

North Dakota State University

Student Media Board

Policy Manual

September 2016

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NDSU STUDENT MEDIA BOARD STATEMENT OF POLICY

I. BOARD FUNCTIONS

- A. The Student Media Board provides a broad representation of University students, faculty and administrators, and represents insofar as possible, the interests of these groups as they relate to student media.
- B. It is the Board's responsibility not only to be the guardian of freedom of expression in student media, but also to foster intelligent and responsible workmanship. It must assist in problem-solving to the end that the day-to-day operations of the media entities will be handled intelligently and effectively. It must, however, stop short of direct control and supervision of the day-to-day operation or interference with student affairs.
- C. The Board acts in delegated responsibility as publisher and adviser to the administration with respect to the Spectrum (student newspaper), Bison Information Network (student TV station) and ThundarRadio (student radio) With respect to all other student media entities originating from, operated by, or distributed by NDSU students, the Board may, on formal request, advise the administration regarding complaints.
- D. The Student Media Board must:
1. Decide what all-university publications will be financed by the Student Activity Fee.
 2. Periodically refine the mission and vision of each media entity, as well as establish strategic direction and goals annually.
 3. Recruit, appoint, and dismiss if necessary:
 - Editor-in-Chief – The Spectrum
 - Business Manager – The Spectrum
 - General Manager – Bison Information Network
 - Business Manager – Bison Information Network
 - General Manager – Thundar Radio
 - Business Manager – Thundar Radio
 - Other Board appointees as deemed necessary.

Experience, education, preparation, interest, attitude and scholastic standing must be considered in the selection of personnel. In addition, members of the Student Media Board should participate in the recruitment, appointment and dismissal – when necessary – of Office Managers, with direct administrative authority for Office Managers assigned to the Communication Department Head. “Editorial freedom of student editors and managers entails corollary responsibilities to be governed by the canons of responsible journalism, such as the avoidance of libel, indecency, undocumented allegations, attacks on personal integrity and the techniques of harassment and innuendo.”

The Board should frequently review its publications and broadcast media, serve as a sounding board for complaints or abuses, particularly as related to the canons of responsible journalism, and formally respond to abuses it determines have occurred. When, in the opinion of the Board, such abuses occur, the Board may vote on and make official as part of its minutes:

- a. a reprimand or
 - b. a reprimand, including a statement of correction or apology written either by the Board or the corresponding media entity
 - c. dismissal of the Editor-in-Chief/General Manager or the Business Manager.
4. Set, review and approve the salaries of the leadership of media entities and set salary ranges for other student staff members.
 5. Review and approve budget requests and allocate funds for each of the media entities, and review periodic written financial reports from each. Review specifications, open bids and award printing, photography and other contracts attendant to production of publications or other media, upon recommendation of the respective staff.
 6. Understand and be able to explain all policies of the Board.

II. BOARD MEMBERSHIP

- A. The Board shall consist of eight voting members, including:

1. three students¹ appointed by the Student Body President,
2. two students appointed by Student Senate,
3. one staff member appointed by the Vice President for Student Affairs,
4. one staff member appointed by the Associate Vice President for University Relations, and
5. one faculty representative appointed by the chair of the Communication Department,

and nine non-voting ex-officio members including:

1. faculty adviser – Spectrum
2. student editor – Spectrum
3. managing editor – Spectrum
4. business manager – Spectrum
5. office manager – Spectrum
6. general manager – KNDS
7. faculty adviser – KNDS
8. general manager – BIN
9. faculty adviser – BIN

In the event of voting deadlock, the Board Chair or their proxy shall cast the tie-breaking vote.

- B. The appointed students shall have terms as follows: one student shall be appointed for a one-year term, and two students shall be appointed for alternating two-year terms. Two students shall serve one-year terms
- C. In order to avoid any conflict of interest, no student may serve as a voting member on the Board while simultaneously filling one of the following positions: Student Body President or Vice President, Student Government Executive(?) Commissioner, or be a regular salaried employee of an entity under the jurisdiction of the Board.
- D. A faculty representative shall be appointed for a two-year term.
- E. The Board will elect a student member as Chair and this person shall have the power to call meetings of the Board and to act on its behalf in an emergency. The Board may replace the chair at any time by a majority vote.

¹ The term "student" in this statement shall be defined as any duly registered student without the title of Lecturer, Assistant Professor, Associate Professor or Professor.

