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## **Member Policies and Procedures**

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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 content 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 members 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 Corporation (WCA-TV) is a public access media center dedicated to empowering the diverse residents of the vibrant city of Watertown, Massachusetts, to tell their own stories. WCA-TV is a welcoming space where all voices can be heard, offering its members the opportunity to build state-of-the-art multimedia skills and broadcast-quality content through affordable education and access to equipment. WCA-TV also informs Watertown residents about issues that affect them through public, educational, and governmental (PEG) programming.

## **DEFINITIONS**

**Broadcast:** To send out or transmit a program by means of radio, television, or by streaming over the internet

**Commercial:** Making or intending to make a profit

**Content Provider:** Any person or entity that submits a program to WCA-TV for broadcast

**Content Sponsor:** Any member that takes responsibility for a program submitted to WCA-TV for broadcast

**Crew:** Any member 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

**Episode:** An installment of a program

**Facilities:** Any designated work area within WCA-TV, i.e.: studio; media suite

**Financial Sponsor:** A person or organization who provides monetary support for an event or program

**License:** To give someone official permission to do or have something

**Member:** Any person or entity that meets the qualifications as defined in Procedures Section A

**Member Sponsor:** Any member that takes responsibility for a non-resident

**Noncommercial:** Not intended to make a profit

**PEG:** Public, Educational and Governmental programming

**Pecuniary:** Relating to or consisting of money

**Perpetuity:** Endless or indefinitely long duration

**Portable Equipment:** Equipment that is designated for field productions outside of WCA-TV

**Pre-Production:** The process of planning the elements of a film or television program

**Producer:** A member that is responsible for the creative elements of any programming produced at WCA-TV. Creative elements encompass content and decisions regarding editing, graphics and production effects, among other elements.

**Program:** Any live-action or animated production

**Royalties:** A legally binding payment made to an individual for the ongoing use of their assets, including copyrighted works

**Series:** A program with more than one episode

**Streaming:** Continuous transmission of audio and video files from a server to a viewer which enables viewers to watch videos online without having to download them

**Time Slot:** The designated time a program plays on WCA-TV's channel schedule

# **PROCEDURES**

## **1. MEMBERSHIP**

- a. Individual Membership
  - i. Must be at least 18 years of age
  - ii. Must reside in Watertown
- b. Student Membership
  - i. Must be enrolled in any school located in Watertown, or a resident of Watertown enrolled in any school
  - ii. Must have signed permission of a parent/guardian if under 18
- c. Organization Membership
  - i. Must be an organization recognized by the State of Massachusetts as a legal entity and based (or has a chapter in) Watertown, Massachusetts, including but not limited to:
    1. A state-certified educational, library, or charitable institution or entity in Watertown, Massachusetts
    2. A government (or government-sponsored) entity or official whose area of jurisdiction or representation includes citizens of the area served by WCA-TV
- d. Non-Resident Requirements
  - i. A member sponsor is required for a non-resident to enroll as a member in any of the above named categories
  - ii. If a non-resident is unable to obtain a member sponsor, WCA-TV will consider acting as sponsor on a case-by-case basis

## **2. CERTIFICATION**

- a. All members must be certified to use the equipment and facilities through successful completion of a training course sponsored by WCA-TV
- b. In addition to being certified 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.
- c. Orientation Workshop
  - i. All members are required to take one Orientation Workshop at WCA-TV's facilities
  - ii. The Orientation Workshop provides members with basic certification of WCA-TV's field camera kits
  - iii. The Orientation Workshop provides eligibility for members to move forward with additional workshops for equipment and facility certification
- d. WCA-TV may charge a fee for workshops as it deems appropriate

