

Town of Harvard, Massachusetts
Community Cable Access Committee
HCTV Policies

Adopted May 8, 2015

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1 Introduction

Harvard Cable Television (HCTV) is the local public access television function serving the Town of Harvard, Massachusetts. This function is managed by the Harvard Community Cable Access Committee (HCCAC). In this document, the HCCAC will be referred to as "the Committee", and "HCTV" will refer to the whole of station staff, volunteers, and community participants, including Committee members participating individually in station operations.

The Committee is responsible for the establishment, operation, and maintenance of the Cable Access Station and any and all associated equipment.

The Committee seeks to promote programming that is about or was generated by local participants. In some cases material originating outside of the community may be considered. The Committee seeks to treat all programming requests with fairness, and maintains an agenda that is non-partisan as it relates to political point of view, religious persuasion, and philosophy.

All programming will be evaluated for its appropriateness and relevance to Harvard community life and standards. Requests to air materials will be reviewed by the person acting as the Station Manager who has the right to air or refuse to air any piece with respect to its appropriateness to Harvard standards and the Committee's programming goals.

Programming decisions are totally at the discretion of the Station Manager and can be appealed to the Committee as a whole and finally to the Board of Selectman, by contacting the Committee or one of its members with suggestions and concerns. Programming goals include providing a balanced view of issues, although "equal time" or "counterpoint" is not a right that is automatically guaranteed to viewers who may object to a programming decision.

The Committee will operate within the rules and laws that are generated by appropriate governing agencies that have authority over local programming, but ultimate decisions about program appropriateness will be driven by community values.

This document sets forth the policies that govern both the Committee and the broader HCTV community.

2 Harvard Community Cable Access Committee (HCCAC) Governance

HCCAC is a seven-person committee appointed by the Harvard Board of Selectmen to define, organize, and manage the Town's local public access television function, known as Harvard Cable Television (HCTV). Governance of HCTV is guided by the following documents, listed in order of descending precedence:

1. Federal Telecommunications Act of 1996; US Code, Title 47, Chapter 5
2. Massachusetts General Laws c. 166A; Code of Massachusetts Regulations (CMR) 207
3. HCCAC charge as voted by the majority under Article 18 at the 3/30/1996 Annual Town Meeting
4. Renewal Cable Television License granted to Charter Communications Entertainment I, LLC – January 18, 2015
5. HCTV Policies (this document)
6. Robert's Rules of Order

The seven voting membership slots are organized into overlapping three-year terms. The committee selects its own leadership by majority vote on an annual basis:

- **Chair:** responsible for scheduling meetings, setting formal agendas, and running the meeting under Robert's Rules of Order
- **Vice Chair:** assumes responsibility of chair when Chair is absent
- **Recording Secretary:** responsible for taking minutes of all meetings and ensuring a timely posting of approved minutes
- **Treasurer:** responsible for submitting annual budgets for committee discussion and approval, collecting and submitting all expenditures on a timely basis, and reporting current HCTV finances at all committee meetings.

3 HCTV Operations Staff

The Committee may define compensated staff positions to assist the Committee in executing its mission. These positions may be filled by Part-time Town Employees, Temporary Town Employees, participants in the Town's Senior Tax Work Off Program, or Independent Contractors.

3.1 Roles and Responsibilities

The Committee will define in writing the roles and responsibilities for each compensated position. These roles and responsibilities will be reviewed by the Committee on an annual basis, and amended as necessary to reflect the evolving needs of HCTV.

3.1.1 Station Manager

- Responsible for the day- to-day studio operations related to the production and broadcast of programming on HCTV broadcast channels.
- Responsible for the clerical duties as assigned by the Committee.
- Works under the policy and supervisory direction of the Committee.
- Coordinate technical issues and interface with the cable provider.
- Supervise media production and post production activities including managing equipment and facilities. This will include maintaining check-in and checkout procedures and inventory.
- Provide assistance and facilitation to community access media producers.
- Provide video production workshops and other training to students and community members with the goal of producing community-generated original programming; encourage and facilitate such original programming
- Develop and maintain relationships with area non-profits, educational institutions, government agencies and other community leaders.
- Oversee daily scheduling of HCTV programming and the production of municipal meetings, and work to increase and improve programming.
- Perform other duties as assigned by the Cable Access Committee.

