



EVERETT COMMUNITY TELEVISION
& ECTV Studio 3B

POLICIES & PROCEDURES

**I have received the Policies & Procedures guidelines set for by the
Everett Community Television Station (ECTV)**

I agree to abide by these procedures as an active member of ECTV

Name

Date

EVERETT COMMUNITY TELEVISION - POLICIES & PROCEDURES

Everett Community Television (ECTV) is a municipal station established to manage and operate the Public (Channel 9), Educational (Channel 15), and Government (Channel 22) access channels of the Everett, Massachusetts cable television system. Under the terms of the city's cable television license, ECTV with the cable operator is funded by a grant awarded at the beginning of each license term, along with an annual percentage of the cable operator's gross revenue.

The station's mission is "To foster the development of community access television in Everett." With our studio and office located at Everett City Hall, ECTV provides training, equipment and channel time to individuals and organizations in Everett.

ECTV is managed by an Executive Director appointed by the mayor, and employs additional full and part-time staff

These policies and procedures are in addition to any local, state, or federal laws governing public access television. In all cases, local, state, and federal laws supersede these policies and procedures.

IN SUPPORT OF OUR MISSION, ECTV IS COMMITTED TO:

- Establishing a broad base of community understanding, support and involvement in Public, Education and Government Access
- Providing information, instruction and resources to ensure the effective use of the access channels
- Assessing community response to programming on the channels, ascertaining areas of need, and aiding in the implementation of additional programming
- Providing sound management and financial strategies to ensure continued community access to and use of the access channels
- Participating in the development of further community uses of telecommunications technology throughout the City of Everett
- Working cooperatively with other organizations on the local, regional, and national level to promote and develop meaningful community uses of cable access channels

P.E.G. CHANNELS

- Channel 9 is the Public Access Channel, and serves as the outlet for programming produced and submitted by access users, as well as programming produced by ECTV. Most of the guidelines listed in these Policies & Procedures pertain to access users, and to their rights and obligations in utilizing the channel.
- Channel 15 is the Educational Channel, designated to serve the educational needs of the community. It is based in Everett High School, and day-to-day staffing, management and funding are the responsibility of the Everett School Department, with additional funding from ECTV through the disbursement of grant monies from the cable licensee, as well as oversight from the ECTV Educational Advisory Committee, a subcommittee of the ECTVCAC.
- Channel 22 is the Government Access Channel, and serves as the primary television outlet for the Everett City Government. Programming time is set aside for live coverage and repeats of Everett City Council meetings, along with other programs concerning governmental affairs.

PUBLIC ACCESS POLICIES

Access is open to all residents, organizations, and persons working or having a primary business in Everett. Access is granted provided that the User adheres to the rules and regulations as stated, and completes all the necessary training and certification requirements.

ECTV 9 is the designated "Public Access Station." All programs created by users will be broadcast on ECTV 9, unless by written arrangement from the Director.

- Producers are **fully responsible** for all programming material submitted.
- Producers agree to obtain all necessary clearances from all organizations, individuals and groups as may be needed to videotape and/or cablecast material on access channels.
- Producers are responsible for the production and presentations of their programs.
- All access users will agree in writing to be fully responsible for the content of their programs. Such full responsibility shall include, but not be limited to, making all necessary arrangements with and obtaining all required clearances from broadcast stations, networks, sponsors, music licensing organizations, performers representatives, authors, composers, and any and all other persons or entities that may be necessary to transmit the public access user's program material on access channel time. All public access users shall indemnify and hold harmless the City of Everett and its franchisee, their officers, directors, employees, agents and representative from any and all liability, damage, injury, judgment, including cost of defending claims (including reasonable attorney's fees) arising from or in connection with any claim for failure to comply with any laws, rules or regulation of federal, state or local government, claims of libel, slander or invasion of privacy, claims of infringement of copyright, patent or unauthorized use of any material or trademark, servicemark or image, or for any other injury or damage in law or in equity claimed as a result of or from or connected with access user's use of access channel time, equipment, facilities or other resources. The foregoing shall include obscenity claims as well as any and all other claims related to scheduling or programming on public access channel time, and shall include only claims relating to intentional malfeasance of any party or entity to be indemnified hereunder.
- Producer are required to **provide proof of residency** or an **affiliation with an Everett business or organization** in order to ascertain their eligibility to use ECTV facilities.
- Producer must provide proof that said user and their crewmembers have no outstanding balance due to the City of Everett. Users must rectify all outstanding balances prior to use of equipment, facilities, or training.
- Eligible access users must either receive instruction or demonstrate proficiency in television production in accordance with ECTV policy before utilizing ECTV resources, or must engage the assistance of other users who are qualified to use the equipment.
- Facilities, equipment, and training are based on a **first-come, first-served basis**, and are subject to the availability of ECTV staff to facilitate usage.
- The use of ECTV facilities and equipment is intended to generate programming for the public access channel (ECTV). ECTV resources may not be utilized for personal use or for the production of programming to be streamed or broadcast on any other television station without being shown on ECTV.

