



# Operating Rules and Regulations

*Approved December 14, 2015*

# FCTV OPERATING RULES AND REGULATIONS

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## **I. FCTV**

Falmouth Community Television (FCTV) is a nonprofit community media center that fosters the production and distribution of local information. FCTV provides access to training, technology and content to encourage community dialogue, awareness and expression. As an independent, 501(c)(3) nonprofit organization, FCTV is governed by a Board of Directors from the Falmouth community.

FCTV operates a community media center which includes a video production facility, post-production computer lab, animation suite, mobile production vehicle, and community art gallery; robotic camera systems are also located throughout the town of Falmouth. Membership is open to any resident and taxpayer in the town of Falmouth, organizations with offices in the town of Falmouth, and others deemed qualified by the Board of Directors. FCTV manages the public, education and government television channels provided for as part of the cable television license between the town of Falmouth and cable provider.

### **A. Public Channel**

The Public Channel fosters the production and distribution of local content by and for local residents and organizations. FCTV provides access to training, technology and content to encourage community dialogue, awareness and expression.

### **B. Education Channel**

The Education Channel provides locally originated educational programming about and of interest to the constituents of the Falmouth Public School and educational entities.

### **C. Government Channel**

The Government Channel consists of programming that informs the public about government operations; explains municipal, regional and state services; provides emergency notifications and broadcasts government meetings.

In addition to traditional cable television channels, FCTV uses a multi-tiered approach to disseminating local and regional information using Internet and social media platforms.

## **II. Statement of Purpose**

The Purpose of Falmouth Community Television is outlined in the ByLaws of the Corporation (pg. 1-Art.II) .

## **III. Role of FCTV Staff**

FCTV staff provides technical assistance to community members and is responsible for the day-to-day operation of the facility. The Executive Director/CEO reports to the Board of Directors. The primary role of FCTV staff is to train community producers, maintain equipment and facilities, schedule programming and equipment, produce government, educational and public service programming, and bring community volunteers together in an environment that will foster community communications in Falmouth. The management of the corporation reserves the right to schedule equipment and the facility as needed to perform operational requirements.

## **IV. Headquarters & Hours of Operation**

FCTV is headquartered at 310A/B Dillingham Ave., Falmouth, Massachusetts.  
Regular business hours will be posted by the front door of the facility and on our website.

## V. Membership

### A. Membership

Membership is open to any resident and taxpayer in the town of Falmouth, organizations with offices in the town of Falmouth, and others deemed qualified by the Board of Directors.

Membership of minors under the age of 18 must be authorized by a parent or legal guardian.

Proof of age, Falmouth residency, employment or local taxpayer status may be required. All members must be approved by the Board of Directors.

### B. Benefits:

- Attend FCTV workshops at no cost or reduced rates
- Access FCTV production facilities and equipment to produce programs for cablecast
- Reserve channel time on FCTV for cablecasting
- Receive regular FCTV updates and news
- Receive member only discounts
- Be recognized via the FCTV Honor Roll of Members and Supporters
- Exercise voting privilege as a member of the Corporation per ByLaws

### C. Membership categories and dues:

Membership categories are as follows:

- Individual
- Organizational: Delegate (voting member) & Representative(s) (non-voting)
- Family: Delegate (voting member) & Representative(s) (non-voting)

*Family Membership is restricted to families consisting of not more than two adults and any children (under the age of 18) who reside at the same residence.*

D. The dues of the corporation shall be determined by the Board of Directors. All dues must be paid prior to workshop registration. All membership dues are non-refundable.

E. If membership dues present a hardship, a limited number of scholarships may be made available in exchange for volunteer time.

## VI. Supporters

Membership dues are kept low to ensure that FCTV facilities and equipment remain accessible to everyone in the community, regardless of financial resources. As a consequence, membership dues cover only a small portion of FCTV's expenses. FCTV welcomes financial contributions from anyone who supports our services and programs. Participation as a FCTV Supporter is not restricted to Falmouth residents, taxpayers and organizations; anyone may become a Supporter. Contributions in any amount are welcome. To thank Supporters for their contributions, FCTV may offer special benefits for various levels of support.

## VII. FCTV Electronic Community Bulletin Board

- A. FCTV's electronic community bulletin board on the public channel is used for Falmouth nonprofit and community groups to publicize activities and events.
- B. Special Greetings (Birthday, Anniversary, Mother's Day, etc) may be displayed for a prepaid fee.
- C. Community Calendar forms may be picked up at FCTV during normal business hours or are available online at [www.fctv.org](http://www.fctv.org).

- D. Forms must be submitted one week prior to being listed.
- E. FCTV staff reserve the right to edit, reformat, refuse or remove any message.
- F. FCTV also operates electronic bulletin boards specifically for government and education entities.

### **VIII. Out-of-Town Producers**

In order for individuals who do not meet membership eligibility to have access to equipment and/or facilities the individual must:

- A. Be sponsored by a nonprofit group or group directly related to Falmouth (e.g., League of Women Voters) and produce a program for that organization/company during which time the individual will have access to the facility.  
 OR  
 Become a FCTV intern. During the internship period the individual may work on programming relative to Falmouth, which will be cablecast on FCTV. The scheduled work hours will be spent working at FCTV, not on the individual's project unless otherwise directed by FCTV. Internship hours will be determined on a case-by-case basis.
- B. All fees must be paid prior to the start of obtaining access.
- C. Extenuating circumstances will be reviewed and implemented at the discretion of the Executive Director/CEO.

