



# OPERATING RULES AND PROCEDURES

## FOR NEWTV MEMBERS



**Effective January 1, 2012**

NewTV  
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Newton, MA 02461

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**[newtv.org](http://newtv.org)**

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# **Operating Rules and Procedures for NewTV Members**

## **MISSION STATEMENT**

NewTV is a non-profit Newton-based organization dedicated to providing the diverse Newton community with a platform for opinions, news and local information not generally available from commercial or public media. NewTV also offers training, a media facility and content distribution while supporting the First Amendment right to free speech of the Newton community.

## **FOREWORD**

The local franchising cable licenses between the City of Newton and its cable providers provide for the funding of a non-profit organization "to provide services to Public, Educational and Governmental Access users." Newton Communications Access Center, Inc., operating as NewTV, a membership-based, non-profit 501(c)(3) corporation, with studios and offices located at 23 Needham Street, Newton Highlands, Massachusetts, has been designated as the provider of those services since 1991.

NewTV offers a public forum for electronic free expression, providing its services on a first-come, first-served, non-discriminatory basis. Those services include training in television production and related technologies, providing the equipment necessary for producing cable television and web based programming, and administering the programming of three subscriber channels and on associated websites.

NewTV also provides additional services that reflect community needs including coverage of local government meetings, school events, election debates and forums, graduations, celebrations, ceremonies, and neighborhood events. NewTV distributes these programs to cable and internet viewers.

The following Operating Rules and Procedures were generated to provide guidelines for NewTV members to participate in NewTV activities and services.

## I. DEFINITION OF TERMS

**Access Programming** – Programming at least 50 per cent of which is originally created at NewTV or by a NewTV member.

**Certification** – Status awarded to a NewTV member upon completion of a training course. When certified, members can reserve, check out and use equipment covered by the specific certification course.

**Commercial** – Promoting the sale or purchase of a specific product, line of products, service, or any other call to action or interaction with a for-profit entity.

**Community Producer** – NewTV member who has been certified, following the appropriate course work at NewTV, to produce Programming.

**Co-Production** – A Production in which there is more than one Producer. At times, NewTV co-produces Programming with a Community Producer. Such Productions must meet the same requirements as Local Origination Programming.

**Crew** – Individuals or groups of individuals who are NewTV members and who participate in the Production of a Program.

**Distribution** – The dissemination of Programming via cablecasting, websites, podcasts or other media.

**Dub** – A copy of all or part of a recording, not necessarily on the same media.

**Episode** – A single Program in a Series.

**Feature** – A stand-alone Program, not part of a Series.

**Field Production** – A Production of which the major portion of the recording takes place outside of a studio.

**Home Spot** – The time when a Producer's first Program or Episode of a Series is replaced with a new, unique Program or Episode.

**Import Programming** – Programming which does not qualify as Access Programming or Local Origination Programming.

**Intern** – A student enrolled at an accredited educational institution who works at NewTV under the supervision of a staff member to develop skills and experience. Interns usually receive course credit upon satisfactory completion of the Internship period.

**Live** – Event that cannot be stopped or started at will, such as a government meeting or 4th of July festivities.

**Local Origination Programming** – Programming produced by the staff of NewTV. May also be a Co-Production with a Community Producer, volunteers, and community groups.

**Producer** – Person with overall responsibility for a Project. When a Project has more than one Producer of equal authority, they are both called Co-Producers.

**Production** – An audio/video recording suitable for Distribution; also, the actions and steps contributing to the creation of an audio/video recording.

**Program** – Generic term for Episode, Series or Feature. For more precise understanding, differentiate by using the term, “Episode,” “Series” or “Feature.”

**Project** – All the activities associated with the Production of a Program at NewTV.

**Props** – Shorthand for property. Usually static equipment used to add aesthetic value to the scene being recorded.

**Remote Shoot** – See Field Production.

**Series** – Shorthand for a series of Programs under a consistent title, revolving around a similar theme, and produced and aired on a regular schedule.

**Studio Production** – A Production of which the major portion of recording takes place in a studio.

**Talent** – A person who appears visually and/or aurally in a Production.

**Volunteer** – A member who works as part of a Crew or in other unpaid capacity for NewTV.

## II. MEMBERSHIP

All persons, firms, corporations, businesses, organizations, institutions, and other entities in the City of Newton are eligible for membership in NewTV.

