

Pittsfield Community Television



Operating Rules and Procedures

February 5, 2002

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LETTER FROM THE EXECUTIVE DIRECTOR

Welcome to Pittsfield Community Television's family of members.

We at PCTV are proud of our connection to your community by providing you with access to the medium of television. Our organization works hard to give to its membership the best working environment and assistance possible. In keeping with that commitment, we provide a professional staff that has been working in television, in this community and other communities, for many years. We are proud of the work that we do, and of the enthusiasm and loyalty of our people. We think that in a short time, you will share this pride.

Television programming is indeed a satisfying and rewarding endeavor that requires a mix of technical and artistic talents. This endeavor is not without effort and team cooperation, but it can also be quite enjoyable. We are committed to providing this literacy of television to the area public. We fully understand that newcomers to television technology need good training, patience, and support. It is our goal to assist, train, educate and allow members to explore the expression of new ideas. It is our priority to help members be successful in that goal.

We desire to assure all members that access is provided fairly, consistently, efficiently, and correctly. We take it seriously that we have been given this charge as a trust from the public. That is also the reason that we must have rules and guidelines that do not tolerate abuse of our facility, or those that work in it.

We insist on a sensible code of conduct as outlined in this Operating Rules and Procedures manual, and a respect for our Board, officers, managers, and supervisors. This is extended to respect and care for our clients, volunteers, interns and members. Anything less than that level will fall short of our expectations.

What follows are the rules and procedures governing the use of our facility and cablecast time. This manual is the result of many careful hours of consideration and community input. Our volunteer Board of Directors, all of whom are elected by the membership, and are themselves PCTV members, has approved this document.

If you should have any questions regarding any of these policies, please do not hesitate to address the staff or Board of Directors.

Our primary goal is to make your experience with us and with the art of television production a positive and rewarding one.

Bernard J. Avalle
Executive Director
Pittsfield Community Television

BOARD OF DIRECTORS

As of November 7, 2001

Officers

PRESIDENT	SHELLEY CRIPPA
VICE-PRESIDENT	<i>PETER GIFTOS</i>
TREASURER	<i>PETER MARCHETTI</i>
SECRETARY	<i>DENNIS MAXWELL</i>

Public Access Slate

Daniel Dillon
Peter Giftos
Patrick Gormalley
Chester (Chet) A. Gallup
Marya Kozik
Francis Markham

Education Access Slate

K. Meagan Ledendecker
Dennis Maxwell
Linda Porter

Government Access Slate

Shelley Crippa
Raymond Risley
Thomas Hickey

Mayoral Appointees

Jerry Gardner
Jeffrey Honig
Peter Marchetti

OVERVIEW OF PCTV

I. Introduction

- 1) Pittsfield Community Television (“PCTV”) is the name commonly used to describe the community television operations of Pittsfield Community Cable Broadcasting (“PCCB”), Inc.
- 2) This Operating Rules and Procedures manual is intended for members of Pittsfield Community Television. The manual contains policies and procedures formulated and approved by the volunteer Board of Directors of the Corporation, which are elected by the membership. Eligibility for membership is determined by the Bylaws of the Corporation, PCCB, Inc.
- 3) By signing a membership agreement, individuals accept, and are bound by, the terms of the agreement and by the policies and procedures outlined in this manual.

II. Corporate Structure

- 1) PCCB, Inc. is a not-for-profit corporation registered with the Commonwealth of Massachusetts, and recognized by the Internal Revenue Service as a charitable organization under section 501 (c)(3), and exempt from State and Federal taxes.
- 2) PCCB, Inc. has been designated by the City of Pittsfield to operate Public, Educational, and Governmental access television channels and facilities in the city. Through a ten-year franchise agreement between the City of Pittsfield and TimeWarner Cable, PCCB, Inc. receives a yearly local access fee equal to 5% of the gross revenues received by TimeWarner Cable from subscribers in Pittsfield in the previous calendar year. PCCB, Inc. is neither a division or department of the City of Pittsfield, nor is it owned or operated by TimeWarner Cable.
- 3) The franchise agreement requires PCCB, Inc. to operate within specified parameters, and to formulate a set of operating rules and procedures, contained herein. This franchise agreement is scheduled for renewal in 2006, and a copy of the current agreement is available for review at City Hall through the City Clerk’s office.

III. Mission Statement

The mission of Pittsfield Community Television (PCTV) is: To provide access to the medium of television and related technologies, including training, production facilities, and cablecast time, to public, educational, and governmental constituencies located in and/or serving the City of Pittsfield, Massachusetts, and to provide the Pittsfield community with local television programming.

IV. Staff Organization

The staff of Pittsfield Community Television are identified and organized in the following manner:

- 1) Executive Director: Responsible for overall administration, operation, and standards of the corporation, employees, and facility. Reports directly to the PCCB, Inc. Board of Directors
- 2) Channel Coordinators: Public, Education, Government: Each is responsible for coordination and operation of the respective access channel. Each channel coordinator schedules and executes cablecasting of programs, interstitials, and other program material; manages channel constituencies and members; schedules facility time for the members as stated in this manual; and reports to the Executive Director regarding the furtherance of the mission of PCCB, Inc.
- 3) Production Technician: Responsible for assisting members in the proper utilization of the PCTV facilities, including training and technical assistance, whether at the PCTV facility or remote production locations. Reports to the Executive Director.
- 4) Executive Assistant: Responsible for administrative support of the corporation, organization, and facility, as specified by the Executive Director. Reports to the Executive Director.
- 5) Engineer: Responsible for all technical facilities at PCTV, including equipment installation, interconnection, maintenance and upkeep. Maintains the integrity of the video and audio signals transmitted from each of the access channels. Liaison to TimeWarner Cable for technical matters, including signal quality and institutional network (INET) transmissions. Reports to the Executive Director.
- 6) Computer Technician: Responsible for all computer-related facilities at PCTV, including computer software and hardware installation, interconnection, maintenance and upkeep. Responsible for configuration of computer networking; design and updating of the company's World Wide Web site(s); and email facilities. Reports to the Executive Director.

See figure 1.1 for the manning chart showing the staff organization.

General Operating Guidelines

I. Acknowledgement

The Operating Rules & Procedures of Pittsfield Community Television will be in accordance and agreement with all the laws of the Commonwealth of Massachusetts and the laws of the United States of America, as amended from time to time.

II. Hours of Operation

- 1) Pittsfield Community Television's office and production facilities are available to PCTV members from 9:00 A.M. to 9:00 P.M. Monday through Thursday; 9:00 A.M. to 6:00 pm Friday; and 9:00 A.M. to 1:00 P.M. Saturday. These facilities are closed on Sundays and Holidays. Members are expected to schedule all production activity, including studio use, editing time, and EFP sign-in/sign-out, in advance.
- 2) A PCTV staff person must always be present at the facility during production activity. If a member requires direct staff assistance during production activity, this must also be scheduled in advance.

III. Behavior & Safety

- 1) All volunteers are expected to maintain a level of professional demeanor when representing Pittsfield Community Television. This includes producing or working on studio programs; producing or operating EFP Equipment; producing or working on remote studio programs; attending meetings or any volunteer work at the PCTV facilities; or any time volunteers represent PCTV.
- 2) Professional demeanor includes: proper dress and grooming; calm and collective thinking and speech during production; restraint from horseplay and vandalism; friendliness when greeting guests and volunteers to the PCTV facilities; no loitering when the studio facilities are idle; restraint from vulgar and obscene speech; deferral to staff authority; and generally, common sense.

IV. Use of Drugs and Alcohol

- 1) Any member of Pittsfield Community Television found to be under the influence of alcohol, drugs, or otherwise not under full control of his/her senses may be asked to leave the premises, and may be prohibited from using the PCTV facilities in the future.
- 2) Members are responsible for informing PCTV staff regarding his/her use of prescription and/or over-the-counter medications which may impair behavior, judgment, or motor skills, etc. while participating in activities at PCTV facilities or while using PCTV equipment.

V. Privacy Policy

PCTV recognizes the importance of protecting your personal information. In the course of doing business with PCTV, you share personal information with us. We treat this information as confidential. You may provide information when communicating or transacting with us in writing, electronically, or by phone.

We do not sell information about current or former members to any third parties, and we do not disclose it to third parties unless you have allowed us to do so, or as otherwise permitted by law.

We maintain physical, electronic, and procedural safeguards to protect your personal information. Within PCTV, access to such information is limited to those employees who need it to perform their jobs, such as administration of records or databases, or informing you of important events at PCTV. PCTV restricts the use of customer information by employees, and requires that it be held in strict confidence.

EDUCATION CHANNEL GUIDELINES

I. Channel Mission

The Educational Access Channel, made possible through the facilities of Pittsfield Community Television, provides a resource for local educators, parents, students, and educational institutions to convey and share knowledge and information with one another and with the general public.

II. Channel Guidelines:

A. Rules and Procedures

All producers of programming on the Education Channel must abide by all established rules and procedures set forth by the Staff and approved by the Board of Directors of Pittsfield Community Television.

B. Producer Requirements

- 1) Producer of the program must be one of the following constituencies:
 - a) Staff member of an educational institution
 - b) Elected or appointed official serving in an official capacity for a recognized educational institution
 - c) Parent or guardian of a student enrolled in an educational institution
 - d) Advisor to a club or organization belonging to or directly serving an educational institution For example, a Video Club advisor (staff or layperson), a football coach, quiz team advisor, drama coach, etc.
 - e) Pittsfield Community Television, using staff, volunteers or students to provide coverage of school events, such as graduations, sporting events, class nights, musical or dramatic performances, meetings, interactive teleconferences, talk shows, and other school-related events.
- 2) "Producer" is defined as the individual, 18 years of age or older, who is:
 - a) Acting individually or representing an educational institution;
 - b) Presenting a program for air on the Education Channel;
 - c) Solely responsible for the content of the program aired on the channel;

- d) The primary contact with Pittsfield Community Television, who will submit the appropriate forms to request and arrange air time, studio time, equipment training, and other details important to the program;
- e) Responsible for involving a sufficient crew to produce the program, and for the crew's training, use of equipment, and behavior at the Pittsfield Community Television facility;
- f) Responsible for obtaining any necessary clearances from local educational institutions, individuals, or copyright holders.

