

# **Constitution of WVUD**

## **ARTICLE I**

The name of this organization shall be WVUD.

## **ARTICLE II**

### **A. Purpose**

The primary purpose of WVUD is to operate the non-commercial educational FM broadcast station licensed to the Board of Trustees of the University of Delaware. WVUD shall provide a broadcast service in the form of information and entertainment programming. All WVUD programming shall meet the public interest, convenience, and necessity of the University of Delaware and its surrounding communities.

A second purpose of WVUD is to provide an accessible learning environment in which interested individuals may participate, in order to gain knowledge and experience in various aspects of radio broadcasting.

### **B. Responsibility**

WVUD shall be responsible to:

1. The Board of Trustees of the University of Delaware and their agents for the operations of the radio station licensed to the board;
2. The Federal Communications Commission (FCC) for compliance with all Federal laws, rules, regulations, and policies pursuant to the operation of a Class A non-commercial educational FM broadcast station.

## **ARTICLE III**

### **MEMBERSHIP**

#### **A. General Membership**

The General Membership shall include full-time, matriculated, undergraduate students who participate in the duties and responsibilities of operating the station in accordance with the rules and regulations of the FCC and all applicable policies of the University of Delaware and WVUD.

##### **1. Purpose**

- a. The General Membership is the policymaking body of WVUD. The General Membership shall establish policies to ensure that the purpose and responsibilities of WVUD as stated in Article II are implemented.
- b. The General Membership shall delegate to the Operations Board the authority to make decisions in order to implement policy.

##### **2. Qualifications**

Any full-time, matriculated, undergraduate student having successfully completed and passed the membership test may be considered a General Member. Henceforth, these persons shall be designated as "Members."

##### **3. Term of Membership**

Students shall be Members so long as they meet the qualifications outline in Section 2. Members in violation of this Constitution, the By-laws, or other station policies shall be notified by the Operations Board in writing and further action may be taken.

#### **B. Associate Membership**

The Associate Membership shall include part-time or graduate students who participate in the duties and responsibilities of operating the station in accordance with the rules and regulations of the FCC and all applicable policies of the University of Delaware and WVUD.

##### **1. Purpose**

- a. The Associate Membership shall perform duties operating WVUD as determined by the General Membership.

##### **2. Qualifications**

Any part-time or graduate student having successfully completed and passed

the membership test may be considered an Associate Member. Henceforth, these persons shall be designated as “Associate Members.”

### **3. Term of Membership**

Students shall be Associate Members so long as they meet the qualifications outline in Section 2. Associate Members in violation of this Constitution, the by-laws, or other station policies shall be notified by the Operations Board in writing and further action may be taken.

### **C. Responsibilities**

1. Members and Associate Members are to perform all duties in a manner that demonstrates to other Members and the listening and general communities an accurate and positive image of WVUD.
2. Members and Associate Members agree to adhere to all policies and procedures of the University and all local, state, and federal laws. Members and Associate Members will become acquainted with policies and procedures in the Official student handbook and other policies and procedures provided by the University. WVUD is a viable, functioning organization, composed of at least six full time undergraduate students and we do not discriminate on the basis of race, creed, color, gender, age, religion, national origin, veteran, handicap status, or sexual orientation
3. Members and Associate Members are required to keep current with policies of WVUD, the University of Delaware, the Federal Communications Commission, and other relevant agencies. While the Operations Board will provide access to appropriate documents, it is still the responsibility of individual members to regularly review such documents and obtain any required identification, permits, or licenses.
4. Active participation in WVUD requires adherence to the WVUD Constitution, the by-laws, and other station policies.
5. An individual's decision to participate in the activities of WVUD entails the acceptance of the following obligations:
  - a. Respecting the physical plant and equipment of WVUD.
  - b. Actively engaging in the off-air activities of the station.
  - c. Attending all Membership meetings.
  - d. Compliance with the decisions made by the General Membership and the Operations Board.

