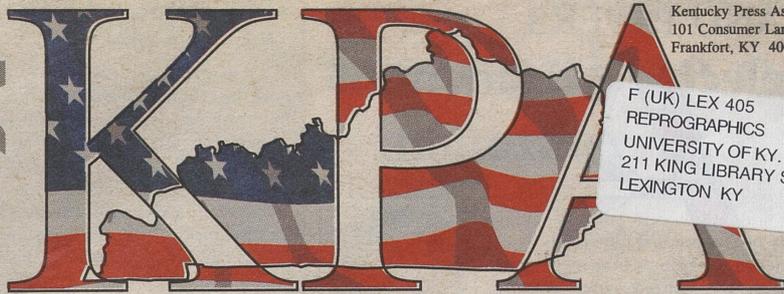


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News and Notes

Johnson voted new KPA vice president

Kriss Johnson, chair of the KPA Circulation Division for the past four years, has been elected Vice President of the Kentucky Press Association/Kentucky Press Service. She will be filling the unexpired term of Glenn Gray as VP. Gray resigned his post earlier this year to become head basketball coach at Clay County High School.



KRISS
JOHNSON

Johnson, educational outreach coordinator for the Lexington Herald-Leader, will serve as vice president for the remainder of the year and will be president elect in 2006 and president in 2007.

The KPA/KPS Executive Committee now consists of Charlie Portmann, Franklin Favorite, president; Alice Rouse, Murray Ledger & Times, president elect; John Nelson, The Advocate Messenger, Danville, past president; Kriss Johnson, Lexington Herald-Leader, vice president; and Taylor Hayes, Kentucky New Era, Hopkinsville, treasurer.

See NEWS on Page 12

Learning the limits

KPA will offer online training to prevent sexual harassment

By DAVID GREER
MEMBER SERVICES DIRECTOR

At its October meeting, the Kentucky Press Association board of directors voted to offer a new member service to Kentucky newspapers - online sexual harassment training for employees. To do this, KPA will affiliate with New Media Learning of Napa, Calif., an online-training provider.

A committee of board members will work with KPA staff and New Media Learning to implement the training program. The board voted for KPA to pay the initial license fee but newspapers will pay for their employees' training. The cost will not exceed \$10 per employee and could be as little as \$2 or \$3 per person depending on the total number of signups, KPA Executive Director David

Thompson said.

KPA board member Taylor Hayes, CEO and publisher of the Kentucky New Era in Hopkinsville, expressed strong support for the concept.

"I have been researching a feasible solution to address ongoing training on this issue for the last six months. Upon speaking with several HR managers whose organizations are using online sexual harassment training, I am sold on the concept," Hayes said. "I was impressed with the thoroughness of the demo program and the feasibility of less than \$10 per employee."

Jeff Jobe, board member and publisher of several Kentucky weeklies, agreed. "This is a perfect example of how our newspapers working together can offer a level of training that would not normally be available to those of us who



manage family-owned businesses," he said. "I fully intend to offer the training to all our employees of both Jobe Publishing Inc. and The Edmonton Herald News Inc."

Many Kentucky newspapers already offer sexual harassment training for their employees. One such company is Landmark Community Newspapers Inc., with more than 20 papers and other properties in the state. Kim Hogan, LCNI human resources director, said her company was told by its attorneys that if it was ever brought into court on a sexual harassment matter, that its position as the employer would be

See TRAINING on Page 4

Q&A

How do other Kentucky newspapers deal with submitted copy?

Find out with this month's editors poll

See pages 6 and 7

PEOPLE AND PAPERS

Nelson elected president of journalism organization

John Nelson, managing editor of The Advocate-Messenger, has been elected president of the Bluegrass Chapter of the Society of Professional Journalists.

Other officers elected at the group's June meeting are vice president, Ken Kurtz, retired news director, WKYT-TV; treasurer, Patti Cross, owner, PC Publications; and secretary, Laura Cullen Glasscock, specialist, corporate communications, Toyota Motor Manufacturing Kentucky.

Board directors are Vanessa Gallman, editorial page editor, Lexington Herald-Leader; SPJ Past President Elizabeth Hansen, professor of communications, Eastern Kentucky University; and Ferrell Wellman, assistant professor of communications, Eastern Kentucky University.



JOHN NELSON

.....

Hutcheson named boss of the year

Chip Hutcheson, publisher of The Times Leader in Princeton, was named "2005 Boss of the Year" by the Princeton Business and Professional Women's Club.

The award was presented Oct. 4.

.....

Holthaus picked to direct Post staff

Business editor David Holthaus has been named assistant managing editor for local news at The Kentucky Post and The Cincinnati Post.

Holthaus 47, will direct the newspaper's reporting staff and its coverage of the tri-state.

He replaces Barry Horstman, who is leaving The Post.

.....

Vowell receives photographers award

Kentucky New Era photographer Danny Vowell recently received a third-place award from the National Press Photographers.

