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**BYLAWS
STUDENT MEDIA COMMISSION
VIRGINIA COMMONWEALTH UNIVERSITY**

NAME

The official name of this body is the Student Media Commission (SMC) of Virginia Commonwealth University.

PREAMBLE

The purpose of the Student Media Commission is five-fold:

- A. To provide a fair and equitable system of allocating Virginia Commonwealth University ~~Academie-~~ ***Monroe Park*** Campus student activity fees to the student media serving the campus in accordance with the policies and practices of the University and the Committee on Student Affairs of the University Council. SMC receives 23% of student activity fees. These fees are allocated by following an established system of needs assessment.
- B. To ensure that student activity fees are being used in accordance with all State, University, and departmental policies and procedures.
- C. To protect the First Amendment privileges of the student media in producing and distributing their products. The SMC supports the maximum freedom of expression to all students involved in the student media. The SMC affirms the right of the student media to determine the content of their products.
- D. To support the student media in any manner appropriate in serving the needs of VCU students and to protect the rights of students who are required to subscribe to the student media through payment of the student activity fee.
- E. To provide the authority to review current and prospective media.

ARTICLE I. AUTHORITY

The authority and power to execute its purpose is granted to the SMC by Virginia Commonwealth University through the Committee on Student Affairs of the University Council. Specific policies and procedures of the SMC are outlined in this document, which has been approved by the Committee on Student Affairs.

ARTICLE II. FIRST AMENDMENT PROTECTION

It is recognized that one of the purposes of the SMC is to protect the First Amendment rights of the student media on the VCU campus. Therefore, the SMC recognizes and supports the concept that each of the student media serves as a forum for student expression. Moreover, as a forum, each should provide a full opportunity for students to inquire about, question, and exchange ideas, including ones about which there may be dissent or controversy.

The SMC supports and defends the right of each student media to have the ultimate and absolute right to determine the content of its product and therefore can neither support nor defend any prior reviewing of content by University personnel in an effort to enforce censorship prior to distribution.

The SMC does not support or defend the student media in the publication or distribution of:

- A. Material which is "obscene" using current legal standards;
- B. Material which is libelous, using current legal standards; or
- C. Material which will cause a "material and substantial disruption of school activities," as defined by the courts.

ARTICLE III. MEMBERSHIP

Section A. Composition

The membership of the SMC consists of:

1. One student appointed by the Vice Provost for Student Affairs *and Enrollment Services*;
2. One student appointed by the ~~Residence Hall Association~~ *Director of Residential Life and Housing*;
3. One student appointed by the ~~Academic~~ *Monroe Park* Campus Student Government Association;
4. One student appointed by the Programming Committee
5. One student appointed by the Black Caucus
6. Two student media staff members selected on a rotation basis (determined alphabetically) by media heads before October 1 of each academic year;
7. One student appointed by the Greek Council
8. Two administrators appointed by the Vice Provost for Student Affairs *and Enrollment Services*; and
9. Two faculty members appointed by the ~~Faculty Caucus of the University Council,~~ *Faculty Senate, one of whom is from the School of Mass Communications.*
10. One student appointed by the *Director of the School of Mass Communications.*

Section B. Terms of Membership

All student members of the SMC are selected to serve a one-year term, although members may be appointed for more than one term. Faculty and administrators are selected for minimum of two-year terms. Any member of the SMC unable to meet the obligations of membership is replaced for the remainder of the term according to the original appointment process. Members who cannot attend a meeting may select another SMC member to act as a proxy for any vote.

Section C. Chair

1. The SMC elects a voting chair from its student membership by a simple majority vote. The term of office is one academic year, with an election being held during the first regular meeting of the SMC by October 15.
2. In the event that the chair is unable to meet the obligations of office during an academic year, a special election is held to fill the position for the remainder of that term.
3. The chair
 - a. Acts as the presiding officer of the SMC at all its meetings;
 - b. Serves as a coordinating link among the SMC members to facilitate the scheduling of meetings; and
 - c. Coordinates with the Vice Provost for Student Affairs *and Enrollment Services* and other areas of the university.

