the Board of Regents and to such members of The University of Texas at Austin administration as the President of The University of Texas at Austin may direct, at least fifteen copies of a complete audit of the fiscal year.

23.

All employees, editors, editorial workers and staff members employed to work on student publications under the control and jurisdiction of the Operating Trustees including all employees of the corporation known as Texas Student Publications, Inc. holding office or employed as of the effective date of this Declaration of Trust shall continue in office or employment (unless changed by the Operating Trustees in accordance with the Declaration of Trust).

24.

Subject to Section 23 of this Declaration of Trust, the Operating Trustees shall have the authority: (1) to appoint the Managing Editor of *The Daily Texan* and the editor/manager of all other publications from among qualified students; (2) to take disciplinary action against the employees, editors, editorial workers and staff members of student publications, including the removal from office after due notice, for a violation of the policies of the Operating Trustees or for nonperformance of duties; such removal shall require a majority vote (action of the Operating Trustees in the matter of the appointment, discipline and removal of editors shall be final and complete); provided however, that no action taken by the Operating Trustees with respect to the employment, dismissal, salary or duties and responsibilities of either the General Manager or the Editorial Manager(s) shall have any force or effect until it has been approved by the Board of Regents; and (3) to determine the character and policies of all student publications.

25.

Since all funds utilized in the operations of student publications are under the direct control of an agency of the University, the Operating Trustees, the Vice President for Business Affairs of The University of Texas at Austin, and the Director of The University of Texas at Austin Personnel Office shall immediately make arrangements for assuring that all appropriate personnel are placed under the budgetary and personnel regulations applicable to other University of Texas at Austin employees.

26.

[The Operating Trustees shall promulgate and implement a handbook which shall contain the operating policies of the Operating Trustees.

27.

The provisions of this instrument may be amended only with the concurrence of Trustees and a majority of the Operating Trustees.

28.

Trustees, by the execution of this instrument, accept the assets hereby conveyed and delivered, subject to all of the terms and provisions of this instrument.