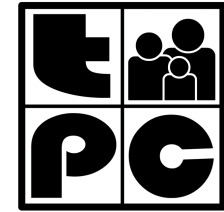


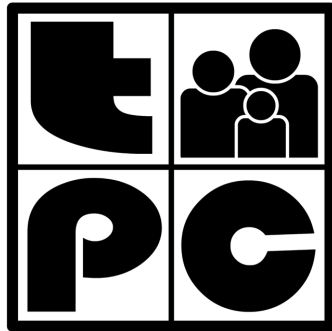


## **DURHAM COMMUNITY MEDIA**

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## **DURHAM COMMUNITY MEDIA & The Peoples Channel**



## **The Peoples Channel**

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# **POLICIES & PROCEDURES**

[ThePeoplesChannel.org](http://ThePeoplesChannel.org)

Updated May 2011

## **POLICIES AND PROCEDURES**

**Updated January 2011**

For a democratic society to function properly, citizens must participate in their government, be educated to think critically and be able to freely communicate their ideas. The Peoples Channel and Durham Community Media's mission is to advance democratic ideals by ensuring that people have access to electronic media and by promoting effective communication through community uses of media. Through this mission, we aim to provide the means and promote the opportunity for area community members to exercise free speech through media production, education and distribution of electronic media.

The primary goal of The Peoples Channel ("TPC") and Durham Community Media ("DCM18") is to promote use of the designated access channel(s) by coordinating the use of the public access channel(s) and providing production facilities, and to provide technical assistance and media training to any individual, group, or organization interested in producing cultural, informational, entertainment, or educational media productions of interest to the community.

TPC and DCM18 will provide Chapel Hill, Durham and surrounding area community members, organizations, agencies and institutions with media training, equipment, production and related services on a first-come, first-served, First Amendment basis. TPC and DCM18's policies are designed to ensure maximum convenience and fairness for all in the community. Since TPC and DCM18 want public access and community media facilities to be available to the entire community, TPC and DCM18 welcome community members' suggestions on how the organization may improve these policies. All suggestions received will be reviewed by the staff, and the Board of Directors as appropriate.

### **I. ORIENTATION, TRAINING, AND CERTIFICATION**

#### **A. Orientation**

TPC and DCM18 will hold regularly scheduled orientation sessions. Any person wishing to volunteer, receive training, use equipment or facilities or cablecast a program must first attend an orientation session. Orientation will include discussions of the history of public access television, First Amendment rights, copyright issues, media access as a community communications tool, the structure of TPC and DCM18 and its relationship to municipalities and cable companies, access policies and operating procedures, Equipment Use Agreements and Request for Cablecast forms, and volunteering with TPC and DCM18.

#### **B. Training**

Regularly scheduled media training, educational courses and seminars will be offered to the public, first come, first served, First Amendment basis. Persons under age 18 must present written permission from a parent or guardian. Course times and dates will be scheduled quarterly or as needed and will be publicized as best as possible.

Special workshops and advanced classes may be offered from time-to-time and will be announced with as much advance notice as possible. Workshops may have a nominal fee and/or charge for materials and instruction costs. Scholarships may be available based on need. **All fees at TPC and DCM18 may be exchanged for volunteer time equivalent to ten dollars an hour. If a member wishes to volunteer rather than pay part, or all of the fee, they must meet their committed hours before taking the course. If only submitting content for cablecast, they must meet their committed hours or pay the membership fee before submitting programming.**

#### **C. Certification**

Access to facilities, equipment, technical assistance, and channel time or bandwidth are available to certified members. Members may become certified after passing a training course(s) or through alternative certification by staff. A \$25 annual membership fee shall be applied to any individual member. A \$100 annual membership fee shall be applied to any organization or community group, allowing for a maximum of six individuals associated with the organization or group to be members. A \$225 annual membership fee shall be applied to any public, private or charter school, allowing for a maximum of 15 individuals associated with the school to be members.

Anyone using TPC and/or DCM18 facilities or equipment in any shape or form must be a member.

