



**NORTHWEST
COMMUNITY
TELEVISION
RULES
AND
PROCEDURES**

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RULES AND PROCEDURES
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**NORTHWEST COMMUNITY TELEVISION
RULES AND PROCEDURES
GOVERNING THE USE OF EQUIPMENT, FACILITIES
AND (ACCESS) COMMUNITY TELEVISION CHANNELS BY THE PUBLIC**

I. PURPOSE

The purpose of these rules and procedures is to manage community television equipment, facilities, and access channels in a fair and equitable manner. Individuals using community television equipment, facilities, and/or channels are required to conform to these rules and procedures.

II. MEMBERSHIP

A. Eligibility.

To use community television equipment and facilities an individual must be a member. To be eligible for membership an individual must be a resident of the franchise area which includes the suburbs of Brooklyn Center, Brooklyn Park, Crystal, Golden Valley, Maple Grove, Medicine Lake, New Hope, Osseo, Plymouth, and Robbinsdale and must provide proof of residency if requested by staff. Membership expires when an individual moves out of the franchise area.

Non-residents are eligible for membership if they are using facilities and equipment on projects approved by and produced for an area organization.

B. Requirements.

If an individual is eligible for membership, he or she must then satisfactorily complete the NWCT Orientation and one of the following classes to become a member: Studio Production, Portable Camera Production, Linear Editing, or Nonlinear Editing. Upon satisfactory completion of any class, a person will be certified to use the equipment corresponding to the class completed. Members may reserve and use only the facilities and equipment they have been certified to use.

Non-residents must submit in writing a program proposal approved by the area organization. Upon approval of the proposal, a limited membership will be granted to a non-resident only for the length of time needed to complete the area project.

C. Representation.

Members must not represent themselves as an employee or agent of Northwest Community Television.

III. STANDARDS OF CONDUCT WITHIN ACCESS CENTER

The Northwest Community Television Corporation is a publicly owned facility. All behavior, language, and dress must at all times be appropriate for a public place. Studio managers are responsible for the safe, economical, and appropriate operation of this facility. All those using or visiting this facility must comply with their instructions and orders at all times.

- A. The following is a partial list of prohibited activities within NWCT's property. Individuals found in violation of these rules will not be allowed to remain on the premises, may suffer an immediate suspension of membership, and may be subject to further disciplinary action including fines.
1. Verbal or physical abuse towards any person, including, but not limited to, NWCT staff, NWCT members, Commission members, or visitors.
 2. Possession or use of illegal substances or alcohol and/or weapons on the premises of the Corporation, including the Corporation parking lot and other property.
 3. Obscene or indecent behavior as defined under state or federal law.
 4. Unauthorized use or access to facilities or equipment.
 5. Engaging in conduct or use of equipment that may jeopardize health and safety of people or property.
 6. Threats to persons or property.
 7. Intentional destruction of equipment.
 8. Unauthorized installation or downloading of any software on file on Community Television computers.
 9. Violation of any federal, state, or local law, ordinance or regulation relating to conduct in public buildings.
 10. Loud or disruptive behavior.
 11. Misrepresentation to others of status or affiliation with the Community Television Corporation.
 12. Failure to thoroughly clean up and neatly put away all equipment after using Community Television Corporation facilities.
 13. Eating, drinking, or smoking in non-designated areas.
 14. Putting feet on chairs and equipment.
 15. Inappropriate dress.

16. Loitering.
 17. Children (under 12) unaccompanied by an adult.
 18. Animals, other than where necessary for production of related programming or assisting the disabled.
- B. Process of Reporting Violations.
Any NWCT member, staff, or visitor who witnesses a violation of the access center conduct rules is requested to report the activity to the studio manager. If the conduct in question could pose an immediate danger to health, safety, or property the proper law enforcement authorities must be contacted immediately.
- C. Limitation on Liability.
While NWCT will attempt to provide a safe, healthy, and comfortable environment for all NWCT members, staff, and visitors while in and around the access facility, it does not assume any liability either expressed or implied for a violation of these rules that results in harm to persons or property.