### **IX. Training**

- A. FCTV offers workshops in basic and advanced video production and post-production courses, as well as training in related topics. Certification must be obtained separately for each type of equipment and production situation.
- B. Experienced producers may demonstrate technical proficiency and be exempt from training classes at the discretion of the Executive Director/CEO or Director of Operations. In order to take the proficiency test, the producer must schedule and attend a review class with the Director of Operations (or designee) for each area tested on.
- C. Membership paid in full and satisfactory completion of the relevant workshop qualifies an individual to have access to FCTV resources.
- D. Anyone wishing to register for workshops must pre-register. Waiting lists are maintained to ensure that trainees are admitted to workshops and other educational programs on a first-come, first-served, non-discriminatory basis.
- E. Attendance at all meetings of a workshop, in the sequence given, and all requirements in connection with the class is mandatory. Failure to attend class or meet obligations may result in being dropped from the workshop. In the case of extenuating circumstances and at the discretion of the trainer, makeup classes may be offered.
- F. FCTV reserves the right to revoke certification if, in the opinion of FCTV staff, members are unable to demonstrate sufficient working knowledge of the equipment or fail to demonstrate respect and care for FCTV equipment.
- G. Core Certification Levels  
*(Additional certifications may be required as equipment and software inventory changes.)*

## **O - Orientation**

*Requirement:* Attendance at Orientation and agreement to abide by these operating rules and regulations by signing the Acknowledgment of Receiving Operating Rules & Regulations (“Acknowledgment Form”) is required prior to receiving certification in any subsequent course.

## **S1 - Basic Studio**

*Requirement:* Member must demonstrate a working knowledge of the FCTV switcher, studio cameras, audio board, lighting equipment, graphics and studio protocols.

*Access:* S1 certification allows the member to operate equipment and to participate in studio production at FCTV.

## **S2 - Advanced Studio**

*Requirement:* Member must demonstrate ability to direct and technical direct production from beginning to end without staff assistance.

*Access:* S2 certification allows the member to reserve studio time to produce a program at FCTV.

*Prerequisite:* S1 - Basic Studio

## **E – Editing (E1 & E2)**

*Requirement:* Member must demonstrate ability to edit a program from beginning to end w/titles using the appropriate equipment for the certification level.

*Access:* Member may use edit suites or lab to work on post-production. E1 certified editors work under the supervision of training staff. E2 certified editors may work independently.

## **F1 - Basic Field**

*Requirement:* Member must demonstrate the ability to utilize FCTV’s field cameras, tripods and other field equipment; demonstrate the ability to complete a field-produced program to the satisfaction of the Director of Operations or trainer.

*Access:* Member may sign out FCTV field equipment designated for field use. Member may not sign out FCTV’s roadcase or mobile production vehicle (van) but may work with the FCTV roadcase or van if under the supervision of an F2-certified FCTV member.

## **F2 - Advanced Field**

*Requirement:* Member must demonstrate knowledge of FCTV roadcase and/or van to the satisfaction of the Director of Operations.

*Access:* Member may sign out FCTV’s roadcase or van (under the supervision of staff) for the purpose of producing multi-camera programs in the field.

*Prerequisite:* F1 - Basic Field and S1-Basic Studio.

### **TH – Town Hall Equipment Room**

*Requirement:* Member must display ability to set up live cablecast from Selectmen’s Meeting Room using the Town Hall Equipment.

*Access:* Member may use the equipment to produce multi-camera programs consistent with Government Access criteria.

*Prerequisite:* Equipment may be used at the discretion of the Executive Director/CEO, Director of Operations, or Government Access Coordinator.

## **X. Recording Media Format and Policy**

- A. FCTV currently supports the following formats:
  - DVD
  - Hard Drives/Removable Memory Devices
- B. Provision of blank media:

When working on their own productions, certified community producers must provide their own media. A variety of recording media may be purchased from FCTV. Media purchased independently must be approved by staff prior to use in any FCTV equipment.
- C. Retention and use of completed program:
  - 1. A DVD of the completed program submitted for cablecast must be provided to FCTV. FCTV reserves the right to show a program as many times as there is interest in the community, unless a more restrictive agreement is entered into with the program producer or sponsor. The producer who holds the copyright to a program shown pursuant to this section grants FCTV copyright permission to show such program. FCTV reserves the right to duplicate the program for FCTV purposes. No duplicates will be made for distribution, nor will the program be shared with other media outlets without the producer's permission.
  - 2. Community producers may use FCTV equipment to make one copy of their finished, edited program on their own DVD or removable media. For additional copies, producers will pay the going FCTV rate. If the producer sells their copy, FCTV duplication rates will apply.
  - 3. If footage produced or edited at FCTV is at any time sold, rented or brings in any money to the producer (including, but not limited to, grants and underwriting), FCTV is entitled to 40% of all moneys received. *(Unless a Rental Agreement is entered into.)*

