

CONSTITUTION FOR THE STUDENT CABLE TELEVISION STATION

ARTICLE I Name of the Organization

Section I: The name of this organization shall be Student Cable Television (SCTV)

ARTICLE II: Purpose of the Organization/Mission Statement

Section I: SCTV is a non-commercial, educational public television signal adhering to FCC guidelines, so as when licensed by the FCC to broadcast to a broader audience is able to transition to the new responsibility. The responsibility to uphold these guidelines falls upon the governing Executive Board of this organization.

Our responsibility is to serve as a training ground for UCSC students who are interested in the visual broadcast medium. This organization obligates itself to operate as a public service to the UCSC campus community by offering programming in the “public interest.”

Our organization is dedicated to offering creative and educational endeavors that will be guided by journalistic integrity, artistic intent, educational motives, and objective entertainment.

SCTV is available to all interested parties of our community free of discrimination. With the exception of FCC and University rules, SCTV will not allow any censorship (“prior restraint”) in program content by any agency outside of the station (refer to FCC policies and University Rule book).

Section II:

- a. To provide the University community an opportunity to experience and view works from other community members.
- b. To provide an easy and convenient way to present and broadcast works to other members of the community.
- c. Opportunity for members to be assisted in the production of works to be broadcast.
- d. Learn the different policies and procedures involved in creating works for television broadcast.
- e. Make a functioning organization which can become self sufficient and dependent upon the students who create and run the organization for their fellow students.

ARTICLE III SCTV Members

Section I: MEMBERSHIP: Membership status will be given to any interested students of UC Santa Cruz after attending consecutive meetings for a quarter, without discrimination as outlined by the UC Rule Book, and state and federal laws.

- a. Any individual interested in becoming a member will attend an orientation meeting, available at least once a quarter and more if deemed necessary by the Station Manager. The Station Manager or an individual appointed by the Station Manager will run the orientation meeting and orientations on the first meeting of the quarter. Orientation will outline the constitution, goals and duties of the organization and individual responsibilities.

Section II: DUTIES:

- a. Members will be expected to know and understand all guidelines outlined in the UC Rule Book, especially those pertaining to this organization, like copyright and fairness policies.
- b. Members will also be responsible for knowing FCC guidelines, again specifically those pertaining to the transmission medium of this organization.
- c. Members will vote on a Governing Executive Board and Station Manager, of fellow members
- d. Assigned to them based on member's interest, talent and immediate need of the organization. A member can negotiate the rotation of their role with another member (always informing individuals who oversee their tasks) or by approaching the Executive Board directly, which will fairly redistribute tasks.
- e. Members are required to attend the law seminars offered by Student Media (at no cost to students) quarterly. This seminar is necessary to understand the ever-changing policies of the FCC.

Section III: Members are required to attend the law seminars offered by Student Media (at no cost to students) quarterly. This seminar is necessary to understand the ever-changing policies of the FCC.

Section IV: An inactive member is an individual who does not comply with the above sections of this article. In active members have no voting rights until their membership is reinstated.

- a. A member is inactive upon having missed three consecutive meetings, without notice. To become an active member this individual must attend five consecutive meeting. In the event that the same member becomes inactive, within a year of the previous incident, their membership status will be revoked and they must attend for a full quarter before having voting rights.
- b. If a member does not attend a Law Seminar, without prior notice, they will become inactive for the quarter, unless they are able to attend an event similar in nature, to be determined by the Station Manager.
- c. Inactive members are not eligible for candidacy.

Section V: Membership status can be revoked or placed on probation. This can occur if another member files a complaint, which after review, by the Executive Board or its designated committee, finds a group or individual to be responsible. This action can also be taken if a member is found incompetent in a harmful or destructive manner to the organization or any of its members.