Training

Classes/Workshops

ECTV offers video production workshops and are open to all eligible access users who live and/or work in Everett. The classes are treated as hands-on training workshops, and are taught in two-three sessions. Orientation Schedules are listed on the community bulletin board and are posted on our website at <https://cityofeverett.com/calendar/>

Additional information, such as forms and fees, will be posted on our website. Individuals and organizations wishing to take the workshops must arrange for them on a *first-come, first-served basis*. Class sizes may be limited at the discretion of ECTV. Each course will have a prerequisite, RVSP and attendance afterward is mandatory, repeat "no show" may result in refusal of service.

Certification Requirements

Individual and organizational access users **must** go through a certification process and be deemed "*certified*" by an ECTV staff member in order to use each type of equipment. If you have been an access user before, but have been inactive, you may need to renew your certification.

Our workshops teach the basics for access users to assist on ECTV produced programs, film events, and qualify to produce their own programs.

- **Studio Production Certification** – *Ability to work as a crewmember, camera operator and/or director on studio productions.*
Requirements: Attend and complete the basic studio production workshops.
- **Field Production Certification** – *Ability to use basic field cameras, microphones, and other portable accessories.*
Requirements: Attend and complete the basic field production workshops.

Credit For Prior Experience

People with prior experience in television production in the previous twelve months may obtain certification by being evaluated by ECTV staff. The evaluation process may include a written and/or hands-on test, and the submission of a demo tape may also be required.

Restrictions on Access Users in Poor Standing

Individuals who are in violation of ECTV policies and procedures may be denied access privileges until their situation is resolved. ECTV may also deny access to anyone in poor standing with any other community access station.

Equipment & Facilities

Use of Equipment and Facilities

- Individuals and Organizations may use ECTV's equipment and production facilities free of charge, on a first come-first serve basis, to produce programs to be broadcast on the access channel.
- All Individuals and Organizations are required to attend an orientation and training prior to using equipment and production facilities.
- All users must complete all training prior to using equipment and facilities.
- Access Users are expected to use good judgment and professional behavior while using the studio or field equipment. Access Users must follow all studio regulations, and complete the proper forms prior to use.
- Access Users must notify staff when using equipment in hazardous settings. Access Users are responsible for damage to equipment.
- Access Users are responsible for notifying the staff of any problems with equipment.
- Access Users must not attempt equipment repairs on the equipment and may not change any wiring, connections, settings, or accessories.
- No animals are allowed in the building with the exception of verified service animals (paperwork in hand), or, with prior staff approval, as part of a production. Eating and drinking are allowed only in designated areas.
- Access Users may NOT use ECTV office equipment and supplies for sets or any other purpose. Access Users may store their own props on the premises for no more than 24 hours, and must speak to staff in advance.
- ECTV staff is available for technical or production advice, suggestions, or assistance. ECTV staff is not responsible and/or obligated to support or supervise any Access Users' production.
- Individuals and Organizations may not use our DVD burner to make copies of their own.

Reservations

- An individual or organization must submit a *Series* or *Program Proposal* with ECTV staff prior to use of equipment or facilities for any program. This plan is to ensure proper production procedures are followed, and that equipment is fairly and equally available for all Access Users.
- Access Users may reserve equipment and facilities on a first-come, first-served basis.
- Equipment Pick-Up and Reservations may be made only during the scheduled Equipment Reservation & Pick-Up times.
- There are limits on the number of reservations and/or hours per program for which Access Users may use any given type of equipment free of charge. Access Users must adhere to the program production plan and the allotted time given. Violations and warnings will be issued for those who fail to meet the requirements.
- All Access Users must give 48-hour notice to cancel a reservation by calling 617-394-5044. If a member fails to cancel, the unused reservation still counts toward the maximum time allotment for that program.