## **XI. Access to Facility and Equipment Use - General**

- A. Authorized Use:
  - 1. FCTV equipment & facilities are available for use by certified FCTV members.
  - 2. FCTV equipment & facilities are to be used for producing programs for cablecast on FCTV. Use of equipment for exclusively personal or commercial purposes is prohibited. *(Unless a Rental Agreement is entered into.)*
  - 3. All productions using FCTV equipment or facilities must be cablecast on FCTV. *(Unless a Rental Agreement is entered into.)*

4. Production equipment/facilities are available at no charge to certified members, providing the following conditions are met:
    - a. They are preparing a program for cablecast on FCTV.
    - b. The program is for nonprofit, non-commercial purposes.
    - c. All persons operating equipment have appropriate certification.
    - d. The community producer has submitted a program proposal for that program or been assigned a production by a member of the FCTV staff.
    - e. It is recommended that producers meet with production staff to complete paperwork or discuss production considerations.
  5. The signed Acknowledgment Form must be on file at FCTV.
- B. With the exception of contractual obligation, use of production equipment and studio facilities is scheduled on a first-come, first-served, non-discriminatory basis. However, no one individual or group may monopolize equipment, and the Executive Director/CEO may take whatever actions deemed necessary to rectify such a situation.
- C. FCTV is not liable or responsible for any personal property.
- D. Personal equipment or property used at FCTV must not create a hazard to anyone or anything.
- E. Users are responsible for loss or damage due to theft, 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/CEO before any further equipment use will be permitted.
- F. FCTV production equipment and facilities are not intended to be used as an income-generating source by community producers, but rather as a forum for community communication.
- G. Scheduling:
1. All reservations must be approved by FCTV staff to be considered valid.
  2. Community producers must have an approved project before scheduling equipment of facility usage.
  3. Equipment and facilities are scheduled on a first-come, first-served basis, subject to availability and consistent with FCTV activities, contractual obligations, hours of operation, and programming guidelines.
  4. Members under the age of 18 must have a signed consent form from a parent or guardian for each program project and equipment reservation. Minors must also have approval from staff before taking equipment on their own.
  5. Scheduling of equipment and facility time for public access program series are assigned in 13-week time blocks. After 13 weeks, those waiting time receive priority.
  6. Cancellations must be made 24 hours in advance of scheduled time. Failure to use the facility or equipment when reserved, or failure to provide the minimum advanced notice of cancellation, is a Minor Violation of FCTV's Policies, as outlined in the "Violations" section of this guide.



H. Care of equipment and facilities:

1. Individuals using FCTV equipment and facilities will not tamper with or change any wiring or components. No attempt should be made to repair or work on equipment.
2. Any damage caused by unauthorized tampering will be charged to the user. Loss of equipment and facilities privileges will result from such abuse.
3. All equipment defects, damages, and problems must be reported to FCTV staff upon completion of reservation.
4. No food, drink, or smoking is allowed near equipment.
5. Equipment may not be kept in a car overnight, kept in unsecured conditions or exposed to elements which could cause equipment failure.
6. Facilities must be left in a clean and neat condition:
  - a. Props, sets, media, scripts, food, trash, etc. should be removed or put away at the end of the session.
  - b. Cables should be wrapped and portable equipment stored appropriately.
  - c. Power should be turned off and floors swept.
  - d. Repeated failure to clean up properly and on time will result in loss of privileges.
  - e. Staff must be notified when producer is finished with facility use.

I. Rights and Obligations:

1. All programs are subject to copyright law.
2. Community producers producing their own programs using FCTV equipment retain ownership of the copyright to that program, as well as full responsibility for any disputes which may arise. The producer must secure all releases of copyrights, talents, facility use, and any other clearances as necessary.
3. Programs produced with FCTV equipment or facilities shall be first played on FCTV channels.
4. FCTV shall have the ownership of the copyright to programs produced at the request of FCTV unless FCTV relinquishes such ownership to the producer.
5. Anyone producing programs in a normal classroom setting in the Falmouth Schools must adhere to the Falmouth Public Schools (FPS) Manual, Section IJOE "Videotaping/Photography of Children in the Schools" and retain all applicable forms required by FPS. Upon the request of the Executive Director/CEO, all forms must be made available by the producer.
6. Producers may identify themselves only as volunteer community producers, not as staff, employees, or in any way representing the FCTV Corporation.
7. If subsequent use of any program produced at FCTV generates income, that income must be shared with FCTV on a 40% basis. (*Unless a prior Rental Agreement was entered into.*)

- J. FCTV reserves the right to pre-empt a scheduled equipment or facility reservation for another activity or production of special or timely value.
- K. The order of priority for resolving reservation conflicts is as follows:
  - FCTV Contractual Obligations
  - FCTV Special Events
  - Facility Rental (*with approved contract*)
  - Production Workshops
  - Series Program Recordings
  - Single Program Recordings
  - Rehearsals or Crew meetings

## **XII. Field Equipment: Check-Out & Check-In**

(See "Access to Facility and Equipment Use: General" for additional regulations.)