Section D. Orientation Process

1. Newly-selected SMC members and media representatives are required to attend an orientation meeting conducted by the SMC to familiarize them with the University student media and the SMC bylaws prior to October 15.
2. In the event that an SMC member is replaced, the secretary of the SMC ensures that the new representative is appropriately oriented to the student media and to the SMC bylaws before assuming an active role on the Commission.

ARTICLE IV. MEETINGS

Section A. Frequency of meetings

Meetings of SMC are held on a regular basis. At the first meeting of each semester, the SMC will establish a meeting schedule. Additional meetings may be held at the request of any member of the SMC; or at the request of any student media. Requests for special meetings will be forwarded to the SMC secretary.

Section B. Quorum

A quorum for the transaction of business before the SMC consists of a simple majority of the ~~currently-appointed~~ SMC voting membership.

ARTICLE V. AUTHORITY OF THE STUDENT MEDIA WITH REGARD TO FUNDING

Part of the charge to the SMC is to allocate funds to the student media by:

- A. Approving annual media budgets;
- B. Overseeing the administration of these budgets; and
- C. Providing budgetary support and guidelines.

The SMC depends on the Fiscal Manager for Student Organization *Financial Services* for staff support of its funding function.

ARTICLE VI. THE FISCAL MANAGER FOR STUDENT ORGANIZATION *FINANCIAL SERVICES*

The Fiscal Manager for Student Organization *Financial Services* provides service, guidance, and supervisory functions with regard to the management of student activity fees as follows:

Section A. Service Functions

1. To assist in the preparation and dissemination of relevant financial policies and procedures to all student media.
2. To attend SMC hearings and meetings. To attend meetings of the SGA Steering Committee and SMC when budget allocations or issues are to be discussed.
3. To maintain liaison with the financial operations offices within the University.
4. To reconcile ledger accounts with University records and, when necessary, to correct errors and inaccuracies.
5. To serve as a resource person and facilitator in the procurement of services and products, either on or off campus.
6. To attend meetings of the SMC and other committees to provide financial information regarding the student activity fees when requested.
7. To submit monthly reports to the SMC.
8. To carry out additional tasks as assigned by the SMC.
9. To assist in the training and orientation of new committee members.

Section B. Guidance Functions

1. To assist in the orientation of student media officers, especially treasurers and business managers, regarding proper bookkeeping and accounting procedures.
2. To assist in the development of attitudes, an atmosphere for financial integrity and responsibility, with an emphasis on personal accountability.
3. To provide information regarding student activity fees to the Student Media Commission .

Section C. Supervisory Functions

1. To maintain a current and accurate ledger of accounts for all registered student media receiving allocations of student activity fees;
2. To provide budgetary guidance and control including freezing of organization funds as provided in Section XIII.A.
3. To authorize requests for payment when properly documented and authorized in a budget approved by the SMC, the Appropriations Committee or the SGA Steering Committee.
4. To provide an inventory and property control functions for student media that have purchased equipment with student activity fees.

Section D. Employment of the Fiscal Manager for Student Organization *Financial Services*

In the event a Fiscal Manager for Student Organization *Financial Services* is to be employed, a selection committee shall be formed comprised of at least the following individuals: The President of the Student Government Association, the Chair of the Appropriations Committee, an at-large SGA senator, the chair of the Student Media Commission, the Director of Student Activities and the Advisor to the Appropriations Committee.

