

### **A. Preamble**

This document shall be known as the Media Statement. Its purpose is to fulfill the mandate given by the Student Bill of Rights in Article V, Section C which deals with the relationship between media and the Rensselaer Union.

### **B. Role of Student Media**

Student Media are a valuable aid in establishing and maintaining an atmosphere conducive to free and responsible discussion, to intellectual exploration, and to formulation of student opinion on various campus and world issues. Media may also have educational and/or entertainment purposes.

### **C. Establishing Media Status**

1. A student media is defined as a publication or broadcast which is issued by an approved or recognized club which creates, writes, collects, publishes, broadcasts, or disseminates artistic, newsworthy, entertaining, educational, or literary material to an audience larger than the functioning club.

2. The Executive Board may grant media status in response to a petitioning organization. If media status is denied, the Executive Board must state its reasons to the petitioning organization explicitly in writing at the time of denial. If a petitioning organization feels that it has been denied media status unfairly, it may appeal the decision to the Judicial Board on those grounds. Media status may be revoked only by the Judicial Board.

3. There are four criteria for granting media status:

—fulfillment of the definition;

—action by the E-Board granting the same;

—a club's code of operation for the medium must be on file with the Rensselaer Union, or may be contained in the constitution of the organization responsible for the medium, if appropriate. Said codes must be approved by the Executive Board prior to adoption, solely to ensure that the organization responsible for the medium is abiding by the provisions of the constitution which it has or will have on file with the Rensselaer Union. The purpose of the code of operations is to delineate the means of preparation of material for release;

—a medium must provide written intent to publish at least once each academic year through a tentative schedule of publication; and

—action by the E-Board granting the same.

### **D. Standards Used in Evaluation**

Since Rensselaer Polytechnic Institute student organizations responsible for media depend upon the Rensselaer Union for support, the Rensselaer Union must assume the responsibilities of "publisher" and, therefore, assumes responsibility for the contents and impact of the media. The Rensselaer Union shall endeavor to provide the greatest latitude of editorial freedom to enable the student media to maintain their integrity of purpose as vehicles for free inquiry and free expression in an academic community. The editorial freedom of student managers and editors is limited by the canons of responsible journalism.

### **E. Articles of Right**

1. The organizations responsible for media shall be free of censorship and/or advance approval of content; its editors and managers shall be free to develop the range of content of the

media as well as the editorial policies and scope of coverage. Managers, editors, or responsible staff members of the organizations responsible for media should be protected from arbitrary suspension or removal as a club member because of student, faculty, administrative, or public disapproval of policy or editorial content. Only for proper and stated causes as outlined under Procedures should editors and managers be subject to removal and then only by orderly and prescribed procedures as described below.

2. An organization responsible for a medium need not identify the author/artist of a presentation or source of information, unless the organization or members thereof are involved in a formal disciplinary procedure and such testimony is consistent with the Student Bill of Rights. The organization or editors shall be free from repeated harassment such as repeated printed attacks or excessive requests by the Executive Board or the Student Senate. No organization may impose its policy or editorial content upon a medium, unless it is a result of a judicial action.

3. The Executive Board must limit its role to budgetary, financial, and Rensselaer Union building operational matters. The Executive Board must not seek to use its powers to influence the content of the media.

4. Rensselaer Union funds may not be reduced or frozen by the Executive Board for the purposes of censorship. However, they may be reduced or frozen, as with any organization for financial causes such as a justifiable need for funds in some other aspect of the Rensselaer Union's program or as a result of misuse of Rensselaer Union funds by the particular organization responsible for the medium. In cases where the funds have been limited, the organization responsible for the medium may appeal the decision of the Executive Board to the Judicial Board.

5. No individual may be imposed upon an organization responsible for a medium without that organization's written consent.

#### **F. Articles of Responsibility**

1. The organizations responsible for a medium must conform to all Institute policies, Federal, State, local, and criminal laws which may be applicable.

2. All organizations responsible for a medium must have available for the RPI community and on file in the Administration Office the statement of the organization's code of operations.

