

**This document contains the changes to the TSM Handbook for 2014:**

- 1) Letter from President Powers regarding transfer of TSM administrative oversight to Moody College of Communication
- 2) Service Agreement extension for 2014-2015
- 3) Revised qualifications for student leadership positions:
  - i) TSM Board members (section 1.29)
  - ii) Cactus Editor-In-Chief (section 3.26)
  - iii) KVRX Station Manager (section 4.26)
  - iv) TSTV Station Manager (section 5.26)
  - v) Texas Travesty Editor-In-Chief (section 6.18)



THE UNIVERSITY OF TEXAS AT AUSTIN

*William Powers, Jr., President*  
*University Distinguished Teaching Professor*  
*Hines H. Baker and Thelma Kelley Baker Chair in Law*  
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June 13, 2014

Dr. Gage Paine  
Vice President for Student Affairs  
FAC 302 (G5000)

Dr. Rod Hart  
Dean, Moody College of Communication  
BMC 5.312 (A0900)

Ms. Mary E. Dunn  
Vice President, Texas Student Media Board of Operating Trustees  
CMA 7.142 (A1200)

Dear Gage, Rod, and Mary:

I write to inform you of my decision to approve a change in the declaration of trust regarding Texas Student Media. As you know, administrative oversight of Texas Student Media is currently by the Vice President of Student Affairs. It has been a long-term goal of the university, however, to develop a strong relationship between Texas Student Media and the Moody of College of Communication. To realize that goal, I have approved a change in the wording of the most recently amended and restated declaration of trust (April 2007). This change is as follows.

Page 9, section 4.1.(b)(3)

Not later than April 15 of each fiscal year (a) the Chairman of the Board of Operating Trustees, (b) one additional voting member of the Board of Operating Trustees appointed pursuant to Paragraphs 3.2(a)(1), 3.2(a)(2) or 3.2(a)(3) and (c) ~~the Vice President for Student Affairs of the University~~ Dean of the Moody College of Communication shall evaluate and conduct a performance assessment of the General Manager (Director) of the Student Media (or any successor), and shall report and make recommendations to the Board of Operating Trustees based on the results of such evaluation and performance assessment.

With this change, administrative oversight of Texas Student Media will transfer to the Moody of College of Communication effective July 1, 2014. The following items are included in this transfer.

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Dr. Gage Paine  
Dr. Rod Hart  
Ms. Mary E. Dunn  
June 13, 2014  
Page 2

1. Five media outlets (*The Daily Texan*, the *Cactus* yearbook, Texas Student Television, KVRX Radio, and *Texas Travesty*).
2. The Texas Student Media operating budget (which is \$1,992,568 for the current fiscal year). This includes generated revenue sources and student tuition funds from the Student Services Budget Committee (which are \$436,438 for the current fiscal year).
3. The depreciated value of the physical inventory (\$78,826), including computers, cameras, television and radio transmission equipment, and related equipment.
4. Office furniture.
5. Texas Student Media staff who are university employees leased as per the declaration of trust.

Dr. Pedro Reyes, Executive Vice Chancellor for Academic Affairs, has approved this change in the declaration of trust. Vice President Patti Ohlendorf and her staff are preparing the official revision of the declaration of trust and will distribute it.

I believe this change is in the best interests of Texas Student Media and the university as we look to the future.

Sincerely,



William Powers, Jr.  
President

WP/gm

cc: Mrs. Patti Ohlendorf, Vice President for Legal Affairs  
Ms. Mary Knight, Associate Vice President  
Dr. Jennifer Hammat, Assistant Vice President for Student Affairs  
Ms. Janice Daman, Assistant Dean, Moody College of Communication  
Ms. Elvia Rosales, Director, Budget Office  
Ms. Taylor Strickland, Vice President 2014-15, Student Government  
Mr. Robert J. Quigley, Faculty Member, Texas Student Media Board of Operating Trustees  
Mr. David Player, President 2013-14, Texas Student Media Board  
Texas Student Media Board of Operating Trustees

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**FIRST AMENDMENT TO AGREEMENT BETWEEN UNIVERSITY AND OPERATING TRUSTEES**

This First Amendment to Agreement between University and Operating Trustees ("Amendment") is dated effective **September 1, 2014** ("Effective Date"), and is entered into by and between the Board of Regents of the University of Texas ("University"), an agency and institution of higher education organized under the laws of the State of Texas, and the Board of Operating Trustees of Texas Student Media ("Operating Trustees").

University and Operating Trustees entered into that certain Agreement between University and Operating Trustees dated effective September 1, 2013 (the "Agreement").

