

# **Fair Publishing Practices Code**

**Catholic Press Association of the United States and Canada**

**(Revised 2019)**

## **PREAMBLE**

This Code is a pledge of our professional behavior as members of the Catholic Press Association of the United States and Canada (CPA). It suggests approaches to everyday ethical issues that confront everyone in our apostolate: publishers; editors; reporters and writers; broadcasters; communications professionals; photographers, videographers and filmmakers; artists and designers; and professionals in advertising, circulation, marketing and administration. We expect all members to observe the principles set forth here as a condition of continuing membership.

The ethics we practice are on public display whether we work in communications, newspapers, magazines, newsletters, books, podcasts, broadcast outlets or social and digital media, or as staff members, freelancers or independent content creators. What we publish or otherwise communicate and our interactions with audiences, news sources, contributors, advertisers, coworkers and others significantly affect our audiences, their understanding of the Catholic Church, society at large and ourselves.

This Code applies principles derived from the Catholic faith, and its guidelines coincide with those followed by secular journalism organizations. It follows certain moral principles:

- Truth must be the cornerstone of all our work.
- Pursuit of the truth will lead to the Truth that is God.
- Therefore, telling the truth must be our first priority, whether in a story, a photo, a quote, the presentation of an offer in an advertisement or in dealings with our various audiences.
- Any breach of this primary, guiding principle hurts ourselves and other people, sullies reputations and damages the credibility of our publishing institutions and of the Church.

All employees of CPA member entities and all individual CPA members should examine their cultural values both to be aware of their own prejudices and other limits on perceptions of truth and to seek to understand and represent the diversity of the communities we serve.

While this Code attempts to be comprehensive in addressing ethical issues faced by CPA members, it does not cover all areas of operation, particularly those connected to business practices and personnel management. That said, we as members of the CPA commit ourselves to business and hiring practices that reflect the people we serve and that center on treating all people — whether ordained, consecrated or lay — with fairness and justice.

The CPA cannot and does not continuously monitor its members' publishing practices, but this Code is intended to provide members with minimum standards of practice. This Code should not be construed as legal advice.

Under no circumstances shall the CPA, nor any of its members, be responsible for any liability incurred by, damages of any kind assessed, claims initiated or actions brought against any member arising from or related to this Code or for the manner in which this Code is enforced.

We recognize our calling as journalists and other media professionals to behave in a moral, ethical manner. This Code is meant to guide us as we pursue our important apostolate and to reflect our shared ethical values.

*(Historical footnote: This document has evolved since the CPA published its first Fair Publishing Practices Code in 1955. In 1967, a set of procedures for administering the Code was created. The Code and these procedures were revised in 1985, 2004 and 2019.)*

## **EDITORIAL**

The mission of Catholic media is to inform and form public opinion in conformity with the Gospel message and the pursuit of truth. Good faith with the reader is the foundation of good journalism and communication. This is especially true for Catholic journalists and media professionals, because many in the community invariably trust Catholic media to a greater degree than they trust other media.

As such, we, as members of the CPA, strive to:

- Ensure that news, whether presented via print, digital or broadcast platforms, is accurate, fair and in context.
- Hold editorials, analytical articles, features and commentary to the same standards of accuracy, charity and fairness as news reports.
- Promptly and prominently correct all significant errors of fact and errors of omission.
- Identify sources. When an unidentified source is used in an article or story, at least one editor not involved in the writing should know the identity of that source so as to take responsibility for the accuracy of the information attributed.