### A. Summary of Membership Categories

	<i>SUMMARY OF NEWTV MEMBERSHIP CATEGORIES (for details, see Section II.B., below, and Membership Application Form)</i>							
	<b>Producer</b>							<b>Supporter</b>
	<i>Individual</i>	<i>Family</i>	<i>Non-Profit</i>	<i>Government</i>	<i>Educational</i>	<i>Business</i>	<i>Intern</i>	<i>Friends</i>
<b>Membership Requirements</b>								
<i>Application</i>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
<i>Membership fee (as of 1/1/12)</i>	\$25;35*	\$50;60*	\$100	None	\$100	\$250	None	\$25-75
<i>Proof of Newton address</i>	Yes	Yes	Yes	Yes	Yes	Yes	No	No
<i>Attend orientation session</i>	Yes	Yes	Yes	Yes	Yes	Yes	No	No
<i>Abide by Rules &amp; Procedures</i>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No
<b>Membership Privileges</b>								
<i>Training (# of people)</i>	1	4	7	10	5, 7, 10	4	1	None
<i>Use of equipment/facilities</i>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No
<i>Receipt of newsletter</i>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
<i>Annual meeting votes</i>	1	1	1	None	1	1	None	1
<i>Technical support</i>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No

\*cable subscriber; non-cable subscriber

## **B. Types of Membership**

### Community Producer Memberships

1. An Individual Membership shall be available to any resident of Newton. Each member shall have the following privileges:
  - use of equipment/studios/facilities to produce and/or assist in the creation of Programming
  - receipt of newsletter and Programming information
  - ability to distribute Programs at no charge
  - access to workshops and use of equipment
  - eligibility to receive technical advice from the NewTV staff for Program Production
  - eligibility to vote at NewTV general membership meetings (one vote per individual member)
2. A Family Membership shall be available to up to four persons within the same household (at the same address) who apply together for membership. Persons joining NewTV under a family membership shall have all the privileges of individual membership except that only one vote may be exercised for each family membership.
3. A Non-Profit Organization Membership shall be available to any Newton-based non-profit organization and shall provide all the privileges of individual membership, except that only one vote may be exercised per non-profit membership. Non-profit organizations are eligible to receive training for up to seven (7) employees and/or volunteers per membership each year with training for additional people available at an additional fee.
4. A Government Membership shall be available to any City of Newton department, any Newton public school, and such institutions as the Newton Free Library and other publicly funded departments or bodies. Government membership is not available to individual municipal employees or to elected or appointed officials. Government members are eligible to receive training for up to ten (10) employees per membership each year with training for additional people available for a fee. There is no charge for government memberships, and they have no voting power.
5. An Educational Membership shall be available to any non-profit or for-profit college, university or school located in Newton that does not qualify for government membership and shall have all the privileges of individual membership, except that only one vote may be exercised per educational membership. Educational members are eligible to receive training each year for up to five (5) employees and/or students for schools with 100 students or fewer, seven (7) employees and/or students for schools with 101 to 500 students, and ten (10) employees and/or students for schools with more than 500 students.
6. A Business Membership shall be available to any Newton-based business. Businesses joining NewTV under business membership shall have all the privileges of individual membership except that only one vote may be exercised per business membership. Business members are eligible to receive training for up to four (4) employees per membership each year with training for additional people available at an additional fee.
7. An Intern Membership shall be available to any individual participating for credit in an approved course of study at an educational institution or in a special program sponsored by NewTV. Intern memberships are available for a period not to exceed six months, renewable at the discretion of the Executive Director. There is no fee for an Intern membership and there are no associated voting privileges.

### Friends of NewTV Memberships

All individuals, families, non-profit organizations and for-profit businesses may join as non-producing members, who support NewTV and its mission. Friends of NewTV members will receive newsletters, email updates of events and Program highlights, and may attend NewTV functions throughout the term of their membership. Friends of NewTV may not sponsor a Program for Distribution on any of NewTV's channels. Voting privileges are limited to Newton residents and businesses operating in Newton.

