

# Operating Policies and Procedures



Revised January 2012



## **PREFACE**

The purpose of this document is to clearly set forth the rules and procedures that govern the operation of the TCTV facilities and channels. These rules and procedures are intended to encourage maximum participation by individuals and groups from greater Thurston County in a fair and equitable manner.

These policies may be revised by the TCTV Board of Directors in response to the changes we face as demand on our resources increases. Approved changes in these policies will be published and disseminated to the members, and funding jurisdictions of Thurston Community Television (TCTV). Every effort will be made to notify all members of policy changes.

The policies and procedures described in this document supersede all other Operating Policies previously issued by TCTV, as well as any express or implied representations previously made by the employees or Board of Directors of TCTV. Policy statements as written do not amount to promises of specific treatment and are merely general statements of TCTV policy. TCTV specifically reserves the right to modify these policies and procedures. Announcements of policy changes are made through the office of the Executive Director. If a member has questions concerning current policies and practices, he/she is encouraged to discuss them with the TCTV staff. Members are required to acknowledge receipt of these Operating Policies.

## **1.0 WELCOME TO TCTV**

### **1.1 TCTV Mission, Vision and Values**

TCTV provides communication resources to build a stronger community.

TCTV believes that community access media is an appropriate and powerful vehicle for promoting greater awareness and

understanding of the larger community and the diversity of its people.

TCTV values free expression of ideas and open communication; empowerment through technology and training; diversity through access and involvement; collaboration through partnerships; accountability through fiscal responsibility; community building through outreach and education

### **1.2 Statement Of Purpose**

Thurston Community Television was created to administer the use of community access channels and facilities. Our goal is to provide a resource that empowers individuals, nonprofit organizations, government agencies and educational institutions, in Thurston County to produce their own programs or messages. Thurston Community Television coordinates outreach, training, production, playback, and promotional activities to achieve this goal.

Thurston Community Television operates in a cooperative partnership with the franchising cable operator and our funding jurisdictions to facilitate open communication between government agencies and citizens, residents and their neighbors, and nonprofit organizations and schools with the community at large.

### **1.3 Introduction/History**

TCTV began as an informal study group, the Capital Area Community Television Association (CACTA), in the fall of 1982 and was incorporated in January, 1984 as a nonprofit corporation. In 1986, CACTA became Thurston Community Television (TCTV).

Olympia granted a new cable television franchise to Comcast Cable of Washington in 1985 requiring the company to provide

channel space, production equipment, and other services to support the development of community access television.

TCTV then signed service contracts with Olympia, Lacey and Thurston County to manage public access and help develop educational and governmental access programming. The local governments provided operating funds to TCTV. TCTV chose a membership-based structure to increase user accountability, demonstrate commitment to the principals of cable access, and help defray operating expenses.

TCTV wants to make available to cable viewers, programming that reflects the interests and serves the needs of every segment of the community. TCTV is unequivocally committed to the expression of lawful free speech. Our responsibility is to assist, to the best of our abilities, all residents, nonprofit organizations, schools, and local government agencies in Thurston County in the production of their programs. We will encourage high technical quality, while realizing that the content of the programs is the responsibility of the producers. We hope that this will lead to entertaining, diverse, informative, challenging, and interesting video that, in the aggregate, will appeal to a wide spectrum of the community.

This document describes the policies guiding membership, training, program production, channel use, and user responsibilities. These policies are designed to be flexible, to change as the needs of the community evolve. They are guided by: The Constitution of the United States of America; The Washington State Constitution; The Cable Communications Policy Act of 1984, as amended; the Cable Consumer Protection Act of 1992, as amended; The Telecommunications Act of 1996, as amended; other applicable federal and state laws and court decisions; TCTV's Bylaws; TCTV's service contracts with Olympia, Lacey, Tumwater and Thurston County; and the Comcast Cable

franchise documents for Olympia, Lacey, Tumwater, and Thurston County.

#### **1.4 Definitions**

**“Advertising”** is defined as material designed to promote a commercial service, business or product.

**“Certified Production Member”** shall refer to those TCTV Production Members who have successfully completed a TCTV training workshop or demonstrated to TCTV staff a sufficient working knowledge of the facilities and equipment available to them.

**“Channels”** refers to those channels on the Comcast Cable system in greater Thurston County that are administered by TCTV

**“Community Member”** – an individual who makes a contribution to TCTV of \$20 or more that is 100% tax deductible. Community Members do not have access to training, facilities or equipment.

**“Equipment”** shall refer to any and all video and audio equipment available for the production of community access programming.