C. Educational Programming

Program must address an educational need or theme, or document an officially sanctioned school function.

For example, a teacher producing a program aimed at other teachers or students under the aegis of the school would qualify as a program on the Education Channel. A teacher producing a cooking show by herself and her friends would qualify as a Public Access program.

D. Instructional Programming

- 1) Programming which is instructional in content shall be subject to an approval process set forth by an appropriate educational institution prior to air on the channel.
- 2) Programming which is not instructional or curriculum-based (for example, a talk show, sports programming, etc.) is not subject to such approval prior to air.

For example, a program which intends to teach a course or include curricula in mathematics at the 8th grade level shall be aired on the channel only after review and approval by the Pittsfield Public Schools. Likewise, a program which contains college-level English materials, intending to be used as course material, shall first be approved by Berkshire Community College. However, a high-school basketball game need not be approved prior to air.

E. Fit With Mission

Program must fit within the guidelines of the Education Channel's Mission Statement.

F. Cablecast Time Priority

- 1) Pittsfield Community Television shall be under no obligation to carry programming produced outside the TimeWarner Cable service area. Any such programming shall be carried on the channel as a service to the constituencies of the Education Channel. The decision to carry such programming, and its placement in the weekly programming schedule shall be the sole decision of the Education Coordinator of Pittsfield Community Television.
- 2) Priority for air time on the Education Channel (which meets above criteria) will be as outlined in this manual: Programming, section XI, "Scheduling Priorities"

G. Educational Institutions Recognized

- 1) The following is the priority in which area educational institutions are recognized by the Education Access Channel:
 - a) Public Schools in the City of Pittsfield
 - b) Public Schools in the TimeWarner Cable service area (Dalton, Richmond Public Schools)
 - c) Private and Parochial Schools in the TimeWarner Cable service area (St. Joseph's, Miss Hall's School, St. Agnes, Notre Dame, etc.)
 - d) Berkshire Community College
 - e) Governmental Agencies serving an educational need in this community (i.e. The Berkshire Athenaeum)
 - f) Educational Non-Profit organization serving this community (i.e. The Berkshire Museum, etc. as defined in the organization's charter or 501(c)(3))
 - g) Other Organizations as recognized and approved by the Education Programming Subcommittee
- 2) The following institutions may participate in productions at the PCT facility only in conjunction with a local educational institution. However, the channel may accept programming produced by these institutions outside the Timewarner Cable service area:
 - a) Mass. College of Liberal Arts
 - b) Simon's Rock of Bard College
 - c) Williams College

H. Multi-Channel Cablecast

These guidelines do not necessarily preclude programming also being cablecast on Public and/or Governmental channel(s) operated by Pittsfield Community Television.

I. Appeals

If an individual or institution is denied access on the Education Channel because of a decision based on this policy, the process for appeal is as follows:

- 1) Submit a request for access on the Public Access Channel;
- 2) See section, "Grievance Procedure."

GOVERNMENT CHANNEL GUIDELINES

I. Channel Mission

The Governmental Access Channel, made possible through the facilities of Pittsfield Community Television, provides a resource for governmental bodies, elected and appointed officials, and declared candidates for elected office, to inform the public and communicate with their constituencies through the medium of television.

II. Channel Guidelines:

A. Rules and Procedures

All producers of programming on the Government Channel must abide by all established rules and procedures set forth by the Staff and approved by the Board of Directors of Pittsfield Community Television.

B. Producer Requirements

Producer of program must be one of the following:

- 1) An elected or appointed official , or an employee acting in an official capacity, representing a governmental body, department or constituency within the TimeWarner Cable service area
- 2) A declared (and documented) candidate for public office
- 3) Pittsfield Community Television, utilizing staff or volunteers, to provide coverage of meetings, events, and press conferences of governmental bodies, talk shows, or other bona fide news events

C. Program content guidelines:

- 1) Programs acceptable for air will be those which fit within the Governmental Channel's Mission Statement and are submitted by eligible producers as defined above, acting in their official capacities.
For example, a city councilor producing a program about government, answering questions for her constituents would qualify as a program on the Government Channel. A city councilor producing a skiing program by himself and his friends would qualify as a Public Access program.
- 2) Programming originating from both local and external sources is acceptable from eligible producers, so long as the intended audience is a local constituency.
- 3) Training programs intended for use by governmental bodies and their employees are acceptable.
For example, jury training, civil service training, fire and police training, etc.

D. Cablecast Time Priority

- 1) Pittsfield Community Television shall be under no obligation to carry programming produced outside the TimeWarner Cable service area. Any such programming shall be carried on the channel as a service to the constituencies of the Government Channel. The decision to carry such programming, and its placement in the weekly programming schedule shall be the sole decision of the Government Access Coordinator of Pittsfield Community Television.
- 2) Priority for air time on the Government Channel (which meets above criteria) will be as outlined in this manual: Programming, section XI, "Scheduling Priorities"

E. Regularly Scheduled Meeting Coverage:

- 1) Coverage of regularly scheduled meetings of governmental bodies, departments, or committees must be produced by PCT in order to air on the government channel.
- 2) Any other coverage of meetings as described above, produced by individual PCT members, must be clearly credited as such at the beginning and end of the program, and may air on the public access channel.

F. Election Coverage:

- 1) When applicable, programming will include election coverage, including debates, forums, election night coverage, candidate access to air time, etc.
- 2) Producers of election-related programming during an election season must abide by the Fairness in Political Programming policy as detailed in the PCT Rules & Procedures Manual.

G. Multi-Channel Cablecast

These guidelines will not necessarily preclude programming being aired, at the discretion of PCT programming staff, on the Public and/or Educational channels.

MEMBERSHIP

Membership eligibility is outlined in the Bylaws of Pittsfield Community Cable Broadcasting, Inc., Article III (Membership).

I. Overview

- 1) Individuals who wish to participate in training and production at Pittsfield Community Television must become a PCTV member. According to the PCCB, Inc. Bylaws, membership is open to all who live or work in Berkshire County. Any member of the Berkshire County public, or a not-for-profit organization based in and serving Pittsfield, may become a member of the corporation on a first-come, first-served, non-discriminatory basis.
- 2) Persons employed by PCCB, Inc. are allowed to become members of the Corporation with all rights and privileges as outlined in the Bylaws, however, they are not eligible for election to the Board of Directors.
- 3) Membership fees are non-refundable upon termination or revocation. Fees for all members are payable at the beginning of the “membership year,” currently defined as June 1 through May 31.
- 4) Special membership considerations:
 - a) Members joining after November 30th of the membership year pay half the appropriate membership fee, and the full fee is due again on June 1 of the following year.
 - b) Members joining between May 1—May 31 of a given year are afforded membership for the following membership year.
- 5) Each member will be expected to sign an acceptance form, stating that he/she is in receipt of this manual of Operating Rules and Procedures, and any other pertinent documentation relating to membership in the Corporation. Members are expected to abide by all bylaws, policies, rules and procedures set forth by the membership, Board of Directors, and Staff.
- 6) Members are expected to inform PCTV of information which could change their membership eligibility (i.e., residence address, place of employment, etc.), as well as other pertinent information (i.e., telephone numbers or email addresses) when it changes. Individuals can keep their membership in good standing by renewing prior to the expiration date.
- 7) Membership status will be re-assessed based on this information, and a member’s membership type, as outlined below, may change or be revoked based on guidelines for membership in the PCCB Bylaws. Members who no longer meet requirements for membership as outlined in the PCCB Bylaws agree to relinquish their membership

privileges, including (but not limited to) use of facilities and equipment, and the right to serve on the Board of Directors.

- 8) Persons under 18 years of age qualify for associate membership only. These individuals must also have the Parental Consent and Liability Agreement signed by a parent or guardian. Individuals under 18 years of age may not operate equipment unless accompanied by an adult member or by staff.
- 9) There are four types of memberships available:
 - a) Full (Voting) Membership;
 - b) Associate Membership;
 - c) Family Membership; and
 - d) Organizational Membership.

II. Full (Voting) Membership

- 1) To become a FULL VOTING MEMBER of PCCB, Inc., you must be a resident of, or work in the City of Pittsfield (or be a retiree from employment in Pittsfield), complete and submit the appropriate membership form, and pay the annual membership fee as shown on the current form. Pittsfield Community Television's definition of Pittsfield residency shall be the same as that used by the City of Pittsfield.
- 2) FULL MEMBERS enjoy the following privileges:
 - a) Produce programming for cablecast on PCTV, including use of equipment and facilities necessary to complete the project;
 - b) Attend training workshops for use of the equipment and facilities;
 - c) Volunteer to crew productions;
 - d) Receive periodic newsletters, policy manuals, and other publications published by PCTV;
 - e) Receive invitations to PCCB, Inc. Annual Meetings
 - f) Vote for Board Members at Annual Meetings
 - g) Eligible for election to the Board of Directors and to hold office on the Board.
 - h) Any other rights and responsibilities incumbent upon full voting members of the corporation.