#### **C. Representation**

Members do not represent NewTV in any official capacity and should refrain from implying such representation. False representation of NewTV may result in suspension of membership privileges. Such false representation might include, but not be limited to, statements such as "I am producing for NewTV" or "I work at NewTV."

### **III. TRAINING AND PRODUCER CERTIFICATION**

#### **A. Eligibility for Training**

Any individual, family or organizational member who meets the conditions set forth in the Community Producer Membership category listed in Section II.B is eligible for training. Workshops are given under the direction of the NewTV staff or by a person appointed by NewTV.

#### **B. Class Schedules**

Workshop schedules are distributed to all members through the NewTV newsletter and are posted on the Community Bulletin Board and the NewTV webpage ([www.newtv.org](http://www.newtv.org)). Advanced workshops require prerequisite training. Members wishing to take classes may sign up for them on a first-come, first-served basis. A materials fee may be imposed for NewTV courses.

#### **C. Privileges of Membership**

Community Producers may earn rights and privileges as follows:

1. Members who have completed the orientation may sponsor a Program.
2. Members who have passed a basic Certification course may produce Programming with NewTV equipment.
3. Members who have received advanced training may be certified to use specialized equipment.

#### **D. Standards for Certification**

The Executive Director or designee will establish standards for Certification. Members may be certified and exempted from classes by demonstrating proficiency.

#### **E. Re-Certification**

Annual re-certification of Community Producers will automatically take place with renewal of membership, provided that, in the case of advanced Certification, the Community Producer has been involved in a NewTV-based Production in the previous two years.

### **IV. RESPONSIBILITIES AND INSURANCE**

#### **A. Agreement with Rules**

Familiarity and agreement with these Operating Rules and Procedures is a prerequisite to using NewTV's equipment.

## **B. Responsibilities of Producers**

Community Producers are responsible for the NewTV facilities and equipment signed out to them, as well as for the actions of their Talent, Crew, guests, and others involved with their Production. When a Community Producer determines that no NewTV volunteer member is available and/or able to provide specific skills needed to assist in the Production of a NewTV Program, the Community Producer may, with the prior agreement of the Executive Director or designee, hire a non-member to provide such services at a rate to be approved by the Executive Director. Under such circumstances, the Community Producer will qualify for reimbursement of that expense from any underwriting funds procured by the Community Producer for that Program.

## **C. Protection of Equipment**

Equipment may not be used in conditions hazardous to the equipment. NewTV holds an insurance policy for its equipment while in use by members. Premiums are paid by NewTV and the policy is in NewTV's name. In the event equipment is damaged, destroyed, lost or stolen, the Community Producer is obligated to cooperate fully with the NewTV insurance carrier. The Community Producer is responsible for any deductible. In the case of theft, the Community Producer is responsible for the following in order for the insurance company to honor the claim:

1. A police report must be filed immediately; and,
2. Equipment cannot have been left unattended.

In the event NewTV's claim is not honored by its carrier and the Community Producer is found to have failed to take reasonable precautions to protect NewTV's equipment, it is the responsibility of the Community Producer to reimburse NewTV for the replacement value of the lost equipment, as determined by NewTV.

Community Producers may not borrow additional equipment until all items have been returned in good working order (normal wear and tear excepted) or all claims have been resolved.

## **V. EQUIPMENT RESOURCES**

All NewTV facilities and portable equipment are available to be used for producing Live or recorded non-Commercial Programming for Distribution on the NewTV channels. NewTV Community Producers may use the facility and equipment on a first-come, first-served basis. Members who have been certified to use the equipment may reserve the equipment and facilities for training purposes if they are not needed for a NewTV Production.

