

RECEIVED

Date: April 2, 2014

MEMORANDUM

14 APR 25 P 5:35

TO: Tom Apple
Chancellor

MANOA CHANCELLOR'S
OFFICE

VIA: Dr. Francisco Hernandez,
Vice Chancellor for Students

VIA: Dr. Lori Ideta *Ideta*
Associate Vice Chancellor for Students

VIA: Bonnyjean Manini *Manini* 4/3/2014
Interim SLD Director

FROM: Alicia DeVoll, Broadcast Communication Authority Chairperson *DeVoll* 4/2/14
Rebekah Carroll, Board of Publications Chairperson *Carroll* 4/3/14

SUBJECT: Proposed merger of the Broadcast Communication Authority and the Board of Publications, Chartered Student Organizations at the University of Hawai'i at Mānoa.

SPECIFIC ACTION REQUESTED:

To approve the merger of the Broadcast Communication Authority and the Board of Publications Chartered Student Organizations. To approve the proposed charter establishing the Student Media Board, Chartered Student Organization.

RECOMMENDED EFFECTIVE DATE:

We request to be recognized as the Student Media Board effective July 1, 2014, the beginning of the next fiscal year.

ADDITIONAL COST:

This request does not have any additional costs. However, there are future plans to possibly change our fee structure and apply for a fee increase.

PURPOSE:

We, the Broadcast Communications Authority (BCA) and Board of Publications (BOP) CSO's at the University of Hawai'i at Mānoa are proposing the merger of our two organizations into a single Student Media Board.

BOP and BCA believe that a single Student Media Board will sustain students' needs and educational opportunities, reflect the goals of college student media, and address potential future challenges. The BCA and the BOP also believe that a unified governing board will be in a stronger position to advocate as well as address current funding issues and budget constraints through resource leveraging and sharing.

Five primary identified benefits are:

- Provide net benefits to the UH campus by providing students increased learning opportunities and various experiences, which will translate into greater benefits for the external community through the increased strength of its student media programs.
- Be better equipped to address technological innovation and integrative media, which will reflect a more “real-world” marketplace and learning environment for students.
- Be able to serve and promote shared goals among the programs by facilitating interaction and collaboration between the programs.
- Allow for greater sharing and leveraging of resources, including overall program finances, facilities, technology, staff and human resources. A unified governance board will be in a stronger position to advocate for additional funding as well as address current funding issues and budget constraints through resource sharing and leveraging.
- Be able to better recruit student board members to more effectively and productively serve the media programs.

BACKGROUND INFORMATION:

In preparation for this merger we have had several meetings, discussions, done much research and have agreed that this is the best thing for our organizations, programs constituents and the campus at large. We include our chronological timeline of the actions taken in preparation for this request:

- January 20-21, 2011: The Board of Publications held a strategic planning retreat where the idea of this merger was proposed.
- January 28, 2012: A working group was formed with representatives from BCA, BOP, KTUH, Ka Leo, Hawaii Review, UH Productions, and advisors from Student Life and Development. Meetings were held on a consistent bi-weekly basis.
- The Justification for Merger document was finalized on April 6, 2012 to identify the reasons for the merger (see appendix 2).
- An open forum was held on April 10, 2012 to inform and solicit feedback from the general student body (see appendix 3).
- A Memorandum of Understanding was written and approved by both boards on May 29, 2012 (see appendix 4).
- November 2-3, 2012: The Broadcast Communication Authority held a strategic planning retreat where the merger was further worked on.
- The initial draft of the proposed Student Media Board Charter document was created by the one media board working group and has since been reviewed and edited by both boards and their respective subcommittees.
- In Spring 2013, both the BOP and BCA voted to approve the Student Media Board Charter document (see appendix 1).
- A final open forum was held on September 13, 2013 to inform and solicit feedback from the general student body in regards to the Student Media Board Charter (see appendix 3).
- On February 12, 2014 ASUH voted on Resolution 28-14 in support of the creation of the Student Media Board (see appendix 5).
- On February 20, 2014, the Graduate Student Board (GSO) also moved to support the merger and voted in support of this merger (see appendix 6).
- Both boards have been reviewing the bylaws and policies and procedures in preparation for unification to allow for a smooth transition and minimal impact on services and operations.

ACTION RECOMMENDED:

To approve the merger of the Broadcast Communication Authority and the Board of Publications, Chartered Student Organizations. To approve the proposed charter establishing the Student Media Board, Chartered Student Organization.

NOTES:

If there are any questions please contact us at Alicia DeVoll adevoll@hawaii.com or Rebekah Carroll rebekahc@hawaii.edu.

Thank you,

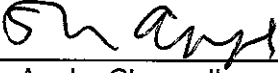
cc Cynthia Quinn, BOR Secretary
Jan Javinar, Interim AVP
Sandy Matsui, Faculty Advisor to BCA and BOP
Sarah Yap, Director of SECLS, Advisor to KTUH
Rob Reilly, Advertising Sales Manager, Advisor to UHP
Jay Hartwell, Student Media Advisor, Advisor to Ka Leo and Hawaii Review

ATTACHMENTS:

1. Student Media Board Charter,
2. Justification for Merger packet
3. Open forum notes
4. Memorandum of Understanding
5. Codified ASUH 28-14 resolution
6. GSO Feb. 2014 Motion of Support
7. BCA Charter
8. BOP Charter

Approved / Disapproved

Signature: _____


Tom Apple, Chancellor

Date: _____

MAY - 1 2014

STUDENT MEDIA BOARD CHARTER
University of Hawai'i at Mānoa

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 Leaders 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 Program Leaders committee. 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.

**Justification for combining the Board of Publications and the Broadcast
Communication Authority into a single Student Media Governance
Board**

4/6/2012

After several meetings, much discussion, and research, the One Media Board Working Group, comprised of representatives from Broadcast Communication Authority, Board Of Publications, KaLeo editorial and advertising departments, KTUH and UH Productions, has decided to recommend the creation of a single Student Media Governance Board to govern all student media programs at UH Mānoa: KTUH, UH Productions, KaLeo and the Hawaii Review; thus combining the BCA and the BOP.