- A. To use field equipment, the producer and all crew must be certified for field production. (*F1*).
- B. All equipment must be checked in and out by FCTV staff or someone designated by staff.
- C. Equipment check-out forms must be filled out accurately, contain a project name and be signed by user and staff (or designated volunteer).
- D. It is suggested that users set up and test equipment before removing it from FCTV. Failure to do so will be the user's responsibility. The return of damaged or broken equipment will be the responsibility of the person signing the reservation form.
- E. Users must report any problems or breakage when returning equipment.
- F. Equipment should be reserved as early as possible, but no more than 13 weeks before it is to be used. (*Exceptions may be made by staff in case of special events or due to FCTV contractual obligations.*)
- G. Normally, equipment may be used for no more than 24 hours or one weekend unless permission is granted by the Executive Director/CEO or Director of Operations. Additional weekend time may be scheduled on Fridays after 3:00 PM, if equipment is available.
- H. Field equipment reservations for program series are assigned in 13-week time blocks.
- I. One camera is allowed to be used per person per weekend. Exceptions can be made by staff.
- J. No more than three cameras may be reserved per project, unless approved by the Executive Director/CEO or Director of Operations.
- K. One certified member may reserve one camera; additional cameras used for a project must be reserved and signed for by additional certified crew members.
- L. Equipment must be returned on time, by the member who borrowed it. Failure to return equipment promptly will result in a warning. Subsequent late returns result in loss of privileges.
- M. Eligible users under the age of 18 who wish to borrow portable equipment must be accompanied by a parent, guardian or certified adult FCTV member, who must co-sign the equipment check-out form and accept responsibility for the equipment and its use by the minor.

### **XIII. Studio Use**

(See "Access to Facility and Equipment Use: General" for additional regulations.)

- A. To use the studio and control room, the community producer and all crew must be certified for studio production. *(See training certification.)*
- B. A minimum of two-weeks notification for scheduling of the studio is necessary for live programs.
- C. All live studio productions require staff supervision.
- D. Producers are entitled to a maximum of six hours per session and twelve hours per finished program. Scheduled studio time includes time needed for lighting, set-up, recording, breakdown and clean-up. Exceptions to the length of a session may be granted by the Executive Director/CEO, Director of Operations or designated staff.
- E. Studio productions are to be scheduled during regular FCTV station operating hours unless special permission in writing is granted by the Executive Director/CEO or Director of Operations.
- F. Community producers are responsible for the behavior and actions of their guests, talent and others in attendance and shall require their guests comply with these policies.
- G. Studio production times for program series are assigned in 13-week time blocks. After 13 weeks, those waiting studio time receive priority.
- H. Prior to creating a new project on FCTV computers, production staff must be notified and procedures for use must be followed.

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

(See "Access to Facility and Equipment Use: General" for additional regulations.)

- A. In order to schedule edit time, a community producer must be certified by FCTV staff. (E1/E2)
- B. Request for editing time should be reserved as early as practical, but no more than six weeks before it is to be used. *(Exceptions may be made by FCTV Production staff.)*
- C. Producers may schedule a maximum of three, four-hour sessions at any one time.
- D. Editing reservations are scheduled for regular FCTV business hours.
- E. If a user requires staff assistance, it must be scheduled at the time of booking.
- F. Users should not tamper with computers or peripherals, download malicious files or use functions they are unfamiliar with. Producers will be held financially responsible for abuse, damage or reconfiguring of equipment.
- G. Producers must supply their own removable hard drives when editing on FCTV computers. No data may be stored on FCTV hard drives after edit session. FCTV is not responsible for the loss of any data left on FCTV computer systems. At the end of each day, all user files are automatically deleted.
- H. FCTV is not responsible for member-owned hard drives or the data stored on them.

## **XV. Mobile Production Vehicle and Equipment**

(See "Access to Facility and Equipment Use: General" for additional regulations.)

- A. To use the mobile production vehicle and equipment, the producer must be certified for portable studio production. (F2)
- B. All camera crew working on the production must be field-certified. (F1)
- C. Any additional crew must be F1 or S1 certified.
- D. In order to reserve and check out the mobile production vehicle and equipment, members must reserve the equipment with crew equal to the number of cameras to be used, plus one for switcher operation.
- E. The mobile production vehicle and equipment may be reserved up to six weeks in advance and should be confirmed one week prior to reservation. *(Staff may make exceptions in case of special events.)*
- F. Two-week minimum notification is required for scheduling the mobile production vehicle and equipment for live programs.
- G. Equipment may be reserved for no more than two days per week unless permission is granted by the Executive Director/CEO or Director of Operations.
- H. Equipment check-out forms must be filled out accurately, contain a project name and be signed by user and staff.
- I. It is suggested that users set up and test equipment before removing it from FCTV. Failure to do so will be the user's responsibility. The return of damaged or broken equipment will be the full responsibility of the person who signed the reservation form.
- J. Users must report any problems or breakage when returning equipment.
- K. The FCTV mobile production vehicle may only be driven by designated staff or those contracted by FCTV. Engineering and powering of the mobile production vehicle may only be done by FCTV staff. FCTV staff or those contracted by FCTV will remain on-site during mobile vehicle productions.

## **XVI. Falmouth Town Hall Equipment Access Use**

- A. In order to use the Town Hall multi-camera robotic production system all users must be certified in Town Hall (TH) equipment.
- B. A minimum of two weeks notification for scheduling of Town Hall equipment is necessary for live programs.
- C. FCTV reserves the right to pre-empt a scheduled production for another activity or production of special or timely value.
- D. Town Hall control room may only be occupied by TH certified users unless authorized by FCTV staff.
- E. Town Hall equipment may be used for the following purposes:
  - 1. Videotape programs which will provide the public with information about local government workings.
  - 2. Promote the town of Falmouth and showcase services to the community.

