

Policies and Procedures



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Please read the policies and sign the last page and return to WCA-TV staff. Please keep this copy for reference.

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INTRODUCTION

Watertown Cable Access Corp. is a nonstock, nonprofit corporation operating under the laws of the State of Massachusetts and Internal Revenue Tax Code Section 501(c)(3). It serves the general public, the producers and providers of access programming, and the cable subscribers and online viewers of Watertown, Massachusetts. WCA-TV is governed by a Board of Directors, three of whom are appointed by the School Superintendent, and others appointed by the City Manager and confirmed by the City Council. The Board adopts these policies and procedures in furtherance of its goal to manage and administer community access (public, educational and governmental) access channels, known as PEG, in a fair, equitable and responsible manner.

These policies and procedures include any proposed rates and charges that may apply to the use of the PEG access channels and of WCA-TV facilities, equipment and services. They also apply to the use of fiber cable runs used by either public schools or Watertown municipal government for the purpose of transmitting access programming for live distribution over the channels managed by WCA-TV. These policies and procedures outline the rules governing how WCA-TV issues or assigns equipment, as well as the program content guidelines that producers are required to follow. In addition, this document details the rules regarding copyright ownership of programs created with WCA-TV resources, as well as how channel time for televising programs is allocated and scheduled. Required forms and applications WCA-TV uses for program producers are also included.

MISSION STATEMENT

Watertown Cable Access Corp.(WCA-TV) is a public access media center dedicated to helping the people of the vibrant, diverse city of Watertown, Massachusetts, stay informed about their community and empower them to tell their own stories. WCA-TV aims to foster a space where all voices can be heard and offers residents the chance to learn state-of-the-art multimedia skills through access to free or low-cost media education, production equipment and access to WCA-TV's cable channels and online programming. It is also dedicated to informing city residents about issues that affect them through public, educational and governmental (PEG) programming.

DEFINITIONS

- a. **Broadcast:** To send out or transmit a program by means of radio, television, or by streaming over the internet
- b. **Commercial:** Making or intending to make a profit
- c. **Crew Member:** Any person who operates production equipment (e.g. cameras, editing equipment, and graphics character generators) and assists a producer in the creation of a community access program.
- d. **Episode:** An installment of a program
- e. **Facilities:** Any designated work area within WCA-TV, i.e.: studio; media suite
- f. **License:** To give someone official permission to do or have something
- g. **Noncommercial:** Not intended to make a profit
- h. **PEG:** Public, Educational and Governmental programming
- i. **Pecuniary:** Relating to or consisting of money
- j. **Perpetuity:** Endless or indefinitely long duration
- k. **Portable Equipment:** WCA-TV equipment that is designated for field production, offsite of WCA-TV's studios
- l. **Pre-Production:** The process of planning the elements of a film or television program
- m. **Producer:** A person or organization that is responsible for the creative elements of any community access programming broadcast by WCA-TV. Creative elements include programming content and the manner of presentation of the program's message, including decisions encompassing the use of editing, graphics and production effects.
- n. **Program:** Any live-action or animated production, show or documentary
- o. **Provider:** A person or organization that takes legal responsibility for a program produced by someone else.
- p. **Royalties:** A royalty is a legally binding payment made to an individual for the ongoing use of their assets, including copyrighted works
- q. **Series:** A program with more than one episode
- r. **Streaming:** Continual transmission of audio and video files from a server to a viewer. It enables a viewer to watch videos online without having to download them.
- s. **Time Slot:** The designated time a program will play on WCA-TV's channel schedule

PROCEDURES

A. ELIGIBILITY (Please see last page for proposed change)

a. Producers or Providers

- i. To be eligible for consideration as a WCA-TV producer or provider, applicants must meet one of the following requirements:
 1. Be a natural person at least 18 years of age and reside in Watertown, Massachusetts.
 - a. Residents shall be granted priority over nonresidents should any conflicts regarding scheduling the use of equipment arise.
 2. Be an organization or entity that is recognized by the State of Massachusetts as a legal entity, not-for-profit, and is based (or has a chapter in) Watertown, Massachusetts.
 3. Be a state-certified educational, library, charitable, governmental (or government sponsored) or charitable institution or entity in Watertown, Massachusetts.
 4. Be a government entity or official whose area of jurisdiction or representation includes citizens of the area served by WCA-TV.
 5. WCA-TV itself is eligible to be a producer or provider of any community access PEG (public, educational or governmental) programming. Such programs shall be for the purposes of furthering some public interest, and may also be created for the purposes of training or providing opportunities for persons not otherwise connected with an independent producer in order to participate in production activities.

b. Crew Members

- i. Crew members do not have to be community residents, but they must be working in support of an eligible producer.