This proposal seeks to address concerns and opportunities at the governance (board) level only and do not address any changes or operations at the individual program level. Further conversations regarding the creation of a single Student Media Governance Board will continue to address concerns at the individual program level, but will focus on the administrative challenges of creating this new Student Media Governance Board.

The One Media Board Working Group, through its meetings and discussions, have identified five primary benefits and opportunities that it believes will be a result for the fee-paying students and the students involved with the programs with the creation of a single Student Media Governance Board. We believe a single student governance board will:

- Be better equipped to address technological innovation and integrative media, which will reflect a more “real-world” marketplace and learning environment for students.
- Be able to serve and promote shared goals among the programs by facilitating interaction and collaboration between the programs.
- Allow for greater sharing and leveraging of resources, including overall program finances, facilities, staff and human resources. A unified governance board will be in a stronger position to advocate for additional funding as well as address current funding issues and budget constraints through resource sharing and leveraging.
- Provide net benefits to the UH campus by providing students increased learning opportunities and various experiences, which will translate into greater benefits for the external community through the increased strength of its student media programs.
- Be able to better recruit student board members to more effectively and productively serve the media programs.

All members of the current media boards and programs wish to protect the independent voice of the students by preserving the core values of the respective programs. A new unified governance structure can strengthen the continuing student media governance and its respective student media programs by providing the opportunity to update governance policies and philosophies and their corresponding documents with the aim to be more responsive, supportive, and empowering of student-led initiatives and programs. The aim is that a single Student Media Governance Board will create consistent cohesiveness among the programs without sacrificing their independence.

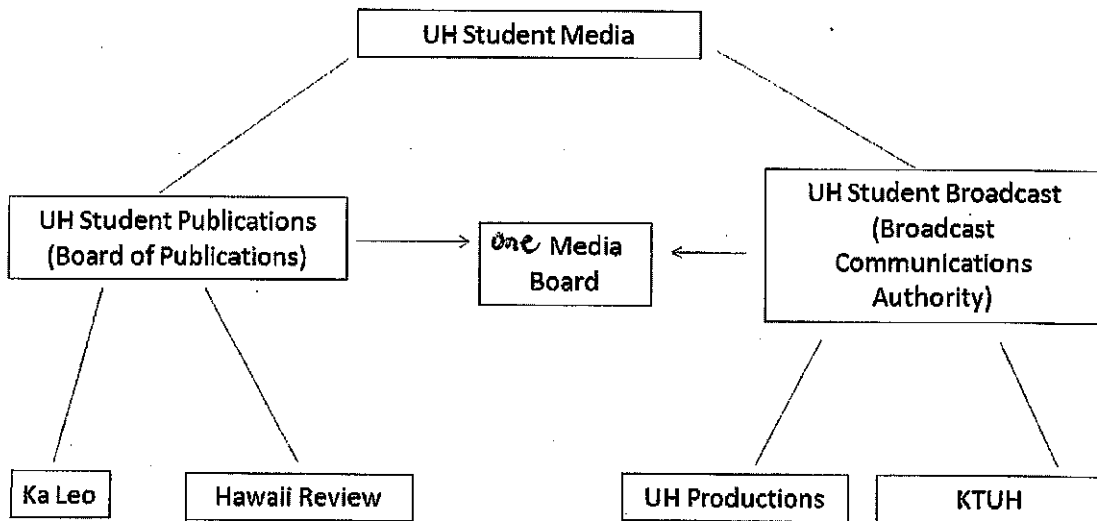
While each of the media programs have been successful recently with their collaboration, utilizing one program’s strengths to help another’s vision, the One Media Board Working Group

hopes to address potential concerns with the adoption and creation of a single Student Media Governance Board. The concerns we have identified include:

- Maintaining the current governance structure increases the possibility of isolating the programs once again and thus making collaboration opportunities more difficult.
- With no guarantee of cross-program collaboration and continuity, students may see decreased opportunities to explore different forms of media and exposure to a variety of resources.
- Continued isolation of the media programs may limit the governance boards and their program's abilities to keep up with technological innovation and trends in media, leaving students unprepared as they step out into the job market in a field that is expansively embracing integrative media.

The working group wishes to continue empowering students with knowledge and experience to be successful in the media industry and in their careers through partnerships between each of the unique media programs. The One Media Board Working Group believes that a single student media governance board is a promising way to sustain student's needs and educational opportunities, reflect the goals of the student media programs, and address potential challenges in the future.

Example of future structure:



One Media Board Working Group Members:

Ryan Tolman, Chair, Board of Publications

Davin Aoyagi, Strategic Development Committee Chair, Board of Publications

Esther Fung, Personnel Chair, Board of Publications

Alicia Partridge, Chair, Broadcast Communication Authority

Reece Farinas, Advertising, KaLeo

Wayne Liou, Production Director, KTUH

Travis Sasaki, General Manager, KTUH

Josh Huaracha, General Manager, UH Productions

Advisors and Staff

Sandy Matsui, Board of Publications

Chris Kirk-Kuwaye, Broadcast Communication Authority & KTUH

Rob Reilly, KaLeo Advertising

Jan Javinar, Student Life and Development

Enclosure:

Board of Publications: Authority, Powers and Duties

Broadcast Communication Authority: Authority, Powers and Duties

BOARD OF PUBLICATIONS' CHARTER
University of Hawai'i at Mānoa

AUTHORITY, POWERS, AND DUTIES

Section 1. Authority

The legal title to all funds and property of the Board shall be vested in and subject to the ultimate control of the UH Board of Regents in the same manner other University property is subject to University administrative procedures and policies.