3.2 Performance management

The Committee will review the job performance of all compensated staff on an annual basis. The HCTV chair will be responsible for leading this process.

3.3 Staff support for program production

Unless HCTV explicitly agrees to assume production responsibility, coverage of nonprofit or community events will be treated like any other independent program production. It will be the responsibility of the nonprofit or community agency to designate a program producer and to comply with all HCTV access rules and policies. HCTV will use its best efforts to provide nonprofits or community groups with a list of HCTV-trained volunteers who may, at their own discretion, choose to offer production support.

4 Facility and Equipment Usage

Usage of HCTV facilities and equipment is limited to eligible Harvard users working on projects sanctioned by HCTV.

4.1 Eligible Users

4.1.1 Eligibility requirements

Only Harvard residents, Town employees or contractors, and non-resident students attending Harvard public schools are eligible to use HCTV's equipment and facility. Proof of eligibility may be requested.

4.1.2 User Qualifications

Any eligible individual wishing to use HCTV facilities and/or equipment must demonstrate a sufficient level of understanding on the use of the desired facilities and/or equipment in order to be formally certified by the Station Manager, at his/her sole discretion, as being approved to use them. The Station Manager will maintain current records of certified users. Re-certification may be required of anyone who has not operated or used the HCTV production and/or facilities for an extended period of time.

4.1.3 User Responsibilities

All certified users will assume full supervisory, legal and financial responsibility for maintaining the existing operating condition of any and all HCTV equipment or facilities that they utilize. Minors under the age of 18 must be represented by an adult who will assume full responsibility on their behalf.

4.2 Eligible Projects

Any project utilizing HCTV's facility and/or equipment must conform to HCTV's policies on acceptable content (see section 3.3), and must be made available for broadcast on Harvard's local access channels at HCTV's sole discretion. A **Program Proposal Request Form** or **Event Coverage Request Form** can be downloaded online at <http://www.harvardcabletv.com>, or picked up at the facility during Open Hours. The form should be submitted to the Station Manager. Note that HCTV equipment is for the production of local access programming only **and not for any personal use**.

4.3 Equipment Sign-out

Eligible users (see section 3.2.1.1) may sign out for field use on a sanctioned project (see section 3.2.2) any applicable equipment that they are certified to operate (see section 3.2.1.2). If approved, the user will assume full supervisory, legal and financial responsibility for maintaining the existing operating condition of any and all HCTV equipment that is borrowed. The condition shall be determined at the time of checkout and check-in. Minors under the age of 18 must be represented by a consenting adult who will assume the full supervisory, legal and financial responsibility for the borrowed equipment. Proof of identity will be required.

Equipment sign-out requests must be made no more than 14 days in advance, using the **Equipment Release Request Form** that can be downloaded online at <http://www.harvardcabletv.com>, or picked up at the facility during Open Hours. Equipment may be signed out for no longer than 5 days at a time. Requests will be processed by the Station Manager on a first come first serve basis, and accommodated as best possible given scheduled availability. Note that the occurrence of unexpected or emergency programming needs by HCTV may necessitate the early return of borrowed equipment.

4.4 Facility Access

4.4.1 Access during Open Hours

Members of the general public are welcome to visit the HCTV facility during Open Hours, which will be posted at the facility entrance and on the HCTV website. During Open Hours, an HCTV staff person, Committee member or authorized volunteer will be on-site to assist with any requests or inquiries, arrange for training and/or certification on the use of HCTV facilities and/or equipment, and to supervise any pre-scheduled activities.

