



# Rules, Regulations & Procedures

The following rules, regulations and procedures were approved & adopted by the Wadsworth Cable Commission on June 23, 2000. Amendments were made & approved on October 3, 2002. They replace any previous rules, regulations, and procedures.

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*Access is a democratic process serving many cultures and open to the community. The following rules, regulations and procedures are designed to allow WCTV to operate in the public interest. WCTV reserves the right to deny and/or revoke access privileges to anyone in violation of the following rules, regulations and procedures.*



## **I. FACILITY USE:**

### **A. Eligibility**

1. WCTV owned or managed facilities/equipment are available free of charge to any adult or authorized minor resident within the viewing area of the City of Wadsworth Cable system or Time-Warner Cable's Wadsworth system.
2. WCTV owned or managed facilities/equipment are available free of charge to authorized representatives of Wadsworth non-profit organizations and/ or institutions.
3. Individuals/organizations outside the viewing area must be sponsored by a Wadsworth resident. Sponsoring person must be part of the production team as producer, camera operator, editor, director, etc.
4. Students or individuals under the age of 18, acting as an independent producer or other production team member, are required to have a parent or legal guardian available on-site and visually present in the production area whenever WCTV equipment is used. Any exceptions to this rule to be made by WCTV management only.
5. Students/minors who are part of the WCTV/Media Communications production crew for remote and/or studio productions are considered to be under the supervision of the WCTV staff or the Media Communications instructor when using WCTV equipment.
6. Students/minors acting as a producer or member of the production crew for any Wadsworth City School or classroom event will be considered to be under the supervision of their school's administration or class teacher.

### **B. Orientation Sessions**

1. All producers/users of equipment/studio must attend an orientation session(s) given by WCTV staff prior to use. They must demonstrate the ability to operate and control equipment in the proper manner.
2. All producers/users must show a competence to operate and care for the equipment and/or studio in a professional and non-abusive manner.

### **C. Equipment and Studio Check-Out / Check-In / Reservations / Cancellations**

1. The City Hall Control Room is to be used for city meetings and special events only. Additional uses of the City Hall facility must be approved by the WCTV staff, and will depend upon the availability of a WCTV staff member to be present during the production. The City Hall facility may not be used if the WCTV studio is available and appropriate for production.
2. Prior to reserving field production equipment or studio, any producer/user must present a qualified production plan either in writing or verbally to WCTV staff.
3. Reservations for WCTV resources are available on a first come, first served basis and must be made in person or by phone at least 48 hours prior to use. Reservation by e-mail will be accepted, however a reply from WCTV staff must be received to confirm reservation. WCTV staff will make any exceptions for last minute scheduling as resources become available.
4. Cancellation of any resource reservation must be made at least 24 hours prior to the scheduled time period. Any producer/user with more than two unexcused cancellations per 30-day period will be subject to forfeiture of WCTV access privileges and/or disciplinary action. WCTV staff will determine any exceptions.
5. Reservations for field production equipment can be made for no longer than a 3-day period. Any exceptions must be made in writing or verbally to WCTV staff and approved based on resource availability.

6. Field equipment must be returned at a specified and mutually agreed upon time. Failure to return the equipment on time may result in loss of privileges and/or disciplinary action.
7. Any resource not returned within 72 hours, without permission from staff, will be considered stolen. The producer/user will receive disciplinary action and be held liable for the replacement cost of the equipment. Criminal charges of theft may be brought against the producer/user.
8. Under no circumstances may any producer/user check-out or check-in any WCTV resource without WCTV staff verification. Violators will receive disciplinary action.
9. All producers/users of access equipment must have a valid driver's license on file prior to checking-out equipment or producing a program. Minors must have a parent or legal guardian's driver's license on file. Any exceptions to be made by WCTV management only.

**D. Non-Commercial Status**

1. The producer, user, production crew or guests may never use WCTV owned and managed equipment to produce, create, or develop materials for commercial purposes. Producers, users, production crew and guests may not receive any type of direct monetary gain from any programs produced using WCTV equipment. Violators will receive an indefinite suspension of access privileges.

## **II. PROGRAMMING**

**A. Channel Space**

1. Channel space is available to any eligible producer on a non-commercial basis and provided upon availability and playback equipment constraints.
2. "LIVE" or "Special" programs are scheduled according to their specific airdates and times, and are given top priority.
3. Series programs receive secondary priority and are given a regular occurring time slot on a weekly or monthly basis.
4. Single play programs are scheduled as channel space and playback equipment are available.
5. WCTV reserves the right to pre-empt any program based on, but not limited to, one of the following:
  - a) Playback equipment is not available or has malfunctioned.
  - b) Producer has not submitted a current program for their series slot.
  - c) "LIVE" or "Special" programming is scheduled.
  - d) Producer has failed to observe any local, state or federal law, or contains any illegal acts.
  - e) Producer is in non-compliance with any access rules or regulation.
6. Once an individual program has aired, repeats will be scheduled as channel space and equipment allows.