- a. Members will be given the option to grieve upon loss of membership or probation. This option will be offered verbally and in written form.
- b. Grievances should be made to Advisors, Campus Judicial Affairs, Title IX or any other Campus unit capable or responsible for related inquiries. Students filing grievances with decisions, actions, groups, or individuals of this organization are encouraged to review the UCSC Rulebook (110.00 Policy on Student Grievance Procedure and 115.00 UCSC Student Grievance Procedure). The rights, policies and procedures outlined in the UCSC Rulebook will always supersede those of this organization. The decisions made by these mediators will be respected by the organization without prejudice or retribution.

ARTICLE IV SCTV Executive Board

Section I: OFFICERS: The elected Executive Board of this organization shall consist of the directors of each of the four main departments. The fifth member of the Executive Board will be the Station Manager.

Section II: TERM: Each officer will serve a term of one year starting in the Fall Quarter and ending at the end of the Spring Quarter. Elections will take place in the Winter Quarter for the following fall. SCTV will not be active during the Summer Quarter.

Section III: QUALIFICATIONS: To be eligible to hold any office in this organization, the member must:

- a. Be currently enrolled at UC Santa Cruz
- b. The candidate should have completed at least 30 college units from UCSC prior to entering an office position.
- c. To petition for candidacy the person must have been an active member of the organization at least two quarters, except for the position of Station Manager.
- d. To be eligible to run for the position of Station Manager, a member must be active for a consecutive year.

Section IV: DUTIES:

- a. Station Manager:
 1. Preside over all meetings
 2. Set the agenda for meetings and provide a copy to the Web Department two days prior to the meeting, to post online.
 3. The Station Manager will always be the odd numbered individual on the Executive Board to prevent a tie.
 4. The person also serves as the organization's official representative.
 5. The Station Manager is overall responsible for the organization and operation of SCTV
 6. All active members of SCTV will elect the Station Manager during the general election. Voting procedures shall be outlined in Article VI.
- b. Department Directors:
 1. During general elections, members will vote for all Department (Programming, Financial, Web and Review)* Directors; the elected person will be responsible for that department.
 2. The Department Directors are responsible for bringing forth any concerns or questions from their department to the Executive Board during Executive Board Meetings.
 3. Department Directors are responsible for running their particular department, this includes but isn't limited to their functionality, meetings and updating any information needed in regards to their department.
 4. One of the Department Directors will be chosen to act as Secretary at the Executive Board meetings. The responsibilities of the secretary of the Executive Board are as follows:
 - i. Maintain current attendance records.
 - ii. Be the record keeper of all issues discussed and decisions made.
 - iii. Give the information to the Web department to be posted.

- c. Assistant Department Directors:
 - 1. Along the Department Directors the members will vote in an Assistant Department Director for each department.
 - 2. The Assistant Department Director is responsible for being the representative for that department in case the Department Director is unable to attend the Executive Board meetings.
 - 3. The Assistant Department Director should be at all times just as informed about news and information as the Department Director, this way if a Department Director becomes incapable of fulfilling their duties the Assistant Department Director can immediately help take action.

ARTICLE V Departments

SCTV is divided into four* separate departments. Each of the departments is given duties and tasks, which are essential for the maintenance and functionality of the organization.

Section I: DUTIES OF THE DEPARTMENTS:

- a. Programming Department
 - 1. Airing Programs
 - 2. Making sure tapes are compatible with Media Services
 - 3. Outreach for the campus to get more diverse programming and membership
 - 4. Keeping a public file for all programs.
- b. Web Department
 - 1. Posting the signal schedule on-line
 - 2. Offering submission forms and proposal forms on-line
 - 3. Receiving feedback about the shows and the organization
- c. Review Department
 - 1. Reviewing all Programs
 - 2. Reviewing Members who are detrimental to the organization
 - 3. Purging old programs from the archives
 - 4. Scheduling suggestions based on Program content
 - 5. Reviewing underwriting segments for adhering to this organization's integrity.
- d. Financial
 - 1. Maintain and create a budget for the station.
 - 2. Keeping the station's operating costs within the budget
 - 3. Fundraising for the station

Section II: MEMBERS AND THE DEPARTMENTS

- a. Members may be assigned to departments, which either caters to their needs and abilities, or to a department, which is in need of help.
- b. Members may be reassigned to different departments as needed.
- c. Members may request a department to work in, but may not be selected for that department if they are needed elsewhere.

