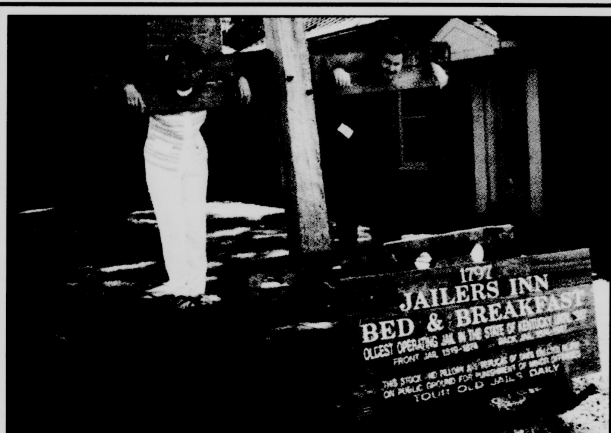


# KPA

Volume 70, Number 7 - July, 1999

# The Kentucky Press

PUBLISHED AS A MEMBER SERVICE OF THE KENTUCKY PRESS ASSOCIATION AND KENTUCKY PRESS SERVICE



### Summer convention fun

Dale Morton of the London Sentinel-Echo and wife Melody posed in front of the Jailers Inn Bed and Breakfast during the summer convention in Bardstown. It was the oldest operating jail in Kentucky in 1987 when a new jail was built and it was converted to a bed and breakfast.

## KPA joins suit challenging closed session by UK board

By LISA CARNAHAN  
KPA News Bureau

KPA joined The Courier-Journal and Lexington Herald-Leader in filing suit against the University of Kentucky Board of Trustees and its chairman concerning the controversial closed session to extend the contract of UK President Charles Wethington.

The board worked out a compromise June 29 to satisfy some of the complaints raised by university faculty, the student body and other constituent groups, but that compromise doesn't affect the lawsuit.

Jon Fleischaker, KPA General Counsel and an attorney for The Courier-Journal, said the board's latest action didn't deter the litigation.

"I think we're committed to

moving forward," said Fleischaker. "The process is the important issue with us and what we believe were violations of the law at that May meeting. The fact they've changed the contract does not alleviate the need for the litigation."

A fax was sent to the KPA Board of Directors on June 9 concerning KPA involvement in a possible lawsuit. The board voted 20-1 in favor of KPA entering into any action — as a party to any action filed by a member newspaper or on its own — against the UK Board of Trustees for apparent violations of KRS 164.170 and Kentucky's Open Meetings Act.

The lawsuit was filed June 11.

The UK Board of Trustees held

See LAWSUIT, page 16

## Headlines, spot news package categories added to Fall Contest

Categories recognizing the best headline writers and spot news packages have been added to the Kentucky Press Association Fall Newspaper Contest. The new categories will be added to the 1999 FNC contest and were approved at the June 17 KPA/KPS Board of Directors meeting.

A contest committee, formed by president Tom Caudill, examined the Fall Newspaper and Better Newspaper contests, after inviting member newspapers to comment on the two contests

and make suggestions for either contest.

The committee received suggestions for new categories on editorial cartoons and websites along with a category to recognize headline writing. The committee considered all the suggestions then took its recommendations to the board.

"I want to make sure we continue looking at ways to improve our contests," said Caudill, "and make sure that we hear from member newspapers about what they want in a contest.

The committee considered several comments and took action on those that could be incorporated into either contest."

The committee did not recommend adding an editorial cartoon or website category. Don White, publisher of the Anderson News and co-chair of the contest committee, told the board that the committee felt there would not be enough entrants for either category.

"There are not a lot of on-staff editorial car-

See CONTEST, page 12

## 1998 newsprint report holds good news, bad news

### Total tons increase substantially but recycled total decreases

Just how strong are Kentucky newspapers? One has to do little more than compare newsprint use in the past year to answer that question.

According to information supplied by Kentucky's 42 printing plants, newsprint consumption in 1998 rose more than 5,000 tons over the previous year and reflects the highest total of newsprint tons in the past six years.

The information is compiled annually by the

Kentucky Press Association and filed with the Kentucky Cabinet for Natural Resources to measure use of newsprint and recycled newsprint on an annual basis. The report is required by House Bill 282 from the 1994 Kentucky General Assembly.

On a comparison basis, the total newsprint consumed in 1998 for Kentucky newspapers was 88,658 tons, up from 1997's 83,585,892, an increase of 5,072,438 tons. Kentucky's lowest newsprint tonnage year was 1996 when 81,285,033 tons were used.

In 1993, the first calendar year reported to the cabinet, 85,816,359 tons of newsprint were used. That total

See NEWSPRINT, page 16

## What's ahead

• Jan. 20-21: 2000 Winter Convention

### Inside

Marriott, Lexington

• Pg. 2: People, Papers in the News

• Pg. 3: Summer Washington bureau features UK student

• Pg. 8: AG Opinions

• Pg. 10: Future of journalism at WKU bright with new building, technology

# Kentucky people, papers in the news

## Kentucky New Era names managing editor, marketing/sales director

Two executives have been hired by the Kentucky New Era Corp. to oversee operations in news, and marketing and sales.

Ken Mink began his duties as managing editor of the New Era on June 21, while Ted Jatzcak is on board as the corporation's director of sales and marketing.

Mink, 54, came to the newspaper from the Harrisonburg



MINK



JATZAK

Daily News-Record in Harrisonburg, Va. where he was managing editor. He is a Hazard native with some 27 years of experience in the newspaper business.

Jatzcak, 40, will coordinate overall sales and marketing for all corporate holdings except for TV-43. He is a Wisconsin native who has lived in Hopkinsville for almost 14 years and previously worked for Select Beef Inc., which operates a chain of Arby's restaurants.

Mink replaces longtime managing editor Mike Herndon. He attended Lees Junior College in Jackson and Arkansas State University. He spent 13 years at the Knoxville (Tenn.) News-Sentinel working in positions ranging from reporter to Sunday editor. From 1986-89, he worked as city editor at the Kingsport (Tenn.) Times-News, and

had been managing editor of the Harrisonburg Daily News-Record since 1989.

Jatzcak worked about 23 years with companies operating Arby's franchises. He moved up the ranks from an hourly employee to restaurant manager to area supervisor. He attended the Milwaukee Area Technical College and is a graduate of the Leadership Hopkinsville-Christian County Class of 1995. He is a former president of the Kentucky Jaycees, Hopkinsville-Christian County Jaycees and Oak Grove Kiwanis Club. He also has served as a campaign cabinet member for the local United Way fund drive.

## Sexton named GM at Somerset News-Journal

Brenda Sexton has been named general manager for the Somerset-Pulaski News-Journal.

Sexton was promoted from her previous position of advertising manager and has nearly 20 years of experience in the newspaper field. She began her career at the Wayne County Outlook as a receptionist and secretary. In 1987 Sexton came to Pulaski County and began as a production manager for Pulaski Week. She was later promoted to ad manager.

## CNHI coordinates nationwide effort for tornado victims

Community Newspaper Holdings, Inc. (CNHI) is coordinating a nationwide print campaign aimed at soliciting help for victims of the May 3 tornadoes in Oklahoma and Kansas.

CNHI is partnering with the Oklahoma Press Association, the Robert Trent Jones Golf Trail and the Associated Press to produce and deliver full-page advertisements for publication in CNHI newspapers nationwide. The ads ask readers to make contributions through their local Red Cross chapter and target them for the storm victims. Forty-four people were killed and hundreds injured when 76 twisters hit the two states.

Space for the advertisements is being donated by Alabama's Robert Trent Jones Golf Trail, which like CNHI, was financed through the Retirements Systems of Alabama. CNHI will provide the production and delivery of the ads and the company also plans to make a significant cash donation to the relief effort.

## C-J wins national journalism awards

The Courier-Journal has been honored recently in two separate award programs.

The newspaper was among 54 Gannett papers that received Best of Gannett awards, winning three honors in the division for the largest papers.

The C-J's awards in that competition included:

- First place, Public Service for "Dust, Deception and Death," an investigative series about coal miners dying of black lung disease

See PEOPLE, page 11

## Tirey joins news staff of Flemingsburg Gazette

Joy Tirey has joined the staff of the Flemingsburg Gazette.

Tirey, a native of Beattyville, is a communications graduate from Morehead State University. She was also actively involved in yearbook activities and journalism as a features writer and photographer while in high school. She will be contributing writing, photography and layout to the Gazette.

## — The Kentucky Press —

The Kentucky Press (ISSN-0023-0324) is published monthly by the Kentucky Press Association/Kentucky Press Service, Inc. Periodical-class postage is paid at Frankfort, KY, 40601. Subscription price is \$8 per year. Postmaster: Send change of address to The Kentucky Press, 101 Consumer Lane, Frankfort, KY, 40601, (502) 223-8821.

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## Deaths

### Lillian Marshall

Lillian Bertram Marshall, former food editor for The Courier-Journal and The Louisville Times, died of congestive heart failure May 13 at her home. She was 75.

According to the Courier-Journal article about her death, Marshall "brought a down-home familiarity and years of homemaking insight to the job," which she held since 1966.

Marshall also compiled a 152-page book of reader-requested recipes and menus which was published in 1971. She collected cookbooks, studied home economics at the University of Kentucky and also wrote for Southern Living magazine.

She retired from the newspaper in 1979.

The family suggested memorial gifts be made to Marshall's church, First Unitarian Church in Louisville.

### Frances Adams

Frances Adams, former owner of the Gallatin County News, died May 11. She was 89.

A native of Trimble County, she married Charles E. Adams, an employee of the Shelbyville Sentinel-News and together they purchased the Gallatin County News and moved to Warsaw in the early 1940s.

See DEATHS, page 12

# UK's Heron working as Washington bureau reporter

By LISA CARNAHAN  
KPA News Bureau

A Kentucky college journalist is among a group of energetic students in the nation's capital this summer working as the Washington bureau for any interested newspaper.

The five students make up the Scripps Howard Foundation Wire and Mat Heron, a University of Kentucky senior journalism major, was one of those selected for the summer internship.

Heron's one-page essay on why he wanted to go to Washington, what he would do once he got there and why he was qualified was judged best at UK and qualified him for the "Semester in Washington" program. He's working with students from Ohio University, the University of Florida, the University of Texas at Austin and Indiana University.

One of the reasons Heron is qualified for the program is he's no stranger to the working press. He's already had internships at the Lexington Herald-Leader, the Kentucky Post and the Voice-Tribune in Louisville. He was editor of UK's student newspaper, the Kentucky Kernel, last year.

Heron and the other summer interns will be available to cover stories out of Washington until Aug. 13. In mid September, another

**"This is definitely the best internship I've ever had... You have to find every single story yourself. You get some ideas and leads, but for the most part you're on your own."**



**Mat Heron**

Summer intern, Scripps Howard Foundation Wire

group of five arrive and stay until Dec. 17.

The students can write any type of story, from congressional profiles to stories on bills that have a significant local impact. Enterprise stories written by the students can be used by any newspaper and obtained off the website ([www.shfwire.com](http://www.shfwire.com)), with credit to the Scripps Howard Foundation Wire. Newspapers can also give the students individual assignments and have the stories e-mailed to them. The students would appreciate clips of anything published and would also appreciate honoraria for their work, sent directly to the reporter who does the story. You can mail checks to the reporter in care of Scripps Howard Foundation Wire, 1090 Vermont Ave. N.W., Suite 1000, Washington, D.C. 20005.