Portable Equipment

- Access Users may reserve portable equipment no more than **4 weeks in advance and no later than 5 days in advance**.

- Portable equipment may be taken out for up to 72 hours at a time and for up to 6 non-consecutive periods, not to exceed 6 days, per finished program.
- The person who reserves equipment must pick it up and return it, unless ECTV staff approves alternate arrangements in advance.
- When signing out equipment, an ECTV staff member fills out and initials an *Equipment Check-Out Form*. Before taking the equipment, the borrower must verify that *Equipment Check-Out Form* lists all the items they are taking and contains everything the shoot will require. Access Users are encouraged to set up and test equipment before leaving the building. Access Users must sign the *Equipment Check-Out Form* before leaving ECTV premises.
- Access Users must return equipment at the time written on the *Equipment Checkout* form. Access Users cannot borrow additional equipment until they have returned all items in good working order or have paid ECTV an assessment that ECTV may levy against the borrowers for equipment damages.
- All Access Users and Producers are responsible for the equipment that is listed on the *Equipment Check-Out Form*. ECTV will ensure that all equipment is in working order. A producer or Access User is responsible for all damage to, or theft of equipment, excluding normal wear and tear. The producer must notify ECTV immediately upon any occurrence of damage, malfunction, or theft.

Studio & Control Room – Recorded programs

- Access Users may reserve time in the studio and control room no more than **4 weeks in advance and no later than 5 business days in advance**. Regular series Access Users may establish a regular studio reservation schedule with ECTV.
- Access Users may use the studio up to 4 times per program, per month. With a maximum of 4 hours of studio use per month.
- All reservations must be received by phone at 617-394-2418
- The producer of record must be present for all studio sessions.
- Access Users must check in and out with the staff person on call when using the studio. After each studio use, the person who made the reservation must fill out a *Studio Checkout Form* and give it to the staff person on call.
- No access user may use office space or equipment without specific authorization by staff.
- All studio productions must include the ECTV standard disclaimer. No show will air without this disclaimer placed at the beginning and end of each show.

Programming

Submitting Programs

Anyone who lives or works in Everett may request channel time, free of charge, to broadcast a program. Producers and Access Users requesting airtime for a program must submit a *Program Proposal*, and complete a *Video Submission Form*.

There are no restrictions on submitted stand-alone shows; ECTV will attempt to accommodate all programs as long as the program does not interfere with the normal program schedule and the normal operation of the facility.

Series programs are limited to Minimum 15 minutes, Maximum 60 minutes in length.

Responsibilities

ECTV's mission includes the promotion and protection of our constitutionally guaranteed freedom of speech. ECTV encourages Access Users and local tape sponsors to use good judgment and to respect both the access center and the community at large when they submit programs for the channel.

Anyone requesting broadcast time:

- Must be thoroughly familiar with the program's content and shall agree to take full responsibility for all content.
- Must read, sign and be bound by the *Video Submission Form and Producers Agreement*.
- Must take responsibility to obtain clearances and permissions, as may be needed, from any and all organizations, individuals and groups to broadcast this material on the access channel. This includes all copyright clearances as prescribed by law. All clearances and permissions must indemnify and hold harmless ECTV, the City of Everett, and its employees, and agrees to pay the City of Everett's defense costs, settlement, and/ or judgment.
- The Producer or Access Member is solely and completely liable for any false, misleading or slanderous statements in the program and is fully responsible for the program content and compliance with all applicable laws, including, when relevant, election laws.

Restrictions

In accordance with our mission to provide free and equal access, ECTV will not broadcast any program identified as having material that the law prohibits.

The following may not be shown on the access channel:

- Advertising or material that promotes any commercial product or service.
- Material in violation of FCC regulations, local, state or federal laws;
- Any material containing unauthorized use of trademark or copyright
- Material that does not have the accompanying clearances, releases or permissions

Advisory Materials and Disclosure Requirements

- The person(s) submitting the program for broadcast is responsible for the contents of the program. All persons requesting broadcast time at ECTV are required to disclose, on the *Video Submission Form*, the presence of any profanity, excessive violence, nudity or explicit sexual material "Advisory Material."

