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THE KENTUCKY PRESS

APRIL 1995
Volume 66--No. 4
The official publication of
the Kentucky Press Service

Appeals Court battle lost

■ Court rules 2-1 that Governor's daily schedule is not an open record

It was a long, hard-fought battle, and one in which the Kentucky Press Association, The Courier-Journal, the Lexington Herald-Leader, The Kentucky Post and The Associated Press and every other newspaper in the state ended up on the wrong side of the decision.

The Kentucky Court of Appeals ruled in late March that the daily schedule prepared by staff members for Gov. Brereton Jones is not an open record. The court heard oral arguments in the case just a few weeks before rendering its decision.

"As is customary in the open

records act appeals, we are never informed just what the media seeks and for what purpose. This leads to the conclusion that all these efforts are a fishing expedition upon which to base some speculative publication," Chief Judge Charles B. Lester wrote in his Continued on Page 16

Ideas for fun, profit

Advertising staff people have a lot to look forward to at the Kentucky Press Association's Spring Advertising Seminar.

Peter W. Wagner, one of the most popular speakers on the newspaper convention circuit, will tell seminar attendees the future is in print--and why.

In addition, there will be a session, "100 Ideas For Fun and Profit."

Friday afternoon features a luncheon at which the winners of the KPA Advertising Contest will be announced.

Rates fall

Rates for KPA's Blue Cross/Blue Shield Option 2000 insurance will fall 6 percent effective May 1.

The rates will fall from \$119 for single coverage with a \$100 deductible to \$111.55. For a family plan, the rates will fall from \$309.40 to \$291.16.

For more information, call Bonnie Howard or David T. Thompson at (800) 264-5721.

Here's Lookin' at You, Kid....



Making news in northern Kentucky this winter was a big Bald Eagle, seen here in a Gallatin County News photograph taken and submitted by Kelley Warnick. The eagle arrived in late January and stayed in the area about a week. Wouldn't you like to be in the spotlight, too? Send your best feature shots to The Kentucky Press!

Pulling Papers

When advertisers get mad, some resort to drastic measures

When the Appalachian News-Express in Pikeville covered some controversial meetings involving allegations of gas price fixing, one of the paper's biggest advertisers did more than pull its ads.

Happy Mart decided to pull issues of the newspaper from its shelves--and it's not the first time the convenient store chain has done so.

"They pay us for what they pull," Marty Backus, publisher of the newspaper, said. "They just put them behind the counters. Of course, they have every right to sell what they want, but it's got a lot of people upset."

The convenient store chain is operated by Coleman Oil Co., which has been accused by a Pikeville citizens group of gas price fixing. Residents in and around Pikeville now pay \$1.49 for a gallon of regular-grade gasoline, Backus said.

"When the group stood up (in public meetings) and blasted the high price of gasoline, Happy Marts pulled our papers," Backus said.

"They're an important advertiser with us, but we've editorialized that advertisers are not going to dictate how our news policy works," Backus said.

He added the situation would be different if papers were being pulled from a Continued on Page 16

Design Dos & Don'ts

.....See Page 4

Members enjoy benefits of CommonNet

.....See Pages 8-9

Jessamine Journal tries reader advisory group

.....See Page 10

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What's Up?

APRIL

- 7-9 National Freedom of Information Coalition Conference, Loews Anatole, Dallas
- 9 PALM SUNDAY
- 16 EASTER
- 24-26 Newspaper Association of America Convention, Hilton Hotel, New Orleans

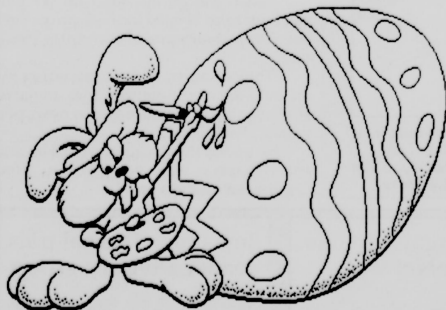
AD IDEAS, APRIL

EASTER! This is one of the hottest seasons for retailers, especially those who deal in arts and crafts, or stuffed bunnies or candy and flowers. Why not plan a sig page for Easter? Your merchants will love it!

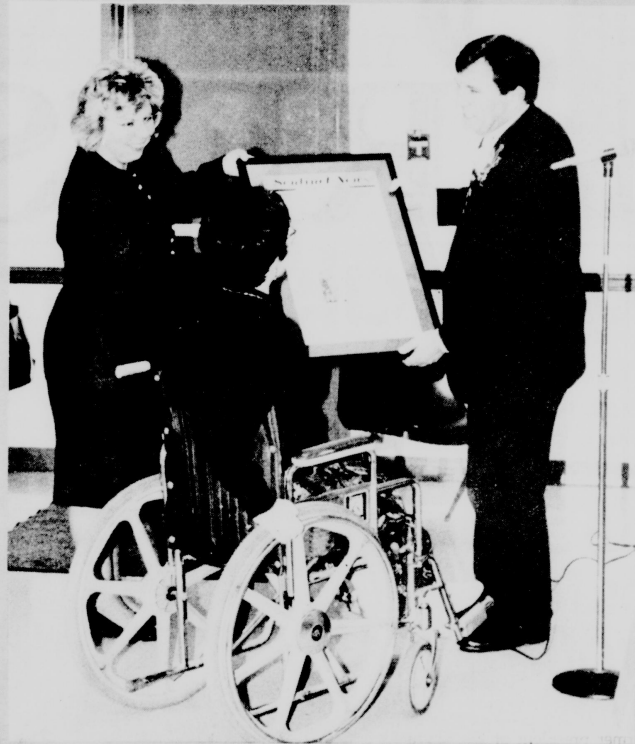
SPRING! Young love is in the air. Unfortunately, allergies are, also. Drug stores might enjoy this season, as will jewelry stores that want to promote engagements and weddings. Don't forget your local florists.

LANDSCAPING: Yes, it's that time of year again. People are beginning to plan what flowers they want to plant this year, and what nice little things they can decorate their front yard with. Check with your local nurseries and lawn & garden shops.

CLOTHING: It's time to pack away your winter sweaters and get out your shorts. Check with clothing stores to see if they want to run any spring sales.



Who's Making News?



Duanne Puckett, editor of the Shelbyville Sentinel-News, presented outgoing Shelbyville Mayor Neil Hackworth his own front page of the newspaper at a farewell reception. Helping him hold the framed page was City Clerk/Administrator Bobbie Brenner, far left.



Kentucky Press Association, Inc.

1994 KPA Officers and Board of Directors

| | | |
|------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| President Dorothy Abernathy <i>The Oldham Era</i> | District 4 Charlie Portmann <i>Franklin Favorite</i> | District 15A Tom Caudill <i>Lexington Herald-Leader</i> |
| President-Elect John Del-Santo <i>Ashland Daily Independent</i> | District 5 David Greer <i>The News-Enterprise</i> | District 15B Guy Hatfield <i>Citizen Voice & Times</i> |
| Past President Steve Lowery <i>The Kentucky Standard</i> | District 6 Merv Aubespain <i>The Courier-Journal</i> | State At-Large Russ Powell <i>Ashland Daily Independent</i> |
| Vice President Gene Clabes <i>Recorder Newspapers</i> | District 7 Ed Ashcraft <i>Owenton News-Herald</i> | Chipp Hutcheson <i>Princeton Times-Leader</i> |
| Treasurer Marty Backus <i>Appalachian News-Express</i> | District 8-9 Ken Metz <i>Bath County News-Outlook</i> | Jerry Lyles <i>Benton Tribune-Courier</i> |
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| District 3 Teresa Revlett <i>McLean County News</i> | District 14 Todd Simpson <i>Palaski Week</i> | News-Editorial Division John Nelson <i>Palaski Week</i> |
| Executive Director David T. Thompson | Clipping Service Director Rachel McCarty | Circulation Division Todd Rainwater <i>Appalachian News-Express</i> |
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| Advertising Director Gloria Davis | Advertising Assistant Sherry Harper | Clipping Assistants Linda Slemp, Carol Payton, Holly Stigers |
| News Bureau Director Becky L. Meadows | Secretary Sue Cammack | <small>The Kentucky Press (ISSN-0023-0324) is published monthly. Second-class postage is paid at Frankfort, Ky. 40601. Subscription price is \$4 per year. Postmaster: Send change of address to The Kentucky Press, 101 Consumer Lane, Frankfort, Ky. 40601, (502) 223-4821.</small> |
| Research/Marketing Coordinator Reba Lewis | | |



Our News For You: KPA Nuggets

UK announces Hall of Fame inductees

From the University of Kentucky

A Pulitzer Prize-winning reporter, a newspaper publisher, a network television sportscaster and a pioneer in advertising are among seven persons to be inducted into the Kentucky Journalism Hall of Fame and the Kentucky Advertising Hall of Fame in ceremonies at the University of Kentucky April 20.

Journalism inductees are:

- Mervin R. Aubespin, associate editor of the Louisville Courier-Journal and the first African-American hired as a news artist by the newspaper. He was pressed into service as a reporter when racial violence broke out in Louisville in 1968.