### **A. Steps for a Production**

1. Community Producer must complete Project proposal form and attend Project proposal conference.
2. No reservations for equipment or facilities may be made without a completed Project proposal conference, and a separate Project proposal is required for each Program (Feature, or Series).
3. Producer must complete a Project proposal conference with the Member Services Coordinator by telephone or in person, a minimum of 24 hours prior to the first reservation of equipment or facilities for this Project. During this conference, the Producer may be asked to provide the following information:
  - Title or working title of the Program to be produced
  - A brief description of the type of Production -- e.g., studio talk show, field documentary, event coverage
  - The length of the final Program
  - Whether it is a Series or Feature
  - Whether it will be distributed Live or recorded

- The Projected completion date for Production work ("planned end date")
- Facility time and major equipment required to complete the Project

*NOTE: The purpose of this conference is to assure that you have everything you need to do your shoot and that you are using the methods and materials best suited to your Production. Nothing in this conference is intended to influence the content of your Program or subject matter; these are exclusively controlled by the Producer.*

## **B. Field Production Resources**

1. The amount of equipment available for a given Project will be determined by the Member Services Coordinator during the Project proposal conference based on the needs of the Project and the equipment available for the proposed time period of the Production.
2. Equipment must be reserved in advance of a Project shoot. NewTV equipment is available to all Community Producer members and is reserved on a first-come, first-served basis. Members can reserve equipment up to 13 weeks in advance.
3. In cases of Projects that require substantial facility resources, the Member Services Coordinator reserves the right to limit resources devoted to an individual Project in order to treat all members equitably.
4. Equipment Check Out - Equipment must be checked out at the NewTV office by the Community Producer named in the Project proposal as Producer or Co-Producer or by another individual certified to use the equipment and named in the Project proposal form. The staff will enter the check-out information into the computer and a hard copy will be signed by the Community Producer. Under normal circumstances, equipment may be borrowed for no more than three days. Exceptions may be granted on a case-by-case basis. Approximately 30 minutes should be allowed for checking equipment in or out.
5. Return of Equipment - Community Producers are responsible for notifying the staff if there are any problems with the equipment by submitting a completed equipment trouble report. Community Producers may not attempt repair of equipment.
6. Completion - All Productions are given an initial 13 weeks for completion from the date of the acceptance of the Project proposal. Producers are expected to deliver a recording for Distribution no later than this planned end date. A single, 13-week extension may be considered at a Project-extension conference with the Member Services Coordinator.

## **C. Editing**

1. Community Producers using the editing equipment must check in with the staff member on duty. If a Producer fails to check in, the Producer may be listed as a "No Show" and his or her edit time may be reassigned.
2. Community Producers must consult with a staff member before connecting accessories to NewTV's equipment or modifying that equipment.
3. Edit times may be reserved no more than 13 weeks in advance. Producers may reserve only one four-hour block per day in advance. However, on the day of an edit session, a Producer may extend this edit time if the room is available.

## **D. Studio Facilities**

1. The NewTV staff person on duty during a Studio Production may not be considered part of a Crew.
2. Crew position assignments are the responsibility of the Community Producer. All studio Crew, including director, must be certified or approved by the NewTV staff.
3. Producers must consult with the staff before bringing accessories into the control room. There may be areas posted as off-limits. Studio time must be reserved no less than one week and no more than

13 weeks in advance. A Studio Production block of up to 4 hours, including set-up, break-down and clean-up, may be reserved in advance. The studio reservation may be extended on the day of Production if time is available.

4. Community Producers must consult with a staff member before reconfiguring any studio and/or control room wiring.

### **E. Cancellations**

Community Producers must give at least 24 hours' notice when canceling any reservation for classes or for use of NewTV equipment, facilities, or channels. If a Community Producer is more than 20 minutes late without notification, the reservation may be canceled (see Minor Violations, Sec. VIII.B). Repeated instances of failure to make a timely notice of cancellation may result in a suspension of privileges. Three "No Shows" constitute a major violation and will result in a 90-day suspension of member privileges.

## **VI. PROGRAMMING**

Community Producers and Import-Program sponsors of Public Access Programming must abide by the following conditions:

### **A. Producer Obligations**

1. Any NewTV Community Producer may request channel time for the presentation of Programming the member has produced at NewTV or Programming produced elsewhere.
2. In order to distribute Programming, one must be a NewTV member in good standing and submit the completed, labeled media for which appropriate releases and clearances have been obtained. Community Producers on the access channels are legally responsible for the content of their Program material, whether produced locally or elsewhere, and must have signed an acknowledgement of responsibility in a release form.
3. All Programming produced at NewTV or with NewTV equipment must indicate that the Program was produced at the facilities of and/or with the equipment of NewTV, Newton, Massachusetts. Typically, this information is included at the end of the credits of a Program or superimposed in a brief clip.
4. Community Producers are responsible for including in each Episode or Feature disclaimer language stating that "the views and opinions expressed do not represent those of NewTV, its Board or staff."
5. Closing credits must include name of and contact information for Community Producer or Co-Producers.