ARTICLE VI: Elections

Section I: ELECTION OF OFFICERS:

- a. To run for any position members can either nominate themselves or be nominated by another organization member. In either situation another member must second the nomination.
- b. Elections shall be held once a year unless vacancies arise; refer to section H of the Article for that procedure.
 1. All nominations must be submitted the second to last general meeting of the winter quarter.
 2. The nominees will be grouped and scheduled to speak during the following meetings on behalf of their candidacy. All nominated members will be given a chance to speak for a period of three minutes or less.
 3. Voting will commence after all candidates running for the same position are heard. Candidates will be excused from voting for their nominated position but will be able to vote for other positions.
- c. Voting will be done by secret ballot or a show of hands. All members will submit a single vote for each position. The votes will be counted upon collection and the results presented upon completing the count. Simple majority will be used to determine all positions except Station Manager.
- d. Electing a Station Manager will also include the elimination of candidates when more than two members run for this position. The member with the fewest votes will be eliminated and new votes will be cast until only two candidates remain. The majority of votes will be determine the new Station Manager. If at any point during this procedure any candidate acquires 2/3 of all votes, they will be awarded the position of Station Manager.

Section II: VACANCY:

- a. In the event that the position of Station Manager becomes vacant, an emergency election will be held. This election will be structured identically to that outline in the Section I of this article. The elected candidate will serve to the end of the existing term.
- b. If a Department Director position becomes vacant the Assistant Department Director, for the remainder of the current term, will immediately fill that position.
- c. Upon replacing a Department Director or in the event that an Assistant Department Director position becomes vacant, the Executive Board will hold an emergency meeting during which the Executive Board will appoint a new Assistant Department Director.

Section III: REMOVAL OF OFFICERS:

All elected position holders can be removed from their office in a similar fashion and for identical reasons as outlined in Article III, section IV, points a. and b. No actions outlined in Article VI, section II will be acted upon until all grievances are addressed and settled.

- a. If any member or group of members wishes to remove an individual from office or the organization, they can file a confidential complaint with any of

the organization's Advisors, who will determine of this issue should be dealt within the organization or by an appropriate campus unit.

- b. If the Advisor determines the matter to be one the organization is fully capable of addressing a vote of no confidence will be taken. Both parties will present their case. If the officer or member is not removed, neither individual will retaliate or seek retribution.

ARTIVLE VII Meetings

Section I: WEEKLY MEETINGS:

- a. There will be general meetings for all members, future members and the UCSC community on a weekly basis. Although the specific agendas of these meetings will vary, the general purpose is to present the organization with current events, concerns, ideas, progress, growth, elections and all other general knowledge.
- b. The day and time of the meetings will be posted online. A physical copy will also be available in the office of the organization, for the public. The meeting date and time will be set prior to the start of a quarter and remain constant throughout the quarter. Weekly reminders will be sent to the Organization's mailing list and advertised throughout the campus.

Section II: DEPARTMENT MEETINGS:

- a. Besides the weekly meetings, each department will schedule and be responsible for successfully running subsequent meetings to complete all tasks assigned to that department.
- b. The number and length of these meetings will be set by the department director in a way that they find best suits the organization, and all its duties and functions. The department director will also do their best to take into consideration the schedules of the members working within the department.

Section III: SPECIAL MEETINGS:

- a. In the event that subsequent general meetings are needed, members will be given as much notice as possible, these meetings can only be announced at a regular weekly meeting, and this announcement must be accompanied by the meetings agenda. Attendance will not be recorded for membership purposes, but is required to these meetings.
- b. Orientations are a special meeting and will be held once at the beginning of a quarter unless the Station Manager deems it necessary to have additional orientations. This decision will be based on the number of new students interested in becoming members. The Station Manager will lead orientation or appoint an individual to take his or her place.
- c. Executive Board meetings are also special meetings. Executive Board meetings will be scheduled by the Station Manager, but can be requested by any member of the Executive Board. Executive Board meetings are open to all members unless otherwise stated. Executive Board meetings are mandatory for Department Directors and Assistant Directors as well as the Station Manager. The Executive Board will meet at the beginning and end of each quarter and subsequently as needed. An Executive Board meeting should be scheduled with at least a one-week notice, but in an emergency can

be scheduled two days after initial notice is sent to all Executive Board members.