Section 2. Powers and Duties (Do's)

- A. The Board shall have full power to administer the finances relating to its publications, programs, and services.
- B. The Board shall have full power to establish, review, and revise those rates and charges, which are integral features of its publications, programs, and services.
- C. The Board shall have full power to establish, review, and revise all salaries, stipends, commission rates, and honoraria, which are provided for its publications, programs, and services. Furthermore, it shall have power to delay and/or suspend salaries, stipends commissions, or honoraria for just cause.
- D. In matters of quality, responsibility, and journalistic ethics, the Board shall be the review and appellate body for its publications, programs, and services.
- E. The Board shall have full power to create, revise, or discontinue publications, programs and services within its jurisdiction.
- F. The Board shall appoint its program heads and shall confirm or deny all program executive staff appointments.
- G. The Board shall remove its members and appointees in accordance with the procedures set forth in Article III of the Bylaws.
- 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.
- I. The Board shall review and approve annual program plans prepared by appointed program heads. Such plans may be based on either the academic year or the fiscal year.
- J. Annually, but no later than June 30, the Board shall elect its executive officers.
- K. The Board shall report administratively to the UH President or a designee via established University channels.
- L. The Board shall have other powers and duties as specified elsewhere in this Charter and Bylaws and in any operating policies, which it may establish.

Board Don'ts

- A. Set or stipulate the programming or editorial policy of any publication media except by State and Federal laws.
- B. Hire members, directors, or leadership positions within Ka Leo or Hawaii Review other than Editor's in Chief.
- C. Tell each program how to spend their money outside of the initial budget making process.
- D. Dictate specific daily operations.
- E. Dictate, direct or interfere with publication content.

BROADCAST COMMUNICATION AUTHORITY'S CHARTER
University of Hawai'i at Mānoa

AUTHORITY, POWERS, AND DUTIES

Section 1. Purpose and Authority

“The principal purpose of the Broadcast Communication Authority shall be to govern and operate the facilities in order to broadcast by radio, television, or by any other mode of broadcast communication which now or in the future may exist, musical, cultural, educational, informational, and other programs and materials for the entertainment and benefit of the University community and the public, and for the education and training of individuals within its jurisdiction.”

The BCA charter and BCA policies and procedures are clear on the duties and responsibilities of the board in how it governs itself and its programs, KTUH and UH Productions.

Section 2. Powers and Duties (Do's)

- A. Administer all the affairs and functions of broadcast media and maintain/preserve all records
- B. Operate and insure that all broadcast media follows FCC, state, city and county policies, bylaws, and regulations that govern broadcast media
- C. Maintain and track all property of the BCA
- D. Update and approve operational guidelines (policies and procedures) submitted by KTUH and UH Productions
- E. Screen, appoint, and if necessary relieve, the general managers for either KTUH or UHP
- F. Edit and approve an annual budget for each program and itself and submit to the vice chancellor
- G. Deal with formal grievances for each program if and when necessary.
- H. Work with extra requests financially throughout the year
- I. Approve travel requests
- J. Serve as advocates on behalf of the programs on matters related to decisions made by the vice chancellor or board of regents
- K. Provide ongoing support and training for KTUH and UH Productions
- L. Expend funds entrusted to the BCA by UHM, subject to limitations, restrictions, and conditions imposed upon BCA by UHM and by relevant Federal and State laws, rules, and regulations
- M. Create and provide such committees, councils, boards, and other agencies as BCA deems necessary in fulfilling its duties

Board Don'ts

- A. Set or stipulate the programming or editorial policy of any broadcast media except by State and Federal laws
- B. Hire members, directors, or leadership positions within KTUH or UH Productions other than general manager
- C. Tell each program how to spend their money outside of the initial budget making process
- D. Dictate specific daily operations

Forum on Creating One Media Board
April 10, 2012
Campus Center 309
4:30 p.m.

Concerns

- Regarding surveys how many are student run? Why are you using Illinois as example when it's not student run?
- What power do we have to deny votes?
- Any proposed projects for one board?
- Board "does not know anything" or what to do of each organization
- Fairness of Funding?
- Should go back to drawing board. It can work, but what we present now is too broad.
- Nothing in place that says you can keep things. Should have charters to protect each organization.
- "Protect them from us"
- Board needs to be very very clear.
- Will the media continue to be autonomous w.r.t. their tech development?
- What are the advantages for each respective program?
- Experience members in board
- Is it the most efficient way?
- Would revenue change?
- Will it save culture of radio?
- Will one media board force everyone to work together?
- What are steps after feedback?
- Timeline to get the proposal?
- Does voting only take place with board or will it be opened to students in program, too?
- What name for combined board?
- What will the composition of the board be?
- How will advisers work - BCA & BOP?
- What is the membership size of the proposed board?

Recommendations

Liason



Bill of Rights

List of things KTUH/KaLeo are guaranteed, such as autonomy for content and internal structure

BCA/BOP Merger Open Forum Sept 13. 2013, Campus Center Ballroom
Attendance: 10

Thoughts and Concerns?

What is all involved in getting the paperwork for the fee increase?

- In order to merge its a chancellor level approval but for fee increase it needs to be presented in front of the Board of Regents.
- We have started on this process but its long and political
- Helps if all CSO's are in support of the increase

Why do the fees need to increase?

- To support the programs better.
- KTUH is a 365 day radio station and we have a 30 member UHP with top of the line equipment. BCA is only a \$3 fee, BOP is \$13 and most of it goes directly to printing costs.

Question

Will the student media board included members of each of the organizations?

Curious about what the process will be for choosing who will represent each of the organizations on the board.

- Student Media Board Charter mentions this info.

The formal process needs to be clear

Question

How can members reach the student board?

- Anyway: email, phone, website, advisor, in person

What means can members use to address the student media board if they feel they are not being represented?

- They are welcome to every meeting can contact the board at any time.

Where can people find information?

- BCA website, office, phone call, email, advisor, chairperson?
- uhbca.wordpress.org

What is the process of grievance against the board?

- Formal complaint process to the board then to the department and up.

What about the Bylaws?

- Currently the BCA/BOP are structured very differently in everything
- We are going to address it by first smashing them together then going from there.

What is the process after this forum?

1. Review and revise and the bylaws
2. Another forum
3. get support from other CSO's and present to the chancellor
4. Merge! Hopefully in the spring!

5. Create resources to create the fee increase and a public forum in the spring.

Support: 10/10

Against: 0/10

MEMORANDUM OF UNDERSTANDING

Board of Publications, UH-Manoa
and
Broadcast Communication Authority, UH-Manoa

This Memorandum of Understanding, made this 29th day of May 2012, by and between the Board of Publications (BOP), University of Hawaii at Manoa and the Broadcast Communication Authority (BCA), University of Hawaii at Manoa sets forth the understandings agreed upon between the two chartered student organizations as it pertains to combining into a single governing board and one chartered student organization for student media on the UH-Manoa campus.