**“Erotic Material”** is defined by the Olympia City Code as: "Motion pictures, photographs, pictures, printed material and other such objects depicting; human sexual intercourse; direct physical stimulation of unclothed genitals; flagellation or torture in the context of sexual relationships; or an emphasized depiction of bare adult genitals; provided, however, that this definition applies only to those works which, applying the average standards of the city, taken as a whole, appeals to the prurient interest of persons and which lack serious literary, artistic, political or scientific value.

**"Facilities"** shall refer to the building and parking lot, and other property not directly related to the production of community access programming currently under control of Thurston Community Television.

**"First Amendment of the Constitution of the United States of America"** – Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble and to petition the Government for a redress of grievances.

**"Indecent Material"** is defined by the courts as the repetitive and deliberate use of language or material that depicts or describes, whether directly or by innuendo, in terms patently offensive as measured by contemporary community standards for the broadcast medium, sexual or excretory activities or organs. For example, extreme physical violence or degradation, nudity, graphic depiction of medical procedures, and repetitive use profanity would be considered "indecent". Profanity includes, but is not limited to, words such as those identified in *FCC vs. Pacifica*.<sup>1</sup>

**"Nonprofit Organization"** refers to any organization that is recognized by the IRS as a 501(c) tax-exempt organization and also registered with the State of Washington as a non-profit corporation.

**"Nonresident Individual"** – an individual whose primary residence is outside Thurston County

**"Nonresident Organization"** – an organization or agency with primary place of business located outside Thurston County.

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<sup>1</sup> *FCC vs. Pacifica identifies the words fuck, shit, piss, cunt, motherfucker, cocksucker, and tits as indecent*

**"Obscene"** is defined by applying the Miller test: (a) whether the average person, applying contemporary community standards would find that the work, taken as a whole, appeals to the prurient interest; (b) whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by applicable state law; and (c) whether the work, taken as a whole, lacks serious literary, artistic, political or scientific value.

**"Personal Financial Compensation"** – compensation paid to an individual for time or services provided when utilizing TCTV equipment, facilities or resources.

**"Production Member"** – an individual who pays the annual Production Member fee to obtain access to TCTV training, equipment and facilities for use to create programs to be aired on the TCTV channels. The Production Member fee is not considered to be a tax-deductible donation as the Production Member receives services that are greater in value than the fee paid.

**"Producer"** shall mean the person that has primary editorial control and legal responsibility for the program content.

**"Program Sponsor/Supplier"** shall refer to the organizational member that provides imported programming to TCTV for cablecast

**"Protected Speech"** refers to any content that is protected under the First Amendment of the Constitution of the United States"

**"Resident"** is defined as an individual whose principal abode -- i.e. the home, house, apartment, facility, structure, etc. - **within which the individual lives the majority of the time** is located in Thurston County.

The mailing address of the individual may be different than the residence address.

“**Series Programming**” has multiple episodes with at least one new, never- before- aired episode each month.

“**Single program**” is an individual program that is not part of a series.

“**Unprotected Speech**” refers to those forms of expression not protected by the Constitution of the United States – slander, libel, sedition, incitement to violence, and obscenity”

### **1.5 Non-Discrimination Policy Statement**

No individual will be denied TCTV membership or access to any TCTV equipment, facilities, services or channel time on the basis of race, sex, sexual orientation, age, physical disability, religious or political belief, ability to pay, or due to the nature of the programming interest.

### **1.6 TCTV Records**

TCTV maintains public records in accordance with state and federal law. These records are available for inspection during normal business hours. Persons requesting review of these records must submit a written request, which includes their name, address, and telephone number and provide proof of identity.

## **2.0 MEMBERSHIP**

### **2.1 Types of Memberships / Fees**

There are several types of TCTV memberships:

- Production Members pay an annual fee that grants them access to low-cost training and use of TCTV facilities and equipment. **The fee is currently \$35 for**

**residents of Thurston County and \$70 for non-residents.**

The Production Member fee is not tax deductible.

- Community Members support TCTV through their financial contributions, **of least \$20 annually**. They do not desire to take training workshops or use facilities and equipment. Community Members contributions are 100% tax deductible.
- Organizational Members are nonprofit groups, government agencies other than the funding jurisdictions, or schools that wish to utilize TCTV services. **Organizational Membership fee is \$125 for organizations with a primary place of business in Thurston County, \$250 for organizations located outside Thurston County.**

**2.2 Eligibility**

TCTV membership is open to individuals, non-profit organizations, educational institutions, and government agencies in Washington State. Membership dues are established by the TCTV Board of Directors and are subject to change. All memberships expire on December 31.