IV. NWCT PERSONNEL

- A. NWCT personnel are responsible for the management and care of facilities and equipment. Personnel are also responsible for teaching members the proper use of equipment. They shall also be available to assist in solving production related problems. NWCT personnel are not to be directed by members or others using equipment and facilities and they should not be relied upon to fill production crew positions or to help them organize productions.
- B. The NWCT staff has the right to utilize any forms and to adopt any procedure which is necessary to carry out the intent of these rules so long as the form or procedure is not inconsistent with these rules. A copy of all such forms or procedures shall be filed with the NWCT office.

V. PROHIBITED USE OF EQUIPMENT AND FACILITIES

- A. Members' use of facilities and equipment for the following purposes is prohibited:
1. To produce any program for hire.
 2. To produce any ad or commercial.
 3. To produce or cause to be distributed any program which violates NWCT rules or any local, state or federal laws or regulations, including but not limited to laws or regulations prohibiting obscenity or obscene material; materials soliciting or promoting unlawful conduct; sexually

explicit conduct; or concerning copyright; patent; trademark; or licensing matters.

4. To produce a personal program or event such as, but not limited to, an engagement or wedding, birthday/anniversary party, baby/wedding shower or audition/resume tape unless it can be satisfactorily demonstrated to the Executive Director that the program has significance for area residents.
- B. Members who violate these rules will be assessed a rental charge as follows:
1. Portable camera \$300 per day.
 2. Editing \$80 per hour.
 3. Studio \$500 per hour.
- C. Members may also lose their privilege to use NWCT equipment and facilities for violating these rules.

VI. FACILITIES AND EQUIPMENT USE

Community television facilities and equipment are available free of charge to produce television programs which are specifically intended for televising on community television channels 19 and 20.

- A. Requirements to use facilities and equipment.
1. All members must agree to comply with and be bound by all provisions of these rules.
 2. All members must execute all assurances and releases.
 3. All members must complete all required forms.
 4. All members must be responsible for the equipment and will be liable for any loss or damage, normal wear and tear excepted.
 5. All members using equipment and facilities will be expected to produce a program for cablecast within two months unless approved by staff.
 6. All members must provide their own media.
 7. All members must be on time to pick up and return equipment. Members must also be on time for studio and editing reservations. If a member is going to be thirty minutes late for any appointment described in this paragraph, they must telephone the appropriate NWCT employee and notify them in advance. If a member is more than one hour late for a reservation, staff may give their reserved equipment/facilities to another member and the member may be found in violation.

B. To reserve equipment and facilities.

1. Portable equipment.

Portable cameras, portable studios, and related equipment are available Monday through Sunday on a first come, first served basis. However, NWCT members may reserve portable cameras for a weekend only twice per month and portable studios for a weekend only once per month.

- a. Reservations for a portable camera, portable studio, and related equipment are required and cannot be made more than two months in advance.
- b. Portable cameras, portable studios, and related equipment may be checked out for up to 48 hours during the week. Equipment needs exceeding 48 hours may be booked at the discretion of the access manager.
- c. Only one portable camera will be checked out per program/ event. Additional portable cameras will be available only if not in use or reserved at time of checkout.
- d. A member may reserve only one portable camera at a time.
- e. Members who are under eighteen years of age must have a parent or guardian sign for, pick up, and be responsible for all equipment, which leaves the direct supervision of a community television employee.

2. Studio facilities.

Studio facilities are available on a first come, first served basis and reservations may be made only by a member who is the producer of the program. The producer of the program is the person in charge and the one who has the final say as to content, guests, crew, etc. All crew participants must be members.

- a. Reservations for studio facilities are required and cannot be made more than two months in advance.
- b. Studio facilities may be reserved for up to two three-hour slots per week.
- c. No additional time may be used or reserved, and no banking or saving of time is permissible.
- d. To insure the safety of those participating in programs, studio audiences may not exceed 50 people without the consent of NWCT's Executive Director.
- e. Set storage space is available for storage of NWCT-owned set material. Set material owned by producers, which is available

for use by the public may be stored if, in the opinion of staff, it is suitable for general use and space is available. Any remaining space may be rented to producers for set storage only. No tapes or other personal property may be stored.

