

University of Louisiana at Monroe  
Policy Statement for Radio Station KXUL

I. PREAMBLE

The University of Louisiana at Monroe (hereinafter “University”), in accordance with the Noncommercial Educational FM Broadcast License issued by the Federal Communications Commission and held by the Board of Supervisors for the University of Louisiana System, shall operate radio station KXUL to serve both the constituents of the University and the greater listening community.

II. PURPOSE

KXUL shall render such broadcasting service as will serve the public interest, convenience, or necessity to the full extent of the privileges conferred by its license. KXUL shall endeavor to provide challenging, innovative programming which entertains and which informs the public of events occurring on campus and in the surrounding community. The University considers KXUL a valuable outreach service and forum for the greater community and strives to ensure the station produces programming consistent with professional standards, but without inhibiting the free and open discussion of ideas and issues. KXUL shall furthermore serve the University by providing an educational experience for those students, staff, faculty, and community volunteers who choose to be part of KXUL.

III. ADMINISTRATION

The station shall be administered by the faculty of the Department of Communication within the College of Arts and Sciences. KXUL shall supplement the Mass Communications curriculum by providing students creative opportunities in writing, production, and performance for the electronic media; practical exposure to broadcast programming decision-making; the application of broadcast journalism practices; an orientation to applied marketing principles; familiarity with issues related to ethics and legal compliance; as well as personnel, financial, and operational management experience. However, such curriculum enhancement is just one aspect of KXUL; the station shall also provide for the enrichment of its listening audience, the greater University, and for community volunteers participating in the station.

IV. MEMBERSHIP

A. Participation in the KXUL staff is open to all students, faculty, and staff of the University, regardless of sex, race, color, sexual orientation, religion, national origin, age, or handicap. Community volunteers may also participate in the activities of KXUL, regardless of sex, race, color, sexual orientation, religion, national origin, age, or handicap, as long as such involvement does not preclude the participation of qualified University students, faculty, and staff, as

determined by the station's Faculty Supervisor. Community volunteers may not serve as managers of KXUL.

B. Individuals seeking to participate in the KXUL staff must complete a volunteer application to be submitted to the KXUL Student Manager delegated such responsibility by the KXUL Faculty Supervisor. Should staff membership not be granted upon review of the volunteer application, an individual may appeal in writing to the Faculty Supervisor. Failing satisfactory resolution at this level, further appeals should be referred, in order, to the Head of the Department of Communications and then to the Dean of the College of Arts and Sciences.

C. KXUL staff members shall abide by all policies heretofore or hereafter made by the station, the University, the Federal Communications Commission, and any other governmental agencies. Failure to abide by such policies shall be grounds for separation from KXUL. Any appeal of such termination should be referred in written form to, in order, the Faculty Supervisor, the Head of the Department of Communication, and then to the Dean of the College of Arts and Sciences. The failure of the University to exercise or enforce any rights it has pursuant to this document shall not constitute a waiver of any such rights.

D. Each KXUL staff member must agree to serve without payment, compensation, benefits, or reimbursement, unless a specific offer to hire is made in accordance to provisions regarding Student Managers and Student Employees elsewhere in this document. In the latter case, a Student Manager or Student Employee must complete formal University employment documents and he or she shall be bound by any additional University personnel policies.

E. A KXUL volunteer staff member shall not be required to pay any form of membership dues to participate in the activities of the station.

F. No person may represent KXUL to the general public without the express authorization of the Faculty Supervisor. Each KXUL staff member must further agree to protect the station's property and interests and to use his or her best efforts to prevent the use of any such material by any person or entity which has not been authorized by the Faculty Supervisor to use such property or information. Violation of these policies is grounds for discharge.

## V. PROGRAMMING POLICIES

A. Staff members engaging in the programming of KXUL should:

1. Design programs sensitive to the needs of the community. Broadcasting, by its very nature, extends beyond the physical boundaries of the University; therefore, the content of KXUL broadcasts should recognize the needs and interests of both the immediate and extended University communities.

2. Strive to produce media based upon professional standards of quality. The University environment embraces inquiry, exploration, and innovation, and the programming of KXUL

should also reflect these characteristics. Because of its additional obligation to the general public KXUL must also ensure its programming achieves a high standard of professionalism.

B. KXUL shall be primarily engaged in the activity of radio broadcasting to the public. The station shall also exploit the programming potential of new delivery systems and technologies, as are consistent with the station's primary mission, as these systems and technologies develop. Such additional delivery systems include, but are not limited to, on-line computer networks and digital delivery systems.

C. The University shall have all rights, title, and interests to and in all program and promotional material wholly or partially conceived or developed by any KXUL staff member related in any way to the activities of KXUL.