Advisory Material will be aired at times deemed by the ECTV Director.

- Failure to disclose the presence of Advisory Material is a major violation of ECTV's Policies and Regulations and will result in an immediate 90-day suspension of ECTV Access and broadcasting privileges, as well as, a written warning to and verbal consultation with the person who submitted the program for broadcast. A 2nd repeated offense would result in suspension and review of access privileges.

Process for Submitting Programming

- Individual programs submitted for broadcast must be accompanied by a *Video Submission Form*.
- Anyone requesting a regular broadcast slot for a series must complete a *Program Proposal Form* and schedule the slot with the Director, or Programming Supervisor. When possible, the person submitting the programs must deliver two to four programs for the series by dates agreed on in the Program Proposal Form before that time slot becomes permanent. The Program Proposal Form is renewed annually. Forms must be submitted in full by the twentieth of the month in order for the program to be added to the following month's schedule. Each DVD must be properly labeled with the producer's name, program title, series title (when applicable) and the exact length of the program.

Program Scheduling

The Program Schedule is determined on a monthly basis. While ECTV will make every effort to schedule broadcast time on a first-come, first-served basis, ECTV reserves the right to determine the program schedule and prioritize schedules according to the following criteria:

- Programs produced at ECTV
- Programs produced locally, but not at ECTV
- Non-locally produced programs
- Requests for a second time slot within the same week for any of the above

Programs submitted with a running time of fifteen minutes or less will be added to a looped reel to be played periodically throughout the week.

ECTV reserves the right to determine the portion of the weekly or daily schedule to be set-aside for any category of programming.

ECTV reserves the right to determine the re-broadcast or "re-run" schedule.

ECTV retains the right to preempt programming at any time in order to provide timely local programming, such as live or taped special municipal events, important satellite downlinking, and so forth.

ECTV reserves the right to schedule public access programming on its other cable channels at its discretion.

Series Programming

Any series may be scheduled for a maximum of one prime time slot per week. Prime time shall be defined as any time between the hours of 5:00pm and 11:00pm daily. An individual may be limited to one (1) prime time opportunity, per show, per week, depending on scheduling demands. Those submitting programs for a Series may put their names on a waiting list for alternate time slots, pending series cancellation or airtime forfeiture. Waiting list requests are assigned according to the scheduling priority.

Each series' submitter takes responsibility for supplying new programs as specified on the *Program Proposal Form*. If ECTV does not receive a new show as specified, another program (not from the series) may take its place. If ECTV does not receive a new show within two weeks after its scheduled delivery date, ECTV will release the time slot to accommodate another series.

Single programs will be broadcast in both peak and non-peak viewing times based on availability and/ or any Advisory Materials and Disclosure Requirements. Programs will be scheduled at least three times during the first full month of broadcast.

Programs deemed unsuitable for family/children viewing will be broadcast after 10 P.M. Some materials may be unsuitable for family viewing or viewing by children such as but not limited to; adult situations, excessive profane language, nudity, excessive violence, or graphic depictions of surgical procedures.

At the discretion of the Executive Director of ECTV certain shows will be TelVue BETWEEN THE HOURS OF 1:00 AM AND 5:00 AM.

Technical & Broadcast Requirements

- ECTV accepts program submissions in compressed lossless .MP4 format.
- ECTV may preview the program to ensure that the submitted file meets the technical and broadcast requirements. ECTV cannot and will not edit any program submitted. Submitters will be notified by phone and in Email if the video cannot be broadcast due to technical format or compatibility.

Ownership

- ECTV Access Users own their programs and their DVDs will be returned to them.
- Any producer can arrange limits on re-runs.
- With permission of the Access User, ECTV may also use the program for promotional purposes related to ECTV.
- ECTV will discard any DVD one-year after it was submitted if the sponsor does not pick it up or arrange with ECTV for its storage.

Promotion

- ECTV requires two weeks notice to list a program on the Community Bulletin Board.
- Access Users may write and send their own press releases to local newspapers, radio stations, and other access programs.