ARTICLE VII. ELIGIBILITY FOR FUNDING

Section A. Groups Funded

1. The SMC funds only student organizations whose purpose is to serve a registered and approved student media organization. Student Media are defined as a ~~major~~ *general-circulation* media operated and managed by students and supported by student fee monies.
2. To qualify as a registered student media, the group or organization involved must be registered, both with the Student Activities Center and with the Student Media Commission.
3. The SMC considers budget requests and allocates monies as it deems appropriate to registered and approved student media, which serve a significant group or need from among the entire student population of the VCU *Academic Monroe Park* Campus.
 - a. To register with the Student Activities Center, the media head follows the current registration guidelines of the office.
 - b. To apply for registration with the SMC, the organization must be approved by the Student Activities Center. The media head must complete and submit current bylaws for the media. When SMC approves those bylaws, the media is considered registered with SMC.
4. ~~Student media that are connected with political groups or causes are not considered for funding. Also, student media connected with social fraternities or sororities, student media connected with groups or organizations representing non-student purposes or causes, or those deemed by the SMC to be otherwise ineligible are not considered for~~

funding. All student media may be funded as long as they maintain editorial independence and are not funded by any other student activity fee governing body.

Section B. Allowable Expenditures

1. SMC considers funding any item(s) deemed to be normal and ordinary operating expenditure(s) in the operation of a student media. Monies allocated by the SMC can, at the time of the allocation, be restricted for certain purposes, as is deemed appropriate by the Commission.
- ~~2. The SMC does not ordinarily allocate monies for promotional or fund raising activities, for individual travel by staff members, for staff salaries, for speakers or seminars, or for nonrecurring operating expenditures, as identified by the Commission, unless the clear and persuasive value for such expenditures is demonstrated and prior approval is thus obtained.~~
3. **2.** The SMC accepts equipment and/or capital outlay requests on a competitive basis from all media. Such requests, although made during the regular funding submission cycle, are considered separately. The SMC may elect to establish and maintain a reserve fund for such purposes.
4. **3.** The SMC reserves the right to refuse payment of Commission-allocated funds for any expenditures it deems to be improper, illegal, or not in the interests of the student body at VCU.
5. **4.** The SMC will fund 23% of the operating costs for administering the student activity fees.

ARTICLE VIII. REQUESTING AND RECEIVING FUNDS

Section A. SMC Responsibilities

1. The SMC schedules *open* budget meetings annually in the spring. This includes any organization applying for the first time. All eligible media as defined earlier in this document who wish to apply for student activity fee support, on an annual basis, must submit budget requests by the deadline announced.
2. SMC notifies each media of the time and place of its hearing and requires that a representative of the media making the request attend the hearing to explain and justify the budget request.
3. The SMC makes decisions *in closed session* on all media budgets and notifies the appropriate media heads of the amounts allocated to their media. *If funding is denied, a full explanation will be made available if requested.*
4. Should the SMC require a second meeting for purposes of clarification, the chair or designee notifies the appropriate media head.
- ~~5. The SMC makes funding decisions by a simple majority vote of the voting members present at the hearings.~~

Section B. Responsibilities of the Media

1. Each media requesting SMC allocation of student activity fees submits ~~ten (10) copies of~~ *electronically to the Fiscal Manager for Student Organization Financial Services* a detailed line-item budget for the medium's activities in the upcoming academic year. Every budget must include:
 - a. Specific expenditure items and the cost of each;
 - b. The amount of projected revenue from all sources to be generated by the media;
 - c. Line item expenditures for generated revenue; and
 - d. The total amount requested from the SMC.

2. All requests submitted by the announced deadline to the SMC chair or designee will be scheduled for a hearing.
3. In order for a media to receive funding, a representative from that media must be present at the SMC hearing when the budget request is to be considered to clarify the request and to respond to any questions from the SMC members and/or interested students.
4. Each media must be prepared to present information regarding its purpose and its present and planned activities.
5. If any organization plans a fundraising event which involves contractual agreements and/or expenses of more than \$500, the organization needs to have approval by the SMC.

ARTICLE IX. GENERAL INFORMATION REGARDING WHEN A MEDIA ORGANIZATION RECEIVES AN ALLOCATION

Section A. Advance Allocations

Approval of an allocation of student activity fees by the SMC during the spring budget hearings does not constitute authority to obligate funds in advance of the new fiscal year unless an advance request had been submitted to and approved by the SMC or Fiscal Manager for Student Organization *Financial Services*.