B. USE OF EQUIPMENT AND FACILITIES

a. Fees for Use of Studio Space or Equipment

- i. The use of equipment and facilities by producers for creating community access productions shall be free of charge, including the use of the WCA-TV facilities and WCA-TV equipment.

b. Availability of the Equipment

- i. WCA-TV shall determine the availability of fixed studio and portable equipment for producers and crew members based on the following:
 1. Whether the desired equipment is in good working order and has a replacement or backup equipment readily available to

WCA-TV staff to ensure that ongoing station operation is not impacted.

2. The technical skill level required to operate the equipment, the technical knowledge and training of the equipment user, and WCA-TV's judgment as to whether there is a need for a qualified, available staff person to offer technical and programming assistance.
3. The availability of the required numbers of crew members needed to operate the equipment for the production, and any other technical considerations.

c. Reserving or Requesting Equipment/Studio Space/Staff

- i. Reservation Procedure:
 1. Reservations for all equipment, training and facilities will be handled on a first-come, first served, fair and equitable basis. One week's notice is recommended.
 2. Producers are required to reserve equipment and facilities through RueShare. Any special requests should be made via email or phone.
 3. Only community access programming production shall be permitted, and then only by eligible producers and crewmembers.
 4. To ensure equal access to all potential users, WCA-TV will establish equipment access priorities based on production and broadcast time slots and the allocation of resources between public, educational and governmental access as determined by the WCA-TV Board of Directors.
- ii. Request for time with staff is required to be scheduled in advance with the staff member's approval.

d. Equipment Check-Out Procedures

- i. Each piece of portable equipment must be checked out and signed for by a producer, who agrees to assume responsibility for it by signing the Equipment Liability Form.
- ii. Producers and crewmembers must complete the relevant forms pertaining to equipment checkout, rules compliance and legal responsibility.
- iii. It is recommended that the equipment be set up before leaving the station to be sure it is in working order and that the producer has all the components needed for their production.
- iv. All camera footage is recorded on SD cards. These cards cannot be removed from the station for editing. WCA-TV staff will supply hard drives for in-house editing only.
- v. Portable equipment may be borrowed for up to forty-eight (48) hours during the week or seventy-two (72) hours over the weekend with staff approval.

- vi. Equipment must be returned immediately after use, or by the selected reservation deadline. WCA-TV reserves the right to charge a fee for late return of equipment.
- vii. Equipment must be checked in by a staff member to ensure it is in proper working condition. Producers are responsible for loss or damage to the equipment while it is checked out to them. Any malfunction or damage to the equipment must be detailed on the Equipment Liability Form and verbally reported to WCA-TV staff.
- viii. All equipment must be repackaged properly and returned to its place in the WCA-TV studio. Check with the staff member designated to accept returns if you are unclear on this procedure.

C. PROGRAMMING

a. Types of Productions

i. PEG Productions

1. Public Access Productions: Programming where responsibility for the content is assumed by an eligible producer or provider who otherwise does not qualify as an educational or governmental producer or provider as defined in these rules. Public Access Television Productions may be intended for any purpose and may include information, entertainment, or the expression of points of view, without limitation, unless prohibited elsewhere in these rules.
2. Educational Access Productions: Programming where responsibility for the content is assumed by a state certified educational institution or government sponsored or charitable entity, such as a library, located within Watertown, Massachusetts. Such programming may be intended to instruct or educate via an academic curriculum recognized by state certified educational institutions and follow a prearranged course of study. Such programming may also be designed to inform the general public about educational programs, and about school sanctioned or library sanctioned events, such as sports programming, spelling bees or extracurricular events, for example. Educational Access Productions may include distance learning or televised educational courses as well as informational videos about educational courses and institutions.
3. Governmental Access Productions: There are two categories of Government Access Productions:
 - a. Governmental Proceedings: Programming that comprises live or taped official proceedings of local, state or federal governments, and is generally unedited, gavel-to-gavel coverage without editorial

comment (similar to C-SPAN and other public affairs programming).

b. Governmental Informational Programming:

Programming where responsibility for the content is assumed by elected or non-elected federal, state, or local government officials or their representatives.