I. Shared Goals & Beliefs

The governing boards of both chartered student organizations, BOP and BCA, agree that a single governing board and one chartered student organization for student media programs at UHM should be pursued. A single governing board for student media programs provides the following five primary benefits:

- A. better equipped to address technological innovation and integrative media, reflecting a more "real world" marketplace and learning environment for students;
- B. able to serve and promote shared goals among the student media programs by facilitating interaction and collaboration;
- C. allow for greater sharing and leveraging of resources, including overall program finances, facilities, staff, and human resources;
- D. provide net benefits to the UHM campus by affording students increased learning opportunities and various experiences, which together will translate into improved benefits for the external community through strengthened campus student media programs; and
- E. better able to recruit student board members to more effectively and productively serve the media programs.

The BOP and BCA believe that a unified governing board will be in a stronger position to advocate for additional funding as well as address current funding issues and budget constraints through potential resource leveraging and sharing. Additionally, BOP and BCA believe that a single student media governing board will potentially sustain students' needs and educational opportunities, reflect the goals of college student media, and address potential future challenges.

II. Shared Responsibilities

The governing boards of BOP and BCA commit to taking all necessary and appropriate action steps to create this single student media governing board working through the 2012-2013 academic year with the goal to fully implement a single governing board by the 2013-2014 academic year.

Among these steps include, working cooperatively to:

- A. craft a charter or constitution for the single student media governing board;


- B. examine and revise, as needed, policies related to the recruitment, selection, and evaluation of media program heads to ensure alignment with the single media governing board's charter;
- C. examine and revise, as needed, existing policies and operating procedures used by BOP and BCA to ensure alignment with the single media governing board's charter;
- D. develop financial projections for the single media governing board in order to craft one budget for the 2013-2014 fiscal year;
- E. schedule and conduct consultation through a variety of means (e.g., electronic blackboards, public hearings, etc.) to solicit student comment on the charter proposed for the single media governing board; and
- F. secure University Administration approval of the proposed charter for the single media governing board.

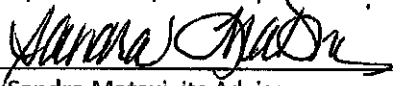
If at any time during the process it appears that the best interests of the students are not being served, the BCA and BOP may agree to take appropriate action to re-evaluate future action steps.

III. Certifications


- A. By our signatures below, we certify that the Board of Publications discussed and approved the proposed action to combine into one single student media governing board at our meeting on April 23, 2012. We further certify that the Board of Publications concurs with the shared goals, beliefs, and responsibilities outlined herein.
- B. By our signatures below, we certify that the Broadcast Communication Authority discussed and approved the proposed action to combine into one single student media governing board at our meeting on April 19, 2012. We further certify that the Broadcast Communication Authority concurs with the shared goals, beliefs, and responsibilities outlined herein.

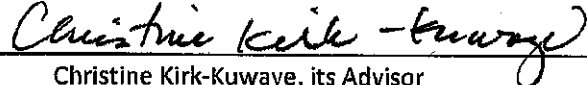
Board of Publications:

By:  5/29/12
 Ryan Tolman, its Chairperson Date

By:  5/29/12
 Sandra Matsui, its Advisor Date

Broadcast Communication Authority:

By:  05/29/12
 Alicia Partridge, its Chairperson Date

By:  5/29/12
 Christine Kirk-Kuwaye, its Advisor Date

**ASSOCIATED STUDENTS OF THE UNIVERSITY OF HAWAI'I AT MĀNOA
2465 Campus Road, Campus Center 211A
Honolulu, HI 96822**

Senate Resolution 28-14

**IN SUPPORT OF THE BOARD OF PUBLICATIONS AND BROADCAST
COMMUNICATION AUTHORITY MERGING AS ONE CHARTERED STUDENT
ORGANIZATION**

BE IT ENACTED BY THE UNDERGRADUATE SENATE:

- WHEREAS*, the Associated Students of the University of Hawai'i at Mānoa (ASUH) Senate is the elected body representing approximately 14,000 full-time classified undergraduate students; and,
- WHEREAS*, the Board of Publications (BOP) is served by a 14-member board that governs UH Mānoa student publications: Ka Leo O Hawai'i--the student newspaper; Hawai'i Review--the student literary journal; and¹
- WHEREAS*, the Broadcast Communication Authority (BCA) is served by a 9-member board that governs the student-run campus radio station, KTUH-90.3 FM, and the Student Video and Filmmakers' Association; and¹
- WHEREAS*, the BOP and BCA have shared goals and beliefs that as governing boards, a single governing board and chartered student organization for student media programs at the University of Hawaii at Mānoa (UHM) should be pursued; and
- WHEREAS*, having a single chartered student organization for student media programs would be beneficial because it would be better equipped to address technological innovation and integrative media, reflecting a more real world marketplace and learning environment for students; and ²
- WHEREAS*, 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 the UHM students in the field of mass communications; and³
- WHEREAS*, the board shall have full power to administer the finances relating to its publications, programs and services; and³
- WHEREAS*, a working group of eight student and four staff members was convened to form the One Media Board to identify benefits and opportunities that it believes will be a result for the fee-paying students and the students involved with the programs with

¹ <http://www.manoa.hawaii.edu/studentlife/studentorg/cso.html>

² Memorandum of Understanding; Board of Publications, UH-Mānoa and Broadcast Communication Authority, UH-Mānoa

³ Student Media Board Charter University of Hawai'i at Mānoa

the creation of a single student media governing board; and

WHEREAS, open forums were held to solicit feedback from the UHM student population; and

WHEREAS, a Memorandum of Understanding was made on May 29, 2012 by and between the BOP and BCA, which sets forth the understandings agreed upon between the two chartered student organizations as it pertains to combining into a single governing board and one chartered student organization for student media on the UHM campus; and⁴