The website's home page has an introduction to the students and program that reads: "We are a news wire service of college journalists brought to Washington by the Scripps Howard Foundation to cover the nation's capital for people outside the Beltway. For people at the grassroots. For people such as our classmates, parents, friends back home. For people such as your readers."

Heron's already done a lot of work for the Topeka, Kansas newspaper including a story on a gun control bill filed by a Kansas congressman, a Native American tribe fighting for gaming rights in Kansas and a profile on a University of Kansas graduate nominated to be ambassador to South Africa.

Heron's story about a presidential scholar from Lexington recently ran in the Herald-Leader.

"This is definitely the best internship I've ever had," said Heron, a 20-year-old Louisville native. "There's not an editor standing over you. You have to find every single story yourself. You get some ideas and leads, but for the most part you're on your own."

"This internship is really what you make of it," he said. "You can sit for three weeks and not do anything, or you can go back and write a story every day. But in a city like Washington

See HERON, page 15

## Put some work into stories 'before' you write them

### Coach's corner

By Jim Stasiowski



My buddy Bruce Westfall was the best coach I ever had, and he never even knew it.

Bruce, who recently left reporting to become a teacher, was always curious and willing to listen it you came to him with an idea. Any time I struggled with a story, I'd talk to Bruce.

Talking to him worked because I never asked for advice. I just talked, told a story the way any two friends chew the fat about anything, from Big Macs to the big bang theory.

Bruce's face told me if my story was good or bad. Polite to a fault, he never said, "Jim, this one really stinks." But a frown or averted eyes said he was hoping I'd stop boring him.

On the other hand, if he nodded and smiled, I knew I was on the right track.

Most reporter-helping-reporter efforts start this way: "Hey Sally, I'm sending you a story, how about giving it a read and telling me what you think?"

Even tough that sounds like a good technique for reporters to

get help, it has so many traps and webs and false starts, it rarely helps and sometimes even hurts.

The time to catch and repair a bad story idea is when the reporter is still thinking about it, not once he has written 25 paragraphs about it.

Think of it this way: Would you build a house, then go to a carpenter before you cut the first plank of wood?

Once you have written a story, unless you have almost no ego, you're not going to make huge changes at the urging of a colleague. You might shift some paragraphs, make an extra phone call, even change the lead. But unless you have more time on your hands than most reporters, when you show a colleague a story, you're asking for patch-up help, not reconstruction.

The principle is simple: Once you write something, whether it's good or bad, it's yours, you have an emotional stake in it. But if, before you write, you test your idea against what a colleague thinks, then you have risked almost nothing.

One time, I was writing, writing, writing a difficult story but getting nowhere. (No, it was not about treadmills.) Dejected, I walked over to the water foun-

See WORK, page 10

## Free online service now available to journalists

Through a grant from the Pew Charitable Trusts, a new free online news service is now available.

Written by journalists for journalists, it's called [stateline.org](http://stateline.org) and each week provides news and information on all 50 states. Included in the site is in-depth reporting by [stateline.org](http://stateline.org) staff writers on policy innovations in the states.

Initially, the focus will be on education, healthcare, state taxes and budgets, welfare reform and utility deregulation. This part of the site is free to use without restriction.

There's also a daily roundup of what's happening in state capitals as reported by newspapers throughout the country, with links to the full stories. The content in

this area is protected by copyright. Re-use is subject to permission from the original source. Also in the section are "issue specific nut grafts, facts and information that can be compared state-to-state," according to a news release about the service.

Information on governors and state legislators and a regularly updated calendar of national and state events is also a part of [stateline.org](http://stateline.org).

[Stateline.org](http://Stateline.org) is a news and research project of the University of Richmond and financed by the Pew grant. It is administered by The Pew Center on the States, a non-partisan, not for profit organization that, according to the release is "driven by the belief that democracy is nourished by an informed citizenry."

The KPA News Bureau is here for you. Take advantage of having a reporter in Frankfort.

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Lisa Carnahan  
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## AD \$ENSE

# Classifieds face 'double threat' from Internet

By KRISTEN McGRATH

Much has been made of the threat the Internet poses to classified advertising revenues. The threat to newspaper readership posed by the migration of classifieds to the Internet may be just as severe.

Classified advertising is especially important to younger readers — not a surprise, since they often are looking for a job, a car, a place to live or a new love. We often find that the classified advertising section is the number one section for readership among young adults.

With this in mind, please think about young adults and the Internet. The same people who read newspapers mainly for the classifieds also are the most avid users of the Internet. From my own experience, here are two recent examples of the potential threat:

• We at MORI Research are looking for an account executive. We spent \$500 for an advertisement in the local Sunday newspaper and practically nothing to post the ad on the Internet. We have gotten more and higher-quality responses from the Internet ad than from the newspaper ad.

• A colleague looking for a car posted the exact car specifications he wanted on the Internet one evening. Early the next morning, he had a call from a local dealer who had the car he wanted in stock and offered a good price. My colleague also had an e-mail message from a financial institution offering him a pre-approved auto loan for \$20,000 at a good interest rate.

I am sure that you can think of many more, similar examples. What can newspaper marketers do about this major threat to their readership — especially among young people — and to their classified advertising revenues?

First follow that famous marketing maxim: "It's better to cannibalize yourself than be eaten by someone else." That is, of course, why Procter & Gamble offers so many brands in the same category. Make sure that you have the best local Web site in your area, that your classifieds are on it, and that they are easily searchable.

Our experience, for the most part, is that newspapers are ambivalent about their web sites. They are hesitant to make them too good for fear of hurting their core product. But, as the saying goes, "He who hesitates..."

Second, make sure that the newspaper version of your classifieds is as attractive and user-

friendly as it can possibly be. Young people, especially, will not use resources that are not easily searchable.

Although newspapers in recent years have made major efforts to redesign their classified sections, many still have a long way to go. Since we work for so many newspapers, I read a lot of classified sections. I often wish we had a national standard on, for example, how to organize the automotive classifieds. Sometimes it is by year, sometimes it is by make and model, sometimes it is make and model within year — and so on. The organization of your classifieds needs to be completely transparent to readers. (Just as an aside, I find that reading a newspaper's classified section is a very good way to get to know the market.)

Third do extensive cross-referencing of your newspaper classifieds and your online classifieds. Among other things, this can help bring at least some online classified users back into the newspaper.

Fourth, create a multi-media brand identity for your classifieds. For example, The Press Enterprise in Riverside, California, recently created what they call The Job Zone, consisting of employment ads in the newspaper, online and in their total-market-coverage product.

Fifth — this almost goes without saying, but it is very important — make sure that all of your key classified advertising categories stay healthy.

Above all, be constantly diligent in your situation analysis of the classified advertising environment. The pace of change in that arena almost makes warp speed seem slow.

*(Dr. McGrath is president of the Minneapolis-based MORI Research. Reprinted from Ideas Magazine.)*



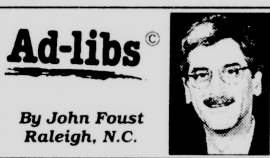
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## When mistakes happen, take corrective action fast



By John Foust  
Raleigh, N.C.

True story.

An out-of-town advertiser (let's call him Jim) contacted his sales rep and provided written instructions to run a two-color ad in a beginning-of-the-year business forecast section — an issue which was sure to have a long shelf life. This particular ad had run before, so there was no need to reset type or make changes.

Sounds simple, doesn't it?

But something went wrong. The ad was left out of the special issue and ran, instead, a full two-weeks later. Jim learned about it when he received an invoice and a couple of tearsheets.

In an effort to trace the problem, Jim placed a call to the sales rep (call him Bob). Bob was out of the office, so Jim left a detailed voice mail message and requested a prompt return call.

A week passed and Bob had not called.

So Jim called the rep's manager (Mary), who said the ad would be no-charged and that future ads

would run correctly. "But it's time to place our next ad," Jim said. "Do you think Bob can handle this situation?"

Mary reassured him, "Oh, this was just an unfortunate incident. Bob is one of our best people. He'll take extra precautions with your next ad. You have my word on that."

Feeling a little better about things, Jim sent a new insertion order to Bob, asking him to call him as soon as the order was received.

Two weeks later, Jim had heard nothing.

At this writing, Jim has not told me what happened next. But I wouldn't be surprised if he pulls all of his advertising out of Bob's paper. If this happens, it won't be due to the initial mistake. It will be because of lousy customer service.

Of course, not every advertising mishap is this dramatic. But when mistakes happen, here are a few points to keep in mind.

1: Admit mistakes quickly. Even though you're busy, it's a good idea to spend a few minutes every day checking up on your clients. Is everything on schedule? Are their ads running correctly?

If you find a mistake — even a

See MISTAKES, page 14

## Video workshop can help your staff create better ads



At last...a program that is tailor-made for newspapers! *Basics of Layout and Copy* is getting rave reviews from publishers and ad managers coast-to-coast.

It's a workshop, not a lecture. Your staff will be involved from the start — working on layouts, getting ad ideas and writing more effective headlines.

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# Legal Defense Fund Committee approves financial aid requests

The Kentucky Press Association Legal Defense Fund Committee met June 4 in Frankfort to consider six requests for financial assistance in legal situations. The six requests came from five newspapers.

The KPA Legal Defense Fund was started in January, 1996, as a way to assist newspapers involved in legal situations where the final decision on the action could have an effect on the industry throughout the state.

The committee voted to:

- award the Elizabethtown News-Enterprise \$2,166 for an Open Records complaint against the Hardin County School system;

- award the Frankfort State Journal \$9,565.32 in a libel action by seven teachers in the Jessamine County School system after the newspaper ran an Associated Press story;

- award the Louisville Courier-Journal \$2,298.95 to fight a City of Louisville ordinance that would have restricted the locations of newspaper racks within the city and would have required a substantial licensing fee to place newsracks in public places;

- award the Kentucky Standard an undesignated sum in an unemployment case involving a terminated newspaper carrier. The committee awarded initial funding in 1997 in the same case. The appeals process has carried over into 1999 and the newspaper finds itself with continuing legal expenses in the case. The committee voted to accept the newspaper's request but the amount of the award will be determined at a Fall committee meeting;

- delay action on a request from the Louisville Courier-Journal in an Open Records lawsuit against the Kentucky Department of Corrections. The case has reportedly been decided in favor of the newspaper but an order from the judge for the department to pay the newspaper attorney fees has not been finalized. The committee voted to reconsider the amount of the award after attorney fees are settled.

- voted to not award assistance to the Owensboro Messenger Inquirer in a contract dispute case with an event promoter. The committee felt any final action in the case would not have an effect on the industry as a whole.

Steve Lowery, who came up with the program idea when he was president of KPA, said the program could "help especially the smaller newspapers who may find themselves battling a government agency or other entity with deep pockets. Newspapers, especially those that are independently-owned, don't have the financial resources available to continue fighting legal battles in court. KPA can encourage newspapers to continue the legal battle by offering some financial assistance."

As a way to raise funds for the,

KPA Legal Defense Fund, newspapers interested in participating in the program were asked to contribute the equivalent of at least one-quarter page of advertising per year. The original effort was for four years and is scheduled to end August 31, 2000.

The committee recommended to the KPA Board of Directors that the program be funded four more years starting in September, 2000, with newspapers asked to continue contributing advertising space. Only newspapers contributing space are eligible to apply for financial assistance from the Legal Defense Fund.

