

# **Brattleboro Community Television Policies and Procedures**

**Adopted 1-20-11**

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## **I. Introduction**

### **A. Purpose of BCTV**

Brattleboro Community Television, Inc. (BCTV) is a volunteer not-for-profit Vermont corporation formed to facilitate, encourage, and promote community involvement in volunteer-produced non-commercial television and to oversee and ensure the contractual and regulatory commitments to public, educational and governmental access of the cable communication system provider for the towns which carry BCTV as one of its access channels. The corporation shall be committed to promoting access to communications media in communities served by BCTV.

BCTV operates two PEG channels: Channel 8 is public access and Channel 10 carries education and governmental programming. BCTV is funded primarily by a percentage of the cable subscription fees paid to cable companies by subscribers in BCTV's viewing area.

### **B. Purpose of this document**

The Policies and Procedures stated below are designed to ensure that BCTV's resources are used only for intended purposes and that all who wish to participate have an opportunity to do so on a fair and non-discriminatory basis.

### **C Role of BCTV Staff**

The primary role of BCTV staff is to train community producers, maintain equipment and facilities, schedule programming and equipment, and bring community members together in an environment that will foster the best use of public, educational and governmental (PEG) access television on Channels 8 and 10.

BCTV is staffed by an executive director, operations manager, access coordinator, program coordinator, and a tech/access assistant. The staff is supported by volunteers and interns.

BCTV is governed by a board of directors which meets monthly and whose meetings are open to the public.

### **D. Definitions**

The following definitions apply throughout this document:

1. "BCTV" refers to Brattleboro Community Television, Inc.
2. "BCTV viewing area" refers to any municipality served by a cable system which carries BCTV.
3. "Certified Community Producer" refers to a BCTV member who has been certified by BCTV staff to use BCTV's equipment.
4. "BCTV staff" refers to the Executive Director or any staff member under the direction of the Executive Director.

## **II. Membership**

### **A. Access to Facilities:**

1. Non-discrimination: No individual or group will be denied access to BCTV facilities or equipment on the basis of race, sex, age, disability, religious or political beliefs, or sexual orientation.
2. Any member of the public, regardless of residency, may:
  - a. Submit a Public Service Announcement for the Community Bulletin Board, in accordance with BCTV's requirements.
  - b. Participate in those BCTV events which are open to the public.
  - c. Be a guest in the Studio and Edit Room under the supervision of a Certified Community Producer or BCTV staff member.
3. Without becoming a BCTV member, any member of the public residing in the BCTV viewing area is eligible to make use of the following services in addition to those listed above:
  - a. Submit a complaint about transmission quality, programming content or scheduling.

### **B. BCTV Membership**

1. Eligibility: Membership is available to:
  - a. Subscribers to any cable system which carries BCTV.
  - b. Non-subscribers residing in Windham County who register as BCTV members.
  - c. The BCTV membership year extends from July 1 through September 30 of the following year.
2. Upon submittal of a completed membership form, proof of residency may be required to verify eligibility.
3. Eligible persons under the age of 18 may become members if a parent or guardian signs the membership form, assuming all legal and financial responsibility for the actions of the minor.
4. The annual individual membership fee is \$5.00. This fee is waived for all members. A suggested donation of \$5.00 or more will be requested at the time of membership registration or renewal.
5. Benefits: Individual members are eligible to:
  - a. Vote at any regular or special meeting of the membership, if registered as a member at least 30 days prior to that meeting.
  - b. Run for election to the BCTV Board of Directors, if 18 years or older.

- c. Attend video production trainings and workshops in order to become certified to use BCTV equipment and facilities as a Certified Community Producer.
- d. Sponsor programming for cablecast in accordance with Program Content Rules.
- e. Receive notice of production and crew opportunities.