3. All organizations responsible for a medium must be open to the entire student body subject to membership requirements of that organization. Students holding views different from those of the majority in any organization responsible for a medium shall not be dissuaded from joining or encouraged to discontinue participation because of those views through organized harassment.

4. Organizations responsible for media must note explicitly either in the medium itself or with the presentation of editorial opinion that said opinions are not necessarily those of the Institute or of the student body. Direct editorial comment by a medium should be identified as such. Reasonable attempts shall be made to provide equal time or space to those responsible persons who may disagree with any part of a news analysis or an editorial comment.

5. The canons of responsible journalism include, but is not limited to, the avoidance of libel, indecency, undocumented allegations, and harassment.

6. Organizations responsible for media cannot publish or distribute media which is obscene. Obscenity is defined as:

a. the average person, applying contemporary community standards, would find that the publication, taken as a whole, appeals to a prurient interest in sex; and

**b.** the publication depicts or describes, in a patently offensive way, normal or perverted sexual conduct or lewdness; and

**c.** the publication, taken as a whole, lacks serious literary, artistic, political, or scientific value.

**7.** Organizations responsible for media cannot publish or distribute material which is libelous. Libelous is defined as a false and unprivileged statement about a specific individual which injures the individual's reputation in the community. If the allegedly libeled individual is a "public figure" or "public official" as defined below, it must be shown that the false statement was published "with actual malice," i.e. that the student media knew that the statement was false or that they published the statement with reckless disregard for the truth — without trying to verify the truthfulness of the statement.

**a.** A public official is a person who holds an elected or appointed public office.

**b.** A public figure is a person who either seeks the public's attention or is well known because of his/her achievements.

**c.** Within Rensselaer, a public figure is a person who holds an appointed office in any club or organization.

**d.** Institute employees and elected or appointed leaders of student clubs and organizations are to be considered public officials or public figures in articles concerning their institute-related activities

**e.** When an allegedly libelous statement concerns a private individual, it must be shown that the false statement was published willfully or negligently, i.e. the student journalist has failed to exercise the care that a reasonably prudent person would exercise.

**f.** Under the "fair comment rule" a student is free to express an opinion on matters of public interest. Specifically, a student enjoys a privilege to criticize the performance of faculty, staff, administrators, or student government officials.

### **G. Procedures**

**1.** Such grievances are those which there is an interpretation of the party that the organization responsible for a medium has violated its constitutionally stated purpose, the canons of responsible journalism, the fiscal and building operational policies of the Rensselaer union, or the Federal, State, local, or criminal laws.

**a.** If the Executive Board should feel that an organization responsible for a medium is clearly and flagrantly misusing its freedom of expression, then the Executive Board's sole option is to request the Judicial Board to take action.

**b.** Whenever the Executive Board feels that an organization responsible for a medium is not satisfying its constitutionally-stated purpose, it must process the case before the Judicial Board to take action.

**c.** Should financial mismanagement of Rensselaer Union funds or violation of building policy be charged, the Executive Board of the Rensselaer Union may request the members of that organization to initiate removal procedures for the alleged violators in accordance with that organization's constitution. If the organization's membership fails in this attempt or simply refuses to do so, the Executive Board may seek the removal of the alleged violators through judicial action through the Judicial Board. A decision by the Judicial Board in favor of removal shall suffice to remove the guilty party from his/her position.

**2.** The Judicial Board's disciplinary actions against an organization responsible for a medium may include, but is not limited to, measures such as a letter of censure or requiring the organization responsible for a medium to disband.

**3.** Any responsible person or group with a grievance against an organization responsible for a medium has available the following recourse: The party should approach the governing body of that organization responsible for a medium to attempt to reconcile its grievances with the medium. If not reconciled, the party may approach the President of the Union. If the President of the Union agrees with the party on grievances, the President of the Union may initiate arbitration procedures between the party and the organization responsible for that medium. If the party is still not satisfied, the party may take a case against the organization responsible for a medium to the Judicial Board.