- James M. Caldwell, retired radio-television executive for WAVE Inc. of Louisville. He was the first television news director in Kentucky when WAVE-TV went on the air in 1948. He is former president of the Kentucky Broadcasters Association.

- Martha Comer, retired editor of the Maysville Ledger-Independent and Daily Independent. She started newspaper work in 1924 and at age 87 continues to write a regular column. Long an advocate of community development, she was named Maysville's Most Distinguished Citizen by the Chamber

And the inductees are....



Mervin R. Aubespin



James M. Caldwell



Martha Comer



Tom Hammond



Lewis E. Owens



Richard Whitt



Helen L. Resor

of Commerce in 1976.

- Tom Hammond, NBC television sportscaster. A native of Lexington and former sports director of WLEX-TV in 1969, he now covers everything from horse racing to NFL football and NBA and college basketball for NBC. One of the most respected play-by-play sportscasters, he also covered the 1992 Olympics and other national and world sporting events.

- Lewis E. Owens, president and publisher of the Lexington Herald-Leader since 1988. He began in advertising in Fort Worth, Texas, then eventually came to Lexington with newspapers as advertising director in 1975. Former president of the Kentucky Press Association, he also has been involved in numerous civic and community activities.

- Richard Whitt, a 1978 Pulitzer Prize winner in general local reporting

for his coverage in the Louisville Courier-Journal of the Beverly Hills Supper Club fire in Southgate, Ky. He started his career with the Middlesboro Daily News in 1970 and is now a reporter at the Atlanta Journal & Constitution.

The inductee into the Kentucky Advertising Hall of Fame is:

- Helen Lansdowne Resor, a nationally respected copywriter with J. Walter Thompson, was born in Grayson, Ky., in 1886 and reared in Covington. She was often called "the greatest copywriter of her time" by her professional colleagues. She created the introductory advertising for Proctor & Gamble's Crisco and the famous "A skin you love to touch" campaign for Woodbury facial soap. She was a member of the management committee for J. Walter Thompson. She also was a women's suffrage crusader. She died

in 1964.

Induction ceremonies will be April 20 at 8 p.m. at the University of Kentucky Singletary Center for the Arts, part of the annual Joe Creason Lecture. The lecture this year will be given by Robert E. Mulholland, former president and chief operating officer for NBC.

The Journalism Hall of Fame is sponsored by the University of Kentucky Alumni Association. There have been 86 inductees, including this year's, since the program began in 1980.

The Advertising Hall of Fame was established by the UK School of Journalism and Telecommunications in 1992 and Resor will be the fifth inductee.

Plaques honoring the inductees will reside permanently in the UK School of Journalism and Telecommunications building.

Summer BNC attracts even more entrants

The Kentucky Press Association's Better Newspaper Contest has attracted a record 64 newspapers. That total surpasses 1994's mark of 61 papers, but total entries and income fall short of 94's records.

The 64 newspapers submitted 966 entries with \$4,216 in income.

The contest was judged March 30 by the Georgia Press Association. Winners will be announced Friday, June 23, at the 1995 Kentucky/Tennessee Press Association Summer Convention in Gatlinburg.

**Don't forget KPA's
FOI HOTLINE
(502) 589-5235**

Minutes from January 26 KPA/KPS Board of Directors meeting

Kentucky Press Association/Kentucky Press Service Board of Directors Meeting Thursday, January 26, 1995 Hurstbourne Hotel and Conference Center - Louisville - 1995 KPA Winter Convention

Attending: President, Steve Lowery; President Elect Dorothy Abernathy; Past President Jerry Lyles; Vice President, John Del Santo; Treasurer, Gene Clabes; William Mitchell, Jed Dillingham, Teresa Revlett, Charlie Portmann, David Greer, Merv Aubespin, Ed Ashcraft, Marty Backus, Stuart Simpson, Louise Hatmaker, Glenn Gray, Tom Caudill, Guy Hatfield, Russ Powell; Associates Chairman, Sandra Wilson.

Also attending: 1995 KPA State At-Large Board members Jay Frizzo, Chip Hutcheson; Journalism Education Representative, Dr. Roy Moore; News Editorial Chairman John Nelson; Advertising Division Chair-

man, Sharon Tuminski; Circulation Division Chairman, Todd Rainwater; Dr. Ron Wolfe, 1995 Journalism Education Representative; KPA/KPS Executive Director David T. Thompson

1. President Steve Lowery called the meeting to order and introduced new Board members for 1995.

2. Motion by Russ Powell, seconded by Gene Clabes to approve the minutes of the October 27, 1994, KPA/KPS Board of Directors meeting. A p - proved.

3. Motion by Gene Clabes, seconded by John Del Santo, to approve the minutes of the October 28, 1994, KPA/KPS Board of Directors meeting. A p - proved.

4. KPA/KPS treasurer Gene Clabes presented the 1994 Kentucky Press Association financial statement. A motion by Dorothy Abernathy, seconded by John Del Santo, was approved.

5. KPA/KPS treasurer Gene Clabes presented the 1994 Kentucky Press Service financial statement. A motion by Guy Hatfield, seconded by Jerry Lyles, was approved.

6. KPA/KPS Executive Director David T. Thompson presented the Board with an updated budget for the Kentucky Press Association and Kentucky Press Service, reflecting the changes voted upon during the KPA/KPS Board of Directors retreat, October 27-28, 1994, and noted that the KPA Weekly Dues Income had been increased by \$1,000 to reflect the five newspapers who were joining KPA since the previous budget was approved. The updated budget was submitted to show the changes had been made and no further action was required.

7. A motion by Jerry Lyles, seconded by Dorothy Abernathy, was made to nominate Gene Clabes as vice president of the Kentucky Press Association and Kentucky Press Service for

Continued on Page 11



Lookin' Good: Graphics News

Dos & Don'ts

With little effort, your layouts can be beautiful music to a design expert's ear

Editor's Note: The following is a guest column from Stuart Simpson, editor of Pulaski Week.

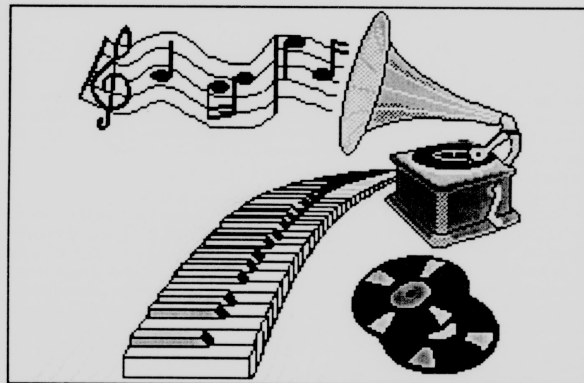
It was only a little over 20 years ago that the major concern of most community newspapers was just producing a product each week. In those days of hot type and long hours, most editors and publishers had little time to concern themselves with how their paper looked. Design was something that only architects did.

But times have changed. Today, every person sitting behind the keyboard of a personal computer with desktop publishing capabilities has the ability to do what would have been impossible only two decades ago. We have gone from setting one line of type at a time to being able to download and print out story after story without typing one letter.

But even with all our new technological miracles, a practice that made certain newspapers stand out in the past can do the same for today's editors--planning ahead. Planning ahead once meant mailing off that special photograph a week in advance to have a cut made and then returned, hopefully before the paper went to press. Photos today go from the opening of a shutter to the burning of a plate in a matter of hours, but a little forethought can still go a long way in making the page for that photograph special.

Graphs and charts are a great way to add life and readability to newspapers. However, an attractive and colorful graph can't be thrown together at the last minute; it takes time. For weekly newspapers, Thursdays and Fridays are perfect days to put together this major element of next week's front page.

Statistics to use for making graphics are readily available for the asking. Police reports, school scores and financial statements are just a few of the obvious sources for charts. When you've run out of ideas, go to



your local phone book and set up graphs on important phone numbers--medical, law enforcement and other types of assistance.

With a little imagination and a lot of trial and error, you can have an impressive and informative graphic ready to go before teeing up Saturday afternoon.

Taking advantage of feature stories is another way to get a positive jump on the next issue.

With a graphic and feature story ready to go, hopefully you'll have the added time to highlight a few important quotes from news stories just before going to press.

There's nothing new about planning ahead for a better product, but it does take a little discipline to allow yourself the time to do it. It's so easy to put everything off until paper day and still make your paper look "OK." However, with all the options

'Don't just run out the story and stick it down on press day--make sure it's written a few days early so you can design the article to stand out.'

--Stuart Simpson

Don't just run out the story and stick it down on press day--make sure it's written a few days early so you can design the article to stand out.

Wrapping text around photographs, putting the story inside a color box, and writing a clever headline are just a few simple ways to make the story more inviting to the reader and add another graphic dimension to the page.

available to page designers today, there's no reason why you shouldn't make your product more attractive for the reader.

Of course, when the "big story" comes in at the last minute, you have to forget everything you've done, put on a pot of coffee and prepare yourself for another long night at the computer. But on most weeks, a little planning can go a long way.

Got an '  ' for design?

Tell us what you know. Be a guest columnist for The Kentucky Press. Call Becky L. Meadows at (800) 264-5721 for details.

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Papers mirror communities they serve

Editor's Note: Our series of profiles of KPA-member newspapers continues.