## VI. PROHIBITED EXPRESSION

The broadcasting of the following types of expression by KXUL staff members shall not be protected:

A. Material that is obscene. Obscene is defined as material that meets all three of the following requirements [See also *Miller v. California*, 413 U.S. 15 (1973)]:

1. the average person, applying contemporary community standards, would find that the publication, taken as a whole, appeals to prurient interest in sex; and
2. the publication depicts or describes, in a patently offensive way, sexual conduct such as ultimate sexual acts (normal or perverted), masturbation and lewd exhibition of the genitals; and;
3. the work, taken as a whole, lacks serious literary, artistic, political or scientific value. Indecent or vulgar language is not obscene.

B. Indecent material. The Federal Communications Commission has defined broadcast indecency as language or material that, in context, depicts or describes, in terms patently offensive as measured by contemporary community standards for the broadcast medium, sexual or excretory organs or activities [See *Infinity Broadcasting Corporation of Pennsylvania*, 2 FCC Rcd. 2705 (1987)]. Indecent programming might contain sexual or excretory references that do not rise to the level of obscenity. The broadcasting of indecent material is banned during times of day when there is a reasonable risk that children may be in the audience. Consistent with existing court decisions in this area, the Commission currently prohibits the airing of indecent material between 6:00 a.m. and 10:00 p.m. [See *Action for Children's Television v. FCC*, 58 F.3d 654 (D.C. Cir. 1995), cert. denied, 116 S. Ct. 701 (1996)].

C. Libelous material. Libelous statements are provably false and unprivileged statements of fact that do demonstrated injury to an individual's or business's reputation in the community, or, if the allegedly libeled party is a "public figure" or "public official" as defined below, a libelous

statement is any false statement broadcast “with actual malice,” or broadcast with reckless disregard for the truth.

1. A public official is a person who holds an elected or appointed public office and exercises a significant amount of governmental authority.
2. A public figure is a person who either has sought the public’s attention or is well known because of personal achievements or actions.
3. University employees will be considered public officials or public figures in relationship to broadcasts concerning their University-related activities.

D. Material that will cause “a material and substantial disruption of University activities.”

1. Disruption is defined as student rioting, unlawful seizures of property, destruction of property, or substantial student participation in a boycott, sit-in, walk-out or other related form of activity. Material such as racial, religious or ethnic slurs, however distasteful, is not in and of itself disruptive under these guidelines. Material that stimulates heated discussion or debate does not constitute the type of disruption prohibited.
2. For student media to be considered disruptive, specific facts must exist upon which one could reasonably forecast that a likelihood of immediate, substantial material disruption to normal University activity would occur if the material were further distributed or has occurred as a result of the material’s distribution or dissemination.
3. “University activity” means educational student activity sponsored by the school and includes, by way of example and not by way of limitation, classroom work, official assemblies and other similar gatherings, University athletic contests, band concerts, and University plays.

E. Payola. Each KXUL staff member must warrant and agree that he or she will not accept or agree to accept or pay or agree to pay any money, service, or any valuable consideration, as defined in Section 508 of the Communications Act of 1934, as amended, for the broadcast of any matter contained in any program.

Any violation of the above provisions by a KXUL staff member shall result in the immediate termination of any right of the violator to participate in KXUL.

## VII. FUNDING

Radio station KXUL serves four basic constituencies: students pursuing academic degrees within the Department of Communication, the greater student body of the University, the University community as a whole, and the greater external community. The financial foundation for the station is therefore rightfully spread between the academic budget of the University, student self-assessed fees, the University general fund, and contributions from the community. The costs of operating radio station KXUL shall be derived from:

- A. Student funding in the form of a fee levied according to the policies of the Board of Supervisors for the University of Louisiana System.
- B. Revenue derived from donors contributing to the expenses of acquiring, producing, and airing programming. Such donations may be acknowledged by KXUL in accordance with the rules governing program underwriting as established by the Federal Communications Commission. Underwriting revenues shall be used solely for the direct expenses of KXUL, and shall not be used to defray general University overhead or for other expenses not immediately related to KXUL.
- C. Appropriations from the general fund of the University as well as in-kind contributions of building space, transmission tower, utilities, maintenance, janitorial services, and administrative services such as accounting, payroll, and purchasing.
- D. Federal and University work-study monies and Graduate Assistant stipends allocated to KXUL by the University for the wages of Student Managers and Student Employees of the station.
- E. University funds for the salary and benefits for the KXUL Faculty Supervisor as well as for the electronics technician maintaining the station's studio equipment and transmitter.
- F. Other revenues generated by the non-broadcast activities of KXUL, including, but not limited to, program guide advertisements, on-line media advertisements, production services, public events, and similar fundraising endeavors.