### **III. BCTV Code of Conduct; Violations and Consequences**

#### **A. BCTV Code of Conduct**

1. The BCTV Code of Conduct applies to anyone entering BCTV facilities for any reason. Individuals found in violation of BCTV's Code of Conduct shall be subject to disciplinary action as outlined below in Section III B.
2. The purpose of BCTV's Code of Conduct is to uphold the following standards:
  - a. Prohibit criminal behavior;
  - b. Respect the rights and property of others;
  - c. Provide for personal health and safety; and
  - d. Protect BCTV's equipment and facility from abuse and damage.
3. The following behaviors or actions are prohibited:
  - a. Smoking on the premises.
  - b. Eating or drinking in the Edit Room, Control Room or Studio. Eating or drinking in the Studio may be authorized by BCTV staff for special events.
  - c. Language that disparages others because of race, religion, origin, gender age, lifestyle, sexual orientation, or disabilities.
  - d. Loitering.
  - e. Rearranging or reconfiguring of BCTV equipment without staff approval.
  - f. Using another's property, time or workspace without expressed permission.
  - g. Being under the influence of alcohol or drugs.
  - h. Abuse or willful damage of BCTV equipment and property. Proper respect and care for the equipment must be maintained at all times.
  - i. Abusive, threatening, disruptive or violent behavior, or direct harassment or intimidation of personnel, volunteers and/or guests.
  - j. Possession or use of any illegal substance or weapon in or on BCTV premises is strictly forbidden.
  - k. Any action or behavior that adversely affects the safety of others or security of BCTV.
  - l. Neglect of BCTV Policies and Procedures, including but not limited to:
    - 1) Falsifying forms;

- 2) Taking or reserving equipment without staff permission;
- 3) Use of equipment or facilities for unauthorized profit-making, personal, or solely recreational use;
- 4) Late pick-up or return of equipment without notification and approval;
- 5) Failure to clean up after use of facilities.

#### 4. Qualifications

- a. BCTV reserves the right to require that children under the age of 12 must be supervised by and remain in the company of their parent or guardian while on BCTV premises.
- b. Personal property shall not be the responsibility of BCTV.
- c. If any behavior is in violation of public laws, any such violations will be reported to the proper authorities.

#### B. Violations and Consequences

1. Violations of BCTV Policies and Procedures shall result in Consequences as outlined below. Violations of BCTV Program Content Rules (Section XV) may result in suspension from channel use. Violations of Code of Conduct (Section IIIA) may result in suspension from BCTV facilities. If a violation results in suspension from the facilities only, that member retains access to channel use and may submit programs through a proxy. Similarly, if a violation results in suspension from channel use only, that member retains access to the facilities.

#### 2. Consequences of Violations

##### a. First offense

A first violation of BCTV Policies and Procedures shall result in the following consequences. BCTV staff shall:

- 1) Advise that the behavior or action is in violation of BCTV's Policies and Procedures.
- 2) Direct that the inappropriate behavior or action be discontinued or corrected immediately.
- 3) Warn that additional violations shall result in suspension of privileges.
- 4) If the behavior or action ceases, no further staff action will be necessary. If the behavior or action continues, the person may be asked to leave the BCTV premises and a written warning will be issued.

##### b. Second offense

- 1) A second violation of BCTV's Policies and Procedures shall result in a 30-day suspension; either from channel use or facilities use, or both if the violation is of a severity to warrant complete suspension of BCTV privileges.

- 2) Notice of the suspension shall be issued in writing by the Executive Director. Suspension will become effective immediately as of the date of the violation.
- c. Third offense
  - 1) A third violation of BCTV's Policies and Procedures shall result in a suspension of at least 90 days and up to one year, either from channel use or facilities use, or both if the violation is of a severity to warrant complete suspension of BCTV privileges. The length of the suspension shall be determined by the Executive Director according to the severity of the violation.
- d. Exceptions

Some violations are more serious than others and may result in immediate suspension of access to facilities and/or channel use.
- e. Appeal of Disciplinary Action
  - 1) A member may appeal any warning or suspension by submitting a written statement to the Executive Director. All appeals must be submitted within 10 calendar days of the date of the disciplinary action. The disciplinary action will remain in effect throughout the appeals process. The Executive Director will investigate the circumstances surrounding the disciplinary action and return to the member a written decision within 14 calendar days from receipt of the written statement by the member.
  - 2) A suspended member may appeal the Executive Director's decision to the Personnel Committee of the Board of Directors by filing a notice of appeal to the Executive Director within 30 days of receipt of the Executive Director's decision. The disciplinary action will remain in effect throughout the appeals process. The Personnel Committee of the Board of Directors shall hold a hearing on the appeal within 30 days of the filing of the notice of appeal and shall render its decision immediately following the hearing.