By Becky L. Meadows
Ky. Press Editor

The Central Record

Jim Cox smiles when he talks about the publisher of The Central Record of Lancaster—his aunt, Marguerite Whittaker.

"She's 73 years old and can work anybody into the ground," Cox said.

Marguerite Whittaker is a member of the city council, and she insists on having her own paper route. She keeps the route to talk to people every week, to see what they think of The Central Record.

She and her husband bought The Central Record, and began the Cox legacy of newspaper ownership.

"It's been in our family about 50 years," Jim Cox, editor of the newspaper, said.

Cox left a position as a loan officer at a Lancaster bank to become editor of the newspaper.

The 4,500-circulation newspaper tries to serve the needs of Garrard County residents. Most Lancaster residents work in Richmond or Lexington. In addition, most income from people in the county is spent out of the county, which sometimes leaves the county wanting to provide services it cannot afford.

This helps The Central Record, however, because it provides an extra advertising base. Businesses in Lexington and Richmond realize they need to advertise in Lancaster, Cox said.

The paper is geared around four elements: the school system, the courthouse, city hall and churches.

"We spend a lot of ink on the school system," Cox said.

They also strive to focus on people, and give people the recognition they deserve.

"People like to see their names and pictures in the paper," he said.

To help Lancaster and Garrard County residents feel close to The Central Record, Cox includes plenty of community correspondents. All the effort to make people feel part of the paper has paid off because the paper goes out to almost every state in the country, Cox said.

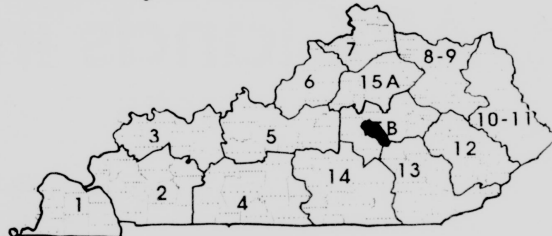
The fact that his competitor is located just around the corner doesn't seem to phase Cox or the rest of The Central Record staff. They quickly point out their newspaper is more than 106 years old, and is the oldest newspaper in the county.

The newspaper's age doesn't apply to its equipment, however. Cox has the latest computer equipment at his disposal, including a Power Macintosh and modem, and a Nikon CoolScanner so he can scan in photos for the paper.

The equipment saves staff time and

thus frees up time for other things, Cox said. He added he would like to go back to teaching, which he did for a while when he first started at the newspaper. Upgrading equipment will help him do so, because he would be needed fewer hours at the newspaper office.

Where They're Located...



'She's 73 years old and can work anybody into the ground.'

—Jim Cox

Garrard County News

Jack and Karen Penchoff left jobs at the Dallas Morning News and bought a newspaper in Lancaster.

Yes, it was a culture shock moving from huge Dallas to tiny Lancaster, and from a metropolitan daily newspaper to a small weekly.

Jack Penchoff, who was daytime City Editor for the Dallas Morning News, used to have 71 reporters. Now there is himself and his wife, Karen.

"We bought this building and lived upstairs for five years," he said with a laugh.

Why the move from Dallas to Lancaster? Why would someone give up a good position at the Dallas Morning News to buy a small weekly?

Because as he moved up the ladder at the Dallas Morning News he was getting further and further removed the copy side of newspapers, Penchoff said.

The library building in Lancaster helped sell them on the town.

"I thought any community that puts that much effort in its library building has got to be a good community," Penchoff said with a smile.

When they first took over the paper, its circulation was about 1,666, with 300 selling from the newsstands, Penchoff said. Now the circulation is 3,900, with about 1,000 sold over-the-counter.

"We must be doing something right because the circulation has more than doubled," he said.

Penchoff also said most people in the county work and shop outside the realms of home.

"There is no Kroger or Winn Dixie here," he said. "People go to Nicholasville or Danville. More than half our disposable income goes out of county."

To whet readers' appetites for news, Penchoff said his newspaper does a lot of people-oriented features. Also, he is president of the Chamber of Commerce, and he added the chamber is not involved in government activity but concentrates on luring businesses into the area.

"We believe in being part of the community," he said.

Karen Penchoff handles selling

most of the advertising for the paper, while Jack—along with the help of his father—is the mainstay of the editorial side of the operation.

Penchoff said he believes the future of weekly papers is very secure. While some dailies have lost sight of what appeals to readers—like seeing their names and pictures in the paper—weeklies continue to fill this need, he said.



Marguerite Whittaker and Jim Cox stand in front of the office of The Central Record.



The staff of the Garrard County News includes (l-r) John Penchoff Sr., Debbie Rhodus, Karen Penchoff and Jack Penchoff.



The Buck Stops Here: Ad News

KPS targets political ads

Kentucky is joining the Campaign Advertising Program bandwagon by adding a version of the idea to its advertising sales efforts.

Already some 20 states have various campaign advertising programs in place as an effort to attract more political advertising into newspapers. Success of the programs has varied, with several states reporting substantial increases in the amount of political ads placed through a CAP plan.

Kentucky's CAP plan will offer candidates three ads for the price of two in newspapers agreeing to participate and accept the discount plan. Ads must be a minimum of 20 column inches and cannot have any copy changes during the three publications.

"We were skeptical a few years ago when CAP plans began," said KPA executive director David T. Thompson. "But with statewide elections this year, with the need to offer candidates a package to get them in print and with so many other states offering similar programs, we felt the time was right."

KPA surveyed all Kentucky newspapers in early March, giving the newspaper three choices of CAP plans. Newspapers ranked the three options in order of preference.

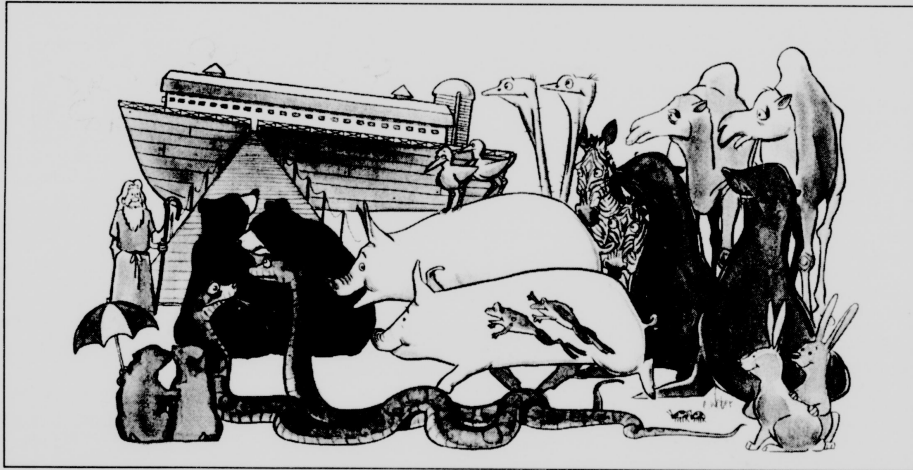
"We had an outstanding response from the survey and two of the three options had very high appeal from our newspapers," Thompson added. The results were shared with the KPA Advertising Steering Committee and the KPA/KPS Board of Directors. The Board then approved offering a three ads-for-the-price-of-two program to candidates.

Only newspapers agreeing to participate in the three-for-two program will be included, although campaign ad sales efforts will continue to get candidates to consider all Kentucky newspapers in their advertising campaigns.

Kentucky's primary election is May 23, with a possible run-off election set for June 13. Run-off elections, the first in Kentucky, will be held if no candidate from a party gets at least 40 percent of the primary vote. At that time, a run-off election will be held between the top two candidates in the party.

Join the KPS STATEWIDE CLASSIFIED PROGRAM
Be eligible to get a paid SUMMER INTERN
Call Reba Lewis at (800) 264-5721

ARK lands in Kentucky



No, you are not seeing things. An ARK has actually landed in Kentucky—at least at the Kentucky Press Service.

ARK (Ads Reaching Kentuckians), a new version of the Statewide Classified Program, goes into effect June 1.

This Display Classified Network offers advertisers a 2 x 2 display classified in Kentucky newspapers who agree to participate in this program.

A combination of the KPS Advertising Placement Service and the Statewide Classified Program, it will pay your newspaper a per-column-inch rate for each ad published through the network. The per-column-inch rate is an agreed-upon inch rate using your total paid circulation and an inch rate.

"The program is still in its infancy," said David T. Thompson, KPS executive director. "Only three states, Iowa, Illinois and West Virginia, are currently

operating a display network."

ARK sets the rate newspapers receive for running the display classifieds. Newspapers receive a net of 42 cents per column inch per 1,000 paid circulation.

For example, if a newspaper had a paid circulation of 2,500, then it would receive \$4.20 for each ad published; if a paper had 5,000 paid circulation, it would receive \$8.40 for each ad. Participation in the program is strictly voluntary for newspapers.

Net income for the ads is figured according to the following formula: 42 cents per column inch x 4 column inches x paid circulation.

"There's very little you have to do to participate in this program," Thompson said. "You won't have to typeset heads. They'll be mailed camera-ready in either SAU or standard eight-column format." If a newspaper's classi-

fied columns differ from the SAU or eight-column format, the ads will have to be typeset to fit the space.