4.4.2 Access outside Open Hours

Access to the HCTV facility outside Open Hours will be controlled by an electronic keycard system that logs the keycard identity for every entry. The Station Manager will be the sole issuer of key cards, and will maintain a record of all active cardholders. Entry logs will be available to the Station Manager and Committee members.

Cardholders may not lend their keycards to other individuals, and must be present in the facility at all times their card is used to gain access.

Failure to follow access control procedures or the violation of any other HCTV policy may result in the revocation of access privileges outside Open Hours at the combined discretion of the Station Manager and HCTV Chair.

4.4.2.1 Committee Members and HCTV Staff

As stewards of HCTV and its operations, Committee members and HCTV Staff shall have unrestricted access to the HCTV facility. Accordingly, they will be issued personal keycards for the duration of their service to HCTV.

4.4.2.2 Authorized volunteers

The Committee may, at its discretion, issue personal keycards to adult volunteers who are trained and specifically charged with and fully responsible for the supervision of the facility and the usage of its equipment.

4.4.2.3 Sanctioned projects

Any local access production project sanctioned by HCTV may request access to the facility and use of its equipment outside Open Hours., specifying:

- Requested time
- Planned activities (i.e. production planning, recording, editing, etc.)
- Required equipment (must be operated by a Qualified User – see section 3.2.1.2)
- Name, address, and contact information for a Designated Responsible Individual (must be an eligible user [see section 3.2.1] who has completed an HCTV facility orientation) who will commit in writing to:
 - Being present while the facility is being utilized and ensuring that all HCTV policies and practices are followed
 - Limiting access to only those associated with the project
 - Restoring the facility to the same condition as it was found
 - Reporting any facility/equipment problems or issues

The Station Manager will work with the Designated Responsible Individual to best accommodate the requested time within the scheduled availability of the studio, and will assign a temporary keycard to the Designated Responsible Person that can be picked up during Open Hours. The keycard must be left in the studio at the conclusion of the scheduled use.

4.4.2.4 General public

The general public may request opportunities to visit the facility outside Open Hours if accompanied by a Committee member or HCTV staff member. Such requests will be accommodated whenever possible.

4.4.3 Safety and Security of Minors and Students

HCTV is committed to creating a safe and healthy environment in which young people can learn about and experience public television. In order to ensure this, we will employ practices that provide for the safety of minors and students and those who supervise them. All persons who are engaged in activities with minors on behalf of HCTV will familiarize themselves with HCTV Policies and sign a statement of compliance.

Access by school staff and students to the HCTV Facility during school hours and for school-sanctioned activities will be governed by School Committee policies.

Access by two or more minors to the HCTV Facility outside school-sanctioned activities will only be allowed in the presence of an adult with School-mandated background checks. Access by a single minor requires the presence of two adults, with at least one adult having School-mandated background checks. No adult working with minors will place himself or herself in a compromising situation by being alone with any child (other than with his or her own child).

4.4.4 General Facility Rules

- The HCTV facility is a smoke-free environment.
- No alcoholic beverages are allowed on premises.
- No firearms, live ammunition, incendiary displays or other weapons are allowed on premises.
- No illegal substances are allowed on premises.
- There shall be no use of HCTV phones or other office equipment unless permission is granted by HCTV.
- HCTV is not responsible for personal property left on the premises.
- All facility users and guests are responsible for maintaining an orderly work environment and restoring the facility and equipment to their original condition before they leave the facility.
- All facility users must conduct themselves in a responsible and lawful manner at all times, or they will be asked to leave the premises.