- F. The Board will elect a staff or faculty member as Vice-Chair. The Vice-Chair will assist the Chair in carrying out their duties and will serve as the Chair's substitute in their absence. The Board may replace the Vice-Chair at any time by a majority vote. Ex-officio members are not eligible to serve as Chair or Vice-Chair of the Board.
- G.
- H. Any voting member of the Board who misses without proxy more than three scheduled meetings of the Board in a row during any academic semester shall be removed from the Board, subject to a majority vote of the Board and selection of a qualified replacement member by the appropriate appointing constituency.

III. PUBLICATION/BROADCAST ADVISERS

- A. The role of the publication adviser(s) is:
 - 1. To facilitate the implementation of Board policy.
 - 2. To foster high professional journalism, broadcast and business standards.
 - 3. To give advice on day-to-day operations.
- B. Advisers serve as resources whose primary responsibility is to give competent advice to student staff members in the areas of editorial, broadcast, or business practices, as well as matters of working policies, staff organization and other phases of production.
- C. Advisers should never be censors, but should be firm in pointing out violations of good taste, fair play, and the laws of libel.
- D. Advisers should make suggestions rather than take control, be available for consultation, and encourage accurate reporting.
- E. The Chair of the Communication Department is the administrative supervisor of non-student Office Managers. This includes hiring responsibility, review and other administrative processes required by NDSU Policy. The Communication Department Chair should actively seek input from Board members in decisions made regarding the employment status of Office Manager.

IV. POLICY STATEMENTS for THE SPECTRUM

A. Format

1. *The Spectrum* shall be published twice each week during the school year, with appropriate breaks for University recesses and examination periods.

a. Supplements

Although the Board is not opposed to further investigation into the feasibility of a magazine-format supplement to *The Spectrum*, it is opposed to a supplement being distributed on another campus without sufficient groundwork and cooperative planning with the student and administrative groups involved in publications on campus. Furthermore, Board approval would be required before such a supplement could be developed.

B. Freedom of the Press

1. The University views the student press as the prime mechanism on campus for students systematically to seek and to proclaim truth, consistent with civil law, in all areas. It must, as part of its educational effort, allow release of student opinion through student publications. Publications may report activities in which their readers have interest and comment upon them. This comment may offend or agitate, but this is part of a free and responsible press. It is not the purpose of the University to restrict student inquiry or restrain its expression. A sincere attempt to enlighten the academic community is always defensible.
2. In the delegation of editorial responsibility to the students, the Board as publisher must provide sufficient editorial freedom and financial autonomy for the student publications to maintain their integrity of purpose as vehicle for free inquiry and free expression in an academic community. NDSU student publications should be a part of the total educational experience. The Board will not censor or coerce the student press.
3. It is neither the Board's intent, nor should it be the Editor-in-Chief's or Business Manager's intent to create a financially independent publication or publications. However, the

publication will strive to minimize the publication's dependence on student fee funds. Therefore, advertising space, excluding advertising supplements, should not typically take precedence over editorial copy in any publication. Given the primary role of the Editor-in-Chief is to generate quality editorial copy, and the primary roles of the Business and Advertising Managers are to generate operating revenue; however, the Editor-in-Chief should attempt to generate the staff/copy available to periodically offset high volumes of advertising in single publications.

4. The student press is a valid part of the education experience. Students will sometimes make mistakes of fact, judgment and taste, but the total educational thrust of the publications must be considered.
5. While a free student press is a valuable aid in establishing and maintaining an atmosphere of free and responsible discussion and of intellectual exploration on the campus – a means of bringing student concerns to the attention of the faculty and the institutional authorities and world at large – the Student Media Board must stand ready to deal with abuses of this privilege. Freedom of the press is not an absolute right, the U.S. Supreme Court has held, and the state may punish it abuse – obscenity, libel, consumer fraud, treason and riot. The Student Media Board is compelled to demand the correction of such abuses in student publications or to take such action it seems necessary to curb irresponsible violations of freedom of the press.
6. Identities of persons accused of committing crimes, i.e. sexual assault, burglary, murder, etc., maybe revealed once the persons have been formally charged in the relevant court of law.
7. Coverage of suicides and attempted suicides will be allowed only if the individual is deemed by the Editor(s) to be a public figure in consultation with *The Spectrum* Adviser. Stories about the general topic of suicide will be allowed if the intent is educational. In this type of story, general reference may be made to suicides and suicide attempts on campus.
8. In covering sexual assaults, identities (names, addresses, residence halls, sororities, fraternities, etc.) of victims will not be revealed. Stories about specific situations involving rape will be allowed if the intent is to inform the public of

impending danger. General stories about sexual assault are permissible.

