Submitted By: Maurice Junious, Commissioner of Student Services

Subject: Approval of Amendment to the SRTV Charter

The A.S. Council approved the Amendment to the SRTV Charter. Document Attached.

Approved: Consensus
Against: 
Abstain: 

Council Approval;
Certified by:

_________________________  __________________________
Chair of the Council                  Date for Chair of the Council

_________________________
Presidential Approval                  Date for the President
SRTV Charter

(“SRTV”- “Student Run Television”)
Revised: October 5, 2005
   September 28, 2005
   November 10, 2003

A. Mission Statement

SRTV’s primary mission is to enrich the university experience of UCSD students with a television broadcast environment created, maintained, and perpetuated by students themselves. SRTV intends to meet this mission by providing the UCSD community with information and student programming including video, news, music, and entertainment of a diverse nature which usually cannot be obtained elsewhere in San Diego or which serves student interests.

SRTV’s major objective is to afford any interested UCSD student the following:

1. Facilities for training in television arts & science topics which are not part of a regular formal UCSD instruction program.
2. A broadcast medium for artistic and informative expression.

SRTV’s intent is to provide an artistic medium within the context of UCSD policies and FCC Rules and Regulations governing on-air conduct and operation of a closed-circuit television station.

B. Reporting Relationships

1. SRTV is student programmed and managed as a service of the Associated Students, University of California, San Diego (A.S. Council), and is entitled to communication with the AS. Commissioner of Student Services.

2. The A.S. Council provides primary financial support for SRTV and is responsible for its operation through open communication with the General Manager and all Directors.

3. SRTV is responsible for maintaining relations with the A.S. Council by providing timely updates and information to the AS Advisor.

4. SRTV is responsible for addressing concerns from the Chancellor and other UCSD administrative bodies.

5. SRTV is responsible to provide an outlet for any UCSD student to create media how they see fit in accordance with the SRTV Charter.
C. Student Management

1. SRTV Directors
   a. The Directors shall serve as the primary student decision-making body within SRTV and shall be responsible for the daily operation of SRTV and the accomplishments of SRTV’s objectives.
   b. The Directors are selected a vote of exiting Directors, considering input from Producers.
   c. The Directors shall be comprised of the following voting members:
      - General Manager
      - Operations Manager
      - Station Programmer
      - Event Programmer
      - Engineers

2. Producers
   a. Producers are UCSD undergraduate students who create content using SRTV resources.
   b. Producers have met the training requirements set by the Directors.
   c. Producers know and understand SRTV’s rules and regulations regarding content and are held responsible for their own actions.
   d. Producers must address any questions or concerns to the Station Programmer if clarification or reinforcement of regulations is needed.

3. General Manager and Operations Manager
   a. The SRTV General and Operations Managers shall be undergraduate students responsible for all student management of the station.
   b. The SRTV Cabinet selects the General and Operations Managers on an annual basis.
   c. The General and Operations Manager’s responsibilities include:
      - Overseeing SRTV student management
      - Overseeing SRTV operations and facilities
      - Preparing SRTV’s annual budget
      - Insuring compliance with FCC Rules & Regulations regarding closed-circuit broadcast.
      - Developing advancement strategies for SRTV
      - Addressing concerns and requests from Directors, Producers, Administration, and the student body.
      - Meeting with SRTV advisor on a regular basis to retain open communication between the A.S. Council and SRTV.

D. External Relations

1. Non-Compliance
   a. If SRTV Directors are unable to resolve conflicts that result in non-compliance with the SRTV Charter or SRTV Bylaws, the A.S. Council is entitled to schedule a meeting with SRTV Directors and Producers.
   b. In the event that a resolution cannot be made, the A.S. Council is entitled to vote to resolve the non-compliance.

2. Resources
   a. Meetings to address concerns or invite collaboration with SRTV may be scheduled by SRTV or any of the following entities:
      - All UCSD College Stations
      - A.S. Council
      - Media Center
A. Copyrighted Material

1. SRTV does not allow the rebroadcast of unauthorized copyrighted material.

B. Obscene Broadcast Restrictions

1. It’s Against the Law
   It is a violation of federal law to broadcast obscene programming at any time. It is also a violation of federal law to broadcast indecent programming during certain hours. Congress has given the Federal Communications Commission (FCC) the responsibility for administratively enforcing the law that governs these types of broadcasts. The Commission may revoke a station license, impose a monetary forfeiture, or issue a warning, for the broadcast of obscene or indecent material.

2. Obscene Broadcasts Are Prohibited at All Times
   Obscene speech is not protected by the First Amendment and cannot be broadcast at any time. To be obscene, material must meet all three prongs of the Miller test
   ▪ An average person, applying contemporary community standards, must find that the material, as a whole, appeals to the prurient interest;
   ▪ The material must depict or describe, in a patently offensive way, sexual conduct specifically defined by applicable law; and
   ▪ The material, taken as a whole, must lack serious literary, artistic, political or scientific value.

C. Indecent Broadcast Restrictions

1. The FCC has defined broadcast indecency as “language or material that, in context depicts or describes, in terms patently offensive as measured by contemporary community broadcast standards for the broadcast medium, sexual or excretory organs or activities.” Indecent programming contains patently offensive sexual or excretory references that do not rise to the level of obscenity. As such, the courts have held that indecent material is protected by the First Amendment and cannot be banned entirely. It may, however, be restricted in order to avoid its broadcast during times of the day when there is a reasonable risk that children may be in the audience.

2. Consistent with a federal statute and federal court decisions interpreting the indecency statute, the Commission adopted a rule pursuant to which broadcast—both on television and radio—that fit within the indecency definition and that are aired between 6:00 A.M and 10:00 P.M. are subject to indecency enforcement action.

3. Graphic depictions of sexual activity involving nudity are not permitted at any time.
D. Mechanisms Available to Block Programming or Channels

1. Generally, cable television operators have the right to determine the channels that are available on their cable systems. To maximize the number of subscribers, the cable operator selects channels that are likely to appeal to a broad spectrum of viewers. Because of this, a cable subscriber may receive programs as part of a programming package that he or she does not wish to view.

2. The cable operator, in general, is not responsible for the programming that is shown on a particular channel and does not have the right to prevent the transmission of programming that may contain objectionable content. However, individual subscribers have various tools available that may be used to prevent the viewing of programs or channels. For example, the subscriber may employ a lockbox and/or the V-chip.

- **Lockbox**
  A "lockbox" is a device that a subscriber may lease or purchase from the cable company or from a retail store. By using a lockbox, a cable subscriber can literally lock specific channels so that the programming cannot be viewed.

- **V-chip**
  Federal law now requires that most programming available on television is rated to alert viewers if the program contains violence, inappropriate language, or other material that a viewer may find offensive. A V-chip is the circuitry in a television that is capable of identifying these ratings and blocking the programming that an individual finds inappropriate. All 13-inch or larger screen televisions that are manufactured or imported for use in the United States are required by law to be equipped with the V-chip. Television manufacturers were required to include the V-chip on at least 50% of their products after July 1, 1999 and on the remaining 50% by January 1, 2000. If you have an older model television, you may purchase a V-chip and attach it to the television. Depending on its technical specifications, the V-chip may be used to block individual programs or it may be used to block on or more channels entirely.