#### **IV. Producer Rights and Obligations**

- A. Production equipment and facilities are available at no charge to certified community producers, provided that:
  1. BCTV production equipment and facilities are not used as an income-generating source, but rather as a forum for community communication.
  2. Programs are being prepared for cablecast on BCTV channel 8 or 10.
  3. All persons operating the equipment are certified to use the equipment.
  4. The community producer has filled out a BCTV Production Contract or notified staff of the project purpose and scope.
  5. Equipment use must be scheduled by the staff.

- B. Use of production equipment and studio facilities is scheduled on a first-come, first serve, non-discriminatory basis. However, no one individual or group may monopolize equipment.
- C. BCTV's community bulletin board is to be used for non-profit and community groups to publicize activities and events in the BCTV viewing area.
- D. All programs must adhere to copyright regulations.
- E. Anyone producing a program using BCTV equipment retains ownership of the copyright to that program, as well as responsibility for any copyright disputes that might arise.
- F. The producer or sponsor must secure all releases of copyright, talent releases, etc.
- G. Producers who are not paid by BCTV must identify themselves only as public access community producers, not as staff or employees of BCTV, or as in any way representing BCTV.
- H. If subsequent use of any material produced with BCTV equipment generates income, including the sale of duplicated tapes, BCTV is entitled to 15% of that income.

## **V. Training**

- A. BCTV offers workshops in basic video production, multi-camera remote production, studio production and editing, as well as training in other related topics.
- B. Experienced producers must demonstrate technical proficiency to be exempt from training classes at the discretion of a BCTV staff member.
- C. Persons wishing to register for workshops or courses must fill out a registration form. Waiting lists are maintained to insure that trainees are admitted to workshops and other educational programs on first-come, first-served, non-discriminatory basis.

## **VI. Cablecasting Standards & Procedures**

- A. BCTV primarily accepts the following media formats:
  - 1. DVD
  - 2. Mpeg2 Video File, submitted on a portable storage device or downloaded from an online file hosting site.
- B. With permission of a staff member, BCTV also accepts the following media formats:
  - 1. Mini DV tape
  - 2. VHS tape
- C. Provision of blank media for production:
  - 1. Community producers must provide blank media for raw footage. Tapes and DVDs may be purchased from BCTV. Because of the variable quality of DVDs,



staff may recommend certain brands that are proven to work successfully with BCTV equipment.

2. Tapes from BCTV productions remain the property of the station. A BCTV production is defined as one in which BCTV staff participate actively in any part of the production, in more than an advisory role.
3. Community producers are responsible for their tapes/DVDs during production and post-production. BCTV is not responsible for tapes, DVDs or personal video equipment and possessions left at the facility.

#### D. Copies of finished programs

1. Community producers are entitled to make up to two copies of their finished, edited program, offered at cost of the blank media. For additional copies, producers will pay the current BCTV rate for duplication. If any of the producer's copies are sold, the producer must adhere to income guidelines as per rule XIIA.
2. BCTV may request permission from the producer to keep a copy of the program for the archives.

#### E. Requests for Cablecast:

1. A Request for Cablecast and Statement of Compliance form must be filled out and signed prior to the program's being cablecast.
2. Completed tapes/DVDs must be submitted to a BCTV staff member for cataloging and scheduling by Wednesday 12 p.m. in order to be scheduled for cablecast the following week.
3. All requests for channel time on BCTV will be processed on a fair and equitable basis. The cablecast form will be used for scheduling the program. Locally-produced programs will take precedence in scheduling over imported programming.
4. Scheduled programs may be preempted for time-sensitive programs.
5. Frequency of Scheduling:

BCTV will use the following table as a guideline for scheduling playback frequency, based on program length. BCTV reserves the right to supercede scheduled programs for cablecasting of timely material. Additional playback times may be scheduled to compensate for such an occurrence.