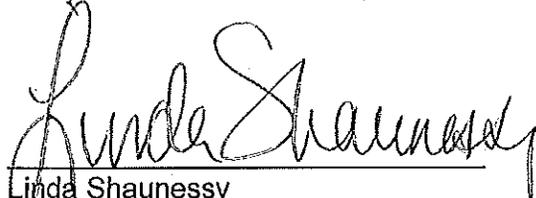
University and Operating Trustees now desire to amend the terms of the Agreement as more particularly set forth below:

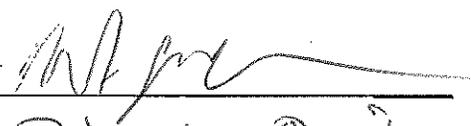
1. The Agreement is amended to state that Texas Student Media no longer reports to the Office of the Vice President for Student Affairs. Instead Texas Student Media now reports to the College of Communication.
2. Attachment 2, Leased Employees 2014-2015, attached to the Agreement is hereby added to the Agreement and shall hereafter be and read as provided in Attachment 2, Leased Employees 2014-2015, attached to this Amendment and incorporated for all purposes.
3. Except as provided in this Amendment, all terms used in this Amendment that are not otherwise defined shall have the respective meanings ascribed to such terms in the Agreement.
4. This Amendment embodies the entire agreement between University and Operating Trustees with respect to the amendment of the Agreement. In the event of any conflict or inconsistency between the provisions of the Agreement and this Amendment, the provisions of this Amendment shall control and govern.
5. Except as specifically modified and amended herein, all of the terms, provisions, requirements and specifications contained in the Agreement remain in full force and effect. Except as otherwise expressly provided herein, the parties do not intend to, and the execution of this Amendment shall not, in any manner impair the Agreement, the purpose of this Amendment being simply to amend and ratify the Agreement, as hereby amended and ratified, and to confirm and carry forward the Agreement, as hereby amended, in full force and effect.
6. THIS AMENDMENT SHALL BE CONSTRUED AND GOVERNED BY THE LAWS OF THE STATE OF TEXAS.

IN WITNESS WHEREOF, University and Operating Trustees have executed and delivered this Amendment effective as of the Effective Date.

THE UNIVERSITY OF TEXAS AT AUSTIN

BOARD OF OPERATING TRUSTEES  
OF TEXAS STUDENT MEDIA

By:   
Linda Shaunessy  
Business Contracts Administrator

By: 

Date: August 27, 2014

Name: Robert A. Ogden  
Title: TSM Board President

Date: 9/3/14

MOODY COLLEGE OF COMMUNICATION

By: 

Name: R. P. HART

Title: DEAN

Date: 9/2/14

Attachment 2  
Leased Employees 2014-2015

Goss, Michael C

Hollingsworth, Lindsey

Johnson, Gerald A

Meute, Robert A

Serpas, Frank R III

Heine, Barbara A

Hublein, Daniel P

Salgado, Cindy-Jo

Salisbury, Stephen M

Yowell, Charles C

Other/different Leased Employees may be added over the course of the year.

- (b) If a voting student member vacates the position, the Board must appoint a qualified successor to fill the unexpired term. The presiding officer may not vote on this appointment, except to break a tie. If the Board appoints this successor at a meeting where the Board elects at least one officer, the Board must appoint the successor before electing any officer.
- (c) **Length of unexpired term.** If a voting student member vacates the position at least two weeks prior to the election Filing Deadline, the Board-appointed successor shall serve only until May 31 of that year. If the unexpired term will have a year remaining at that time, the Board can opt to appoint the successor to fill out the entire unexpired term, or choose to have the vacancy filled by election. In that case, the student body will elect a student to serve a one-year term beginning on June 1.
- (d) If a voting student member notifies the Board in writing at least two weeks prior to the election Filing Deadline that the member will vacate the position with at least a year remaining on the unexpired term, the student body will elect a student to serve for a one-year term beginning on June 1.

## 1.29 What requirements must voting student members meet?

- (a) **General requirements.** A voting student member must—
  - (1) be an enrolled U.T. Austin student for at least nine hours throughout the long session;
  - (2) have completed at least 12 hours at U.T. Austin with a minimum grade point average of 2.0 (for undergraduates) or at least 9 hours at U.T. Austin with a minimum grade point average of 3.0 (for graduate students).
- (b) **General prohibitions.** A voting student member may not—
  - (1) hold a paid or regularly scheduled position at TSM or any media unit; or
  - (2) file as a candidate for popular election to another student office by the student body of the university or a college or school, unless the Board waives this requirement by majority vote.
- (c) **Requirements for specific positions.**
  - (1) **College of Communication.** A College of Communication voting student member must—
    - (A) be enrolled in the College of Communication, and
    - (B) have completed 12 hours of College of Communication courses.