Such programs generally are hosted by (and guests are arranged by) government officials. This programming may be edited and produced with a certain point of view in mind.

- ii. WCA-TV Productions: Programming where the responsibility for the production and content is assumed by WCA-TV. It may include public, educational or governmental productions. Such programming shall be produced at WCA-TV's discretion and shall be intended primarily to provide the viewing public with access to one time or recurring cultural, political, social, educational, or public events sponsored by nonprofit organizations or groups. Though coverage of such events may benefit the nonprofit organizations or groups that sponsor the covered event, the primary beneficiary of WCA-TV Productions shall be the general public. These productions may also provide a setting for the training and participation of persons who are not associated with, or prefer not to be associated with, an independent producer. Groups, individuals, organizations and businesses may be requested by WCA-TV to provide monetary or in-kind assistance to help fund WCA-TV productions. Such underwriters may be recognized by underwriting credit announcements pursuant to WCA-TV's policies.

b. Requirements

- i. A producer or provider is required for each PEG access program.
- ii. All producers and crew members must be prequalified to use the equipment and facilities through one or more of the following methods:
 - 1. Successful completion of a training course sponsored by WCA-TV.
 - 2. Verification by WCA-TV of outside training or prior skills.
- iii. In addition to being prequalified as referenced above, equipment users may be required to periodically demonstrate their knowledge of equipment operation in order to retain their privileges or undergo training on the use of new equipment.
- iv. Those deemed eligible as producers or providers must sign a Channel Use Agreement acknowledging they are legally responsible for the content of each program (or series) to be broadcast.
 - 1. Signatories must be at least 18 years-old.
 - 2. Although persons under 18 cannot sign a Channel Use Agreement, they are eligible to serve as crew members if they

- are associated with an eligible producer, supervised by an adult, and have permission from a parent or guardian.
3. If the producer or provider is an organization, it must act through a person it designates as an agent who is a person at least 18 years of age and is duly authorized by the organization to legally bind it to the terms of the Channel Use Agreement.
- v. WCA-TV management reserves the right to require any person purporting to be an agent of an organization to present proof that they are so authorized.
 - vi. A producer or provider must also sign and submit a Broadcast Release Form. The signed form will be kept on file at WCA-TV and must be signed only one time. Regularly scheduled programs need only one broadcast release form per series.
 - vii. A pre-production meeting with staff may be scheduled to discuss equipment/facility needs and/or reservations. In the case of Studio productions, producers are responsible for securing a minimum of two crew members who must be trained by WCA-TV staff before using any equipment.

D. PRODUCTION SPECIFICATIONS

a. Graphics, Titles, and Credits

- i. WCA-TV prohibits on-air thanks, either verbally, visually or in text form for any profit-making business.
- ii. Sponsors of the activity being broadcast, including for-profit businesses, can be mentioned by name only, but no address, telephone number, website, business description or other details about the sponsor's business can be given.
- iii. End credits must include: producer, director, camera, audio, graphic crew as well as Production Facility: Watertown Cable Access Corp.
- iv. Titles during the show should have the person's full name and title.

b. Scheduling

- i. General Production Scheduling
 1. Programming will be scheduled on it's corresponding PEG channel. However, WCA-TV has the discretion to broadcast productions that are educational or governmental on any of the PEG channels to avoid scheduling conflicts, maximize exposure, or for any other reason it deems to be in the public interest.
 2. WCA-TV further reserves the right to establish time slots for broadcast of each type of programming, establishing as many or as few time slots for broadcast of each program type, or to subdivide or readjust programs as future conditions warrant without notice.