9. Editors-in-Chief can determine that certain advertisements will or will not appear in the paper, particularly such ads that may be legally or ethically questionable, but not necessarily restricted to these two areas. Business Managers or Advertising Managers should consult Editors-in-Chief whenever any questionable advertising is submitted to the publication. Such advertising should not run until approved by the Board, or by the Editor subject to Board review. For example, the Board generally feels that all term paper advertising constitutes an unethical, if not illegal practice, and should not be carried in student publications. Such advertising is inconsistent with the goals of students, faculty and administrators and might be perceived by students and others as a University endorsement of such practices. Such a perceived endorsement on the part of students would constitute a disservice to the major public of any student publication. The Editor-in-Chief should seek advice from the Adviser or members of the Board before proceeding with questionable advertising.
10. The Executive Committee (Editor-in-Chief, Business Manager and Office Manager) at the direction of the Board, or subject to the approval of the Board, should discuss the following issues and make decisions whenever possible, with disputed issues determined by the Editor-in-Chief and referred to the Board:
 - a. Determining the appropriate advertising/copy ratio and size (number of pages) of a single publication/issue.
 - b. Determining whether to develop and implement a new logo to reflect the image of the publication.
 - c. Determining whether to significantly change the format of the publication, such as the number of columns, the size of the newsprint, etc., which affect the size/rates for advertisements, the rates paid for piecework, etc.
 - d. Developing disciplinary policy/procedures for *Spectrum* staff.

- e. Communicating to all staff the policies of the Board and the mission, vision, and strategic direction, as specified by the Board.

C. Responsibilities of Publications

1. Publications carrying opinion material are to include in their masthead the disclaimer: "Views expressed are not necessarily those of the University, its administration, faculty or student body."
2. Criticism of any phase of University affairs must be grounded in fact. Publications should accept their dual responsibilities to enlighten readers and to uphold the interests of the academic community. Criticism must be based on thorough research, including recourse to original sources.
3. Personal biases should not be allowed to determine selection, content or presentation of news. Such opinions should be restricted to personal columns and editorials. Publications are to show alertness to the total University while functioning primarily as a service to the student public. At the same time, students working on student publications must understand the Board sits as publisher and has responsibility for management decisions related to all publications.
4. The advertising policy of the student publications governed by the Student Media Board shall be generally separate from the editorial policy of publications, except where the two come into direct conflict, such as questionable content from an ethical or legal standpoint. In the day-to-day decision-making process, if the Editor-in-Chief and Business Manager or Advertising Manager cannot reach an agreement, the decision, after discussion by the Executive Committee whenever possible, will be made by the Editor-in-Chief and subject to review by the Board.

D. University Support

1. The University must encourage all of its components to support the student press and must be resolute in seeing that news sources are fully open to the student press. It must not deter the student in his/her search for facts from original sources. Student reporters should be invited to

attend high-level institutional meetings or be furnished the results of such meetings if requested.

2. The University (Student Government support is separate) will support the publications in the matters of office space, utilities (except phone), maintenance, money-handling, and advisory assistance.
3. All profits from incoming advertising, profits from typesetting, and profits from any other services provided by student publications immediately become student funds and can be used only for the purchases of Board-budgeted and Board-approved items.

Under Board policy, neither trade-offs of services/advertising space nor incentives for advertising or editorial personnel (monetary, supplies, trade-offs, etc.) are allowed, except for budget-approved or Board-approved items. If such practices occur without Board approval, the action will constitute misuse of student funds and may result in the dismissal of those involved in either offering or accepting the trade-offs/incentives.

Bookkeeping practices should follow those of other University departments and surplus student funds at the end of each fiscal year should be returned to Student Government or its Finance Commission.

V. Student Media Board ADMINISTRATIVE GUIDELINES

A. Accountability

Disciplinary Action/Termination:

The following criteria provide actions or conditions that may be considered serious enough to warrant disciplinary action or termination of media entity leadership. This is not a comprehensive list, and the Board reserves the right to take disciplinary action, including dismissal for inappropriate behavior that is not related to publication/broadcast of legal and non-libelous content.