In addition, newspapers will not have to keep track of each ad and bill KPS for the ads. The network will be set up in the KPS database, so KPS will issue monthly checks to papers based on the program's 42 cents-per-column-inch per 1,000 paid circulation. Tearsheets will not be sent to advertisers, just as they are not sent to statewide classified advertisers, but KPS will check newspapers each week and pay only newspapers that ran the ads.

KPS will mail the ads early each week to ensure newspapers have plenty of time to publish them the following week.

Anyone with any questions about the ARK Display Classified Network should call Reba Lewis at (800) 264-5721.

NAA conducts study of women's buying habits

With the decline in women's apparel sales, a continuing cause for alarm within the retail community, the Newspaper Association of America has released the results of a major fashion research project.

The New York City-based media marketing firm of Hunt & Company directed the six-month study.

A key component of the project, an opinion leader survey, was conducted in late November by Kennedy Research, a member of The Wirthlin Group, a Washington, D.C.-based independent research and polling firm.

The research findings were presented at the 43rd annual Retail Advertising Conference in Chicago last month.

The survey's objective was to examine current attitudes toward print fashion advertising and to determine the consumer behavior of women leaders within the fashion industry.

The study will help retailers better understand core fashion customers in order to communicate with them more effectively and marketing to them with more targeted messages.

Results of the study will be released to NAA members soon.



GENERATOR

S-W-R

MAKRR

Metro Creative Graphics, Inc.

800-223-1600

Call for free spec ad sample kit!

The Final Word: Writing News



Planning underway for forums

The public will get a chance to quiz the candidates for governor of Kentucky--a rare opportunity for citizens of the Commonwealth.

And this time, they won't have to accost the candidates as they walk door-to-door.

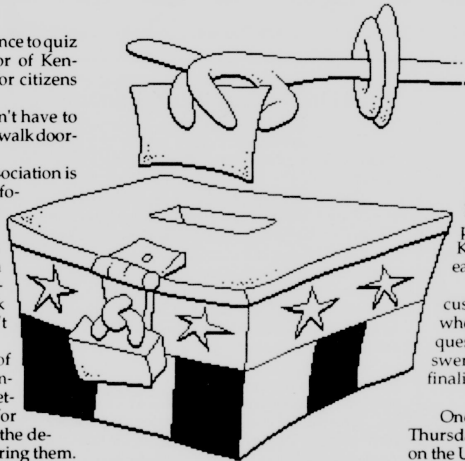
The Kentucky Press Association is planning a series of public forums for the candidates for governor. The forums will also give journalists from around the state, from weekly and daily newspapers, the opportunity to ask the questions they haven't had a chance to ask.

A planning committee of representatives of KPA-member newspapers has been meeting to discuss the format for the forums, and to iron out the details associated with sponsoring them.

Ferrell Wellman, former WAVE-TV3 anchorman and now a journalism instructor at Eastern Kentucky University, will moderate the forums.

Three journalists from newspapers in the areas of the forums will take turns asking the candidates questions. After the journalists finish asking questions, the moderator will take some questions the public submits.

KPA has designed an advertise-



ment to run in newspapers, soliciting questions from the public. The ad includes a form at the bottom for the people to write what questions they would like the moderator to ask the candidates. The questions may be mailed back to KPA or may be submitted to the local newspapers carrying the ads.

The public will also be invited to attend the forums free of charge. KPA

will issue a certain amount of tickets to each newspaper in the area, which will be responsible for distributing the tickets to the public. The planning committee decided to use tickets to ensure no one candidate has a huge cheering section during the debates. People can pick up the tickets at participating newspapers, and KPA will distribute 20 tickets to each candidate.

The committee has also discussed having an "800" number where people can call and leave a question for the candidates to answer, but no plans for this have been finalized.

One public forum is scheduled for Thursday, May 18, in Memorial Hall on the University of Kentucky campus in Lexington.

The event will begin at 7 p.m. and end about 9 p.m. to give the candidates plenty of time to answer questions.

Another forum will be planned in case of a runoff election. No site has been selected for this forum yet.

KPA also plans to sponsor three or four forums for the gubernatorial candidates after the primary election and before the general election.

Names of grand jurors now available

KPA jumps to have court make names open to the public

When some newspapers in Kentucky found they had trouble getting courts to release the names of people chosen to be on grand juries, the Kentucky Press Association took action.

KPA solicited the help of Kim Greene, an attorney with the Louisville firm Wyatt, Tarrant & Combs which also operates the KPA FOI Hotline.

Greene took KPA's position that the names of all grand jurors should be open to the Kentucky Supreme Court, and the Supreme Court agreed with KPA's position.

"We very much appreciate your clearing up the confusion that has existed in some courts around the commonwealth, and your doing so with such alacrity," Greene wrote to Chief Justice Robert F. Stephens after hearing the court's decision.

KPA insisted the names of people chosen to be on grand juries should be open to the public because the list of the jury pool, or names from which the actual jurors are drawn, was open.

"We unanimously agreed that your position was well taken, and, by separate letter, I am directing Ms. Lambert to make appropriate changes so that it will be made clear that the names of grand jurors are made available to the public," Chief Justice Stephens wrote to Greene.

"This action will be done as soon as possible. Ms. Lambert will send out an appropriate memo to all Circuit Clerks and Circuit Judges in the Commonwealth."

NAA offers literacy supplement

For the fifth year, the Newspaper Association of America Foundation is planning to offer a special newspaper supplement in observance of International Literacy Day, Friday, Sept. 8.

Some 425 newspapers printed the 1994 tab, representing a total circulation of 24.5 million copies and an estimated readership of more than 55 million adults.

NAA Foundation again will develop camera-ready materials for your use; the materials will be ready mid-June. The Associated Press will run the photos for the supplement over the AP

wires to ensure good quality photo reproduction for your newspaper. NAA also hopes to match those who choose to run the tab with newsprint suppliers who will donate the newsprint for the eight-page supplement.

The 1995 literacy tabloid will focus on tomorrow's readers. The hope this year is to include more interactive elements than ever before. Stories will report on a teenage literacy volunteer, a new immigrant family who is learning to read English, and a mother and child who enjoy "reporting" on happenings at their local shopping mall.

Also included will be a read-aloud story that parents and children can enjoy together.

One way to help ensure the success of the literacy supplement is for newspapers' editorial departments to get involved at an early stage in the project's development. One idea is to create a team at the newspapers--with editors, NIE staffers and ad directors--to put this important information in the works.

In addition, local literacy organizations can help newspapers develop local angles to increase reader interest.

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CommonNet

Members enjoy linking up to the entrance ramp to Kentucky's information highway

■ KPA is first press association in country to provide free bulletin board service to members

■ State agencies to begin uploading mounds of information soon

What Do You Think of CommonNet?

Tony Cox couldn't sleep one night, so he sat down in front of his computer and took a look at the world.

The publisher of the less-than-ideal journal decided to call up CommonNet, the bulletin board system started by the Kentucky Press Association last year.

Part of Cox's reason for calling up CommonNet could have been it didn't cost him a thing, except for the long-distance phone call. The KPA Board of Directors recently decided to give CommonNet free to KPA member newspapers—which includes 100 percent of the newspapers in Kentucky.

According to Cox, though, his big reason for linking up to the state's entrance ramp to the information highway was...well, he just likes it.

"The thing I really like is it ties all the Kentucky newspapers into one resource," Cox said. "It's an opportunity for us to participate in open forums. It's all about being able to bounce ideas off each other."

"I would love it if more advertising managers and more advertising-related publishers such as myself could have our own forum on there and bounce ideas off each other."

'It's all about being able to bounce ideas off each other.'

—Tony Cox

KPA launched CommonNet to help bring Kentucky newspapers closer to each other to share information and ideas. At the beginning of the project newspapers were charged a per-month fee to link up to the network in addition to paying a long-distance telephone call each time they dialed into the main server in Lexington.

Last fall, however, the KPA Board of Directors decided to purchase the KPA folder on the bulletin board system, and agreed with the owners of CommonNet to provide free access to newspapers. Jerry Gibson, the network administrator, has set up passwords for every newspaper in the state.

Cox said he would like to see Kentucky newspapers share more editorials over the bulletin board network because so many newspapers face the same issues in their communities.

"Right now I've been reading a lot of mail and different things like questionnaires, and participating in those," Cox said. "My fear is that if we don't use it, it's going to be taken away. I'm thinking that if the newspapers aren't using it, there's really no reason for the KPA to have the expense."

Tim Ballard, editor of The Kentucky Standard in Bardonia, said CommonNet cuts down on the workload of some staff members.

"I like it," Ballard said. "It takes some of the load off our typewriter in the back. I just call the information up and change the parameters, and it's there."

Ballard spoke at a meeting of the Association of Government Communicators in March, and said he

really put in a plug for CommonNet. "I wish more state agencies would use it," he said. "It would make it a lot easier."

"I haven't used it as much as I would like, but I'll use it more now because we've put the phone modem on my desk," he said with a laugh. "I don't have to walk back and tie up someone else's computer."

What Will You Find on CommonNet?

Just about anything you could possibly be looking for. And if it's not on CommonNet, ask someone else who's hooked up to the network. They may have it, or tell you where to go to get it.