See PEOPLE AND PAPERS on Page 12

PASSINGS

Former Jackson Times columnist

Robert Hilton passes away at 59

Robert B. Hilton, 59, former Lees College Library director and The Jackson Times columnist died Saturday, Sept. 17, 2005 at the Central Baptist Hospital in Lexington, Ky.

Hilton was a graduate of Hampden-Sydney College in Virginia and held graduate degrees from Virginia Tech and the University of Kentucky.

He and his wife, Judith, made their home in Jackson.

Memorial contributions suggested to the A.S.P.C.A. or your local humane society.

THE KENTUCKY PRESS

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Treasurer - Taylor Hayes, Kentucky New Era

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District 3 - David Dixon, The Henderson Gleaner

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Staff members, Officers and Directors may be reached by e-mail using the individual's first initial, full last name@kypress.com.

The Kentucky Press - online or print

It's like the old breath mint ad.

The Kentucky Press is a printed publication.

The Kentucky Press is an online publication.

Stop. Both are correct.

At its fall retreat a couple of weeks ago, the Kentucky Press Association/Kentucky Press Service Board of Directors took up the topic.

Is it time for The Kentucky Press to become strictly an online publication? Do we continue The Kentucky Press as a printed product, as it has been since sometime in the 1900s?

In the end, the Board decided both would be the future Kentucky Press at least for a year.

After a motion to transition The Kentucky Press to an online publication for a couple of months was defeated 11 to 9, a motion was made that for 2006 KPA/KPS would produce The Kentucky Press - in both printed form and electronic form.

An electronic format would allow quicker communication of news about the industry in the state. It would also allow more information in shorter form. Instead of printing longer stories to

On Second Thought

By David T. Thompson
KPA Executive Director



detail the information, stories could be introduced with a link to another web site for additional information.

Cost was a consideration as well. Though not a substantial cost, the online format would be more than 75 percent cheaper than the printed form.

During legislative sessions, the online version would include direct links to bills KPA is watching.

The printed product is traditional. It's what newspapers do and as a newspaper association, KPA should mirror its members.

By the December issue, we plan to begin that move to providing our members The Kentucky Press in both formats. The printed product will remain monthly. The online version will be done twice a month.

For the online version, we'll e-mail everyone we can the link to www.kypressonline.com to let them know the next issue has been

posted. There will also be an archive capability so members can research topics, stories, gee, even staff columns from previous issues.

Providing both a printed product and the online version isn't anything new for The Kentucky Press. We've done that for the last two years. Originally it was set up to cease printing and mailing The Kentucky Press to state and national press associations. It saved some money but it quickened delivery time to colleagues around the country.

It was done in PDF format which isn't the best format and not the solution the staff recommended for the online version.

But still over the last couple of years, we've seen the online version get more "hits" than the number of copies printed and mailed. We don't know who was "hitting" on the PDF format from the web site, but the numbers were substantial.

The February 2005 issue had more than 1,700 hits on it. For October 2005, the count is right at 800. Both are above the number of printed copies.

Now we begin the process of moving to a more formal introduction of the online version. The staff

will be dissecting the options in the next couple of weeks and determining which would be the best, and easiest, way to get both products done.

Probably, the first of the month online issue will mirror the printed product. The middle of the month kypressonline.com may contain updates on news, obituaries, detailed information about upcoming KPA programs and reminders of approaching deadlines.

About a dozen other press associations - state, regional and national - have moved to the electronic form in the last year to 18 months. Perhaps we'll link to news in some of those publications in the mid-month.

Don't look for the first edition in both formats until the first of December. We'll notify you each time the electronic version is posting for reading.

Go ahead and make a bookmark for www.kypressonline.com and continue to let us know what you think. And don't hesitate to do that. If there's something you'd like to see us add, to the printed or online version, drop us a note. Especially with the online version, we'll be able to do more, more quickly.

WKU teams up with NPPA for online photo help

A one-year, \$100,000 grant from Knight Foundation will help Western Kentucky University partner with the National Press Photographers Association to create online tools to teach professionals, teachers and students how to produce better photos.

The project will create an educational program, which will include online judging of the NPPA's Best of Photojournalism contests.

"We consider this a perfect partnership - the top photojournalism program partnering with the top photojournalism contest," Pam McAllister Johnson, head of WKU's School of Journalism and Broadcasting, said.

In the Hearst Intercollegiate Photojournalism contest - the collegiate equivalent of the Pulitzer Prize - WKU has ranked first for 15 of the last 17 years. This year, Johnson was selected to serve on the contest committee.

The project's goal is to improve the quality of news photos worldwide through educational tools. They include online judging of the Best of Photojournalism contest to help teachers guide

*More WKU news is available at
www.wku.edu. If you'd like to
receive WKU news via e-mail,
send a message to
WKUNews@wku.edu.*

students through the event; teaching modules created from contest winners; expanding photo archiving as a learning tool for professionals, teachers and students; and a roundtable to discuss ethics and First Amendment issues before the contest, then distributing the seminar online.