- Prohibit the use of fabricated quotations or invented sources, even in the attempt to bring greater understanding, as doing so is a breach of trust with the audience and stakeholders in the publication.
- Respect the rights of people in the news, observe common standards of decency and stand accountable to the public for fairness and accuracy. Show compassion for those who inadvertently become the subjects of news through tragedy or crime, being especially sensitive to children and to those inexperienced with the media.
- Ensure that fairness is the basic principle in writing, editing, photography, layout and design, videography, podcasting and social media offerings, including:
  - Completeness: Do not omit facts of major importance or significance.
  - Relevance: Do not include irrelevant information at the expense of significant facts.
  - Honesty: Do not deliberately mislead or deceive the audience.
- Evaluate letters to the editor in the context of furthering the common good and building community. Letters to the editor can provide a valuable forum for dialogue on issues open to debate and discussion.
- Require that opinions expressed focus on issues and avoid ad hominem attacks.
- Clearly distinguish between news reports and opinion.
- Clearly and explicitly label advertorials, paid content or sponsored content as paid advertising.
- Never plagiarize (that is, never intentionally appropriate and use another's work) whether in print or through digital or broadcast media, as this violates basic principles of journalism, is a failure of justice and may be illegal.
- Provide attribution for material sourced from other media.
- Avoid disseminating to anyone confidential and/or proprietary information obtained through employment with a member organization of the CPA until such information is made public.

## PHOTOGRAPHY

Photographers and videographers in Catholic journalism and media should follow ethical standards of truth and objectivity while always remaining aware of the instant impact of visual imagery in the mission of telling the story of faith in action.

As members of the CPA, we agree to:

- Provide accurate and complete coverage to give a truthful picture of the event as it happens and edit images responsibly before publishing.
- Do not digitally remove or add content to any photograph or video. Clearly Identify as a photo illustration any image that has been manipulated, edited or created to illustrate a subject or theme.
- Avoid captions and layout that misrepresent the original context of a photograph or video.

- Refrain from orchestrating or leading the action at a news assignment.
- Consider strict news value before deciding whether to cover staged events held only for the benefit of the media (usually called “photo-ops”).
- Find creative ways to enhance access and proximity to subjects without compromising respect, courtesy or flexibility. Such creativity is especially important when covering sacred rites.
- Be sensitive to victims of tragedy. Present their plight compassionately in photograph(s) or video(s) if it is essential to conveying an important truth.
- Recognize that images created for editorial use typically do not require model releases, but that privacy law requires that subjects must approve the use of their images for promotional or advertising purposes. If images are to be used in non-editorial venues, obtain written consent from individuals or private-property owners.
- Be mindful and seriously consider policies, including those of schools, that may require a parent’s or guardian’s permission before making and/or using an image of a child in a print or electronic publication.
- Remember that copyright and usage restrictions apply to images as well as text. Respect ownership rights of creators by securing proper permission to use works in print or on social-media platforms.

## **FREELANCING**

Business relationships between freelancers and publications in the Catholic press not only depend upon contracts or formal agreements, but also assume mutual respect and trust. As professional journalists striving to live out our faith through our work, we must always root these relationships in mutual consideration and just treatment.

Freelancer members of the CPA strive to:

- Perform professionally and assume primary responsibility for providing a fair and comprehensive account of events and issues.
- Test the accuracy of information to avoid inadvertent error.
- Clearly label opinion and commentary.
- Never plagiarize. Never manipulate quotes. In dealing with images, disclose any set-up, doctored or manipulated photos.
- Disclose to the editor any submission of similar or identical material to other publishers, even if presenting differing angles on the topic.
- Disclose to the editor, before acceptance of an assignment, any actual, potential or apparent conflict of interest, including but not limited to any relationship between author and interview subject or any financial interest in any product, firm or commercial venture relating to the subject of the work.
- When asked, provide the publisher or editor an estimate for the work proposed using a per hour, per word or per assignment fee that reflects the creator’s expertise, experience and value.

- Honor contracts and agreements, including mutually agreed upon deadlines.

Publishers, editors and staff members of the CPA, in relationship with freelancers, strive to:

- Establish fair and just agreements with freelancers to publish work in whole or in part. When developing contracts and other agreements, consultation with legal counsel is advised.
- Observe laws governing copyright. Unless otherwise stated in writing, the licensing of a text, photograph or graphic entitles the publisher exclusively to first North American serial rights (FNASR). Under FNASR, the publisher licenses a one-time right to be the first one to publish the licensed material in the North American market — and the freelancer retains all other rights, including the right to re-license as a reprint, to publish in a foreign market or to reprint online.
- When considering additional use of licensed content for web or diocesan use, negotiate and specify a reprint rate into freelance agreements.
- Determine payment schedules based on the quality of the product, expertise of the author, and an understanding of “fair wages” based on Catholic social teaching. As wages for publication staff increase, consider an accordingly just incremental increase in freelance rates.
- Remember that an author’s byline or a photographer’s credit is an unquestioned right when publishing his or her work, whether in print or online. If a byline is not to be used, it must be noted and agreed in advance by both the publication and the freelancer.
- Refrain from declining a freelancer’s pitch and then assigning the same idea, approach and perspective to another author without the consent of the freelancer who made the original pitch.
- Establish separate and specific licenses with freelancers for electronic rights, unless these are already stipulated in original contracts or agreements. Licenses for electronic rights should address notifying the freelancer of any profit received by the publisher from sales to other outside websites, online databases or commercial services, and establish a fair financial reimbursement for both parties.
- Edit, correct or delete for style, grammar, conciseness or arrangement — but never change the work substantively without the author’s consent or without a prior agreement with the author to do so. If a major revision is requested, offer the freelance writer an opportunity to revise or, alternately, to withdraw the article or manuscript.
- If significant changes alter the style but retain the content, offer the author the option to withdraw his or her byline and be paid as agreed.
- Notify regular non-staff contributors promptly of acceptance or rejection of an assignment or project, no later than four weeks after receiving the proposal.
- Stipulate at the time of assignment or signing of the freelance agreement the specifics regarding payment and reimbursement for expenses.
- Make reasonable and good-faith efforts to schedule the publishing of accepted freelance material in a timely manner or otherwise acknowledge that rights to publication revert to the author after an agreed-to period.

- Pay promptly for a freelancer’s work, no later than four weeks after acceptance of the work, unless otherwise arranged with the freelancer.
- State up front and in the freelance agreement a reasonable “kill fee” for assigned or commissioned work if the rights for that work are not purchased or the work not used.
- Make reasonable efforts, when possible, to guard the rights of freelancers from unauthorized usage and to obtain fair compensation and/or appropriate credit from publishers using freelancers’ work.
- Develop and provide to freelancers the publication’s “writer guidelines” outlining: terms for writing; use of freelance writers; interest in unsolicited manuscripts; payment; topics of interest; use of photography; and requirements to prepare and submit articles, photographs, graphics or illustrations for publication.

## **INTELLECTUAL PROPERTY RIGHTS**

Through a more complete understanding of copyright and copyright violations, fair-use provisions, licensing and appropriate attribution, we honor, respect and appropriately compensate colleagues for their creative work and respect the right of our audiences to understand the source of material on our platforms, whether print or digital.

### **Copyright:**

As defined by the Copyright Law of the United States and Related Laws Contained in Title 17 of the United States Code, a copyrighted work refers to “original works of authorship fixed in any tangible medium of expression, now known or later developed, from which they can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device.” A copyright owner has the exclusive rights to do and to authorize any of the following: (a) reproduce the copyrighted work; (b) prepare derivative works; (c) distribute copies to the public by, for example, rental, lease or lending; (d) perform the copyrighted work publicly; or (e) display the work publicly.

A direct infringement occurs when a person or entity who is not the copyright owner exercises one or more of the exclusive rights of the copyright owner without permission and when the exercise is not a fair use. One who violates any of the copyright owner’s exclusive rights bears the burden of establishing that the violation is not an infringement of copyright, but that the usage falls within one of the narrow exceptions to the copyright act’s prohibitions against infringement. To collect statutory damages or attorney fees, the copyright owner must first have filed a copyright registration for the work.

### **Fair Use:**

The most often-used exception to infringement is fair use. Fair use of a copyrighted work is defined in section 107 of the copyright act as a reproduction of a copyrighted work for purposes

of criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship or research. A fair use is not an infringement of copyright. Whether a particular use is a fair use is generally defined by the courts on a case-by-case basis, using the following four-factor analysis:

- How is the copyright material used? Use in news reporting, research, education, criticism or commentary, parody, satire or other “transformative” purpose typically weighs in favor of a fair-use determination. Use in a commercial context — including advertising and promotional activities that could financially benefit the user (even if the user is a nonprofit and/or journalistic entity) — tends to weigh against fair use.
- What is the nature of the copyright work being used? The more factual and non-creative the work, the greater the likelihood that fair use can be found.
- How much of the work is used? Excerpting a passage from a small work, such as a short poem, is riskier than excerpting the same number of words from a lengthy tome.
- What is the effect of the copying on the copyright owner's ability to sell his or her work? If the copyright owner's ability to profit from the copyright material is significantly impaired, it is less likely that a fair-use defense will succeed.