Program Length	Frequency Guideline	Times Aired
Up to 30 minutes	4 x per week for 2 weeks	8
30-60 minutes	3-4 x per week for 2 weeks	6-8
1-1.5 hours	2 x per week for 2 weeks	4
2+ hours	1 x per week for 2 weeks	2

6. Programs produced outside BCTV may be cablecast on channel 8 or 10 if they meet the technical standards outlined below and legal standards specified in the Statement of Compliance on the back of the Request for Cablecast Form. These programs must be sponsored and submitted by a BCTV member.

F. Series:

1. Regularly scheduled series time slots will be allocated at the discretion of the Program Coordinator, provided ample time remains available for other community programming requests. Locally-produced series will be given precedence in scheduling.
2. A series will be allocated a maximum of one year of play, after which reapplication will be required. Reapplication will be considered in the light of other scheduling demands.
3. If a series producer regularly fails to have his or her program ready for scheduled cablecast, the time slot may be reassigned to other users.

G. Technical Standards:

BCTV reserves the right to reject any program that does not meet minimum technical standards outlined below. While locally produced programs are not expected to look like they were produced for a commercial television network, tapes/DVDs which do not carry a stable signal over the cable system or which might damage BCTV equipment will not be cablecast.

1. DVD Standards:

Submitted DVDS must meet the following minimum standards:

- a. DVDs submitted with scratches and/or fingerprints cannot be cablecast.
- b. A DVD that does not play successfully in BCTV's DVD decks after two attempts cannot be cablecast. A staff member will request a resubmittal of the program from the producer.
- c. Any program displaying a "skip" or lack of signal ("snow") cannot be cablecast.
- d. Audio levels must be adequate.
- e. Programs submitted on a multi-title/track DVD must display the appropriate track/title number on the DVD label or the Cablecast Request Form.
- f. DVDs with adhesive labels not designed for DVD use cannot be accepted.
- g. DVDs must be labeled as follows:
  1. Program title.
  2. Run time of program to be aired, in HH:MM:SS format.
  3. If multi-track, Title or track number of program to be aired..
  4. Producer's name.

## 2. Digital File Standards:

Files submitted by portable storage device or via online file hosting sites must meet the following minimum standards:

- a. Files must be 720 x 480 program stream mpeg2 files with mux rate no higher than 10 mbps.
- b. 16:9 (widescreen) programs should be letterboxed for 4:3 playback to avoid distortion.
- c. Normalize audio levels at -12 db.

## H. Program retention and return

1. The submitted program or a copy will be kept at BCTV for at least four weeks for cablecast. BCTV reserves the right to show a program as many times as there is interest in the community.
2. BCTV will request permission from the producer for the following:
  - a. Duplication of program for distribution;
  - b. Distribution of program to other cable access stations;
  - c. Duplication of program for BCTV archives.
3. When the Request for Cablecast form is submitted, producers have the following options regarding the return or disposition of their program once it has been cablecast:
  - a. Pick up the program at the BCTV office within 60 days. If this option is indicated, BCTV will notify the producer when the program is available for pickup. It is the producer's responsibility to pick up the program within 60 days of notification. Any program left at BCTV for longer than 60 days becomes the property of BCTV; after this period of time, BCTV retains the right to dispose of or recycle it.
  - b. Ask BCTV to return the program by mail. If so, a self-addressed stamped envelope must be provided.
  - c. Allow BCTV to dispose of the program.

## VII. Equipment Use – General

- A. Access users under the age of 18 must have a signed consent form from a parent of guardian. Minors must also have adult supervision by a certified community producer or approval from the executive director or access coordinator for taking equipment on their own.
- B. Care of equipment and facilities:

1. Individuals using BCTV equipment and facilities will not tamper or change any wiring or components. No attempt should be made to repair or work on equipment.
2. Any damage costs caused by unauthorized tampering will be charged to the user. These costs include any attorney fees, replacement fees or court costs related to the damage done *by* the user. Loss of equipment and facilities privileges will result from such abuse.
3. All equipment defects, damages and problems must be reported to BCTV staff upon check-in.
4. No food, drink, or smoking is allowed near equipment at any time, either on BCTV premises or in the field.
5. Equipment must not be kept in a car over night or in the sun for long periods of time.
6. Facilities must be left in a clean and neat condition:
  - a. Any props, tapes, scripts, etc. should be removed at the end of the session.
  - b. Cables should be wrapped appropriately and portable equipment replaced
  - c. Power should be turned off.