### **D. Rights**

1. Only General Members that abide by all responsibilities of membership shall be eligible to vote. However, voting rights will be forfeited after two unexcused absences from Membership meetings per academic year.
2. Members and Associate Members have the right to relevant and appropriate artistic and intellectual expression in all station activities.
3. Members and Associate Members have the right to participate in General Membership meetings. No eligible full-time undergraduate General Member may be denied the right to vote on matters presented by the Operations Board, and all votes shall count equally.
4. Members and Associate Members are entitled to receive training to perform on-air duties, including a clear statement of the requirements they must fulfill to be approved for such duties. All eligible Members and Associate Members are not guaranteed on-air duties. However, eligible General Members shall be given top priority for all on-air opportunities.
5. Members and Associate Members are entitled to privacy in their communications with the Operations Board. Communications with the Board, or any of its individual members, may not be released to anyone not on the Operations Board without expressed consent of the party or parties involved. A Member or Associate Member will receive notice when a third party requests information from the Operations Board on him or her.

#### **ARTICLE IV**

##### **MEETINGS**

1. The General and Associate Memberships shall meet at least twice per month during fall and spring semesters in order to ensure proper operations of WVUD. These meetings are mandatory for the entire General Membership.
2. Meetings of the General and Associate Memberships shall be scheduled by the General Manager who shall plan, write an agenda for, and chair all meetings.
3. A third of the eligible voting General Membership shall constitute a quorum at all Membership meetings. Special meetings of the Membership may be called by the General Manager upon receipt of a petition containing more than 50% of those members eligible to vote.
4. Any General Member who has two or more unexcused absences from Membership meetings in a given year will forfeit his/her right to vote for the remainder of the year and will serve a one-week suspension from WVUD activities (including air-time) for each absence after the first.

## ARTICLE V

### **OPERATIONS BOARD**

#### **A. Purpose**

The WVUD Operations Board shall supervise the daily station operation under the direction of the Station Manager, in accordance with Article II.

#### **B. Responsibility**

1. The Operations Board shall establish operating procedures and implement station policies. The Operations Board shall have full authority to make decisions for WVUD between General Membership meetings. The Operations Board will keep the General Membership informed of its current actions and decisions.
2. Members of the Operations Board may establish procedures within their defined jurisdictions. Any action or decision of any Operations Board member is subject to review by the entire Operations Board.

#### **C. Membership**

The membership of the Operations Board shall be open to any General Member as described in Article II, who has had at least one semester of experience working at WVUD. Additional qualifications may be specified in the by-laws.

1. General Manager
  - a. The General Manager shall be responsible for the efficient day-to-day operations of WVUD. The General Manager shall act to ensure that effective interdepartmental and intradepartmental activities and communications are maintained. The General Manager, along with the Station Manager, shall be liaison between WVUD and the University administration, Board of Trustees and faculty.
  - b. The General Manager shall be responsible for implementing the Constitution, By-laws, disciplinary policies, and other station policies.
  - c. The General Manager shall serve as a liaison and representative of WVUD to the University and surrounding communities.
  - d. The General Manager shall plan and chair all meetings of the Operations Board and the General Membership and shall provide a written agenda when necessary.

- e. The General Manager shall conduct ascertainment studies, in consultation with the Station Manager, and in compliance with FCC procedure.
- f. The General Manager shall conduct other short and long-term projects as directed by the Station Manager or Operations Board. As such, the General Manager may appoint standing and special committees.
- g. The General Manager shall oversee the maintenance of the membership list and contact information. In addition, the General Manager shall maintain a list of those members who are and who are not eligible to vote.
- h. The General Manager shall be responsible for maintaining WVUD's position in good standing with Student Centers. This includes completing all required paperwork for continuation of the organization.

## 2. Program Director

- a. The Program Director shall be responsible for all aspects of programming at WVUD.
- b. The Program Director shall prepare a schedule outline for all programming. This shall be done in direct consultation with other members of the Operations Board and on-air staff.
- c. The Program Director shall be responsible for monitoring, evaluating, and approving all on-air staff.
- d. The Program Director shall be responsible for scheduling eligible on-air staff to fill all air shifts. The Program Director has full authority to make changes to the day-to-day programming of WVUD. In addition, the Program Director has full authority to schedule preemptions and substitutions.
- e. The Program Director, in consultation with the General Manager and Station Manager, shall suspend on-air participation of any on-air staff that willfully violates University of Delaware, FCC, or WVUD regulations. **This includes violation of any or all membership responsibilities.**
- f. The Program Director shall consult with the Chief Engineer on matters relating to maintaining the technical competence of the on-air staff, and the technical quality of their work.