**2.3 Relationship Between TCTV and Members**

TCTV is a private non-profit corporation. Members and producers are not agents or employees of TCTV. They are considered to be independent producers and create programming for themselves or the organization they represent. At no time may any individual or organization identify themselves as an employee or agent of TCTV or any of the funding jurisdictions unless hired by TCTV or the jurisdictions to perform a service.

TCTV exercises no control, beyond these policies, over production activities by members except when trained members have been recruited by TCTV to crew productions that are specifically coordinated by TCTV. Members must not identify their production efforts as being “for TCTV”. Rather,

members should indicate that their programs “will be seen on TCTV”.

## **2.4 Production Members**

Production Members may take training workshops and use the TCTV production facilities and equipment to create programs to be seen on the access channel(s). Production members are entitled to vote at the Annual Membership Meeting on issues that are placed before the general membership for approval and to select the elected members of the TCTV Board of Directors. Production members must provide to TCTV a current, accurate address of their primary residence and current mailing address if different from their residence.

Waivers and/or fee reductions are available for Production Members based on financial need as described in Section 2.7. New memberships are prorated depending on the quarter in which the membership begins.

Production Membership fee must be paid or a waiver granted before taking training workshops or using TCTV production equipment and must be renewed yearly. There are no age restrictions for TCTV membership. However, parents or legal guardians of Production Members under age 18 must sign a consent form when a minor requests training **and** sign a financial/legal responsibility statement when a certified producer under age 18 requests the use of TCTV production facilities and equipment or schedules programming on the channel.

## **2.5 Organizational Members**

Organizational members must be either:

- A. An educational institution, or government agency with a principal place of business in Washington state.
- B. A non-profit organization recognized by the IRS as a 501(c) tax-exempt organization that is registered with

the State of Washington. This can be an independent organization, or a duly recognized chapter, branch or other division of a larger state, national or international organization. Non-profit groups applying for this membership will be asked to present proof of this registration and an IRS letter of determination.

Organizations must provide to TCTV a current, accurate address of their primary location and mailing address. Organizational Members must name a primary contact person and may have up to 10 affiliate individuals covered by the organization's basic membership. Additional affiliates may be included on the Organization's roster but an additional fee of \$20 per person must be paid for each affiliate in excess of 10. These individuals may receive training and use TCTV production facilities to create programming on behalf of the organization for cablecast on the access channel(s). Persons listed on an organizational member's production/training roster are not considered to be members of TCTV.

An Organizational Member may cast one vote at the Annual Membership Meeting on each issue that is placed before the membership for approval and to select the members of the TCTV Board of Directors. All TCTV mailings will be sent to the primary contact person on record for each Organizational Member.

Certified organizational affiliates may crew on any production, but they can only check out equipment and produce programs that are sponsored by their organization. If certified organizational members wish to use TCTV equipment to produce programming of their own personal interest, they must become a Production Member.

## **2.6 Funding Jurisdictions**

Local jurisdictions, which have a service agreement with TCTV, are considered Organizational Members. They receive all

Organizational Member privileges with no limit on the number of affiliates who may receive training.

### **2.7 Production Membership Fee Waiver**

Persons who, **for reasons of financial hardship**, cannot pay the Production Membership fee may request a fee waiver.

Persons who receive a waiver of membership fees receive all the benefits of paid membership. Membership waivers expire on December 31, and must be renewed yearly.

## **3.0 TRAINING**

### **3.1 Eligibility**

You must be a current Production Member or an affiliate of a current Organizational Member as described in Section 2.0 to take TCTV training workshops.

### **3.2 Workshop Fees & Scholarships**

Orientation meetings and production workshops are designed to ensure that members understand their rights and responsibilities as members, producers, programmers, and viewers. Current TCTV Production Membership and attendance at an Orientation meeting are required before you may sign up for other training workshops. T

**There is no charge for the Orientation workshop. It is a mandatory pre-requisite for all other training.** All other training workshops are offered to current TCTV members on a first come, first served basis and require payment of **nonrefundable** training fee at time of registration. Fees for the TCTV training classes vary. Training workshops are designed to teach the proper equipment operation and production techniques and familiarize the student with the specific technical set up of the TCTV facilities. The types and number of workshops offered are based on available facilities and equipment and may change as TCTV grows.