"We are excited about partnering with a prestigious national foundation to recognize some of the best photojournalists in the world," Tom Hiles, WKU's vice president for Institutional Advancement, said. "Knight Foundation is a leader in support of journalism education, and we are very grateful for their trust and continued

support."

WKU President Gary Ransdell said the university is pleased with this additional gift from the Knight Foundation.

"We appreciate the significance of the Knight Foundation's continued support of our strong photojournalism program, and we look forward to this new partnership," he said.

A leader among photo contests worldwide, the United States NPPA's annual Best of Photojournalism competition attracts entries from still and television photojournalists, photo editors, and web editors from leading media around the world.

"This partnership is an example of how great professionals and great teaching institutions can work together for the benefit of the entire news community," said Eric Newton, director of journalism initiatives for the John S. and James L. Knight Foundation.

The John S. and James L. Knight Foundation promotes excellence in journalism worldwide and invests in the vitality of 26 U.S. communities.

More papers reaching out to high schools

The Kentucky High School Journalism Association, founded and sponsored by the Kentucky Press Association, is nearing the end of its annual membership registration drive. Our goal -- really our mission -- is to top the 106 member schools from last year.

Membership renewals and sponsorships are looking good as this issue of The Kentucky Press is prepared for print but we are not quite where I'd like us to be with membership totals running in the 80s at present. But time remains and I am confident we will top last year's membership total.

At press time, 25 papers have sponsored 51 schools so far. Those 51 schools represent 62 percent of our total KHSJA membership.

In the past month, these 10 Kentucky newspapers have stepped up and sponsored area schools:

- Ledger Independent, Maysville,

Oh, By The Way

By David Greer
KPA Member Services
Director



four schools sponsored

- Pioneer News, Shepherdsville, three schools
- The Record, Leitchfield, one school
- Record-Herald, Greensburg, one school
- Herald-Ledger, Eddyville, one school
- Richmond Register, three schools
- Berea Citizen, one school
- Mountain Citizen, one school
- Lebanon Enterprise, one school
- The Turret, Fort Knox, one school

To sponsor a school is \$50. That

covers all facets of journalism, including newspaper, yearbook and broadcast, for an entire school year.

We make it very painless to sponsor a school. You can send us a check or we can bill you or we can even deduct the sponsorship fee from your KPS ad revenue check. Many papers opt for that last -- and maybe least "painful" way of paying -- since you don't even have to cut a check.

KHSJA membership permits a school, including its journalism teachers and students, to attend our training sessions, annual state convention and participate in the extremely popular annual high school journalism contest. Last school year, we had nearly 2,200 contest entries from several dozen schools.

Many teachers tell me their students look forward with great enthusiasm to participating in the contest and competing against other

students and other schools. We typically have 800 students and teachers attend our annual convention and awards banquet. But schools must belong to KHSJA before they can enter the contest. The next convention is set for April 12 in Louisville at the Clarion Hotel & Conference Center.

Take a moment to fill out the sponsorship form you received earlier from KHSJA and mail to: KHSJA, 101 Consumer Lane, Frankfort, KY 40601 or fax it in at (502) 226-3867. If you have misplaced the form, just call me at (800) 264-5721 or e-mail me at dgreer@kypress.com and I can take the information and get your sponsorship started immediately.

By sponsoring one or more schools, you will help mold the next generation of journalists and do something nice for students and teachers in your community.

TRAINING

Continued from page 4

strengthened by being able to show that employees had received such training.

Typically, newspapers and other businesses conduct sexual harassment training in a classroom-type setting with several employees watching a video and then discussing the subject matter afterwards with a trainer. Trainers may even test participants on the material. Employees often sign a sheet of paper documenting their participation.

New Media Learning's online training covers the same type of material but permits each employee to take the course individually and then be tested on its content at a time that's convenient for him or her. After completing the course and exam -- which usually takes about 40 minutes -- each participant receives an online certificate, which they print out, sign and give to their employer to be kept on file.

Online training offers several benefits:

- Low cost compared to traditional on-site training sessions led by a trainer.
- Immediate availability for newly hired employees. Traditional on-site training is often conducted on an annual basis, which means some employees could go for nearly a year before being trained.
- Exempt employees can take the course and exam on their own time at home.
- Employees are tested on the material cov-

ered and employers can set a minimum passing score.

- Company-owned newspapers offering on-site sexual harassment training now might find online training to be an excellent supplement to what they already offer.

Kentucky publishers interested in the new member service may want to visit www.newmedialearning.com to get an idea of what is being offered. Click "Demos" on the left side of the page and then click "Presenting sexual harassment demo." You will also find a list of company clients on the web site, including some in Kentucky.

Companies with newspapers in Kentucky and other states will be able to participate in the KPA program if they desire, New Media Learning's Arlene Gunter told board members at their meeting. Only three of the 50 U.S. states have state-specific sexual harassment laws, she said, meaning that training material based on federal law

can be used across most of the nation.