**B. Program Content Rules**

1. Producers submitting or creating a program certify that their program does not include any of the following:
  - a) Any material that is considered to be libelous, slanderous, defamatory or that constitutes an unlawful invasion of privacy.
  - b) Any material that violates local, state or federal law.
  - c) Any specific product advertising (i.e. material that promotes a particular commercial product or service).
  - d) Any solicitation or appeals for funds, products or donations for personal gain (except for non-profit organization appeals for funds and donations).

- e) Any unlawful use of copyrighted material.
  - f) Any material deemed to be "obscene" under federal law.
  - g) Any false or misleading statements.
2. Producers must designate their programs as "appropriate for children" or "inappropriate for children" to help facilitate scheduling. Programs designated as "inappropriate for children" will be scheduled after 11 p.m. daily.
  3. "Protected speech" programming containing any nudity or sexually explicit material will be scheduled between the hours of 2 a.m. and 5 a.m. daily.
  4. Producers and users agree to abide by all local, state and federal copyright laws. WCTV will pay for and make available licensed, public domain music for producers to use.
  5. Producers and users are solely responsible for the content, material or conversations presented on their programs and will be held liable for any violation of WCTV regulations, Wadsworth City Schools' handbook or any local, state and federal law.

**C. Submission of a Program**

1. Any program submitted for payback on WCTV must abide by the following rules:
  - a) Programs must be submitted on an acceptable format for playback on WCTV. WCTV will not be responsible for transferring programs to the acceptable format.
  - b) Tapes should be labeled with the program title, date, and producer's name.

**D. Political Programming**

1. Political speech is encouraged providing producers and guests abide by all rules and regulations.
2. WCTV will not cablecast any political programming during polling hours on voting days.
3. Political programming will be subject to all channel space rules.
4. WCTV is not responsible for contacting any political party, politician, levy organization, etc. prior to election, or giving equal time outside of the above rules and regulations.

**E. Sponsorships**

1. Producers may seek non-monetary donations for use on their programs upon WCTV approval.
2. All non-consumable donations will become the property of WCTV and will become available for other producers/users use at the discretion of WCTV staff.
3. Producers may provide acknowledgement of such donations from sponsor either verbally during program or visually at natural breaks in programming, not to exceed once every half-hour. Any visual or verbal message may contain logos, slogans, or addresses, but not phone numbers.
4. Producers must solicit donations as individuals and not use WCTV or The City of Wadsworth as a partner in the solicitation.

**F. Copyrighting Productions**

1. Subject to all terms and conditions, producers will own the copyright of their completed programs upon its first airing.

2. Producers using access resources must assign WCTV an unlimited license for all purposes under the copyright laws of their programs for a period of one year from first cablecast of each program.
3. Master tapes will be made available to the producer of record after the end of the second year past first cablecast date. Any exceptions to this rule to be made by WCTV staff only.
4. WCTV reserves the right to use clips, logos, names, pictures, etc. from any program/producer/user for purposes of promotion and/or reporting.
5. Non-profit groups or organizations may use copies of their programs highlighting their organization or specific event to receive donations and/or funding.

**G. Dubbing Policy and Program Distribution**

1. WCTV will provide one free copy for the producer and guests of a program, providing that the producer and/or guests supply blank videotapes for copies. Additional copies may be purchased from WCTV at current price.
2. The following rules apply to producers requesting that their program air on access channels other than WCTV:
  - a) The producer must provide blank videotapes for copies clearly labeled with the producer's name, address and phone number; program title, production date, and name of access center where it should be sent.
  - b) The producer must provide WCTV with the name of the contact person and mailing address for access centers to which the tapes are being distributed.
  - c) The producer must make arrangements for pick up or return of videotapes after they have aired, if desired.
  - d) The producer is responsible for determining the acceptable format for designated access centers, and transferring the program to that format.
  - e) WCTV will provide free dubbing service, as resources allow, and mailing of videotapes to designated access centers.
  - f) WCTV is not responsible for any problems that occur with the late arrival of videotapes, playback or scheduling of any program airing on stations other than WCTV.
  - g) To ensure proper distribution, producers may choose to copy and distribute programs to other access centers on their own, without WCTV assistance.