1. Violation of *media* or Board policies.
2. Failure to comply with specific directions from the Board or repeated absences from Board meetings.
3. Misuse of equipment, facilities or keys, including but not limited to the use of organizational resources for business

outside the scope of the respective media entity or Board operations.

4. Violation of *Rights and Responsibilities of Community: A Code of Student Conduct*.
5. Behavior that can be reasonably considered to be seriously damaging to the ability of *the organization* to fulfill its mission.
6. Failure to regularly communicate with Spectrum/BIN/KDNS leadership to ensure effective operation of the organization.

The framers of the United States Constitution presumed that public debate in a free and democratic society would be robust, and the Board has no desire to stifle Constitutional freedom. *Media entity leadership staff* may *not* be terminated for fair criticism (as determined by the Student Media Board) of university-related business or activities.

Disciplinary Action:

1. The respective organization leadership will be made aware of conditions that would lead to disciplinary action.
2. The respective organization leadership will be informed in writing of any decision by the Board that results in disciplinary action.
3. Correspondence will outline the circumstance(s) or behavior(s) that led to disciplinary action.

Termination Procedures:

1. All keys, card access and other items that may provide access to student media facilities will be immediately surrendered to the adviser or Board designee upon notification of termination.,
2. The terminated party will immediately remove all personal items from media offices under the supervision of the adviser or the Board designee.
3. The terminated party will have 24 hours to return, in good condition, any media property in their possession.

B. Editor-in-Chief

1. Job Description

The Editor-in-Chief is responsible to the Student Media Board for general development and production of the publication, including the selection, training, and coordination of a staff, development of written and visual materials, meeting established deadlines, and responsibility for content

of published material. More specific responsibilities may be assigned or agreed upon during or after the interview in which the Editor-in-Chief is selected.

The Editor-in-Chief sets editorial policy and is responsible for the content of the entire newspaper. While working closely with the Office Manager and Business Manager, it is the Editor-in-Chief who is ultimately responsible for the content of *The Spectrum*. In situations where disagreements occur about the content of either editorial matter or advertisements, it is the Editor-in-Chief who shall make final decisions about the content and production of any given issue of the newspaper, in consultation whenever possible with the Executive Committee. These decisions may be appealed to the Board.

The Editor-in-Chief shall regularly attend meetings of the Board. Absences for legitimate reasons (e.g., illness, family obligations) may be excused. The Editor-in-Chief shall inform the Board chair of an anticipated absence.

The Editor-in-Chief shall demonstrate effective leadership at *The Spectrum* and North Dakota State University campus, including but not limited to the following:

- a. Ensure timely and ongoing interaction within *The Spectrum* to foster teamwork among editorial, business and advertising staff.
- b. Develop and maintain an environment in *The Spectrum* offices that is conducive to student learning, ethical conduct, appropriate business practices and service to NDSU and the community.
- c. Ensure that all *Spectrum* offices present a professional image that communicates openness and accessibility for *Spectrum* staff and the NDSU community.

The Editor-in-Chief shall bring any proposed expenditures in excess of \$700 to the Board for its approval (see internal policy).

The Editor-in-Chief, in consultation with the Executive Committee, whenever possible, sets the overall deadline policy for the newspaper, which should be clearly understood and carried out by Section Editors, Reporters, Sales Staff, and Production Personnel. The Editor-in-Chief also establishes and enforces standards related to the

quality of the appearance of and all content in any given publication.

Although editorial, advertising, and production areas are ideally separate, because there is no “working” publisher to coordinate all three areas, the Editor-in-Chief, Office Manager and Business Manager must keep lines of communication open so they are not at cross purposes. While a single error or occasional errors on the part of the advertising staff should not be blamed on the Editor-in-Chief, it is the duty of the Editor-in-Chief to bring these problems to the attention of the Business Manager, following the procedures for “Arbitration of Conflicts and Grievances.”² This is also true in the areas of production and general management. It should be stressed that in all situations cooperation is essential since many of the individuals working in advertising, production and other areas are under the direct supervision of the Business Manager or Office Manager.