- g. The Program Director shall coordinate, with appropriate departments, the on-air promotion of WVUD programs and activities.
- h. The Program Director shall be responsible for coordinating all news and sports broadcasts in conjunction with the News and Sports Directors, respectively.
- i. In the case that the General Manager is unable or unwilling to fulfill his/her duties, the Program Director shall assume the title and role of General Manager.

### 3. Business Manager

- a. The Business Manager shall be responsible for monitoring the flow of incoming and outgoing money by keeping up-to-date balances on all accounts of WVUD.
- b. The Business Manager shall assist the Station Manager in the preparation and administration of the WVUD budget, in direct consultation with the Operations Board.
- c. The Business Manager, in direct consultation with the Development Director, shall be responsible for developing and maintaining an accounting system for WVUD's fundraising efforts (this system should provide the necessary records of donors, amounts, and other critical data).
- d. The Business Manager shall make requests for additional funding from the Allocations Board at the discretion of the Operations Board.
- e. The Business Manager, in consultation with the Station Manager, shall be responsible for planning, supervising, and implementing efforts to solicit financial support for WVUD from listeners and underwriters, within current FCC and University guidelines.
- f. The Business Manager shall set funding goals, and develop and implement a plan for realizing these goals. This shall be done in direct consultation with the Station Manager, Operations Board, and General Membership.
- g. The Business Manager shall supervise all aspects of WVUD's fundraising efforts, including Radiothon, concerts, and other on-air or off-air activities. The Business Manager may appoint a standing committee to oversee Radiothon.
- h. The Business Manager, working with the Public Relations Director, shall be responsible for providing financial support for the program

guide through advertising.

- i. The Business Manager, shall be responsible for maintaining accurate records of all fundraising activities and contributions.

4. Music Director

- a. The Music Director shall be responsible for day-to-day and long-term administration, acquisition, and maintenance of all music materials. This includes any and all genres of music.
- b. The Music Director shall coordinate music purchases, direct all communication with music companies, related agencies and artists. Any music acquired through affiliation with WVUD shall remain the property of WVUD.
- c. The Music Director shall monitor, through music logs and other appropriate means, the music played on WVUD, and work with the Program Director and music programmers to enhance program content.
- d. The Music Director shall be responsible for ensuring maintenance of the music library, archives, and music logs.

5. Public Relations Director

- a. The Public Relations Director shall be responsible for supervising all ticket, and other promotional, giveaways on WVUD. All promotional giveaways must be coordinated with the Promotions Director. That includes all on- or off-air giveaways. This is to ensure compliance with FCC, University of Delaware, and WVUD policies.
- b. The Public Relations Director shall coordinate remote broadcasts and concerts for WVUD. This shall be done in conjunction with the Operations Board.
- c. The Public Relations Director shall be responsible for maintaining an adequate supply of WVUD promotional material for giveaways at concerts, remote broadcasts, and other special events.
- d. The Public Relations Director shall be responsible for supervising all aspects of WVUD's public relations.
- e. The Public Relations Director shall be responsible for directing all media relations for WVUD. This includes developing and implementing a plan for external publicity, through other student and local media.

- f. The Public Relations Director shall create a new program guide for WVUD at the beginning of the fall and spring semesters.

6. Production Director

- a. The Production Director is in charge of the timely production of any 'mission critical' piece of production (promos, written PSAs, etc) as directed by the Operations Board. Additionally, the Production Director will ensure that canned programming (such as Star Date or Earth and Sky), and prerecorded PSAs (such as Sea Talk) are input into the IMedia Touch System. The Production Director will also serve as a resource for the general staff and shall attempt to help members produce their own pieces of production when requested. The Production Director shall work in consort with the Technical Department and the Chief Engineer in helping to train staff on the various pieces of production software at WVUD.

7. Sports Director

- a. The Sports Director, in consultation with the Program Director, shall be responsible for scheduling and executing all sports broadcasts for WVUD and WVUD-2.
- b. The Sports Director shall notify on-air staff whose shows are pre-empted by sports broadcasts at least one week in advance.
- c. The Sports Director shall be responsible for recruiting and maintaining a staff of announcers and studio producers.