**H. Community Bulletin Board**

1. Use of the bulletin board is limited to non-profit groups, organizations and eligible community members. WCTV may require proof of non-profit tax status to be on file prior to posting message.
2. Messages are limited to non-profit functions, birthday announcements, congratulatory statements, and lost or found items.
3. No political statements for or against a party, individual, levy, etc. will be accepted or displayed.
4. Only qualified staff or authorized personnel may add or delete any messages on the community bulletin board. Any unauthorized use will result in disciplinary action.

### **III. RULE VIOLATIONS / LOSS OF PRIVILEGES / DISCIPLINARY ACTION**

#### **A. Suspension of a Program**

1. WCTV may suspend from play and/or production any program or material that appears to be in violation of Program Content Rules, Section II B.
2. If a program is suspended prior to or during the first cablecast, WCTV will request legal review at the earliest opportunity. If a program is found not to be in violation of any laws, WCTV will re-schedule the program at the earliest opportunity.
3. If a producer submits a program that, after cablecast or viewer complaint, appears to be in violation of any local, state, or federal law an/or any programming content regulation, WCTV may require that the program be suspended from future play over the access channels for a period not to exceed 60 days. WCTV shall notify in writing the producer, and parents if a minor, Wadsworth Cable Commission and Director of Public Service.
4. Within five working days of suspension of a program, WCTV will confer with the responsible producer to seek voluntary compliance with any laws or regulations. WCTV, along with the Wadsworth Cable Commission, Director of Public Service and a producer's committee representative, shall review the material in question and provide the producer with one of the following agreements:
  - a) To remove the program from any future play.
  - b) Request that producer re-edit program prior to replay.
  - c) That no violation has occurred.
5. If there is no majority agreement, the program suspension will continue for a period of 15 working days from the date of the conference to allow producer to file a written appeal with the Wadsworth Cable Commission. If no appeal is filed within 15 working days, the original agreement regarding the program becomes final.
6. If an appeal is filed, the Wadsworth Cable Commission, Director of Public Service and the producers' committee representative shall have 10 working days in which to consider the appeal. If the committee overturns the earlier decision, then WCTV will take the appropriate action in regards to airing the program. If the decision is upheld, the initial agreement will be final.

#### **B. Suspension or Loss of Access Privileges**

1. Any producer or user found to be in violation of any local, state or federal law and/or has their program suspended from play will be immediately suspended from all WCTV resource privileges for a minimum of one year. Any subsequent, similar violation by the same producer/user may result in an open and indefinite suspension as determined by the WCTV staff, and will not be less than two years.
2. Any producer, user, or guest who violates any WCTV rule or regulation will be asked to leave the school facility and not return pending verification of violation and written disciplinary action. (See #5 of this section.)
3. Any producer, user, or guest who engages in activities in the WCTV and/or /Media Communications facilities that are harassing, threatening, purposefully detrimental or damaging to another producer, student, instructor, WCTV staff member or equipment will be asked to immediately leave the school facility and receive disciplinary action.
4. Any producer, user, or guest who engages in activities in direct violation of Wadsworth City Schools' student handbook or other school regulations will be asked to immediately leave the school facility and receive disciplinary action from WCTV and/or Wadsworth City Schools.
5. Upon verification that any violation of WCTV rules and regulations has occurred, WCTV staff will issue to the producer or user in writing a statement of disciplinary action within 15 working days.

6. Providing fraudulent information on the Acceptance Form will result in immediate loss of privileges and/or suspension. It is the responsibility of the user to notify WCTV of any changes in the information provided on the Acceptance Form.

**C. WCTV Operations: Equipment Misuse or Damage**

1. Any producer, user, or guest who is found to have been responsible for the damage of any WCTV resources will receive immediate disciplinary action and they or their guardians will be responsible for the replacement or repair costs.
2. Computers, master control and studio equipment associated with WCTV staff for handling day-to-day operations of the facility are not access equipment. Any use, damage, loss or manipulation of this equipment will result in immediate disciplinary action.
3. File cabinets, cupboards, tape storage, head end, playback, and dubbing equipment are the property of the WCTV and are not to be tampered with, adjusted, or manipulated without WCTV staff authorization. Failure to secure authorization will result in immediate disciplinary action.
4. Any unauthorized use of the City of Wadsworth phone system is strictly prohibited. Violators will receive immediate disciplinary action.
5. Any use, manipulation or tampering with the WCTV and/or Wadsworth City Schools' communications systems by a producer, user, or guest is strictly forbidden. Violators will receive immediate disciplinary action by WCTV and Wadsworth City Schools.
6. No producer or user shall try to repair, re-wire, install any cable, equipment, software or system without authorization from WCTV manager.
7. Media Communications equipment and facilities or shared equipment owned by Wadsworth City Schools is not access equipment. Specific permission from the Media Communications instructor and WCTV staff is required prior to use.