### **B. Program Content**

1. NewTV is forbidden by law from censorship or content control except as noted in Section VI.B.2, immediately below. NewTV encourages anyone who disagrees with the content of a Program to produce counter-programming presenting an alternative point of view or otherwise responding to the Program in question.
2. The following are prohibited:
  - Commercial programming or advertising
  - Material which constitutes libel or slander
  - Obscene material or pornography [Note: Programming not suitable for children will be broadcast between 10 p.m. and 6 a.m.]
  - Unauthorized use of copyrighted material
  - Unauthorized use of any individual's name, visual representation or words to endorse or sell a product or service

- Material which violates FCC regulations
- Material which violates local, state or federal laws
- Production which does not meet technical standards issued by NewTV

### **C. Ownership and Use of Locally Produced Programs**

1. NewTV Community Producers own their Programs and hold the copyright to them.
2. NewTV has the right to maintain a copy of any Program and to distribute it from time to time for one year, and thereafter unless the Community Producer withdraws permission in writing.
3. NewTV has the right to use excerpts from any Program for promotional purposes related to NewTV.
4. Only the Community Producer, as holder of the copyright, may authorize any other use of a recorded Program.
5. The Community Producer must provide NewTV with the opportunity to air each Episode or Feature Program prior to airing on any other media outlet. After the agreed-upon air date, a Producer may distribute the Episode or Feature through other media outlets.
6. Any exceptions to the above shall be determined solely by the Executive Director on a case-by-case basis.
7. All Programs produced by NewTV staff, with or without Volunteer Crew, shall be owned by NewTV. NewTV may air and replay such Programs on its cable channels, website, and other media outlets as determined by NewTV.
8. A NewTV Community Producer may produce Programming with non-NewTV equipment and facilities, and the Programming will be considered locally produced Programming. Community Producers wishing to create and distribute Programs made with their own equipment must be NewTV members and must complete a Project proposal conference that indicates that no NewTV equipment is requested. All such Productions must meet the minimum technical standards set by NewTV.

### **D. Underwriting and Grants for Access Programming**

All underwriter funds must be paid directly to NewTV through the office of the Executive Director. Any Community Producer who has secured underwriting sponsorship funding for his/her Program, Series or Feature may apply for reimbursement of documented expenses incurred during the sponsorship period and totaling not more than the funds secured by the Producer and reported on the NewTV Underwriting Expense Form. The Producer must secure prior approval from the NewTV Executive Director of his/her intention to approach a potential underwriter/sponsor. This will avoid the appearance that NewTV has multiple solicitors out in the field. Acknowledgement of underwriting sponsors may be included in the program credits and up to a 15-second video roll-in featuring the underwriter's contribution. NewTV requires that all in-kind contributions such as set furniture, crew meals, clothing, haircuts, etc., secured for each Program, Series and/or Feature be itemized and forwarded to NewTV once each calendar year. Acknowledgement of in-kind sponsors shall be limited to a statement of thanks. NewTV does not allow Commercial content on public access Programs, Series and/or documentaries.

### **E. Access to Time Slots for Feature and Series Programs by Community Producers**

1. Any Program(s) submitted by a NewTV Community Producer as an Episode or Episodes of a duly registered Series will be designated by a unique Episode number. Producer will fill out Episode Submission Form and label media as required.
2. For Episodes in a Series, a 'half-hour' time slot must be filled with Programming that is 29 minutes and 00 seconds long. A 'one-hour' time slot must be filled with Programming that is 59 minutes and 00 seconds long.
3. Deadlines for media submission are described on the Episode Submission Form.