3. WCA-TV reserves the right to prioritize programming produced by a local producer at our facility over programming requested or submitted by an outside entity.
- ii. **Public Access Production Scheduling**
 1. Time slots are assigned on a first-come first-serve basis
 2. All time slots will be assigned at WCA-TV's discretion, and locally produced programming will receive preference over outside programming.
 3. Regularly scheduled programs will receive priority over time slots, as opposed to a one time only program.
 4. Members with a series or otherwise recurring time slots must provide WCA-TV with a new show every 30 days. If a new program is not received within that time frame:
 - a. WCA-TV reserves the right to reassign the time slot if it is requested by another member. If a member can not meet the required new show deadline, they can discuss it with the proper WCA-TV staff to see if a resolution can be found before losing their time slot.
 - b. To extend any series beyond 12 weeks, a new Broadcast Release Form must be filled out and a new time slot must be requested.
 5. Any local producer who is bumped from their time slot can request a new time slot once production of their series has resumed. WCA-TV will not reserve spots for shows on hiatus, but if their prior time slot becomes available, a local producer may request it again if there is no waiting list.
 6. WCA-TV reserves the right to reassign any programming time slots for good cause, including but not limited to providing time slots that accommodate non-regular or one-time only WCA-TV productions.

POLICIES

A. COPYRIGHTS AND FEES

- a. Fees for Technical Assistance, Production-Related Expenses and Travel Reimbursement
 - i. The use of equipment and facilities by certified producers and members for creating community access productions shall be free of charge.
 - ii. WCA-TV may charge a fee for individual or group technical assistance and for other production-related expenses, including but not limited to SD cards, DVDs, transportation mileage to assignments and other related expenses.
- b. Copyright

- i. The copyright to the programming created by any producer using WCA-TV equipment shall be owned by the producer. However, the producer shall license to WCA-TV, in perpetuity, the nonexclusive right to broadcast the programming over WCA-TV or other nonprofit access channels and online streams, and to make copies for noncommercial uses including, but not limited to, maintaining a station archive of programming produced, exhibits, video contests, and for individual copies where such copies are intended only for individual home viewing and not as part of any marketing plan for general duplications and distribution. The producer further shall assign to WCA-TV for a period of five years all of his/her rights to receive fees or royalties from copies or uses made from the programming unless the production fee and royalties, fees or other compensation has been provided for in the following paragraph is paid:
- c. Production Fee
 - i. If the producer duplicates, displays, broadcasts, or performs any programming created over any medium and receives compensation therefrom, or if the work is broadcast over any commercial video distribution system, the producer shall pay to WCA-TV a production fee, the amount of which shall be based on the prevailing fair market value, at commercial rates, of the production equipment and services provided by WCA-TV and used for the creation of the work. Upon payment of this fee, WCA-TV will release the producer from its five year obligation to pay fees or royalties from copies or other uses made from the programming.

B. RESTRICTIONS AND PROHIBITIONS

- a. Restricted and Prohibited Usage
 - i. Use of WCA-TV equipment or facilities to solicit funds, conduct telethons, or further pecuniary interests is strictly prohibited.
 - 1. There shall be no direct solicitation of funds by any entity, including not-for-profit entities, except for the general support of WCA-TV pursuant to the direction of the WCA-TV Board of Directors.
 - ii. General prohibition against commercial use:
 - 1. Use of the public access channels or WCA-TV's equipment for the purpose of furthering the commercial interests of a producer, provider, crew member, or any other individual or entity is prohibited.

2. The preceding shall not prohibit the use of WCA-TV equipment for purposes other than community access provided WCA-TV is compensated, all federal and state requirements related to the generation and reporting of unrelated business income are met, and the use does not substantially affect the equipment's availability for community access use.
- b. Restricted and Prohibited Programming Content
 - i. Technical Quality:
 1. Any program requested to be broadcast may be rejected if, in the opinion of WCA-TV management, it is of poor technical quality, or if it reasonably appears that the producer or provider is not in compliance with these rules.
 - ii. Prohibited Content:
 1. A lottery or game of chance, or any promotion thereof
 2. Any presentation of advertising material designed to promote the sale of commercial products or services, including advertising by or on behalf of candidates for public office
 3. Any obscene material
 4. Any sexually explicit conduct
 5. Any material soliciting or promoting unlawful conduct
 - iii. Restricted Content:
 1. Any producer or provider who assumes responsibility of the content of a program shall have an affirmative duty to inform WCA-TV management of any show or episode whose content contains the deliberate use of language or images of or refers to excretory or sexual activities or organs, depicts real or simulated gratuitous violence against persons or animals, or treats in a patently offensive, shocking or intensely disrespectful manner any person, property, icon or other image generally held to be sacred or revered by society in general or certain cultures in particular
 2. If deemed acceptable according to these rules, WCA-TV shall thereupon schedule the broadcasting of that material at a time when children are likely not to be in the viewing audience (between the hours of 12 midnight and 6 am) with the specific airtime of the material to be determined at WCA-TV's discretion