Section IV: QUORUM:

- a. A quorum will be 2/3 of the active members recorded in the attendance log of this organization at the time a quorum needs to be reached.

ARTICLE VIII Advisor(s)

Section I: ROLE: The advisor(s) will serve as a resource for all members who require assistance in acquiring knowledge or making decisions pertaining to the functions of the organization. The advisor is not responsible for any duties, responsibilities or actions of the organization or any of its members. The advisor will not take any action unless requested by a member, the organization, or if a grievance is filed.

Section II: ACADEMIC/STUDENT MEDIA ADVISOR: SCTV will at all times have an academic and Student Media advisor.

- a. An academic advisor is any individual who the organization finds confidence in to successfully fulfill the role as outline above.
- b. The Student Media Advisor will be the individual currently employed by the University to serve in said position. If the position will at any point become vacant, representative(s) from SCTV will sit on the hiring committee.

ARTICLE IX Amendments

Section I: To submit an amendment to the constitution, a member must make a vocal request at any general meeting. That member can then either draft the amendment him or herself or request that an emergency Executive Board meeting be scheduled to draft the language of the amendment. A vote will then be held at the following general meeting to determine whether or not the constitution will be amended. For the amendment to pass a quorum must reach consensus.

Section II: Approved amendments will come into effect immediately, unless deemed otherwise by the Executive Board, but no later than the start of the following academic year. A notice will be posted online regarding the change to the constitution; a written addition will also be added to the constitution file.

ARTICLE X Enacting Clause

Section I: This constitution shall become effective upon the approval of our Advisors and the present members. Their signatures and the date shall appear below. Any copy of this constitution that does not contain these dated signatures is not valid or current. The date and signature of the current Station Manager should also follow any amendments to the constitution; otherwise those changes cannot be upheld. The electronic copy will be available online in its most recent form.

AMENDMENTS TO THE CONSTITUTION

Amendment I

Amendment to Article VI Section 3:

Once candidates have left the room there will be a period of discussion allowed among the remaining members, lasting five minutes or less.

If the candidates are competing for an assistant position, the director under whom the elected candidate would be working can be asked to leave the room at anytime during the discussion. This request does not have to come during the discussion; it may be submitted in advance of the meeting to the Station Manager or the head of one of the Departments, if anonymity is desired.

Passed: 05/06/03

Station Manager:

Amendment II

Amendment to the Article IX Section I:

All submitted amendments to the constitution must be accompanied by a written rationale explaining the author(s) intended purpose for the amendment. A short discussion of the rationale will then follow.

Passed 05/06/03

Station Manager:

Additions to the Constitution:

Amendment III

Amendment to Article IV Section I:

The elected Executive Board of this organization shall consist of the Directors of each of the main departments, and the Station Manager.

Passed 10/03/03

Station Manager:

Amendment IV

Amendment to Article IV Section IV Subsection 1 paragraph 3:

In the event of a tie in an Executive Board vote, the Station Manager shall receive the tie breaking vote.

Passed: 10/03/03

Station Manager:

Amendment V

Amendment to Article V, first line:

SCTV is divided into five separate departments. Each department is given duties and tasks, which are essential for the maintenance and functionality of the organization.

Passed 10/03/03

Station Manager:

Amendment VI

Amendment to Article V, Section I, Subsection I:

- a. Programming Department
 - 1. Airing Programs
 - 2. Making sure tapes are compatible with Media Services
 - 3. Keeping a public file for all programs
 - 4. Facilitating the development of new and existing programming material

Passed: 10/03/03

Station Manager:

Amendment VII

Amendment to Article V, Section 1, addition of Subsection 5:

- e. Marketing Department
 - 1. Producing advertisements and related materials for the station.
 - 2. Producing advertisements and related materials for clients of the station.
 - 3. Recruiting new members.

