



WXUT 88.3FM CONSTITUTION

March 2013

Submitted By: Tyler Mattson

We, WXUT the Student Broadcasting Organization, in order to provide a non-profit broadcast service to the University's community and the city of Toledo, and to create a professional broadcast training ground for the students of the University of Toledo, and to do ordain and establish this constitution.

Article I: Name of Organization

The name of the organization shall be the Student Broadcasting Organization, hereinafter referred to as the SBO. The organization shall additionally be referred to as WXUT, as licensed to the University of Toledo Board of Trustees and regulated by the Federal Communications Commission (FCC) in Washington D.C.

Article II: Purpose

WXUT the SBO shall provide a non-profit broadcast service to the University and the city of Toledo as well as a professional broadcast training ground and provide an excepting place for students and staff to express their individuality through broadcasting at the University of Toledo by:

1. Creative expressions outlet though ones show.
2. Offering the opportunities of networking with a diverse group of students and staff members.
3. Offering professional broadcast training.
4. Create a broad variety of musical entertainment.

Activities and programs sponsored by this organization will keep within the organizations stated above.

Article III: Membership

Membership in the SBO shall be to all University of Toledo students, faculty, and staff members. Any non-UT student, faculty, or staff member shall have their application for ad-hoc membership voted on by the management board, with a majority vote needed to grant ad-hoc membership. The Student Station Manger may also grant membership if necessary. Professional membership should be granted to an individual (student or non-student) after they show the ability to perform the proper responsibility of a Disc Jockey.

Only currently enrolled University of Toledo students may vote or hold office in the SBO. The responsibilities of the officers of the Management Board are listed in Article IV.

SBO Anti-Discrimination Policy

The SBO does not categorically deny membership to an individual, based on race, color, religion, sex, age, national origin, sexual orientation, veteran's status, or the presence of disability. Members of the management board are required to maintain a cumulative grade point average of at least 2.0. Members who fail to meet this requirement will be removed from office.

UT Anti-Hazing Policy

The SBO follows The University of Toledo Anti-Hazing Policy which follows:

The University of Toledo supports the autonomy of its student organizations within the established rules and regulations as outlined in the student handbook and other official University publications. Initiation into a university organization is permissible excluding any activities that may be construed as hazing.

Hazing is defined as an act which endangers the mental or physical health or safety of a student or which destroys or removes public or private property for the purpose of initiation, admission into, affiliation with or as a condition of continued membership in an organization. The expressed or implied consent of the victim will not be a defense. Apathy or acquiescence in the presence of hazing is not a neutral act: they are violations of this rule.

When a student organization is found to be involved in hazing activity, the University shall have the authority to initiate disciplinary action regardless of the location of the activity. Such action shall be conducted in compliance with normal student organization conduct proceedings. Student organizations found in violation of the University hazing policy shall be subject to the range of sanctions available to the University as outlined in the student code of conduct.

Obtaining Membership

Persons obtain membership by supporting all functions, activities, and programs of the organization through attending meetings and serving on committees. Voting members shall be defined as members who are currently enrolled UT students and who are in good standing with SBO and have supported the functions of the organization.

SBO does not collect dues.

Article IV: Officers and Duties

Officers shall consist of: Student Station Manager, Chief Operator/Engineer, Program Director, Music Director, Online Content Director, Production Director, Sports Director, Public Relations Director, Promotions Director and News Director and shall be elected in April for a term of one Academic Year.

The positions of Student Station Manager and Chief Operator/Engineer shall be selected by the Faculty Station Advisors through an interview process.

Only current registered UT students may hold office. Officers of the organization shall not be on academic or disciplinary probation and shall maintain a cumulative grade point average of at least 2.0.

Section 1: Makeup of the Management Board

1. The Management Board shall consist of officers on two levels:

- a. The Upper Level will include the Student Station Manager, Chief Operator/Engineer, Program Director, Music Director, Online Content Director and News Director.
- b. The Lower Level will include the Production Director, Promotions Director, Public Relations Director, Sports Director.
- c. The positions of Faculty Station Advisors shall be considered to have authority outside the board and as such are not considered a part of the management board.