5 Program Content

Any program that is produced using HCTV's facilities and/or equipment, as well as any program being offered for broadcast on HCTV's public access channels must conform to the following content policies:

5.1 Federal, State, and Local Restrictions

Programs may not include any of the following material:

- **Gambling:** May not promote or conduct any lottery, raffle, contest or game involving prizes awarded in whole or part by chance.
- **Obscenity:** May not contain material that is obscene. Federal law states that material is obscene if:
 - the average person, applying contemporary community standards would find that the work, taken as a whole, appeals to prurient interest.
 - the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by applicable law.
 - the work, taken as a whole, lacks serious literary, artistic, political or scientific value.
- **Libel, Slander, Defamation:** May not contain any such material or any which invades privacy or publicity rights, promotes unfair competition, violates trademark or copyright.
- **Mature Content:** If a program is not legally obscene or libelous, but is still likely to be offensive to some audiences, or is of a mature or adult nature, then the producer/content creator must inform staff when submitting the program. The following guidelines are provided to help access producers and staff-determine what is appropriately considered mature content:
 - Profanity
 - Nudity
 - Sexual material
 - "Hate speech" (words or images likely to be considered abusive or discriminatory against any racial, ethnic or religious groups, or on the basis of gender, sexual orientation, or disability)
 - Violence
 - Any other potentially disturbing content relating to human or animal mutilation, excretory functions, medical procedures, etc.

Programs including mature content will be scheduled for broadcast in a late-night time slot (11p.m. - 4a.m.).

The intent of this mature content policy is not to discourage free expression, but to achieve a balance between the First Amendment right to free speech and the desire of cable viewers to be protected, and to protect their children, from unwanted viewing of mature content through the application of reasonable time, place and manner constraints.

- **Other:** May not contain any other material that violates any federal, state or local law.
- **No Solicitation:** An access program may not solicit funds or other property of value from viewers or in anyway contain material intended to defraud the viewer or designed to obtain money by fraudulent pretenses, representations or promises.
- **No Advertising:** An access program may not accept advertising, or promote the sale of products or services, including prices, or promote or endorse a trade or business.

5.2 Rights

It will be the responsibility of the program provider to obtain and provide, in writing, all necessary approvals, licenses, etc. for the use of any program material to be broadcast, including (but not limited to) those from copyright owners, performers, representatives, and all persons featured in the program. A **Performance/Broadcast Release** form can be downloaded online at <http://www.harvardcabletv.com>, or picked up at the facility during Open Hours.

5.3 Disclaimer

All content produced by independent producers must include the following disclaimer:

“The following program was produced by <name of provider>. The content of the program is the sole responsibility of <name of provider>, and does not reflect the views of HCTV, the Town of Harvard, or Charter Communications”.

5.4 Underwriting

Program producers may seek underwriting support for their productions, only if the underwriter (sponsor) does not have or appear to have editorial control of the program content. Additionally, individual or for-profit sponsors must meet one of the following conditions:

- There must not be or appear to be a direct connection between the interest, product or services of the sponsor and the subject of a program or series.
- The program or series content is not blatantly promotional or self-congratulatory.

Underwriting acknowledgements exist for the sole purpose of identifying the funder, not to promote the funder or its products or services. In text with or without voice over, the acknowledgement must solely reveal the business’s name, address and website. The video may consist of a graphic or video background containing the front exterior of the business location or the company logo. Examples of acceptable text:

- “This program is made possible in part by...”
- “This program is underwritten in part by...”
- “Funding for this program was provided by...”
- “This program is brought to you in part by...”

Underwriting credits may appear only at the end of a program, for a maximum duration of 15 seconds each, with a limit of 4 underwriters allowed.

These underwriting policies apply to both programs that utilize HCTV facilities and/or equipment and produced elsewhere.

6 Program Broadcast

6.1 Recorded Programs

Requests to broadcast a recorded program must be submitted on a **Performance/Broadcast Release** form [downloadable from www.harvardcabletv.com] by an individual with a Harvard residential address or an individual representing a Harvard non-profit organization or institution with a Harvard street address. This program provider must be at least 18 years old, or be represented by a parent or legal guardian if less than 18 years of age. Programs produced outside Harvard city limits will only be accepted when submitted by a Harvard resident who will assume the responsibility of “program provider” and agree to observe all the policies as outlined in this manual, including guidelines for program content (see section 5). HCTV will only communicate with the designated program provider under any and all circumstances.