The space contributions are taken from advertising placed in those newspapers by the Kentucky Press Service between September 1 and August 31 of each year. Once the allocated space contribution has been fulfilled, KPS then continues paying newspapers for the advertising space sold through the KPS Advertising Service.

## KPA Legal Defense Fund History of Requests and Awards Since Aug. 1, 1996 through June 4, 1999

Below is a history of actions taken by the KPA Legal Defense Fund since its inception on August 1, 1996.

Through June 4, 1999, the KPA Legal Defense Fund Committee has awarded newspapers participating in the program a total of \$29,914.72 in financial assistance for cases involving decisions where the outcome could affect the newspaper industry as a whole. The amount does not include two requests that are pending a final determination of the amount to award the newspaper.

Since the program began in 1996, the committee has received 17 requests for financial assistance in legal situations. Twelve requests have been approved for funding and two are pending the final amount to be awarded. Three requests for financial assistance have been denied.

In all cases, the amount awarded to the newspaper is 50 percent of the total legal expenses incurred. The committee's policies allow it to award up to 50 percent of legal expenses incurred by newspapers.

**November 20, 1996**  
**Clay City Times**  
**\$2,807.00**  
assistance in closed records case. Granted 50 percent of the cost of the case.

**May 8, 1997**  
**Kentucky Standard**  
**\$2,275.00**  
(see note below)

**July 16, 1997**  
**Kentucky Standard**  
**\$281.07**  
(see note below)

**September 24, 1997**  
**Kentucky Standard**  
**\$1,443.93**

the above three financial assistance awards involve a case with the Kentucky Unemployment Insurance Commission, an

adverse decision concerning newspaper carriers. The committee on March 31, 1997, voted to give the Kentucky Standard 50 percent of its expected appeals cost. Jon Fleischaker and Steve Lowery estimated the appeals process to cost \$7,000 to \$8,000. Three checks were written over the four-month period as invoices were sent to the Kentucky Standard.

**November 18, 1997**  
**Elizabethtown News-Enterprise**  
**\$1,215.00**

the above concerns a practice of the Hardin County Schools to deny the newspaper's request for statistics on student disciplinary actions. Legal expenses incurred as of October 9, 1997, were \$2,430.18. The newspaper applied for assistance of \$1,215, based on assistance of up to 50 percent of the costs incurred and the Legal Defense Fund approved the 50 percent reimbursement request.

**June 5, 1998**  
**Elizabethtown News-Enterprise**  
**\$3,043.83**

this involves a case where the Hardin County Circuit Court closed jury selection proceedings in a murder-for-hire case.

**June 5, 1998**  
**Danville Advocate-Messenger**  
**\$4,083**

this request stems from the denial of access to court records and hearings, including change of venue and voir dire, in a capital murder case in Mercer County.

**November 11, 1998**  
**Frankfort State Journal**  
**\$505.62**

this case involves publication of an Associated Press story on teachers in the Jessamine County school system. The AP story was written using stories originated by the Lexington Herald-Leader and the Louisville Courier-Journal. Both of those stories apparently contained wrong information, unknown to the AP and wire service subscribers at the time of publication.

**November 11, 1998**  
**Harrodsburg Herald**  
**\$230.00**

the Kentucky Division of Water invited Harrodsburg city officials to a meeting in Frankfort concerning Harrodsburg city water and sewer problems. The state had notified the news media and the public that it would not be an open meeting, even though a quorum of the Harrodsburg city commission would be present. The city commission would have abided by the Open Meetings Law but could not since the state called the meeting and established the guidelines. On advice of attorney, the newspaper wrote the City of Harrodsburg that it would be in violation of the Kentucky Open Meetings Law if a majority of the city commission members attended the meeting and it was not open to the press and public.

**June 4, 1999**  
**Elizabethtown News-Enterprise**  
**\$2,166**

the action follows up an award on November 18, 1997, involving an Open Records request by the newspaper to the Hardin County School system. The school denied the newspaper's request for statistics on student disciplinary actions. The case has been appealed to the Kentucky Supreme Court and the newspaper continues facing legal

expenses through the appeals process.

**June 4, 1999**  
**Frankfort State Journal**  
**\$9,565.32**

this is a continuing award from November 11, 1998. The case involves publication of an Associated Press story on teachers in the Jessamine County school system. The AP story was written using stories originated by the Lexington Herald-Leader and the Louisville Courier-Journal. Both of those stories apparently contained wrong information, unknown to the AP and wire service subscribers at the time of publication.

**June 4, 1999**  
**Louisville Courier-Journal**  
**\$2,298.95**

the case involves a proposed ordinance by the City of Louisville that would restrict newspaper rack locations and require newspapers to pay a substantial licensing fee to place newsracks in public places. The ordinance was drafted but never presented to the Louisville Board of Alderman because of concerns the proposal would have on newspapers and the First Amendment.

**June 4, 1999**  
**Kentucky Standard**  
**Amount to be determined**

this request is a continuing one involving the Kentucky Standard in Bardstown and a lawsuit filed by a terminated newspaper carrier and the Kentucky Unemployment Insurance Commission. The commission made an adverse decision concerning newspaper carriers and the newspaper has appealed the commission's ruling. At its June 4 meeting, the Legal Defense Fund Committee voted to continue its financial assistance to the newspaper but has delayed determining the amount until its Fall meeting, pending expected further legal expenses by the newspaper.

**June 4, 1999**  
**Louisville Courier-Journal**  
**Amount to be determined**

this request involves an Open Records dispute between the Louisville Courier-Journal and the Kentucky Department of Corrections. A judge has ruled in favor of the newspaper and has ordered the Department of Corrections to pay the newspaper's attorney fees. However, those fees have yet to be determined and the committee has delayed awarding any financial assistance until the fees are finalized.

KPA Legal Defense Fund Committee Members —

(Voting Members)  
KPA/KPS Board of Directors  
Chairman Tom Caudill  
Dave Eldridge

Past Presidents  
Steve Austin  
David Hawpe  
Mary Schurz

(Advisory/Non-Voting)  
Attorneys — Kim Greene and Jon Fleischaker, Dinsmore & Shohl  
Staff — David T. Thompson, KPA/KPS Executive Director

## LEGAL NEWS & VIEWS

# UK case classic example of why press must be vigilant

By **KIM GREENE**  
**KPA General Counsel**  
**Dinsmore & Shohl**



The controversy surrounding University of Kentucky President Charles Wethington's contract extension serves as a reminder to all of us that many public officials intentionally or unintentionally ignore their obligations under the Open Meetings Act (Act).

As we mentioned in the last column, the only way for reporters to combat this problem is to understand the Act and challenge all violations. Forcing public agencies to follow the Act is both a means to an end and a means to the end—the procedures required before going into closed session, for example, should prevent officials from unlawfully holding closed-door, secret discussions on issues of public interest.

The University of Kentucky Board of Trustees (Board) obviously had a great reason to hide the contract extension process from the

public. The Board wanted to keep a lid on the bitter conflict which had developed regarding President Wethington among the faculty and factions of the Board. The problem for the Board was that the law required this process to take place in public.

One mistake that the Board made under the Act was in failing to follow the straightforward procedure to close a meeting. KRS 61.815(1) requires that notice be given in open session of the general nature of the business to be discussed in closed session, and the specific exception to the Act allowing the session to be closed. The Board, however, failed to follow this procedure.

More significantly, discussion of President Wethington's contract extension did not fit within any of the exceptions to the mandate of openness in the Act. KRS 61.810(f) allows sessions to be closed for 'discussions...which might lead to the appointment, discipline, or dismissal of an individual...' The Attorney General of Kentucky has stated that discussions about contract extensions, the precise issue which was dis-

cussed in the Board's closed meeting, do not fit within the exception. Moreover, KRS 164.70(2) explicitly requires all Board meetings to be open to the public.

The Board further violated KRS 61.835 in failing to record the vote of each Trustee on the question of whether President Wethington's contract should have been extended and the decision to authorize the Chairman of the Board to negotiate the contract. As mentioned in our last column, KRS 61.835 and opinions of the Attorney General unambiguously require minutes of all public meetings to show how each member voted on action taken.

The Board also violated the Act after the extension had been approved by holding separate telephone conversations with individual Trustees in order to gain a consensus for the terms of President Wethington's contract extension. KRS 61.810(2) explicitly prohibits any series of less than quorum meetings (such as phone conversations) where the meetings collec-

See **EXAMPLE**, page 15

## AG Opinions

### The Crittenden Press/Marion City Council

Chris Evans, editor of The Crittenden Press, sought an AG opinion on whether the Marion City Council violated the Open Meetings Law when it went into closed session on May 17 to discuss a real estate purchase called "the Siemens sale and leaseback agreement."

Evans sent a written complaint to the mayor on May 27. He contended that the council couldn't invoke the exception for open meetings dealing with property negotiations because the purchase price of the property in question had already been announced — and was in fact published in the newspaper in January. He also noted in his appeal to the attorney general's office that the purchase price had even been figured into the city's 1999-2000 budget.

On June 3, Mayor Mick Alexander responded to Evans' complaint. He defended the council's closed session because "no price is final until an actual signed agreement is entered." The city entered into such an agreement on May 27 and the newspaper was furnished with a copy of the sales contract and lease agreement.

The mayor also said the closed session was authorized by KRS 61.810(1)(g) relating to discussions concerning a specific proposal if open discussion would jeopardize the siting, retention, expansion, or upgrading of a business. He said the closed session decision was prompted by a concern "for the betterment of the community through the retention of jobs and economic growth,"

and "not to keep secrets."

Robert B. Frazer, legal services officer for the city, said the delay in responding to Evans was because the city hadn't originally treated it as an open meetings complaint under KRS 61.846(1), and therefore "a response didn't seem warranted." But when it became apparent that it was such a complaint, because of an editorial that appeared in The Crittenden Press, Frazer said he immediately responded.

Frazer said "further negotiations were being conducted until (May 27) as to rent, maintenance expenses and other matters that have to do with the physical structure of the building... (which) could have resulted in the price being adjusted by Siemens." He also said the city was trying to honor Siemens' request to keep the negotiations regarding the expansion of the existing site in Crittenden County confidential.

In support of that claim, Frazer included in his response to the AG appeal a letter from the president of the Crittenden County Economic Development Corporation and the vice president and general manager of Siemens Electromechanical Components Inc. In the letter, the economic development official said he had been responsible for negotiating the sale of the building and property in question and the leaseback of the facility to Siemens. He claimed that after an article appeared in The Crittenden Press in January, executives of the company (located in Peachtree, Georgia) had asked that all further negotiations

See **AG**, page 7

## High school students honored for defense of First Amendment

Five Florida students' passionate defense of the First Amendment has earned them the Newseum's second annual Courage in Student Journalism Award.

The five — Brady Ward and Mario Weber of Coral Gables Senior High School, and Isabel Eisner, Joey Ruiz and Katie Townsend of Miami Palmetto Senior High School — successfully fought Dade County School Board efforts to limit student press rights.

They organized rallies to protest the board's plans, generated local and national media coverage, wrote editorials and articles, and enlisted legal help from People for the American Way and the Student Press Law Center.

Judy Hines, Newseum Education Center director, said she and other judges were impressed by the students' passion, commitment, drive and organization. Their efforts were "a hands-on-lesson on the role the First Amendment plays in America," she said. The awards were presented May 6.

Ward, who was the editor of Highlights, the newspaper at Coral Gables, said she became very concerned about school board plans to

allow prior review of content. As a graduating senior, Ward "knew what it was like to have a no-prior-review policy, and I wanted others to [be able to] experience journalism the way I did."