Armed with this knowledge, we, as members of the CPA, strive to:

- Respect copyright, the exclusive right of a work's creator to control reproduction of one's work, whether or not the copyright holder has formally filed a copyright application. The only exceptions to this pledge are those cases in which copyrights have expired and the material is considered part of the “public domain” or in which the material is not copyrightable, that is the material is simply a recitation of facts.
- Cite all print and/or electronic information sources for material not developed independently.
- Understand the scope of rights purchased to reproduce the work of copyright holders on one-time, serial, exclusive or non-exclusive terms and fully abide by those terms.
- Never reproduce copyrighted material without permission — even when giving full and proper credit to the copyright holder — unless such use falls under the provisions of the “fair-use” exception to copyright infringement.
- As fair use is a matter of civil law, consult with legal counsel when any substantial question concerning fair use arises.
- Obtain written reprint rights from the copyright holder in any situation that would not — with a reasonable expectation of certainty — fall into the fair-use category.
- Use copyrighted material, as specified in a licensing agreement, only for the term or number of copies stipulated by the license. If the license is allowed to expire, avoid using copyrighted materials acquired during the term of the license or exceeding the number of copies agreed without first signing a new licensing agreement.
- Respect and abide by reprint rights, freelance contracts and agreements and licenses that stipulate how and under what terms work may be used, typically requiring that verbatim credits to the copyright owners be placed proximate to each copyrighted item.

Failure to abide by copyright holders' legitimate stipulations opens the user to potential lawsuits alleging copyright infringement and/or other torts.

## **INDIVIDUAL PRIVACY RIGHTS**

Beyond the protection of intellectual property rights, there is a more than century-long protection provided for the individual right of privacy. Privacy rights, which, broadly speaking, were defined by U.S. Supreme Court Justice Louis Brandeis as the "right to be left alone," have been intertwined with information gathering and with the growth of information technology.

All 50 states and the District of Columbia have statutes protecting an individual's right of privacy. In Canada, privacy rights are noted within the Canadian Charter of Rights and Freedoms. Violations of a person's right of privacy can occur in the manner of gathering and presentation of news and other content. If the communications organization, its staff and/or representatives unreasonably intrude, either physically or electronically, upon an area in which a person has a reasonable expectation of privacy, then that person's right of privacy may be determined to be violated.

Violations of the right of privacy within the context of communications law have arisen from four types of actions:

- Misappropriation of name, likeness or voice of a living person for commercial gain without that person's consent;
- Public disclosure of private facts which a reasonable person would find offensive and of so little legitimate public interest that the facts should not be published;
- Unreasonable intrusion upon someone's person, property or private affairs; and,
- Portrayal of an individual in a false light, arising from publishing information that is both false and gives an offensive picture of a person.

It is generally held that when people become involved in a news event, involuntarily or voluntarily, and/or are somehow involved in a matter of legitimate public interest, they normally can be included in coverage, safe from concerns about privacy violation.

Content published digitally, whether in blogs, on websites, in social-media sites or in other electronic-publishing vehicles, is generally subject to the same scrutiny, rules and standards for libel, privacy rights and other legal actions as any print publication.

The European Union has established that privacy-protecting regulations apply to any entity that solicits personal information (name, email address, or any other personal identifiable data) from any EU resident. These regulations require these entities to obtain affirmative consent from the EU resident to obtain such personal information. Thus, if a CPA member organization sends out emails to a segment of the EU public seeking subscriptions and in that process collects names and emails, it must include in the solicitation a request, which the email recipient must answer, asking for permission to collect personal information to complete the subscription process.



