

CONSTITUTION FOR THE TECH EDUCATIONAL RADIO COUNCIL

ARTICLE I

NAME

We, the students of the South Dakota School of Mines and Technology, in order to further our liberal education and broaden the intellectual interests on the South Dakota School of Mines and Technology's campus and in the city of Rapid City, do establish the intent of Tech Educational Radio Council (hereinafter TERC). It is the intent of TERC that the license for such a station be held by SDSM&T as an institution and not by any one body or group within the institution.

ARTICLE II

PURPOSE

The purpose of TERC is to supplement the formal curriculum and further the general knowledge in the Rapid City area by means of a medium which is capable of reaching all of the city. By doing this, the school's educational resources and the experience of the faculty and students will be more widely disseminated. By making available to the students and the community at large programming of an educational and cultural nature, TERC will be the governing board operating a broadcast station in the public interest.

ARTICLE III

GOVERNING BODY

Section 1. Organization

- a) The TERC shall be composed of eight members
- b) Three of the board members shall be full-time faculty/staff members at SDSM&T appointed by the President of the institution. One of these three shall be Chief Fiscal Officer at SDSM&T. Another of these shall be the Faculty Adviser to KTEQ who is simultaneously appointed to the Publication Committee.

Constitution of the Tech Educational Radio Council

Page 2

- c) Four members shall be full-time SDSM&T students appointed by the Student Association President with approval of the Student Senate.
- d) One member of the TERC shall be a community member appointed by the President of SDSM&T. The seven appointed members of TERC shall nominate a slate of three to five names to the President of SDSM&T. The president will choose a community member from this slate but reserves the right to reject all names.
- e) One of the members of TERC shall be elected as President by a majority vote of the TERC. This term will be for one year, renewable for no more than three consecutive terms. The same procedure shall be followed for the election of Vice President and Secretary.
- f) TERC shall abide by Roberts of Order at all meetings.
- g) The manger of KTEQ shall be selected by TERC and approved by student senate. The manager will serve on a yearly basis. Assistant managers shall also be selected as needed by TERC. The manager must have served as assistant manager for at least one semester. Exception to the above must be approved by TERC.
- h) This organization does not discriminate in membership selection, officer election or other appointment, or practices of organizational activities on the basis of race, color, national origin, military status, gender, religion, age, sexual orientation political preference or disability.
- i) Membership of TERC shall not be restricted due to race, sex, religion, color, national or ethnic origin, age, disability, military service or sexual orientation, in compliance with Federal law, including the provisions of Title IX of the Education Amendments of 1972, Section 503 and 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990.

Section 2. Terms of Office

- a) All student members of TERC shall serve a two (2) year term. With the exception of the original TERC committee, all terms shall begin with the fall semester.
- b) Subsequent to the adoption of this Constitution, TERC shall consist of two students appointed for on year, two for two years. Thereafter, all terms shall be for two years in staggered fashion.
- c) The President of the TERC shall start his/her term immediately after election by the TERC.

- d) All members of TERC shall begin their terms immediately following their appointment.
- e) Non-student members shall be appointed yearly.

Section 3. Removal or Reprimand of TERC members

- a) Any student TERC member placed on probation by the college shall be removed automatically from the TERC and his/her replacement shall be appointed by the Student Association President with confirmation by the Student Senate for the remainder of the unexpired term. It shall be the responsibility of the faculty adviser to KTEQ to inform the members of TERC if a member is on probation.
- b) Any student member of TERC can be considered for removal or reprimand by a two-thirds (2/3) vote of TERC. Student members may be reprimanded or recommended for removal by three-fourths (3/4) of the TERC. Recommendation for removal must be made to the Student Senate for their approval.
- c) Any non-student member of the TERC can be considered for removal or reprimand by two-thirds (2/3) vote of TERC. Non-student members may be reprimanded or recommended for removal by three-quarters (3/4) of TERC and recommendation for removal must be made to the SDSM&T President for his approval.

Section 4. Executive Committee

The Executive Committee of TERC shall consist of the President, Vice President and Secretary.

Section 5. Vacancies

- a) Vacancies shall be filled in the same manner that regular openings are filled.
- b) In the event that the President of TERC is unable to carry out his/her responsibilities, the Vice President will assume those duties until such time as a new President can be elected in accordance with section 1, part f.

Section 6. Meetings

- a) The meetings of TERC shall be called by the President and shall not be fewer than once per month during the regular academic semester. The Secretary shall file the minutes of these meetings with the Student Association President and the

Dean of Students. In addition, the minutes shall be posted in a prominent location at KTEQ studio. Meetings may be called during the summer by the TERC President as needed.

- b) At the beginning of the each semester, TERC shall set specific meeting times and publish notice thereof. Special meetings may be called by the President after appropriately notifying the committee members.

Section 7. Quorum

- a) A quorum shall consist of five or more members.

ARTICLE IV

MANAGEMENT OF FUNDS

Section 1. Expenditures

- a) An operating budget must be approved by TERC. This includes all monies generated by KTEQ, the SDSM&T Foundation, the Student Association or any other body or group. All expenditures should be in accordance with the laws of the state of South Dakota and rules of the Student Association of the South Dakota School of Mines and Technology. All expenditures shall be approved by the Chief Fiscal Officer of the South Dakota School of Mines and Technology. In the event that the TERC becomes inactivated, the assets possessed by it shall become part of treasury of the Student Association.

ARTICLE V

RESPONSIBILTIES

Section 1. Basic Responsibilities

- a) TERC shall be responsible for formulation of the programming and broadcasting policies of KTEQ. Programming should include a variety of musical styles, news, campus events, community service, radio drama, editorials and other appropriate programming. Diversity of programming not available on commercial radio stations in the Rapid City area should be emphasized.
- b) TERC shall serve as a representative body of South Dakota School of Mines and Technology and shall be responsible to the President of South Dakota School of Mines and Technology and the Student Senate.
- c) TERC will obey of the Constitution, rules and regulations of the Federal Communications Commission, the laws of the state of South Dakota and the policies set forth by the South Dakota Board of Regents and the President of the South Dakota School of Mines and Technology and the Student Senate
- d) The station manager shall be bound by any and all decisions made and approved by TERC.
- e) Station operation may be suspended or terminated and reestablished by approval of TERC. These actions shall be carried out by the station manager or an authorized representative of TERC.
- f) This organization, including all members, officers and advisors, agrees to abide by all SDSDM&T policies and procedures of an academic, non-academic, legal or financial nature.
- g) This organization does not participate in or encourage unlawful activity.
- h) This organization, including all members, does not allow hazing in any form. Hazing is defined as an act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with or as a condition for continued membership in, a group or organization.

ARTICLE VI

AMENDMENTS

Section 1. Constitutional Amendments

- a) Amendments may be proposed to the TERC by members of the council or by petitions in writing, signed by at least 5% of the members of the student body at SDSM&T.
- b) This constitution may be amended at any time after a majority vote of TERC submits such amendment(s) to the Student Senate and the institutional President for their approval.
- c) An amendment shall be declared adopted upon receiving a two-thirds (2/3) vote of the Student Senate.