C. CODE OF CONDUCT

- a. Onsite Behavior
 - i. No possession or use of any illegal substances and/or weapons
 - ii. No one will be allowed to operate equipment or spend time in WCA-TV facilities while using or appearing to be under the influence of alcohol or drugs

- iii. Abusive language and/or actions will not be permitted in the access facility, or verbal or electronic communication. Members, staff and guests are expected to treat each other with dignity and respect.
 - iv. Members will not be allowed to loiter in the access facility. Personal business and phone use should be kept to a minimum.
 - v. Members are responsible for supervision of guests and children during productions or edit time. Children should not be left unattended in the access center.
 - vi. Pets and non-working animals are not allowed in the public areas of the access center. These areas include the reception area, training room, conference room, edit suites, kitchen, studios, control rooms, and hallways.
 - vii. Food and drink shall be permitted in the conference room/kitchen only and nowhere else within the station.
 - viii. All equipment in edit rooms should be shut down and put away properly. Hard drives should be returned to the front desk.
 - ix. All equipment in the studio and control room should be shut down and put away properly, including, but not limited to the light board, cameras, microphones and cables, switcher and main power. Any changes to the switcher settings should be reverted back to their original settings.
 - x. Studio condition to be left the way it was found
- b. Suspension & Grievance Procedures
- i. WCA-TV's Board of Directors, after consultation with WCA-TV's Executive Director, may suspend further broadcasts of any program and any person's further use of equipment and facilities if the responsible producer and/or provider has not complied with these rules, or the house rules posted in WCA-TV's facilities.
 - ii. Producers, providers and crew members whose programming or use of the facilities violates any rule or law may have their use of the facilities or the airing of their programming suspended for a minimum of 10 days to a maximum of 30 dates, with the length to be determined at the discretion of the Executive Director.
 - iii. Upon suspension, the responsible producer or provider, and, if applicable, the crew member(s), shall be given notice to show cause why their access to the channel, equipment, or facilities should not be continued or made permanent.
 - iv. Notice shall be sent via first class mail, certified, return receipt requested, at the address given by the producer, provider or crew member, as required of all such persons.
 - v. Failure to respond within 7 business days, or failure to keep WCA-TV apprised of accurate contact information for the producer, provider, or crew member can automatically result in revocation of access privileges for that individual or individuals.

- vi. Upon receipt of a response to show cause, the Board President may take any of the following actions:
 - 1. Find cause to refuse further access
 - 2. Find cause to permit further access, with or without conditions or further assurance.
- vii. Any person who is aggrieved by the decision of the WCA-TV Board President may appeal the decision to the full WCA-TV Board of Directors within 15 days of the WCA-TV Board President's decision. All such appeals must be addressed in writing to the President of the Board of Directors of the Watertown Cable Access Corp., and must state the basis of the appeal and provide supporting documentation.
 - 1. The Board President will distribute the written appeal to members of the Board of Directors with a hearing to be held within 45 days of its receipt. The person filing the appeal also has the right to supplement his or her written appeal with oral testimony at the Board's meeting.
 - 2. The Board will render a decision within 10 days following the close of the hearing and mail a written copy to the person filing the appeal. The Board reserves the right to extend the timeframe for its decision by 30 days if it determines additional information or time is needed.
- viii. Violation of these rules will result in immediate expulsion from the access facility and property and will result in the following actions by the Executive Director:
 - 1. Minor infraction (an infraction resulting in expulsion from the facility, but not involving reporting to the police and/or police action) - 3 month suspension of membership
 - 2. Major infraction (involving reporting to the police and/or police action) - 6 month suspension of membership
 - 3. Second offenses, either minor or major, will result in permanent revocation of membership

D. RESERVATION OF RIGHTS TO REGULATE OPERATIONS

- a. WCA-TV reserves the right to waive any self-imposed regulation when such a waiver is determined by the President of the Board to be in the public interest. Unless specifically waived, any violation of laws, these rules, or any other written policies of WCA-TV, may cause WCA-TV to withhold the use of its facilities from any person. All producers, providers and crew members will be held accountable for their actions by law and these regulations.
- b. These rules shall be subject to periodic revision and change, without notice, upon approval of the WCA-TV Board of Directors.