## **ADVERTISING**

Advertising can effectively convey information and shape values, attitudes and behavior. As such, it should be considered and subject to review as content CPA members publish. The inclusion of an advertisement in print or digital publications does not necessarily denote endorsement of the product, event or individual being advertised. However, an advertisement's presence in Catholic media may give it greater credibility than if it appears in other media. Consequently, those involved in their sale, preparation and dissemination are ethically responsible for what advertisements seek to motivate people to do.

We, as members of the CPA, are guided by these practices:

- General considerations:
  - Develop and make readily available a statement of a publication's advertising policies and procedures, including a statement that the publication has the exclusive right to decline any advertisement deemed to be unacceptable.
  - Ensure all advertisements are compatible with the stated mission of the publication.
  - Refuse advertisements that could cause scandal, contain misinformation or are potentially fraudulent.
  - Accept only after consultation with competent experts and with care and due diligence advertisements dealing with matters of faith or Church teaching.
- Content considerations:
  - Before accepting advertisements for publication, ensure that they are in keeping with state, province and federal laws, U.S. Postal Service or Canada Post regulations, local diocesan and state, provincial and national Catholic conference policy positions.
  - Authenticate advertisements from organizations that seek to raise funds or support causes that represent themselves as "Catholic" through a credible source, for example, *The Official Catholic Directory* or a diocesan Catholic directory as well as by contacting other CPA member publications that may have experience with the potential advertiser.
  - Exercise special caution when considering acceptance of advertising for political candidates or parties, alcohol, tobacco, gambling or other goods and services that may cause confusion or appear contrary to Church values and/or Church teaching.
  - Whenever possible, evaluate samples of mail-order items as to quality, content and value, and secure the advertiser's complete contact information in the event that complaints arise.
  - Ensure that advocacy, personal-opinion and issue-related advertising that might appear as editorial material is, like all advertising, consistent with the stated

mission of the publication or organization, meets all standards of acceptability and is labeled clearly and explicitly as paid advertising.

- Clearly and explicitly identify content for which the publication receives compensation — whether advertorials, paid content or sponsored content — as such or as paid advertising.
- Conduct considerations:
  - Require in the advertising contract that advertising clients have secured all permissions and have paid all royalties for usage of photographs, graphics and/or illustrations in advertisements, as the unauthorized or uncompensated use of such is unethical and, in certain cases, illegal.
  - Make advertising rates publicly available and ensure that those rates are applied consistently and fairly.
  - Quote only accurate circulation, traffic, visitor or readership figures to advertisers. These data should be based on an accredited or impartial method of determining analytics or reporting circulation. Never make claims based on unsubstantiated or exaggerated readership or traffic figures.
  - Refrain from denigrating a competing publication or acting in an unchristian or unprofessional manner. The credibility and reputation of every publisher is based, in part, on how each of us acts in the marketplace.

## **MARKETING, CIRCULATION AND PROMOTION**

The marketing, promotion and circulation-building efforts of CPA members should represent the publication, website, broadcast or media outlet and the Church it serves in ways that are in keeping with the trust held and the special role played by Catholic publications in being beacons for ethical action. As such, CPA member publications and organizations should engage in marketing, circulation sales and promotion efforts with honesty, integrity and respect for the intended audience. Such efforts also should be in keeping with Church teaching and values, follow all civil laws, and be within the bounds of good taste.

We, as members of the CPA, strive to:

- Report only accurate, verifiable circulation, distribution, website visitors or readership figures, and never make inflated, unverifiable or exaggerated claims of such. Circulation figures must be based on an accredited or impartial method of determining or reporting circulation from a respected agency, such as the Audit Bureau of Circulations, a U.S. Postal Service or Canada Post audit, sworn statement or affidavit, or most recent postal-service mailing statement or an analytics report, such as provided through Google Analytics. Readership or visitor figures should be based on the publication's or website's most recent readership survey or analytics that establish an empirical or accepted method of determining the number of readers per copy or average unique visitors to the website over a defined time period, such as monthly, quarterly or annually. The

number of publication copies printed should not be conflated with the actual circulation figures.