III. Associate Membership

- 1) To become an ASSOCIATE MEMBER of PCCB, Inc., you must reside or work in Berkshire County, complete and submit the appropriate membership form, and pay an annual membership fee as shown on the current form.
- 2) ASSOCIATE MEMBERS enjoy the following privileges:
 - a) Produce programming for cablecast on PCTV, including use of equipment and facilities necessary to complete the project.
 - b) Attend training workshops for use of the equipment and facilities;
 - c) Volunteer to crew productions

- d) Receive periodic newsletters, policy manuals, and other publications published by PCTV;
- e) Any other rights and responsibilities incumbent upon associate members of the corporation.

IV. Family Memberships

The purpose of a family membership is to enable members of a family, living at the same address, to participate at PCTV with a lower-cost membership. To become a FAMILY MEMBER of PCCB, Inc., you must complete and submit the appropriate membership form, and pay an annual membership fee as shown on the current form. Every Family Membership covers up to four (4) people, as outlined below:

A. Full (Voting) Family Membership

- 1) Families that are accepted for Full (Voting) Family Membership must contain at least one adult who qualifies under the conditions for Full Voting Membership. A second adult listed for the family will be named an associate member.
- 2) Full family memberships may consist of the following:
 - a) One adult full (voting) member
 - b) One adult associate member
 - c) Up to two under-18 associate members

B. Associate Family Membership

- 1) Families that are accepted for Associate Family Membership must contain at least one adult who qualifies under the conditions for Associate Membership. Since no adult individual in an associate family membership qualifies for Full (Voting) Membership, no member of the family will receive a vote at an annual or special meeting of the members, and no member is eligible to serve on the Board of Directors.
- 2) Associate family memberships may consist of the following:
 - a) Up to two adult associate members
 - b) Up to two under-18 associate members

V. Organizational Memberships

A. Purpose

- 1) The purpose of an organizational membership is to enable Pittsfield-based groups of individuals; clubs; and non-profit organizations to participate at PCTV in a cost-effective manner, and to work toward creating programming to be cablecast on an access channel operated by Pittsfield Community Television, and which serves the community at large.

- 2) The organization or group shall have one primary contact person, to be identified on the appropriate membership form.
- 3) The organization's primary contact person must specify, upon establishment of membership or renewal, which members of the organization are to be voting members. Also, all members listed on the membership form must include full home addresses and telephone numbers.
- 4) Each member of a group or organization to be named a voting member must first qualify under the conditions for Full Voting Membership.
- 5) ORGANIZATIONAL MEMBERS enjoy the following privileges:
 - a) Produce programming for cablecast on PCTV, including use of equipment and facilities necessary to complete the project.
 - b) Attend training workshops for use of the equipment and facilities;
 - c) Volunteer to crew productions
 - d) Receive periodic newsletters, policy manuals, and other publications published by PCTV;
 - e) Any other rights and responsibilities incumbent upon organizational members of the corporation.
- 6) Only the members listed on the appropriate membership form are entitled to the membership privileges listed above.
- 7) There are two types of organizational memberships available:
 - a) **Group**; and
 - b) Organization.

B. Group Membership

- 1) To become a GROUP MEMBER of PCCB, Inc., an interested organization must be based in and serving the City of Pittsfield; complete and submit the appropriate membership form; and pay an annual membership fee as shown on the current form.
- 2) Group memberships may consist of the following:
 - a) Up to a total of five (5) individuals, at least one (1) of whom is an adult;
 - b) Up to three (3) of these individuals can be named as voting members (and each must qualify to vote, as stated above);
 - c) Balance of members to be named associate members.

C. Organization Membership

- 1) To become a ORGANIZATION MEMBER of PCCB, Inc., an interested organization must be based in and serving the City of Pittsfield; complete and submit the appropriate membership form; and pay an annual membership fee as shown on the current form.
- 2) Organizational memberships may consist of the following:
 - a) Up to a total of twenty (20) individuals, at least four (4) of whom are adults;

- b) Up to six (6) of these individuals can be named as voting members (and must qualify to vote, as stated above);
- c) Balance of members to be named associate members.

PROGRAMMING

(March 23, 2001)

I. Overview

- 1) In support of its mission, and in accordance with federal and state law, Pittsfield Community Television (“PCTV”):
 - a) Provides the community with a television production studio and related facilities, for the creation of local Pittsfield programming;
 - b) Educates members and the public about the facilities and provides periodic training;
 - c) Provides outreach to the community; and
 - d) Encourages qualified Pittsfield residents, Pittsfield-based organizations, and qualified PCTV members to create diverse programming, as an expression of speech protected under the First Amendment of the United States Constitution.
- 2) Producers have primary responsibility for program content. Consistent with customary access corporation practices, individuals must assume responsibility for their programs, as PCTV does not exercise editorial control, except as necessary for technical purposes, including scheduling and as provided herein. The previewing of a program will only occur in the extraordinary event of known and credible advance allegations of unlawful activity, or for technical purposes, including scheduling.
- 3) Members of the public do not have a protected right to cablecast programming on Educational and Government channels, as these channels are reserved for programming created by the channels’ respective constituencies, described in more detail in the PCTV Rules and Procedures.

II. General Guidelines

The following guidelines are applicable to all programming on Public, Educational, and Governmental (“PEG”) Access Channels operated by Pittsfield Community Television:

- 1) The content and subsequent use of the programming may not promote the sale of a profit-making product, service or trade. Such commercial advertising and/or commercial “infomercials” are not permitted.
- 2) “Underwriting” is permitted if it is in general compliance with the standards used by the Public Broadcasting System (“PBS”) for non-profit television station underwriting (See, section on “Underwriting of Programs”).

- 3) Programming prohibited by the Federal Communications Commission (“FCC”) and/or applicable law, or programming containing prohibited speech (See, section on “Prohibited Speech”), should not be cablecast.
- 4) Programming produced using PCTV facilities may not be sold, duplicated, or rented, nor may a fee be charged specifically for the viewing of the programming, without prior approval of PCTV. Because such programming was produced through the facilities of Pittsfield Community Television, PCTV holds the “Mechanical Copyright” to the work, and retains all rights incumbent upon such designation.

III. Types of Programming

A. Local PCTV Access Programs

Programs produced using PCTV facilities, either by PCTV full or associate members, or for PCTV, by its staff, containing a majority of original local content. (A producer/user must be a Full or Associate Member to use PCTV equipment or take training workshops.)

B. Berkshire County-Originated Programs

Programs which are produced in Berkshire County by residents of Berkshire County, are cablecast on PCTV-operated channels as a reciprocal courtesy. Programs produced at NBCTC, Willinet, Dalton Community Television, and CTSB fit into this category, as do programs produced by independent producers using their own or rented equipment, so long as the program was produced in Berkshire County.

C. Outside Submitted Programs

Programming that is neither produced in Pittsfield by a PCTV full or associate member or in Berkshire County by a Berkshire County resident. This type of programming can only be submitted for cablecasting by persons qualified to be Full or Associate Members of PCTV.

D. Community Bulletin Board

Character generator message “wheel” for non-profit organizations to publicize events and meetings. For-profit messages are not accepted. Pittsfield and Berkshire County non-profit organizations receive highest priority. Other non-profits accepted if space is available.

E. Leased Access or Local Origination

This type of programming is not available for cablecast on PCTV. Commonly produced by the local Cable Company for use on its own local programming channels, this type of programming can be commercial, and solicit for a profit-making product or service. It may also contain programming that promotes a profit-making organization. (Note that under Section 612 of the Federal Cable Act, residents or local organizations may obtain rights to commercial leased access time on other channels.)

F. Lottery Programming

This type of programming is not to be cablecast on PCTV. Any device, scheme, plan, promotion, contest or other program and/or presentation which involves directly or indirectly the element of prize, chance, and consideration, or any such device, scheme, plan, promotion, contest or other program and/or presentation which is, has been, or may be declared a lottery under applicable local, state or federal law.

IV. Technical Standards

- 1) PCTV endeavors to maintain a professional and consistent quality of electronic image and sound while transmitting television signals over the three (3) access channels. Therefore, all programming submitted for air, whether on videotape, as a live feed, or on other media, must meet the following mechanical and broadcast standards. Proper and widely accepted engineering practices will be followed and set as a standard:
 - a) Television images to be cablecast will meet the requirements that follow broadcasting standards that are currently in effect, whether analog or digital in nature.
 - b) Television images will be in the NTSC format.
 - c) Video levels must have proper illumination, as described in technical manuals associated with professional broadcast standards and industry practices. Normally not more than 100 IRE luminance, 7.5 IRE black (setup), and 40 IRE units of sync level.*
 - d) Sound will be at or around 0 db units, will be intelligible to the viewer, and will be free from distortion.
 - e) Videotapes must contain video which our playback equipment can “track” and “hold” the video raster in playback.
 - f) Any videotape or “feed” that does not play properly, or does not hold signal integrity, will not be played.
 - g) Any videotape that is physically damaged or has the potential to damage our playback system or receiving equipment will not be played.

Reference source detail can be found in equipment manuals and in broadcast engineering publications.
- 2) The final decision with regards to technical standards of an individual program, and whether a videotape or feed will be aired, will be based on these criteria and made by the Chief Engineer.