**Any individual member can be one of the following:**

1. A television program producer
2. A television program submitter
3. One of an organization's television program submitters/television program crew members/television program producers
4. One of a school's television program submitters/television program crew members/television program producers

The annual membership fee shall be included in any course fee. Anytime a member takes a course, their membership shall renew on that course date. If a member does not need to take a course in order to use equipment or facilities, then the membership fee needs to be resolved before equipment or facilities can be used. Any individual may volunteer, pay or opt out of the membership fee based on need. The membership fee is collected to support general operations of the centers, help defray the cost of depreciation and as a mechanism for keeping a current and updated member database.

TPC and DCM18 will not sell, distribute or otherwise give out member's information except that information which members choose to make available to the public. **Members who cablecast programs must make available some form of contact information to enable the public to respond to the television producer's program.** It is the member's responsibility to make sure that their information is up to date. Intentionally providing incorrect information may result in suspension.

**Members must prove residency within Wake, Chatham, Durham, or Orange Counties with one or more of the following documents:**

1. NC photo driver's license
2. NC photo non-driver's license
3. Out-of-State photo driver's license
4. U.S. Passport
5. Foreign Passport
6. Resident Alien Card (Green Card)
7. Major credit card with a photo along with original social security card
8. Welfare/Medicaid card with photo along with original social security card

**Acceptable forms of proof of residency:**

1. A recent utility bill in the applicant's name with current address
2. A recent bank statement in the applicant's name with current address

Any person who has not used TPC's and/or DCM18's equipment for a 12-month period will have to be re-certified by demonstrating competency in the operation of that equipment, resolve the annual membership fee, and attend orientation. If a member cannot demonstrate competency, they must become re-certified. It is entirely at staff's discretion whether or not the member has to become re-certified.

## II. USE OF EQUIPMENT AND FACILITIES

Use of TPC and/or DCM18's television production facilities and equipment must be for the production of a program for cablecast on public access channel(s). Other facilities, such as the internet lab, if used for media production, such as a podcast or web site, a written or audio/video credit stating, "This (media product) was made possible with the help of The Peoples Channel or Durham Community Media." Priority is given to residents of the contracting area. When not needed for their primary purpose, facilities and equipment may be available for lease for other purposes.

Leasing of equipment both on and off site will be based on 3 - 5% of equipment's cost for a day rate. Use of facilities and/or computers will be negotiated on an hourly or day rate, and lease rates will be determined on a per project basis.

### A. Pre-Production

Any member using TPC and/or DCM18's equipment and facilities are required to hold a pre-production meeting with a staff member. This meeting is to assist member in planning their program or project and to facilitate effective use of equipment and facilities. Completing a Program Proposal will be a part of this initial pre-production meeting. Persons under age 18 must also have a parent or guardian sign their proposal.

Unless prearranged, members must complete their current project before beginning a new production, however no more than two projects can be on file at one time.

### B. Reserving Facilities and Equipment

Equipment and facility reservations will be scheduled by a staff member on a first-come, first-served, nondiscriminatory basis. Special arrangements may be made for series television programs submitted by television program producers.

Television program Producers must have an active Program Proposal on file. It is recommended that reservations for field equipment, edit bays, and computer labs should normally be made at least 24 hours in advance and can be made as many as 30 days in advance. Studio reservations can be made up to two months in advance. Any reservation requests outside this time frame are left to the discretion of the staff. Studio time will be scheduled in a maximum of four hour time blocks. Editing time will be scheduled in a maximum of four-hour time blocks. Any exceptions to these procedures will be negotiated on an individual basis with the staff.

## C. Use of Facilities and Equipment

Members must arrive and claim their reservation within 15 minutes of the scheduled starting time or forfeit their reservation. Members must vacate the facilities by the end of their reserved time. If the facilities are not reserved by another member after their time is up, members may request extra time. Decisions regarding this shall be made by TPC and/or DCM18 staff on a case by case basis. Any equipment that is checked out normally is due back to the facility within 24 hours, or at the same time on the next day that the facility is open. Reservations can be renewed for additional 24 hours if equipment is not reserved. Reservation extensions may not exceed 72 hours or three extensions. If equipment is not returned within 1 hour of posted facility hours, staff will make every effort to contact the producer for an explanation.