- Conduct readership studies and demographic research in accordance with best practices. In reporting results, margins of error should be noted. The reporting of Internet-based polls and other unscientific polls of readers must state that the results are not verifiable.
- Provide access to supporting documentation when appropriate to confirm the accuracy of circulation, visitors or readership survey results reported.
- Secure signed releases from models authorizing the use of their voice and/or image used in print, digital or broadcast promotion and specifying compensation, if any.
- Obtain appropriate permissions to use in advertising or promotions any texts, photographs, graphics, illustrations or other materials to which other organizations hold copyright.
- Exhibit care and caution not to disrespect or misrepresent sacred or religious images in promotional or marketing materials and efforts.
- Conduct any mail — standard or electronic — or telephone solicitation campaigns with respect for the intended audience and endeavor to protect the privacy and integrity of the customer's personal data. Ensure that any solicitations comply with current state, provincial and/or federal regulations. All marketing communications using email, texting or other forms of digital media must have an easy-to-use opt-out mechanism, including list-rental campaigns.
- Respect the privacy of subscribers and the integrity of data included in any list-rental relationship. While a member publication may rent or exchange subscriber lists with third parties, it must work to ensure that third parties also respect the lists' integrity and subscribers' privacy. If a publication chooses to rent or exchange its subscriber-list data, it should give subscribers ample opportunity to opt out of such a program. Any such rental of lists must comply with current state, provincial and/or federal regulations, and those to whom the list is rented must agree to comply with current state, provincial and/or federal regulations.
- Respect that texts or calls to mobile devices could cause unwanted fees for the recipient. Therefore, marketing or promotions using email, texting or calling on mobile phones should not be conducted without prior informed consent from the potential or current consumer.
- Provide accessible information in the publication or on the media outlet website about the organization's marketing policies and practices. This information should include terms and conditions and details about how the potential or current customer's data will be used by the organization. The organization should include its identity, street address and phone number in all email marketing efforts.
- Inform audience or potential audience if the publication is using location-based technology in marketing and provide an easy-to-understand explanation as to how data is being used and an easily accessible way to opt out of any such marketing effort.

## **ACCOUNTABILITY AND TRANSPARENCY**

Communications professionals often fill multiple roles within a member organization and the Church.

Balancing the role of news provider and representative of the diocese or religious entity can lead to the possibility for conflict between roles, although this tension can also serve to sharpen and even clarify the work of all church communicators. The role of the communications team is essential in finding ways to tell the story of the local church and bring its work more fully into the life of a community as a trusted partner and moral voice.

The communicator holds an important role not only as a storyteller, but as a voice of accountability, safeguarding institutional integrity and helping to build public trust in the institution of the Church.

We, as members of the CPA, strive to:

- Act with honesty and integrity so as to secure and retain the confidence of those with whom we come in contact, both professionally and personally.
- Prevent the intentional dissemination of false or misleading information, and exercise proper care to avoid doing so unintentionally and correct any such disseminations promptly.
- Seek to establish the moral, cultural and intellectual conditions for dialogue. We recognize the rights of all parties involved to state their cases and express their views as well as our own responsibility to listen and communicate respectfully with others, including those with whom we disagree.
- Refrain from abandoning the public square, which could cause the organization's position or voice to be absent or misrepresented.
- Be open and transparent in who we are, the name of the organization for which we work, and the interest we represent.
- Respect confidences, the privacy rights of clients and employees and privileged information or confidences obtained during the course of employment or contract.
- Respect and abide by all legal obligations to report abuse and any other illegal activity of clients or employees.
- Respect an individual's right to privacy and use prudent judgment in determining whether to publish or release potentially sensitive information. While remaining committed to presenting and publicizing the truth, we should question whether a matter disclosed is private, whether it is newsworthy, and whether its disclosure would be highly offensive to a reasonable person.
- Avoid conflicts of interest, whether they are substantive or suggest the appearance of conflict.
- Take all reasonable steps to ensure the truth and accuracy of information provided and to correct errors in media outlets reporting on our organization and the Church.
- Never obtain information by deceptive or dishonest means.

- Never create or use any organization to serve an announced cause while actually serving an undisclosed interest.
- Never sell for profit to any third party copies of documents obtained from public authorities or confidential documents from our organizations.
- Never accept any form of payment, gifts or consideration in connection with providing professional services to anyone other than the organization(s) to which we are employed.
- Neither directly nor indirectly offer nor give any financial or other inducement to public representatives, the media or other stakeholders.
- Neither propose nor undertake any action that would constitute an improper influence on public representatives, the media or other stakeholders.