WHEREAS, each governing board committed through their Memorandum of Understanding to take all necessary and appropriate action steps to create this single student media governing board; and

BE IT RESOLVED, the ASUH is in support of the merging of the Board of Publications and the Broadcast Communication Authority into one student media governing board “Student Media Board Charter”; and

BE IT RESOLVED, the ASUH recommends that the Chancellor of the University of Hawai‘i at Mānoa approve of the merge of the two chartered student organizations into one single student media board; and

NOW, THEREFORE, BE IT FINALLY RESOLVED, that copies of this resolution shall be sent to: University of Hawai‘i Board of Regents Chair John Holzman and Members, Interim President David Lassner, Interim Associate Vice President for Student Affairs Jan Javinar; University of Hawai‘i at Mānoa Chancellor Tom Apple, Vice Chancellor for Students Francisco Hernandez, Assistant Vice Chancellor & Dean of Students Lori Ideta, Student Life & Development Interim Director Bonnyjean Manini, Graduate Student Organization President Tom Robinson, Board of Publications Chair Rebekah Carroll, Broadcast Communication Authority Chair Alicia DeVoll, Advisor to the Board of Publications and Broadcast Communication Authority Sandy Matsui; Honolulu Star-Advertiser; and Ka Leo O Hawai‘i.

Roll Call Vote to accept SB 28-14:

Ayes: Vice President Koethe, Treasurer Tomono, Interim-Secretary Nguyen, Senators-at-Large Belisario, Escalante, Zakimi, Senators Borge, Burk, Callihan, Choy, Coria, Dobbs, Foresman, Gojatighomi, Ignacio, Kwon, Lee, Mandado, Mitsui, Moran, Onishi, Omokawa, Ramos, Siador, Sy, Tegman, Wainwright [28]

Nays: [0]

Abstentions: [0]

Measure passes.

Introducers: Sierra Callihan, Senator of the Colleges of Arts and Sciences; Dulce Ramos, Vice-Chairperson, Committee on External Affairs, Senator of the Colleges of Arts and Sciences

⁴ Memorandum of Understanding; Board of Publications, UH-Mānoa and Broadcast Communication Authority, UH-Mānoa

GSO GA Meeting
 February 20, 2014 - Campus Center Executive Dining Room
 Minutes

In attendance: Tom Robinson (TR), Bob Duesterhaus (BD), Shahin Rahman (SR), Bret Polopolous-Meredith (BP), Daisy Shi (DS), Mahabub Ul-Anwar, Jess Glasser (JG), Nick Chagnon (NC), Daniel Abt (DA), Richard Coleman (RC), Aaron Levine (AL), Siobhan Burns, Alexis Anjomshoaa, John Patu, Nichole Rahberg, Kahea Faria, Tamara Edwards, Monica Vidal, Huston Ladner, Sovatha Ann, Elena Brown, Jessica Maxfield, Misty Cordeiro, Katie Tuisaloo, Cheri Kau, Amy Sojot, Jaya Reinhalter, Samantha Weaver, Rebekah Carroll, Jaeseong Lim, Amanda Maggio, Vincent Cleveland, Mechelins lechad, Brianne Hackett, Heather Frey, Jeanette Purvis, Jonathan Dial, Tom Walker, Katherine Holt, David Nguyen, Ehsan Yavari, Brian Lucas, Annette Foerster, Kara Silver, Jarrod Brown, Kelsey Nakashige (43 Voters).

TR called meeting to order at 18:00.

TR moved to approve minutes. No discussion. 43 in favor; 0 opposed; 0 abstentions.

Rebecca, History: BCA (Broadcast Communication Authority) and BOP (Board of Publications) would like GSO to support them in their merger into one CSO. Rebecca moved to support the merger between BCA and BOP. Victor, DRBB seconded. Discussion:
 BP: Why is this a good thing? Rebecca, History: it combines budgets which allows for better collaboration between the groups. 44 in favor; 0 opposed; 0 abstentions.

TR gave President's report. SAFC is no longer giving out RIO funding but will provide direct funding. TR moved to oppose HB1492. Discussion. NC: Maybe I'm mis-remembering, but when we spoke to Brendan, he seemed to think this was more of a threat. TR: it's now in Finance committee.

Sovatha, Anthropology: can you give background as to why the state would want to do this? TR: don't really know, but I think the state wants to have more oversight over the university and control the budget more. Sovatha: am wondering if something led to this? TR: I'm sure it has something to do with Wonder Blunder; the fallout of this has been incredible.

Curriculum Studies: Sovatha, Anthropology: how much leverage do we have? TR: Average student

Siobhan, Marine Biology: This has been a result of over 10 years of bad Presidents at UH mismanaging university funds. The State doesn't have much faith in the University's ability to oversee its administration and funding. I think Tom Apple and current administration are trying to redirect that to avoid having the State function as a parent giving an allowance to the University.

BP: This bill is not a way to resolve the issues of checks and balances; putting money into the general fund means the State can spend it on anything they want, including other campuses.

Matt, Botany: you said they are going to protect students. Was there any more specifics on how they will "protect" students? BP: the State has reduced \$80m to the Samantha, Geology: if we encourage what is the timeline? Curriculum Studies: can we send a reminder to all graduate students to submit testimony? Sovatha, Anthropology: is there any way to make the emails clearer so that we know what this bill is about without having to dig into the email?

44 in favor; 0 opposed; 0 abstentions.

SR gave Vice President's report.

Incomplete Applications: 7

New Budget for the Spring Semester: 40k available to allocate.

TR opened the floor for new business. No new business.

Meeting adjourned at 18:36.

UNIVERSITY OF HAWAII – MANOA
BROADCAST COMMUNICATION AUTHORITY

CHARTER

ARTICLE I – NAME AND PURPOSE

Section 1. NAME

This organization shall be known as the University of Hawaii – Manoa Broadcast Communication Authority (BCA).

Section 2. PURPOSE

The principal purpose of the Broadcast Communication Authority shall be to govern and operate facilities in the city of Honolulu in the state of Hawaii in order to broadcast by radio, television, or by any other mode of broadcast communication which now or in the future may exist, musical, cultural, educational, informational, and other programs and materials for the entertainment and benefit of the University community and the public, and for the education and training of individuals within its jurisdiction.