3. Promote the town to visitors, investors and developers.
- F. Producers working on their own programs will be approved to use the room for a maximum of ten meetings or three months, whichever is shorter, for each particular committee meeting produced. Thereafter, other interested producers will be given reservation priority.
- G. All producers must complete the "Town Hall Equipment Check-List" before and after all productions.
- H. All equipment problems must be immediately reported to FCTV staff using the "FCTV Equipment Problem Report Form".
- I. All scheduling for Government Channel 15 will be monitored and maintained by the Government Access Coordinator. Scheduling conflicts should be reported to the Director of Operations or Executive Director/CEO.
- J. The order of priority for resolving scheduling conflicts is as follows:
  - FCTV Contractual Obligations
  - Live municipal meetings
  - Taped meetings or public affairs events

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

- A. Cancellation of equipment and facility reservations must be done 24 hours in advance, except in cases of emergency. A user who is more than 30 minutes late picking up equipment will be considered a no-show and the equipment may be released to another person. Once the facility or equipment has been released to another producer, the person using it cannot be bumped.
- B. Last minute cancellations or no-shows will result in loss of privileges. Consequences are as follows:
  1. First no-show: Verbal warning.
  2. Second no-show: Written warning.
  3. Third no-show: 30 day suspension of privileges.
  4. Fourth no-show: 90 day suspension - must meet with Executive Director/CEO to be reinstated.

## **XVIII. Underwriting and Grants**

- A. FCTV community producers are encouraged to apply for and receive underwriting or grants that aid in the development, production, distribution or improvement of programs. Donations can be in the form of in-kind contributions (goods or services) or money. Producers must adhere to the following guidelines when planning to solicit or receive contributions on behalf of their program:
  1. Before making any solicitations for program funding, producers must meet with FCTV staff regarding underwriting plans. FCTV will review the policies and procedures governing underwriting/grant solicitations, credits and help the producer draft a budget. No solicitation may be made on behalf of a program unless FCTV has given prior written approval. FCTV's name may not be used in

connection with any program or solicitation without prior written approval by the Executive Director/CEO.

2. Community producers must explicitly inform all prospective underwriters and/or grantors that they are a community producer acting on their own behalf – not an FCTV official, and that FCTV does not assume any responsibility for the program.
3. All underwriting funds must be paid directly to FCTV. FCTV will reimburse producers for expenses upon the presentation of receipts. After the completion of the program, or in the case of a series, after one year, all remaining funds will remain in FCTV's custody.
4. All underwriting funds must be used for production expenses only, such as the costs of recordable media, music rights, food for crew, set supplies and props. Since membership dues cover only a small fraction of the actual costs associated with member productions, 40% of the budget will be allocated to offset FCTV's facility and staff time costs.
5. Because FCTV's facilities may not be used for personal gain, the producer and members of the production crew may NOT be paid for their efforts. Use of FCTV facilities for commercial, profit-making, or private use under the pretense of creating community programming is a Major Violation of FCTV policies. If a member would like to raise funds in order to be paid (and pay crew) for their efforts, the member must enter into a Rental Agreement with FCTV and pay FCTV's rates for use of equipment and production facilities. In this instance, FCTV still must pre-authorize all solicitation materials or grant applications involving use of FCTV facilities, but all underwriting funds will be paid directly to the producer.
6. Where grants are applied for and received, FCTV must be written into and receive 40% of the grant. All grant applications involving use of FCTV facilities must be pre-authorized by the Executive Director/CEO.

Per the Corporation's Bylaws, policies, agreement with the cable operator, and nonprofit, tax-exempt status granted under Section 501(c)(3) of the Internal Revenue Code, no commercial content is allowed on the community channels. Commercial content includes, but is not limited to: promotion of the sale of any service, facility or product; price information; calls to action or inducement to buy; advertisements of goods or services of for-profit entities; qualitative or comparative descriptions of products or services; or testimonials for the purpose of commercial exploitation.

1. All acknowledgments shall open with "Support for the following program has been provided in part by..." or something substantially similar. Contributors of products or services may be acknowledged in the credits with specific references to the type of their donation. For example, "Catering provided by...."
2. Underwriting Acknowledgments may include the following:
  - a. Logos and/or corporate slogans which identify and do not promote;
  - b. Shots of the inside or outside of an underwriter's business;
  - c. Location information and telephone numbers, provided the viewer is not asked to take any action (see prohibition #3c below);

- d. Value neutral descriptions of a product line or service;
  - e. Visual depictions of products in a value-neutral setting.
3. The following practices convey a more "commercial" impression and are NOT permitted:
    - a. Qualitative or comparative language or claims;
    - b. Price information;
    - c. Solicitation of direct viewer response of any kind, such as "...buy one today...", "...give us a call at...", or "...visit our showroom located at...";
    - d. Use of official company spokespersons doing video testimonials;
    - e. Product sounds used in advertising (e.g., Staples "Easy Button");
    - f. Music with lyrics, including musical signatures that are part of a company's corporate identity, or an advertising jingle.
  4. Producers have the latitude to establish their own schedule of on-air acknowledgments for specific levels of support, subject to the above guidelines. The variables to work with include credit length, type of credit and frequency. FCTV urges producers to seek the advice of staff to ensure the appropriateness of acknowledgments.
  5. FCTV credit must still be included: "Production facilities provided by Falmouth Community Television."
  6. For additional information and forms, see the "FCTV Underwriting Packet".