Emergency Announcements

- ECTV assists the City of Everett in communicating emergency information to the residents of the city. In the event of a declared emergency, all normal programming is suspended so we can provide emergency information.

Community Bulletin Board

- A non-profit organization that wishes to communicate with cable subscribers for non-commercial purposes may submit a brief message and graphic to be shown on the public access channel's electronic bulletin board. ECTV may require such an organization to furnish their taxpayer I.D. number as proof of their non-profit status.
- Users must submit their messages **two weeks in advance**.
- A phone number for further information and the name of the sponsoring organization or individual must accompany all messages.
- Everett announcements take precedence over those from out of town.
- ECTV shows messages announcing events until the day after the event.
- Messages announcing ongoing services or activities show for six months, in the one-month on one month off format, from the time the message is submitted unless ECTV receives alternative instructions.

Violations

Access Users are responsible for the ECTV facilities and equipment signed out to them. This includes responsibility for the actions of guests, assistants and others, and for loss, damage or theft. Users must understand that access is a privilege and service provided to the residents of Everett, free of charge, to exercise their Constitutional right to express themselves in a creative, unobstructed format.

In order for these policies to be effective and to keep operations running smoothly, a penalty system has been instituted. There are two types of violations, which, if exercised, can result in restrictions on an ECTV User. The ECTV Executive Director or designee is authorized to issue warnings and suspensions. Warnings will be in effect for one year from the date of issue.

Major Violations

A major violation results in immediate 90-day minimum suspension of Access privileges. A second major violation will be submitted to the Director for review of access privileges. Major violations may include, but are not limited to:

- Commercial, profit-making, or personal use of facilities
- Misrepresentation of member's affiliation with ECTV
- Falsifying forms or documents
- Taking or reserving equipment without staff permission
- Abuse of equipment, including attempted repair, changing the wiring, connections, or settings, or attaching accessories
- Non-Compliance with Policies and Procedures
- Verbal abuse, physical abuse, or sexual harassment of ECTV staff or other Access Users
- Consumption of unauthorized alcoholic beverages or illegal drugs on premises.

Violations of Program Disclosure Statement

Failure to disclose the presence of Advisory Material ("profanity, excessive violence, nudity or explicit sexual material") is a major violation of ECTV's Policies and Regulations and will result in an immediate 15-day suspension and review of ECTV Access and broadcast privileges, a written warning, and verbal consultation.

- If at any time after this first violation that person again violates this disclosure requirement for any program or series that person will be suspended from the right to submit programming for broadcast for a period of six months.
- If a different person submits the same program or series and violates the disclosure agreement, the person committing this violation will be suspended from the right to submit programming for broadcast for a period of six months.
- Any person under such suspension may submit a program for broadcast, while under suspension, if they also submit a transcript that must include the entire verbal text and a description of the actions, images and sounds of the program. The transcript must also clearly mark any material that might be subject to the disclosure requirement.

Minor Violations

Minor violations result in the following series of actions within a one-year period:

- First violation: Written or oral warning
- Second violation: Written or oral warning
- Third violation: 30-day Access suspension and review.

The ECTV Executive Director will decide ECTV's response to a member's further minor violations

Minor violations may include, but are not limited to:

- Failure to cancel a reservation within 24 hours
- Returning or picking up equipment late without notification and approval
- Mishandling equipment
- Abusing staff or other Access Users
- Eating or drinking in no-eating areas
- Smoking in the building, and
- Failure to clean up after using the facilities

Appeals:

ECTV Access Users are encouraged to resolve difficulties on the staff level. Within 10 days of an action of the staff, a member may request a meeting with the ECTV Executive Director and then a subsequent meeting with the Director and the Staff member to resolve the situation. If further appeals are necessary, the Access User may submit a written request to the ECTVCAC to hear his/her case at their next regularly scheduled commission meeting.

Other Conditions

ECTV Facility:

ECTV, in support of its primary mission, reserves the right to determine the facility schedule. At certain times during the year, ECTV may close the facility to provide for maintenance, clean up, or installation of new equipment. All closings will be posted on the ECTV bulletin board and through notices in the newspaper. ECTV is not responsible for any loss of airtime during these closings. Producers can schedule use of the studio around these programs.

