

# CMTV Rules and Regulations As Pertains to Programming and the Public

## **PROGRAM CONTENT**

### **Overview:**

Community-Minded TV will reach out to and welcome the participation of a diverse array of community members in its programming and in a wide variety of volunteerism opportunities. In so doing it will maintain its focus on the quality and the community-solutions relevance of its offerings.

### **Prohibitions And Clearances**

The following material is prohibited:

1. Material which constitutes libel, slander, invasions of privacy or publicity rights, or which might violate any other local, state or federal law.
2. Program material that creates the immediate danger of damage to property or injury to persons; the substantial obstruction of law enforcement or other governmental functions or services; the deprivation of any person by threat, threat of force or physical action of a legal right or the disturbance of any person in the enjoyment of a legal right; or the creation of a public nuisance.
3. The direct or indirect presentation of lotteries or lottery information, except for announcements pertaining to state sponsored lotteries.
4. Programs containing material that violates copyright or trademarks. [Use of such material generally requires obtaining appropriate rights from music licensing organizations, publishers, representatives, copyright holders, broadcast stations, networks and any other persons as may be necessary for cablecast. Producers may be asked to furnish written authorization for use of such materials.]

CMTV shall exercise editorial control over program content, including that which is required by law with regard to obscenity and illegal activity.

CMTV will schedule programs it deems inappropriate for children in a timeslots of its choosing.

Users of community television channels and program producers are fully responsible for the content of all program material they produce and/or submit.

## **Credits, Disclaimers and Labeling of Sensitive Material**

CMTV reserves the right to include the following notice (or some similar notice) before and/or after a program:

“The views expressed on the following (or preceding) program are those of the individual producer and do not necessarily reflect those of Community-Minded TV. CMTV is not responsible for the production or quality of the program being cablecast.”

We also reserve the right to include a phrase, such as:

"The preceding program was made possible through the community television facilities of CMTV.”

If CMTV or the access producer makes a good faith determination that the subject material in a program may offend some viewers and/or may not be appropriate for children, CMTV may require that the following announcement be added to the beginning of the program:

“The following program may contain sensitive material. Viewer discretion is advised.”

## **CHANNEL SCHEDULING**

Application for channel time on the CMTV is open to community members subject to quality criteria, arena participation, and CMTV programming priorities. Programs will be accepted or rejected on a “viewpoint neutral” basis.

## **PROGRAM SUBMISSION GUIDELINES**

1. CMTV accepts all programs that are created in Spokane and within the surrounding areas\* of Spokane County that fit within the CMTV Programming Guidelines.

\*Surrounding areas include up to a 100 mile radius of the County of Spokane

2. CMTV will accept programming from outside of its immediate surrounding areas but still within Washington State, if the programming has direct local impact\* on the Spokane Community or is programming that directly supports CMTV’s mission and is not programming that is currently being aired on channel 14.

\*Direct Local Impact means information, action, choices or concerns that will influence the Spokane Community.

3. All other programming\* will be considered for airing on Channel 14 on an individual basis. Programs that are selected for airing will support the ongoing mission of CMTV and the ideals of community sustainability.  
\*This may be programs that are nationally sponsored or out of state
4. All programming that is not produced within Spokane's surrounding areas will also have to be sponsored by a local producer and contain a Local Wrapping.\*  
\*Local Wrapping is an introduction to the program created by the sponsor of why this program is being shown to the Spokane audience
5. Locally produced programs will take precedence over any other programming, and all programming is subject to lose its time slot at the full discretion of CMTV.