Funding for KXUL, from any source, shall not be withdrawn because of disagreement over programming policy.

## VIII. ORGANIZATION

A. The Board of Supervisors for the University of Louisiana System, as licensee, ultimately retains full authority and responsibility for the operation of radio station KXUL, and is accountable for the adherence and compliance with all laws and with the rules of the Federal Communications Commission. The responsibility for the daily operation of KXUL is vested in the Faculty Supervisor. The University recognizes, however, that one method of providing students the educational opportunities vital to the mission of KXUL is to delegate to students significant operational responsibilities. The success of this delegation is contingent on students' understanding their obligation to the license and to the community. That obligation encompasses program quality, news and public service programming, challenging and innovative entertainment, and opportunity for student involvement without regard to sex, race, color, sexual orientation, religion, national origin, age, or handicap.

B. Faculty Supervisor. In special recognition of the status of KXUL as a broadcast radio station licensed by an agency of the federal government, the faculty or staff member appointed by the University to oversee KXUL shall be designated Faculty Supervisor. This title is to distinguish

the role of this individual as the agent representing the licensee of the station. The Faculty Supervisor is authorized by the Board of Supervisors for the University of Louisiana System and the President of the University to act as the administrator of KXUL. As such, his or her responsibilities extend beyond the advisory to also include the authority to make and enforce decisions to protect the interests of the licensee. The Faculty Supervisor shall:

1. Serve as an agent for the management of KXUL on behalf of the Board of Supervisors for the University of Louisiana System through, in order, the Head of the Department of Communication, Dean of the College of Arts and Sciences, Provost of the University, and President of the University.
2. Act as a liaison between KXUL and the University, and between the station and the community. The Faculty Supervisor shall act as an advocate for KXUL and shall vigorously protect the interests of the station, its staff, and the University.
3. Plan and coordinate the major broadcasting functions of the station, develop and implement the policies and plans of the station, and monitor and evaluate the station, its operations, and its programming.
4. Assure compliance with all rules and policies of the Federal Communications Commission.
5. Oversee the training and evaluation of all Student Managers, Student Employees, and volunteer staff members and assist all staff members in realizing the programming and educational missions of KXUL. The Faculty Supervisor shall exercise the duties of the position in such a manner as to achieve the goal of KXUL to provide meaningful educational opportunities to all participants and to serve the programming needs of the greater community. The Faculty Supervisor shall consult with the collective faculty of the Department of Communication in order to ensure KXUL best achieves its educational mission.
6. Determine the qualifications and assign responsibilities for Student Managers, Student Employees, and volunteer staff members. The Faculty Supervisor shall have the authority to hire and fire Student Managers, Student Employees, and volunteer staff members, and to mediate personnel grievances.
7. Maintain and direct the KXUL budget, including payroll, procurement of goods and services, and all other revenues and expenses of the station.
8. Call meetings of the station and its constituents as necessary to achieve the mission of KXUL.

C. Engineer/Chief Operator. The Engineer/Chief Operator is responsible to the Faculty Supervisor for maintaining all studio and transmission equipment for radio station KXUL. The Engineer/Chief Operator is additionally responsible for ensuring the technical compliance of KXUL, and its auxiliary stations, with the F.C.C. Rules as specified in Section 73.1870. The responsibilities of the Chief Operator shall include:

1. General operator supervision, including operator training and weekly technical log review to ensure required procedures are followed.
2. Periodic studio equipment and transmission system inspections, calibration, maintenance, and repair, including required F.C.C. quarterly tower check, equipment performance measurements, and overall station inspection.
3. Ensuring proper Emergency Alert System encoder/decoder operations, verifying that E.A.S. tests are conducted correctly, and monitoring the proper logging of E.A.S. events.