**Partial training scholarships** are available for members who, for reasons of financial hardship, cannot pay the entire training fee. If a scholarship is granted, the member agrees to provide TCTV with 4 hours of volunteer service **within 30 days of completing the workshop**. Volunteer service will be coordinated and supervised by the Public Access Manager.

### **3.3 Training Re-Certification**

Members who have not participated in a production using TCTV equipment for over a year must be re-certified before equipment privileges are restored. This requires attendance at a training workshop or a training waiver issued at the discretion of the TCTV training staff.

## **4.0 USE OF PRODUCTION EQUIPMENT**

### **4.1 General Guidelines**

The TCTV Production facilities are open for public access production use Tuesday – Friday from 2:00PM – 10:00 PM and Saturday from 10:00 AM – 6:00 PM. Studio and edit reservations are made during these times only.

Members are encouraged to seek assistance from the TCTV staff during the pre-production planning of their programs. Staff will not produce your program for you but can provide suggestions on technique, equipment, and production planning that can help to ensure a successful project. Members may have a maximum of 4 projects in production at one time, 2 of which can be series programs.

TCTV production equipment and facilities are made available on a first come, first served basis, to certified members free of charge. Only current organizational or production members with proper certification are allowed to reserve or operate TCTV equipment. **TCTV equipment is not available for rent, personal use, or commercial production. TCTV equipment may not be taken out of state.** Use of TCTV facilities or

equipment must result in programming that will air on the TCTV channels.

Studio productions, editing, and equipment check out must be scheduled during regular facility hours. Hours for portable equipment check-in/check-out may be different than regular facility hours and will be posted. Studio, editing, and equipment reservations can be made in person or by phone and must be completed by a TCTV staff person. Voice-mail or e-mail messages do not constitute a reservation.

A member is considered a “no-show” if they are 30 minutes late without advising TCTV. The time they reserved will then be open on a first come, first served basis. **Certified members that are repeatedly late returning equipment, fail to cancel reservations, or violate any other TCTV policies will be subject to disciplinary action as defined in section 6.3.** TCTV reserves the right to adjust equipment use policies based on user demand and the working condition of our production equipment

#### **4.2 Financial Responsibility**

Certified members must sign an Equipment Use Agreement agreeing to reimburse TCTV for repair or replacement of any equipment that is damaged, lost or stolen while in their possession. If the certified member is under age 18, a parent or legal guardian must sign the Equipment Use Agreement.

#### **4.3 Portable Equipment**

Portable equipment may be checked out and/or returned during the following times.

- Tuesday – Friday between 2:00 PM and 9:00PM
- Saturday between 10:30 AM and 5:00 PM
- TCTV production facilities are closed on Sunday & Monday.

Portable equipment includes camcorders, tripods, light kits, audio equipment, and other accessories for remote field productions. We also have portable editing equipment and a portable switcher is also available for two-camera productions utilizing two camcorders.

Portable equipment may be reserved for 48 hours at a time during the week, 72 hours over the weekend. **For weekend use, equipment may be picked up on Saturday and returned on Tuesday.** Portable equipment reservations may be extended when the additional time requested has not been reserved by any other member. Reservation extensions will be granted no sooner than three (3) days prior to the reservation date.

Portable equipment reservations will be taken up to two (2) months in advance. Reservations may not be made back-to-back. There must be at least 24 hours between scheduled reservations for an individual or project. No more than two camcorders may be reserved for any one project at a time. No more than 2 camcorders may be checked out by any one individual. **Only certified members are allowed to operate TCTV equipment. Equipment MUST be returned to TCTV and checked in before being issued to another person.**

#### **4.4 Studio**

Studio includes the control room, studio room, and all other equipment in them for live or taped productions. Studio requests are not confirmed until they have been reviewed and entered into the studio reservation system. Studio time is scheduled in conjunction with the programming season described in Section 5.5. TCTV will assign productions to the studio best suited for the production type. Studio reservations are made in conjunction with the program scheduling process defined in Section 5.6.

Certified members may book a maximum of 4 hours per studio reservation. The total number of hours an individual may reserve during the programming season will be based on the demand for the resource. Only current members with studio certification may be used as crew for studio productions. **A minimum of 4 crew people is strongly recommended for studio productions.** The studio must be left in a clean, orderly state, with all equipment in a "normal" setting and ready in time for the next production. Refer to the posted studio rules and checklist for details. Studio productions **must be completed at least 15 minutes prior to the end of the reserved** time in order for staff to do a walk-through and complete the check-in procedures before the next production. **Studio productions MUST be completed no later than 9:45PM Tuesday thru Friday and no later than 5:45 PM on Saturday.**

No food or drink is allowed the control room or studio. If you are bringing food for your crew, we recommend that you eat **AFTER** your production is completed to ensure your production is completed on time. Pagers and cell phones should be turned OFF during productions.