ARTICLE II – AUTHORITY

The University of Hawaii – Manoa Broadcast Communication Authority is chartered by the Board of Regents of the University of Hawaii to fulfill the purpose stated in Article I, Section 2 of this document. Title to all real and personal property of the University of Hawaii – Manoa Broadcast Communication Authority is vested in and subject to the control of the Board of Regents of the University. The Board of Regents of the University of Hawaii delegates those certain titles, licenses, duties and powers contained in this Charter to the University of Hawaii – Manoa Broadcast Communication Authority through the President of the University of Hawaii and the Chancellor of the University of Hawaii at Manoa. Legal authority for all policies, procedures, and actions of the Broadcast Communication Authority or any of its divisions rests with the University of Hawaii.

ARTICLE III – MEMBERSHIP

Section 1. COMPOSITION

The Broadcast Communication Authority shall consist of nine voting members who shall be appointed to the Authority by the Chancellor of the Manoa Campus of the University of Hawaii, the CAPS Advisor who shall be ex-officio, non-voting, and any other ex-officio, non-voting members as the Authority deem necessary.

- A. There shall be five BCA student members selected as provided in Section 2.
- B. There shall be two faculty or staff members selected as provided in Section 2.
- C. There shall be two community representatives selected as provided in Section 2.
- D. The CAPS Advisor who shall advise the Authority shall be a member of the staff of the Co-curricular Activities, Programs and Services appointed by the Director of the Co-curricular Activities, Programs and Services.
- E. Ex-officio, non-voting members may be appointed by the Authority as deemed necessary.

Section 2. SELECTION

- A. There shall be a Selection Committee whose duties shall be to recommend to the Chancellor of the University of Hawaii – Manoa candidates for approval to positions on the Broadcast Communication Authority.
- B. The selection Committee shall consist of seven members and one Co-Curricular Activities, Programs and Services staff member, ex-officio, non-voting, who shall serve as Secretary to the Committee.
 - 1. Two members shall be appointed by the President of ASUH.
 - 2. Two members shall be appointed by the Chairperson of the Authority.
 - 3. One member shall be appointed by the President of the Graduate Student Organization.
 - 4. Two members shall be jointly appointed by the President of ASUH, GSO, and the Chairperson of the Authority. These appointees shall not be members of the ASUH Senate, Graduate Student Organization Assembly, or Broadcast Communication Authority, and should be representatives of different segments of the University community.
 - 5. Any Broadcast Communication Authority member who sits on the Selection Committee may not accept nomination for office as Authority Chairperson or Vice-Chairperson in the ensuing year.

6. The Director of the Co-curricular Activities, Programs and Services shall designate the Co-curricular Activities, Programs and Services staff member on the Committee.
 7. If after a good faith attempt at including members of ASUH and GSO, with no reply or feedback, these appointees shall be chosen by the Authority.
- C. The Selection Committee shall recommend to the Chancellor of the University of Hawaii – Manoa one person per vacancy and at least one alternate per category for each vacancy on the Broadcast Communication Authority to be created by the official ending of the term of office of any member of the Broadcast Communication Authority and one person for each vacancy in the membership on the Broadcast Communication Authority occurring for any other reason than the official ending of a term of office.
 - D. The Selection Committee shall elect a chairperson from among its membership.

Section 3. TERM OF OFFICE

- A. Upon approval by the Board of Regents, one half the regular voting members shall be appointed for one year terms and the remaining voting members shall be appointed for two year terms. Thereafter, each voting member shall serve a two year term.
- B. No member shall serve more than two consecutive terms.

Section 4. ELIGIBILITY

- A. Voting student members of the Broadcast Communication Authority must be regularly enrolled students at the University of Hawaii at Manoa and BCA fee-paying members.
- B. No voting member of the Broadcast Communication Authority shall hold a staff position under the jurisdiction of the authority.

Section 5. REMOVAL OF OFFICERS

Any voting member of the Broadcast Communication Authority may be removed by two-thirds vote of the Authority subject to the approval of the Chancellor of the University of Hawaii – Manoa.

Section 6. POWERS AND DUTIES

- A. The Broadcast Communication Authority shall administer all of the affairs and functions of broadcast media and maintain and preserve all records thereof.
- B. The Broadcast Communication Authority shall operate and shall insure that all broadcast media under its jurisdiction shall operate within all applicable federal, state, and city and county policies, bylaws, and regulations which govern broadcast media.

- C. The legal title to all real and personal property of the Broadcast Communication Authority shall be vested in and subject to the control of the Board of Regents of the University of Hawaii.
- D. The Broadcast Communication Authority shall exercise such powers not herein specifically assigned, subject to the approval of the University of Hawaii.
- E. The Broadcast Communication Authority shall approve operational guidelines submitted by all organizations under its jurisdiction.
- F. The Broadcast Communication Authority shall not set or stipulate the programming or editorial policy of any broadcast media except as required by B.
- G. The Broadcast Communication Authority shall appoint the general manager for all organizations under its jurisdiction.
- H. The Broadcast Communication Authority shall have on file at least one copy of the Procedures Manual for each organization under its jurisdiction.
- I. The Broadcast Communication Authority shall approve an annual budget and forward to the UHM Chancellor for final approval.

ARTICLE IV – OFFICERS

There shall be duly elected from among the membership of the Authority Chairperson, Vice Chairperson, and Treasurer of the Broadcast Communication Authority who shall serve as executive officers, and a CAPS Advisor appointed by the Co-curricular Activities, Programs and Services as stated in Article III, Section 1. D.

- A. Chairperson: The Chairperson of the Broadcast Communication Authority shall be presiding officer and elected from the student members of the Authority. The Chairperson shall be charged with convening meetings of the Authority, preparing the agenda, making the Authority committee appointments, being spokesperson for the Authority in all matters having appeared before the Authority, and shall assume other duties as directed by the Authority and/or Robert's Rules of Order, Newly Revised.
- B. Vice-Chairperson: The Vice-Chairperson of the Broadcast Communication Authority shall act in the authority of the Chairperson in the absence of the Chairperson. The Vice-Chairperson shall be elected from the student members of the Authority. The Vice-Chairperson shall be charged with recording the minutes of all Authority meetings and distributing the minutes in a timely manner.
- C. Treasurer: The Treasurer of the Broadcast Communication Authority shall be charged with the regular review of all Authority financial records, submission of financial

statements to the Authority, and preparation of the Authority's annual budget with the assistance of the CAPS Advisor. The Treasurer shall be elected from any voting member of the Authority.