Section B. Unapproved Expenditures

1. Unless otherwise specified by the SMC at the time the allocation is approved student media may spend funds only for the purposes specifically approved in the budget request and only in the amounts specifically approved in the budget request.
2. The SMC will neither honor requests for payment for items which have not previously been approved nor honor payment for amounts which exceed the previously approved budget figures.
3. The media incurring such unauthorized debts will be responsible for the payment of these items from sources other than student activity fees.

Section C. Accounts

All student activity fees must be maintained in a University account by the Accounting Office, following accepted policies. Similarly, all revenue generated from activities financed all or in part by student activity fees must be deposited in a University account following accepted procedures.

Section D. Procedures for Changes in Budget Requests

Since most budget requests are submitted and approved in the spring semester, it is possible that plans and budget needs may change by the following academic year. If it becomes necessary to make changes in budgets following the initial approval by the SMC, the following policies apply:

1. Funds may not be transferred into an unapproved budget line.
2. Funds exceeding ~~\$300~~ *a total of \$500 per semester* may not be transferred or changed from one approved budget line to another approved budget line without specific approval of the SMC. *All line item changes must be submitted to the Fiscal Manager for Student Organization Financial Services.*
3. The SMC reserves the right to review all changes and to disapprove any through the hearing process established by the Commission.

ARTICLE X. HOW TO SPEND AN APPROVED ALLOCATION

- A. All purchases must be made with approved purchase requisitions received from the Fiscal Manager for Student Organization *Financial Services*. When invoices or packaging slips are received, they should be submitted to the Fiscal Manager for Student Organization *Financial Services* for payment. Media not following this procedure are liable for such expenditures.
- B. All payments are made by the University Accounting Office directly to vendors, and no payments are made without supporting documentation in the form of receipts, invoices, contracts, etc. No cash payments are made.
- C. Each media head and business manager must provide the Fiscal Manager for Student Organization *Financial Services* with a signature card as a means of authenticating all requests.

ARTICLE XI. FREEZING OF FUNDS

Section A. By The SMC or Fiscal Manager for Student Organization *Financial Services*

- 1. The SMC or Fiscal Manager of Student Organizations *Financial Services* may freeze, either temporarily or permanently, the funds of a media that has received an allocation, if that media violates required business management procedures of the University or if that media fails to comply with the requirements of its own or the SMC bylaws.
- 2. The account in question can be frozen temporarily to guard against further inappropriate expenditures. During this time period of not more than seven (7) school days, an audit of the account takes place to determine the balance. The account may be re-opened only after the audit.
- 3. A special hearing is then scheduled within ten (10) school days of the audit to determine the validity of alleged improprieties uncovered. (Any student, past or present, or any other member of the VCU community may request an investigation of alleged improprieties.)
- 4. The SMC acts as the hearing board, and a member appointed by the chair of the SMC acts as the investigator. (This member will not have a vote on the decision of the SMC.)
- 5. If the charges stemming from the investigation are found to be true, all information is turned over to VCU, State, and/or Federal authorities for proper criminal prosecution. If the charges are not of a severe nature, the SMC may determine proper punishment.

Section B. By the University Accounting Office

Media should be aware that the University Accounting Office may freeze funds if improper use is uncovered without the SMC's knowledge and that the Accounting Office is not bound by SMC guidelines.

ARTICLE XII. MISCELLANEOUS

Section A. Record-Keeping

Although media funded by the SMC are required to maintain their funds in a University account, each media is also responsible for maintaining its own financial records. Whenever activities are conducted that have been funded fully or partially by student activity fees, the revenue from such activities must be deposited with the Fiscal Manager for Student Organization *Financial Services* Office within 72 hours of the conclusion of the activity. A Deposit Form (available from the Fiscal Manager for Student Organization *Financial Services*) should be completed. .

Section B. End of Year Account Balances

1. All allocations funded by the SMC are for a given academic year. All unused monies from the student activity fee allocations remaining in media accounts are automatically returned to the SMC.
2. All media having deficit balances at the end of the fiscal year will have the amount of their deficit automatically deducted from new allocations for the following year and will be so notified in writing by the Fiscal Manager for Student Organization *Financial Services*.