V. Content Responsibility

- 1) The producer(s) of each program is/are solely responsible for program content.
- 2) The producer shall agree to indemnify and hold harmless Pittsfield Community Television, the staff, Board of Directors, and members of Pittsfield Community Television, AOL TimeWarner Cable, and the City of Pittsfield, against any and all legal claims which may arise directly or indirectly from the transmission of said program. Further, the producer bears responsibility for obtaining proper releases from talent; obtaining performance, mechanical and cablecast copyright releases from the holders of any copyrights involved (video or music); obtaining any other required authorizations or releases; and producers (not PCTV) shall retain responsibility and liability for obscene or other speech not protected by the First Amendment of the U.S. Constitution, or otherwise not protected by applicable law. (See also, "PROHIBITED SPEECH").
- 3) Before a program can be cablecast on PCTV, it is the responsibility of each individual program producer to sign a program contract, which outlines the above responsibilities. In the event the program has been produced outside the PCTV facilities, PCTV reserves the right to obtain the original, authentic signatures of both the original program producer and the local presenter, on the official PCTV Program Contract Form, acknowledging responsibility for the program, prior to scheduling and subsequent cablecast of the program.
- 4) All programming produced using PCTV facilities and cablecast on the PEG Access Channel(s) must carry the following Video Tag at the open of the program:

THE FOLLOWING PROGRAM IS A PUBLIC ACCESS PRODUCTION OF (*PRODUCER'S NAME AND OUTSIDE SPONSOR'S NAME, WHEN APPLICABLE*) AND (*PRODUCTION COMPANY*), WHO ASSUMES FULL RESPONSIBILITY FOR ITS CONTENT. THE CONTENT OF THIS PROGRAM DOES NOT REPRESENT THE VIEWS OF PCTV, WHICH SERVES AS A FORUM FOR COMMUNITY EXPRESSION AND OFFERS TV TRAINING, PRODUCTION FACILITIES, AND CHANNEL TIME TO ALL PITTSFIELD RESIDENTS, ORGANIZATIONS, AND QUALIFIED PCTV MEMBERS.

- 5) If PCTV facilities were used in the production of the program, at the conclusion of each program, the credits shall include an acknowledgement for PCTV stating:

THIS PROGRAM WAS PRODUCED THROUGH THE FACILITIES OF PCTV, PITTSFIELD, MA

- 6) The PCTV name and logo shall not be used in the credits or any other part of the program unless specifically authorized by PCTV.

VI. Pre-Viewing of Program Materials

- 1) As is customary for access corporations, PCTV does not pre-view programs for content nor exercise editorial control, except in the extraordinary situation where it has actual and credible advance notice of probable illegal content, or for technical and scheduling reasons, as enumerated here:
 - a) To aid in determining the appropriate cablecast time for the program (See, “Appropriate Air Times & Disclaimers”);
 - b) To determine if a videotape meets mechanical standards (See, “Technical Standards”); and
 - c) To determine total running time, and beginning and ending “cue times”, and to perform other regular operating duties.
- 2) Such technical monitoring is not intended to include content monitoring, however, if the access channel coordinator finds a violation of these programming guidelines, or probable violations of federal, state or local laws, the coordinator may, to the extent permitted by applicable law, remove said program from the schedule lineup until further notice and appropriate further review, which shall be provided in a reasonable manner, or until proven violations are addressed and removed from the program by the producer. The program producer has an opportunity to be heard in this process (See, section on “Grievance Procedure”). The Executive Director retains the right to bring the matter to the Cable Television Franchisee to assist with further review and for a determination as to whether the program should be cablecast.
- 3) To the extent allowed by applicable law, and after adoption of duly approved guidelines, the Franchising Authority and/or the Cable Television Franchisee (the cable company) may have the right to pre-empt obscene and unlawful programming on access channels. This policy and any decisions based on same rest outside the realm of PCTV policies and procedures, and any complaints regarding such policies and decisions must be taken directly to the Cable Television Franchisee or Franchising Authority as applicable.

VII. Copyrights and Releases

- 1) Any permission received by the program producer to use copyrighted materials in his/her program must be submitted to PCTV staff in written form, and contain the following information:
 - a) It must be current for the intended air date and time of the program;

- b) The specific conditions of use must be stated, and coverage must be extended to whole or segmental use.

VIII. Prohibited Speech

The following types of speech are not allowed in programming aired on any of the access channels operated by PCTV and the individual producer in each case must be responsible to prevent the cablecasting of such programming (PCTV's role usually being that of "conduit" and not editor or publisher for programming produced by other parties).

Further to all of the following categories of unprotected speech, if a producer suspects that he or she may have a problem with content in this regard, it is recommended that the producer not ask PCTV staff or Directors to view the tape for the purpose of providing legal advice as PCTV does not provide legal counsel. Instead, the producer should consult a lawyer prior to submitting questionable program for cablecasting. This approach is consistent with the basic premise of public access: the individual is to be responsible for his or her program content and the role of the access studio is primarily to serve as a conduit for programs, and not to serve as editor/publisher.

A. Violation of Copyright

- 1) The program producer is responsible for being in compliance with any and all copyright and other intellectual property laws. Use of copyrighted materials or trademarks/service marks is determined by the producer at the producer's own risk.
- 2) A producer may not take or use other person's programming property or creations and use them unless he/she has: (a) obtained their permission, in writing; or (b) if applicable, paid a license or other necessary fee (if any) for their use on a cable access channel; or (c) the work is public domain (e.g., out of copyright).
- 3) Music
 - a) Under certain limited circumstances, music may be used in a program shown on access channels operated by Pittsfield Community Television. The conditions and considerations may include (depending on the circumstances) the following: (a) the music cannot be from a stage play and used in conjunction with a videotaped stage play performance; (b) the music must be licensed by ASCAP or BMI--agencies to which fees have been paid by TimeWarner Cable; (c) the videotape that the music is on cannot be duplicated for commercial distribution; and (d) as per conditions cited under the "ephemeral use" section of federal copyright law, the videotape must either be destroyed after six months or be permanently archived. The foregoing is general in nature and not intended as a complete list of relevant copyright considerations. Determination of copyright issues may require the producer to consult outside counsel.
- 4) Visual Works

- a) Most commercially-available books, magazines, newspapers, movies, television programs, plays, world wide web content, etc. are covered by copyright. These may not be included in your videotape, again unless the producer has obtained permission, paid a license fee, or they are in the public domain, as needed.

B. Libel and Slander

Defamation to a person or company's reputation either in writing (libel) or spoken (slander) could be determined grounds for a successful lawsuit. The program producer is solely responsible for defamatory program content and for any legal actions which may arise from the production and/or cablecasting of libelous or slanderous content.

C. "Fighting Words" and Incitement

A producer may not make an unlawful call to action that would put people's lives or property in imminent jeopardy. A common example is yelling "fire" in a crowded theater, or inciting unlawful acts or a riot at a public demonstration.

D. Obscenity

Obscene material is not allowed on any of the PCTV access channels. Generally, obscenity is the portrayal of sexual or excretory organs or functions in a patently offensive manner, running counter to locally accepted standards and without any socially redeeming value. The program producer is solely responsible for any legal actions taken as a result of the cablecasting of such material.

E. Lottery Information

No program, production, or presentation shall be cablecast or permitted on the PEG Access Channel(s) that involves directly or indirectly any Lottery information or which involves a Lottery.

F. Illegal Acts

No program or presentation shall be cablecast or permitted to be cablecast on the PEG Access Channel(s) that promotes or encourages the commission of an illegal act or acts, as same may be proscribed by Federal, state and local law.

G. Fraud

No program or presentation shall be cablecast or permitted to be cablecast on the PEG Access Channel(s) which is intended to defraud the viewer or is designed to obtain money by false or fraudulent pretenses, representations, or promises.

H. Solicitation of Funds

- 1) The solicitation of campaign funds by Legally Qualified Candidates is PROHIBITED in connection with any PEG Access Programming. Any program that contains any material designed to solicit names or addresses for future political campaign fundraising activities may be rejected by PCTV. The foregoing shall be applied in a "content neutral" manner aimed at fundraising, and shall not be applied selectively based on related program content. Notwithstanding the foregoing, "billboard" type

notices announcing the source of underwriting funding, if any, for the production of the program are permitted.

- 2) Individuals are PROHIBITED from soliciting funds for personal gain. Corporations and foundations that qualify for tax exempt status under Section 501(c)(3) of the Internal Revenue Code, and all other nonprofit associations, organizations, groups, clubs, societies and orders that qualify for tax exempt status under Section 501 (c), may cablecast a maximum of one fundraising program per quarter (3 months) of the calendar year. PCTV reserves the right to require proof of nonprofit status (IRS approval, if applicable) prior to the cablecast of any fundraising program.
- 3) PCTV reserves the right to limit the number of “long-form” televised fundraising events (i.e., telethons or auctions, longer than 1 hour in length) to one per quarter (3 months) of the calendar year, excluding those events produced by and directly benefiting PCTV.
- 4) Programming which is primarily fundraising in content, and otherwise meets the requirements of subsections (a), (b), and (c) above, can be cablecast, but is subject to cablecasting fees, payable by the program producer to PCTV. Applicable fees can be found on the most recent rate card, available upon request from the Executive Director. Because programming of this type is not central to the mission of PCTV, individual and organizational members do not have a protected right to produce and/or cablecast these programs as they would with traditional PEG access programming.

IX. Right of Refusal

PCTV reserves the right to refuse to carry any program or presentation or portion thereof which does not comply with the provisions of these Rules and Regulations, or for which adequate rights to the materials contained in the program and/or copyright clearances have not been obtained. However, permission by PCTV to proceed shall not be construed to mean that PCTV has acknowledged or concluded that the Applicant has secured all necessary rights and/or clearances or that PCTV assumes any responsibility for such programming.

X. Procedure for Obtaining Cablecast Time

The following are the steps that a producer will need to take to get a program cablecast on the appropriate access channel operated by PCTV:

A. On Public Access Channel(s)

- 1) Local PCTV Access Programs
 - a) A producer must complete and sign a PROGRAM CONTRACT, which contains the producer’s name and contact information, and details the specific nature and production schedule of the program. Producer may request a specific time slot,

but the final decision on time slots and program scheduling rests with the PUBLIC ACCESS COORDINATOR.

2) Berkshire County-Originated Programs

- a) Producers shall follow the same procedure as for Local PCTV Access Programs, except that time slots will be designated as available in the programming schedule, and may change from week to week as necessary.