Some typical items you will find on the network include the weather, general news stories from state and national media, actions of both bodies of Congress, KPA information, such as dates and deadlines for contests and conventions, and KPA News Bureau information, resources such as Kentucky press laws, editorials from other newspapers across the state, KFS Statewide Classified ads (no, you don't have to retype them), and much more.

Although some papers may think state and national news is unimportant to their readers, often this news can be localized to provide informative, compelling stories for readers. Perhaps idea-building is one of the greatest functions of CommonNet.

Just What Is CommonNet?

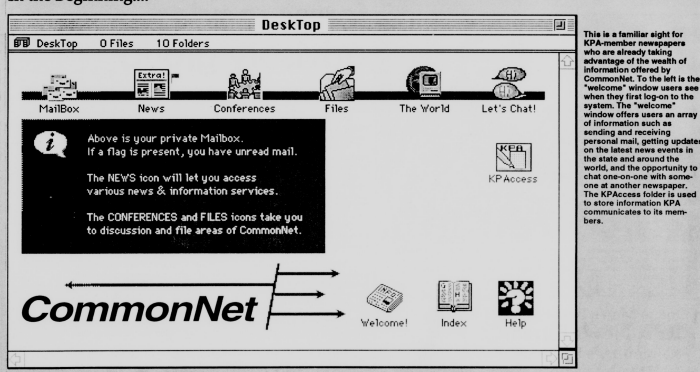
CommonNet is an information clearinghouse similar to the nationwide bulletin board systems Internet and AmericaOnline.

The network is operated from a main server located in Lexington. Newspapers around the state access the main server through modems and free software called FirstClass Client. FirstClass is shareware, which is why KPA can provide it free to member newspapers.

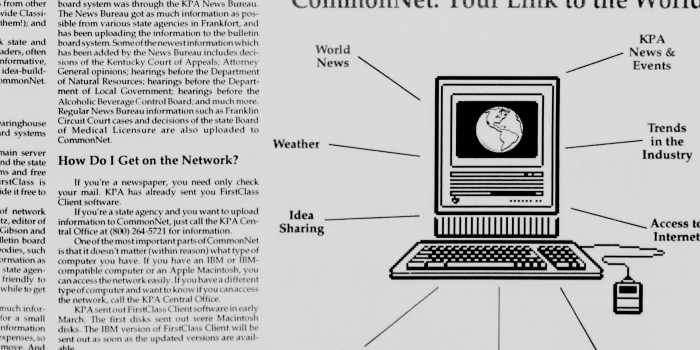
CommonNet was the brainchild of network administrator Jerry Gibson and Ken Metz, editor of the Bath County News-Outlook. Metz, Gibson and KPA worked last year to build the bulletin board system by asking various government bodies, such as state agencies, to upload as much information as possible to the system. Of course, most state agencies have computers not immediately friendly to CommonNet upload. Thus, it has taken a while to get everyone on the same wave-length.

State agencies are free to upload as much information as necessary to CommonNet for a small monthly charge. Of course, uploading information to the network saves money on mailing expenses, so using the network is a sound financial move. And

In the Beginning...



CommonNet: Your Link to the World



Watch'ing the Years Go By



Jane Bradshaw, bookkeeper/office manager at The Springfield Sun, receives a gold watch from Publisher Ninie Glasscock for 20 years of service at the newspaper. Bradshaw was hired by Jim Edelen as a Just-a-writer operator. Photo courtesy of LCNi News.

Jessamine paper forms reader advisory group

If you want your readers to grab your newspaper each week when it first hits the newsracks, a reader advisory board may be just what you've been looking for.

Just ask Tony Cox, publisher of The Jessamine Journal. He and editor Randy Patrick recently put together a reader advisory group for their newspaper.

"We want to free up space for what the community is interested in reading, as well as being able to let the community feel ownership in the newspaper," Cox said.

The Jessamine Journal's reader advisory board is comprised of 10 people who come from all walks of life and areas of Jessamine County. Each person serves a three-month term on the board which meets once each month. When a term expires, someone else from the community is selected to fill the vacant position.

"Randy wrote a column and asked for people's suggestions and volunteers for the board, and we got loads of letters from people wanting on it," Cox said.

The board has helped the paper focus its coverage toward readers. For example, since 1980 the paper has run an Index box on its front page, but after hearing comments from the advisory board, Cox and Patrick discovered many readers had never noticed the Index box. So the Index box was dropped, which left more space available for news and feature stories.

The advisory board was also instrumental in the newspaper dropping jail logs. The paper used to run every week the log of people who had been arrested, but the same names appeared in the district court log which the paper also ran.

"You can go jail and not be found guilty of something," Cox said, "so why print the jail log and the district court log?"

Jessamine County is also becoming home to a host of new schools, which makes it more difficult to have the space to cover all the schools in the county.

"We're looking for areas where we can cut back," Cox said, and added the reader advisory board could help them decide which areas to cover less.

If Dog is Man's Best Friend, the KPA News Bureau is a reporter's best buddy! Call the News Bureau at (800) 264-5721



A Look at Kentucky Politics....



Stuart Arnold of the Danville Advocate Messenger makes cartoons such as the one at the right available on CommonNet. All KPA members now can have access to CommonNet for free, although Arnold charges a small fee to subscribe to his cartoon service. If you have any questions about CommonNet, please call the KPA Central Office at (800) 264-5721.



Around Town: Circulation News

Circulation Division gears up to fast start

Editor's Note: The following is a guest column by Todd Rainwater, Circulation Manager for the Appalachian News-Express of Pikeville and the chairman of KPA's Circulation Division.

The Circulation Division of the Kentucky Press Association is in operation once again. After a five-year hiatus, the first organizational meeting was held March 16 to develop plans for the immediate future.

I have been chosen as the division leader and others who were at the meeting were Joe Mitchell of the Lexington Herald-Leader, Bob Martin of The Winchester

Sun, Charlie Thiess of the Bowling Green Daily News, Dave Eldridge of the Henry County Local, John David Spears of the Appalachian News-Express, Spencer Bussell of the Georgetown News-Graphic and Dorothy Abernathy, President of KPA.

Kentucky has 126 weeklies and multi-weeklies and 24 dailies representing a total circulation of more than 1.2 million. KPA is fortunate that 100 percent of these newspapers are members and we can only hope for the same participation for our future circulation projects.

From the outset of this meeting it was clear that the needs of the weekly

newspapers would have to be met if this program were to be successful. We also plan on pooling resources to serve the needs of all our newspapers.

Our primary purpose is to conduct seminars and develop some sort of information link between the state's newspapers. Numerous ideas were

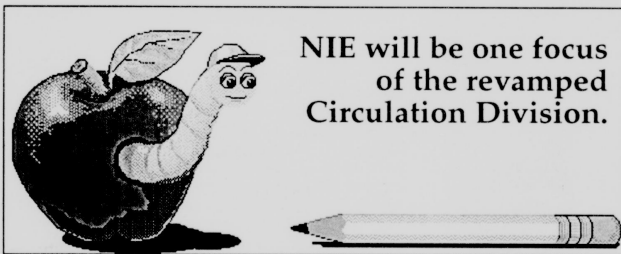
presented along this line and two that will be implemented are a quarterly promotional packet and regular features and articles in this newsletter concerning circulation. The first promotional packet should be at your newspaper by June.

Our first organized activity will be at the joint Tennessee/Kentucky Summer Convention in Gatlinburg in June. Three revolving roundtable discussions will be held the mornings of June 23-24. Topics of discussion will be promotions, single copy sales and N.I.E. programs. For our second activity, we are leaning toward the following: We would like to have two identical seminars in late September or early October. The first seminar would be held somewhere to serve the eastern half of the state. The second would be held in a location a week later to serve the western half. The seminars would start at 10 a.m. and end at 4 p.m. to allow for travel on the same day. There would be no hotel or related expenses, just travel to and from the seminar and most likely a small registration fee.

We will pull speakers for specific topics from newspapers in the state. We need your help in what topics you would like to see discussed.

In a few days you will be receiving a questionnaire covering a multitude of topics. We need to know what you want to learn, and where. Please take the time to fill this out and return it.

I can also be reached at (606) 437-4054 if you have any other ideas you would like to see implemented during the coming year. It will take the work of many to make this venture successful, so please get involved.



NIE will be one focus of the revamped Circulation Division.

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Minutes from January 26 KPA/KPS Board of Directors meeting

Continued from Page 3

1995. There being no further nominations, the motion was approved.

8. Dorothy Abernathy submitted the name of Marty Backus as treasurer of the Kentucky Press Association and Kentucky Press Service for 1995. The motion was seconded by John DelSanto and there being no further nominations, the motion was approved.

9. KPA Board member Guy Hatfield followed that vote with a suggestion concerning the election process of treasurer. Noting that the directory includes the picture and name of the KPA/KPS treasurer for that year, even though the election of treasurer does not take place until well after the direc-

tory is printed, the Board should consider election of the treasurer at the Fall Board retreat. This would insure that the information is correct. KPA By-Laws stipulate that the treasurer is to be elected by the Board from the Board. No action would be needed by the membership since the treasurer is elected solely by action of the Board.