2. Duties and powers of the Management Board Members

- a. To admit members to the SBO.
- b. To establish policies and procedures for the SBO (by the enactment of by-laws.)
- c. To preside over and arbitrate inter-department affairs.
- d. To issue official reprimands under such conditions that the management board feels warrant disciplinary action, such as gross negligence of duty and/or (excessive) disregard of established rules and policies.
- e. To dismiss members from the SBO when extreme disciplinary action is deemed necessary by the Management Board.
- f. The Student Station Manager must make a weekly schedule (two weeks in advance)
- g. All Management Members shall have the right to sit as a member of the Management Board or designate a proxy to exercise freely the voting right of that officer.
- h. Duties of the individual Management Board Members are specified in their individual complete job descriptions. They are as follows:

3. Duties of the Student Station Manager

- a. As presiding officer of the organization, shall serve as the primary student representative of the WXUT SBO to the Station Supervisor, the University, and the city of Toledo, and shall represent the station at all University functions.
- b. Assist and advise the officers in their duties
- c. Schedule and chair all Management Board meetings
- d. Shall be responsible for coordinating long-range planning for the organization as a whole.
- e. Establish and appoint members to any committees as needed
- f. Maintain coordination among all station departments
- g. The Student Station Manager shall have the power to review all

management decisions and determine, with advice of the Management Board, the appropriateness of any management decision.

- h. To appoint members to fill vacant positions on the Management Board during the course of a term that will serve in that position until the next election
- i. To exercise any powers deemed appropriate by the management board
- j. The Student Station Manager shall have no right to vote on the Management Board except in the case of a deadlock when he or she will cast the deciding vote
- k. Approve programming schedule
- l. Mediate disputes between department heads and other members
- m. Approve all expenditures and develop the budget in consultation with the Station Supervisor.
- n. Coordinate preparation of quarterly issues reports identifying the on-going efforts of the radio station to identify significant issues and concerns of the community and provide programming to address those issues
- o. The Student Station Manager is selected by and may only be removed from office by the Student Affairs Committee or the Station Faculty Advisor or any group appointed for this purpose by the Vice President for the Student Experience.
- p. Take on necessary duties of any vacant positions
- q. In certain situations it may be deemed necessary for the Student Station Manager to assign others the duties of a management member who has not been fulfilling their duties and requirements.

4. Duties of the Program Director

- a. Coordinate the entire on-air sound of the station in conjunction with the Student Station Manager.
- b. Ensure that the established on-air etiquette and all FCC laws are being followed by all air personnel
- c. To prepare, in consultation with the Student Station Manager the daily broadcast schedule of the station's personnel and programs
- d. Implement and oversee a training and evaluation program for station's personnel. The PD should over see all training sessions.
- e. Keep the Student Station Manager advised of any proposed schedule changes.
- f. Oversee the formatting of all specialty shows in conjunction with the Music Director

- g. The PD must maintain an access for all DJs
- h. The PD is responsible for distributing and recording of all point fines that are give to members of the SBO

5. Duties of the Online Content Director

- a. Establish and maintain all webpages on the World Wide Web (WXUT.Com, Facebook, Twitter, Etc.)
- b. Update the webpage on a periodic basis (weekly) to ensure the webpage concurs with the SBO's current policies
- c. Work with the University's computer services to allow the webpage to remain in working order
- d. Write and send out text message alerts
- e. Inform the Student General Manager of any necessary new licensing needed for online broadcasting

6. Duties of the Chief Engineer/ Chief Operator

- a. Recruitment, training and supervision of engineer assistants
- b. Maintaining and repair of all equipment
- c. Oversee the setup and all technical aspects of remote broadcasts
- d. Set up a preventive maintenance schedule for equipment
- e. The Chief Operator (CO) works in conjunction with the Student Station Manager and is responsible for all technical aspects of the radio station.
- f. The CO must be familiar with FCC rules and regulations which apply to broadcasting and broadcasters as outlined in The Public and Broadcasting, located here:
http://www.fcc.gov/mb/audio/decdoc/public_and_broadcasting.html
- g. The CO must endeavor to know all FCC rules and regulations. This may be accomplished by reading cases relevant to noncommercial radio stations and through research of FCC rules when a question arises from the station.
- h. The CO must be familiar with and maintain the public file.
- i. The CO must perform and log required weekly and monthly tests of the Emergency Alert System.
- j. Perform other duties assigned by the Student Station Manager, and Station Supervisor
- k. Ensure that the station and all personnel are in compliance with the technical requirements established by the FCC
- l. The CO must develop and carry out a comprehensive program of preventive maintenance.