**D. On-Site / Off-Site Behavior and Responsibilities**

1. No person shall bring a gun, knife or other weapons associated with doing harm to individuals into the WCTV facilities, have in a vehicle parked on WCTV premises, or have outside the WCTV facilities, other than specified law enforcement officials.
2. No person shall bring alcoholic beverages, illegal drugs or drug paraphernalia into the WCTV facilities, have in a vehicle parked on WCTV premises, or have outside the WCTV facilities.
3. No person shall appear to be under the influence of any alcohol or drugs either inside or outside the WCTV facility.
4. Anyone on-site of WCTV and/or Media Communications facilities and/or parking area must observe all WCTV and Wadsworth City Schools rules and regulations.
5. Producers are directly responsible for the actions of their guests at all times either in the facility, in the studio or on the air. Any violation the guests may incur is also considered a violation for the producer. Suspensions and/or disciplinary actions will be taken against the producer and the guest.
6. WCTV's remote production van is for production use only. Only WCTV personnel may drive this vehicle, and a WCTV staff member must be present at any production using the remote production van. Any unauthorized use, manipulation of wiring, or equipment misuse is strictly prohibited and considered a direct violation.



7. Any producer, user, or guest who the WCTV staff has determined to have stolen or purposefully damaged any resources will receive an immediate and indefinite suspension of access privileges.
8. No producer or user may present themselves as a representative of WCTV, Media Communications, The City of Wadsworth or Wadsworth City Schools.
9. No person shall make misleading or false statements on their program or on the WCTV premises.
10. Any person found to be loitering, disruptive or operating in a non-productive capacity on any program will be asked to leave the facility. If person is a producer or user, they will receive disciplinary action.

#### **E. Disciplinary Action**

1. Upon verification of any above violation, the producer, user or guest will receive an immediate suspension from the use of equipment, facilities, channel space and any other WCTV resource for not less than 30 days and no more than 90 days from date of disciplinary notification. The length of suspension will be determined by WCTV staff and be in comparison to the severity of the violation.
2. Any producer, user or guest who has subsequent violations will receive suspensions of 6 months and one year respectively.
3. Any producer, user or guest may make a grievance or appeal any disciplinary action by submitting a written statement to the WCTV manager and Wadsworth Cable Commission. Any suspension or disciplinary action remains in effect throughout the appeal or grievance process.
4. The Wadsworth Cable Commission may overturn and/or amend the disciplinary action and make recommendations to the WCTV manager to issue their findings in writing to the producer. If the Wadsworth Cable Commission upholds the manager's decision, the full effect of the disciplinary action will be carried out.

### **IV. AMENDMENTS / INDEMNIFICATION**

#### **A. Amendments to the Rules, Regulations and Procedures**

1. The WCTV staff is responsible for recommending amendments to the Rules Committee of the Wadsworth Cable Commission. The Rules Committee is responsible for acquiring approval of the amendments by the Wadsworth Cable Commission.
2. Rules, regulations and procedures will be periodically re-evaluated and/or changed in the interest of the facilities, resources, volunteers, producers, users, viewers and WCTV staff.
3. Any rule, regulation or procedure changes will take effect immediately after passage by the Wadsworth Cable Commission.
4. WCTV will post or publish any rule or regulation change, however, it is the sole responsibility of the producer or user to become informed and up-to-date on any amendments.
5. The Wadsworth City Schools' handbook is available at WCTV. Gathering of rules or information from this handbook is the sole responsibility of the producer/user.

**B. Producer Indemnification**

1. WCTV producers, users, or guests shall hold harmless, indemnify, and defend WCTV, its staff, The City of Wadsworth and Wadsworth Cable Commission members from any and all liability, claims and/or costs, including attorney fees, arising out of any claim or cause of their action asserting that their program is libelous, slanderous, obscene, unlawful or illegal, or infringes on any intellectual property rights including copyrights and/or trademarks, or is an invasion of privacy. Producers certify these indemnifications when they complete and submit their program for airing.

- ◆ Please sign the WCTV Rules, Regulations and Procedures Acceptance Form and return it to WCTV.
- ◆ A signed Acceptance Form must be on file prior to producing a program or checking out equipment.
- ◆ A copy of producer's or user's valid driver's license or state identification card must be on file prior to producing a program or checking out equipment.
- ◆ Minors must have a copy of their parent or legal guardian's valid driver's license or state identification card on file prior to producing a program or checking out equipment.