#### **4.5 Editing**

Only current members certified to use the editing equipment may reserve edit time. Certified members may reserve a **maximum of 4 hours per reservation.** The number of hours of edit reservations an individual may hold during a week may be limited based on demand. Edit reservations will be taken up to 2 months in advance. **Editing MUST be completed no later than 9:45PM Tuesday thru Friday and no later than 5:45 PM on Saturday.**

#### **4.6 Recording Media**

Members are required to provide their own recording media for their productions. TCTV does not provide videotape, SDHC

cards, or DVDs. A list of vendors that supply various recording media is available from staff.

## **5.0 PROGRAMMING & CHANNEL USE**

### **5.1 Program Rights**

Community producers are the owners of the programs they create and as such retain the copyright for their program. Programs produced with TCTV equipment must be primarily intended for televising on the TCTV channel(s).

TCTV recognizes that additional uses occasionally develop that are not part of the primary intent of the producer. Producers may take advantage of these unanticipated opportunities only when:

- A. A programming contract has been filed for cablecast on TCTV's channel(s) prior to any other use
- B. There is absolutely no distribution of programming for profit
- C. Any use of the program for fund raising activities must be by an organization that has been granted 50c3 tax-exempt status by the Internal Revenue Service.
- D. The producer notifies the TCTV executive director in advance of the additional unanticipated use of the program.
- E. No other TCTV policy is violated

**If this policy is violated, the producer may have member privileges suspended or revoked.**

TCTV reserves the right to retain one copy of selected programs for archival purposes. No use may be made of any part of a program without the producer's consent. TCTV may request but not require that programs be used for promotional purposes or distribution to other access centers.

### **5.2 Program Content**

**TCTV encourages community producers to exercise the responsible expression of their 1st Amendment rights. Program producers and/or sponsoring agencies are held solely responsible and legally accountable for the content of their programs and as such may be subject to prosecution for the cablecast of illegal material.**

Producers and/or authorized representatives of organizations supplying programs are required to complete a TCTV Programming Contract that **truthfully and accurately** describes the program or series they are submitting for cablecast. Should the program(s) deviate from that described in the original Programming Contract, a revised Programming Contract must be completed before the program is scheduled. **Willful falsification of this document or material misrepresentation of information required is grounds for revocation of membership privileges. Should a court order be issued against a program or series for any reason, the cablecast of that program or series will be suspended pending the legal decision.**

The following content limitations apply to any and all programs or messages cablecast on the access channel(s) administered by TCTV. Community producers should seek staff assistance in meeting these guidelines.

The following are absolutely prohibited:

- A. Lotteries / Contests: Lotteries or contests that involve directly or indirectly the elements of a prize, chance, and/or consideration. Reference section 76.213 of the rules of the Federal Communications Commission.
- B. Illegal Material: Material which would subject the producer or supplier to civil or criminal prosecution under any applicable local, state, or federal law for production or presentation of obscene or erotic material, slander or libel, invasion of privacy.

- C. Licensed Material: Material that is copyrighted or subject to ownership or royalty rights, union residuals, or other payment (e.g. *music, written works, photographs, film, video*) unless producer has obtained all necessary permission, releases, licenses and made all necessary payments to authorize televising of any such material. TCTV may require producers to provide evidence of such payment or permission.
  
- D. Advertising / Commercial Endorsements: Advertising or other material that is designed to promote commercial businesses, the sale of commercial products, or purchase of professional or commercial services. This includes but is not limited to, product or business endorsements and/or service descriptions. For example: A *program guest may be identified as “John Doe - Owner ABC Business Supplies”* but not *“John Doe, owner ABC Business Supplies, the best selection and the lowest prices in town.”* To advise viewers how to get more information about program topics, program credits can include a contact name, phone number, web site or e-mail address.
  
- E. Unauthorized Fundraising: Solicitation of funds by organizations other than those that have been granted 501(c)(3) tax-exempt status by the Internal Revenue Service.

### **5.3 Potentially Indecent Programming**

TCTV wants to provide parents and guardians with a means of controlling the viewing of programming with indecent material by children as well as provide viewers with notification of programming with potentially indecent material so they can make informed cable-viewing choices. **TCTV requires a content advisory notice before each program with potentially indecent content.** While providing such notification, we do not wish to preclude the opportunity for all forms of expression on

the TCTV channels in accordance with all relevant laws. Programming with potentially indecent material as defined in Section 1.3 will be scheduled between 10:00pm and 6:00 AM.