## **XIX. Facility Rental**

- A. In order to meet the needs of the community to the greatest extent possible, FCTV offers the opportunity to rent video production facilities and equipment for the purpose of recording and/or editing material which is not primarily intended for play on any community access channel.
- B. All material videotaped under the Rental Agreement remains the sole property of the producer.
- C. No FCTV facilities or equipment may be used for personal gain either direct or indirect, unless a Rental Agreement has been signed by FCTV and the producer.
- D. Any current member of FCTV is eligible to rent FCTV's facilities and/or equipment; however, only properly certified members may use the equipment.
- E. If a certified member is needed to run the equipment, FCTV will provide assistance in identifying certified producers or crew. There will be an additional charge for labor beyond the rental rate.
- F. Reservations for equipment rental may be made no more than three (3) weeks in advance.
- G. A Rental Agreement must be signed in advance and all fees in connection with the rental prepaid at the time of scheduling.

- H. Rates:
1. A rate sheet will be made available.
  2. Rates will be maintained in two (2) categories: For-Profit and Not-For-Profit.
  3. FCTV may require documentation to determine appropriate project category.
  4. The Not-For-Profit rate applies to non-commercial productions and/or producers acting on behalf of a nonprofit organization, government or educational entity.
  5. The For-Profit rate applies to commercial productions or producers acting on behalf of commercial entities.
  6. The producer is solely responsible for the content of the program and its timely delivery.
  7. The producer must inform potential customers or underwriters that they are solely responsible for content and timely delivery and not FCTV.
  8. Refunds will be given provided that cancellations are made 24 business hours in advance. After that, there will be no refunds.

## **XX. Channel Time Request and Cablecasting Procedures**

- A. Requests for Cablecasting:
1. All requests for channel time on FCTV will be processed on a fair and non-discriminatory basis. Only programs submitted for cablecast and/or sponsored by FCTV members will be cablecast, with the exception of staff acting in their official capacity.
  2. For FCTV members, a Request for Cablecast and Statement of Compliance form must be completed and signed prior to the program being scheduled.
  3. Members may request cablecast of programs produced outside of FCTV if they meet the technical and legal standards specified in this document and only if submitted by a member of FCTV. The local member sponsor must co-sign all FCTV forms. Consent by the program producer or copyright holder may also be required.
  4. Programs submitted for cablecast will be permitted one cablecast. Any repeat showings will be scheduled at the discretion of staff.
  5. FCTV retains the right to schedule programming at its discretion.
- B. Series:
1. Regularly scheduled series time slots will be allocated at the discretion of staff.
  2. If a series producer fails to produce new, original programming for more than two consecutive showings or regularly fails to have the program ready for scheduled cablecast, the time slot may be reassigned to other users.
  3. A series may be daily, weekly, bi-weekly, bi-monthly or monthly.
- C. FCTV reserves the right to reject any program that does not meet minimum technical standards. Submitted programs which do not carry a stable signal over the cable system or which might damage FCTV equipment will not be cablecast.



- D. Scheduled shows may be pre-empted for time-sensitive programs.
- E. All media must be submitted with the following information:
  1. The complete program title as it appears on cablecast request form.
  2. Total running time in hours - minutes - seconds.
  3. Producer name (phone number requested).
  4. Indication by date or number the program episode if applicable.
  5. All old labels must be completely removed or covered.
  6. A description of the program in at least one paragraph.
- F. Member must give completed programs to the appropriate channel scheduler for cataloging and scheduling.
- G. Programs must be received by 2pm - Tuesday to be scheduled for cablecast the following week.
- H. FCTV wants to assist parents with a means of controlling the viewing by unsupervised minors of programming with indecent, adult content, nudity or violent material, as well as provide viewers with notification of programming with potentially indecent material so they can make informed viewing choices.
 

While providing such notification, we do not wish to preclude the opportunity for all forms of expression on FCTV in accordance with relevant law. Therefore, FCTV requests that community producers place a content advisory at the beginning of any program cablecast on the community channels which may be unsuitable for children, and FCTV reserves the right to cablecast programming with adult content after 11:00pm.
- I. Live Programs:
  1. All live programs must be requested a minimum of two weeks in advance unless FCTV determines that good cause exists to allow a shorter period.
  2. A producer who fails to use a live time slot that has been scheduled, or who cancels a live production with less than one week notice must submit a written explanation to the Director of Operations. Such cancellation may be a reason to deny other such live program requests.
- J. Government and Education programming does not fall under public access rules and is subject to editorial review.