3) Outside-Submitted Programs

- a) The qualified person (See, above definition) who submits the Outside-Submitted Program for air will be considered the program's Producer of Record. As such, the producer of record must complete and sign a PROGRAM CONTRACT, as above.
- b) Further, each outside-submitted program must contain a 2-minute "local wraparound," consisting of: a 1-minute live-video and audio introduction, at the beginning of the program, featuring the producer of record (or his/her designee), introducing him/herself, the organization represented, and the nature of the video; and, a 1-minute live-video and audio summary, at the end of the video, containing the name of the producer of record, and contact information (a mailing address or telephone number) where viewers can respond to the content of the program.
- c) PCTV staff shall not be responsible for performing the editing or production for this requirement; it is the sole responsibility of the producer of record.

4) Local Intent

- a) It is and has been the intent of the Cable Television license, with regards to public access television, to provide facilities, training, and cablecast time for locally-produced programs. PCTV is therefore under no obligation to accept or cablecast outside-submitted programming. PCTV reserves the right to evaluate such imported programming according to local interest and community standards, and deny cablecast time to producers not qualified for Full or Associate PCTV membership. Producers who are denied cablecast time may appeal (see section "Grievance Procedure").

B. On Education Access Channel(s)

- 1) A person requesting access on the Education Access Channel must first meet the requirements set forth in the "Education Access Channel Guidelines" Policy.
- 2) A person who qualifies to submit educational access programming becomes either the producer (for local programming) or the producer of record (for outside-submitted programming). Thus, this person is responsible for completing and signing a PROGRAM CONTRACT for each program submitted for cablecast, and for

arranging channel cablecast time with the Education Access Coordinator. Producer may request a specific time slot, but the final decision on time slots and program scheduling rests with the EDUCATION ACCESS COORDINATOR.

C. On Government Access Channel(s)

- 1) A person requesting access on the Government Access Channel must first meet the requirements set forth in the “Government Access Channel Guidelines” Policy.
- 2) A person who qualifies to submit governmental access programming becomes either the producer (for local programming) or the producer of record (for outside-submitted programming). Thus, this person is responsible for completing and signing a PROGRAM CONTRACT for each program submitted for cablecast, and for arranging channel cablecast time with the Government Access Coordinator. Producer may request a specific time slot, but the final decision on time slots and program scheduling rests with the GOVERNMENT ACCESS COORDINATOR.

D. Scheduling Priorities

The policies and procedures for managing access channel time are designed to provide access on a first-come, first-served, non-discriminatory basis by the widest variety of Berkshire County residents and organizations, but subject to scheduling practices customary and appropriate for a television station. Following is the order in which programs will be assigned cablecast time on all access channels operated by PCTV, with the intent to favor local programming and programming requested by local people:

- 1) Programs produced by PCTV full member or for PCTV by its staff, using PCTV–owned equipment as production equipment.
- 2) Programs produced by PCTV full or associate member, using either PCTV–owned equipment, outside equipment, or a combination thereof.
- 3) Locally-produced programming originally scheduled on Education or Government channels
- 4) Berkshire County-Originated Programs
- 5) Satellite programming as scheduled by access channel coordinator
- 6) Program segues or interstitials as scheduled by access channel coordinator
- 7) Community Bulletin Board programming
- 8) Non first-run locally-produced programming
- 9) Outside-submitted programming requested by a constituency of the access channel

10) Other outside-submitted programming

11) Non first-run outside-submitted programming

XI. Normal Play Schedule

A. Primary Cablecast Date and Time

Every program submitted for cablecast that meets the criteria for access channel time on an appropriate access channel shall receive a normal play schedule of at least one primary cablecast date and time. Primary cablecast times will occur between the hours of 5:00 PM and 3:00 AM daily. Other cablecast dates and times, including overnight, morning, following week, and weekend replays, are scheduled at the discretion of the ACCESS COORDINATOR. These cablecasting details are documented in the PROGRAM CONTRACT which is signed by the producer.

B. Unique Episodes in a Series

Unique episodes in a series of programs are each considered a single program, and thus receive a normal play schedule as described above.

C. Identical Programs

An identical program, which has run its normal play schedule, as described above must be re-submitted by the producer to be scheduled for further cablecast times.

D. Ongoing Monthly or Weekly Series

If a series program is currently inactive (no new productions are ongoing), and the producer has not submitted a current PROGRAM CONTRACT, the appropriate access coordinator may reschedule other programming in the existing time slot. Time slots cannot be “held” without a current program contract.

E. Non-Assignable/Transferable

Program contracts and assigned time periods are not assignable or transferable.

XII. Appropriate Air Times and Disclaimers

1) PCTV does not censor or otherwise alter programming created by community volunteers that meets the programming guidelines detailed in this policy. However, at the discretion of the access channel coordinator, the time at which programs are presented may be changed depending on the nature of the program.

- 2) It is the goal of PCTV to reach the appropriate audience for each program. An effort will be made to cablecast programs at times requested by the producers, while at the same time scheduling programs of similar appeal in the appropriate “daypart.” For example, PCTV uses customary scheduling practices of scheduling programming containing content inappropriate for children, e.g. sexual content or content inculcating and promoting racial hatred, etc., at times when children are not likely to be viewing. Such programming may be scheduled after 11:00 PM.
- 3) PCTV will, at the discretion of the Access Channel Coordinator or Executive Director, add a disclaimer to any videotape, stating that “the content may not be suitable for all audiences, but FCC regulations require the program to be aired.”
- 4) The final decision on time slots and program scheduling rests with the appropriate channel’s ACCESS CHANNEL COORDINATOR. Producers who disagree with decisions made by an Access Channel Coordinator according to this policy can appeal (See section on “Grievance Procedure”).

XIII. Copyrighting of an Access Program

- 1) The producer of any community access programming has the right to copyright the program, and therefore bears all responsibilities incumbent with these rights.
- 2) PCTV will seek the Producer's permission for any other use of the program.
- 3) Regardless of the copyright status of an access program produced with PCTV facilities, Pittsfield Community Television retains the right to telecast, duplicate, and distribute any program material produced by or with equipment that is owned by Pittsfield Community TV.

XIV. Cancellation / Pre-Emption

Programs on any of the access channels can be pre-empted or cancelled at any time without notice, at the discretion of the Access Channel Coordinator. An effort will be made by PCTV staff to inform the affected producer of a cancellation or pre-emption when appropriate and given sufficient lead-time to do so.

XV. Violations of Programming Policy

- 1) Adherence to this policy is the responsibility of the program producer. Violations will be taken seriously.
- 2) A program submitted for cablecast, which violates the above policy in any material way, will not be scheduled for cablecast, may be removed from any existing programming schedule. Any producer denied cablecast time in this fashion has the right to appeal (see section “Grievance Procedure”).

- 3) It is the responsibility of the program producer to prevent cablecasting of program content which violates these rules. Upon cablecasting, and PCTV staff's subsequent discovery of rules violations contained in any such programming, the producer will be given a verbal warning as a "first offense" from the Executive Director. Upon a second such offense, both a verbal and written warning will be given, and these will be the last warnings. Finally, after all warnings, if the producer continues to submit programming which violates the above programming guidelines, the Executive Director has the right to suspend the producer's membership, deny programming air time, and expel him/her from some or all activities involving PCTV facilities and equipment, subject to such reasonable grievance procedures as set forth herein or as may be adopted.
- 4) Foreign Programming. Upon notice of violation, any program, production, or presentation that is not produced in English, PCTV reserves the right to demand transcripts thereof be submitted and translated into English.
- 5) Live Programming: Producers of live programs will forfeit their live programming privileges (and associated playback reservations) and/or may be restricted from live programming completely for any of the following reasons, as specified in the Program Contract:
 - a) having an inadequate crew show up to produce the scheduled program successfully (see section, "Use of Facilities—IV. Studio Use—C. Studio Use");
 - b) lateness;
 - c) an inability to begin and end the program at the scheduled time; and
 - d) violation of any material term or condition of these Rules and Procedures, the Application, or the Contract.

FAIRNESS IN POLITICAL PROGRAMMING

I. Definitions

- 1) **Political Campaign Season:** The time between the final certification date for nomination papers in a given political race, until election day.
- 2) **Political Forum:** Programming containing discussions of political themes, issues, candidates, or ballot questions. Program may or may not include declared candidates or official spokespersons.
- 3) **Debate:** A formal contest of argumentation in which two opposing sides or Declared Candidates defend and attack a given proposition(s) or viewpoint(s).
- 4) **Declared Candidate:** A person is considered a ‘declared candidate’ after being certified by the appropriate City or Town Clerk or the Secretary of State, after the final certification date for nomination papers.
- 5) **Write-In Candidate:** A candidate for political office who has not been certified by an appropriate clerk or governing authority by the deadline set by such authority.
- 6) **New Programming:** Program content, a majority of which has not ever been previously cablecast on any of the Access channels operated by Pittsfield Community Television.
- 7) **“Equal Time” and “Equal Access” or the “Fairness Doctrine”:** This concept was integrated into an FCC Policy prior to 1984, and was applicable only to broadcasters (not cable operators, networks or programmers). The FCC discontinued enforcement of this clause in the 1980s. The concept allowed each side of a political issue to petition a broadcast (over-the-air radio or television) station for, and receive, equivalent air time to give their side of the story, if they feel that the other side was given more time unfairly.

II. Overview

- 1) The following policy applies to programming cablecast on any of the access channels operated by PCTV. The purpose of this policy is to provide the greatest access to available cablecast time, and provide the greatest public service during an election season, while being fair to all candidates, champions of issues, and the general public.
- 2) Programming submitted will be cablecast on the appropriate access channel, depending upon the program producer, as outlined in the PCTV Operating Rules and Procedures (See guidelines on Educational and Governmental Access Channels).