3. Edit suites.
Edit suites are available on a first come, first served basis.
 - a. Reservations for edit suites are required and cannot be made more than two months in advance.
 - b. Edit suites may be reserved up to 40 hours per month. If additional edit time is needed in one month, a written request must be made to NWCT's Executive Director. No additional time may be used or reserved, and no banking or saving of time is permissible.
 - c. Due to constraints of computer storage, nonlinear editors must complete a program within 60 days. If additional time is needed to complete a program, producers must make arrangements with NWCT staff. If program files/folders are left unused for 60 days, files/folders will be deleted.
 4. Cancellation of reservations:
If a member makes a reservation for equipment and/or facilities and for any reason cannot keep the reservation, the member must notify the studio manager 24 hours in advance and cancel the reservation, emergencies excepted. Cancellations may be considered a violation of this rule and will be subject to the provisions of Section XII.
- C. Rates and charges.
The Community Television Corporation may establish rates and charges for the unauthorized use of equipment and facilities.

VII. PROHIBITED PROGRAM CONTENT

- A. Advertising materials or other program content which promotes a commercial product, service or business firm.
- B. Programming which contains obscene material, sexually explicit conduct, or materials soliciting or promoting unlawful conduct, as those terms are defined or interpreted in regulations issued by the Federal Communications Commission. See Attachment A.
- C. Material which seeks to raise money or solicit donations for any group, business or nonprofit organization with the exception of NWCT approved fundraising events—the proceeds of which shall be used to support NWCT and its mission.

- D. Personal programming or events such as, but not limited to, an engagement or wedding, birthday/anniversary party, baby/wedding shower ,or audition/ resume tape unless it can be satisfactorily demonstrated to the Executive Director that the program has significance for area residents.
- E. Programming which violates any federal, state or local laws, or rules or regulations adopted pursuant to such laws, including but not limited to infringement of copyright, patent, or unauthorized use of trademark.

VIII. COMMUNITY TELEVISION PROGRAM CONTENT

- A. Rules applicable to programs on public access channels 19 and 20.
 - 1. For a program to be cablecast on one of these channels, it must meet one or more of the criteria below. If it does not meet these criteria, but is a public access program produced in Minnesota, it will be cablecast as channel time allows.
 - a. The program must have been made with the hands-on assistance or have been produced by a member or a resident of the franchise area. Arranging for the cablecast of or sponsoring or working or volunteering for an organization which produced or made the program does not meet this requirement.
 - b. The program must have been made using NWCT equipment.
 - c. The program must have been made with the hands-on assistance or have been produced by an employee, student, or member of an organization located in our service territory on behalf of that organization and with the organization's prior approval.
 - d. The program must feature, or to a significant extent be about, a person, place, or event specific to the area we serve.
 - 2. In addition to the requirements specified above, at least 50% of the footage appearing in the program must have been shot for the purpose of cablecast on a public access channel.
- B. Technical requirements.
 - 1. Programs must be submitted on DVD, mini DV, or large cassette DV tapes.
 - 2. Media must be accurately timed and labeled accordingly to ensure full presentation and must be presented rewound and ready for cablecast.
 - 3. Members planning live presentations must consult with NWCT staff concerning the special demands of live production and must comply

with such additional requirements as may be deemed necessary by NWCT staff.

- C. Obtaining necessary clearances.
All individuals who are submitting programs must make all necessary arrangements with and obtain required clearances from broadcast stations, networks, sponsors, music licensing organizations, performers' representatives, authors, composers, and any and all other persons or entities whose material they use in whole or part.
- D. Content of programs.
Those submitting programs for cablecast are responsible and liable for program content. The Northwest Suburbs Cable Communications Commission (Commission) and NWCT assume no responsibility or liability for the content of any program produced by members or any other person or group.

Those submitting programs for cablecast are responsible for the program content. All those submitting programs will indemnify and hold the Commission, NWCT and the cable company, their officers, directors, and employees, harmless from any and all liability or other injury, including, but not limited to, costs of defending claims or litigation arising from or in connection with:

1. Claims for failure to comply with any laws, rules or regulations of federal, state or local government;
 2. Claims of libel, slander or invasion of privacy;
 3. Claims of infringement of copyright, patent, or unauthorized use of any trademark;
 4. Claims of other injury or damage in law or in equity which claims result from or are connected with the user's use of NWCT equipment, facilities, channel transmission, or other resources.
- E. Programs promoting political candidates. See Attachment B. For the purpose of these rules, a political candidate is a person who has filed for public office and that person remains a political candidate until after the election for that office.