Although the same sexual harassment training will be offered to all participating members, New Media Learning offers a degree of customization on its presentation.

For example, when an employee signs onto the web site, they would see a greeting and general message from KPA. Later in the program, a "choice" page can be inserted that permits employees to identify their employer through a drop-down menu. When the employee does this, the sexual harassment policy for that specific newspaper appears. When the employee finishes reading their newspaper's policy, they will be taken back into the main program.

After completing the course, the employee enters their name and takes a brief multiple-choice test on the material. A drop-down menu will allow them to enter the name of their paper. After completing the test, the employee can print a certificate that states, for example, "John or Jane Doe of the Bluegrass Chronicle has completed the Kentucky Press Association Preventing Sexual Harassment Training Program Oct. 31, 2005, with a score of 100 percent."

"This is how member newspapers can identify their employees," Gunter said. "Each paper identified in the drop-down menu will receive course completion reports sent directly to an e-mail address each month."

The online training committee comprised of KPA board members will have several issues, such as billing, web site customization and employee participation, to work out before a launch date is set.

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SHARING IDEAS



PHOTOS BY JOSHUA WILSON - WEST VIRGINIA PRESS ASSOCIATION

Top: Gloria Flowers, executive director of the West Virginia Press Association listens to the discussion during the Southeast Region Newspaper Ad Managers meeting held Oct. 6-8 in Charleston. Flowers was joined by Heidi Hoffman of South Carolina Press Association, Leigh Tortorici of Alabama Press Association and Amanda Pearce of Tennessee Press Association. Center: Also taking part in the SERNAM meeting were Rick Hammell of Georgia Press Association, Alanna Ritchie of South Carolina Press Association and John Jackson of the West Virginia Press Association. Bottom: First to the meeting were Barry Jarrell of Tennessee; Teresa Revlett representing Kentucky and Indiana; Amanda Pearce of Tennessee; Heidi Hoffman for South Carolina; and John Jackson of West Virginia.

Emergencies don't have to be a disaster

Disasters come in all shapes and sizes. While the disaster that affects us may not be as catastrophic as a hurricane, it is still important to have an emergency plan in place.

During the recent Southeast Region Newspaper Ad Manager's meeting in Charleston, W. Va., tips were given on how to be more prepared during a disaster.

Some of the items are easy to do while others take some planning. When an emergency hits, however, the planning will be worth the time.

- Always have a list of phone numbers for co-workers and their relatives

It is easy to get in touch with a co-worker when you see them every day. However, if something happens to the office, do you have a list of phone numbers at home?

If you can't get in touch with your co-workers, do you have an emergency contact reference sheet that lists relatives and their phone numbers? Gloria Flowers, executive director of the West Virginia Press Association, said its association had made copies of all employees' phone numbers and asked the employees to take the list home.

- Don't rely too heavily on cell phones. Some people take it for granted that all of their important phone numbers are stored in their cell phone. Easy access ... until a cell phone tower is destroyed.

- Make sure your employees are ready. Have an alternative office plan. Whether it be at the local library or at someone's house, make sure your employees know where they are expected to show up for work in case something happens to the office.

- Back up information on the computer and be sure to store it off site. What good would it do to have a year's worth of back up if you left it in your desk drawer when a tornado wiped your office away?

- Make sure that you have a list of your clients and how to get in touch with them during an emergency. Clients still need help with their work and, if you are like me, lots of your clients are located out of state. Sometimes we may be having severe weather but the client is working just like it there is nothing wrong.

- Make sure that you have a tag in your window at your office that indicates who to contact in case of emergency and their phone number.

- Keep the office stocked with plenty of food and water. I'm glad I was given permission on this one. I have plenty of food and water (enough for a few friends) at our office so I felt pretty confident on that one.

- Make sure your exits are clearly marked. If there is any trouble with access to and from your building, make sure to address it.

Finally the last suggestion was to make sure that the office has plenty of flashlights and batteries. There should be at least one battery operated flashlight per person in each office. Stairwells can be hard to navigate in the dark so it is important to have a plan if the electricity is off.

Our wish is that you don't ever have to implement a disaster preparedness plan. But if you do need a plan, right in the middle of the actual disaster is not the time to be taking care of it.

Advertising Plus

By Teresa Revlett
KPS Director of Sales



KENTUCKY PRESS ASSOCIATION NEWSROOM SURVEY

How do you handle submitted copy?

Q&A

By JOHN WHITLOCK
KENTUCKY PRESS ASSOCIATION NEWS BUREAU

If you can learn one thing from surveying editors around the state, you will quickly learn that there are a lot of ways of publishing a newspaper.

This survey, which was inspired by several phone calls to KPA about what other papers do in relation to submitted copy, takes a quick look at newspapers and how they deal with items from the public.

This survey, which is not a poll and isn't scientific, offers a glimpse into other paper's policies.