## **XXI. Program Content Rules**

- A. The producer of the program accepts all responsibility for the content of the program and must agree to hold harmless and indemnify FCTV staff, volunteers, Board of Directors, the town of Falmouth and Comcast Corporation.
- B. The FCTV name and logo shall not be used in any credits or any other part of the program, unless specifically authorized by the Executive Director/CEO and as noted below.
- C. All member producers using FCTV facilities and/or equipment shall insert the following full page credit for 10 seconds at the open of their program:

“The following program is a production of (Producer’s Name) who assumes full responsibility for its content. The content of this program does not represent the views of Falmouth Community Television, which serves as a forum for community expression and offers TV training, production facilities, and channel time to all Falmouth residents and organizations.”

*(It is recommended that this credit is done as a “voice over” as well as a written credit.)*

- D. All member producers using FCTV facilities and/or equipment shall insert the following full page credit at the end of their program:  
“Production Facilities provided by Falmouth Community Television.”
- E. Presentation of the following material on the community access channels is prohibited:
  - 1. Any commercial programming or advertising;
  - 2. Any material which constitutes libel, slander, or other defamation of character; or any material that is an unlawful invasion of privacy;
  - 3. Any material that violates state or federal law relating to obscenity;
  - 4. Any unlawful use of copyrighted material;
  - 5. Any material in violation of FCC regulations; and
  - 6. Any material which violates local, state or federal law.
- F. Only nonprofit organizations and community groups recognized by the Attorney General of the Commonwealth of Massachusetts with approved solicitation status may fundraise on FCTV.
- G. Nonprofit organizations and community groups interested in producing fundraising programs must submit a proposal to the FCTV Executive Director/CEO along with documentation proving IRS and state status, as well as a current State Solicitation Certificate. This request must be received a minimum of twenty-one days in advance.
- H. Production crews for fundraising programs must be trained in accordance with FCTV policies. It is the responsibility of the fundraising organization to see that enough crew members are properly trained to staff the production.
- I. Organizations are limited to a maximum of 16 hours (not to exceed 16 programs) of fundraising programming per year. Fundraising programs submitted for cablecast will be granted one cablecast. Any repeat showings will be scheduled at the discretion of staff.
- J. Organizations and community groups may request a specific date for a fundraising program. FCTV will try to accommodate organizations to the extent possible, but all program scheduling decisions will be made by FCTV.
- K. All requests for cablecast of fundraising programs must be made by FCTV members in good standing, and the nonprofit organization or community group must be a member of FCTV.
- L. Falmouth Community Television will receive 25% of all funds earned as a result of locally-produced fundraisers cablecast on FCTV including telethons, auctions and other fundraising programs.
- M. Obtaining personal releases is the responsibility of an individual, producer or organization. FCTV reserves the right to request copies of all releases.

## **XXII. Program Content Rules for Town Hall Equipment**

(See "Program Content Rules XXI" for additional regulations.)

- A. When videotaping Town committee meetings or other public meetings:
  - 1. All meetings must be recorded and cablecast unedited and unaltered in their entirety.
  - 2. Opening and closing graphics identifying the committee, date, crew and disclaimer are allowed.
  - 3. Volunteers may not interfere with any meeting.
- B. All programs using Town Hall equipment must be cablecast on FCTV.
- C. Unless acting on behalf of FCTV, all member producers using Town Hall equipment shall insert the following full screen credit for 10 seconds at the open of their program:

"The following program is a production of (Producer's Name) who assumes full responsibility for its content. The content of this program does not represent the views of Falmouth Community Television, which serves as a forum for community expression and offers TV training, production facilities, and channel time to all Falmouth residents and organizations.

The content contained herein is intended for community television purposes only and should not be considered an official public record."

*(It is recommended that this credit is done as a "voice over" as well as a written credit.)*

- D. Recordings of meetings are not to be considered official public record.

## **XXIII. Political Programming**

Political candidates, petitioners of Town Meeting, and supporters of referendum questions are subject to the same rules and procedures as other users of the FCTV access channels in addition to the following:

- A. The public access channel bulletin board will be made available (one page per week) for individual use by political candidates for office. Such use will begin forty-five (45) days prior to a primary, local or general election day.
- B. In order to allow opportunity for response, programming endorsing or opposing any particular candidate, referendum question or Town Meeting Article will end twenty-four (24) hours prior to Election Day or Town Meeting, as applicable.
- C. Public Meetings such as Town Meeting, Board of Selectmen, School Committee, Planning Board, etc. are not considered Political Programming and are not subject to the "24 hour" rule.
- D. FCTV will mail a letter to candidates for local offices (which represent Falmouth) % the mailing address submitted when papers are filed and to petitioners of Town Meeting petition articles. Offices to include: State Senate, State Representative, County Seats representing Falmouth, Selectmen, Library Board of Trustees, School Committee, Town Clerk, Housing Authority, Planning Board and Upper Cape Regional Technical School.
- E. FCTV will post the information contained in the letter on FCTV-Public Channel, via social media and on FCTV's website.

#### **XXIV. Program Promotion**

- A. All community producers are encouraged to promote their own programs.
- B. Effective promotional techniques include short news releases that FCTV can send with the cablecast schedule to area newspapers and radio stations, in addition to a listing on the FCTV bulletin board, website and social media platforms.
- C. Members are encouraged to use social media platforms, including but not limited to Facebook, Twitter and YouTube, along with traditional promotion tools following FCTV guidelines.
- D. For special promotion of time-sensitive programs or other major projects, community producers are encouraged to speak with the Executive Director/CEO.
- E. All press releases, advertisements or statements to the media must be approved by the Executive Director/CEO to ensure accuracy of information conveyed.