#### **5.4 Political Programming**

Any program describing or endorsing declared political candidates or describing ballot issues that is directly related to a current campaign is considered "Political Programming." Programs, which include appearances by incumbents acting in their current elected or professional capacity, are not included in this definition.

Each political program produced by TCTV and for which TCTV has direct editorial control will be non-partisan and will provide an equal opportunity for all candidates or parties concerned to participate. If a candidate or issue representative declines to participate, TCTV will not be obligated to provide other opportunities.

TCTV encourages local community producers to provide like opportunities when they produce programs about political candidates or ballot issues.

#### **5.5 Programming Preview**

TCTV service contracts with Olympia, Lacey, Thurston County, and Tumwater require a mandatory pre-broadcast review by the TCTV Executive Director or assigned staff, of any production which, as described in the Programming Contract, that portrays or depicts material that indecent under federal law, or considered inappropriate for children.

Additionally, if the TCTV staff has reason to believe a program violates any TCTV policy, the TCTV Executive Director or assigned staff may preview the program or refer it to the TCTV Board of Directors for review and policy interpretation. Likewise, management reserves the absolute right to terminate, in progress, the cablecast of any program it deems

is in violation of these policies. Decisions of the Executive Director can be

### **5.6 Program Scheduling**

TCTV schedules the use of multiple channels. These channels have different uses and user groups. We strive to develop program schedules that support the needs of both our program producers and our viewing audience.

Time on the Government and Educational Channels is allocated for the use by government agencies and publicly funded educational institutions only. Scheduling and time allocations on these channels is coordinated in cooperation with the agencies using these resources.

The Public Access Channel is available for use by local individuals and nonprofit organizations. It is scheduled in two, six-month seasons. The season program schedule on the Public Access channel is dependent on the demand for available time.

Producers or program sponsors who supply more than one program or series for a programming season will be asked to rank their programs in the order they wish to have them scheduled. TCTV will then schedule the public access channel schedule based on the rankings provided by the producers. For example, all #1 ranked programs and all single programs submitted will be scheduled first. The remaining channel time will then be scheduled with all #2 ranked programs, then all #3 ranked programs, until all programs have been assigned time in the season schedule.

### **5.7 Local / Imported Programming**

“Locally produced programming” is any non-commercial program **with a majority** of material produced by a TCTV Production Member, Organizational member, or a Thurston

County resident, organization, school or government agency, whether it was produced through TCTV facilities or not.

Non-commercial programming is considered to be "imported" when produced by individuals, agencies, organizations from outside Thurston County that are not members of TCTV.

Only organizations that are current Organizational Members of TCTV may schedule imported programming onto the access channel(s). **Local program scheduling has priority over imported programming.**

Producers may request specific times for cablecast. TCTV will make every effort to accommodate these requests within the limits of available channel time but will not guarantee that all requests can be honored.

### **5.8 Program Scheduling**

Unless a program receives a special waiver, it must be scheduled for cablecast at least two weeks in advance. The program producer or supplier must complete a Programming Contract acknowledging their legal responsibility for program content.

Single programs will not be scheduled until both the completed program and a Programming Contract have been delivered to the Programming Coordinator.

The number of repeat showings any program receives after its first cablecast will be based on the available channel time and may change as demand for channel time increases. TCTV reserves the right to pre-empt program repeats to facilitate the scheduling of special programming. TCTV will make a good faith effort to notify producers in advance if their program schedule is being changed.

In order to be assigned a regular, series time slot, producers must submit at least one a new episode each month that has never aired on the TCTV channels. **New producers are required to complete at least two programs for cablecast before TCTV will assign them a series time slot.**

Series programs that are scheduled at the beginning of a programming season, will be assigned regular time slots for at least six months. Mid-season additions will be assigned a time slot for the duration of the programming season. In order to make time available for all current and future programs, TCTV reserves the right to make schedule changes at the beginning of each programming season.

### **5.9 Program Delivery**

**All recorded programs must be delivered at least 7 days prior to their first scheduled air date.**

Programs not delivered 7 days in advance of their first air date **WILL** be delayed for playback. TCTV reserves the right to change delivery requirements.

If a new series episode is not received as scheduled, TCTV will air the current program for one additional week. If a new episode is not received by the end of the one-week grace period, the series time slot may be discontinued and other programming will be scheduled in it.