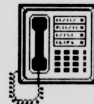
Eisner said, "We had all come to appreciate journalism as [it had been] taught to us. We all felt that [having the administration edit the newspaper] would just contradict that teaching. It wouldn't [let us] show that we had learned to be responsible journalists. When you feel your free speech has been stifled and you have no voice, you end up with students who lash out, who go outside the system."

Eisner was referring to students at another school who had published an underground newspaper. Administrators were so disturbed at its content that they decided to re-examine policy on school newspapers.

Weber wanted to take action, he said, when he saw his principal's first "minor" changes: "The sheets had marks crossing things out left and right. That just cemented the idea for me that we had to do something."

Each student received \$1,000 and a plaque.

Got legal questions about  
a story or ad? Call the  
KPA FOI Hotline  
(502) 540-2300



# AG

Continued from page 6

be kept confidential. The reason for the request apparently was due to the fact that the company's plan to expand and upgrade its Marion operations was because of a pending closing of one of its plants in another state. "...any open discussions of the 'deal' could easily jeopardize the expansion, as well as the property acquisition," the official wrote. This claim was supported by another letter from a Siemens' executive.

The AG opinion determined the city's reliance on the Open Meetings Act exception that it cited (dealing with open discussion affecting the value of property to be bought or sold) was misplaced. The city was also chastised for failing to meet the three-day requirement in responding to Evans' complaint.

The city council's closed session did, however, meet another exception of the Open Meetings Act, according to Assistant Attorney General Amye L. Bensenhaver who drafted the opinion.

Bensenhaver noted the discussions fell into a category that used to be referred to as "Meetings between public agencies and industrial prospects." As a result of 1992 amendments to the Open Meetings Act, the phrase "industrial prospects" was stricken. The exception now reads: "Discussions between a public agency and a representative of a business entity and discussions concerning a specific proposal, if open discussions would jeopardize the siting, retention, expansion, or upgrading of a business." She also pointed out that before 1992, proper invocation of the exception depended on the presence of a representative of the industrial prospect, but that was broadened to include "discussions of a specific proposal" with or without the representative.

"Although it was slow to invoke the proper exception, we believe that the city council offers ample support of its position that confidentiality was required....," Bensenhaver wrote.

## R. Kenyon Meyer (for The Courier-Journal)/Department of Corrections

Meyer, an attorney for The Courier-Journal, petitioned the Attorney General's office on behalf of the C-J after an open records request from one of its reporters, Judy Jones, was denied.

Jones sent an open records request on March 17 to the department for "any complaints regarding S.T. Wright, Jr.'s job performance and any investigatory report produced regarding his work for the Department of Corrections."

The following day, the department's attorney, Tamela Biggs, denied Jones' request. Biggs included a copy of Wright's letter of retirement, but stated in the denial letter that "...the complaint against Mr.

Wright is denied as the 'complaint' was made verbally and was not reduced to writing. The Department cannot produce what it does not have."

Biggs said any investigatory documents were exempt from disclosure under KRS 61.878(1) (i). "Preliminary inter-office and intra-office memoranda or notes setting forth opinions, observations and recommendations, as well as investigative reports which do not represent the agencies' final action may be withheld from public inspection pursuant to KRS 61.878 (1) (g) and (h)..." Biggs also said in the denial letter that "witness statements fall into the category of preliminary records" that are exempt.

Meyer followed-up on Jones' request and the first denial and sent another letter which read in part: "You also discuss a verbal complaint made regarding Mr. Wright. We request that you produce any memorandum or document which reveals the content of the complaint. Some notation regarding this complaint must exist in Mr. Wright's personnel file.

"Finally, we agree that KRS 61.878 exempts from disclosure 'preliminary drafts.' However, we request that you produce a copy of the ultimate conclusion of the verbal complaint to which you referred."

According to the AG opinion, after several discussions between the parties, Biggs, by letter dated March 30, responded to Meyer's follow-up request.

Biggs again denied the request. She said any allegation made against Wright was under investigation at the time he resigned. "...no determination as to the legitimacy of the complaint or information obtained to date and a final decision had not been made," according to Biggs, and release of "the content of any unsubstantiated, preliminary statements or information could subject the employee to the untenable position of defending his reputation without due process."

In Meyer's AG appeal, he argued that the exemptions cited by the department are inapplicable to this situation, noting he only requested the portion of any written document which describes the content of the verbal complaint. If the only documents that indicate the nature of the complaint against Wright are preliminary, the documents could be redacted to remove information other than that sought in the open records request, Meyer said.

In Biggs' response to Meyer's appeal to the AG, she reiterated to the attorney general's office the department's position that any investigatory documents are exempt from disclosure since no final action was taken in and "no final document was created incorporating any of the preliminary investigation." She enclosed a copy of a document from the investigatory file for the AG's review and described the document as follows:

"A District Assistant Supervisor

was verbally informed of some allegations against Mr. Wright. The supervisor then called the Assistant Director of Probation and Parole in Frankfort to apprise her of the conversation. The conversation was viewed as a notification of possible ethics violation rather than a 'complaint.' The phone call was later followed by the issuance of an intra-office memorandum."

The department cited a previous AG opinion (99-ORD-55) which involved a request for a copy of the same complaint filed against Wright that is at issue in this appeal. The department denied release of the information on the same grounds, that the complaint had been made verbally and was not reduced to writing. The AG opinion in that appeal was in favor of the department since it claimed no written record of the complaint existed.

But in this new appeal, the department revealed the existence of the "intra-office memorandum"

"This additional fact, which was not present in 99-ORD-55, makes that decision factually distinguishable and inapposite to the question before us as to whether this intra-office memorandum was properly withheld from disclosure," the AG opinion states. It also concludes that the fact the department may have concluded there wasn't a need for further action on the complaint due to Wright's resignation is irrelevant.

The opinion, written by Assistant Attorney General James Ringo, cited a 1997 AG opinion dealing with the same issue which read: "...an individual who is impelled to file a complaint against a public agency employee is more likely to act responsibly (and less likely to make false accusation).... if the entire process is exposed to the light of public scrutiny."

Ringo determined that in this latest appeal, "The public would be entitled to inspect a copy of the document which describes the verbal complaint made against Mr. Wright and a copy of the letter of resignation. Otherwise, there would be no way for the public to evaluate a complaint made against a public employee in a matter related to his job performance and a matter about which the public has a right to know, and more importantly, no way for the public to effectively monitor public agency action, and ensure that the agency is appropriately investigating and acting upon allegations of employee misconduct."

Ringo said since the Department of Corrections decided to take no further action on the complaint because Wright resigned was, in the AG's opinion, the "final action" of the agency. "...the public should be able to inspect the portion of the intra-office memorandum describing the verbal complaint, which initiated the agency's investigation.... Accordingly, we conclude the Department improperly withheld disclosure of that portion of the intra-office memorandum...."

## Take steps to crashproof your Mac

**Dr. Tech Hotline**

Tim Jones



### Crashproofing your Mac

I recently bought the July issue of MacAddict. The eye-catching phrase on the front says, "Crashproof Your Mac!" Even though it had been over a month since my Mac had crashed, I had to see what it recommended. Most of the recommendations are what we would expect such as backing up data, zap pram once a month and keep an up-to-date virus program. Other thoughts included making sure all software is a recent version that is compatible with your system software.

Let's talk about the virus and worm problem. I have seen a problem with the Auto-Start Worm that infects Powermacs at some newspapers. It will slow your powermac down to the speed of a Mac Plus. You can get a free cure from this internet site: [www.macvirus.com](http://www.macvirus.com). Some of the free software to check for the worm are called, Wormfood, Wormguard, Wormscanner, Wormgobbler and others.

Another problem seen recently was a client who had one of the Microsoft Word Macro Viruses. The problem came up when trying to save a Word document and the program would not allow the document to be saved. Virex was used to remove this problem. As a note on viruses most of you may be aware that Disinfectant is not able to handle the Word Macro virus or worms that are currently affecting Macs. The latest version of Disinfectant for Macintosh is 3.7.1 and the developer has stopped upgrading it. While there is free downloadable software on the web, a commercial version of software such as Norton Antivirus or Virex is the best way to be sure about virus clean-up.

Another point in the MacAddict that may be helpful is "Do not use desktop printing — especially if you are using Mac OS 8.5."

I would recommend you get a copy of the July MacAddict. If you want to check out the MacAddict web site you will find it at [www.macaddict.com](http://www.macaddict.com).

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**Almost a Digital Camera!**

If you have a PowerMac with

See DR. TECH, page 14



One of the three tours of Bardstown offered to KPA members included a stop at the Oscar Getz Whiskey Museum.

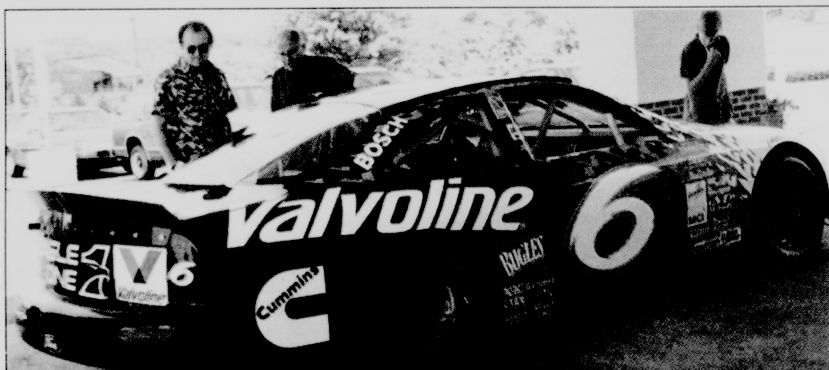


Brooke Portmann, two-year-old daughter of KPA board member Charlie Portmann of the Franklin Favorite, found the old grinding stones outside of Maker's Mark more fun than the tour inside the facility.

## Bardstown offers KPA members a glimpse of state's historic past

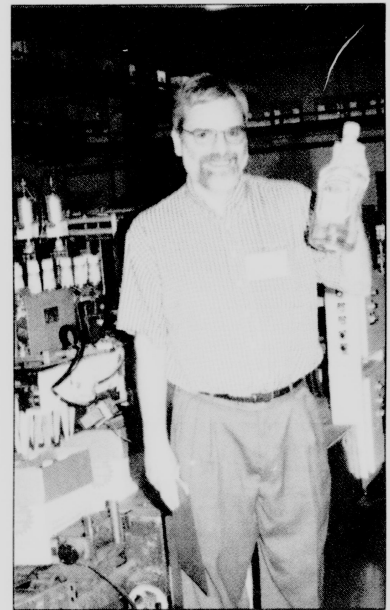


Above: KPA President Tom Caudill and Barbara McDaniel of Toyota Motor Manufacturing got a chance to talk business during one of the distillery tours. Below: Advertising Division Chairman Larry Brooks introduced one of the convention speakers, political consultant Jerry Russell.

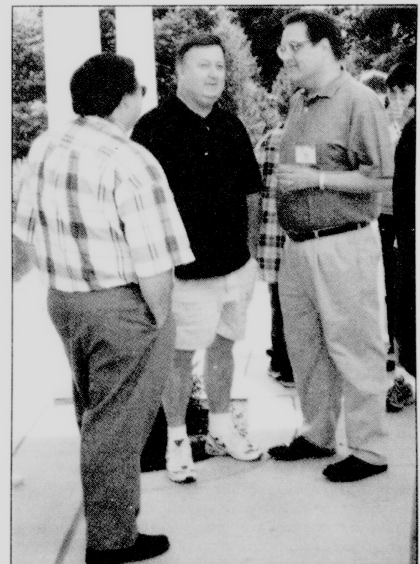


From left, AP Bureau Chief Ed Staats, Bill Blakeman, editor of the Winchester Sun, and Chris Riney, son of Owensboro Messenger-Inquirer publisher Ed Riney, admired the Valvoline race displayed during the convention.