10. President Steve Lowery called attention to a letter from Max Heath, KPA past president and Kentucky state chairman of the National Newspaper Association, seeking a contribution from the Kentucky Press Association on behalf of the NNA's Newspaper Alliance for Fair Postal Rates efforts. Following a brief discussion, a motion was made by Gene Clabes, seconded

by Dorothy Abernathy, that KPA contribute \$2000 to the National Newspaper Association. Approved.

11. In other business, KPA Board member Tom Caudill brought a recommendation to the Board from staff members of the Lexington Herald-Leader. The Herald-Leader was considering hosting a series of public forums with the gubernatorial candidates but felt sponsorship and coordination of such a forum would best be done under the auspices of Kentucky Press Association. Caudill relayed some of the Herald-Leader's staff discussions to the Board and recommended that KPA serve as the umbrella organization for these forums with member newspa-

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The Right To Know: Legalese

Caught in the Act!



Cynthiana Publishing Ad Team Member Michelle Cunningham (right) was all choked up after receiving her three-year service award. Ad Team Leader Lucy Vanhook did the choking. The Cynthiana Democrat is owned by Landmark Community Newspapers Inc. Photo Courtesy of LCNi News.

City attorney: 'Actual malice' proven in case

Flanagan's attorney argues editorials were actually meant to be statements of fact

From the Russell Springs Times Journal

Times Journal Publisher/Editor Dave Cazalet's refusal to retract alleged defamatory statements about former Russell County Judge Executive Terril Flanagan contained in three editorials is evidence of "actual malice," according to a brief filed with the Kentucky Court of Appeals by Flanagan's attorney, Robert L. Bertram.

"The defense of refusal to retract because the publication was true...has no merit," Bertram wrote in his brief which was submitted in February. "In media/public defamation actions, 'actual malice' cannot be avoided by defendants averment that they thought the statements were true."

"Cazalet's testimony that he thought the facts published were true does not diminish the probative element of failure to retract as evidence of his 'actual malice' toward Flanagan," Bertram continued. "Indeed, a failure to retract defamatory statements exceeds the proof of intent and goes to the direct proof of malice."

In April 1994, a Russell County circuit court jury awarded Flanagan \$1 million in compensatory and punitive damages.

The Times Journal has appealed the verdict. In a brief filed with the Kentucky Court of Appeals, Louisville attorney Jon L. Fleischaker claimed that Russell Circuit Judge Eddie C. Lovelace's denial of the newspaper's motion for summary judgment was "clearly erroneous."

"It did not even address the actual malice issue, which would have disposed of the case despite any of the court's stated concerns that factual issues existed as to whether the statements were false or defamatory," Fleischaker wrote.

Bertram disagreed, writing that summary judgment "is appropriate only where it appears that it would be impossible for the respondent to produce evidence at trial warranting a judgment in his favor and against the novant."

"In defamation actions, summary judgment shall not be granted as long

as there exists a material fact as to the truth of the allegedly defamatory statements," Bertram wrote.

Bertram added that the "material facts of this case, Appellants' state of mind and the intent of truthfulness of the articles, are relevant and are factual questions properly placed before the trier of fact. Any rule relaxing the standards for summary judgment is antithetical to the law."

Bertram criticized the Times Journal's stand that its editorial opinions are protected speech under the First Amendment of the U.S. Constitution.

"Immunity from liability and responsibility for false and defamatory statements as sought by Appellants...does not serve the legitimate interests of free speech and press protected by the United States and Kentucky constitutions," Bertram wrote.

The statements of fact contained in the three editorials "were defamatory because they were proven false," Bertram wrote.

• "Appellants' publications concerning the Plaintiff were substantially incorrect."

• "They were published with the knowledge that the facts contained were false."

• "They were published with reckless disregard for the truth."

"Four elements are necessary to establish an action in defamation: (1) defamatory language; (2) about the plaintiff; (3) which is published; and (4) causes injury to reputation," Bertram added. "The evidentiary aggregation of these elements, when combined with the facts of this case produce 'actual malice.'"

In addition, Bertram argued that the three editorials were not "opinion."

"Defendant's articles were meant to be, and the jury so found, factual reporting of Plaintiff's words and actions," Bertram wrote. "Defendants cannot use both opinion and truth as conjunctive defenses."

Bertram wrote that "there is no special First Amendment protection for 'opinion.' Statements which can be proved false are subject to liability."

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Legalese

Disciplinary records open

Records related to disciplinary hearings of teachers are public records and subject to the Open Records Law, the state Attorney General ruled in late March.

Ed Ashcraft of the Owen County News-Herald asked the Owen County School Board for documents showing the final decisions of any teacher tribunal hearings, but the school board denied his request, saying the records were exempt from the Open Records Law.

Ashcraft, a member of the Kentucky Press Association Board of Directors, also asked the school board for copies of billing statements for legal services. This time he got the documents—but parts of the statements that detailed the nature of the services rendered were blacked out.

Ashcraft appealed both cases to Attorney General Chris Gorman, and Assistant Attorney General Amye Majors issued the opinion in Ashcraft's favor.

"In analyzing the propriety of release of records relating to public employee discipline under KRS 61.878 (1)(i) and (j), the preliminary documents exceptions, the courts and this office have consistently recognized that 'disciplinary action taken against a public employee is a matter related to his job performance and a matter about which the public has a right to know.' OAG 88-25," Majors wrote.

"In a seminal opinion addressing the applicability of these exceptions to such records, the Kentucky Court of

'...the public has a right to know about the employee's misconduct....'

—Amye Majors

Appeals observed, 'The public upon request has a right to know what complaints have been made (against a public agency employee) and the final action taken thereon,' she continued.

"Unless some other exception to public inspection applies, public agencies are obligated to disclose records reflecting final agency action, the complaints which initially spawned the action, and any investigative materials which are adopted by the agency as part of its final action."

Majors added disclosure of such records are also not an "unwarranted invasion of privacy," another exception to the Open Records Law.

"This view is premised on the notion that 'Public service is a public trust. When public employees have been disciplined for matters related to the performance of their employment...this office has consistently held that the public has a right to know about the employee's misconduct and any resulting disciplinary action taken against the employee.' OAG 91-41," Majors wrote.

"It should also be noted that the Superintendent's assertion that release of records pertaining to teacher discipline would violate the teacher's civil rights is not a proper basis for denying access to those records under the Open

Records Act," Majors continued. "Superintendent Burns offers no explanation for this assertion, and we are hard pressed to conceive of any set of facts under which release of records relating to public employee discipline under the Act would infringe the teacher's civil rights. We therefore reject this argument," she wrote.

Majors also examined the issue of the blacked-out portions of the attorney billing statements.

"This office has recognized on more than one occasion that information appearing on an attorney's billing statement which reflects the general nature of services rendered is not protected by the attorney-client privilege or any other recognized exception to public inspection," Majors wrote.

"We have also recognized that an agency may exercise its discretion by redacting any or all references to substantive legal matters, litigation strategy, or the specific nature of the services provided by its lawyer. Such information is exempt pursuant to KRS 61.878 (1) (1) and the attorney-client privilege. Consistent with these opinions, the Owen County School Board should release its attorneys' billing statements, and redact only those portions which disclose substantive legal matters."

NNA gets USPS to devise guidelines for supplements

Michael Parta, chairman of the National Newspaper Association, praised the U.S. Postal Service for announcing that it will establish precise, objective standards for advertising supplements in mailed newspapers.

"With the new rules, publishers can determine in advance of mailing whether the material in their newspaper or magazine properly qualifies for mailing and can avoid devastating after-the-fact mailing charges."

"The Postal Service has shown it can be a business-oriented, customer-sensitive operation," said Parta, publisher of the New York Mills (Minn.) Herald. "And it has proven once again that it is open to change when customers prove change is in everyone's best interest."

"This is a historic change in the way the USPS administers its rules governing the mailing of periodicals," said NNA President and CEO Tonda

F. Rush. "They are going to introduce consistency and fairness into regulations that have bedeviled publishers for many years."

"NNA has worked hard and long to bring this about. The Postal Service has given us the most effective tool in decades to allow newspapers to expand advertising sales."

Rush singled out Max Heath, chairman of NNA's Postal Committee, vice president and executive editor of Landmark Community Newspapers Inc. and a past-president of the Kentucky Press Association, as particularly effective in bringing about the change.

"Basically what this does is permit us to carry second-class mail stream material that previously was permitted only as direct mail in the third-class mail stream," Rush said.

In the past, USPS has relied upon the evaluation of individual auditors

to determine, after the fact, whether all of a publication's contents were properly mailed at second-class rates, she said. The result was that publishers were held liable for back postage payments many months and, in some cases, many years after the mailing—and those payments weren't peanuts," Rush said.

"To newspaper publishers, the impact of the new rules goes far beyond the operations and financial uncertainties the old rules had. The new framework gives us much greater selling opportunities than we've ever had before. It will allow us to develop and sell very creative supplement programs to advertisers that we might have been afraid to risk before. And, as we build our advertising programs, our ability to deliver news is strengthened. All in all, this change is good for the Postal Service," she said.



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June 22-24

Gatlinburg,
Tenn.!