VERY IMPORTANT DUTIES OF CHIEF OPERATOR (CO)

The station has 2 studios filled with elaborate technical equipment. The CO must ensure that all equipment is in proper working order at all times. The CE/CO is the only position, other than the Station Manager, that is paid. This position is possible through Co-Op program. The CO must research and procure needed equipment and software and perform or oversee its implementation.

The CO is on call 24 hours a day and must be prepared at a moment's notice to come to the station and repair a malfunctioning piece of equipment. The CO (or a competent designee) is responsible for the technical aspects of each station remote, including sports, and should plan to be on site at least one hour prior to the beginning of the remote to ensure that the remote is accomplished without a hitch. The job description and constitution specify that the CO devote 20 hours per week to his/her job. Those hours must be spent at the radio station office, transmitter, or at station-related events requiring the presence of a technician. In reality, the CO generally spends several more hours than this.

7. Duties of the News Director

- a. Recruit, train, organize, schedule and critique news staff personnel
- b. Maintain daily news broadcasts
- c. Prepare quarterly issues reports on all news programming for inclusion in the station's public file.
- d. Devise comprehensive method of covering University, local, national, and international news

8. Duties of the Music Director

- a. Maintain the station's music library
- b. Set up evaluation system for all music that is received
- c. Review new recordings as they arrive, ensure that all recordings are in compliance with University, community and FCC standards of decency
- d. Oversee the formatting of all specialty shows with the Program Director
- e. Maintain favorable relations with record companies: give authorization to other music representatives from the station to acquire music from the station
- f. Compile and publish a play list detailing the radio station's current music format
- g. Maintain concert listings on bulletin board in studio

9. Duties of the Production Director

- a. Recruit and train members of the production staff
- b. Oversee the quality of any recorded material to be played on the air
- c. Maintain the order of the production studio
- d. Train news, sports department, and other members in the operation of the production studio equipment
- e. Maintain a schedule for assisted or unassisted use of the production studio
- f. Prepare selected syndicated shows for air play

- g. Work with the promotions department in preparing promotional material for air play

10. Duties of the Promotions Director

- a. Recruit, train and oversee the members of the promotions department
- b. Oversee the implementation of all station related promotions including:
 - i. remote broadcasts
 - ii. give-a-ways
- c. Oversee the publishing of semester program guides
- d. Work with the production department in preparing promotional material for air play

11. Duties of the Public Relations Director

- a. Oversee all programming produced by the public affairs department
- b. Maintain the timeliness and quality of the written and recorded public service announcements aired on the station
- c. Prepare quarterly issues reports on all public affairs programming for inclusion in the station's public file
- d. Record minutes at each management meeting and put them on file for public records
- e. Ensure all syndicated and pre-taped programming is placed in studio at proper times

12. Duties of the Sports Director

- a. Recruit, train, organize, schedule and critique sports staff personnel
- b. Maintain weekly broadcasts on University sports. Maintain national sports, only necessary when agreed upon by the Management Board
- c. Arrange and oversee all remote broadcasts of University sports
- d. Prepare quarterly issues reports on all sports programming for inclusion in the station's public file

Section 2: Election of the Management Board

- A. Elections for all positions except the Student Station Manager and the Chief Operator/Chief Engineer shall be held during the first half of a semester on a date to be determined by the Student Station Manager who will post notice at least two weeks prior to the elections.