## **DIGITAL AND SOCIAL MEDIA**

Many CPA member publications, organizations and freelancers publish online and are engaged in e-newsletters, podcasts, blogging, vlogging and social media platforms including Facebook, Twitter, Instagram and others. Although the platforms are used in different ways, the same principles of ethics and integrity espoused in the rest of this Code that apply to print also apply in digital and social media.

However, digital media brings its own challenges, including:

- Content posted on one's site requires the explicit permission of the content creator and acknowledges the copyright if posted by someone other than the copyright owner.
- Limit aggregated content on a news site, content whose copyright is owned by someone else, to the fair-use standard, without using the content in full, unless permission is obtained from the copyright holder. For example, in posting content from another site, it is appropriate to use a brief abstract or excerpt with a link to the full content on the site of the copyright holder or a site that has a license agreement with the copyright holder.
- When posting photos online in a gallery or via an outside vendor, be clear in outlining the rights to use photos in other media or on other social media platforms. If there is a charge for photo prints or photography rights, the cost should be posted on the site or information provided as to where to inquire about purchase.
- Clearly state within agreements with freelance writers or photographers whether digital publishing rights are included and if there are any time limitations or other restrictions on use.
- Explicitly identify content for which the publication receives compensation — advertorials, paid content or sponsored content — as paid advertising.
- Take precautions that online user data is safeguarded for privacy and post the site's privacy policy in a prominent or easy-to-find location.
- Be cautious when posting links to crowdfunding sites, as there have been instances of deception in such fundraising. Further, take care not to endorse or otherwise promote

- crowdfunding campaigns unless the integrity of the campaign can be assured.
- Do not alter photos for digital or social media such that they no longer accurately represent the actual event or intent.
  - Use caution in social media posts when presenting personal views on contentious public issues and steer clear of retweeting rumors or material without confirming their validity and/or clarifying that views expressed in the post might not be in agreement or accordance with the CPA member's view.
  - Be cautious about mentioning or crediting online accounts, unless certain that a site is a reliable source for information.
  - Make corrections to Tweets or other social media posts quickly and transparently, clearly stating with a Tweet or post that the mistake occurred and explaining what was wrong.
  - Do not delete a post has been shared and/or receives a significant number of comments, without due consideration. Since the post has been public, the person or organization that posted it should “own” the post, even if it is later found to be mistaken or premature, in order to preserve the integrity of the discussion. If a Tweet or post is reconsidered at a later time, it is better to add a clarifying comment from the poster or organization rather than pretend the item had never been posted.
  - Do not delete comments on a member website or a member social media channel simply because they do not agree with what the member posted. Deletions should be reserved for posts that include, for instance, personal attacks, incorrect information, vulgar language or off-topic comments.
  - Develop a coherent social media comments policy and post the policy on the site. Such policy should detail what kinds of comments are accepted, why comments may be deleted and criteria for when a user could be blocked on the site.
  - In the event of a factual error found in an article only, update the article accordingly and immediately acknowledge the error through a correction posted on the same page as the article. The correction should include the date and time the correction was made and acknowledge the specific error. Articles should never be updated or corrected without noting the change, even if the article has not yet received widespread attention.
  - Resist deleting content from a website entirely; adding corrections, updates or editor’s notes should be the preferred method for noting errors, developing situations, or new information available. Should a publication find that an article needs to be deleted in its entirety (e.g., due to substantial falsehoods, errors, inaccurate reporting, plagiarism), the publication should delete the body text, replace it with an appropriate editor's note about why the content was deleted, and keep the original web address and headline live.
  - To preserve the integrity of the news and treat all news subjects fairly, articles, photos and videos posted to websites and other online media should not as a rule be removed or retracted unless material was inaccurate or misleading at the time of original publication. It is acceptable, on a case-by-case basis, to consider with caution and compassion such requests based on the requester’s reason for asking the content to be removed.