One of the most interesting statistics brought out in the survey is the number of papers offering free obituaries. For the purpose of this survey, obituaries are considered both complete obituaries (which typically contain a long list of survivors) and the smaller "death notices" which usually only gives the date and time or services.

Many of the editors included additional information concerning their policy.

"The public greatly approves of our policy," one editor wrote about the paper's policy of publishing most items for free. "Oftentimes, people will call and ask how much it costs to submit certain items, and when we tell them it's free, they're always extremely pleased."

For many papers, submitted items are free but come with a few guidelines.

"Announcements must be simply that, we don't list 'friends and family are invited to attend' in wedding announcements, for example," one editor wrote.

1. Does your newspaper publish any of the these items for free?

Obituaries	85.3%
Engagements/Weddings	73.1%
Births	75.3%
Anniversaries	65.8%
Pictures	85.3%

2. What is your current policy on charging for submitted copy?

Everything is free	90%*
Flat rate	7%
Open rate	4%
Reduced rate	14%
Free to subscribers	7%
Other	24%

* Basic "death notices" are free but longer obituaries are paid.

3. How does the public react to your policy?

Greatly approves	36.5%
Approves	53.6%
Slightly disapproves	9.7%
Greatly disapproves	0%

4. Do you have limitations on submitted copy?

Number of words	12.1%
Set amount of information or use of a form	43.9%*
No limitations	39.0%
Other	4%

Including:

- * Guest columns are edited for space
- * Word limits are set but usually waived
- * Per word charge kicks in after 150 words
- * No limits if content is of public interest

5. Who is responsible for submitted items?

One staff member (Clerk)	46.3%
Various staff members	53.6%

6. Does your newspaper's policy encourage or discourage submitted copy?

Encourages	97.5%
Discourages	2.4%

Percentages are based on 41 surveys returned by Oct. 31.

Some movement in the right direction

Recently two articles caught my eye. In both, an agency or arm of the federal government reversed a previous decision to close or shield its records from the public and the media.

Will this positive trend toward openness continue? We can ensure that it will by continuing to fight improper denials and misuse of open records exemptions.

The first article dealt with a new FOI Act directive by the United States Marshal service to marshals in the four states in the Sixth Circuit Court of Appeals. This new directive requires disclosure of mug shots of federal defendants to the public in Kentucky, Ohio, Michigan and Tennessee.

This change in policy resulted from a lawsuit brought by the Akron Beacon Journal.

The Beacon Journal had filed a FOI Act request for mug shots of two Akron businessmen who pleaded guilty to masterminding a real-estate scam by buying low-priced homes and using false affidavits to resell them to investors at inflated prices.

Despite controlling case law to the contrary, the U.S. Marshals service denied the request on the basis of a 2004 memorandum from its general counsel that any media or other requests for mug shots should be denied except in cases where disclosure would aid in the capture of fugitives. This memorandum stated that even photographs taken in a public place "can invite harassment, stigmatization and overwhelming media scrutiny."

From a legal standpoint

By Ashley C. Park
KPA General Counsel
Dinsmore & Shohl



If you have any legal questions, call the KPA hotline attorneys:

Jon L. Fleischaker: 502-540-2319

R. Kenyon Meyer: 502-540-2325

Ashley C. Pack: 502-540-2385

Jeremy S. Rogers: 502-540-2384

This is a great example of positive change brought about by a media challenge.

The second article concerned a commitment by Attorney General Alberto Gonzales to reconsider former Attorney General John Ashcroft's guidance to government agencies concerning FOIA requests.

At the urging of the AP and other news organizations, Gonzales stated, "I'm always happy to reconsider decisions relating to the release of information." (News Media Update, August 2005).

Moreover, during his confirmation hearings, Gonzales promised, if confirmed, he would "undertake an examination of the Justice Department's policies and practices under the FOI Act."

As I am sure you recall, Attorney General Ashcroft issued a controversial memorandum shortly after 9/11 directing the Justice Department to defend exemptions to the FOI Act unless a lawsuit would jeopardize the government's ability to keep information secret in the future. The memorandum also emphasized the right of privacy. This was a change from the previous standard under Attorney General Janet Reno which advised federal agencies to release information not subject to FOI Act exemptions unless they could point to a specific harm that would occur from disclosure.

This change could impact many of the 4 million FOI Act requests which are sent to the federal government each year. We will keep you informed of any developments or policy changes by Attorney General Gonzales.

You can continue this trend towards openness. Any time you believe an agency is improperly denying you access to its records, appeal the denial to the Attorney General.

If you have any questions about whether the denial was proper or need to know the procedure to appeal, call one of your hotline attorneys. We will be glad to talk to you and walk you through the process.

In-county postal rates could decrease next year

Postage for in-county newspapers should fall by 2.3 percent in early 2006 if a recommendation by the United States Postal Rate Commission is accepted this month.

The PRC issued its formal recommendation on the next round of rate increases, including a 2-cent increase in the first-class stamp and an average 5.4 percent increase on all other rates. The recommendation brings new rates a step closer to enactment. The United States Postal Service Governors must either accept or reject the recommendation in total. Action on it and a implementation date are expected soon.