1. Nomination Process

- a. Candidates petition and are presented before the Management Board on the date of elections. Once all eligible candidates for that position have

been interviewed by the Management Board, voting by secret ballot for that position may commence

- b. A simple majority approval of those casting ballots shall determine the new director
 - c. In the case of a tie the Student Station Manager shall cast the deciding vote
 - d. The term of the office for Management members shall begin on the first Monday following the end of the Spring Semester
 2. The eligibility requirements for running for an Upper Management Board position are as follow:
 - a. Station membership of at least two semesters
 - b. Must be present at 90% of weekly station meetings
 - c. Having been active in a least two station departments
 - d. Having been director of at least one department
 - e. Or have been appointed by the Student Station Manager with agreement from the Station Faculty Advisor
 3. The eligibility requirements for running for a Lower Management Board position are as follows:
 - a. Station membership for at least one semester
 - b. Must be at 80% of weekly station meetings
 - c. Or have been appointed by the Student Station Manager with agreement from upper management board members
- B. Selection of the Student Station Manager shall be held during the first half of Spring Semester on a date selected by the Student Affairs Committee or any group appointed for this purpose by the Vice President for the Student Experience.
 1. The selection of the Student Station Manager shall occur prior to the election of the other officers of the Management Board.
 2. In order to be considered for Student Station Manager one must hold membership for at least four semesters and have held a management position for at least two semesters.
 3. The Student Affairs Committee or any group appointed for this purpose by the Vice President for the Student Experience alone may remove the Student Station Manager from office.
- C. Selection of the Chief Operator/Chief Engineer shall be held during the first half of Spring Semester on a date selected by the Student Affairs Committee or any group appointed for this purpose by the Vice President for the Student Experience.
 1. The selection of Chief Operator/Chief Engineer shall be determined by a collaboration of the Student Station Manager and Station Faculty Advisor.

2. The Chief Operator/Chief Engineer must be an Electrical Engineering Student approved through the University of Toledo's Engineering Department's co-op office.
3. The Student Affairs Committee or any group appointed for this purpose by the Vice President for the Student Experience alone may remove the Student Station Manager from office.

In the event that SBO officers are not fulfilling the specific duties listed above, general members have the right to question the conduct, actions, and/or work of any elected officer, advisor, committee chairperson, appointed representative or member. The SBO Executive Board has the right, if deemed necessary, to remove an executive member who does not fulfill their specific duties. A University of Toledo advisor must be present in all removal/impeachment proceedings. All complaints of non-compliance whether it be a formal or an informal complaint will first go to the Station Manager, if the complaint is about or related to the Station Manager the complaint will be forwarded to the active University of Toledo Faculty Advisor.

D. Impeachment Proceedings for the Management Board

1. First the Station Manager will take the complaint and notify the advisor that there is a complaint and what it entails. (unless the complaint is about the Station Manager then the complaint will go directly to the Advisor)
2. The advisor will advise the Station Manager whether or not to take the case to the management board.
3. When you do this, the management member under fire must be invited to present his/her case, so you can't surprise somebody with this. They have to know what's going on.
4. After you've both presented your facts, it goes to the management board to a vote. Now if the management member under fire does not show up for this meeting, then you still present your case, and the vote still goes. It's just the same as if a person goes to court. You don't show up, a verdict is still made.

Article V: Meetings

Section 1: Member's Meetings

- A. Station Membership meetings will be held, at a time determined by the Student Station Manager, and will be held three times each year, (at the beginning of fall semester, the beginning and end of spring semester) with additional meetings being held at such times as deemed necessary by the board, Student Station Manager, or Station Faculty Advisor.

Section 2: Management Meetings

- A. The Management Board shall meet once every week or once every two weeks. The Student Station Manager and the management board shall decide this at the beginning of each semester.
- B. Meeting Minutes should taken during every meeting and email out directly after the meetings
- C. Quorum shall be necessary to conduct any business requiring a vote to protection against totally unrepresentative action in the name of the body by an unduly small number of

persons

- D. Any number greater than half of the membership of the Management Board is considered quorum
- E. A simple majority vote of the attending members is required to pass any motion, unless otherwise stated in the constitution or by-laws

A simple majority of the voting members must be present to constitute a quorum.

Article VI: Trainees

A new member is admitted to the organization and put through a period of training during which time the new member is required to learn proper operation of the broadcasting equipment and to achieve a level of proficiency to allow him/her to successfully operate the equipment without supervision and without obvious and repeated errors and to have proper on-air etiquette. The new members are also required to learn and agree to strictly adhere to FCC rules and regulations that apply to the on-air broadcaster. Finally, the trainee is required to read, understand, and agree to strictly adhere to other policies and procedures of WXUT SBO as set forth in The Big Book o' Policy. Trainees will be tested on their knowledge of the above and granted full membership status upon their successful completion of the tests. Trainees who do not pass the test will have the opportunity to train again after a one-semester grace period.