#### **XXV. Rules of Conduct**

The following rules of conduct are in place to provide a safe, healthy and comfortable place for all FCTV members while in the facility. Individuals found in violation of these rules will not be allowed to remain on the premises and may be subject to further disciplinary action.

- A. Proper respect and care of the equipment must be maintained at all times.
- B. Possession or use of any illegal substance or drugs on FCTV premises is strictly forbidden.
- C. Alcohol is only permitted at FCTV-sponsored events as approved by the Executive Director/CEO and is otherwise strictly forbidden.
- D. Possession or use of any weapon or firearm on FCTV premises is strictly forbidden. (This rule does not apply to on-duty law enforcement personnel.)
- E. Smoking is not permitted in any FCTV facility.
- F. No one will be allowed to operate equipment or remain at FCTV facilities while exhibiting unacceptable behavior. Unacceptable behavior includes, but is not limited to:
  - 1. Using or appearing to be under the influence of alcohol or drugs.
  - 2. Harassment or intimidation of staff, members, guests, volunteers or board members.
  - 3. Abusive language or actions, as determined by FCTV staff.
  - 4. Not handling equipment safely and properly.
- G. FCTV telephones and office machines are for FCTV business only. Volunteers may give out the FCTV phone number for use only in cases of emergency and must have staff permission to utilize telephones.
- H. Members and guests must be fully clothed, including shirts, shoes and pants/skirts.
- I. Young children must always remain in the company of their parent(s), guardian, or other adult supervision.

- J. Time spent at FCTV is to be used for producing programs, training or specific volunteer services.
- K. Violation of the above rules will result in immediate expulsion from FCTV's premises. Repeat violations can result in permanent loss of privileges.

## **XXVI. Violations of Policy**

### **A. Major Violations:**

- 1. Major violations include, but are not limited to:
  - a. Commercial or profit-making use of FCTV equipment/facilities. *(Unless entered into a Rental Agreement.)*
  - b. Misrepresentation of member's affiliation with FCTV.
  - c. Falsifying forms or giving false information to anyone.
  - d. Taking or reserving equipment without staff permission.
  - e. Abuse of equipment, including attempted repair, rewiring, facility reconfiguration and improper transport.
  - f. Harassment, intimidation or abuse of staff, members, guests, volunteers or board members.
  - g. Copyright infringement.
  - h. Possession of illegal substances, drugs, weapons, firearms or explosives on FCTV property.
  - i. Unauthorized use of alcohol on FCTV premises.
  - j. Interfering with normal FCTV operations or at FCTV sponsored activities.
  - k. Theft, trespassing, engaging in unlawful acts or behaving in lewd, indecent, obscene or harassing behavior while on FCTV premises.
  - l. Default on payment or refusal to pay for replacement or repair of equipment stolen or damaged for which member is responsible.
  - m. Unauthorized use of the FCTV live switching device, playback or streaming equipment.
- 2. A major violation will result in an immediate 60-day suspension of privileges. Violator (or parent or guardian of a minor) may also be held responsible for repair or replacement charges.

3. Any subsequent major violation will result in the permanent termination of membership and loss of FCTV equipment/facilities privileges. Terminated members may rejoin or be reinstated only by application to the FCTV Board of Directors.

B. Minor Violations:

1. Other violations may include, but are not limited to:

- a. Failure to cancel a reservation for equipment or facilities.
- b. Late pick-up or return of equipment without notification and approval.
- c. Failure to clean up properly and within a reasonable time after using the facilities.
- d. Eating or drinking in non-designated areas.
- e. Smoking in FCTV facilities.
- f. Using equipment without adequate training or proper certification.
- g. Failure to properly acknowledge FCTV in program credits and publicity.
- h. Failure to report broken or malfunctioning equipment to production staff.
- i. Submitting promotional material that identifies FCTV without prior approval.
- j. Infecting FCTV computers with malicious software or viruses.

2. The first violation of this kind will result in a verbal warning. Further violations within a one-year period will result in:

- a. Second violation: Written warning.
- b. Third violation: One-week suspension of privileges.
- c. Fourth violation: Six-month suspension of privileges.

C. Staff Prerogative:

The Executive Director/CEO is authorized to issue warnings and suspensions. In addition, any FCTV staff member or designated facility manager may reasonably refuse access to FCTV's production facilities, equipment, or premises to any individual who appears to be under the influence of alcohol or other drugs, or who interferes with the orderly conduct of business.

## **XXVII. Grievances and Appeals**

- A. Members are encouraged to resolve grievances on the staff level.
- B. Grievances regarding disciplinary actions, workshop space assignment, channel time allocation, facility or equipment availability, or any other matter must be discussed first with the Executive Director/CEO. If that discussion fails to provide an adequate explanation or solution, the aggrieved member may file an appeal, requesting a hearing before FCTV's Board of Directors. Requests must be made in writing to the President of the Board within five (5) business days after the meeting with the Executive Director/CEO to discuss the grievance. All decisions of FCTV's Board of Directors regarding the grievance and appeal shall be final.