That person or **A CAMPAIGN REPRESENTATIVE** must comply with all the rules contained herein and, in addition:

1. Is limited to a total of one-half (1/2) hour per week of channel time (includes accompanying replays).
 2. Program content must be in compliance with the Minnesota Fair Campaign Practices Act. NWCT is not responsible for any violations.
- F. Underwriting and plugs.
Advertising material or other program content which promotes a commercial

product, service, or business firm is considered a plug. However, NWCT permits programming which contains program underwriting credits and plugs under the following conditions.

1. Underwriting.

- a. NWCT may program underwriting credits according to policies adopted by NWCT.
- b. The proceeds from underwriting can only be used to pay for the direct costs of the program, costs such as sets, copies, Channel 6 fees and crew refreshment. The proceeds cannot be used to pay or otherwise compensate producers, hosts, or other crew members including guests.
- c. Programs may not discuss services or show products or banners of underwriters. Underwriters cannot be guests or appear on programs which they sponsor.
- d. Underwriting credits may only appear at the beginning and end of the program only.
- e. Underwriting must be clearly identified as credits by stating, "This program was made possible (in part) by a grant from _____."
- f. Underwriting may be no longer than 15 seconds per underwriter and no longer than 30 seconds regardless of the number of underwriters.
- g. Underwriting may not contain comparative or qualitative language about the underwriter or its product.
- h. Underwriting may not mention or display price, specific address or phone number of the underwriter.
- i. Underwriting may display on screen the name of the underwriter.

2. Plugs.

The primary purpose of programming on public access channels is to inform and entertain, not to promote or sell goods or services. However, it is permissible to plug or mention a product or service of a guest(s) or subject(s) of a program if the producer, host, or other crew members have no direct financial interest in the product or service. These plugs may not become excessive (no more than twice per show). Plugs which include a phone number or address or display the product may occur only once during a program and may not be longer than ten seconds.

G. Preview of programs by NWCT.

NWCT reserves the right to preview prior to cablecasting any program to determine whether or not the theme and content of the program is consistent with the description of the program provided by the user, and to determine whether or not the program violates these rules. If the Community Television Corporation finds that any of these rules would be violated by cablecasting a particular program, it may request the user to remove the portion or portions of the program which would constitute the violation. If a user refuses to remove the material, which constitutes the violation, the user's program will not be cablecast. The user may then request a review of the decision by the NWCT Board of Directors. The preview of a program by NWCT does not relieve the person submitting the program from any responsibility for the content of the program.

IX. PROGRAM SUBMISSIONS

- A. Programs which meet the requirements specified in Section VIII will be cablecast in accordance with the following rules:
1. Public access channels are available on a first come, first served basis. Regular timeslots are also considered when scheduling.
 2. Requests to program the public access channels must be made on forms provided by NWCT not more than six weeks or less than two weeks prior to the desired dates of cablecast. This rule may be waived by staff.
 3. Each program will be cablecast at least once between the hours of 4 p.m. and 12 a.m. Additional cablecasts will be at the discretion of NWCT staff taking into consideration available channel time.
 4. Producers submitting programs not suitable for children must check the appropriate box on the NWCT Release Form. Programming will be cablecast between 10 p.m. and 12 a.m.
 5. Programs will be scheduled according to open channel time.
 6. Before and after any program, NWCT reserves the right to present a disclaimer and to identify or otherwise promote or provide information about organizations which support NWCT.
- B. Members who produce recurrent programs may apply for a regular timeslot. Members may submit programming for a regular timeslot on a weekly, bi-weekly, or monthly basis. Timeslots are granted at the discretion of NWCT staff and include the following requirements:
1. To be eligible for a regular timeslot, a program must be produced by or made with the hands-on assistance of a member.