Trainees who appear to lack adequate expertise, or who display a lack of due regard for the rules and regulations of the FCC and/or the WXUT SBO, or the authority of the duly elected members of the SBO management board, will have their situation reviewed by the Student Station Manager and Program Director. They will present their findings to the entire Management Board and together they will make a decision. The trainee will be afforded the opportunity to appear before the management board and address the situation. A majority vote of the management board will determine whether the trainee is to be granted full membership, given the opportunity to repeat the training process when next offered or denied membership in the Student Broadcasting Organization.

Article VII: Professional Staff/Advisor

The Station Faculty Advisor and the Student Station Manager will be considered professional positions and not officers of the WXUT SBO, thus having no voting power on the Management Board.

The UT advisor for this organization shall be decided upon by the executive officers of the organization. The SBO will have two advisors one being the Station Faculty Advisor and the other the Station Academic Advisor. The Station Faculty Advisor will hold the power over the Station Academic Advisor.

Article VIII: Parliamentary Staff

The rules contained in Robert's Rules of Order Revised shall govern this organization in all cases to which they are applicable unless they are inconsistent with the constitution and by-laws and special rules of the WXUT SBO.

Article IX: Committees

Ad hoc committees may be formed at the discretion of the President (Station Manager) or Executive Committee to attend any situations that may become necessary for the organization to consider.

Article X: By-laws and Amendments to the Constitution

It is further understood that if this organization desire at anytime in the future to chance in any way the provisions of this charter, that before such action is taken the organization will submit for approval to the Student Activities Committee and the Office of the Dean of Students every detail of the desired changes to be made.

- A. A motion to add or amend the constitution or add a By-law may be submitted by any active member of the WXUT SBO.
- B. The motion must be submitted, in person, in writing at a scheduled management meeting.
- C. The vote shall be held at an open meeting, announced at least one-week prior. A minimum of two-thirds (2/3) of the entire Management Board or two-thirds (2/3) of the Management Board present is necessary for approval

By-laws of the Student Broadcasting Organization

WXUT

Article 1: WXUT SBO Requirements

All members of the Student Broadcasting Organization will comply with all rules and regulations of the Federal Communications Commission, Student Union Building Authority, and all University, city, state, and federal laws. Members will also follow policies and procedures of the SBO as outlined in the WXUT Obscenity and Indecency Policy, the Big Book o' Policy, the WXUT/SBO Constitution and its by-laws, and with operating procedures established by individual department directors.

Article 2: Removal of SBO Members

Members of the Student Broadcasting Organization may be removed by the Program Director, after consultation with the Student Station Manager. Any member of the SBO can appeal his or her dismissal at the next regularly scheduled management meeting. The Management Board can then vote to reinstate or uphold dismissal of the member.

Article 3: Warning and Point Fine Policy

- A. Any member of the SBO that violates any rule set forth by the management board or any one of the management departments policy will be issued a warning by the either the Student Station Manager or Programming Director/s.
- B. Warnings are given on the first offence of some infractions; some rules if broken will result in immediate point fines.
- C. Point fines will be handed out for the following offenses at the specified value.

- 1). Missing your show time 2 or more weeks in a row without giving the Program Director notice*

4 Points

- 2). Failure to fill out a program log 4 Points
- 3). Failure to fill out a transmitter log 2 Points
- 4). Failure to obey Obscenity/Indecency policy
*Points will be determined by severity of the incident minimum of: 3Points
- 5). Failure to fill out music logs 1 Point
- 6). Failure to leave the Automation playing 2 Points
- 7). Failure to fill out equipment logs 2 Points

D. Points will accumulate and will not be removed for twelve months. Points will be on record until the end of those twelve months and will not be taken off until then

E. After the set amount of points these actions shall be taken depending on the amount of

1.) Points

- a. 10 Points 16 week suspension
- b. 12 points 32 week suspension
- c. 14 Points termination of on air privileges

Article 4: Program Log

SBO members should also note that program logs are used to determine attendance and that failure to fill one out may result in points for missing a show as well as not filling out the program log.

Failure to complete a program log or attend without notice for 4 consecutive weeks can result in cancelation of on air scheduled time without prior notice.