4. NewTV classifies times available for scheduling Programming, as follows:
  - I. Prime time: Monday to Friday, 5 p.m. to 10 p.m.
  - II. Secondary time: - Monday to Friday, 12 noon to 5 p.m.
  - III. Tertiary time: - Seven days, 6 a.m. to noon; Saturday and Sunday, noon to 10 p.m.
  - IV. Overnight: - Seven days, 10 p.m. to 6 a.m.
5. Program time slots for the access channel are scheduled by NewTV staff after consultation with Community Producers. Locally produced Programming will take precedence in Program scheduling. NewTV retains the right to allocate time slots as needed.
6. To the extent possible, Access Programming (Programming at least 50 per cent of which is originally created at NewTV or by a NewTV member) of a Series will be broadcast once per week in each of the four time classifications described in Section E.4., above, with a home spot in prime time. Imported Programming of a Series will be broadcast once per week in the secondary, tertiary, and overnight classifications, with a home spot in one of those. Programming directed to children will have a home spot on Saturday morning. Other home spots will be available on request. A 'home spot is the time when a Producer's first Program or Episode of a Series is replaced with a new, unique Program or Episode and is the only time NewTV will promote. Remaining time on the Public Access channel will be divided equitably among Locally Produced Programming, at the discretion of the NewTV staff.
7. An Episode of a Series may remain in Program rotation for up to five weeks, after which it will not be broadcast for a minimum of ten weeks.
8. Series with more than one Episode per week will be limited to a maximum of one broadcast per episode per day.
9. Features (single Programs) may be submitted in any length. They will be scheduled at NewTV's discretion and will remain in program rotation as long as NewTV and the Community Producer agree. Time-sensitive Features will receive preferential scheduling in recognition of their unique nature.
10. Exceptions to Section VI.E. may be made at the discretion of the Executive Director.

#### **F. Election/Campaign Programming**

1. Any certified candidate for public office or ballot issue campaign for which Newton residents may vote shall be afforded the same rights as a resident of Newton with regard to access to NewTV facilities and channel time. A sufficient block of time will be reserved during each political campaign season to enable a comprehensive selection of political Programs to be distributed.
2. NewTV will offer to assist each such candidate or ballot campaign to produce one promotional piece for play on NewTV's Government channel. Such pieces shall be of the same length for each candidate or ballot campaign. Any other Program produced by or for a candidate or campaign may be played under the same conditions as all other Public Access Programming, with assurance that NewTV will make every effort to provide equal opportunity to every candidate or campaign.
3. If NewTV produces a Program which includes a candidate or representative of a ballot question campaign, the candidate or campaign is encouraged to distribute the Program or representative excerpts elsewhere. Such Distribution must occur after the initial play on NewTV and must give credit to NewTV for Production.
4. NewTV will contact each candidate for public office for whom Newton residents may vote and whose candidacy has been certified to appear on a Newton ballot with information about how to take advantage of NewTV's facilities.
5. NewTV will provide disclaimer language which must be included in every program promoting a candidate or ballot question.

### **G. Program Promotion**

NewTV may choose to promote upcoming Programs. In addition, NewTV encourages all Community Producers to publicize their Programs in a variety of ways. NewTV will make the community bulletin board available for Programming-related announcements. Two weeks' notice should be allowed to place an announcement on the Program schedule on NewTV's web page and on the Community Bulletin Board. Producers are encouraged to prepare 30- or 60-second video promos for cross-promotions by other Producers or staff and to submit press releases about their upcoming Programs to other media outlets. A Community Producer may air a limited number of promotional excerpts prior to the first showing of a locally produced Program on NewTV. NewTV may, at its discretion, use social media outlets to promote upcoming member produced Programs. *The Producer must make it clear to editors and their readers that the Program is not a Production "of" or "by" NewTV.*

### **H. Community Bulletin Board**

NewTV may cycle community announcements on the access channels at any time when there is no Programming being cablecast. Messages about community events or activities of interest to Newton residents may be submitted by Newton-based organizations and Newton residents. No Commercial announcements, advertising, or direct appeals for funds will be accepted. However, fund-raising events or Projects may be announced. A 'Call for More Info' phone number, email address, or website may be included. NewTV staff reserves the right to schedule announcements at NewTV's discretion. NewTV is not responsible for errors in Community Bulletin Board announcements. NewTV reserves the right, as Producer of the Community Bulletin Board, to reject or edit any message.