The PRC estimates that a 4.5 ounce DDU entered carrier route

presorted newspaper rate will fall from 6 cents to 5.8 cents under the new rate.

National Newspaper Association President Jerry Reppert, publisher of the Gazette-Democrat, Anna, IL, hailed the recommendation.

"NNA welcomes this rate relief, and appreciates the opportunity to promote the value of in-county mail to newspaper mailers who may be looking for new delivery options," Reppert said. "Our members invest deeply in NNA's postal work, and help the entire industry to maintain stability in postal rates. It is one of the most important things we do."

Community newspapers enjoyed the only rate reduction among the

dozens of individual postal rate classes because of a Congressional mandate limiting the amount of money the Postal Service can recover for overhead costs for in-county mail.

Despite the declining rate, in-county mail revenues cover 100 percent of their cost to USPS and will contribute an additional 1.4 percent to postal institutional costs.

NNA Postal Committee Chairman Max Heath, vice president of Landmark Community Newspapers, Inc. said NNA was examining many aspects of newspaper mail. He said improvements in rate and service would be sought.

"NNA will be engaging in

intense conversations with the Postal Service, the Board of Governors and Congress in the coming months on the importance of protecting and enhancing newspaper mail. This is the second piece of good news for us from the PRC in less than a week, and we appreciate the Commissioners' diligence in moving this case forward," Heath said.

NNA had hoped for a 5.4 percent reduction, as proposed by the Postal Service. But the PRC substituted its own cost methods for the Postal Service's estimates, which raised the price somewhat. It expects periodicals to produce over \$69 million for USPS in the coming year.

In the Attorney General's opinion ...

Office of Governor wrongly denies access to email

Lexington Herald-Leader/Office of the Governor

The Attorney General found in September that the Office of the Governor violated part of the Open-Records Act when it denied Lexington Herald-Leader Reporter Ryan Alessi's request for email records relating to personnel policies, personnel discussions with cabinet secretaries and or emails mentioning Berry Hill Mansion.

In his request, Alessi sought:

All emails contained in any archived email files, sent-mail file, inbox or other email file on Kathy Harman's computer or in Ms. Harman's possession dated between Jan. 24, 2005 and March 11, 2005 regarding personnel policies, personnel discussions with cabinet secretaries and/or e-mails that mention Berry Hill Mansion.

All emails contained in any archived email files, sent-mail file, inbox or other email file on Basil Turbyfill's computer or in Mr. Turbyfill's possession dated between Jan. 24, 2005 and March 11, 2005 regarding personnel policies, personnel discussions with cabinet secretaries and/or e-mails that mention Berry Hill Mansion.

Harman is an administrative assistant in the governor's office of personnel and efficiency.

Turbyfill, the former director of the office of personnel and efficiency, was indicted by a special Franklin County grand jury and pardoned by Gov. Ernie Fletcher. Turbyfill was later asked by Fletcher to resign his post.

The office of the Governor responded, indicating there were two emails that fell under Alessi's request.

The first email, according to the office of the governor, was from Harman to Pam Ritter, an official with the Governor's Office of Local Development, and Turbyfill.

The second email was sent from Cordell Lawrence, an official with GOLD, to Turbyfill, Ritter and Dan Waits, executive director of the Office of Financial Management and Administration.

The Office of the Governor denied Alessi's request on the grounds that both emails contained personnel policy development issues and "opinions, observations and recommendations ..."

The Office of the Governor contended that because the emails contained opinions, recommendations and the development of policy, the documents were except from open-records requests.

The Office of the Governor cited

two sections of the Kentucky Revised Statutes:

KRS 61.878 (1) (I) Preliminary drafts, notes, correspondence with private individuals other than correspondence which is intended to give notice of final action of a public agency.

KRS 61.878 (1) (J) Preliminary recommendations, and preliminary memoranda in which opinions are expressed or policies formulated or recommended.

After Alessi appealed the denial, the AG's office requested and received copies of the emails in question from the Office of the Governor that were viewed in private and later destroyed.

Although specific details of the documents were not disclosed, the first email contained opinions and information on personnel policy development. The second email is a communication from one official to another seeking confirmation that an existing policy is being properly implemented.

The AG's office upheld part of the denial.

Under regulations, public records that are "preliminary in nature forfeit their exempt status only after they are adopted by the agency as part of its final action," the AG's office wrote in its decision.

The policy is designed to "protect

the integrity of the agency's decision-making process by encouraging the free exchange of opinions and ideas, and to promote informed and frank discussion of matters of concern to the agency," the AG's office said.

Under KRS 61.878, if records do not lead to the formation of public policy, they are except from the Open-Records Act. Only when the records lead to public policy are they open for inspection.

After reviewing the first email, the AG's office upheld the Office of the Governor's decision denying the request.