8. Orientation Director

- a. The Orientation Director shall be responsible for overseeing the process of new members joining the station and can have a team or staff to help disperse new-student-workload
- b. The Orientation Director shall be responsible for gathering emails of interested students and new students, then inputting email addresses of those who pass the training quiz to the WVUD student google group (or WVUD staff google group as appropriate)
- c. The Orientation Director shall be responsible for providing new students with access to training PowerPoint video

- d. The Orientation Director shall be responsible for delegation of training and training of students along with the Chief Engineer and any other station members using the Training Checklist or on the Training Team
- e. The Orientation Director shall be responsible for scheduling new, trained students on the Basement with the Program Director's supervision
- f. The Orientation Director shall be adequately informed and trained on the process of becoming a DJ or a station member so that the Orientation Director can aid interested people become members, answer questions and explain the necessary steps, and be the 'go-to' person for new station members
- g. The Orientation Director shall be involved with the events at the beginning of semesters including, but not limited to, Fall and Springs Activities Night and WVUD interest meetings

9. News Director

- a. The News Director shall be responsible for all aspects of news reporting at WVUD.
- b. The News Director shall prepare a schedule outline for all news programming. This shall be done in consultation with the Program Director.
- c. The News Director shall be responsible for monitoring, evaluating, and approving all on-air news staff. The News Director shall be responsible for scheduling eligible on-air news staff to fill all news air shifts.
- d. The News Director shall be responsible for a weekly public affairs news show. This show should relay to the listeners of WVUD relevant news issues.
- e. The News Director shall consult with the Chief Engineer on matters relating to maintaining the technical competence of the on-air staff, and the technical quality of their work.
- f. The News Director shall have the right to interrupt regularly scheduled programming to report on late breaking news events.

- g. The News Director shall be responsible for coordinating and maintaining communications and relationships with outside and appropriate agencies as they relate to information programming.
- h. The News Director shall develop a library of printed and recorded resource material.
- i. The News Director shall coordinate, with appropriate departments, the production of public service announcements.

#### **D. Meetings**

1. The Operations Board shall meet at least weekly in order to ensure the efficient operation and management of WVUD.
2. Seven members of the current Operations Board shall constitute a quorum at all Operations Board meetings. Every member of the Operations Board shall be a voting member, except the General Manager. The General Manager shall vote only in the case of a tie.
3. In the case that a department chair cannot attend a meeting of the Operations Board, one assistant may be designated to vote as a representative of the department. Assistants must be undergraduate Members of WVUD.
4. Meetings of the Operations Board are open only to members of the Operations Board and those individuals whose presence has been requested by the Operations Board.
5. Special meetings of the Operations Board may be called with 24 hours notice by the General Manager or upon receiving a request to do so by any four members of the Operations Board.

## ARTICLE VIII

### **DISBURSAL OF ORGANIZATIONAL ASSETS**

The University of Delaware shall inherit the assets of WVUD should the group become defunct.

## ARTICLE IX

### **ELECTION AND REPLACEMENT OF OFFICERS**

1. The General Membership shall elect annually a General Manager, Program Director, Music Director, Business Manager, and Public Relations Director. The remaining members of the Operations Board shall be appointed by the General Manager, Program Director, Music Director, Business Manager, and Public Relations Director.
2. The annual elections shall be conducted at a meeting of the General Membership to be held no later than the last week of April.
3. Applications for all positions on the Operations Board will be made available two weeks prior to the application deadline.
4. Candidates are allowed to apply for multiple Operations Board positions by filling out the 1st question of the application for each desired position and ranking their preferred position choice. Candidates are only allowed to hold ONE office.

At the election, if a candidate is running for multiple positions, the name of the candidate will be listed on the ballot under each desired position. During the candidate's speech, the candidate will make it clear to voters which position he/she prefers. If the candidate is the sole person running for his/her less preferred position, the candidate should stress that voters should not vote for the candidate in that secondly desired position just because he/she is the only candidate. This responsibility is up to the candidate.

After the speeches, voters will rank their top choices for each position. This can be done on one single ballot that will be collected/handed in at one time. Winners will not be announced at the meeting. All candidates are to be notified of the results by the outgoing General Manager or Election Committee members prior to any announcements to the rest of the WVUD staff.