- D. CAPS Advisor: The CAPS Advisor shall be responsible for ensuring the publishing of the agenda, recording of the minutes of all Authority and committee meetings, distributing the minutes to all members in a timely manner, organizing and maintaining all records and correspondence of the Authority and shall assist the Chairperson in all matters concerning records and correspondence.

ARTICLE V – COMMITTEES

The Chairperson of the Broadcast Communication Authority may appoint committees as are necessary to review and make recommendations to the Authority on the establishment or the amendment of any Authority policy.

ARTICLE VI – FINANCES

Section 1. FEES AND OTHER REVENUE

- A. The Board of Regents shall establish a set fee paid by each enrolled part-time or full-time undergraduate or graduate student for the purpose of supporting the Broadcast Communication Authority. The fee shall be deposited in the Authority's account with the University of Hawaii, subject to the annual budgetary review by the Board of Regents
- B. Other revenues shall be all monies derived by the Broadcast Communication Authority or its agents from programs, gifts, grants, endowments, and the like.

Section 2. CONTROL OF FINANCES

The power to authorize the expenditure of Broadcast Communication Authority funds shall be vested solely in the Authority.

ARTICLE VII – AMENDMENTS

Section 1.

This charter may be amended with the approval of two-thirds of the Broadcast Communication Authority and subsequent approval by the University of Hawaii at Manoa Chancellor on behalf of the Board of Regents of the University of Hawaii.

Section 2.

Amendment proposals must be submitted to all members, in writing, at least two (2) weeks prior to voting for changes.

Approved: May 9, 2007



University of Hawai'i at Mānoa

Board of Publications

Co-curricular Activities, Programs, and Services
1755 Pope Road, Bldg. 31-D
Honolulu, Hawai'i 96822-2290

BOARD OF PUBLICATIONS' CHARTER University of Hawai'i at Mānoa

1
2

3 ARTICLE I NAME

4 This organization shall be known as the Board of Publications, University of Hawai'i at Mānoa, herein referred to as
5 "Board" or simply "BOP."

6 ARTICLE II PURPOSE

7 The Board shall establish and publish all publications supported by funds derived from student activity fees which
8 are dedicated for student publications. The Board shall provide the necessary management and fiscal oversight to its
9 publications, programs, and services. Further, the Board shall provide the University of Hawai'i at Mānoa, herein
10 referred to as "University" or simply "UHM," campus community with the best journalistic, literary, publication,
11 and production services possible, given the resources available.

12 ARTICLE III MEMBERSHIP

13 Section 1. Composition

- 14 A. The Board shall consist of fourteen (14) voting members.
- 15 B. The voting membership shall consist of the following people, who shall be appointed by the University
16 of Hawai'i, herein referred to as "UH," President or designee in accordance with procedures set forth
17 in Article VI of the BOP Bylaws:
- 18 1. Nine (9) student members.
 - 19 2. Three (3) faculty or staff members.
 - 20 3. One (1) professional member.
 - 21 4. One (1) alumnus member.
- 22 C. The Coordinator for Student Publications shall be the Co-curricular Activities, Programs, and Services,
23 herein referred to as "CAPS," designated advisor to the Board.

24 Section 2. Term of Office

25 All voting members of the Board shall be appointed for two-year terms except when replacing a member who does
26 not complete a term. No more than seven (7) of the voting members' terms shall expire routinely in any one year. A
27 year is defined as the period *June 1 to May 31*.

28 Section 3. Eligibility For Voting Members

- 29 A. Student Board members must be registered, BOP fee-paying UHM students, and shall be full-time or
30 part-time, undergraduates or graduates. No person paid for work on any publication or program under
31 BOP jurisdiction shall be a voting student Board member. Voting student Board members shall not

1 serve concurrently as an executive officer appointed, or elected, or a hired member of any other UHM
2 Chartered Student Organization.

3 B. Faculty or staff Board members must be full-time UHM employees in a faculty, Administrative,
4 Professional, and Technical (APT); or civil service position. No person paid for work on any
5 publication or program under BOP jurisdiction shall be a voting faculty or staff Board member. Voting
6 faculty or staff Board members shall not concurrently serve as executive officers, appointed, or
7 elected, or hired members of any other UHM Chartered Student Organization.

8 C. The professional Board member shall be from the field of journalism, broadcast or print, or the field of
9 publications, including electronic publications. The professional Board member may be active or
10 retired, and shall not hold concurrently a full-time UHM faculty or staff appointment. No person paid
11 for work on any publication or program under BOP jurisdiction shall be a voting professional Board
12 member. Voting professional Board members shall not concurrently serve as executive officers,
13 appointed, or elected, or hired members of any other UHM Chartered Student Organization.

14 D. The alumnus Board member must be a UHM graduate who is not currently a UHM student. No person
15 paid for work on any publication or program under BOP jurisdiction shall be a voting alumnus Board
16 member. Voting alumnus Board members shall not concurrently serve as executive officers, appointed,
17 or elected, or hired members of any other UHM Chartered Student Organization.

18 **ARTICLE IV AUTHORITY, POWERS, AND DUTIES**

19 Section 1. Authority

20 The legal title to all funds and property of the Board shall be vested in and subject to the ultimate control of the UH
21 Board of Regents in the same manner other University property is subject to University administrative procedures
22 and policies.

23 Section 2. Powers and Duties

24 A. The Board shall have full power to administer the finances relating to its publications, programs, and
25 services.

26 B. The Board shall have full power to establish, review, and revise those rates and charges which are
27 integral features of its publications, programs, and services.

