

# Local / State

## Overnight reprogramming caused by 'scatological' lyrics

# Rock 'n' roll format changes at Baylor's FM station

By GWEN HAM  
Battalion Reporter

A recent move to ban rock 'n' roll music from Baylor University's radio station has rocked the boat, and some station employees have charged a university administrator with making the waves.

When KWBU-FM changed its format overnight, Dr. Herbert H. Reynolds, executive vice president of Baylor and soon-to-be president, issued a statement saying he wanted to "avoid broadcasting songs that contained sexually explicit language and other offensive language in the lyrics."

The station now is playing artists like James Taylor and Fleetwood Mac, whereas previously it had been playing about

12 hours of rock 'n' roll a day, six days a week — "a pretty big change," Ben Meek, classical music director, said.

But even though it was Reynolds who issued the statement, Sharon Evans, general manager of the radio station said the administrator had nothing to do with the decision of format change.

"There was not any one reason (for changing the format) — it was mainly because the semester had just begun and the format change would better suit the needs of the Waco community," she said.

"Herbert Reynolds never told me to change anything — never told me to review the situation."

However, in his statement Reynolds said he made the decision and it was because of offensive and suggestive lyrics.

"For the past couple of years, I have been contacted from time to time about scatological (vulgar and offensive) records being played by station KWBU.

"Most recently some complaints, one in particular, revealed that explicit sexual and other offensive language was being broadcast on scatological records chosen for airing via KWBU," Reynolds said.

Yet, Evans said KWBU employees have received only four complaints about the hard rock in the last three years — two from the same person.

The Baylor administrator said on Jan. 26 he requested that Dr. John Belew, vice president for academic affairs, relay his concerns about the matter to the communication department and the radio-TV staff.

In his statement following the

discussion with Belew, he said Baylor "will now and always strive to take the high road in regard to human language and conduct with the belief that the human spirit is elevated where there are good thoughts and civil language.

Those persons who wish to listen to "more obscene and vulgar language" could do so at home, he said.

This was a general policy statement, Reynolds said, and did not pertain to the day-by-day programming and the specific choice of records.

Todd Jenkins, late-night disc jockey, said it seems everyone is claiming responsibility, but actually everyone is passing the buck.

"What happened," Jenkins said, "was Herb Reynolds, who'll be president in June and take over the radio license, said he didn't want to hear sexual innuendos; he told Dr. Belew, who told Dr. Polk, head of oral communications, who told Dr. Gregory Por-

ter, head of the radio-TV-film department of oral communications, who told Sharon Evans."

Meek also said disc jockeys found out about the format change through the grapevine.

"At first everybody was pretty mad. I was a little upset because of the way the disc jockeys found out," said Meek. "Then we had a staff-faculty meeting and everybody got everything off their chest. Reynolds took the blame and said it was his decision. The problem was more a breakdown in communication."

"We were worried that a lot of our disc jockeys were going to walk off the job. There are still some who feel disgruntled," Richard White, student music director said.

In fact, the music director quit because he was so upset, Jenkins said.

Evans said nobody quit because of the new order, however.

"I can say everyone at the station understood why we did it (for-

mat change) and the responsibility we have to Baylor University," she said.

Jenkins objected to the fact that students had no say whatsoever in the matter and were given only a few hours warning that the change was to take place.

"We were told we could argue until we were blue in the face and it wouldn't matter," he said.

"That afternoon the music director and staff members had to go buy new records to fit the format for that night. We tried to handle the change as a smooth and professional transition," Meek said.

How does one draw the line between what's hard and what's soft rock?

"It's an arbitrary decision as to who decides," Evans said. "We have a music director and two music assistants and they go through the music and listen and read the lyrics and try to get away from scatological lyrics."

Evans said the radio station at

the university is primarily a learning tool and one of its purposes is to teach people to be disc jockeys.

"What difference does it make what kind of records you play?" she said. "It all spins the same. This was just one of many steps to a better program ... a simple format change."

The rock 'n' roll order has been compared to the Playboy magazine incident last year at Baylor but the two are totally different arguments, Jenkins said.