- (2) **At-large.** An at-large voting student member must not be enrolled in the College of Communication.
- (3) If no qualified applicants file by the initial deadline for a specific voting student member position, the board shall advertise for qualified student members and appoint someone to the position.
- (d) **Absences.** After taking office, a voting student member must not be absent for three consecutive regular meetings, unless—
  - (1) the Board determines an excused unforeseeable situation caused any of the absences; or
  - (2) the Board has granted the member an exemption during the summer.
- (e) **Failure to meet requirements.** A voting student member who fails to continue to meet the requirements must vacate the position.

### **1.30 How are voting non-student members appointed and replaced?**

- (a) The President of U.T. Austin must appoint the voting non-student members.
- (b) If a voting non-student member vacates the position, the President of U.T. Austin must appoint someone to fill the unexpired term.

### **1.31 What requirements must voting non-student members meet?**

- (a) A voting non-student member may not hold a paid or permanent position at TSM or any media unit.
- (b) Absences. After taking office, a voting non-student member must not be absent for three consecutive meetings, unless—
  - (1) the Board determines an excused unforeseeable situation caused any of the absences; or
  - (2) the Board has granted the member an exemption during the summer.
- (c) **Failure to meet requirements.** A voting non-student member who fails to continue to meet the requirements must vacate the position.

- (10) enter into a contract with the Board to perform duties for and in consideration of the salary.

### **3.26 What qualifications must the Editor-in-Chief meet?**

- (a) An applicant for Editor-in-Chief must—
  - (1) be an enrolled U.T. Austin student;
  - (2) have completed at least 12 hours at U.T. Austin with a minimum grade point average of 2.0 (for undergraduates) or at least 9 hours at U.T. Austin with a minimum grade point average of 3.0 (for graduate students);
  - (3) pass a media law exam given by the Editorial Adviser prior to taking position;
  - (4) pass a libel test administered by the Editorial Adviser prior to taking position.
- (b) The Editor-in-Chief's term begins on June 1 and concludes on May 31 of the following year.

### **3.27 What must the staff manual contain?**

- (a) The staff manual contains the policies of the Editor-in-Chief, developed with the counsel of the Adviser, and subject to the rules of the Board.
- (b) The staff manual must include a link to the University's Handbook of Operating Procedures ([www.utexas.edu/policies/hoppm](http://www.utexas.edu/policies/hoppm)) and—
  - (1) personnel policies, including—
    - (A) hiring and firing policies, and
    - (B) recruitment and retention plans;
  - (2) ethical policies;
  - (3) editorial policies; and
  - (4) this chapter of the TSM Handbook.
- (c) The staff manual may include other policies.

- (2) appoint and supervise the members of the KVRX executive staff, each of whom—
    - (A) must supervise a department,
    - (B) must appoint and supervise a department's staff, subject to Station Manager approval, and
    - (C) may not be on scholastic or disciplinary probation;
  - (3) establish a program schedule, via the programming manager;
  - (4) manage day-to-day program operations subject to Board policy, including—
    - (A) programming, and
    - (B) underwriting;
  - (5) work closely with the Director, Operations Manager and Adviser to manage non-programming functions, such as engineering, business support, and physical facilities;
  - (6) recruit and retain a staff reflective of the student body by developing and implementing detailed recruitment and retention plans, with the counsel of the Director;
  - (7) create a staff manual and submit it to the Director for information before October 15 of each year; and
  - (8) enter into a contract with the Board to perform duties for and in consideration of the salary.
- (b) **Term of office.** The Station Manager serves a term beginning June 1 and ending May 31 of the next year.

#### **4.26 What qualifications must the Station Manager meet?**

- (a) An applicant for Station Manager must—
  - (1) be an enrolled U.T. Austin student;
  - (2) have completed at least 12 hours at U.T. Austin with a minimum grade point average of 2.0 (for undergraduates) or at least 9 hours at U.T. Austin with a minimum grade point average of 3.0 (for graduate students);
  - (3) demonstrate an understanding of media law and FCC regulations by passing an exam prepared by the station adviser prior to taking the position;

- (4) have been approved by at least 30% of voting staff members, following the procedures in subsection (c) of this section, “Staff approval voting process.”
- (b) The Station Manager must be an enrolled student during each long session semester.
- (c) **Staff approval voting process.**
  - (1) The Adviser must—
    - (A) conduct the election by confidential ballot, and
    - (B) conduct the election at least two weeks before the Board’s appointment of the Station Manager.
  - (2) Each staff member may submit only one ballot. However, the staff member may vote for as many candidates as deemed qualified.
  - (3) The Adviser and an executive staff member chosen by the Station Manager must count the votes and report the results to the Board. The executive staff member may not be an applicant for Station Manager.