The Advertising Manager should be cooperatively hired by the incoming and outgoing Business Managers, the outgoing Advertising Manager, the Office Manager, and the incoming Editor-in-Chief. In the case of a tie vote due to an absence, the Editor-in-Chief shall cast the deciding vote.

Incoming editors of *The Spectrum* should be paid at an hourly rate at minimum wage during the last two months (see item 2 below) of publication each academic year (subject to Board modification under special circumstances).

The Student Media Board, in its role as publisher and adviser to Editor-in-Chief and *The Spectrum* staff, directs that *The Spectrum* editor shall, on an annual basis, formulate alcohol and illegal drug advertising guidelines giving consideration to the three points below.

- * Ads blatantly encouraging the use of illegal drugs or the abusive consumption of alcohol (“Drink until you can’t see,” “Party ‘til you puke”) shall not be accepted.
- * Selection of ads falling in gray areas lies in the Editor-In-Chief’s discretion upon appropriate consultation with the adviser and/or the Student Media Board.

² See “Arbitration of Conflicts and Grievances” section on page 20.

- * This policy shall be discussed at the beginning of each *Spectrum* publishing year so all parties (it is expected that Editor-in-Chief, as well as the Student Media Board can and will switch members from year to year) understand the conditions of this policy.

2. Editor-in-Chief's Term

The Spectrum Editor-in-Chief's term shall run from the beginning of the fall semester to the end of the spring semester to coincide with the academic year. However, the Editor will also be required to: (a) complete training during April and May prior to the start of his/her term; (b) when necessary, complete a summer issue of *The Spectrum* prior to the start of his/her term; and (c) report mid-August to begin preparing for the coming school year.

3. For more detailed information, refer to the office job description.

C. Business Manager

1. Job Description

The position of student publications Business Manager is an administrative one with principal responsibility to the Student Media Board and the Editor-in-Chief. A report, including copies of the business office transaction register for *The Spectrum*, other publications and Board administrative budgets, an itemized list of all salaries paid, and other pertinent information shall be prepared by the Business Manager and presented to the Board monthly. Any other pertinent financial information may be requested as outlined in Article I, Section D, Item 5 of the approved policy statement. More specific responsibilities may be assigned or agreed upon during or after the interview in which the Business Manager is selected.

The Business Manager shall prepare the respective department budgets with the Executive Committee and chairperson, provide SMB with copies of the approved budgets, quarterly reports on those budgets, bring any proposed expenditures in excess of \$700 to SMB for its approval, and notify SMB of any significant deviations in the budgets (see internal policy).

The Business Manager, in cooperation with the Office Manager and Editor-in-Chief, shall supervise the day-to-day operations of all individual publications equally, but give priority to the more timely situations as they arise. He/she, in cooperation with the Office Manager and Editor-in-Chief, shall hire students to fill budgeted positions in the business departments (Circulation Manager, Advertising Manager, etc.), supervise the acquisition of supplies, payment of all personnel, billing, accounting, mailing, etc., and hire secretarial assistance for the above as provided in the budget.

The Business Manager is an ex-officio member of SMB and should attend all meetings of the board if at all possible.

The incoming Business Manager should be paid at an hourly rate at minimum wage during the last two months of publication each academic year (subject to Board modification under special circumstances).

2. Business Manager's Term

The Business Manager's term shall run from the beginning of the fall semester to the end of the spring semester to coincide with the academic year. However, the Business Manager will also be required to: (a) complete training prior to the start of his/her term, and (b) report mid-August to begin preparing for the coming school year.

3. For more detailed information, refer to the office job description.

D. Office Manager

1. Job Description

The position of student publications Office Manager is an administrative one in support of the Student Media Board and the Editor-in-Chief. The Office Manager is hired by the Communication Department Head and is administratively assigned to the Communication Department Head's campus unit. Cooperation with the Editor-in-Chief and the Business Manager is essential on a day-to-day basis between regular meetings of the Board.

The Office Manager is responsible for maintaining an updated master copy of the SMB Policy Manual. The Office Manager will be responsible for seeing that all new members receive up-to-date copies of the Policy Manual upon their election or appointment to the Board, and that the President and all Board members receive amendments when approved.

The SMB meeting minutes are to be prepared and presented by the Office Manager at each Board meeting. Each Board meeting is to be publicized and arranged by the Office Manager.