- 3) The producer(s) of each program is/are solely responsible for program content. (See Programming Policy, section “Content Responsibility.”)

III. Exemptions

Certain programs are exempt from this policy. Included are: political forums, debates, videotaped statements, and other such programming produced by Pittsfield Community Television as a community service. Also, PCTV covers regularly scheduled public meetings, press conferences, and/or other bona fide news events in which candidates attend and/or participate. These programs remain separate from series or single programs produced by members of the community, declared candidates, or spokespersons for or against ballot questions.

IV. PCTV Services

During a Political Campaign Season, PCTV may offer the following services to declared candidates:

- 1) Send an introductory letter to all candidates in a particular race, informing each of the PCTV operating rules and procedures, and of opportunities for access programming.
- 2) Reserve blocks of cablecast time, studio and facility resources, and provide staff assistance for the production of televised candidate statements. Reservation of the aforementioned resources by declared candidates will be accomplished on a first-come, first-served, non-discriminatory basis.
- 3) Organize and produce, or co-produce, debates and/or forums including all declared candidates in a particular race, or both sides of a ballot question debate.

V. Programming Containing Declared Candidates or Content Relative to Ballot Questions or Initiatives

Pittsfield Community Television requires that program producers of series or single programs, produced with PCTV equipment or other facilities, public or privately owned, follow these guidelines when inviting declared political candidates, or spokespersons for or against ballot questions, to their programs cablecast on any access channel operated by Pittsfield Community Television:

- 1) Any Producer of a program containing declared candidate(s) or spokespersons for or against ballot questions must include the following character-generated disclaimer, at the beginning and at the end of each program cablecast:

THE OPINIONS EXPRESSED ON THIS PROGRAM DO NOT NECESSARILY REFLECT THOSE OF PITTSFIELD COMMUNITY TELEVISION, ITS STAFF, MEMBERS, OR BOARD OF DIRECTORS. TO RESPOND TO THIS PROGRAM, OR PRODUCE YOUR OWN PROGRAM,

CONTACT PCTV, AT (413) 445-4234, OR WRITE TO:
PCTV, 4 FEDERICO DRIVE SUITE 2, PITTSFIELD MA
01201.

- 2) PCTV staff is not responsible for the technical execution of the inclusion of the above disclaimer on programs submitted for cablecast.
- 3) “No Surprise” Rule: No new Programming regarding ballot issues or containing declared candidates is permitted to be cablecast within 96 hours of an election unless produced or co-produced by PCTV. Due to standard channel scheduling requirements, therefore, no cablecast time requests for new programming content will be accepted later than 14 calendar days prior to an election. This includes all videotaped or live call-in programs, regardless of the nature of the program.
- 4) No fundraising, solicitation of funds, or on-air notices of fundraising events will be permitted (see Programming Policy, “Prohibited Speech”).

VI. Use of Equipment and Facilities

- 1) Producers of programs containing declared candidates or spokespersons for or against ballot questions must follow all existing PCTV rules and procedures with regards to use of equipment and facilities. This includes the first-come, first-served, non-discriminatory policy on reservation and sign-out of portable equipment, studio facilities, editing time, staff time, and other such resources.
- 2) Producers may opt to produce programming using other equipment or facilities, including other access centers, professional videographers, or personal video equipment. Such programs must meet technical standards as described in the PCTV programming policy, and follow all other PCTV programming guidelines.

VII. Scheduling

- 1) The policies and procedures for managing government access channel time during a political campaign season are designed to provide access on a first-come, first-served, non-discriminatory basis by all declared candidates, and the widest variety of Berkshire County residents and organizations, but subject to scheduling practices customary and appropriate for a television station.
- 2) Requests for cablecast time on the Government Access Channel made by declared candidates for office, or incumbents in office, will be administered on a first-come, first-served, non discriminatory basis as described above. Requests for cablecast time made by write-in candidates or members of the general public, will be filled in the same manner, but on the Public Access Channel, by the Coordinator of the Public Access Channel. PCTV is under no obligation to provide “Equal Time” or “Equal Access” to any such request or producer.

- 3) Cablecast time on the Government Access Channel will be scheduled by the Government Access Channel Coordinator, with the intent to favor programming produced by and about local Pittsfield candidates, races, and ballot questions. Other government access requests shall receive cablecast time as scheduling permits. See section, "Scheduling Priorities," contained in the Programming Policies of the PCTV Operating Rules & Procedures.

VIII. Restrictions on PCTV Staff Involvement

- 1) In accordance with normal PCTV operating procedures, PCTV staff shall not participate in an official capacity during paid company hours, as producer, crewperson, or other technical or advisory position which would be an advantage to any of the declared candidates or sides in a ballot question debate.
- 2) Staff can continue to perform other normal duties, however, such as engineering, technical assistance, training, and scheduling for such programs, as they would with other access programs.
- 3) The above does not pertain to PCTV-produced programming containing declared candidates, such as debates, forums, and candidate statement programs.

IX. Violations

- 1) Violation of this policy will result in immediate suspension of program access and station privileges. The suspension is in effect pending review by the Board of Directors.
- 2) Grievances. To protect due process rights of individuals, any action by the Executive Director or Access Channel Coordinator can be appealed. See section, "Grievance Procedure").

UNDERWRITING OF PROGRAMS

- 1) Commercial advertising is not allowed on any Access channels operated by Pittsfield Community Television. (See Programming, section II, "General Guidelines").
- 2) Underwriting for programs on Pittsfield Community Television may only consist of a "PBS Style" spot--that is, audio: a short (15 second or shorter) one- or two-sentence tag indicating that support for the program, financial or otherwise, has been given by the individual or corporation; video: a character-generated message stating the name of the individual or corporation, accompanied by a slogan, and/or a single still frame of video showing the corporation building, location, or logo.
- 3) Underwriting of the type specified above may only appear at the beginning and/or end of program. No mention of the underwriting is allowed within the body of the program, in any form.
- 4) Agreements of underwriting between producer and underwriter must be made using the Underwriting Agreement Form, available from the PCTV office. A copy of this form must be placed in the producer's program file.
- 5) Before PBS-style underwriting spots are to appear on any program produced at and/or aired on Pittsfield Community Television, the Executive Director must receive full written disclosure of any transaction between program producer or his assigns, and program underwriter. This includes outright financial grants, and in-kind donations, such as set materials and food items. Failure to provide full disclosure to Executive Director could result in loss of producer's privileges at PCTV.
- 6) Pittsfield Community Television reserves the right to accept a pre-agreed amount, up to 10%, of all disclosed financial grants, underwriting agreements, or donations to cover administrative costs.
- 7) Pittsfield Community Television reserves the right to audit any or all documents related to underwriting of a program produced and/or cablecast on any access channel operated by PCTV.

USE OF FACILITIES

I. Overview

The following guidelines will be observed in order to allow PCTV to fulfill its mission, and to allow as many members as possible to share the facilities on a first-come, first-served, non-discriminatory basis.

II. Training Workshops & Certification

A. Overview of Workshops

- 1) Members wishing to use PCTV-owned equipment in the production of programming must first be trained in the use of such equipment. Only members of PCTV in good standing qualify for training, sign-out, and use of PCTV-owned equipment.
- 2) Upon completion of a specific workshop or training session, a member is considered certified and authorized to use such equipment. Members may not use equipment for which they are not certified. In general, training sessions are held at the PCTV studio & facilities, located at 4 Federico Drive, Pittsfield.
- 3) Training can be completed using several methods:
 - a) Group/organization workshops;
 - b) Individual training sessions; or
 - c) Member workshops.

B. Group/organization workshop

Any organizational member of PCTV may schedule a group/organization workshop, and receive training for its members on PCTV video production equipment. The primary contact person of the organization is responsible for contacting the appropriate channel coordinator to schedule these training sessions in advance. Such sessions must take place during PCTV regular business hours.

C. Individual training session

Any full or associate member of PCTV may request training on a specific piece of production equipment. Such training must be scheduled in advance through the appropriate channel coordinator, and training will be performed by a production technician, or the channel coordinator. Training on EFP equipment must take place prior to sign-out of such equipment.

D. Member workshop

From time to time, PCTV will offer series of workshops to its members. These workshops are publicized through mailings, newsletters, and on bulletin-board services seen on the access channels.

E. Reserving slots in training sessions

- 1) Any member workshop offered by PCTV is available to all members of the corporation in good standing, on a first-come, first-served, non-discriminatory basis. Members must call ahead or sign up in person to have their names placed on the sign-up sheet. Workshops may have limits on attendance or prerequisites; members should check with the appropriate channel coordinator in advance about these special conditions.
- 2) Members are expected to call ahead if they must miss a workshop for which they are scheduled. Repeated no-shows for workshops may lose rights to attend future sessions.

F. Cost of Training Sessions

There is no cost to members for many training sessions offered by PCTV. Occasionally, PCTV will offer special workshops, which will require participants to pay attendance or materials fees.

III. Reservation of Facilities

A. Overview

PCTV facilities are scheduled for members on a first-come, first-served, non-discriminatory basis. Reservation of facilities must be performed by the appropriate Access Channel Coordinator. Members must consult with the coordinator to determine the appropriate amount of time needed for the reservation. Reservations made through other PCTV staff without prior knowledge of the appropriate coordinator may be superseded or disregarded.

B. Producer Contract

PCTV facilities, including the production studio, editing suites, and EFP (remote or portable) equipment, will be reserved for a member only after the appropriate channel coordinator has agreed to and received a signed producer contract. This means that only a program producer may reserve PCTV facilities. All reservation hours, used by any crew member, scheduled under a single producer contract, count toward the reservation limits stated below. Contract forms are available from the PCTV office.