An Equipment Use Agreement and/or a Studio Use Agreement must be filled out with a staff member and signed by a certified television program producer before any equipment is taken out of the television access facility, or facilities are used. Valid picture identification will be required and a copy kept on file, as described in section C. For members under age 18, a parent or guardian must sign an agreement accepting responsibility for any equipment signed out or any use of facilities. Minors who wish to use the Studio must pre-arrange with TPC and/or DCM18 staff to determine an adequate level of adult supervision. It is the television program producer's responsibility to determine that the equipment is all accounted for and in proper operational condition before signing the Equipment Use Agreement form. No changes to studio or edit suite wiring, or attachment of any non-Peoples Channel and/or DCM18 accessories, will be allowed without the express written or verbal approval and direct supervision of TPC and/or DCM18 staff. All editing and studio equipment must be returned to its normal state as defined by the staff.

A television producer who chooses to use TPC or DCM18's hard drive space, producers data will have 2 months from their last reserved editing time to remove or back up their data. The staff will make every effort to contact producers who have data that needs to be moved or deleted, but backing up of a producers data is the sole responsibility of the producer. TPC and DCM18 assume no responsibility for data that is lost, deleted, or damaged on any of its computers, servers, web site, on tape or DVD.

The television program producer is required to return, at the specified time, all equipment, in undamaged condition and in working order, and is liable to compensate TPC and/or DCM for any loss or damages. Returning equipment more than one hour past the specified return time, without notification, will result in a minor violation and fine of \$5 (see V. Violation of Policies). Staff will inspect equipment to insure all items have been returned, in the presence of the television program producer. A staff member will test the equipment within 24 hours to insure all is in working order and will notify the television program producer of any damage is found. In cases where there is damage or

the equipment is non-working, the television program producer will have 10 working days after notification to arrange a satisfactory agreement with the staff for the payment of costs of repair or replacement of any equipment damaged and/or lost. All member privileges will be suspended until a satisfactory agreement for payment has been made.

**Due to limited resources, producers or production groups may only check out multiple field cameras once a month and it may not be the producer's first project.**

Reservations for multi camera shoots cannot be guaranteed unless made more than 2 weeks in advance. No producer or production group may have more than 5 reservation extensions a month. No producer or production group may check out more than 3 Saturdays a month, unless equipment is not reserved within 2 hours of posted facility hours.

**DCM18 equipment will be available only to Durham residents and only one camera kit may be checked out at a time.**

## D. Production Crew

Crew position assignments are the responsibility of the television program producer. All crew for productions must be certified by TPC and/or DCM18 and must have up to date contact information and membership status in the database. The television program producer is responsible for the conduct of all crew and guests while in the facility.

Interns and volunteers may sometimes be available to assist in productions. TPC and DCM18 staff will make every effort to connect members with volunteers to help obtain crew for productions. TPC and/or DCM18 staff and other certified members may be available as paid crew for television program producers who prefer this option.

## E. Staff Use of Equipment

TPC and DCM18 encourages its staff to produce programming. Staff members shall be treated in the same manner as members. However, all other members have priority over equipment usage during the employees scheduled work hours. Employees may reserve equipment and use facilities for their own programming as long as the use of this equipment or facilities happens on their own time. Employees may use the facilities to create programming after hours of operations. However, anytime an employee is present in the facilities, they must act as representatives of TPC and/or DCM18, answering phones and handling technical issues as needed.

### III. PROGRAMMING

Every member of the community has equal access to facilities and channel time. Political candidates are subject to the same operating procedures and policies as other members of the public access channels. The equal time rule does not apply.

