



University of Hawai‘i at Mānoa

Student Media Board

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ARTICLE I: NAME AND PURPOSE

Section 1. Name

The name of this organization is Student Media Board.

Section 2. Purpose

The purpose of this Board is to govern student publications; digital media production; and broadcast programming including over Federal Communication Commission (FCC)-allocated frequencies and channels and to provide educational opportunities for University of Hawai‘i at Mānoa (UHM) students in the field of mass communications.

Section 3. Mission Statement

The Board, through its innovative and dynamic programs, will provide educational and experiential opportunities to students while producing the highest quality news, entertainment, and information for the UH Mānoa community.

This board replaces the former Chartered Student Organizations Broadcast Communications Authority and Board of Publications.

ARTICLE II – Authority

The University of Hawai‘i at Mānoa Student Media Board is chartered by the University of Hawai‘i (UH) Board of Regents to fulfill the purpose stated in Article I, Section 2 of this document. Title to all real and personal property of the UHM Student Media Board is vested in and subject to the control of the Board of Regents of the University. The UH Board of Regents

delegates those certain titles, licenses, duties, and powers contained in this Charter to the UHM Student Media Board (hereafter referred to as “Board”) through the UHM Chancellor or designee. Legal authority for all policies, procedures, and actions of the Student Media Board or any of its divisions rests with the University of Hawai‘i. This Board is funded in part by student fees.

ARTICLE III MEMBERSHIP

Section 1. Composition

- A. The Board shall consist of thirteen (13) voting members including: nine (9) student members, two (2) faculty or staff members, and two (2) professional or alumni members from the community.
- B. The voting membership shall be appointed by the UHM Chancellor or designee in accordance with procedures set forth in the Board’s Bylaws.
- C. There shall be at least one assigned Advisor from the Office of Student Life and Development (SLD) for the Student Media Board.

ARTICLE IV BOARD OFFICERS

There shall be four (4) executive officers: Chair, Vice Chair, Secretary, and Treasurer. The executive officers shall be voting student Board members and shall be elected by a majority vote of the voting Board membership.

ARTICLE V POWERS AND DUTIES

Section 1. Powers and Duties

- A. The Board shall have power to approve the finances relating to its programs.
- B. The Board shall have power to establish and approve rates and charges that are integral features of its programs.
- C. The Board shall have power to establish, review, revise, and approve all stipends, commission rates, and honoraria that are provided for its programs. Furthermore, it shall have power to delay and/or suspend stipends, commissions, or honoraria for just cause.
- D. In matters of quality, responsibility, and ethics, the Board shall be the review and

appellate body for its programs.

- E. The Board shall have power to create, revise, or discontinue programs within its jurisdiction.
- F. The Board shall appoint its program heads and shall approve their annual program plans.
- G. The Board shall confirm or deny all program executive staff appointments annually.
- H. The Board must, before the end of each fiscal year, review its financial status and prepare its operational budget for the next fiscal year. In addition, this budget is subject to annual approval by the UHM Chancellor or a designee.
- I. The Board annually shall elect its executive officers.
- J. The Board shall have other powers and duties as specified elsewhere in this Charter and Bylaws and in operating policies that it may establish.
- K. The Board shall operate and shall ensure that all media under its jurisdiction shall operate within all applicable federal, state, and city and county policies, bylaws, and regulations that govern media.
- L. The Board shall not set or stipulate the programming or editorial policy of any media programs, except as required by item K.
- M. The legal title to all real and personal property of the Board shall be vested in and subject to the control of the UH Board of Regents.

ARTICLE VI COMMITTEES

The Board shall have the following standing committees: Executive, Policies & Procedures, Recruitment, Finance, Personnel, Strategic Planning, Training & Development and (newly created program head committee) The details of committees and their functions shall be stated in the Bylaws. All standing committee chairs shall be voting student Board members with the exception of the Program Heads. Additional standing and ad hoc committees also may be established.

ARTICLE VII APPOINTED PROGRAM STAFF

Section 1. Annual Appointments

All Student Media Board program heads and program executive staff positions shall be filled annually by the procedures set forth in the Bylaws.

Section 2. Other Appointments

All other positions shall be filled as needed following the procedures set forth in the Bylaws.

ARTICLE VIII FINANCES

Section 1. Activity Fee

The UH Board of Regents has established a mandatory, per capita UHM student activity fee for the Board. Revenue derived from this fee shall be deposited in a University account as required by law.

Section 2. Other Revenue

All non-fee revenue earned by or given to the Board shall be deposited in a University account as required by law.

Section 3. Grants and Awards

In accordance with established University policies and procedures, the Board may accept grants and awards from individuals or organizations.

ARTICLE IX ADVISORY COMMITTEE

The Board may appoint advisory committees to its programs.

ARTICLE X INDEMNIFICATION CLAUSE

Section 1.

Each Board member shall be indemnified by the organization against expenses (including attorney's fees), judgments, fines, and amounts paid in settlement and/or actually and reasonably incurred in connection with any action, suit, or proceeding to which the person may be made a party by reason of being or having been a Board member of the organization (whether or not this person continues to be acting in such capacity at the time of incurring such charges) if this person acted in good faith and in a manner he or she reasonably believed to be in the best interest

of the organization, and, with respect to any criminal action or proceeding, had no reasonable cause to believe his or her conduct was unlawful, provided, however, that this person shall have no right to indemnification, if, in any criminal action or proceeding, he or she shall be finally adjudged to have been willfully and knowingly criminally derelict in the performance of his or her duty as such Board member.

Section 2.

A person shall have no indemnification if he or she fails to give prompt notice to the organization of any such action, suit, or proceedings, or fails to tender the defense of such action, suit, or proceeding to the organization, or fails to cooperate in the defense of such action, suit, or proceedings.

Section 3.

Foregoing the right of indemnification shall not be exclusive of other rights to which the person may be entitled as a matter of law.

ARTICLE XI VALIDITY CLAUSE

If any portion of this Charter or its application to any person or circumstance is held to be invalid for any reason, then the organization hereby declares that the remainder of the Charter and each and every other provision thereof shall not be affected thereby.

ARTICLE XII ENACTMENT

Section 1.

This Charter shall take effect after approval by simple majorities of the Board of Publications and the Broadcast Community Authority and subsequent approval by the UH Mānoa Chancellor or a designee on behalf of the UH Board of Regents. This Charter shall be binding and shall take precedence over previous charters.

Section 2.

This Charter and Bylaws shall stand as a whole.

ARTICLE XIII AMENDMENTS

Section 1.

This Charter may be amended by a two-thirds (2/3) vote of the full voting Board membership

and subsequent approval by the UH Chancellor or a designee on behalf of the UH Board of Regents.

Section 2.

Amendment proposals must be submitted in writing to all voting Board members prior to Board action.

Section 3.

A public hearing on all amendments shall be held prior to final Board approval.