C. Reservation Limits

- 1) Facilities will not be reserved more than 4 months in advance. Program producers are allowed to place up to the following number of hours on these respective schedules:
 - a) Studio: 20 Hours
 - b) Editing: 12 Hours
 - c) EFP Equipment: 72 Hours
- 2) Further, the following limits on simultaneous usage of PCTV facilities applies: Producers are limited to the use of one (1) facility (either studio, editing, or EFP equipment) at any one time, and within that one facility, limited to two (2) camcorders or one (1) editing suite at any one time, unless prior approval has been granted by the appropriate Access Channel Coordinator AND the Executive Director.
- 3) When a program producer uses some or all of the time reserved on the facility schedule, the producer is then allowed to reserve additional time, up to the hour limits stated above.

Example: John has 4 hours of editing time reserved on Monday, 4 hours on Tuesday, and 4 hours on Wednesday. Only after John completes his editing on Monday, can he then sign up for 4 hours on Thursday, or on any other date in the next four months.

- 4) Producers unable to reserve and schedule a desired facility will be placed on a waiting list, and will be scheduled on a first-come, first-served basis when the facility becomes available.

D. Cancellations

Program producers are required to give at least 24-hours notice to cancel a reservation of an editing suite or EFP equipment, and at least one week to cancel reservation of studio use. Cancellation without such prior notification given to the appropriate coordinator is considered a "no-show." Two "no-shows" per producer contract period will result in cancellation of the program, and the program producer may lose rights to reserve facilities in the future. Consideration will be given for unusual circumstances, at the discretion of the appropriate Channel Coordinator or Executive Director.

E. Late Arrivals

Any member who is more than 15 minutes late for reserved time in a PCTV facility without prior notice will forfeit the entire block of reserved time to another party, on a first-come, first-served, non-discriminatory basis. Members who are late arrivals three times per producer contract period may lose rights to reserve facilities in the future. With proper prior notice, consideration will be given for unusual circumstances, at the discretion of the appropriate Channel Coordinator or Executive Director.

IV. Studio Use

A. Overview

The multicamera production studio is used for productions that cannot be accomplished with EFP equipment. In general, the studio and production control room (PCR) are used for three camera, live or videotaped television programming. PCR is commonly used in conjunction with the multicamera studio, although some projects may utilize only one or the other of these facilities.

B. General Guidelines

- 1) Use of the studio and PCR is solely for the purpose of producing programming intended for cablecast on access channel(s) operated by Pittsfield Community Television. Any other use is considered a rental, and members will be charged according to the current rate card (see section, Rental of Facilities).
- 2) Program producers must reserve studio time with the appropriate Access Channel Coordinator. The program producer is solely responsible for reserving studio time. See section, Reservation of Facilities.
- 3) The studio and PCR can be reserved separately, if approved by the appropriate Access Channel Coordinator.
- 4) Producer must call the appropriate coordinator to confirm or cancel studio reservations at least one (1) week in advance of production. See the Producer Contract form for details.
- 5) Program producer is responsible for his/her crew leaving the studio in the same or better condition than when it was first occupied. This includes returning cameras to a locked position in the correct area; wrapping and storing cables; storing and locking microphones; returning set materials to storage; and throwing out trash, papers, and other refuse.
- 6) Misuse of equipment or facilities will not be tolerated. Program producers are responsible for damaged equipment, and will be expected to repair or replace damaged, lost or stolen equipment.
- 7) Wiring and connections in the studio will not be changed except by the Chief Engineer. Special wiring must be requested, approved, and performed by the engineer.
- 8) Absolutely no smoking, food or drink in the studio or production control room. Alcoholic beverages are not permitted on the premises, except for demonstration or use during a production. Such use must be approved by the Executive Director in advance.

C. Studio Crew

- 1) The program producer is responsible for assembling and confirming a crew of PCTV members to operate studio equipment. Anyone who operates PCTV equipment must be a member of PCTV, and must be trained in the proper operation of such equipment. Productions can be cancelled due to insufficient or unqualified crew members.
- 2) Producer is required to submit a list of crew members to the appropriate Access Channel Coordinator at least one week prior to any studio production, or to have a current list of members' names and phone numbers on file with the Producer Contract. Producer is required to have at least five (5) crew members for every studio production.
- 3) Producer and crew must arrive at the studio at least one hour prior to the commencement of production, to complete the pre-shooting checklist, found in the producer's agreement section of the Producer Contract.

V. Editing Use

A. Overview

Editing refers to the use of post-production rooms, located at the PCTV building, for the purpose of creating programming intended for cablecast on an access channel operated by Pittsfield Community Television.

B. General Guidelines

- 1) Use of editing is solely for the purpose of producing programming intended for cablecast on access channel(s) operated by Pittsfield Community Television. Any other use is considered a rental, and members will be charged according to the current rate card (see section, "Rental of Facilities").
- 2) Members must reserve editing time with the appropriate Access Channel Coordinator. The program producer is solely responsible for reserving editing time. See section, Reservation of Facilities.
- 3) Members are responsible for leaving the editing suite(s) in the same or better condition than when it was first occupied.
- 4) Misuse of equipment or facilities will not be tolerated. Producers of programs are responsible for damaged equipment, and will be expected to repair or replace damaged, lost or stolen equipment.
- 5) Wiring and connections in the editing suites will not be changed except by the Chief Engineer. Special wiring must be requested, approved, and performed by the engineer.
- 6) Absolutely no smoking, food or drink in the edit suites.

- 7) PCTV Staff will perform all duplication of videotapes. Under no circumstances will editing or other production equipment be used for duplication, unless sanctioned and performed by staff.

C. Non-Linear Editing

Due to the nature of computer-based non-linear editing, these additional guidelines apply for the operation, use and maintenance of any non-linear editing systems at PCTV.

- 1) Hard disk space located on any non-linear editing system will be made available to program producers on a first-come, first-served, non-discriminatory basis, according to normal facility scheduling policy (see section, "Reservation of Facilities").
- 2) Program producers are each allowed up to 1.5 hours of video and audio storage time on the hard disks (approximately 23 Gigabytes) with which to complete their program. Program Producer may be given special permission by the appropriate Channel Coordinator, in conjunction with the Computer Technician, to exceed this limit, under certain circumstances.
- 3) Program producers are each allowed to store video and audio data on the hard disks for up to thirty (30) calendar days. At the end of the thirty-day period, program producer will be contacted by the appropriate Access Channel Coordinator by telephone, and asked to complete the project and eliminate this data from the hard disks. Seven (7) days after such notification, data will be deleted from the drives without further prior notice.
- 4) PCTV reserves the right to remove any and all audio and video data from the non-linear editing systems and hard disks at any time. PCTV is not responsible for the integrity of video and audio data placed on the hard disks by program producers, and encourages all producers to retain copies of original video and audio materials.

VI. EFP Equipment Sign-Out and Use

A. Overview

EFP stands for "Electronic Field Production." When we refer to EFP equipment, we generally mean equipment which is portable and is available for sign-out by PCTV members for on-location video production.

B. General Guidelines

- 1) Use of EFP Equipment is solely for the purpose of producing programming intended for cablecast on access channel(s) operated by Pittsfield Community Television. Any other use is considered a rental, and members will be charged according to the current rate card (see section, "Rental of Facilities").

- 2) Members must reserve EFP equipment for sign-out with the appropriate Access Channel Coordinator. The program producer is solely responsible for reserving EFP Equipment. See section, Reservation of Facilities.
- 3) Late arrivals for pickup of equipment will forfeit the reservation (see section, Reservation of Facilities).
- 4) Late return of EFP equipment (15 minutes or more) may result in member losing rights to sign out equipment in the future:
 - a) first offense: verbal warning
 - b) second offense: written warning
 - c) third offense: loss of rights to reserve equipment for 30 days
 - d) fourth and future offenses: loss of rights to reserve equipment for one year.
 - e) This clause will be strictly enforced especially when another member is delayed or prevented from signing out EFP equipment because of late return.
- 5) Member must allow time for the PCTV- approved procedure of sign-out and sign-in of EFP equipment. The procedure may take up to fifteen minutes for sign-out and fifteen minutes for sign-in. Equipment will not be processed without this procedure, no exceptions.
- 6) Member is responsible for returning equipment in the same condition as when it was signed out. Misuse of PCTV equipment will not be tolerated. Member is responsible for damage to equipment while in his/her care, including repair or replacement.
- 7) Member is responsible for returning equipment, cables, accessories, and other borrowed equipment to the proper storage places at the PCTV facility. As with studio equipment, cables should be wrapped properly; microphones must be returned to storage, etc.

VII. Repair or Replacement of Damaged Facilities

- 1) Member is expected to pay for the repair and/or replacement of any PCTV equipment that is returned in a damaged condition or is lost or stolen during the course of use, and to reimburse PCTV fully for damage to property or personal injury caused by the member during facility use.
- 2) Member agrees to reimburse PCTV for the actual costs incurred by PCTV for such damage, repair or replacement. The following considerations will figure into the actual costs: insurance deductible amounts; insurance reimbursements; and equipment depreciation.

RATE CARD

The rate card details all costs associated with the purchase and rental of facilities, services, and supplies at Pittsfield Community Television. The current rate card is available at the offices of PCTV upon request, and is subject to change.