C. Student Managers.

1. Students with demonstrated broadcast and leadership experience may be employed by KXUL, regardless of sex, race, color, sexual orientation, religion, national origin, age, or handicap, to perform management responsibilities necessary for the proper functioning of the station. The precise qualifications and duties for each Student Manager shall be established by the Faculty Supervisor at the time of the student's employment; the number, qualifications, and duties of Student Managers may change from time to time as the needs of the station evolve. A Student Manager will be responsible to the Faculty Supervisor in the performance of his or her duties. Wages and the maximum number of hours per workweek for each Student Manager shall be determined by the University and will be enumerated at the time of the student's employment.
2. The Faculty Supervisor may articulate additional responsibilities and requirements, either verbally or in writing, as the needs of the station evolve.
3. Student Managers shall enforce and abide by all station and University policies.
4. Student Managers shall at all times be held responsible for the competent and effective performance of their duties. An appointment as a Student Manager carries no assurance of continuing appointment or of reappointment. Cause for discharge shall include: infraction of station, University, state, or federal regulation; failure to cooperate; neglect of duty; or inefficiency. The foregoing list shall not be deemed exclusive.
5. Student Managers are delegated authority from the Faculty Supervisor, in his or her absence, to deal with matters requiring immediate action. Such action should be exercised in a professional, responsible, and reasonable manner.
6. Student Managers must work productively with each other and with the general staff. Student Managers must constructively interact with their co-workers. Student Managers must demonstrate consideration and professional respect for their colleagues.
7. Student Managers act as ambassadors to the station's audience, as well as to the community as a whole, in that they are expected to present the station in a positive light, to promote the station and its goals, and to serve as an information resource.

8. Absences from assigned duties must be proposed to and approved by the Faculty Supervisor. Plans must be made for the Student Manager's assigned duties to be covered during any such absence. The Faculty Supervisor must be notified of emergency absences as soon as possible.
9. Broadcasting is a seven-day-a-week activity. As such, Student Managers are often called into service at irregular times of the day, on irregular days of the week. Student Managers must be available to perform their duties at such times as required to ensure the continuous, smooth operation of the station.
10. Student Managers are expected to post and to maintain a schedule of office hours. Management accessibility to the general staff is important to the functioning of the station; therefore, Student Managers must maintain a continuing visibility and availability at the station in addition to the posted office hours.
11. Management meetings and general staff meetings are regularly held. Special meetings are called as necessary. Student Managers are expected to attend all such meetings.
12. Outside employment must not conflict in any way with a Student Manager's regular duties with the station. The Faculty Supervisor will decide when outside employment conflicts with job performance, and ask an employee to refrain from such outside activity. Failure to comply with such a request may be grounds for discharge.
13. Any appeal regarding the employment of a Student Manager should be referred in written form to, in order, the Faculty Supervisor, the Head of the Department of Communication, and then to the Dean of the College of Arts and Sciences.

E. Student Employees.

1. Students with demonstrated experience may be employed by KXUL, regardless of sex, race, color, sexual orientation, religion, national origin, age, or handicap, to perform support functions necessary for the proper functioning of the station. Such support functions may include, but are not limited to, on-air announcing, newscasting, production, traffic and continuity, promotions, and clerical work. The precise qualifications and duties for each Student Employee shall be established by the Faculty Supervisor at the time of the student's employment; the number, qualifications, and duties of Student Employees may change from time to time as the needs of the station evolve. A Student Employee will be responsible to the Faculty Supervisor, or to his or her Student Manager delegate, in the performance of his or her duties. Wages and the maximum number of hours per workweek for each Student Employee shall be determined by the University and will be enumerated at the time of the student's employment.
2. The Faculty Supervisor may articulate additional responsibilities and requirements, either verbally or in writing, as the needs of the station evolve.
3. Student Employees shall enforce and abide by all station and University policies.



4. Student Employees shall at all times be held responsible for the competent and effective performance of their duties. An appointment as a Student Employee carries no assurance of continuing appointment or of reappointment. Cause for discharge shall include: infraction of station, University, state, or federal regulation; failure to cooperate; neglect of duty; or inefficiency. The foregoing list shall not be deemed exclusive.
5. Student Employees must work productively with the Student Managers, with each other, and with the general staff. Student Employees must constructively interact with their co-workers. Student Employees must demonstrate consideration and professional respect for their colleagues.
6. Student Employees act as ambassadors to the station's audience, as well as to the community as a whole, in that they are expected to present the station in a positive light, to promote the station and its goals, and to serve as an information resource.
7. Absences from assigned duties must be proposed to and approved by the Faculty Supervisor, or his or her Student Manager delegate. Plans must be made for the Student Employee's assigned duties to be covered during any such absence. The Faculty Supervisor, or his or her Student Manager delegate, must be notified of emergency absences as soon as possible.
8. General staff meetings are regularly held. Special meetings are called as necessary. Student Employees are expected to attend all such meetings.
9. Outside employment must not conflict in any way with a Student Employee's regular duties with the station. The Faculty Supervisor will decide when outside employment conflicts with job performance, and ask an employee to refrain from such outside activity. Failure to comply with such a request may be grounds for discharge.
10. Any appeal regarding the employment of a Student Employee should be referred in written form to, in order, the Faculty Supervisor, the Head of the Department of Communication, and then to the Dean of the College of Arts and Sciences.