Top left: One of the featured stops for convention goers was the Kentucky Railway Museum and a train ride through the Rolling Fork Valley. Left center: A guide for Heaven Hill distilleries answered a question from the Kentucky Post's Mark Neikirk and his daughter Allison. Above: Caudill posed with one of the many products bottled at Heaven Hill.



Left: David Greer, publisher of Bardstown's Kentucky Standard, the host newspaper for the convention, sampled the ingredients used to make the signature bourbon at Maker's Mark. Above: (Left to right) Stan McKinney of the Central Kentucky News-Journal, Anderson News Publisher Don White and KPA Past President Guy Hatfield talked shop during the awards reception at My Old Kentucky Home State Park.

# WKU J-school announces new building, merger

The new School of Journalism and Broadcasting at Western Kentucky University (merged Department of Journalism and broadcasting and mass communication faculty) is planning for its future.

Jo-Ann Huff Albers, school director, said current activities are focused on four things:

- Completion of plans and construction of an \$18.5 million building project that includes a new structure for the school, communication technology and remodeling of the wing of the Academic Complex to which the new building will connect. Occupancy is scheduled for November 2001.

- Implementation of curriculum and operations changes necessary in the wake of the July 1 establishment of the school. The first aim is to ensure that the broadcasting and mass communication majors meet standards of the

**"Western has done a great job of training young journalists, despite having facilities that are barely adequate. I'm really excited about the new building. With help from Kentucky's journalists, the building will be properly equipped."**

**Tom Caudill**

assistant managing editor, Lexington Herald-Leader  
KPA President

Accrediting Council on Education in Journalism and Mass Communication, even though a revisit will not occur until the 2003-04 school year.

- Completion of its proposal to become a Kentucky Program of Distinction and gain additional state support for the school's academic

and continuing education efforts. Albers said, if approved, the POD proposal will allow Western faculty to "get into workshops and seminars for newspaper, broadcasting and other communications employers in a big way." It also will allow the Western faculty to be more supportive of scholastic journalism education and practice and the Kentucky High School Journalism Association.

- Fund-raising efforts to increase its endowments to ensure income to replace equipment as it ages and becomes obsolete.

"We're very excited about all our new developments," said Albers. When she first got to Western in the fall of 1987 she asked for a new building when the first capital improvements request form came across her desk. She dutifully updated the proposal every two years, think-

See WKU, page 15

## Work

Continued from page 3  
tain for a drink.

On my route sat Bruce, a solid newshound, a friend to everyone in the newsroom. I told him I was struggling with a story. Then he said to me the wisest thing anyone has ever said about writing. He asked, "What's the story about?"

Without thinking, I answered. To my amazement, my first words were about something I hadn't tackled in the many paragraphs I already had typed. At that moment, I reasoned: If the first thing I say to Bruce isn't in my first 30 paragraphs, my approach is a mess.

In three minutes of talking to Bruce, I realized I had written 30 paragraphs of dawdling, my lead was convoluted, and I needed to make more calls before I would be ready to write.

And here's the best: Bruce hadn't told me what to do, so I wasn't in the defensive position most of us assume when someone picks apart our work. Bruce had simply listened and reacted. He asked questions, but he didn't say, "You should do it this way."

When you show a colleague something you've written, you put the colleague in a difficult position. You're asking that colleague to spend his or her precious time reorganizing a story you've already spent a lot of time on. The colleague first must work on understanding the story, then look for specific improvements, then risk hurting your feelings with blunt criticism.

Sure, sometimes it works. But think of the time involved: Reporter Joe spends two hours writing a 25-inch story, sends it to Reporter Jane, who spends an hour reorganizing and making recommendations. Then Jane sends it back to Joe for another two hours of revising. And because he doesn't want to offend Jane, Joe might make changes he doesn't believe in.

But if Joe, before he types the first sentence, talks to Jane for five minutes, he has a good chance of

avoiding all that rigmarole.

Fixing a story works best when the story is still in your head. Once it enters the computer, it takes on life of its own. I've heard reporters aggressively defend a story they knew was awful. They defend it because they have invested so much time and effort in it.

The enemy is not critics; the enemy is defensiveness that blinds you to your story's faults.

Find a person in the newsroom who is curious about the world, as my friend Bruce Westfall is. Before your fingers hit the keys, talk to that person. Don't take your notebook with you, don't rehearse what you're going to say, don't ask for advice. Just talk.

Some day, I'll confess to Bruce that he helped me write my most difficult stories. Not now. If I did, he'd probably want to share this column's byline.

**THE FINAL WORD:** Despite their almost identical sounds, the verbs "to distract" and "to detract" are not pure synonyms.

The dictionary says both mean approximately the same thing. But "distract" is a transitive verb, whereas "detract" can be intransitive. The difference: A transitive verb must take a direct object, whereas an intransitive does not take a direct object.

In this case, the writer needed an object for "distract": "Stanton didn't want to distract from the real issues facing the school district..." Here, the object "attention" solves the problem: "Stanton didn't want to distract attention from the real issues..."

"Detract" doesn't quite work. That's because "to detract" implies the taking away of something desirable, and "issues" is neutral, neither desirable nor undesirable. You could write, "Stanton didn't want to detract from the healthy debate over...etc."

(Writing coach Jim Stasiowski welcomes your questions or comments. Call 410-247-4600, or write to 5812 Heron Drive, Baltimore, Md. 21227.)

## Headline writing fast becoming a lost art

### Pressing Issues

By Randy Hines & Jerry Hilliard

All editing textbooks and a wide variety of other training materials list guidelines for writing effective headlines on news stories. Too often, however, even some Kentucky papers seem oblivious to lessons taught in Headlines 101.

Two main purposes of a headline — among many — are (1) to attract attention to the accompanying story and (2) to summarize its contents. Because of the crucial role headlines play in helping readers decide whether to pay attention to articles, it's wise to elevate the headline writing process to something other than a careless, last-minute afterthought.

Conrad Fink, University of Georgia journalism prof, commented about newspaper errors in "Media Mistakes of '98," published recently by the Freedom Forum. "We're much more intensely scrutinized by the public," he said, "Doctors bury their mistakes,

lawyers put theirs in prison. We put ours on the front page for everyone to see."

Or for Jay Leno to display to the nation on "The Tonight Show."

Among classic headlines requiring a double take are:

- Dr. Ruth Talks About Sex With Newspaper Editors
- Research Fans Hope For Spinal Injuries.

Those so-called codes for writing news headlines typically rank the importance of some guidelines over others. (Our list excludes feature headlines.) We will provide such "rules" in tiers from what is considered absolutely essential to secondary. At the top of the list would be avoidance of headlines with the following problems:

- libel potential
- main news angle missing
- misspelled name
- factual errors

Also listed in nearly all training materials are admonitions to eliminate news headlines with:

- grammatical errors
- punctuation errors
- non-name misspellings or

See HEADLINE, page 13

## Job Shop



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# Profitability lies in driving traffic to your web site

## Interactive Insider

By Peter M. Zollman



To make your newspaper more profitable, you usually want to drive up circulation. To make your web site more profitable, you always want to drive up traffic.

Recently, for a presentation to a publishers' association, I researched ways to drive traffic to web sites. Although some are obvious, many are not. And it was surprising how many of the ways to drive traffic to web sites were being ignored.

So take the following test. Ask yourself: "How many of these traffic-builders do we use consistently?" And, then, for the ones you don't

— well, what are you waiting for?

• **Put your URL everywhere your name is.**

Sounds obvious, but lots of people don't! Examples: Business cards; e-mail signature; every invoice, statement and check you send out; every piece of direct mail; all stationery, note pads, etc.; the front of envelopes; the back of envelopes (people turn them over before opening — and there's more real estate here); promotional handouts and marketing materials; trade show give-aways.

• **Change content often.**

Schedule updates, and let people know on your home page. ("Updated every day!") Offer unique and/or additional content. Test content ideas.

• **Provide online archives.**

These can be free, or paid! Perhaps offer archives for 30-60 days after publication or after

launching the archive service, then charge. Or make archives free to subscribers and charge non-subs.

• **Develop "Top 10" lists.**

Everyone wants to be in the "Top 10" — or read about it. Restaurants; day care centers; civic leaders — whatever is appropriate in your area. And let everyone who's on the Top 10 list know, so they can put your logo on their site, and link to what you say about them.

• **Deliver content with "shelf life."**

Don't leave stale content online, unless it still has value. But copy that is "evergreen" can build traffic with limited production expense.

• **Appeal to users' self-interests.**

Provide career advice from recruiters and HR pros in your area, and articles from people who are looking for or have found jobs. Build an

See TRAFFIC, page 13

## People

Continued from page 2

because of widespread cheating on air quality tests. The series was based on interviews with over 200 working and retired miners and analysis of more than seven million government records.

- First place, Presentation, for the writing, reporting, design and graphics of the "Dust, Deception and Death" series.

The newspaper was also among five winners in the Gannett Freedom of Information competition for the black lung series and other stories published last year that used newspapers' First Amendment privileges to shed light on important issues.

- First place, Sports Writing, for staff coverage of the University of Kentucky's national championship in men's basketball.

- First place, Non-deadline reporting, for Stewart Bowman's photographs of the relief efforts in Central America after Hurricane Mitch devastated that area.

- Second place, In-depth Reporting, for Jim Hopkins' examination of the myths and truths of tobacco's importance to the Kentucky economy.

- Second place, Investigative Reporting, for Hopkins' stories about the disciplinary records of Jefferson County jail guards.

Bennie L. Ivory, executive editor of The Courier-Journal, was among 10 editors who received Gannett's President's Rings for their direction of news coverage last year.

The newspaper's project on coal-dust fraud and a special report on school violence also won top honors in both categories of the Southern Journalism Awards.

It's unusual for a paper to garner first prize in both categories: general investigative reporting and outstanding stories on hate crimes.

The coal project, "Dust, Deception and Death," published last April, won for investigative reporting.

A four-day special report on school violence in December 1998 won the other category. Four teams of reporters and photographers went to towns that had schools shootings — Paducah; Jonesboro, Ark.; Pearl, Miss.; and Springfield, Ore. — to seek the roots of school violence.

The awards were announced by the Institute of Southern Studies. Newspapers were divided by circulation and the Courier-Journal competed in the division for papers with the largest circulation, over 100,000.

### Farmer's Pride marks 10th anniversary

The Farmer's Pride marked its 10th anniversary at the end of June. To celebrate the anniversary, the newspaper sponsored "The Farmer's Pride 10th Anniversary Tell Us Why You Love Us" campaign. Readers were encouraged to send in "nice, warm, fuzzy comments" about the paper, telling what they like best about it, how long they've been reading it, how it's shared with neighbors or any interesting story concerning the paper. Readers were told the comments could be published in the paper's anniversary issue and everyone responding was sent a gift. A drawing was also held and three readers received \$100.

### Mills hired as staff writer for Recorder papers

Jennifer Mills has been hired as a staff writer for The Recorder newspapers.