Misrepresentation:

Access Users and Producers must not misrepresent themselves as employees of ECTV, or the City of Everett, or as having the ability to speak for ECTV, or the City of Everett. Such actions may result in a suspension of access privileges.

Facility Upkeep:

No animals are allowed in the building except for service animals or as part of a production. Smoking is not allowed anywhere in the building. ECTV Access Users must obey all studio safety and procedure regulations. No outside food or drink is allowed in the ECTV control room or studio. The provided water bubbler is allowed, but cups may not be placed on or near equipment or equipment storage units. All cups must be cleaned by access users before leaving the studio.

Right to Refuse:

ECTV staff reserves the right to refuse the use of its facilities to any individual who appears to be under the influence of alcohol or drugs or who interfere with the orderly conduct of business.

Indemnification:

Users of the access channels shall indemnify ECTV, the cable operator, and the City of Everett and its employees, agents or servants against any and all liabilities arising out of any use of facilities and resources or out of breach of the Operating Policies and Procedures.

Interpretation:

Where the implementation of these procedures is subject to interpretation, decisions shall be at the discretion of the ECTV Executive Director, or designee.

Amendments:

The ECTV Executive Director reserves the right to amend these policies on an ad hoc basis. Current policies are available upon request.

Unusual Situations:

Any situation in which there is not an operating rule or procedure will be temporarily governed by the judgment of the Executive Director or staff person on duty and the issue referred for discussion by ECTV staff.

Suggestions and Ideas:

Access Users are encouraged to submit ideas and suggestions to any ECTV Staff member or the ECTV Executive Director.

GOVERNMENTAL ACCESS POLICIES

Channel 22 is the designated "*Governmental Access Station*." It is set aside for municipal programming, including but not restricted to coverage of Everett City Council meetings, other governmental meetings, and programs concerning governmental affairs. Programs submitted by access users are to be shown on Channel 9, the Public Access station, and no exceptions will be made except at the discretion of the ECTV Director.

Everett City Council Meetings

ECTV provides live coverage of Everett City Council meetings, including meetings of the committees, and any other special citations or public hearings that may be called. ECTV also repeats the meetings throughout the week during which a given meeting is held, and may be extended through the ensuing weekend. Meetings are shown in their entirety, with no editing or deletions, excepting recesses or for

technical reasons beyond our control. Meeting coverage will supersede any other scheduled programming.

Governmental Affairs Programming

Channel 22 is also utilized for the cablecast of governmental affairs programs, including full-length programs as well as public service announcements, produced at ECTV or elsewhere. City of Everett department heads, acting in their official capacity, may elect to use the channel to disseminate any programming, proclamations, or announcements in the conduct of their business. ECTV will provide technical assistance to the best of its ability, at the discretion of the ECTV Director. Whenever possible, ECTV will also air programs submitted by other state and federal officials on Channel 22.

Channel 22 Bulletin Board

The Channel 22 Bulletin Board is generally reserved for notices concerning official government business, and solicits announcements from city departments who wish to use the channel to disseminate important information to the community, as well as from state and federal agencies. All other announcements submitted to ECTV can only be shown on the Channel 9 Community Bulletin Board.

Political Election/ Campaign Programming & Bulletin Board Announcements

During election campaign seasons, understood to be from early August to early November of a given year and encompassing both preliminary and general elections, ECTV will produce special election programming to give all of the candidates running for elective office an equal opportunity to present a brief videotaped message to our viewers. These messages can either be taped in the ECTV studio or provided by the candidates. Guidelines for participation in this programming will be formulated on a yearly basis by the ECTV staff, and all eligible candidates who will be appearing on local ballots will be contacted by mail with specific instructions on how to participate. In fairness to all candidates and in the interests of equal access, the promulgated guidelines will be strict in terms of deadlines and time limitations, and must be adhered to by all. ECTV's election programming will be shown exclusively on Channel 22.

No Edits

No Re Scheduling

Campaign Content Filmed in ECTV will remain at ECTV until aired or deleted no exception.

Special guidelines for political announcements on the Channel 22 Bulletin Board during election seasons will also be formulated on an annual basis and made available to all candidates.

In the interests of equal access during election campaign seasons as defined above, ECTV will only allow airtime to public officials when they are acting in their official capacity.