Candidates for local public office will have equal opportunities to air programs on HCTV, but must follow all HCTV policies on program content (see section 5.0). Scheduling of programs made or provided by candidates for public office will be made on the same basis as all other broadcasted programs (see section 6.3)

Recorded programs must meet the following requirements:

- All programs must be submitted in final form at least one week in advance of the desired broadcast date.
- Programming must be submitted in the appropriate file format on mini DV, DVD or USB flash drive media with legible labeling specifying:
 - Program producer’s name, address and phone number
 - Series and/or program title
 - Total running length to the nearest second
 - Pre-roll and run times
- No more than 1 program may be placed on any mini-DV, DVD or USB flash drive submitted for broadcast.

HCTV may refuse to schedule any program failing to meet these submission requirements.

Any mini-DV, DVD or USB flash drive that is not picked up by the program producer within one month of drop of will be thrown away by the HCTV staff.

6.2 Live Programs

HCTV will allow live broadcast of access programs if appropriate for the content and benefits the audience. Broadcast times shall be defined by the Station Manager.

Producers of live access programming shall be responsible for supplying the staff and crew of their programs, both for set up, cable-casting, and for breakdown, and must have that staff and crew in place and ready to work at HCTV at least 90 minutes before air time, or the HCTV Station Manager or designated representative may cancel that episode of the program.

At the conclusion of the program the producer of a live HCTV access program will be responsible for making sure that the studio and control room and any other of the station's facilities or equipment are in the same condition they were in before the program was broadcast. The HCTV Station Manager or designated representative shall sign off on the condition of the facilities both before and after.

All live access programs must conform to the rules and regulations governing all programs (see section 5.0). Failure to do so may result in the loss of the right to broadcast live or even the cancellation of the program entirely.

Live access programs that involve audience participation, including telephone call-ins, must have an access producer assigned to and responsible for pre-screening participants.

The Station Manager or designated representative shall be on premises during any live access programming and in the event of a dispute over content is empowered to cut that program off the air at a moment's notice.

6.3 Broadcast Scheduling

Channel time for broadcast programming will be made available on a reasonable, nondiscriminatory basis. HCTV may impose reasonable limitations to facilitate:

- accommodation for locally originated HCTV produced programming
- diversity of programming
- fair and equitable access by all local residents and nonprofit organizations or institutions
- overall composition, flow and viability of the schedule
- scheduling of live programs, special programs or events or time sensitive programming.

HCTV will determine and have authority and responsibility for the scheduling of any and all access programming, whether a single program or series. In general, priority will be given to programs produced by a Harvard community member and to series productions. However, before a series will be accepted for broadcast, at least 2 programs will have to be completed.

Scheduled programming may get preempted when there is a special need, event, or emergency. All such scheduling decisions by HCTV are final.

6.4 Bulletin Board System

A text information service is available, free of charge, to nonprofit organizations or institutions providing public service announcements and/or event information specifically for Harvard. The announcement can be submitted in either of the following formats:

- **Text** in an editable Microsoft Word document that is organized into two paragraphs:
 - Announcement summary limited to four lines of text with up to 15 letters per line. This is typically used to highlight an event name, date/time, location, etc.
 - Additional announcement information limited to 35 words
- **Graphic** in a JPEG file format that is no more than 600 pixels in height and 300 pixels in width

All submissions must be emailed to the Station Manager at least one week prior to the desired starting date of broadcast. Submissions that do not meet the format requirements or HCTV policies for content (see section 5) will be returned for correction.

Messages with dated events will be removed after the event has passed. General messages that are not tied to any given timeframe will be shown for as long as possible depending on available space.

7 Policy Compliance

It is the sole responsibility of the program provider to comply with any and all HCTV policies governing local access programming and the use of HCTV's facilities and equipment. Failure to comply may result in the revocation of facility/equipment usage and broadcast privileges.

Appeals about any HCTV actions regarding violation of policies should first be directed to the Station Manager, and then elevated if necessary to the Committee. All appeals will be decided within 45 days of receipt.