## **PROGRAMMING GUIDELINES**

- 1) Programs submitted to CMTV may not contain:
  - a. Commercial advertising or any promotional material concerning products or services presented for the purpose of any solicitation of money or other things of value, unless specifically exempted under the terms of this agreement.
  - b. Comments aimed at disparaging one group of people in a way that might encourage hate or violence.
  - c. A lottery, or any advertisement or information concerning any lottery.
  - d. Any material that constitutes libel, slander, invasion of privacy or publicity rights, unfair competition, violation of trademark rights or copyright, or which may violate local, state or federal law.
  - e. Obscene or sexually explicit material
  - f. Material that violates rights of ownership
  - g. False or misleading statements made in a Program Submission are grounds for rejection of program.
- 2) All approvals, clearances, releases, licenses, etc. for the use of all program material to be cablecast or webcast including but not limited to approvals by broadcast stations, networks, underwriters, music licensing organizations, print or visual copyright owners, publishers, performers' representatives, all persons appearing in or referred to in the program material, and any other approvals that may be necessary to transmit the program material, will be provided by the producer upon request.
- 3) Community-Minded Television is not a public forum, and all programs submitted will be viewed on a "viewpoint neutral" basis.
- 4) Any program that does not follow the Program Guidelines and the Program Submission Guidelines will be rejected from airing.

## **PROGRAM SUBMISSION PROCEDURES**

Program producer or sponsor must fill-out and sign the CMTV Application and Program Submission form.

Before a program is cablecast, the DVD must be clearly labeled with the following information:

1. Title of program
2. Producer's name and phone number
3. Length of program

## **TECHNICAL STANDARDS**

All programs submitted for the channel are required to meet minimum technical standards for cablecast. Audio and video signal must be stable and of a quality as to permit playback and viewing without distortion and must be in compliance with FCC regulations. CMTV reserves the right to deny broadcast if these minimum technical standards are not met.

The following are examples of unacceptable technical conditions:

1. Loss of control track (glitches)
2. Incorrect color balance
3. White levels that exceed 100 ire or black levels that drop below 7.5 ire
4. Audio signals that are inaudible or distorted

All submissions submitted for cablecast must be compatible with the format being utilized by the CMTV broadcast facility.

## **GRANTS, UNDERWRITING AND SPONSORSHIP**

### **Underwriting**

CMTV will seek and accept funding and services in support of its programming in line with its mission and programming priorities. It will not accept funds or services to prioritize programming outside of its programming priorities. It will not use underwriting as a vehicle for publicizing or advertising specific funders or service providers. It will acknowledge funders and/or supporters in simple on-screen or web lists.

CMTV must be notified, at the time program proposal is submitted, that a program will be underwritten. Failure to notify may result in a delay or cancellation of the cablecast.

Any individual or group submitting a proposal for grant funding for a project involving use of the community access facilities or equipment must obtain prior written approval from CMTV.

## **Personal Profit and Commercial Use**

Producers may not use any part of the program for personal profit or gain. Producers found to be using the facilities or equipment for personal profit or gain will be subject to loss of privileges. Federal law and FCC policies prohibit commercial use of community access channels.

## **RIGHTS AND RESPONSIBILITIES OF CMTV**

### **Waivers**

CMTV reserves the right to unilaterally waive or modify any self-imposed regulation when that waiver or modification is judged by CMTV to be in the public interest or necessary for the efficient operation and management of the public access system.

### **Violations**

Any community producer found in violation of CMTV's rules, regulations and operating procedures may be denied future use of CMTV equipment and facility.

### **Maintenance**

CMTV will maintain all equipment in good working order. Equipment that experiences technical failure will be promptly repaired. If the equipment can no longer be repaired, replacements will be purchased.

### **Public Inspection**

CMTV will maintain a file of all access requests, for both equipment and playback. The file shall include the name and address of the individual making request. The file will be available for inspection during normal business hours.

### **Misuse of Access Facility**

CMTV's training workshops, facilities and equipment are intended solely for the expression of the views and ideas of those members of the community who have completed the CMTV training program and have been certified in the use of the facilities and equipment, under the rules, regulations and procedures outlined herein. Workshops, facilities, and equipment may not be used for commercial ventures of any kind. Furthermore, it should be understood that the use of access equipment and facilities is for not-for-profit purposes only. Violators will face loss of all future access privileges and may be charged published rates for commercial leased access use.

### **Representation**

Access producers are not to identify themselves as an employee or representative of CMTV at any time. Anyone misrepresenting their affiliation with CMTV will cause the immediate termination of their access privileges.