Concerning the second email, the AG's office held that "conversational-type email communications such as statements containing factual information, but which are devoid of recommendations, opinions or policy formulations, are not exempt from disclosure."

The AG's review of the second email found the document did not meet the qualifications to be considered protected from disclosure because it does not "represent a tentative version, sketch, or outline of a formal and final written product."

The AG's office said the second email should be made available for Alessi's inspection.

Paper challenges records ruling

The Paducah Sun is challenging a blanket order to seal federal court documents related to criminal cases, including the indictment of 12 people in a Kentucky meth ring.

For more than a month, the Sun has been denied access to copies of, some court records related to the case, which began in May when nine people were indicted on felony charges.

Last month, a Sun reporter was told that at least 19 documents would remain sealed under a federal order issued in 2004 by Chief Judges John Heyburn II and Karl Forester that restricted access to all summonses, warrants and subpoenas.

"Unless the Constitution has been rewritten, I don't think an order of that scope can pass consti-

tutional muster," said Sun Editor and Publisher Jim Paxton.

The order stated some criminal documents contain certain personal identifiers of either the defendant, a witness or a victim and therefore should not be made available to the public."

Paxton said the issue is not the media's right to information, but more importantly the public's right. The newspaper has retained Louisville attorney Jon Fleischaker in the case.

"This blanket order bars us not only from reporting routine information in this case, but all criminal cases anywhere in the federal court system in Kentucky," Paxton said. "These are basic documents that historically have been a public record."

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TELLING TAILS



Cliff Feltham, a spokesman with Kentucky Utilities/Louisville Gas and Electric, and Tails of the Bluegrass author Leigh Anne Florence, visit with Chloe, left, and Woody. KU/LGE is a major sponsor of the Tails of the Bluegrass readership project. In the series, Woody "writes" about his and his sister's travels across Kentucky. The 10-week project, started in mid-September, runs through mid-November. With 84 newspapers participating, more than 20 million exposures to Tails of the Bluegrass are expected.

After illness, editor looks to return to desk

By RITA MITCHELL
FULTON LEADER

Liken his life in the past year to a journey, and it has been one very steep hill. John O. Jones, who suffered a brain aneurysm Sept. 13, 2004, has been climbing ever since.

There have been stumbling blocks in his path, loose footings and the need to rest. He's been slowed from time to time, but never stopped. Jones was in a coma for two weeks at Jackson-Madison County Hospital after the aneurysm occurred as he was preparing for a daily workout.

Since then, he has had two brain surgeries and progressed in a manner some people find miraculous.

Following his hospital stay, Jones moved to Cane Creek Rehabilitation Center for two months before relocating to the Center for Comprehensive Services in Paducah for seven and a half months. CCS is a residential rehabilitation facility especially for persons with brain injuries. There he received speech/cognitive, occupational and physical therapies, as well as counseling and social therapies, to relearn how to do everyday activities.

He was released earlier this summer.

Today, he is at home exercising both his mind and his body with hopes of returning to his position as editor of The Fulton Leader, a post he held for two years prior to his injury.

His ties with the local newspaper date back 25 years, when he began as a reporter/photographer after graduating with a degree in English from the University of Tennessee at Martin. Since that time, he has held editor's posts at the Weakley County Press and Hickman Courier before returning to the Leader.

"I want to be the editor of the newspaper (The Fulton Leader)," Jones said. "I don't know how long it will take me to do that, to reach my goal. It's probably going to take me a while. That's what I hope to do."

Returning to his love of journalism, Jones again reads several local newspapers.

"I feel pretty good," Jones said on this particular day about a year after his injury. All his vital signs are perfect, he's picked up some weight and sports a beard. Stamina, however, is a topic of debate for Jones and his wife, Karen. "We disagree on that," he said.

THE RIGHT TO KNOW



Appalachian News-Express General Manager Jeff Vanderbeck, left, and Editor Mike Moore, right, accept the Anthony Lewis Media Award by the Kentucky Department of Public Advocacy from public defender Haroinn Howard. The award recognizes those outside the criminal justice system who help provide education and information to the public. Past recipients of the award include the Courier Journal and the Lexington Herald-Leader.

Journalism hall of fame taking nominations

The University of Kentucky's Journalism Alumni Association is accepting nominations for 2006 inductees into the Kentucky Journalism Hall of Fame.

To be eligible for the Kentucky Journalism Hall of Fame, nominees must either be Kentucky natives or must have spent a significant portion of their careers working in newspaper or broadcast journalism in Kentucky.

Nominations will be accepted through Jan. 6, 2006. Selection will take place later in January, and inductees will be notified shortly thereafter. An induction ceremony honoring the new members will be held April 11, 2006, in conjunction with the annual Joe Creason Lecture.

Since its inception in 1981, some 142 persons have been inducted into the Kentucky Journalism Hall of Fame. Plaques honoring the members are on exhibit in the Enoch Grehan Journalism Building on the UK campus.