Every winning candidate has the choice to accept or decline being selected for a position, which would be particularly useful if one candidate won multiple positions.

5. The incumbent Operations Board shall hold a meeting for the purpose of reviewing the applications and nominating eligible candidates for General Manager, Program Director, Music Director, Business Manager, and Public Relations Director at least one week prior to the General Staff election meeting. Applications shall be returned to the Station Manager.

- The deadline for applications shall be the time the Operations Board nominations meeting is called to order. Only those individuals who have filed applications are eligible for office and may appear on the election ballot. The Operations Board shall review all applications for each office and shall determine which applicants meet the qualifications stipulated in Article VII, Part C of the Constitution. The Operations Board shall establish a list of qualified candidates and must conspicuously post this list and the applications immediately after the meeting.
6. Each elected office shall be voted on individually in separate closed ballots. Each ballot will list the nominees in alphabetical order with a box by each name to be checked. "None of the above" shall be listed as a choice on each ballot. Upon written request absentee ballots will be available to the General Membership and must be returned to the Station Manager prior to the election meeting. Only one box may be checked per ballot. Any ballot that has more than one box checked shall be considered invalid and shall not affect the vote. In addition, a ballot that has been returned blank shall be considered an abstention and shall not affect the vote.
  7. The Station Manager shall appoint volunteers from the General Membership to present, distribute, collect and count ballots.
  8. A majority of the votes cast, not including abstentions, shall determine the election. Should this simple majority not be reached, further balloting will be held between the choices receiving the first and second highest number of votes. Upon election to office, that individual's name will be removed from consideration for other positions.
  9. If one of the elected positions on the Operations Board becomes vacant, application and nomination procedures shall be instituted and an election held at the next General Staff meeting, unless there is not sufficient time for a two week review and application period.
  10. Immediately upon completion of the election, the General Manager, Program Director, Music Director, Business Manager, and Public Relations Director shall review the applications for the remaining Operations Board positions. Appointment to the Operations Board shall be made by a majority vote of the General Manager, Program Director, Music Director, Business Manager, and Public Relations Director. A list of appointees will be posted and the new Board will be presented to the General Membership at its next meeting. The General Manager shall convene the Operations Board within one week of their appointment.
  11. When there is a vacancy on the Operations Board, the members of the Board shall appoint an acting department head until such time that a new election is held, or a qualified candidate applies and a new appointment is made.
  12. Members of the Operations Board who were appointed, may be removed from office by a two-thirds vote of the other members of the Board, after due cause is demonstrated. Elected Board members may be removed from office by a two-thirds vote of the General Membership, after due cause is demonstrated.

13. In the event of a tie during an election for positions on the Operations Board:

If there are more than the tied candidates running for the one position, the candidates that are **not in the tie will be removed from the voting**. Then, a **re-vote** will happen to try to break the tie.

If there are only the tied candidates running, the **current members of the Operations Board who are seniors will not cast votes** (seniors means anyone who is graduating at the end of this Spring semester). With these members out of voting, a **re-vote** will happen to try to break the tie.

If the tie is not broken and if one of the tied candidates is **closer to graduation** than the other(s), this candidate will be declared the winner on the premise that the others will have future years with WVUD to run for that position again.

If the tie is not broken by difference in graduation years, then a **coin toss** will determine the winner.

## **ARTICLE X**

### **RATIFICATION AND AMENDMENTS TO THE CONSTITUTION AND BYLAWS**

1. The Operations Board shall review the Constitution of WVUD annually at its first meeting in the fall. The Constitution can be approved by a two-thirds majority of the Operations Board, provided no amendments have been proposed.
2. The Constitution of WVUD can be amended by a two-thirds majority of the voting General Membership where two thirds of the eligible voting members are present. The amendment must be submitted in writing at the previous meeting and read aloud to the General Members in attendance. General Members unable to attend the amending meeting with valid excuse who still retain their voting privileges shall vote by absentee ballot before the meeting.
3. The By-laws of WVUD shall be approved/amended by the same process as the Constitution.

*The WVUD Constitution was ratified by a vote of the General Membership on 4/26/2011*