2¢ Worth: Our Views To You

Pet peeves, possibilities, potpourri

On Second Thought

By David T. Thompson
Executive Director



Look at the 1965 Georgetown High School annual and under the names of graduating seniors, you'll find this listed:

David Thompson

Pet peeve: Slow drivers

That probably was true 30 years ago because there were few things that got under my skin.

My how time has changed.

At our 30th annual high school reunion this summer, I hope they'll update the various topics listed for the '65 graduating class. If so, that pet peeve will be different. Listed now, it would be, radio and TV announcers who don't know the difference between 'its' and 'their.'"

Particularly sports announcers. Geez, doesn't anybody ever take the time to give these guys (and gals, now that we're seeing more and more female announcers) an English education?

I'm not the best at the English language—I wouldn't know a dang(ing)

participle if it hit me in the face. But when it comes to making the subject and verb agree, or when to use "its" and "their," I do.

Granted, about 95 percent of the news on radio is taken straight from the newspaper pages. Almost to the point, if you listen closely, you'll hear the announcer turning the pages. And if the announcers read straight from the pages, that's about the only time they get the agreement correct.

It's particularly noticeable this time of year, with basketball tournaments in abundance.

I can't begin to count the times I've heard something like, "The University of Kentucky won their third straight game," or whatever. Just makes me want to go through that radio, grab the announcer by the throat and dare him/her to say it again.

Color and play-by-play announcers don't know the difference, either.

Even commercials aren't immune to proper English, with something like, "Thompson's Furniture is having their third annual truckload sale."

Back in early March, a group of KPA reps headed southwest to Olive Branch, Miss., to have the KPA Ad Contest judged. Going along were KPA President Dorothy Abernathy, KPA Ad Division Chairman Teresa Revlett, KPA Past President Jerry Lyles, Past Ad Division Chairman Lucy Vanhook, Sue Cammack and yours truly.

The Mississippi Press Association seemed intrigued by the judging procedure for the Ad Contest, a process started some three years ago after KPA judged the Virginia contest. It's quite unlike other judging mechanisms because each category is judged by a team, not individuals.

Mississippi might well adopt the idea in its next contest. But grabbing the attention even more was the involvement of officers and members in the process...quite impressed that the president, a past president and division officers were willing to make the trip.

The 1995 KPA Ad Contest established records in number of entries and income and is probably the nation's largest advertising contest. I've heard few colleagues mention much success with ad contests.

The CommonNet disks have been mailed and by this writing, hopefully, you've installed the disk on your hard drive and have signed on.

The possibilities for information exchange are endless. If you've logged on, you'll see what we mean. It's a two-way street and we hope you'll upload information that can be used by other newspapers--top stories, idea exchanges, memos, other questions.

We're beginning to get the information out to many of those who load your desk daily, weekly, monthly, with news releases galore. Obviously, with

all the newspapers having CommonNet available, it's a big plus to use the system to get messages out there. And yes, it's to your advantage as well. No more retyping pages and pages of news releases. No more holding a page past deadline while a story gets typeset and proofed to fill a hole. Just a few clicks with the mouse and you've got a filler in your hand.

As promised late last year, we are looking into software that will allow us to transmit ads electronically.

Gloria attended the Ad Service Managers meeting in Hershey, Pa., in late March and saw a presentation on how this can be accomplished. West Virginia and Tennessee are sending ads electronically and we want to make Kentucky third on the list.

No firm promises on when to expect the software but certainly we hope to make this available for you in the near future.

Once it gets going, we hope to make it available to others who send you ads--not just ads placed through KPS.

And finally, elsewhere in the Press you'll find an article by Todd Rainwater about the revitalized KPA Circulation Division.

We need your input to make this division active again. Read Todd's article, then share your ideas with us.

This is a top priority, but without hearing from you, it's an uphill climb.

If we don't stand up for them, who will?

By the Way

By Becky L. Meadows
Ky. Press Editor



Her eyes grew wide, but there was no hesitation in what she had to say.

"Can you believe that?" she said, and the rest of us gathered around the table shook our heads in disgust. Mary Anne Wood-Thompson, my former journalism adviser at Jefferson Community College, shook her head knowingly. Bob Adams, Associates Division chairman for the Kentucky



Press Association and journalism adviser at Western Kentucky University, also shook his head in disgust.

It was apparent during the gathering of the Kentucky Intercollegiate Press Association in Covington that Laura Cullen had serious problems as journalism adviser at Kentucky State University. Read her story on Page 16 to see for yourself.

Apparently the administration at KSU thinks it can legally run the day-to-day affairs of the newspaper, to the point of actually giving the staff a list of stories for upcoming issues. The administration, in the form of a "publications board," also wants to review each issue of the newspaper BEFORE it goes to press.

When Cullen first smelled the censorship, she immediately told her superiors (in position only) that she would not let them read issues of the newspaper before it went to print because this policy violated her students' First Amendment rights.

"Good for you," I told her as we sat around the small table in the hotel

lounge. Everyone shook their head in agreement.

But when she went into detail about how she was removed from her position as newspaper adviser and given a secretarial-type position after she protested, we all gasped.

Was this possible?

Can administrators really be so uninformed about the press?

Obviously so. According to Cullen, such censorship has been going on at KSU for many years.

We've all heard tales of censorship on college campuses, a problem most of our professional magazines such as Columbia Journalism Review and Editor & Publisher have addressed recently as a national trend.

This is a trend we need to stop.

Cullen has taken a step in the right direction by filing a lawsuit against the university. This isn't a frivolous lawsuit designed to tangle up our court system, or win her a bunch of money. This is a lawsuit asserting the rights of her students.

If she doesn't stand up for the rights

of her students, who will?

By the way--I think we should. It's time for KPA members to stand up for the rights of student newspapers.

These are the people who most of us want to lure to our newspapers, to be our reporters and editors and advertising managers. These are the people who will paint the future of journalism, either a healthy read of a vibrant, living profession--or a profession clouded gray by the heavy hand of censorship.

These students need to be taught their First Amendment rights, and what brought those rights about.

But perhaps most importantly, they need to know there are other journalists out there, professionals who will stand up for them when we see someone is running roughshod over their rights. We need to build a spirit of loyalty and camaraderie to keep our best and brightest journalism students in this state.

Let's speak out and show these students and their censors the First Amendment is well worth fighting for.



In Your Headlines: Newspaper News

Movers & Shakers

Who Went Where & What's Going on

Bowling Green paper adds three to staff

The Bowling Green Daily News has added three editorial staff members.

Jennifer Conn will help provide South-central Kentucky news coverage outside of Warren County. She is a graduate of Kent State University with a degree in English. She was an associate editor for the Record Publishing Co. in Cuyahoga Falls, Ohio, and a correspondent for the Cleveland Plain Dealer.

Alyssa Harvey, who has a master's degree in corporate communications from Western Kentucky University and a bachelor's degree in journalism from Murray State University, has joined the staff as an editorial assistant. She worked at The Hickman Courier and was an intern at The Paducah Sun as a reporter.

Rob Olmstead will cover police and courts. He was a member of the news staff of the Chicago Sun Times and wrote for the city news bureau. He is a graduate of the University of Illinois at Chicago and has a degree in English.

Fornash joins Grant County News staff

Rick Fornash has joined the staff of The Grant County News as a contributing outdoor writer.

Fornash has been a federally licensed firearms dealer and is a practicing gunsmith.

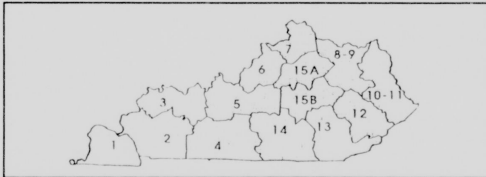
He owns Solo Outdoors Consultant Company. He spent three years in Alaska, working north of the Arctic circle.

Fornash will be submitting outdoor columns on a bi-monthly basis.

Cooper new manager of Spencer Magnet

Mark Cooper, editor of The Spencer Magnet for the past three years, has been named general manager of the newspaper. Cooper's appointment became effective March 1.

Cooper, 28, replaces general manager/advertising manager Angela Lallo, who left the company to work for her father's business in Anderson



County.

Cooper, a 1988 graduate of Murray State University, is a former assistant editor of the Murray Ledger & Times and reporter for the Grayson County News-Gazette.

The Spencer Magnet is owned by Landmark Community Newspapers Inc.

Patterson, Cullen promoted at Madisonville

Two longtime Madisonville Messenger employees have been promoted at the newspaper.

Beverly Cullen is the newspaper's new circulation director, and Bill Patterson has been promoted to production manager.

For the past five years, Cullen has been circulation clerk in the newspaper's business office. She started at the newspaper in 1980 as an inserter, where she hand-inserted circulars into the paper.

Little is changing for Patterson in his new role. He continues his same responsibilities as composing room manager, supervising the camera, plate and press rooms. He's also the building safety director.

Yarber joins Union County Advocate staff

A Harrisburg, Ill. native has joined the staff of the Union County Advocate.

Don Yarber, 58, will be the newspaper's new part-time reporter. He will be writing news and feature stories on people and events in Union County.

He attended El Camino College in Torrance, Calif., where he spent two semesters working on the student newspaper.