At that time students working on the Baylor Lariat, the university newspaper, clashed with administrators over an editorial on the magazine's search for models from Southwest Conference schools.

"The Playboy incident was an argument about First Amendment rights. Students argued that the newspaper wasn't being run like in the 'real world,'" said KWBU is a real radio station and whoever owns it can play whatever they want, just like in the real world.

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rights to see his educational records.

The Educational Rights and Privacy Act of 1974, the Buckley Amendment, which University policy is based on, outlines which records are available to students and which ones are not.

The Buckley Amendment is in compliance with the Texas Open Records Act, which outlines records that are available to the general public.

There are exceptions to all of these rules.

A student generally has the right to review his records, Appendix VII of the Texas A&M University Regulations says.

This appendix, based on the Buckley Amendment, prohibits state-funded colleges from denying a student access to his files.

But, exceptions to these rules seem to crop up often.

For example, a Texas A&M student applied for one of 16 positions as Fish Camp chairman. He was

eventually screened out and turned down. His requests to review recommendations based on his previous Fish Camp work, which were used in the screening process, were denied.

The Student Y Association, which sponsors Fish Camp, asked for a legal decision on the matter. The provisions of the two acts were on the student's side for a while.

The Buckley Amendment gives him the general right to see his records.

Also, the Open Records Act says information in personnel files of an individual employee within a governmental body is to be made available to that employee.

University staff attorney Genevieve Graffeo said the Student Y Association is subject to the act. It defines a "governmental body," in part, as an organization funded in part or whole by public funds or which spends public funds.

"The Student Y uses MSC Bookstore funds, which we interpret as being public funds," Graffeo said.

But, the exceptions got the student in the end.

Graffeo, who works in the office of the vice chancellor for legal affairs, pointed out that the Buckley Amendment says confidential statements of recommendation are not to be made available to students.

She also said the Fish Camp applicant could not claim to be an employee and have access under the Open Records Act because he had not yet been hired for the position.

Graffeo said another exception to the Open Records Act concerns intra-agency letters or memorandums, as was the case of the Fish Camp letter. These intra-agency letters are not available to anyone other than the authors and receivers of the letters and their legal counsel.

"This is to protect administrators and to allow for them to be honest," Graffeo said. "Otherwise, there could be no free flow of information."

Graffeo said that in a situation like the Fish Camp episode, where it is unclear whether it falls under an exception to the acts or not, a request may be made for a decision to the registrar.

"The registrar would send the request to us since we are the legal counsel for the University," she said. "We would send the request to Attorney General Mark White in Austin and ask for an open records decision."

Graffeo said the attorneys at legal affairs usually try to look up the provisions of the laws and make the clear-cut decisions themselves.

"The acts are intended to be liberally construed," she said.

In fact, the Open Records Act says that it shall be construed "in favor of granting any request for information."

Graffeo said: "However, the law is still pretty clear on who can see what and who can't."

Texas A&M is required by the Buckley Amendment to adopt a policy on the handling of student records and to make it available to students.

Associate Registrar Donald Carter said the Office of the Registrar sends the policy to The Battalion to be published at the beginning of the fall semester each year.

But, he said, a revision of the policy published last fall was recently sent to all University departments. The revised policy will be available to students at the Office of the Registrar in Health Hall.

The records policy says Texas A&M will maintain the privacy of student educational records in compliance with the Buckley Amendment.

It also says Texas A&M has a policy of encouraging students to inspect and review their own educational records whenever they feel such an inspection is needed.

The policy outlines the records which are available for review as well as those which are not.

The policy also outlines information about students which the Buckley Amendment allows the University to publish as "directory information" without a student's consent.

This information includes a student's name, local address, home address including country, telephone numbers, date and place of birth, nationality, race, sex, age, major field of study, class schedule and participation in officially recognized activities and sports.

Also, a student's "weight and height if a member of athletic teams, dates of attendance, degrees, honors and awards received, previous educational institutions attended by the student, photograph, class standing and name and address of parents or guardians."

The University allows students to restrict the release of the directory information.



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