Mills has worked as a contributing writer for the papers since 1997. She attends Northern Kentucky University and will graduate in December with a degree in journalism. Before transferring to NKU, Mills attended Ohio University where she was accepted into the E.W. Scripps School of Journalism. While at OU, she was a member of the copy editing staff for the yearbook and a reporter for the campus newspaper. At Northern, she's a

member of the university's chapter of Alpha Chi Honorary Society and the Golden Key National Honor Society.

### Tribune-Courier sponsors children's carnival

The Benton Tribune-Courier sponsored a children's carnival in June to raise money for the Marshall County Relay for Life.

The event featured several activities for kids and a dunking booth with several local politicians and civic leaders.

### Smith named publisher of Mountain Citizen

Roger Smith, Inez, has been named publisher of The Mountain Citizen.

Smith has been general manager of the paper since 1992 and takes over the publisher's position from owner Lisa Stayton.

### Hart named managing editor of newspapers

Jason Hart has been named managing editor of the Olive Hill Times and Grayson Journal-Enquirer.

Hart comes to the Carter County papers from the Henry County Local. Before that, he was production manager at the Morehead News. He also worked at the Journal-Enquirer previously as production manager. Hart grew up in Carter County and will divide his time between the two papers.

### Reynolds, Brashear join Messenger staff

Melanie Reynolds and Kristy Brashear have joined the staff of the Madisonville Messenger in the classified advertising department.

Both are natives of the area and graduates of area high schools. Brashear was part of the first graduating class of Hopkins County

Central High School and Reynolds graduated from Life Christian Academy.

### Greensburg paper holds circulation campaign to benefit local charity

The Greensburg Record-Herald recently held a circulation campaign to benefit the Green County American Cancer Society's Relay for Life. The campaign resulted in a contribution from the paper to the organization for \$177.50.

### McDowell joins ad staff at LaRue Co. Herald-News

Janay McDowell has joined the staff of the LaRue County Herald-News as an advertising sales representative.

McDowell is a graduate of Western Kentucky University with a degree in corporate communications. She has worked at the newspaper for the past few summers in several departments.

### Rogers retires after nearly 50 years at Bowling Green

Roger E. Jones, advertising director of the Bowling Green Daily News, will retire at the end of this month after nearly 50 years with the newspaper.

Jones' career began with the paper in 1949 as a newspaper carrier. He's worked in complaint delivery and the mailroom and moved into the newspaper's advertising department in 1955 where he served as a retail sales rep, advertising manager and director.

### Wants to buy newspaper

Publisher seeks to purchase weekly newspaper. Telephone (812) 662-0026



### Summer intern

Tara Shelby, a journalism major at Murray State University from Reidland, has her story checked by Rita Mitchell of The Fulton Leader. Shelby is one of the students interning this summer at Kentucky newspapers through a program established by KPA and administered by the Kentucky Journalism Foundation. Mitchell is editor of the Fulton paper while her husband William serves as publisher. Both are Murray State alumni. The interns will be featured in the August Kentucky Press. (Photo courtesy of Bob McGaughey)

## Better Business Bureau warns of Internet scams

Scams against businesses have become more sophisticated, thanks to the Internet. To reduce the chance that your business will be scammed, educate your staff on how to spot Internet scams. Some "red flags" of potential cyberscams include:

- Be cautious about downloading unsolicited e-mail. Don't open any attached file unless you know the source — it may contain a virus that can wreak havoc on your hard drive.

- Be aware of promises to create and post your company's site, for a very low fee.

- Be careful of e-mail messages threatening your company with legal action unless you pay for an overdue account. In many cases such e-mails request you call an 809 area code (which is in the Caribbean) for further information. If you do, you'll get a recording, and the pay-per-call phone number could end up costing your company hundreds of dollars.

Web site attackers can target your server and change information on your Web page, steal credit card information, enter orders and redirect your shipment. There are also browser attackers who send incriminating electronic mail and make it seem as if it's coming from you.

To combat these and other Internet scams, the BBB suggests:

- Always run an updated anti-virus program to help prevent computer viruses.

- Instruct your staff to carefully evaluate e-mails from businesses they do not recognize, before determining whether to respond or open any attached file.

- Check out online companies before ordering merchandise or services. Obtain a reliability report from the BBB or look for the BBB Online Reliability Seal ([www.bbbonline.org](http://www.bbbonline.org)) on the company's Web page.

Kentucky Press Association. Charles Adams was president of KPA in 1956. When Bradley died in 1974, the family sold the newspaper to its current owners.

Memorials to the Warsaw Christian Church or the Warsaw Woman's Club were suggested by the family.

## Deaths

Continued from page 2

Their son, Phil Bradley, became editor of the newspaper and the entire family was active in the

## Contest

Continued from page 1

toonists, especially in the weekly newspaper industry, to warrant a category," said White. "We will encourage cartoonists to continue displaying some of their more favorite editorial cartoons at our convention."

A website category is in the offering but the committee recommended the board delay adding that category to the contest at the present time.

"Probably one-third of the newspapers have websites at present," White said, "and while this category should be added, we suggest waiting another year until even more newspapers have websites. At present, there probably would be too few entries in some divisions to justify having the category. Perhaps by next year, that will change and we can add a website category."

The recommendations from the committee that were approved by the board include:

**Best Headline** — headline writers will be invited to submit up to six of their best headlines during the contest period (October 1 through September 30) as one entry. Newspapers may enter an unlimited number of staff members in the contest but each staff member will be limited to a total of six headlines. The Best Headline competition will be Category 14 in the 1999 Fall Newspaper Contest. The entry information reads: "...is designed to recognize the best headlines. A headline writer may submit up to six headlines he/she has written in the contest period with the limit of one entry (up to six headlines) per staff member. There is no limit on the number of staff members entering this category. An entry must consist of full-page tearsheets with the headlines written by the staff member clearly marked with a red check. All six tearsheets must be stapled together with an entry label placed on the top tearsheet only."

**Best Spot News Package** — this new category will be Category 12 in the Fall Newspaper Contest and replaces the previous Best Story Series.

"First, the committee felt that entries in the Best Story Series can be entered in at least one other category and was a duplication of effort," said White. "The committee felt that KPA should recognize efforts of all newspapers who find themselves at or near deadline when a spot news story develops. We do not just report a story on the spot news event, we often put together a package of stories about what happened and the events that led to the spot news story. We do stories on the people who were involved in the spot news event and we offer background stories to

our readers on what happened, or how it happened and what contributed to the spot news event."

All of the entries in the Best Spot News Package category must be published on the same day. "We recommended this because we also have an on-going/extended coverage category that would include entries about any news event regardless of when the story is published. But by requiring all of the package to be published on the same day, newspapers can showcase how any number of staff members responded to a spot news event by doing research and writing stories," said White.

Newspapers will be able to enter the "main" spot news story in Category 2 (Best Spot News Story) and then enter that story as part of the package. "It's important for the judges to know the background of the spot news event used to develop the entire package," he said.

The Best Spot News Package (Category 12) reads: "...is designed to recognize a newspaper's complete effort in covering a Spot News Story eligible for entry in Category 2. The entry must include the original Spot News Story and all related stories published on the same day. All stories submitted in this category must have been published on the same date as the original Spot News Story. Any series or package of stories not published on the same date may be entered in Category 11. The entry in Category 12 should include tearsheets showing the original story and all related stories clearly marked with a red check. If several articles appear on one tearsheet, be sure to check all stories related to that subject. Judges will consider the thoroughness of the newspaper in covering the Spot News Story, quality of writing and headlines.

The additional categories give the Fall Newspaper Contest a total of 22 categories. Categories 1 through 13 will be for stories and columns; category 14 is for headlines; category 15 is for graphics designers and photo illustrations; and categories 16 through 22 will be for photographers.

The contest period is October 1, 1998, through September 30, 1999. Entry information and an explanation of the rules and categories will be mailed to all Kentucky newspapers and Associate Member Newspaper in mid-August. All entries must be postmarked by Friday, October 15.

The contest will be judged by the Alabama Press Association and awards will be presented Friday, January 21, 2000, at an awards banquet during the Kentucky Press Association Winter Convention. The 2000 KPA Winter Convention and Trade Show is scheduled for Thursday and Friday, Jan. 20-21, at the Marriott Resort in Lexington.

# Good design requires more than just tool skill

## Design is Everything

By Edward F. Henninger



I've spent quite a bit of time recently traveling the country to present design workshops.

Doing these workshops can be very rewarding. I get to meet a lot of great people — like you — and I conclude most of the sessions with the sense that I've been able to provide some tips, tricks and techniques to help you do a better job of design at your paper.

Doing these workshops can also be very frustrating — especially when I realize how little (if any) design training many of you have

received. And a key to that frustration lies in my recent understanding that too many people who do page layout and pagination confuse the tools with the trade.

Let me give you an example. As part of the preparation for a recent workshop, I asked what formal design training the participants had had. On one of the questionnaires, the respondent proudly stated that he had received training in Photoshop and QuarkXPress.

This person had confused training in the tools with training in the craft.

It concerns me that the two are perceived as the same. To me, it's like saying that a guy who knows how to use a socket wrench is a mechanic.

Nope. To my mind, a mechanic is a master at his craft. He's been to training and training and training. He's studied computer diagnosis

and manifold heat transfer tables and fuel injection nozzle tolerances and all of that. But he's got something else no other mechanic in town possesses — the "ear." He can listen to a car and immediately go to the source of the problem.

How did he get his "ear"? Years of training, yes. But also years of working with cars and customers. Years of listening. And years of understanding that no tool in his kit is going to make him a better mechanic.

With the capabilities of today's software, we often confuse the power of the tool with the power of the truth. But the truth is that we are the power behind our designs.

Design is a human function.

No computer, no software, no tool is going to make us better designers. Yes, they help us

See DESIGN, page 14

## WKPA to hold fall meeting

The West Kentucky Press Association will hold its fall convention Sept. 24.

The meeting will be held at the Ramada Inn near Kentucky Dam Village at Gilbertsville. Registration is \$20 per person.

On the agenda is Mark Coombs, editor of *The Cats' Pause*, with tips on producing good sports writing and editing. Following his presentation there will be a panel discussion entitled, "Where Have All the Sports Writers Gone?"

Owensboro Messenger-Inquirer circulation manager Kent Carpenter will present a session called "Finding

and Keeping that Newspaper Subscriber."

After lunch, Courier-Journal editorial director David Hawpe will lead a session called "So You Want to Write a Column." Hawpe will discuss the challenges in coming up with ideas and writing columns on a regular basis.

The business meeting will follow Hawpe's presentation and conclude the meeting.

For more information call WKPA president Chip Hutcheson at the Princeton Times-Leader (270) 365-5588, or Dr. Bob McGaughey, WKPA executive director at (270) 762-6874.

## Traffic

Continued from page 11

"online career center" with job listings or ads. Post local salary surveys — who earns what, at executive levels and below.

### •Offer games and contests.

Everyone loves winning T-shirts, mugs, whatever. In many cases, sponsors pay to participate. And usually, you can get prizes free from local movie theaters, concerts, and other advertisers as a promotional tool.

### •Participate in/offline discussions.

It's called "creating community." You already have the community of interest — exploit it. Offer online forums, feedback on newsletter content; discussion groups, e-mail lists (Listservs).

### •Create an e-mail newsletter.

One with one-paragraph items or headline blurbs, linking to your specific Web URL. Offer "news flashes" on major stories. E-mail features to people who have asked for them.