The nomination form is available on the UK School of Journalism and Telecommunications web site <<http://jat.uky.edu/>>. To make a nomination, complete the form and send the requested information to Julie Berry, assistant to the director, School of Journalism and Telecommunications, University of Kentucky, 107 Grehan Building, Lexington, Ky. 40506-0042.

FIND OUT MORE

www.uky.edu/CommInfoStudies/JAT/HallofFame/index.html

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ARRESTED DEVELOPMENT

Georgetown News-Graphic Publisher Mike Scogin and son James were treated to a limo ride after they were "arrested" in October as part of the Muscular Dystrophy Association annual fund-raising lock-up.

PHOTO COURTESY
ERICA OSBORNE/GEORGETOWN NEWS-GRAPHIC

PEOPLE AND PAPERS

Continued from page 2

Vowell was recognized for a photograph taken Aug. 29 of a mother and child at Western Hills Mobile Home Park as they waited for rescue workers to recover the body of Deanna Petsch, 10, who died after she fell into a flooded drainage ditch.

The photograph was submitted for the National Press Photographers month clip contest in Region 4, which consists of Indiana, Kentucky, Michigan and Ohio.

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Dillingham joins Messenger ad staff

Former manager and photographer Tina Dillingham recently joined the advertising staff at The Messenger.

For seven years, Dillingham managed Wal-Mart Portrait Studio in Madisonville and recently stepped down to part-time to sell classified ads at the newspaper.

Dillingham is a mother of two children, ages 10 and 2, and is married to Matt, who works for Lear Corp.

Dillingham is a member of Immanuel Baptist Church.

The Union County High School graduate moved to Madisonville in 1994

"It is exciting to be at The Messenger selling ads, Dillingham. "I think the change will be good."



TINA DILLINGHAM

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Courier-Journal welcomes new advertising vice president

The Courier-Journal has named Anna Stipp vice president of advertising.

Stipp come to the paper from a similar position at the Times-Picayune in New Orleans.

Stipp is a University of Kentucky graduate who began her advertising career at the Lexington Herald-Leader.

She replaces Abby Clark, who left the C-J to become vice president for sales at The Columbus (Ohio) Dispatch.



ANNA STIPP

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Gaines promoted to editorial page editor

Steve Gaines has been promoted to editorial page editor of the Daily News.

Gaines began working at the Daily News in January 2001 and was a court and police reporter until September 2003, when he was promoted to associate editorial page editor. Gaines is a graduate of Bowling Green High

School and attended the University of Alabama in Tuscaloosa, Ala., where he studied journalism. His promotion to his new post was effective Sept. 1.

He is the son of Pipes and Susan Gaines of Bowling Green. Pipes Gaines is publisher of the Daily News.

Steve Gaines, along with his brother Scott Gaines, represents the fifth generation of their family to be actively involved in the Daily News.

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Howell tabbed to take over Daily News column

Longtime Daily News columnist Tom Pearce has turned over the reigns of this column to Geordon T. Howell.

Pearce has been an institution at the newspaper for two decades, keeping the hunters and anglers and other outdoor enthusiasts up to date on what s happening in the region.

A Warren County native, Howell's column debuted in September

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Griffin grabs photo award

Todd Griffin, sports editor of The Times Leader in Princeton won second place for best sports photo in the National Newspaper Association's Better Newspaper Contest.

The award was presented to the paper at the NNA annual convention in Milwaukee, Wisc., Sept. 30.

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Kentucky Standard staffers win national awards

Two Kentucky Standard writers have received national writing recognition.

News/photo editor Stacey S. Manning and sports editor Jason Nelson were honored Sept. 30 at the annual convention for the National Newspaper Association in Milwaukee. The Association's Better Newspaper contest is the won two awards each.

Nelson won first place in the best sports story category for a story on harness racing.

Nelson won second place in the best sports feature story or series for a feature on Bethlehem athletic director Steve Hart.

Manning won first place in the best photo essay contest for a photo page on Little League baseball.

In the best obituary story category, Manning won honorable mention for her story about the death of Judge James Freeman Carothers Sr.



STEVE GAINES



GEORDON T. HOWELL



TODD GRIFFIN

NEWS AND NOTES

Continued from page 1

Board elections set in five KPA districts

Five KPA districts will have an election this year for a full three-year term on the

KPA/KPS Board of Directors.

Elections are scheduled for (with incumbents in parentheses), District 1 - (Lloyd Ford, The Lake News, Calvert City); District 2 - (Jed Dillingham, Dawson Springs Progress); District 7 - (Kelley Warnick, Gallatin County News); District 8 - (Ken Metz, Bath County News Outlook); and District 11 - (Don Estep, Whitley News Journal).

Nomination forms have been mailed to the publishers of newspapers in each district. The

deadline for nominations has passed.

At that time, election ballots will be mailed to the publishers in those districts.

The term for each district begins at the end of the 2006 KPA Winter Convention and continues through the end of the 2009 convention.

To be eligible for nomination, a person must be employed by a newspaper and live and work in the district for which he/she is nominated.