VIDEOTAPES AND DUPLICATION

I. Videotape Lending Policy

- 1) Work and master tapes are provided for producers' use free of charge. Videotapes are lent to program producers with the intent to produce programs for PCTV. However, the tapes remain the property of Pittsfield Community Television.
- 2) Each producer is allowed to borrow up to six (6) T-120 Super-VHS videotapes AND four (4) 60-minute Mini-DV videotapes for use in the production of programming intended for cablecast on PCTV access channels. Once this limit is reached, the producer may opt to re-use the existing videotapes in his/her possession, or purchase additional videotapes, at the rate stated on the current rate card. All DVC-Pro master videotapes are solely within the purview of the channel coordinator, and are not lent to program producers or members.
- 3) The producer remains responsible for each videotape in his/her possession, until he/she returns the tape to the appropriate Channel Coordinator. Producers have the option at any time to purchase original videotapes that have been lent to them, and may do so at the rate shown on the current rate card.
- 4) Producers who cannot account for videotapes lent to them when inventory is performed will be asked to pay for the missing videotapes, according to the current rate card. The appropriate Access Channel Coordinator may perform an inventory on videotapes lent to any producer at any time.

II. Duplication Policy

Duplication of program material for guests of programs, or any interested viewers, is not a free service of Pittsfield Community TV. Following are the rules governing duplication of videotaped material at PCTV.

- 1) Pittsfield Community Television retains the right to telecast, duplicate, and distribute any program material produced by or with equipment that is owned by Pittsfield Community TV.
- 2) Producers are entitled to one free 1/2" VHS dub per program, per producer contract. The producer should provide the blank videotape, or will be charged for the tape stock. Any additional copies requested by the producer will be subject to rates stated

on the current rate card. The producer is responsible to provide or purchase videotapes for any additional copies.

- 3) Guests of programs, and other persons wishing dubs of programs produced at PCTV, must adhere to the current rate schedule applying to duplication. This schedule also details cost for blank VHS tape and shipping costs, as necessary. This schedule is available upon request.
- 4) When duplication is requested, persons should fill out a "Dubbing Request Form," available at the PCTV front desk, detailing the Program and/or episode number, the Producer's name, the date of air or production, and any other information describing the original master tape. This form should be submitted to any staff person, who will inform the person of the total cost involved.
- 5) PCTV Staff will perform all duplication of videotapes. Under no circumstances will editing or other production equipment be used for duplication, unless sanctioned and performed by staff.
- 6) Duplication of programs will be performed on a first-come, first-served, non-discriminatory basis. Turn-around time for completion of dubs of PCTV programs is about one week after request is submitted. Person submitting duplication request is responsible for picking up and paying for videotape copies within two (2) weeks of being notified that the duplication job is complete. Copies not picked up within this time will be destroyed and videotapes recycled.
- 7) Program producer must obtain all applicable copyright permissions prior to any duplication request, when necessary. Pittsfield Community Television is not liable for damages resulting from copyright infringement, or for damage to any original or master tapes.
- 8) All rates and rules regarding videotape duplication also apply to duplication to audio-only media (such as audiocassette or CD-R). Producers are responsible for providing recordable media for this purpose.

III. Bicycling to Other Access Centers

- 1) Producers are responsible for providing or purchasing videotapes used to bicycle programs to other access centers. Producers will be charged a fee for blank videotape stock, in accordance with the current rate card, to use PCTV videotapes for this purpose.
- 2) PCTV does not charge for the duplication of videotapes intended for cablecast at Northern Berkshire Community Television Corporation (NBCTC) or Community Television for the Southern Berkshires (CTSB), although the program producer is still responsible for purchase of the blank videotape stock for these copies. For copies to other access centers, standard duplication rates apply.

- 3) Producers are solely responsible for transporting or shipping tapes to other access centers.
- 4) Duplication of programs intended for other access centers will be performed on a first-come, first-served, non-discriminatory basis. Unless blank videotape stock is provided at the time of studio production, such duplication will be completed in approximately one week.

RENTAL OF FACILITY

I. Overview

Use of facilities owned and operated by Pittsfield Community Television is solely for the purpose of producing programming intended for cablecast on access channel(s) operated by Pittsfield Community Television. Any other use is considered a rental, and individuals will be charged according to the current rate card (see section, Rate Card.)

II. Availability / Member Use

Because facilities owned and operated by Pittsfield Community Television are primarily intended for use by members, priority is given to members for these productions. Facility rental will be deemed available based upon any current reservations by members, and PCTV makes no guarantees as to the availability of any particular facility prior to a rental agreement.

III. Rental Agreement

Individuals interested in renting PCTV facilities ("Facility Rental Client") will be required to sign a rental agreement, which details the terms of use of such facilities, including but not limited to the following:

A. Maintenance and Upkeep

Facility Rental Client is expected to exercise care in the use and upkeep of the equipment being rented.

B. Full Payment in Advance

Facility Rental Client will be expected to tender the entire amount of the expected cost of the rental agreement, PLUS a security deposit (see below) upon commencement of the agreement.

C. Security Deposit

A security deposit consists of an amount equal to the full value of the equipment being rented, or \$500, whichever is less. Security deposits are acceptable in the following forms of payment: cash; and major credit card transaction. Security deposits are entirely refundable upon completion of the rental agreement, assuming all equipment is returned in the condition in which it left the PCTV facility.

D. Repair or Replacement of Damaged Facilities

- 1) Facility Rental Client is expected to pay for the repair and/or replacement of any rented equipment that is returned in a damaged condition or is lost or stolen during

the course of a rental agreement, and to reimburse PCTV fully for damage to property or personal injury caused by the client and/or his associates during a facility rental.

- 2) Client agrees to reimburse PCTV for the actual costs incurred by PCTV for such damage, repair or replacement. The following considerations will figure into the actual costs: insurance deductible amounts; insurance reimbursements; and equipment depreciation.

E. Training of Users; Certification

All Facility Rental Clients must be certified by PCTV staff in the proper use of any equipment rented under a PCTV rental agreement. Additional users may be certified, however, only certified users may use such equipment during the time of the rental agreement. Additional charges may apply for equipment training.

F. PCTV Staff Involvement

For certain facilities owned and operated by PCTV, the presence of a PCTV staff person may be required during the time of the rental agreement. Additional charges may apply for staff time and/or overtime. This will be determined by the Executive Director, and will be detailed in the Facility Rental Agreement. The use of PCTV staff as production personnel will be detailed in the Facility Rental Agreement.

G. Retroactive Payment of Rental Costs

Members producing programming intended for cablecast on an access channel operated by Pittsfield Community Television are not normally charged rental fees for the use of PCTV equipment. However, if it is determined that a member has used programming created in this fashion, which violates commercial programming guidelines contained herein (see section, "Programming: II—General Guidelines), that member may be charged retroactively for the use of such equipment, based on rates shown in the Rate Card that was in effect during such use.

H. Termination

PCTV retains the right to terminate any and all rental agreements at any time, and to ask for the immediate return of equipment being rented.

VIOLATIONS OF POLICY

I. Overview

PCTV reserves the right to revoke privileges of members who violate the rules and procedures contained in this manual. Depending on the nature and severity of the violation, such revocation may include loss of privileges to use PCTV facilities and attend training workshops; expulsion from the facility; or loss of other privileges.

II. Immediate Suspension and/or Revocation of Privileges

Under extreme circumstances, PCTV staff reserves the right to immediately suspend membership privileges and/or expel a member (or any person) from the facility. These circumstances may include, but are not limited to, the following: flagrant violations of policy; theft or criminal acts; willful damage of property; malicious and wanton destruction.

III. Process of Notification

A member will be notified of a violation of these rules and procedures by the Executive Director, or appropriate PCTV staff member, in the following manner:

A. Verbal Warning

Upon first offense, the member will be informed that he/she has violated a policy contained in this manual, be shown exactly which policy was violated, asked to correct the problem, and warned not to violate the policy again.

B. Written Warning

Upon second offense, the member will be delivered a written warning, detailing both the current violation and previous violation(s), and detailing the section(s) of this manual where the violation(s) occurred. The member will be warned in writing that this will be the last warning given before revocation of privileges occurs.

C. Revocation of Privileges

After all warnings have been given and/or delivered, and the member continues to violate rules and procedures contained in this manual, the Executive Director may choose to revoke some or all of the member's privileges at Pittsfield Community Television, and may choose to take further legal action for full recovery and restitution for any losses suffered by PCCB, Inc.

III. Rights for Due Process

Members have a right under this manual of rules and procedures to contest any decision by PCTV Staff, which results in a revocation of membership privileges (for the details of this procedure, see section, "Grievance Procedure").

GRIEVANCE PROCEDURE

To protect due process rights of individuals, any action by the Executive Director or Access Channel Coordinator can be appealed in the following fashion:

I. Meeting

The member may request a meeting, in writing, with the Executive Director. Letters should be addressed to: Executive Director, PCTV, 4 Federico Drive Suite 2, Pittsfield MA 01201. The Executive Director will meet with the member and appropriate PCTV staff persons to work toward an appropriate solution.

II. Hearing Before the Grievance Committee

If the grievance is not resolved to the satisfaction of the member, the member may request a hearing, in writing, with the Grievance Committee of the PCTV Board of Directors. The Grievance Committee, appointed by the Board of Directors once per year, consists of Directors who comprise the entire Rules Subcommittee, plus the chairs of the Public Access Subcommittee, Education Subcommittee, and Government Subcommittee. Letters should be addressed to: Chair, PCTV Grievance Committee, 4 Federico Drive Suite 2, Pittsfield MA 01201. The Committee will set a mutually agreeable time for a hearing, which will include the member, the PCTV Executive Director and appropriate staff persons.

III. Hearing Before the Full Board of Directors

If the grievance is not resolved to the satisfaction of the member, the member may request a hearing, in writing, with the full PCTV Board of Directors, at their next regular meeting. Letters should be addressed to: President, PCTV Board of Directors, 4 Federico Drive Suite 2, Pittsfield MA 01201. If the Board of Directors decides by simple majority to uphold the decision(s) of the PCTV staff, the member in question may not ask the Board of Directors to review this case again for a period of one (1) year.