Memories

Former Eddyville publisher dies

Charles L. Baccus, former owner and publisher of The Eddyville Herald-Ledger, died Feb. 23, 1995 at Western Baptist Hospital in Paducah. He was 73.

Baccus underwent cancer surgery in 1988 but had remained active in the community until he was hospitalized Sunday, Feb. 19.

He and his wife, the former Frances Murray, started The Lakeside Ledger in Eddyville in 1962 and later bought The Lyon County Herald. The two newspapers were merged to form The Herald-Ledger in 1966. The Baccuses sold the newspaper in 1991.

Baccus served four years on the Board of Directors of the Kentucky Press Association, and was president of the Western Kentucky Press Association in the 1960s.

Besides his wife, Baccus is survived by two daughters, Connie Dirks of Greenwood, Ind., and Sharon Burton of Eddyville; two brothers, Noble L. Baccus of Valley Springs, Calif., and Jim Baccus; three sisters, Marchmond Murray of Mount Washington, Margaret Chambers and Della Oliver; and two grandsons.

Noted Courier-Journal writer dies

Ward Sinclair, whose mastery of the policies and politics of the coal industry made his reporting from The Courier-Journal's Washington Bureau a force for reform, died Thursday, Feb. 23, 1995 in Baltimore of pancreatic cancer. He was 61.

For a decade in the 1960s and '70s, Sinclair wrote authoritatively about the struggles of coal miners for safe working conditions and for fair treatment from the United Mine Workers.

Sinclair's coverage of coal coincided with the push for effective federal mine-safety legislation in the wake of the 1968 disaster at Farmington, W. Va., that killed 78 miners. The disaster underscored the indifference of industry and government to the carnage underground.

He also spotlighted the union insurgency against the corrupt leadership of W. Va. "Tony" Boyle, whose henchmen had murdered union reformer Joseph "Jock" Yablonski and his family. After a long battle, the Boyle faction was dislodged by Arnold Miller and the Miners for Democracy movement.

"Ward Sinclair was my model for what a journalist ought to be," said David Hawpe, editor of The Courier-Journal and a past president of the Kentucky Press Association.

"He wrote with passion. His journalism was moved by real conviction that what we print, if we do it well, can make a difference, and what he wrote did make a difference," Hawpe said.

He is survived by his wife, Cass Peterson; two sons, Harold Sinclair of New York City and Paul Sinclair of Sterling, Va.; a brother, Michael Sinclair of Bloomington, Ill.; four sisters, Judy Brewer of Normal, Ill., Audrey Bess of Mattoon, Ill., Gail Hockin of Mercer, Wis., and Sidney Bruner of Streator, Ill.; and a grandchild.

Got news about a friend or colleague?
Want them to see their name in
Movers & Shakers?

Send items to Becky L. Meadows,
Kentucky Press Association, 101 Consumer Lane, Frankfort, KY 40601



Kentucky State newspaper adviser sues school over pre-approval policy

By Angie Hatton
Frankfort State Journal

A Kentucky State University journalism instructor has filed a lawsuit in federal court against the university over a policy requiring administrative approval of each issue of The Thorobred News, the student newspaper.



Laura Cullen, the newspaper's adviser, has ignored the policy on grounds that what amounts to censorship violates the student journalists' First Amendment rights.

For refusing to go along with KSU's policy, Cullen was removed as student adviser and given secretarial duties in another department. She was reinstated last December and ordered to submit the newspaper for administrative approval, officially performed by the Student Publications Board. She refused and was reprimanded.

Several state and federal courts have ruled in favor of student newspapers in at least 60 cases involving censorship, according to the Student Press Law Center in Washington, D.C.

"As an educator, I find it repugnant to be asked to willfully disregard the rights of my students," Cullen said. "My job is to provide information."

"I feel like because we don't have a journalism department that my students don't know what their rights are and I'm the only one who will show them, teach them and defend them," she said.

KSU attorney Reginald Thomas said the university "takes the position

that this is a university newspaper, paid for by taxpayers' money. (Cullen) is an employee of the university and the equipment is supplied by the university. Therefore, we have a right to govern the publication."

Thomas was legal adviser to the Student Publications Board when it installed the current policy in 1994.

Thomas cited the 1994-96 edition of the KSU student handbook which states, "The Student Publications Board shall...approve the written publications policy of each student publication."

"We intend to stick with the current policy," Thomas said.

Thomas, calling from an academic conference in Clearwater, Fla., said he knows of court decisions favoring prior review for universities that fund their student newspapers.

Thomas said he did not have any of those specific case summaries with him in Florida and could not cite their titles or where to find them.

"This is very different from cases like the Kentucky Kernel at UK and other newspapers where the newspaper is an independently-run business," Thomas said.

Cullen's attorney, Bruce Orwin of Somerset, said he is investigating alternatives right now.

However, Thomas wrote in a letter to Orwin: "Let me make it clear that Ms. Cullen does not possess a right to run this newspaper. The policy of the university, moreover...provides that the Student Publications Board exercises editorial authority over the Thorobred. Thus, Ms. Cullen should understand that she has no editorial responsibility with regard to the university student newspaper, but is solely expected to carry out the duties and responsibilities of her job description."

Cullen, the university's only journalism instructor, said she was moved from her position as newspaper and yearbook adviser in early December 1994.

She said Vice President of Student Affairs Betty Gibson told her there was not enough positive news in the paper and too many typographical and grammatical errors.

She was notified by Gibson that she had been moved to the housing office where she sorted mail and did secretarial-type duties.

When her position was reinstated through a Dec. 20 memo from Gibson, Cullen was given 10 directives she was to follow as specific expectations of her job performance.

The State Journal obtained a copy of the memo whose directives stated, among other things, that "more positive news is to be published" and "the paper must be reviewed by the Student Publications Board before going to print."

Cullen replied via memo to Gibson. "To a journalist, 'positive' has a vague and subjective meaning," she wrote. "Furthermore, it is illegal for me to coerce my students to print, not to print, or to slant stories."

"If you are asking me to influence the news in such a manner, I must refuse to comply with this unreasonable request on the grounds that I will not violate my students' First Amendment rights and thereby become involved in an illegal action," her reply continued.

Among other things, she said she has cited Supreme Court decision cases and offered Gibson a copy of the national College Media Advisers Code of Professional Standards for Publications Advisers.

In a memo attached to these stan-

dards, Cullen wrote to Gibson, "I hope this will clear up some of the misunderstandings surrounding my responsibilities to my students and I hope this will cease the directives which ask me to commit illegal, immoral and unethical acts."

Cullen has memos from Gibson, also obtained by The State Journal, telling her specifically to put certain items in the paper or to keep certain things out of the newspaper including a letter to the editor from another student.

She also found in her files a letter from the former adviser to The Thorobred News, Cynthia DeMarcus, which detailed the contents of a then-upcoming issue.

Cullen took this as proof that the university had been asking advisers before her to participate in the same type of potential censorship.

Bob Adams, adviser to the College Heights Herald at Western Kentucky University, went through a similar situation with a university president.

"It's a terrible position to be in," said Adams, who is also Associates Division Chairman of the Kentucky Press Association. "The ideal thing is to stand up and quit, but unless you have another source of income, that's hard."

"I thought this (college) was a place where you're preparing students for the real world, and it almost looks as though they (KSU administrators) are going in the opposite direction."

"I think they need to redefine what the publication is, whether it's going to be a newsletter or a newspaper," he said. "I think she's trying to run a newspaper."

Student Press Law Center literature says Supreme Courts have ruled unanimously for the journalists in cases directly involving censorship of college and university newspapers.

Appeals Court battle lost

Continued from Page 1
opinion upholding a Franklin Circuit Court ruling that the governor's schedule is not an open record.

Judge Lester took the side of the Attorney Mark Guilfoyle, who represented Jones. Guilfoyle argued the governor's daily appointment calendar is a preliminary document even after the day is finished because the governor's staff does not correct the calendar.

The court quoted a Times Mirror case in California with similar details. In that case, the California court wrote: "If the law required disclosure of a

private meeting between the Governor and a politically unpopular or controversial group, that meeting might never occur. Compelled disclosure could thus devalue or eliminate altogether a particular viewpoint from the Governor's consideration."

"We view the Governor's appointment schedule as nothing more than a draft of what may or may never take place; a notation for inter or intra office use, so the daily affairs of the chief executive's can be conducted with some semblance of orderliness; and all of which should be free from media interference," Judge Lester wrote.

Papers yanked

Continued from Page 1
business located on city-owned ground.

For example, the Pikeville hospital once decided to pull issues of the newspaper, but the hospital is located on public ground.

"I had a lawyer set up where if I got arrested for selling papers, he was going to bail me out," Backus said. "But they backed off, the hospital."

Backus said Pike County residents have been upset by seeing the convenient store pull the newspapers from its shelves.

"I guess it goes with freedom of speech," he said. "The people cherish it. It goes very deep. Most of the public, they're just astounded that this is happening. Folks feel it's just censorship."

Are you a member of the KPA STATEWIDE CLASSIFIED PROGRAM? No? Then call Reba Lewis at (800) 264-5721

Use your KPA NEWS BUREAU!

Got a question about a legal matter?

Call the KPA FOI HOTLINE!
(502) 589-5235

Jon Fleischaker or Kim Greene can set you straight!