Passed: 10/03/03

Station Manager:

Rationale for Amendment V-VII: These changes are necessary for the addition of the Marketing Department, which was created in order to handle publicity and outreach, freeing the Financial and Programming department from these responsibilities. In order to achieve this end, Amendments V-VII passed.

Amendment VIII

Amendment to Article V, Section 1, Subsection 3:

- c. Review Department
 - 1. Reviewing all Programs, Slides and Public Service Announcements
 - 2. Digitizing content which Programming will then use to create a broadcast schedule
 - 3. Reviewing Members who are detrimental to the organization
 - 4. Purging old programs from the archives
 - 5. Scheduling suggestions based on Program content
 - 6. Reviewing and updating the Constitution as necessary
 - 7. Creating and maintaining a criteria for reviewing submission

Passed: 11/5/03

Station Manager:

Rationale for Amendment VIII: These changes are necessary in order to address to ever-changing roles and responsibilities the Review Department is facing.

Amendment IX

Amendment to Article V, Section I, Subsection 2:

- b. Web/Technical Department
 - 1. Posting the signal schedule on-line

2. Offering submissions forms and proposal forms on-line
3. Receiving feedback about the shows and the organization
4. Operating the transmission system
5. Providing technical support and training to all Departments for their assigned tasks
6. Training the Programming Department in using the Broadcast System

Passed: 11/5/03

Station Manager:

Rationale for Amendment IX: These changes are necessary in order to address the need for more technical assistance for the other departments.

Amendment X (just for the year of 2004)

Amendment to Article IV, Section II:

Section II: TERM: Each officer will serve a term of one year starting in the Fall Quarter and ending at the end of Spring Quarter. Elections will take place in the Spring Quarter for the following fall. SCTV will not be active during the Summer Quarter.

Made by general Consensus, no objections on: 3/3/04

Station Manager:

Rationale for Amendment X: There were not enough members in the organization of SCTV to have an election in the Winter of 2004. It was believed that there would be more people involved in the organization during Spring of 2004, so it would be a better time to recruit members and have an election at that time. The first general meeting was to take place on Tuesday, March 30th and a SCTV orientation the following week on Tuesday April 6th. In Orientation, interested students learned that in order to become a member of the organization, they would have to attend the three consecutive meeting and the Media Law Seminar offered in Spring 2004.

Amendment XI (just of the year 2004)

Amendment to the Article VI, Section 1, Subsection 2, paragraph 1 for the year 2004:

1. All nomination must be submitted by the sixth meeting of the Spring quarter.

Made by General Consensus, no objections on: 3/3/04

Station Manager:

Rationale for Amendment XI: There were not enough members in the organization of SCTV to have an election Winter of 2004. It was believed that there would be more people involved in the organization during Spring 2004, so it would be better time to recruit members and have an election at that time. The first general meeting was to take place on Tuesday, March 30th and a SCTV orientation the following week on Tuesday April 6th. In Orientation, interested students learned that in order to become a member of the organization, they would have to attend the three consecutive meeting and the Media Law Seminar offered in Spring 2004.

Amendment XII (just for the year of 2004)

Amendment to Article III, Section IV, Subsection 1:

- a. A member is inactive upon having missed three consecutive meetings, without notice to the Station Manager in the form of a written email or phone call. To become an active member this individual must have attended three general meetings in the quarter. A member may also be defined as someone who has attended at least two general meetings in the quarter and at least two department meetings. In the event a member loses active status, their membership will be revoked, and they must fulfill above requirements before having voting rights.

Pending Executive Board Election 5/4/04
Station Manager:

Rationale for Amendment XII: To include more dedicated and interested students involved with SCTV to become members, so that they may have voting privileges and may petition for candidacy.