#### A. Media Content Ownership

Any member who produces media using TPC or DCM18's equipment and/or facilities retains the rights, at whatever level the member deems necessary (Creative Commons, Copyright, etc.), for that particular piece of media. TPC and/or DCM18 reserves the right to copy the master of any media submitted for cablecast for its archive or files associated with a piece of media and has license to replay the program or reproduce or display media files in whole or in part at TPC and/or DCM18's discretion on its channel(s), for promotional, educational, or fundraising purposes.

Producers may have access to the Local Music Library. Producers who use music from the Library must give credit to the artist and may not financially gain from the final media product. The rights to use the music from the Library, only applies to airing over access channel(s). Producers who wish to distribute their final media product through other platforms should contact the music artists directly. TPC and DCM18 are not responsible for any legal action or copyright infringement issues that may arise if a producer distributes a media product beyond access channel(s).

#### B. Technical Requirements

**Programs for cablecast must be submitted in the manner illustrated here.**

Programs Must:

1. Be on a format approved by TPC and/or DCM18.
  - A. **DVD/MPEG2** – Is the preferred format. DVD's must be 720 x 480 with no chapter markers.
  - B. **VHS/SVHS/Hi8/MiniDV** – Any program submitted in these formats must be converted to MPEG2. A producer can be trained to convert the program themselves or pay a fee of \$5 per episode for staff time.
2. If submitted on tape, programs must begin with a leader consisting of at least 10 seconds of black before the first frame of video. If submitted on DVD, programs need zero seconds of black before the first frame of video.
3. Be free of glitches.
4. Have reasonable audio on both channels (i.e., peak audio level between 0 db +2 db).

5. Contain, as the last image, the following text held on screen for a minimum of 15 seconds: television program producer identification and contact information.

**WITHOUT PRODUCER/SPONSOR CONTACT INFORMATION, THE PROGRAM WILL NOT AIR.**

6. If submitted on tape, end with at least 10 seconds of black following the last image. If submitted on DVD, 0 seconds of black.
7. Labels with the show title, length of program, air date and time, and the television program producer/submitter contact information affixed to the tape and the tape case or clearly displayed on CD, DVD, or embedded in metadata of a file. DVD's must have a sleeve / case or it will not be accepted.
8. Must not exceed 28:30 or 58:30 minutes. If content exceeds this limit, programs will be cut off at the front end of the program to ensure that contact information is displayed at the end of the program. If more than three programs within a three month period are submitted beyond the maximum length, producers will be charged \$5 per episode or not scheduled.

If DVD's are not submitted in the correct format, a \$5 conversion will be charged to the producer or program submitter. If a program does not have contact information in the program, it may not be aired until the producer adds the graphic or pay to have it added. If a pre-made intro or outro needs to be added to each episode, a charge of \$5 will be applied per program, per graphic. TPC and DCM18 are not responsible for content left at either of the facilities longer than 2 months. If a copy of a program exists in the TPC or DCM archive and a producer wishes a copy, a dubbing fee of \$12 will be charged.

Any television program produced entirely with TPC's and/or DCM18's equipment must carry the following acknowledgment in the credits: **“This program was produced through the facilities of The Peoples Channel and/or Durham Community Media.”** Any program produced in part using TPC and/or Durham Community Media's equipment must carry either the above acknowledgment or the following acknowledgment: **“Portions of this program were produced through the facilities of The Peoples Channel and/or Durham Community Media.”** If this or equivalent acknowledgment (as deemed appropriate by TPC/DCM18 staff) is not made at the end of the program, staff can train the producer to do so themselves or can be completed for a fee of \$5 per program.

If the program contains material that is inappropriate for children or may be offensive to some viewers, it must carry a disclaimer for a minimum of 15 seconds at the beginning of the program. Programs longer than 28 minutes must carry the same disclaimer for 15 seconds within each subsequent 30 minutes of the program. This disclaimer must appear in text and spoken form, as follows: **“The following program contains material which**

may be inappropriate for viewing by children and young people, or may be considered offensive by some viewers. Viewer discretion is advised. The content of this program is solely the responsibility of [insert television program producer's name] and not The Peoples Channel, Durham Community Media, its staff, or its Board of Directors.”