### 3. EQUIPMENT & FACILITIES

- a. Reservations
  - i. Members are required to reserve equipment and facilities through our membership portal. Any special requests should be made via email or phone.
  - ii. Reservations for all equipment and facilities will be handled on a first-come, first served basis and must be made at a minimum of 48 hours in advance
  - iii. 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
  - iv. Recording facilities (such as studio spaces) may be reserved for up to two (2) hours per day, including setup and breakdown. Time may be extended based on availability.
  - v. In the case of studio productions, producers are responsible for securing a minimum of two crew members who must also go through the certification process before using any equipment.
  - vi. Editing facilities may be reserved for up to four (4) hours per day. Time may be extended based on availability.
- b. Check-Outs
  - 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. 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
  - iii. 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
  - iv. 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.
  - v. Equipment must be checked in by a staff member to ensure it is in proper working condition. Any malfunction or damage to the equipment must be detailed on the Equipment Liability Form and verbally reported to WCA-TV staff.
  - vi. All equipment must be repackaged properly and returned to the staff member designated to accept returns
- c. Availability
  - i. WCA-TV shall determine the availability of equipment and facilities for members based on the following:
    - 1. Whether the desired equipment is in good working order
    - 2. The technical knowledge and training of the equipment user
    - 3. The availability of the required numbers of crew members needed to operate the equipment for the production

4. Any other technical considerations

#### 4. PROGRAMMING

- a. Types of Programming

- i. PEG Programming

1. Public Access: Programming where responsibility for the content is assumed by an eligible producer or content provider who otherwise does not qualify as an educational or governmental producer or content provider as defined in these rules. Public Access programming 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: 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. Educational Access programming may include distance learning or televised educational courses as well as informational videos about educational courses and institutions.
    3. Governmental Access: There are two categories of Government Access programs:
      - 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.
- b. Requirements
- i. A producer or content provider is required for each PEG access program
  - ii. Those deemed eligible as producers or content providers must sign a Broadcast Release Form 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. If the producer or provider is an organization, it must act through a person it designates as an agent who is duly authorized by the organization to legally bind it to the terms of the Broadcast Release Form.
  - iii. 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.
  - iv. 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.
  - v. Programs filmed using WCA-TV equipment and facilities are required to air on the appropriate PEG channel and stream on WCA-TV's Video on Demand platform
  - vi. WCA-TV prohibits on-air thanks, either verbally, visually or in text form for any profit-making business
  - vii. Financial 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.
  - viii. End credits must include production facility and copyright year, as well as the following roles if applicable: producer, director, camera, audio, graphics.
  - ix. Titles during the show should have the person's full name and title.

## 5. SCHEDULING

- a. Time slots



- i. Assigned on a first-come, first-serve basis at WCA-TV's discretion
- ii. Regularly scheduled programs will receive priority over a one time only program
- iii. Members with a series or otherwise recurring time slots must provide WCA-TV with a new show every 30 days
- iv. To extend any series beyond 12 weeks, a new Broadcast Release Form must be filled out and a new time slot must be requested.
- v. Any local producer who is bumped from their time slot can request a new time slot once production of their series has resumed
- b. WCA-TV reserves the right to:
  - i. Prioritize programming produced by a local producer at our facility over programming requested or submitted by an outside entity.
  - ii. 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
  - iii. 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
  - iv. Reassign the time slot after 30 days if the original program can not meet the required new show deadline
  - v. 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

## **POLICIES**

### **1. COPYRIGHTS AND FEES**

- a. Fees for Technical Assistance, Production-Related Expenses and Travel Reimbursement
  - i. The use of equipment and facilities by 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.

## **2. 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 any 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

### **3. 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 are not permitted to loiter in the 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.
  - vi. Pets and non-working animals are prohibited.
  - vii. Food and drink are only permitted in areas away from equipment.
  - viii. Studios must be left in the condition in which they were 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. Content providers or 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 days, with the length to be determined at the discretion of the Executive Director.
  - iii. Upon suspension, the responsible member or content provider 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

#### **4. 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.

I have reviewed and agree to abide by WCA-TV's Member Policies and Procedures as set forth in this document.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name Printed

\_\_\_\_\_  
18 Years or Older? (Y/N)

\_\_\_\_\_  
Address

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Email Address

**For Parent or Legal Guardian if Member is under 18 years of age:**

I have reviewed and agree to accept responsibility for my young adult (please print minor's name) \_\_\_\_\_ set forth in this document.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name Printed

\_\_\_\_\_  
Address

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Email Address

**For a Member Sponsor of a Non-Resident**

I have reviewed and agree to accept responsibility for the above non-resident (please print applicant's name) \_\_\_\_\_ set forth in this document.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name Printed

\_\_\_\_\_  
Address

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Email Address