Article 5: Obscenity and Indecency Policy

All members of the WXUT SBO shall, before being authorized to operate on any broadcast outlet managed by the WXUT SBO, sign and adhere to the Student Broadcasting Organization Indecency Policy Statement. If a member of the WXUT SBO violates the Indecency Policy, he/she faces immediate removal from all on air broadcasting. This will be reviewed by the Station Faculty Advisor.

Article 6: FCC Policy

SBO Members should also be aware that violation of FCC rules is NOT TOLERABLE and will result in suspension or termination. This severe action is to be taken because any such violation could result in the loss of the SBO's license to operate on the air waves.

Amendment I

Article VII shall be amended to read as such: The professional members of the SBO shall be the Student Station Manager, and the faculty and academic advisors for the SBO WXUT. The advisors shall have no voting power on the management board. The Station Manager will have the right to vote only in order to break any ties.

Amendment II

Article X shall be added to the constitution. Article X will outline the University of Toledo's policy on operating the open air radio station. It shall read as such: The University of Toledo, as the designated licensee of radio station WXUT by the Federal Communications Commission, has the responsibility to serve the public interest and conduct radio operations in accordance with established federal rules and regulations. With this license, the University is obligated to ensure that quality service is provided and is obligated to protect the public from inappropriate use of the airwaves. Other conditions associated with the license include serving the public interest as a public trustee, using the airwaves for advancement of educational objectives, providing on-going diligent efforts to ascertain the problems and needs of the community the station serves, and providing appropriate programmatic response to these problems and needs.

The University recognizes the potential of an open air radio station for service to students, faculty, staff, and the entire Toledo community. Additionally, an open air radio operation supports the educational mission of the University by providing a valuable opportunity for students engaged in professional development activities; and by providing a creative and enjoyable opportunity for campus involvement.

The University supports the concept of the radio station as an opportunity for student members to develop and refine their skills and abilities to prepare them for a professional broadcasting career. The University also supports significant student input in all decisions and matters pertaining to the operation of the facility.

Amendment III

Article XI shall be added and outline the University of Toledo's role and responsibility as a University organization. It shall read as such:

Role and Responsibilities – Operation Guidelines*

*written in 1990

Section 1: The University of Toledo holds the license from the Federal Communications Commission permitting operation of educational FM radio station WXUT at 88.3 MHz on a shared-time basis with WXTS Radio, licensed to the Toledo Board of Education.

Section 2: The Student Broadcasting Organization (SBO) will adhere to the policies, rules, and procedures for student organizations outlined in the University of Toledo Student Handbook.

Section 3: Operating hours for WXUT are specified in the share-time agreement between the University of Toledo and the Toledo Board of Education. The student station manager will determine specific daily hours of operation.

Section 4: The purpose of the University of Toledo radio station is to provide a unique service to the city of Toledo and a training facility for University students. All programming should, by design, be of the highest standards. Programming shall, at all times, reflect the best interests of the University of Toledo.

Section 5: Membership in the Student Broadcasting Organization is open to all University of Toledo students, full or part-time. Non-students may not be voting members or hold a position on the station's management board.

Students wishing to be considered for membership follow procedures specified in the constitution of the SBO.

The open-air operation shall, at all times, strive for the highest professional standards both in personnel and programming.

All personnel are expected to fulfill the obligations and duties assigned them. Failure to comply may result in dismissal by the Student Station Manager.

All personnel, student or otherwise, are expected to follow all rules and regulations as set forth by the Federal Communications Commission, specifically regarding acceptable program content, proper logging procedures, legal identification of the station, and transmitter readings. Violators are subject to immediate dismissal and further action from the FCC. All personnel must also follow all rules and regulations as set forth by authorized University personnel. Further, all personnel must understand they are considered representatives of the University of Toledo while on the air, and are expected to adhere to the highest standards of professionalism and good taste at all times.

Other organizational and operational guidelines and responsibilities not specifically covered herein or in "The University of Toledo Purpose and Structure Governing Operations of the Open-air Radio Station," the constitution of the Student Broadcasting Organization as well as the radio station book(s) of policy.

Revised by: Tyler Mattson, Station Manager, 3/14/13
Sean Weirich, Production Director, 3/14/13