### **Right of Refusal**

CMTV reserves the right to refuse the use of equipment or facilities to any person who appears to be under the influence of drugs or alcohol or otherwise appears not to be in full control of their faculties. CMTV reserves the right of refusal to any person not complying with the rules and procedures set forth in this document.

### **Copyright, Trademark and Name & Likeness**

Access producers must obtain, in writing, and produce upon request, all necessary approvals, clearances, and licenses for the use of any material submitted for cablecast.

## **TRAINING**

### **Overview**

CMTV will utilize its Programming Department staff to instruct Spokane area residents in television production techniques in a comprehensive television production workshop. The workshop will include a written manual, detailed lectures and hands-on training. Those under 18 years of age must have the permission of a parent or guardian before participating in the workshop. Certification is based on proven proficiency with all production equipment. Upon certification, community producers are entitled to reserve studio time for the purpose of producing community access programs only. There is a great deal of material presented

### **Certification**

Certification entitles the participant to use certain public access facilities and equipment. In order to remain certified, producers must log six hours of activity per twelve-month period beginning with the date of certification. Participants may be required, at the discretion of CMTV, to re-certify if the above requirement is not met. In lieu of the workshop, a proficiency exam is available for those with previous knowledge of or experience in television production. All participants are required to sign a Producer's Agreement. This document certifies that the producer has read, understands and will abide by the operating rules and regulations and agrees to be solely responsible for the content of any programs produced or scheduled for cablecast.

### **Additional Training**

Any producer who would like additional training or a refresher on any of the equipment may contact an access technician to arrange for additional training.

## **USE OF FACILITIES AND EQUIPMENT**

### **Overview**

To encourage the use of channel 14, CMTV will provide programming facilities, equipment and staff. Although CMTV is not a public forum or intended to be an “open mike” CMTV’s facilities are available on a viewpoint neutral basis. All interested parties are free to make application and must adhere to the policies and procedures set forth herein.

### **Eligibility**

Individuals who have successfully completed the CMTV training course may apply to use CMTV facilities and equipment.

Minors must have written permission from a parent or guardian to use facilities. A parent or guardian must sign a document: 1) accepting responsibility for damage or other liability arising out of or relating to minor’s use of production equipment or facilities, and 2) consenting to and authorizing the appearance of any minors on a cablecast program.

CMTV staff reserves the right to request proof of residency at any time. Individuals or organizations from outside the community may use equipment or facilities only with special permission from CMTV.

## **RULES AND REGULATIONS FOR EQUIPMENT AND FACILITY**

### **Overview**

CMTV reserves the right to determine whether proposed use of equipment and facility is appropriate.

### **Reserving Studio Time and Equipment**

To ensure that no producer or group monopolizes the facilities, and to ensure that equipment is being used to complete a program ready for cablecast on the channel, scheduling guidelines must be observed. CMTV will be flexible in scheduling procedures whenever possible to aid in successful completion of a program.

In order to secure studio time, CMTV reserves the right to request the following:

1. A program outline or script
2. A list of certified community producers who will serve as crew
3. Production plans as they relate to the operation of the studio. Reservations for studio production facilities may be made for up to 4 hours of time per session,

with a maximum of 8 hours per week. Or otherwise determined by staff.  
Scheduled time includes the time needed to set-up and break down the set.

Reservations may be made for the following purposes:

1. To prepare sets, lights, and scenery
2. To rehearse and prepare material before the cameras
3. To record a program or program material

Access producers may schedule up to 16 hours of facility time in any month to complete a single project. Additional time will be permitted on a space-available basis. The studio will be available to only one group at a time. Due to space limitations and security concerns, only those individuals directly involved in the production are allowed in the facility. All posted rules for studio use must be observed. Cancellations of scheduled equipment and facilities must be made 48 hours in advance. Repeated failure to do so may result in loss of access privileges.

Scheduled studio productions will be canceled if the production crew does not arrive within 30 minutes after the start of the scheduled facility time.