### **I. Safe Haven/Adult Programming**

Producers are expected to alert NewTV staff to Programming that may be inappropriate for younger viewers. NewTV reserves the right to limit Programming with excessively violent material, offensive language, nudity, or sexually explicit material to the period between 10 p.m. and 6 a.m. in order to preserve a safe haven for viewing by all audience members.

### **J. Live In-Studio Programming/Viewer Call-Ins**

1. Requests for Live Programs must be made four weeks prior to the Production.
2. If viewer call-ins are to be included, the following policy must be strictly observed:
  - All calls must be answered off-air so that the Producer may obtain the caller's name and telephone number.
  - Producers must maintain a log of full names and telephone numbers of individuals who are call-in participants. Caller names and numbers remain confidential to the Producer except as otherwise may be required by a court order or legal action.

### **K. Live Remote Programming**

1. Requests for Live Remote Programming require a great deal of coordination with NewTV, other Producers whose Programs are already scheduled and the staff. Therefore, requests for Live Programs must be made six weeks prior to the event. NewTV makes no representation that a Live signal will be available from a desired location.
2. Requests for Live Remote Programs should be made to the Member Services Coordinator, who will immediately notify the Executive Director of the request. Exact information about date, time, location and the nature of the event must be provided.
3. Live Remote Productions may require complicated engineering coordination with employees of the cable companies, the city's I-net users' group and NewTV staff. Therefore, such requests are subject to the approval of these representatives. Producers are instructed not to publicize such a Live event until all approvals are secured and technical requirements satisfied.

4. A Community Producer who fails to use a Live time slot that has been scheduled or who cancels a Live Remote Production with less than two weeks' notice must submit a written explanation to the Executive Director. Such cancellation may be reason to deny other such Live Program requests.

#### **L. Staff-Produced NewTV Programs**

NewTV is required under its agreement with the City of Newton to produce Programming of interest to the community. NewTV will make every effort to inform members of Volunteer Production opportunities on such Productions.

#### **M. 'Imported' or 'Bicycled' Programming**

1. Programming not produced by NewTV or NewTV Community Producers may be distributed on Newton public access channels. A NewTV Community Producer may become the local sponsor of such Programming. The Community-Producer sponsor must certify in writing to NewTV that s/he has acquired rights to air the Program.
2. Minor modifications to material produced by others do not qualify a Program to be considered locally produced.
3. Requests for cablecast time slots will be honored on a first-come, first-served basis. Locally produced Programming will take precedence as NewTV's top priority in scheduling. NewTV staff may determine appropriate playback periods for imported Programming to ensure Program continuity. When all time slots in a playback period are full, approval for cablecast of new imported Programs will be withheld until time becomes available.
4. Producers should include disclaimer language in each Episode or Feature when possible.
5. Satellite Import Programming. Any NewTV member may make a request to have NewTV carry satellite-delivered Programming. To be considered, such Programming must be available on the existing satellite equipment and subscription service (currently the Dish Network) to which NewTV subscribes. The NewTV member requesting the Programming must complete a Program proposal application and sign a statement affirming his or her responsibility for the content of the Programming. As with other Import Programming, time will be granted on a first-come, first-served, non-discriminatory basis. Any satellite-delivered Program that is produced as a new Episode daily may be requested and shown not to exceed five Episodes in any week.

### **VII. OTHER CONDITIONS**

#### **A. Office Bulletin Boards**

Members may use the designated bulletin board at the NewTV office for announcements or to communicate with each other. A copy of these Operating Rules and Procedures, including appeals therefrom, the most recent minutes of the NewTV Board of Directors, and other documents will be posted.

#### **B. Copies of Programs**

NewTV offers its Community Producers the use of Dubbing equipment to make multiple copies of their Programs on media stock that they provide. Producers should not generally announce that Dubs are available from NewTV as the capacity to produce them is limited.

#### **C. Volunteers and Interns**

NewTV relies heavily on the services of Volunteers. NewTV members are encouraged to volunteer during and after their training and Certification. Students who are receiving high school or college credit are encouraged to become Interns. All Volunteers and Interns must become NewTV members and sign an agreement to abide by these Operating Rules and Procedures.