### •Promote with e-mail.

Ask permission to send e-mail, and then take advantage of that permission. Advise users when you update them; understand them. But

don't try to "game" the system with duplicated words or other tricks — nowadays those can cost you listings.

### •Improve your site's usability.

Eliminate anything that moves or flashes or blinks unless it serves an important purpose. Simple is better. Fast is best. Function is important; don't let people get lost on your site. Use static and predictable URLs for content, so users can find what they want and return to it. Test with a 14.4 modem, a 386 50-mhz PC and a 14-inch monitor — if it's fast and it looks good on that, it should be alright on anything. Check with old versions of IE, Navigator, AOL and Mac.

If you try all of those steps, and keep them up for a few months, you may be pleasantly surprised by a healthy jump in traffic.

*(Peter M. Zollman (pzollman@aol.com, (407) 788-2780) is founding principal of Advanced Interactive Media Group, L.L.C., a consulting group that works with newspapers and other media companies on practical approaches to developing profitable interactive services. He speaks frequently at industry conventions and conferences, and conducts workshops and seminars for corporate and association groups.)*

## Headline

Continued from page 13

- non-name misspellings or typos
- double meanings
- editorializing
- missing attribution
- poor taste
- no subject
- no verb

No journalist should be guilty of the above violations. They make the publication appear careless and can lead to angry letters from readers or visits from lawyers.

Less serious errors that are discussed in a majority of editing books include:

- exact repetition of words from the lead
- not extending a head over the last column of text
- separating subject and verb on two lines
- splitting parts of verb between lines
- placing modifiers and words modified on different lines
- splitting prepositional phrases between lines
- making headline dependent on kicker/deck for meaning
- using an understood verb
- using the wrong verb tense
- using an unfamiliar name or abbreviation
- repeating key words or forms of key words
- writing headlines that ask a question

Some of these conventions — such as use of splits — stem from mid-century reasoning that readers should not be misled. Today's copy desk gives the reader more credit in being able to overcome and understand a split prepositional phrase.

But many professional headline writers believe that following even the most minor of the "rules" still results in headlines that are easiest to understand.

Finally, we came across two suggestions in some references that seem to be followed haphazardly at

best in 1999 newspapers. They caution against using the following:

- passive-voice verbs
- articles such as "a," "an" and "the."

Considered weaker than active voice, passive-voice verbs are universally criticized by journalism textbooks, English teachers and computer grammar checks. Yet, news headlines are frequently written in the passive voice.

Adding articles to news headlines used to be frowned upon as a cheap way to make the head fit the required space. Although still discouraged in some newsrooms, these and other articles are used regularly in many of today's papers.

We have no sure-fire remedy to improving the quality of news headlines.

Perhaps many of those writing heads have never been exposed to the traditional guidelines. Unless a copy editor came through journalism school or had a quality cram course, he or she probably writes headlines on instinct or newsroom tradition.

Headlines can capture readers' interests, pull them into stories and tell a great deal about the quality of your publication. That is why we value quality headline writing. We hope you share our feelings about the importance of maintaining standards.

But should a few of the obviously ignored conventions be given a proper burial? If so, which ones? How does our list compare with your own? Please take a moment to send us your copy at the address below.

\* \* \*

*(Randy Hines, Mass Communications Department at the University of North Carolina at Pembroke, and Jerry Hilliard, Department of Communication at East Tennessee State University, welcome your suggestions for future columns. Please send comments on headlines to Hines at UNCP, Box 1510, Pembroke NC 28372-1510. You also can reach him by phone at 910/521-6378 or by fax at 910/521-6238. Contact them if you need a solution to your problems.)*

## Dr. Tech

Continued from page 7

AV ports on the back and a camcorder you might be able to do the next best thing to having a digital camera. The Macs with AV ports include models 7500, 7100AV, 6100AV, 8500 and several others.

If your PCI type Mac does not have this function, you can add IxMicro TV card which costs about \$99. It is complete with software that allows you to record video clips and capture frames from the movie. These clips can be opened in Adobe Photoshop and edited. They cannot be "blown up" larger than the original which means they are best if kept at a size of 3.25X4.25 inches or smaller. While it does not give you the quality of a \$1,000 camera, it is better than the original Apple Quicktake just a few years back. This will work better for black and white than for color.

Since many of you already have the hardware, this may be something you will want to experiment

Please call me with your questions. Use the cell phone number 606-872-2349 anytime during the day, Monday through Friday.

## Mistakes

Continued from page 4

little one — there's no time for procrastination. Call them before they call you. There's a good chance that they will be more forgiving than if they had discovered the mistake on their own.

When you call, explain what happened, but resist the temptation to blame someone else. Don't wimp out. Take responsibility. After all, it's your account.

2. Apologize: Back in the seventies, the movie "Love Story" popularized the phrase "love means never having to say you're sorry." But in the business world, a sincere apology can work miracles.

3. Fix the problem. This is your chance to be a hero. If the mistake calls for a "make good" ad, run it. If it calls for billing credit, do it.

4. Follow up. Don't assume that the problem will be fixed automatically once it leaves your desk. Check to make sure. And keep your advertiser informed.

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*(John Foust conducts advertising training for newspapers. His ad workshop video "Basics of Layout and Copy" is being used by newspapers from coast to coast. For information, call or write: John Foust, P.O. Box 10861, Raleigh, N.C. 27605; phone (919) 834-2056.)*

## NNA: Agreement reached on proposed 'Postal Modernization Act' with McHugh

The National Newspaper Association has reached an agreement with Postal Service Subcommittee Chairman John McHugh (R-24-NY) on the "Postal Modernization Act of 1999," HR 22.

At the invitation of the Chairman, NNA has been meeting with McHugh in an effort to see that this bill does not cause unfair and undue hardship to the Postal Service's oldest business partner — the community newspaper. By reaching an agreement with the Chairman, NNA will work on shaping the postal reform legislation as it progresses.

"Chairman John McHugh and his staff have worked diligently to address the concerns of community newspapers. The conclusion is that we are in a position of making significant positive changes in the bill," said Lockwood Phillips, NNA President and publisher of the Carteret County News-Times in Morehead City, NC.

"These changes address four critical public policy issues for newspapers as we look towards the future: low rates for newspaper; improving newspaper delivery; building strong firewalls to protect newspapers from anti-competitive behavior; and establishing a more aggressive regulatory process through a strengthened Postal Regulatory Commission," he said.

Some examples, which have not been considered to date, include:

- Guarantees that saturation mail will continue to be subject to careful oversight by the Postal Regulatory Commission.
- An expansion and clarifica-

**"Chairman McHugh has addressed over 95% of our mailing concerns through this agreement. What is left will be ironed out by the newly strengthened Postal Regulatory Commission which will have the benefit of our input and review every step of the way."**

**Lockwood Phillips**  
NNA President

tion of the within-county rate for newspapers that allow more newspapers to qualify for the lower rate.

•A restoration of the 1985 DEF rate to allow a lower rate for newspapers with 5,000 circulation outside their counties.

•Elimination of volume discounts as basis for negotiated service agreements (NSA's) which allows anyone to participate on the same basis in these private contracts.

•Strengthening the Postal Regulatory Commission's authority to deny NSA's that threaten universal service.

•Providing local notice to mailers of NSA's and improving procedures for small newspapers to apply for similar NSA's.

On June 23, the NNA Board reviewed the changes and voted through the political landscape. "Both the Chairman and the Committee are very aware that our involvement and support of the procedure is contingent upon positive language and actions. They know that we will immediately respond to any legislation that negatively impacts our responsibility to deliver the news to our community or to provide advertising in our newspapers," said Phillips.

McHugh praised NNA offi-

cial for their efforts to "sit down and work through the bill to find common ground" in what he described as a "very complex process."

"Chairman McHugh has addressed over 95% of our mailing concerns through this agreement. What is left will be ironed out by the newly strengthened Postal Regulatory Commission which will have the benefit of our input and review every step of the way," said Phillips.

The bill is enhanced to ensure a strong process is in place in the event the Postal Service attempts to favor one mailer over another in rate setting, reclassification of products, and its fees.

"The Auto-Day fiasco and neighborhood mail would not survive unchecked under this new scheme," said Phillips. "Chairman McHugh has wisely strengthened the PRC to serve the interests of the public and to level the playing field among mailers, while also charting a new course for the Postal Service in the competitive arena."

Phillips pointed out that the core members of NNA are community newspapers that depend on quality postal delivery.

## Design

Continued from page 13

create better designs. They increase our capabilities. But the designer defines the design — and vice versa.

Too much of what people call "design" nowadays isn't really design at all. It is experimentation. It is frivolity. It is risk without planning, and that is an oxymoron: we cannot risk unless we have a plan that helps us to define the goals and appreciate the dangers.

Picasso understood risk. Mozart. Warhol. Edison. The Beatles. Frank Lloyd Wright. Einstein.

And that is one of the reasons they achieved greatness in their

work.

But the brush never spoke through Picasso. The piano never spoke through Mozart. Rather, Picasso spoke through his brush and Mozart through his piano. These geniuses understood that their instruments were tools — that the instruments themselves could never create great art.

Today's advanced graphics software makes it all too easy to confuse the instrument with the artist. And instead of learning design, too many of us learn the software. As a result, we come to believe that if it can be done, it must be good.

Obviously, that is not the case. But there are still too many of us who are ready to experiment, to play at design in front of our readers. You may have one or two of those people in your newsroom today — ready to try out a new

trick with an overlay, a graduated color screen, a photo inserted into outlined type.

Their work is characterized by a heart full of hope and a head full of...hope.

Designer-hopefuls work very hard. Their hope is to impress us (and readers) with what they can do.

Designers work even harder. But their goal is not to impress. Rather, their goal is to impress upon us that design excellence lies not in what we can do — but in what we choose not to do.

Less...is...more.  
*(Edward F. Henninger is an independent newspaper consultant and the director of OMNIA Consulting in Rock Hill, S.C. You can reach him at 803-327-3322, fax: 803-327-3323, e-mail: go2omnia@aol.com)*

## KPA, KDE to hold seminars on new testing system

KPA and the Kentucky Department of Education are holding a series of seminars across the state to help reporters understand the Commonwealth Accountability Testing System (CATS).

The seminars, scheduled at six locations between Aug. 19 and Aug. 26, will give reporters an opportunity to acquaint themselves with the system prior to the first release to school districts of CATS' scores on Sept. 15.

"This briefing will help Kentucky newspapers better understand the new assessment system, including what's tested and when; how it's scored; the manner in which we're making comparisons between the old system (KIRIS) with the new Kentucky Core Contest Tests (which are one element of CATS) for the short term; and the manner in which we'll hold schools accountable in the longer term," said Armando Arrastia, director of the Division of Public Information for KDE. "Reporters will also get a good feel for the kinds of questions that are asked on the tests, what's expected of students, and how the new

testing system was developed through an open and collaborative process. Finally, we'll be able to provide preliminary information about the new school report card that each school is required to publish each year under House Bill 53."

HB 53 requires the school districts to publish a summary report of the reports cards in the largest local newspaper.