### **Producers Responsibilities**

Access producers must arrive on time for scheduled studio productions and must have the studio and control room equipment and sets put away before the end of the scheduled time period – it is generally good practice to allow at least one hour before, and one hour after the actual taping. This will provide ample time to set up the studio, brief the crew and talent on the planned production, and clean up after the taping.

It is the responsibility of the community producer to fill crew positions from among the pool of certified community producers. CMTV staff should not be considered to fill crew positions.

Access producers are expected to be prompt; arriving more than 30 minutes late for a scheduled appointment on more than one occasion may result in the loss of access privileges. The access center operates on a schedule to try to meet the needs of all access volunteers. Access producers who are “late” or “no-shows” have taken that scheduled time from another producer. If a producer is more than 30 minutes late, CMTV cannot guarantee equipment and/or facilities will be available for use.

Access producers must follow appropriate procedures for handling and operating equipment and facilities, and assume full responsibility for loss or damage due to negligence or abuse during their scheduled and assigned time. Access producers found to be misusing or abusing equipment may be asked to repeat training and may be subject to loss of privileges. Access producers may not change wiring, patch bays or components on any equipment in the studio and editing facilities without staff permission or supervision. No attempt should be made to repair equipment. Producers who attempt to do so will be charged repair costs for any damage caused in such an attempt and will lose their access privileges. Access producers should promptly report any defects or problems to CMTV staff.

Additional materials for productions beyond those supplied by CMTV (i.e., sets, graphics, videotapes, other materials, etc.), must be supplied by the producer and must be removed from the facility after the production.

Food, beverages and smoking are NOT allowed in the control room, editing suites or studio area at any time. Additionally, CMTV facilities are non-smoking facilities. Smoking is not permitted indoors at any CMTV facility.

Anyone found to be under the influence of alcohol or drugs, or carrying a weapon of any kind, will be removed from the premises and will have their access privileges terminated.

Inappropriate behavior by access volunteers will not be tolerated. Inappropriate behavior includes, but is not limited to: yelling, using profanity, abusing equipment and physically or verbally abusing another individual. Engaging in inappropriate behavior may result in termination of access privileges.

Telephones and other office equipment are for the use of CMTV staff only and may not be used without permission from CMTV staff.

Facilities and equipment cannot be used for personal profit or remuneration. Funding may be sought only with consultation of CMTV staff and in accordance with the sponsorship guidelines outlined in this document.

Access privileges will be rescinded for noncompliance with any operating rules and procedures outlined in this document or for any action that is deemed detrimental to CMTV.

### **Access Producers Privileges**

Access producers are afforded the following privileges:

- Ownership rights to all original material.
- A minimum of one cablecast timeslot, in accordance with scheduling priorities.
- The ability to request that program master videotapes held by CMTV be discontinued from cablecast or erased.

### **Portable Equipment Rules And Regulations**

CMTV requires a show for cablecast for use of CMTV equipment.

Portable equipment may be checked-out for 24 hours periods during the week and 72 hours periods over a weekend. Requests for longer periods must be made at the time the reservation is made and will be honored at discretion of the staff.

Only one weekend checkout will be permitted per month, or otherwise permitted by staff. Equipment not returned by the return date and time specified on the portable equipment checkout form may result in loss of access privileges. Portable equipment may be checked out up to four times before it is required to submit a show.

Access producers may not checkout more than one portable unit at a time.

Producers must test portable equipment at the time of checkout before leaving the building. Any problems with the equipment must be reported to CMTV staff.

Access producers assume full responsibility for loss or damage to equipment while in their possession. Equipment may not be taken outside of CMTV's service area without express permission from CMTV. Where special circumstances exist, and with staff approval, equipment may be taken outside of the CMTV service area for the purpose of gathering footage for the production of an access program.

Production equipment must not travel more than 50 miles of CMTV headquarters, unless permission is given by CMTV staff.

### **Infractions And Disciplinary Action**

Infractions of the Rules and Regulations will be dealt with on a case-by-case basis.