#### **VIII. Field Equipment: Checkout & Check-In**

- A. All equipment must be checked out and in by a BCTV staff person or someone designated by the Executive Director.
- B. An equipment checkout form must be filled out, signed and dated by the user.
- C. It is suggested that community producers set up and test equipment before removing it from BCTV. Failure to do so will be the community producer's responsibility and the return of damaged or broken equipment will be the responsibility of that person.
- D. Community producers must report any problems or breakage when returning equipment.
- E. Community producers are responsible for loss or damage due to negligence or abuse while the equipment is checked out to them. All fees in connection with repair or replacement must be paid in full or a payment schedule agreed upon with the executive director before any further equipment use will be allowed.
- F. Equipment should be reserved as early as possible, using the appropriate sign-up system.
- G. Out of consideration for others, community producers are expected to notify BCTV staff in a timely way if they will be late dropping off equipment or to use the edit suite.

## **IX. Studio Use**

- A. To use the studio and control room, the community producer must be certified for studio production.
- B. A minimum of two weeks notification for scheduling of the studio is required for live programs.
- C. Live studio production may require supervision.
- D. Studio productions scheduled for outside regular BCTV hours must be arranged with BCTV staff.
- E. Community producers are responsible for the behavior and actions of their guests, talent and others in attendance.

## **X. Editing and Post-Production**

- A. In order to schedule edit time, a community producer must be certified by a BCTV staff member.
- B. Cancellations of edit time should be made 24 hours in advance of scheduled time.
- C. Editing times are scheduled for regular station business hours. Other times may be allowed at the discretion of the BCTV staff.
- D. If a community producer will require staff assistance during the edit session, this should also be scheduled when time is booked.
- E. If any piece of equipment needs to be reconfigured, a staff member must be notified.
- F. If a community producer is more than 30 minutes late arriving for his/her scheduled edit time, both the reserved edit suite and the staff support may be canceled or reassigned to another volunteer.
- G. Producers may store up to 100 gigabytes of project-related data on BCTV's external hard drives at one time. Producers who are working on a specific project with a completion date within six months of project initiation may be allowed to store up to 200 gigabytes with staff permission.
- H. BCTV's external hard drives may be assigned to more than one community producer. BCTV cannot be responsible for data loss due to the actions of community producers. Producers are encouraged to purchase and utilize their own personal hard drives to assure their content is secure and available to them at all times. BCTV will allow producers to lock their hard drives in the Equipment Room, but cannot be responsible for any damage or theft that may occur.

## **XI. No-Shows on Scheduled Equipment Time**

- A. Cancellation of equipment and facility reservations should be made 24 hours in advance, except in cases of emergency.

- B. If a producer is later than 30 minutes for a scheduled reservation time, the reserved equipment or facilities may be reassigned to by any waiting, certified individual.

## **XII. Underwriting, Grants and Profit-making**

- A. If footage produced or edited with BCTV equipment is at any time sold, rented or brings in more than \$100 to the producer, BCTV is entitled to 15% of all net monies received. Payment shall be made to BCTV within 30 days of receipt.
- B. If footage produced with BCTV equipment is used by a 501(c)(3) nonprofit organization for fundraising, BCTV shall be entitled to 15% of gross monies received. For a single-day fundraising event such as a telethon, payment shall be made to BCTV within 60 days of the event.
- C. BCTV reserves the right to seek and/or approve underwriting/sponsorship/grants, and collect funds or in-kind contributions, for any programming produced with BCTV equipment. Any acknowledgement of underwriters/sponsors/grantors must be prepared or approved by the executive director. BCTV may thank underwriters through programming with spoken and written words as well as with graphics, either at the beginning or end of a program. Acknowledgements may include factual information about a company or business, but must be noncommercial.
- D. Grant-writing under BCTV's 501(c)(3) status is limited to BCTV projects and initiatives consistent with BCTV's mission. Exceptions may be granted by the executive director. If granted, an administrative fee of 7% will be charged.
- E. Credit for underwriting should be as follows: "This program was made possible by a grant from..." or "Goods and services used in this program were contributed by..." or as otherwise specified by the grantor in accordance with BCTV's 501(c)(3) status.
  - 1. BCTV credit must still be included, i.e. "This program was produced at Brattleboro Community Television."
- F. Voluntary participation is strongly encouraged by BCTV. Payment of crew by a producer for any program must be reported to the executive director.