28 C. The Board shall have full power to establish, review, and revise all salaries, stipends, commission
29 rates, and honoraria which are provided for its publications, programs, and services. Furthermore, it
30 shall have power to delay and/or suspend salaries, stipends commissions, or honoraria for just cause.

31 D. In matters of quality, responsibility, and journalistic ethics, the Board shall be the review and appellate
32 body for its publications, programs, and services.

33 E. The Board shall have full power to create, revise, or discontinue publications, programs and services
34 within its jurisdiction.

35 F. The Board shall appoint its program heads and shall confirm or deny all program executive staff
36 appointments.

37 G. The Board shall remove its members and appointees in accordance with the procedures set forth in
38 Article III of the Bylaws.

39 H. The Board must, before the end of each fiscal year, review its financial status and prepare its
40 operational budget for the next fiscal year.

41 I. The Board shall review and approve annual program plans prepared by appointed program heads. Such
42 plans may be based on either the academic year or the fiscal year.

- 1 J. Annually, but no later than June 30, the Board shall elect its executive officers.
- 2 K. The Board shall report administratively to the UH President or a designee via established University
3 channels.
- 4 L. The Board shall have other powers and duties as specified elsewhere in this Charter and Bylaws and in
5 any operating policies which it may establish.

6 **ARTICLE V OFFICERS**

7 There shall be three (3) executive officers: Chair, Vice Chair, and Treasurer. The executive officers shall be voting
8 student Board members and shall be elected by a majority vote of the voting Board membership.

9 **ARTICLE VI COMMITTEES**

10 Section 1. Standing Committees

11 There shall be the following standing committees:

12 A. Executive.

13 The Executive Committee shall coordinate all Board committees, programs, departments, services, and
14 activities through an organizational framework established by this Charter, Bylaws, and Operating
15 Rules of the Board. Further, the committee shall propose for Board consideration goals, policies, and
16 operating procedures designed for the Board itself.

17 B. Rules and Policies.

18 The Rules and Policies Committee shall initiate or receive, investigate, and make recommendations on
19 operation procedures of programs and make recommendations on proposed amendments to the
20 Charter, Bylaws, and Operating Rules of the Board.

21 C. Screening.

22 The Screening Committee shall establish application procedures, actively recruit, and recommend for
23 appointment one (1) candidate per vacant seat to the UH President or a designee on behalf of the UH
24 Board of Regents. The committee shall only interview candidates applying for voting student Board
25 membership.

26 D. Planning and Finance.

27 The Planning and Finance Committee shall initiate or receive, investigate, and make recommendations
28 on all issues pertaining to the appropriation of Board funds and all rate changes by programs under
29 BOP jurisdiction. The committee shall also, assist the Treasurer in preparing and submitting for Board
30 approval the next fiscal year's operating budget at least one meeting before the last meeting of the
31 current fiscal year.

32 E. Personnel.

33 The Personnel Committee shall establish application procedures, recruit, and recommend at least two
34 (2) candidates for open BOP program head positions. Further, the committee shall also evaluate the
35 performance of all BOP program heads.

36 Section 2. Other Committees

37 Additional standing and ad hoc committees may also be established.

38 Section 3. Committee Chairs

1 All standing committee chairs shall be voting student Board members.

2 **ARTICLE VII APPOINTED STAFF**

3 Section 1. Annual Appointments

4 All BOP program head and program executive staff positions shall be filled annually by the procedures set forth in
5 Article VII of the Bylaws.

6 Section 2. Other Appointments

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

8 **ARTICLE VIII FINANCES**

9 Section 1. Activity Fee

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

12 Section 2. Other Revenue

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

14 Section 3. Grants and Awards

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

17 Section 4. University Administrative Support

18 The Board may receive administrative support for all its programs, in consideration of the open distribution of *Ka*
19 *Leo O Hawai'i* and the availability of other publications and services to all segments of the UHM community, or as
20 otherwise determined in consultation with the University administration.

21 Section 5. Responsibility

22 The Board shall be responsible for annual and long-term budgeting and for the expenditure of its funds, subject to
23 annual approval by the UH President or a designee. All expenditures shall be made in accordance with established
24 University policies and procedures.

25 **ARTICLE IX ADVISORS**

26 The Board may appoint advisors and/or advisory committees to its publications, programs, and services as needed.

27 **ARTICLE X INDEMNIFICATION CLAUSE**

28 Section 1.

29 Each Board member shall be indemnified by the organization against expenses (including attorney's fees),
30 judgments, fines, and amounts paid in settlement and/or actually and reasonably incurred in connection with any
31 action, suit, or proceeding to which the person may be made a party by reason of being or having been a Board
32 member of the organization (whether or not this person continues to be acting in such capacity at the time of
33 incurring such charges) if this person acted in good faith and in a manner he or she reasonably believed to be in the
34 best interest of the organization, and, with respect to any criminal action or proceeding, had no reasonable cause to
35 believe his or her conduct was unlawful, provided, however, that this person shall have no right to indemnification,
36 if, in any criminal action or proceeding, he or she shall be finally adjudged to have been willfully and knowingly
37 criminally derelict in the performance of his or her duty as such Board member.

1 Section 2.

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

5 Section 3.

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

8 **ARTICLE XI** **VALIDITY CLAUSE**

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

12 **ARTICLE XII** **ENACTMENT**

13 Section 1.

14 This Charter shall take effect after approval by a simple majority of the Board and subsequent approval by the UH
15 President or a designee on behalf of the UH Board of Regents. This Charter shall be binding and shall take
16 precedence over all previous BOP Charters.

17 Section 2.

18 This Charter and Bylaws shall stand as a whole.

19 **ARTICLE XIII** **AMENDMENTS**

20 Section 1.

21 This Charter may be amended by a two-thirds (2/3) vote of the full voting Board membership and subsequent
22 approval by the UH President or a designee on behalf of the UH Board of Regents.

23 Section 2.

24 Amendment proposals must be submitted in writing to all voting Board members at least two (2) weeks prior to
25 Board action.

26 Section 3.

27 A public hearing on all amendments shall be held prior to final Board approval.
28

29 *Amended by the Board of Publications, UHM on 19 February 1998.*
30 *Approved by the University of Hawai'i at Mānoa on 6 July 1998.*