Section C. Communication with Other Boards, Committees and Organizations

The SMC is committed to the notion of open and honest communication of deadlines, requests for information, and other related information to all other VCU boards, committees, and organizations. The SMC will make every reasonable attempt to publicize its deadlines and to maintain open channels of communication with other boards, committees, and organizations and with the campus community.

All media that receive student activity fees, either fully or partially, must state on all promotional material that such events or media are funded by student activity fees.

Section D. Inventory Reports

1. Each spring, each media must complete an inventory report of all its equipment that has been purchased fully or partially with student activity fees and that has a life expectancy of more than one year and a value of \$50 or more.
2. Media should consult with the Fiscal Manager for Student Organization *Financial Services* regarding proper procedures for disposing of property which is worn out or no longer useable.
3. Any media with no inventory will submit a blank form, stating that no inventory is held by the organization.
4. The inventory forms needed can be obtained from the Fiscal Manager for Student Organization *Financial Services*.
5. The inventory forms must be submitted with annual budget requests.

ARTICLE XIII. GUIDELINES FOR COMPLAINTS AGAINST STUDENT MEDIA

The SMC serves as a monitor for student funds, but does not wish to become involved with the daily operations of the media. The SMC feels that, whenever possible, complaints should be handled by the media in question. However, if satisfactory results are not achieved through the media, complainants have the option of appealing to the SMC.

1. Complaints can be made by students, media members, faculty, and staff to whom that media is pertinent.
2. Once a complaint is registered with the media and the complainant feels that the matter has not been resolved, the complaint ~~may be~~ *must be* submitted, in writing *and signed* by the complainant, to the chair of the SMC.
- ~~3. The SMC decides on the validity of the complaint through a hearing process.~~
- ~~3. 4.~~ Within ten (10) calendar days *of receiving the written complaint*, the SMC chair schedules a hearing ~~and appoints an investigator~~. The chair invites to the hearing the media head in question and ~~anyone else the SMC feels is necessary to obtain a correct decision~~ *all interested parties*.
- ~~4. 5.~~ The hearing is open to the public and if possible, publicized in advance. The final decision, however, ~~can will~~ be made in *executive-closed* session, by ~~a majority vote of the currently appointed SMC members present~~ *the rules of quorum in Article III. Section B.*
- 5. Any media which maintains a vote on the SMC must recuse themselves from closed session if their media is the one in question.*

6. ~~6.~~ The SMC may dismiss the complaint or ~~recommend specific~~ *specify* corrective action *in writing to affected parties.*
7. ~~7.~~ Cause for removal of a media head is defined in the bylaws of each specific medium and is not for the SMC to decide, except in cases of financial mismanagement.

ARTICLE XIV. GUIDELINES FOR RECOGNIZING NEW STUDENT MEDIA

Applications to the SMC for status as a recognized VCU student medium shall follow the guidelines specified in Appendix A. Guidelines for Establishing New Student Media

ARTICLE ~~XIV~~ XV. APPEALS

Current and prospective Student media wishing to file a ~~an~~ **written** appeal of any SMC decision must do so with the Vice Provost for Student Affairs *and Enrollment Services* within ten (10) calendar days of the SMC's decision.

ARTICLE XVI. AMENDMENTS

Amendments to these bylaws must be approved by a two-thirds majority vote of the SMC, then approved by the Vice-Provost for Student Affairs *and Enrollment Services*.

Approved by the Committee on Student Affairs of the University Council 1-22-86

AMENDMENTS

Revised and approved by SMC 12-3-97

Approved by the Committee on Student Affairs of the University Council 3-22-99

Revised by SMC 3/22/01

Approved by the Vice Provost for Student Affairs 3/30/2001

Revised by the SMC 12/3/2003

Approved by the Vice Provost for Student Affairs 12/10/2003

Revised by SMC (date)

Approved by the Vice Provost for Student Affairs and Enrollment Services (date)