#### **4.27 What must the staff manual contain?**

- (a) The staff manual contains the policies of the Station Manager, developed with the counsel of the Adviser, and subject to the rules of the Board and FCC regulations.
- (b) The staff manual must include a link to the University’s Handbook of Operating Procedures ([www.utexas.edu/policies/hoppm](http://www.utexas.edu/policies/hoppm))—
  - (1) personnel policies, including—
    - (A) hiring and firing policies, and
    - (B) recruitment and retention plans;
  - (2) ethical policies;
  - (3) editorial policies, including policies on opinion editorials and candidate endorsements;
  - (4) this chapter of the TSM Handbook;
  - (5) TSM advertising/underwriting policy;
  - (6) FCC regulations; and

closely with the Director and Adviser on other functions such as relations with third party distributors;

- (7) determine the makeup of the TSTV broadcast program schedule on a semester basis in consultation with TSTV staff and adviser;
- (8) appoint and supervise producers and volunteers of appropriate teams to produce TSTV-sponsored programming and the use of TSTV equipment and personnel in the realm of program production;
- (9) review the progress of such programming while in production and make necessary recommendations to ensure that TSTV resources are being utilized to best effect, for the benefit of TSTV, and in compliance with TSTV policies;
- (10) provide support for the television advertising sales effort, working with the TSM professional staff and other TSTV directors in carrying out the solicitation, production, and scheduling of advertising;
- (11) recruit and retain a staff reflective of the student body by developing and implementing detailed recruitment and retention plans;
- (12) create a staff manual and submit it to the Director for information before October 15 of each year; and
- (13) enter into a contract with the Board to perform duties for and in consideration of the salary.

## **5.26 What qualifications must the Station Manager meet?**

- (a) An applicant must—
  - (1) be an enrolled U.T. Austin student;
  - (2) have completed at least 12 hours at U.T. Austin with a minimum grade point average of 2.0 (for undergraduates) or at least 9 hours at U.T. Austin with a minimum grade point average of 3.0 (for graduate students);
  - (3) demonstrate an understanding of media law and FCC regulations by passing an exam prepared by the station adviser prior to taking position.
- (b) The Station Manager shall be appointed by the Board in the spring semester for a term of one year beginning June 1 ending May 31. The outgoing Station Manager will train the incoming manager in the basic operations and polices of TSM as regards annual budgets, payrolls, purchasing, inventory of U.T. Austin property and TSTV policies and procedures.

- (3) recruit and retain a staff reflective of the student body;
- (4) be responsible for all *Texas Travesty* content, including ensuring that it does not include libel or obscenity;
- (5) be responsible for selecting the staff and delegating responsibilities; and
- (6) enter into a contract with the Board to perform duties for and in consideration of the salary.

### **6.18 What qualifications must the Editor-in-Chief meet?**

- (a) An applicant must—
  - (1) be an enrolled U.T. Austin student;
  - (2) have completed at least 12 hours at U.T. Austin with a minimum grade point average of 2.0 (for undergraduates) or at least 9 hours at U.T. Austin with a minimum grade point average of 3.0 (for graduate students);
  - (3) pass a libel test administered by the Editorial Adviser prior to taking position.
- (b) The Editor-in-Chief's term begins on June 1 and concludes on May 31 of the following year.

### **6.19 What must the staff manual contain?**

- (a) The staff manual contains the policies of the Editor-in-Chief, developed with the counsel of the Editorial Adviser and Director, and subject to the rules of the Board. The staff manual contains the policies of the Editor-in-Chief and staff, developed with the counsel of the editorial adviser, and subject to the policies of the Board.
- (b) The staff manual must include a link to the University's Handbook of Operating Procedures ([www.utexas.edu/policies/hoppm](http://www.utexas.edu/policies/hoppm)) and—
  - (1) personnel policies including—
    - (A) hiring and firing policies, and
    - (B) recruitment and retention plans;
  - (2) ethical policies;
  - (3) editorial policies, including policies on opinion editorials and candidate endorsements; and