## **COMPLAINT PROCEDURES**

The CPA does not possess the necessary resources to monitor its members to ensure compliance with the ethical and professional guidelines outlined in the Code. However, the association will address complaints of alleged Code violations, reserving the right to expel a CPA member should evidence reveal deliberate, egregious and/or repeated infractions of the Code.

Below are procedures to address a complaint should one be made against a CPA member publication:

1. CPA members and non-members may file a written complaint that a member publication has allegedly violated the terms of this Code. The petitioner must provide all available pertinent evidence. The complaint shall be filed with the CPA president or executive director.
2. The CPA president may form an ad hoc committee, known as the Fair Publishing Practices Code Complaint Committee, to investigate a complaint, making recommendations and taking subsequent action, if appropriate. The CPA president appoints the ad hoc committee's chairperson and members, based on their expertise relative to the complaint and apparent lack of any conflict of interest with either the complainant or the publication alleged to have violated the Code.
3. All business of the committee will be held in strictest confidence, and each member will undertake this obligation as a condition of service. If, during the course of service, an association committee member, board of directors member or officer discerns a real or apparent conflict of interest, he/she is obliged to recuse himself or herself. Should a committee member perceive an apparent conflict of interest of another committee member that is not addressed by that member, he or she must discuss the matter with the CPA president or the executive director. Parties directly involved shall be excluded from all CPA committee and board work regarding questions in dispute from the time any ad hoc committee investigation has begun until it is concluded.
4. The committee will begin gathering information from both parties to determine:
  - a. The nature (if any) of the relationship between the parties;
  - b. Whether the complaint has standing to proceed; and,
  - c. Whether the issue is such that a violation has to be recognized and considered by the committee.
5. The committee may initiate a process of conciliation to assist the opposing parties to settle the matter between them, based on Code principles binding on CPA members.
6. If the parties are not satisfied with the results of that effort, the committee may invite both parties to submit to arbitration before the committee.
7. If either party refuses to arbitrate, the committee, having consulted with the CPA president and the executive director, may make a determination as to whether a full hearing by the committee is warranted. If so, the committee will invite the parties to respond in writing, in person or via email or conference call.
8. When the committee is satisfied that both sides have had the opportunity to present

their cases fully and clearly, the committee will again attempt to facilitate a mutually satisfactory resolution. The committee may have to determine whether the accused did, in fact, violate the Code and, if so, what remedial measures should be taken. The committee may recommend to the CPA president, among other actions: retraction of or an apology for the offending material and/or a rebuttal by the complainant; censure of the publication or publishing house, staff member or freelancer; or suspension of CPA membership.

9. Committee action shall require a simple majority vote of its members.
10. The committee's findings and recommendations shall first be submitted to the CPA president, who will determine the final disposition of the complaint after consultation with the CPA board of directors, and CPA executive director, who will document the process and proceedings on behalf of the association.
11. The CPA president will notify the parties involved of the final disposition and any required action concerning the resolution of the complaint.

\* \* \*

*Following are the members of the Ad Hoc Revision of the Fair Publishing Practices Code Committee: Julie Asher, Ann Augheron, MJ Cahill, Effie Caldarola, Katie Carroll, Vicki Cessna, Diane Clay, Don Clemmer, Jim Cosgrove, Cathy Dee, Rob DeFrancesco, Tom Dermody, JoAnn DiNapoli, Greg Erlandson, John Feister, Peter Finney Jr., Karen Franz, Matt Gambino, Susan Gibbs, Beth Griffin, Katherine Grinchwich, Randy Grosse, Chris Gunty, Lisa Hendey, Patricia Kasten, Michael LaCivita, Jaclyn Lippelmann, JD Long-Garcia, Tom Lorsung, Sam Lucero, Mary McDonald, Rick Musacchio, Patrick O'Brien, Helen Osman, Nicole Ossevoort, Teak Phillips, Roxane Salonen, Maria Ruiz Scaperlanda, Matt Schiller, Joe Sinasac, Mary Stachyra Lopez, Joe Towalski, Tim Walter, Kerry Weber, Penny Wiegert, Carol Zimmermann, Mark Zimmermann, Bob Zyskowski, Mark Lombard (chair).*