2. Arranging for the cablecast, sponsoring, or working/volunteering for an organization which produces a program does not make a program eligible for a regular timeslot.
3. Members must have produced and submitted at least three programs prior to applying for a regular timeslot.
4. One regular timeslot is granted per member/producer NOT per program produced.
5. If a member fails to meet the criteria of their timeslot application or fails to turn in new programs in a timely manner, their program slot will be cancelled and they will be ineligible to apply for another timeslot for six months.

X. COMMUNITY TELEVISION CHANNELS

There are three types of community television channels.

- A. Local origination channels 18 and 12 are programmed by NWCT staff. These are not public access channels.
- B. NWCT public access channels are channels 19 and 20.
- C. Dedicated institutional channels have been assigned to specific institutions subject to federal and state laws and regulations. These channels have been assigned as follows: channel 6 assigned to Twin Cities Regional Channel 6, channel 14 assigned to Hennepin County Libraries and higher education, channel 16 assigned to area cities, channel 21 assigned to School District 279, channel 22 assigned to School District 281 and 284.

NWCT does not program or control in any manner dedicated institutional channels. Programs cablecast on these channels are originated by the institution to which they are assigned. These institutions are encouraged to establish rules governing the availability and use of its channel. However, Channel 16 is also programmed by NWCT, and cities may elect to telecast their own programs or switch to programs telecast by NWCT.

XI. PROCEDURES FOR HANDLING ALLEGED PROHIBITED CONTENT

Once a staff person is alerted to the fact that, or has reason to believe that the content of programming may be in violation of these Rules, the staff member shall immediately notify the studio manager. Whereupon, the studio manager and/or the Executive Director shall take the following action(s):

- A. If at the time of the notification the suspected program is being cablecast, the studio manager will pull the suspect program off the air.

- B. If at the time of the notification the suspected program is not being cablecast, the studio manager will make the program unavailable for cablecast.
- C. The studio manager shall review the program with the Executive Director to determine whether it may violate NWCT's rules.
- D. If the program is found to not be in violation of the rules by the Executive Director it will be made available for playback.
- E. If the program is in violation of the rules, the Executive Director shall notify the producer of the program regarding the alleged violation and allow the producer the option of modifying the program or appealing to the Board of Directors.
- F. If the Board of Directors determines that the program is in violation of the rules, the Board may direct the Executive Director to take appropriate corrective action, including not cablecasting the program and/or, if necessary, notifying state or local authorities.

XII. RULE VIOLATIONS

A record will be kept of those members and non-members who violate these rules. Depending upon the severity or the frequency of the violation, members may be issued a verbal or written warning or may be suspended for up to six months by the Executive Director or suspended for more than six months by the Board of Directors.

XIII. INDEMNIFICATION

- A. Those using NWCT equipment, facilities or channels are responsible for the content of the programs they submit for cablecast. Prescreening of programming by NWCT will not excuse users from this responsibility. Each user agrees to hold the cable company, the Northwest Suburbs Cable Communications Commission, and NWCT harmless for any claims and attorney's fees and other costs relating to the user's programming, including, but not limited to, slander, libel, defamation and obscenity claims that matters for indemnification by programmers also include copyright, patent or trademark infringement claims.
- B. All users will hold the cable company and NWCT harmless from any and all claims relating to the use of the facilities, equipment and channel time.

XIV. APPEALS

Any person who disagrees with a decision of the Executive Director as to the application of these rules or a decision by the Executive Director to suspend them

for violations may request a review and determination by the NWCT Board of Directors.

- A. Such a request must be made in writing and submitted to the Executive Director of NWCT within twenty (20) days of receipt of the decision.
- B. The Executive Director will bring the matter before the Board at the next regularly scheduled meeting. At the meeting, the Board will either:
 - 1. Make a determination and direct a written statement of it to the party requesting the review; or
 - 2. Designate a Director or a committee to review the matter further and issue a determination within twenty (20) days to the person requesting the review.

XV. INTERPRETATION

NWCT reserves the right to make all interpretations, clarifications, and applications of these rules, in its sole discretion, as may be necessary from time to time.

XVI. SEVERABILITY

In the event that any section, or part thereof, of these Rules and Procedures is deemed invalid, unenforceable or otherwise in violation of any local, state or federal law, such section, or part thereof, shall be deemed null and void and of no effect but all other sections, and parts thereof, shall survive and be enforceable.