The seminars will be held at the following sites:

- Thursday, Aug. 19, 9 to 11 a.m. - Holiday Inn, Greater Cincinnati Airport, Erlanger
- Thursday, Aug. 19, 1:30 to 3:30 p.m. - Embassy Suites, Newtown Pike and I-64/I-75, Lexington
- Friday, Aug. 20, 9 to 11 a.m. - Elizabethtown Convention and Tourism Bureau Office
- Friday, Aug. 20, 1:30 to 3:30 p.m. (Central Time) - WKU South Campus, Continuing Education Conference Center, Bowling Green
- Thursday, Aug. 26, 9 to 11 a.m. (Central Time) - Days Inn, Madisonville
- Thursday, Aug. 26, 1:30 to 3:30 p.m. -

Kentucky Dam Village State Park, Gilbertsville

"By having these seminars prior to September 15, newspaper reporters will be prepared when the results are released," said David T. Thompson, KPA executive director. "Reporters should then be ready to analyze and report on the results for all local schools as soon as they receive the results."

Robyn Oatley and Hunt Helm will conduct the seminars for KDE. Planned topics include: overview of CATS; the development process and HB 53 guidelines; long term accountability, 1998-2202; interim accountability, 1996-2000; score releases - current information for the first CATS score release; timeline for release; what information they (schools/districts/media) will receive; advance information on interpretation or implications of data; and conclude with a 30-minute Q&A period.

Registration will be handled by KPA and information will be mailed to all Kentucky newspapers by the middle of this month.

## WKU

Continued from page 10

ing the request might be fulfilled in her lifetime. "It's going to be a reality not only in my lifetime, but before I retire," she said.

The new building will be located between the Academic Complex (which houses all the broadcasting studios for public broadcasting and the student radio and TV stations), Downing University Center and the College of Education.

It will have approximately 68,000 square feet of classroom space, half of which will be used by the School of Journalism and Broadcasting. Included in that is 25 faculty offices, a 250-seat auditorium, six computer labs, four standard lecture classrooms and work rooms for each of the five

sequences: advertising, broadcasting and mass communications, photojournalism, print journalism and public relations.

"Computer technology takes up the other space," explained Albers. "Included in that will be our classrooms for distance learning and that's where our involvement in the Kentucky Commonwealth Virtual University will also take place. Institutional research will be located there, academic computing and microcomputing support. It will also include a 100-station student computer lab that will be open 24 hours a day."

The university computer lab will house PCs, while the bulk of what will be used in the School of Journalism and Broadcasting will be Macs.

The fund raising is being done through a naming opportunities effort. For certain sums, a donor

may have a portion of the new building named for him/her/it. The Kentucky Press Association was asked to contribute \$5,000 over a period of time and to encourage newspapers in the state also to contribute toward having a KPA classroom in the new structure. The board rejected the notion of paying in installments and instead voted to contribute the total sum at one time.

Landmark Inc. already has contributed \$25,000 toward the WKU effort.

"Western has done a great job of training young journalists, despite having facilities that are barely adequate," said KPA President and Lexington Herald-Leader assistant managing editor Tom Caudill. "I'm really excited about the new building. With help from Kentucky's journalists, the building will be properly equipped."

## Example

Continued from page 6

tively constitute a quorum and where the meetings are held to avoid the Act.

As a result of all of these violations, the Kentucky Press Association, along with The Courier-Journal and The Lexington Herald Leader, filed suit in Fayette Circuit Court asking the court to declare that the Board of Trustees violated the Open Meetings Act. This suit is still pending despite the Board's recent action.

Based undoubtedly in some part on negative publicity generated by these Act violations, as well as pressure from the U.K. faculty, the Board voted on June 29 to rescind President Wethington's contract extension. This demonstrates that diligently monitoring public agencies for compliance with the Act really can make a difference.

Please challenge all violations of the Act to prevent agencies from squashing public debate and discussion on controversial issues. Feel free to contact your Hotline attorneys with any questions you have regarding the Open Meetings Act or any other subject covered by the Hotline.

### Hotline Attorneys

**Jon L. Fleischaker**  
(502) 540-2319

**Kimberly K. Greene**  
(502) 540-2350

**R. Kenyon Meyer**  
(502) 540-2325

**Julie C. Foster**  
(502) 540-2364

**DINSMORE & SHOHL, LLP**  
Switchboard: (502) 540-2300  
Facsimile: (502) 585-2207

## Heron

Continued from page 3

with 10 billion reporters — every major paper has a bureau — it's not easy to find those stories. I spent a couple days just going around talking to press secretaries, representatives, those kind of people and it paid off."

Every day, the students attend a luncheon seminar on politics and the press. They're also required to read several books on the subject.

"I really appreciate that about this internship...you're not just thrown into it, without spending any time trying to learn about what you're covering," said Heron.

Charlotte Grimes, a veteran reporter with over 25 years of experience, serves as the editor for

the students and director of the program. She comes to the Scripps Howard Foundation Wire and Semester in Washington Program from the S. I. Newhouse School of Public Communications at Syracuse University, where she was a visiting professor. Until recently, she was a national correspondent and columnist in the Washington bureau of the St. Louis Post-Dispatch. She has been a Ferris Professor of Journalism at Princeton University and a Fellow at Harvard University's Shorenstein Center on the Press, Politics and Public Policy.

Grimes describes herself as being "passionate about journalism and good writing."

"She's a writer's editor, which is phenomenal...I just can't say enough about Charlotte," said Heron. "She doesn't just concentrate on grammar, but also pre-

sentation, how words work and rhythm. She brings out the creativity in you."

When Heron graduates in December 2000 he wants to work for a wire service or a newspaper and eventually become a foreign correspondent. He's applied for an internship with the American Statesman in Austin, Texas, and he's got a "good line on a job" with them after graduation.

"I'm keeping my options open though," said Heron, who's applied to be the administration reporter at the Kernel next semester. "Right now, I'm going to go back and concentrate on school. I'm really not in that big of a hurry to get into the 'real world'... I'd like to keep it at arm's length a little while longer."

To contact Heron call (202) 408-2710 or e-mail: shws1@shns.com.

## New employees



Karen Martin is the new INAN account executive. She worked for the Lexington Herald-Leader for over four years in various departments and positions including production, circulation accounting and advertising. As an ad rep for the paper, she sold commercial and display advertising on a local, regional and national level. She also created, designed and sold special travel sections for the paper. She's also worked at Magna Graphics in Lexington as a liaison between customers and the production staff.



Holly Stigers, left, joined the KPA staff in June as the tearsheet coordinator. A native of Frankfort, Stigers worked for the KPA Clipping Service for nearly four years before it was sold. Tina Shryock joined the staff in late April as the INAN bookkeeping assistant. She is also a native of Frankfort.



## Lawsuit

Continued from page 1

its regular meeting on May 4 and the agenda included no mention of a contract extension for Wethington.

According to the suit, the majority of trustees had no idea the contract would be discussed at the meeting but its chairman, former Gov. Edward Breathitt, and a "few selected trustees...had made plans in secret to move for the approval of a contract extension" for Wethington.

The lawsuit says the board violated KRS 164.170, a statute dealing specifically with the Board of Trustees, by holding a closed session to discuss the contract extension, by failing to keep a transcript of the closed session and by providing an agenda to the board and press which did not include the "known agenda item."

In addition, the suit claims the Board of Trustees violated the state's Open Meetings Law because the motion to go into closed session failed to cite the specific statute which allowed for the closed session, discussion of the contract extension was not exempt under the statute and by failing to take and record the vote of each member of the board as required by law.

Breathitt's polling of the trustees concerning the contract was also a violation of the Open Meetings Act, according to the suit. "Defendants violated the Open Meetings Act, specifically including KRS 61.810(1) and 61.810(1) by holding separate telephone conversations between individual trustees in order to gain consensus and approval of the Board of Trustees for the terms of the contract extension" for Wethington, including the terms of his salary.

After the May 4 meeting and prior to the contract being signed on May 15, Breathitt allegedly spoke individually with several trustees regarding the appropriate terms of the contract.

The lawsuit claims, "The agenda provided in advance of the May 4 meeting was misleading to the trustees, the faculty, the staff, the media and the public," and was "designed to avoid public debate and discussion and to avoid meaningful comment by university faculty."

On May 18, Lexington Herald-Leader editor Pam Luecke made a written complaint to Breathitt concerning the closed session. The newspaper requested the board remedy the violations of the Open Meetings Act by rescinding the decision to extend Wethington's contract and by not taking that step until the matter could be discussed by the board in open session. The newspaper also sought a public acknowledgment from the Board of Trustees concerning of the Open Meetings Act violations.

Breathitt responded to the complaint by denying all the alleged

violations with the exception of what he termed as a "technicality" when the board failed to cite in open session the specific statute which allowed for the closed session.

At that May meeting, the Board of Trustees voted to extend Wethington's contract for two additional years, which would have placed him in the president's position for the next four years. It also included a lucrative financial package for Wethington.

The University Senate and the UK chapter of the American Association of University Professors passed resolutions critical of the board's actions. The University Senate asked the board to rescind its original vote and to hold public forums and then vote again.

The contract approved by the Board of Trustees June 29 was a compromise worked out with the help of two faculty trustees. The compromise keeps in tact much of the financial terms of the controversial contract but Wethington would retire as president on June 30, 2001, the date of his original contract. Much of the protests by faculty concerned the board's waiving of UK's mandatory retirement age of 65 to keep Wethington as president two additional years. Under the compromise, he'll be 65 when he steps down as president and he would then move into a fund-raising job for two years. Wethington's fund-raising skill was cited by the board as the reason for the initial contract extension.

Wethington has said he initially agreed to the contract extension because he feared that a search for a new president would detract from a planned \$400 million capital campaign.

Fleischaker said he expected the lawsuit to move quickly.

"We don't know what UK is going to do or how they'll react to us," said Fleischaker. "But we're going to move forward with depositions starting this month and I expect by the end of summer we're going to know exactly where we are on this thing."

The lawsuit asks that the actions of the board — extending the contract of Wethington — be voided.

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## Newsprint

Continued from page 1

rebouncing in 1997.

"I think newsprint use is one way to show the strength of Kentucky's newspapers," said David T. Thompson, executive director of the Kentucky Press Association. "We haven't had increases in the number of newspapers in the period and it's doubtful many newspapers have increased editorial space to account for such a large increase.

"So you have to believe that the increased newsprint tons meant increased advertising, either in display or preprints (newsprint used for preprints is included in the total). Whatever the case, I think this shows that Kentucky's newspapers are strong."

But there's bad news to report — the total tons of recycled newsprint fell substantially in 1998 by almost 12,000 tons.

"The success Kentucky newspapers have had in the past five years caught up with us," said Thompson. "From 1994 through 1997, more than 90 percent of the newsprint used in Kentucky contained recycled fibers, reaching a high of 96,209 percent in 1996" or 78,203 of 81,285 tons.

In 1998, just better than three

out of every four tons contained recycled fibers. Final figures show that last year 76.33 percent of the tons (67,675,970) contained recycled fiber, the lowest recycled tonnage since 1993.

"It shows what can happen when states require newspapers to use recycled fibers," Thompson said. "Newspapers in states with mandated levels are having problems finding that much recycled newsprint. Most states, where legislatures have mandated recycled fiber levels, are asking their legislators to delay or decrease the target goals. They just can't reach the standards."

When the Kentucky legislature debated the issue in 1994, the discussion centered on increasing the level of recycled ton percentages through the year 2000. "Some of the ideas were to reach 40 percent by 1998, 50 percent by 2000. We explained that numerous factors might keep us from reaching those levels but assured the legislators that Kentucky newspapers would do all they could to use recycled newsprint and as much as possible."

For the fifth straight year, all 42 plants were able to obtain recycled newsprint.

The report is required annually of all newsprint consumers in the state. KPA developed the survey in 1993 and presents the report each year to the cabinet.