#### **D. Facility Up-Keep**

1. The NewTV facility is a strictly enforced non-smoking environment. No smoke or fog machines are permitted in the studio.
2. Community Producers are expected to clean up each time they use this facility. This includes breaking down sets, replacing all equipment and cables, and sweeping floors.
3. No animals are allowed in the building except for service animals, and animals which are an integral part of a particular Program. Producers who wish to bring an animal into the facility for a Production must have prior approval of the Member Services Coordinator.
4. Eating and drinking are allowed only in designated areas which must be kept clean by users.
5. Community Producers must remove all personal set materials from the facility when they are finished. NewTV has limited storage space for sets, to be used at the discretion of the Executive Director.
6. NewTV office equipment, furniture and supplies may not be used for sets. No one may use another member's Props without permission.
7. Props in the set storage room are available for general use unless labeled as personal property.
8. NewTV is not responsible for sets, Props or personal items left on the premises.

#### **E. Right to Refuse**

NewTV reserves the right to refuse the use of its facilities to any individual who appears to be under the influence of alcohol or drugs or who interferes with the orderly conduct of business.

#### **F. Indemnification**

Community Producers, Co-Producers, Crew, Interns, Talent and Volunteers shall indemnify and hold harmless the City of Newton, Comcast, RCN, Verizon, NewTV, their employees, and the NewTV Board of Directors against any and all liabilities arising out of use of facilities and resources, or out of compliance with the requirements of these Operating Rules and Procedures.

#### **G. Interpretation**

Where the implementation of these Operating Rules and Procedures is subject to interpretation, decisions shall be at the discretion of the NewTV Executive Director or designee.

#### **H. Appeals of Staff Decisions**

Community Producers, Co-Producers, Crew, Interns, Talent, Volunteers and other NewTV members are encouraged to resolve difficulties on the staff level. Any Community Producer or member who wishes to appeal a decision of the staff or to communicate a problem or complaint should submit the issue in writing to the Executive Director. The Executive Director will provide a written response within 15 days. A member may request a hearing before the NewTV Board of Directors if s/he wishes to appeal the response of the Executive Director by contacting the executive committee of the NewTV Board.

### **VIII. VIOLATIONS**

There are two types of rules which, if violated, can result in restrictions on a Community Producer's participation in NewTV activities. The Executive Director or designee is authorized to issue warnings and suspensions. Membership fees will not be refunded to a member whose privileges have been suspended or revoked.

## **A. Major Violations**

1. Major violations by a Community Producer, Co-Producer, Crew, Intern, Talent or Volunteer will result in an immediate 90-day suspension of membership privileges. These may include, but are not limited to:
  - (a) Commercial or profit-making use of NewTV facilities
  - (b) Abuse of staff or other members
  - (c) Misrepresentation to others of member's affiliation with NewTV
  - (d) Falsifying forms
  - (e) Taking equipment without staff permission
  - (f) Abuse of equipment, including attempted repair or improper transport, or unauthorized facility reconfiguration
  - (g) Tampering with, copying or deleting NewTV software or data
  - (h) Failure to follow any requirement of the Live Call-In Screening Policy
  - (j) Three 'No Show' cancellations in any one-year period
2. Any subsequent major violation will result in the permanent loss of NewTV equipment and facilities privileges.

## **B. Minor Violations**

1. These may include, but are not limited to:
  - (a) Failure to cancel a reservation in accordance with section V.E
  - (b) Late pick-up or return of equipment without notification and approval
  - (c) Mishandling or unsafe use of equipment
  - (d) Eating or drinking in non-designated areas of NewTV facilities
  - (e) Smoking or being in possession of lighted smoking materials in NewTV facilities
  - (f) Failure to clean up after using the facilities
  - (g) Handling off-limits equipment or being in off-limits areas
  - (h) Rowdiness or horseplay while in the facility, or creating any disturbance to other NewTV members, producers, guests or the public
  - (i) Three 'Late Cancels' in any six-month period
2. Minor violations that take place within a one year period will result in the following responses:
  - (a) First violation - written warning
  - (b) Second violation - 30-day suspension
  - (c) Third violation - 90-day suspension
  - (d) Fourth violation - permanent loss of NewTV privileges