The Office Manager is responsible for the day-to-day operations of the office. Personnel relations and general office duties are also the responsibility of the Office Manager.

The Office Manager, in cooperation with the Business Manager and Editor-in-Chief, shall supervise the day-to-day business operations of the individual publications equally, but give priority to the more timely situations as they arise. Also, in cooperation with the Business Manager and Editor-in-Chief, the Office Manager shall hire students to fill budgeted positions in the business department (Circulation Manager, Advertising Manager, etc.), supervise the acquisition of supplies, payment of all personnel, billing, accounting, mailing, etc., and hire secretarial assistance for the above as provided for in the budget. The Office Manager is responsible for all national advertising.

The Office Manager should maintain a routine NDSU Clerical Job Analysis with a copy of that analysis made available to the Board chair each fall.

2. Office Manager's Term

While the job of Office Manager requires flexible scheduling of work hours and compensatory time for overtime, it should be the responsibility of the Office Manager to see that the office continues to function during regular business hours whenever possible. A report, including deviations from the regular 40-hour week, should be made to the Communication Department Head and Board monthly specifically indicating compensatory time-off hours and vacation time.

The Office Manager is an ex-officio member of the Board and should attend all Board meetings if at all possible. More specific responsibilities may be assigned or agreed upon during or after the interview in which the Office Manager is selected.

3. For more detailed information, refer to the office job description.

B. Finances

1. Salaries set for those appointed by the Board shall be presumed to include all responsibilities outlined in the job description for those respective positions, and in the policy statement. Remuneration for services rendered in excess of the set salary must receive prior approval by the Board, with the exception of time-slip salaries for work over and above regular responsibilities.
2. No person shall occupy more than one paid position under the Board's jurisdiction, nor may they receive extra payment for anything included within the responsibilities of that position as determined by the Board.
3. Any expenditure by a media entity that involves a variance of more than \$300 from its approved budget allocation shall require prior authorization by the Board.
4. No purchase order on funds under the Board's jurisdiction shall be authorized without signatures of the SMB Business Manager, Office Manager and/or Communication Department Head.

VII. Student Media Board RULES OF PROCEDURE

A. Meetings

1. Regular meetings of the Board shall be at such times and places as the chair, with the consent of the Board, shall designate at the beginning of each semester.

The Office Manager will email agenda items before 10 a.m. on Monday preceding the meeting.

The agenda for each regular meeting shall be determined by the chair as of noon the Monday preceding the meeting.

2. Special meetings of the Board may be called by the chair or a majority of the voting members of the Board.
3. Notice of special meetings must be given in person, in writing, by email, or by telephone to all of the other members of the Board at least twenty-four hours in advance of the meeting.
4. A member who is unable to attend a Board meeting may designate another person to attend in their place, providing written notice of this proxy is given to the Board chair prior to the beginning of the meeting.
5. If the chair is unable to attend a Board meeting, the vice-chair assumes the role of chair. If they fail to do so, a substitute may be chosen by a majority vote from among the Board members present.
6. A simple majority of the voting members of the Board shall constitute a quorum for the transaction of business, and any matter may be approved by the vote of **four** Board members or a majority of those voting members attending the meeting, whichever is greater.
7. Meetings of the Board shall be adjourned only by a majority vote of the voting members present.
8. Any question regarding Board meeting procedures not included in these rules shall be resolved by reference to *Roberts Rules of Orders*.

B. Selection of key leadership personnel

1. Selection of key leadership personnel shall ordinarily be preceded by notice in *The Spectrum* and broadcast over BIN and KNDS; a written application, and an interview with the Board.
 - a. The notice in *The Spectrum* and broadcast over BIN and KNDS will be given initially at least ten days prior to selection and shall be repeated in every subsequent issue/broadcast up to the date of selection. The notice shall identify the position(s)

available, describe the application procedure and name the interview date(s).