Programs that appear LIVE on the channel are exempt from the 7-day delivery requirement. However, producers of programs that appear LIVE on the channel should record a copy during the production and turn it in the same day as the live telecast for future repeats.

### **5.10 Program Liability**

Program submitters must sign a Liability and Indemnification Agreement acknowledging legal responsibility for program

content. If the submitter is under 18, a parent or legal guardian must sign the programming request. The content of programs presented on the access channel(s) is solely the responsibility of the producer. As such:

- A. No liability for the content of access programs for which TCTV does not have direct production control shall attach itself to TCTV, the funding jurisdictions, their agents or employees, or the cable operator.
- B. Applicants for cablecast time shall sign a release which saves and holds TCTV, the funding jurisdictions, their agents and employees, and the cable operator harmless for all damages or claims arising as a result of the use of access channels by the applicant.

Locally produced programs must include the producers name in the opening or closing credits. Imported programs must include the name and telephone number of the sponsoring local organization.

Local producers and imported program sponsors **must** provide to TCTV a telephone number where they can receive messages or comments about their program.

### **5.11 Program Support and Underwriting**

Members seeking underwriting, whether cash or in-kind contributions, must obtain written approval for the underwriting activity from the Executive Director prior to contacting potential contributors. Members **may not solicit or receive personal financial compensation** for the production of their own programming.

All underwriting and in-kind contributions must be described on the Programming Contract. All contributors must be

acknowledged in the program closing credits. In addition, producers may acknowledge contributors once every 30 minutes during the body of the program. Programs less than 30 minutes in length may have 1 contributor acknowledgment in addition to the closing credit.

Underwriting credits must be formatted as described below. The credit may use full or partial screen with plain background or over program video with or without voice-over for a maximum of 10 seconds. Service descriptions, photographs or video of business locations, and business street addresses are not permitted

The underwriting/support credit shall be:

**SUPPORT FOR THIS PROGRAM PROVIDED IN PART BY**

*(business name and/or logo, city, telephone, e-mail, or web address )*

or

**THANKS TO THE FOLLOWING FOR THEIR SUPPORT**

*(business name and/or logo, city, telephone, e-mail, or web address )*

**For example:**

**ABC BUSINESS SUPPLIES  
Olympia WA (360) 956-XXXX  
www.abcbusiness.com**

No call to action is permitted. However, a tag line may be included that makes an association between the company and the program or the company and the community.

**Examples:**

**ABC Business Supplies is proud to support this program**

or

**ABC Business Supplies –  
serving Thurston County businesses since 1950**

## **5.12 Technical Requirements**

Programs submitted for playback must have technical standards high enough to deliver a clear, consistent and unbroken picture to cable subscribers. Audio must be clearly understandable and at consistent, measurable levels without distortion. **All programs must be submitted on a DVD** (DVD-R preferred), **MiniDV, or DVCam tape**. Producers are responsible for dubbing from other formats. As technology changes, TCTV may require submission of different video or digital file formats.

**Tapes must have a minimum of 30 seconds of video black or color bars prior to the program beginning and a distinct end with black recorded for at least 1 minutes following.** TCTV reserves the right to reject programs that do not meet technical standards.

DVD's must contain only one program. DVDs with multiple programs on them will not be accepted.

## **5.13 TCTV Reader Board**

The Readerboard is an electronic bulletin board that displays public service messages or the program schedule when programming is not being aired. Use of the Readerboard is open to any non-profit organization or government agency located in Thurston County. The Readerboard may be used to announce meetings, events, and activities that are open to the public. Commercial advertisements will not be accepted.

# **6.0 SUSPENSION OF PRIVILEGES**

## **6.1 General Statement**

In order to ensure that TCTV equipment and facilities remain in good working order and are used in such a manner as to fulfill

Thurston Community Television's contractual obligations to our funding jurisdictions, TCTV reserves the right to refuse on a temporary or permanent basis or otherwise initiate disciplinary or legal actions against individuals or organizations that violate the Code of Conduct or otherwise interfere with or jeopardize TCTV operations or otherwise violate these Operating Policies. Suspension/termination of privileges may be appealed to the TCTV Board of Directors as described in Section 7.0.

## **6.2 Code Of Conduct**

Individuals and organizations using the TCTV facilities and channels must agree to abide by all TCTV policies regarding the use of equipment or channels for the production and presentation of their programming. In addition, they are expected to respect the rights and dignity of the staff and other individuals in the facility. Conduct that discriminates against or degrades any person will not be tolerated. A reasonable standard of courtesy and respect must be observed. TCTV reserves the right to restrict any person from using TCTV facilities for violation of this or other policies that result in the disruption of TCTV activities and operations. Parents/guardians are responsible for supervising their children while in the facility.