Amendment XIII (just for the year of 2004)

Amendment for Article IV, Section III, Subsection 3:

- b. Petition for candidacy the person must have been an active member of the organization at least one quarter, except for the position of Station Manager.

Pending Executive Board Election 5/4/04
Station Manager:

Rationale for Amendment XIII: To include more dedicated and interested students involved with SCTV to become members, so that they may have voting privileges and may petition for candidacy.

SCTV Code of Ethics

SCTV was founded in the year 2003
INDECENCY, OBSCENITY AND PROFANITY
LIBEL
DISCLAIMERS

POLICY ON INDECENT, OBSCENE AND PROFANE LANGUAGE

The FCC does not prohibit broadcasting from airing controversial programming or artistic and dramatic content. However, the broadcasting of any obscene, indecent, or profane material which violates the prevailing standards of the station and of the viewing community, or which shows a reckless disregard for the truth, fairness and propriety, shall be prohibited. The only exceptions for airing this kind of material will be when deemed an integral part of an artistic presentation, or is pertinent to SCTV news or public affairs coverage, and has approval from the PRC.

Federal Communications Commission Definitions of Profanity, Indecency, and Obscenity

The FCC will act on all documented complaints of indecent or obscene broadcasting that it receives. The FCC fine for transmission of indecent/obscene materials is \$7,000 (see section on FCC Monetary Fines for more extensive list of FCC Violations and their accompanying fines).

Profanity. Court cases have demonstrated that in cases where language might be characterized as profane—e.g., hell, damn, god damn, etc. – the intention of the speaker is a key factor. If the speaker’s language was meant as, “an imprecation of Divine vengeance or implying divine condemnation, so used as to constitute public nuisance,” then the language is considered to be profanity.

Obscenity. Obscene speech is not protected by the First Amendment and cannot be broadcast at any time. To be legally obscene, program material must meet each of the following criteria: a) an average person, applying contemporary standards, would find that the work, taken as a whole, appeals to the prurient interest; b) the material depicts in a blatantly offensive way sexual conduct defined by CA state law; and c) the work, taken as a whole, lacks serious literary, artistic, political, or scientific value.

Indecency. Language or material that depict or describes, in terms patently offensive as measured by contemporary community standards for the broadcast medium, sexual or excretory activities and organs. Indecent language includes but is limited to the following seven words: cocksucker, cunt, fuck, motherfucker, piss, shit and tit. Indecent programming contains sexual or excretory references that do not rise to the level of obscenity. Indecent language is never to be used by programmers or their guests. The reasonable risk that children are in the audience (see “Safe Harbor Hours” below for limited exceptions).

SAFE HARBOR HOURS

While adhering to SCTV’s mission and policies, late night shows from 10pm-6am will be allowed greater flexibility in their expressiveness. The Governing Board in coordination with the Broadcast Advisor will adjust the “safe-harbor hours 10pm-6am” as necessary to address community concerns. SCTV requires that a disclaimer be aired every hour during “safe harbor” hours. **Indecency** during “safe-harbor” hours can only be broadcast from pre-recorded music and can never come from the voices of the programmer, interviewees, or in-studio guests (including live performances). If it is used, the programmer should stop its use; if necessary the interview should be stopped. Court rulings on indecency are aimed at protecting children from sexually explicit language.

LIBEL, SLANDER AND PERSONAL ATTACK

No programming may make libelous statements while broadcasting. If a programmer commits slander the programmer, the station, and the University can be sued. Slander does not necessarily have to have specific names or organizations mentioned, if reasonable person could infer such from any comments. Any programming which could potentially _____[infer?] such an attack should be brought to the attention of the PRC, the Broadcasting Board and the Broadcast Advisor. The content of the program is up to the judgement of the individual programmer as long as the programmer adheres to the state, and federal laws as well as FCC, university, and SCTV guidelines.

DISCLAIMER

When potentially controversial material is to be aired, a disclaimer at the beginning as well as end of the program must display a disclaimer indicating that the views expressed are those of the presenter only and do not necessarily reflect SCTV, its staff, management or the UC Regents.