## **XIII. Program Content Rules**

- A. Presentation of the following material on the community access channel is prohibited:
  - 1. Any material that is commercial in nature, including:
    - a. Qualitative or comparative claims
    - b. Direct inducements or calls to action
    - c. Overly promotional material
  - 2. Any material which is intended to defraud the viewer.
  - 3. Any program that promotes or conducts a lottery, raffle, contest or game involving prizes awarded wholly or in part by lottery or chance.

4. Any material that is libelous or slanderous, or material that is an unlawful invasion of privacy.
  5. Any material that violates state or federal law relating to obscenity.
  6. BCTV requests that any program which contains violent material, adult language, nudity, or sexually explicit material carry a disclaimer at the beginning of the program to read: "This program contains material which may not be suitable for all viewers. Parental discretion advised".
  7. BCTV requires that the producer/submitter of programs which contain excessively violent material, excessive adult language, nudity or sexually explicit material agree to have their programs cable cast after 11 p.m.
- B. Regarding political programming, BCTV encourages community producers to produce:
1. Political presentations which are informative in nature, showing who a candidate is and what he or she represents in terms of specific ideas, issues and policies.
  2. Candidates forums
  3. BCTV itself will not produce any partisan programming, but will assist community producers in providing non-partisan forums to the public.
    - a. Because of BCTV scheduling requirements, any bicycled or locally produced political program must be handed in to BCTV staff 13 days before the election in order to be shown for the full week before the election, on the Monday before election day and on election day. Programs handed in after that can only be assured of being shown the Monday before election day and on election day.
    - b. BCTV co-sponsored, co-produced forums must be planned at least one month before the election, and taped at least 15 days before the election in order to be shown for the full week prior to the election, on the Monday before election day and on election day.

#### **XIV. Program Promotion**

- A. All community producers are encouraged to promote their own programs.
- B. Effective promotional techniques include short news releases written by the community producer and submitted to BCTV on disk or via email, which we can email with our cablecast schedule to area newspapers and radio stations and list on the BCTV bulletin board.
- C. For special promotion of time-sensitive programs or other major projects, please speak with the executive director.

## **XV. Grievance Procedure**

For any grievance that cannot be satisfied by appeal to the Executive Director, the following procedure shall be followed:

- A. Upon receipt of a written complaint, the Executive Director shall:
  - 1. Notify the complainant of the receipt of complaint.
  - 2. Forward the complaint to the BCTV Board of Directors for review at the next regular board meeting. The board shall determine at that meeting whether to accept the Executive Director's action as the end of the matter, or to review the matter further by scheduling a hearing.
  - 3. If the board desires a hearing, it shall set a date for a hearing to occur within 60 days of the board meeting. The Executive Director shall mail a copy of the complaint and a notification of the hearing date to all concerned parties. The concerned parties shall be notified of their right to attend this hearing to speak to the matter.
- B. Upon conclusion of the hearing, the board may take any of the following actions to resolve the matter:
  - 1. Suspension, either from BCTV channel use or access to facilities or both, for a period of 30 days to one year, depending on the severity of the action;
  - 2. Other action appropriate to the conclusions reached by the board and within its discretion and authority;
  - 3. Referral to the appropriate authorities if the matter is shown to be outside the purview of the BCTV board.
  - 4. The board decision shall be final.

## **XVI. Amendments**

BCTV's Board of Directors reserves the right to amend these BCTV Policies and Procedures at any board meeting where a quorum is present.