In addition to the Code of Conduct, individuals who use the TCTV facilities and/or channels must agree to abide by the following rules. Specific violations are set forth in writing in order to provide notice to all who use TCTV facilities. They are not designed to define violations in exhaustive terms. Individuals may be accountable to both civil/criminal authorities and TCTV for acts which constitute violations of law on or off the premises. Individuals shall be subject to disciplinary action for violation of any provision of the TCTV policies.

The following acts are prohibited:

- A. False information: Intentionally providing false information to TCTV for the purpose of obtaining

membership services, access to channel time, or to avoid determination of facts in accordance with any TCTV investigation or hearing

- B. Misrepresentation: Individuals and organizations must not identify themselves as being an employee or agent of TCTV or the funding jurisdictions unless hired by TCTV or the jurisdictions to perform a specific service.
- C. Destroying or damaging property: Intentionally and/or recklessly destroying or damaging TCTV property or the property of others on TCTV premises or at TCTV sponsored events or activities.
- D. Drugs/alcoholic beverages: Use, possession or distribution of any controlled substance, illegal drug, or alcoholic beverage on TCTV premises or at TCTV sponsored events. Appearance at any TCTV sponsored event while intoxicated or under the influence of a controlled substance is prohibited and will be considered a violation.
- E. Weapons, firearms, explosives and dangerous chemicals: Use or possession of any weapon, explosives, dangerous chemicals, substances or instruments or other weapons, as defined by state law, which may be used to inflict bodily harm on another individual or damage upon TCTV premises or TCTV sponsored events is prohibited, except when being displayed or demonstrated in conjunction with a bona fide production, for which prior permission has been granted by the TCTV Executive Director.
- F. Harassment, threats and/or physical harm: threatening, intimidating or harassing another with intent to substantially harm the person with respect to his or her physical safety or mental health. This includes causing

physical harm to any person or property on TCTV premises or at any TCTV sponsored activity or causing reasonable apprehension of such harm to another person. Verbal or written threats of violence will be taken seriously. Individuals making threats toward TCTV or any individual in the facility or at a TCTV sponsored event will be escorted from the premises and banned from the TCTV facilities.

- G. Disrupting TCTV functions: Intentionally and/or recklessly interfering with the normal TCTV operations or with TCTV sponsored activities.
- H. Smoking: Smoking is prohibited inside the TCTV facilities.
- I. Theft or conversion: Deprivation of another person's property including TCTV property or services without that individual's or TCTV's authorization.
- J. Use of TCTV name/logo: Unauthorized use of the TCTV logo, name, indicia, motto, or symbols for any purpose without prior consent by the TCTV Executive Director.
- K. Inappropriate Behavior: Engaging in lewd, indecent, erotic or obscene behavior on TCTV premises or at TCTV sponsored activities.
- L. Unlawful acts: Engaging in any unlawful act while on TCTV premises or while participating in a TCTV sponsored event or activity.
- M. Trespassing: Unauthorized entry into restricted areas.

### **6.3 Disciplinary Actions**

Engaging in any of the acts prohibited in Section 6.2 may result in **immediate revocation** of all member privileges.

Violation of any other TCTV policies may result in suspension or revocation of privileges. The TCTV Executive Director will determine the termination or length of any suspension based on circumstances surrounding and the severity of the incident(s) that resulted in the suspension. Services may also be suspended or prohibited to individuals for criminal activities off-site that may pose a danger to TCTV or its operations.

## **7.0 DISPUTE RESOLUTION & APPEALS PROCESS**

It is hoped that disputes over policy interpretation can be resolved by a good faith effort to reasonably discuss the problem to arrive at an acceptable solution for everyone involved. When this is not acceptable or practical, a user may file a written grievance with the Executive Director. The Executive Director will review the grievance and attempt to mediate a solution. If a mutually acceptable solution cannot be reached, the Executive Director will make a determination.

If an individual wishes to file an appeal to a staff decision they should submit a Request for Appeal of Decision to the Executive Director within **30** days of the staff decision. The Executive Director will notify the TCTV Board of Directors and set a meeting date within **30** days of the receipt of the request. The appellant will be given the opportunity to address the Board of Directors during the meeting. Decisions of the Board of Directors are the final determination regarding the issue. Grievances relating to TCTV staff conduct should be addressed to the Executive Director. Grievances relating to the conduct of the Executive Director should be addressed to the president of the TCTV Board of Directors.