- b. Applications shall be made on a form approved by the Board, and forms shall be available in the media offices and via email.
 - c. The purpose of the interview shall be to provide a personal meeting and discussion of relevant policy and philosophy matters between the Board and those candidates who merit serious consideration. Before beginning an interview with any candidate, the Board chair shall request that all other candidates for the same position leave the meeting room.
 - d. Selection of one of these key personnel shall require four votes or a majority of the votes cast, whichever is greater. Write-in votes shall be counted, both toward the selection of any person and in determining the total number of votes cast. If there are more than two candidates for any one position, and if no candidate is selected on the first ballot, a second ballot shall be cast, with voting limited to the two candidates receiving the most votes on the first ballot.
 - e. Any of the procedures described in this section may be varied by the Board to meet special or extenuating circumstances. Furthermore, the Board may reopen applications for any position if there has been a substantial change in circumstances since applications were first received or if no qualified candidates have applied.
2. In the event that any of those key positions becomes vacant during a term, the Board shall elect one of the following alternatives:
- a. Selection of a replacement, following the procedures described in Section 1, above; or
 - b. Appointment of an interim replacement for a period ordinarily not to exceed one semester.

C. Arbitration of Conflicts and Grievances

1. The Board hereby indicates its willingness to serve as an arbitrator of conflicts within media staffs or originating from sources outside the media entities. In exercising its responsibilities the Board will utilize the following procedures:
 - a. Parties involved must first make a concerted effort to resolve the problem.
 - b. If unable to resolve the problem after step one, either party may request, from a voting member or chair of the Board, placement on the agenda of the next Student Media Board meeting. To become an agenda item the party requesting such action must first demonstrate an effort was made toward resolution and those attempts failed.
 - c. Once placed on the agenda, all parties will be notified of the date, time, and any special arrangements made by the Board to arbitrate the conflict.
 - d. It is the responsibility of all parties involved to present their facts and conduct themselves in an appropriate manner. Pertinent documentation and/or witnessed affidavits must be filed with the Board during these proceedings.
 - e. After review the Board may choose to act immediately, take the problem under further consideration, or not act at all. Any action must be approved by a majority of all voting members present.

VIII. NORTH DAKOTA STATE BOARD OF HIGHER EDUCATION STUDENT PUBLICATIONS POLICY 507

<http://www.ndus.nodak.edu/makers/procedures/sbhe/default.asp?PID=75&SID=6>

Each institution shall adopt a policy governing publication and management of student publications and other student media published, broadcast or operated at or in the name of the institution, or funded, in whole or in part, by student fees or other institutions funds, distributed or generally made available to members of the student body, and prepared under direction of the institution's student media adviser.

Institution policy shall include guidelines applicable to student publications and other student media. The guidelines shall:

- A. Foster and preserve the conditions necessary for a free student press;
- B. Protect the rights of student journalists;
- C. Require compliance with applicable laws, regulations and policies, including those prohibiting discrimination in hiring or employment;
- D. To the extent permitted by law, prohibit publication or dissemination of libelous or obscene materials or materials meant to incite imminent lawless action or the substantial disruption of the operations of the institution.
- E. To the extent permitted by law, restrict advertising that is false misleading or that promotes illegal activities; and
- F. Require appropriate disclaimers stating that the institution is not responsible for the content of student publications or broadcasts.

Institution officials or employees and student government officers, except those acting as members of the student publications board or committee consistent with applicable laws, regulations or policies, may not attempt to censure or exercise control, directly or indirectly, over the content of student publications and other student media.

Updated by SBHE September 3, 2015

IX. UNIVERSITY EQUAL OPPORTUNITY POLICY

The Spectrum will adhere to North Dakota State University's policies located at these websites: <http://www.ndsu.nodak.edu/policy/100.htm> , <http://www.ndsu.nodak.edu/policy/100.1.htm> , <http://www.ndsu.nodak.edu/policy/103.htm>.

X. UNIVERSITY POLICY ON SEXUAL HARASSMENT

The Spectrum will adhere to North Dakota State University's policies located at these websites: <http://www.ndsu.nodak.edu/policy/1541.htm> , <http://www.ndsu.nodak.edu/policy/162.htm> , <http://www.ndsu.nodak.edu/policy/1621.htm> ,

<http://www.ndsu.nodak.edu/policy/163.htm> ,
<http://www.ndsu.nodak.edu/policy/603.htm>

XI. AMENDMENTS

In the fall of even-numbered years, or as the need arises, these guidelines will be formally reviewed. Any amendments or bylaws to this document must be approved by a two-thirds majority affirmative vote of the SMB

Taken from a “Joint Statement on Rights and Freedoms of Students,” agreed jointly by the American Association of University Professors, the U.S. National Student Association, the American Association for Higher Education and other groups. The statement has been adopted by the NDSU University Senate.