### **C. Failure to comply**

A program may not be cablecast if any of the preceding requirements are not followed. It is the responsibility of the person submitting the program to re-edit or correct any problems. A member who wishes to submit programming not produced at TPC and/or DCM18, whether locally or elsewhere, but doesn't have the expertise and/or time to add appropriate disclaimers and/or member identification may pay TPC and/or DCM18 \$5, per graphic, per episode.

### **D. Live Programming**

Live programs should be scheduled at least 10 days in advance. Live programming may only be done by certified members and with approval of the staff. An acceptable number of crew members is required for live programming as determined by the staff. Live programming will be charged at \$15 per hour to cover the cost of staff time.

### **E. Soapbox Opportunities**

Policies governing soapbox opportunities will be established prior to implementation of this programming option.

### **F. Program Content**

Members submitting pre-recorded or live programming for cablecast on public access channel(s) must sign a Request for Cablecast form taking full responsibility for the content of the program. For series producers at DCM18, one cablecast form a year must be filled out and on file. For series producers at TPC, a cablecast form must be filled out each time new programs are submitted. One shot programs must always have a cablecast form for either DCM18 or TPC. For television program producers under age 18, a parent or guardian must sign the form as well and take full legal responsibility for the content of the television program.

#### **The following are prohibited on TPC or DCM18:**

1. Material that is obscene, libelous, slanderous, or is otherwise illegal according to Federal, State or local law.
2. Advertising material, of any length or type, that is designed to promote the sale or

barter of specific products or services. Underwriting of programs must be acknowledged in accordance with the wording in section III, H.

3. Material or performances that require copyright or trademark authorization, unless written authorization for the use of such material has been obtained from the copyright holder.

### **G. Scheduling of Programs**

TPC and DCM18's program week is Monday through Sunday.

Television program producers may request specific times for cablecasting on the Request for Cablecast form. However, scheduling of programming is entirely at the discretion of staff. Priority will be given to locally produced programming. Series programming will be provided a stable time slot in order to establish a viewership. However, no television program producer will be guaranteed a permanent time slot on any access channel beyond one year after submitting their first program. Series slots will be lost if no new programs are submitted within a two month period. Staff will make every effort to contact members before their time slot is reclaimed. The staff will make every effort to keep series producers' time slots continuous as long as they are submitting new content. TPC and DCM18 understand the benefit of keeping a series time slot and will keep in close contact with producers if time slots need to be adjusted for any reason.

Programming other than series or live programs will not be scheduled until the completed program has been submitted accompanied by a signed Request for Cablecast form. In order to facilitate scheduling and promotion, a Request for Cablecast form with the completed program normally should be submitted at least 10 days in advance of the first desired air date. Programs should be turned in Thursday by 5pm for airtime the following week starting Monday. However due to the uncertainty of numbers of programs submitted per week and limited weekly programming slots, there is no guarantee that programs will enter rotation the following week, except for series programs.

No television program producer may premiere more than one program or one hour of programming, whichever is longer, per week unless special arrangements are made with staff based on special need. Half an hour programs may not be repeated as a full hour of programming. Programs, series or single, may be repeated once, with additional replays at the discretion of TPC and/or DCM18. Television program producers of single programs may re-submit a request for cablecast up to ten times in one year.

Programs containing material defined as indecent or containing profanity of any kind will be cablecast only between the hours of 11pm and 6am and must include a disclaimer placed at the beginning of the program. This disclaimer must be in the form of written and spoken text (see Sec. III, B). A cable program is indecent if the program

contains “language or material that, in context, depicts or describes, in terms patently offensive as measured by contemporary community broadcast standards for the broadcast medium, sexual or excretory organs or activities.” 47 C.F. R. Sec. 76.701(g).

## **H. Non-Local Programming**

Non-local programming shall be any program where 60% or more of the program has been produced or acquired from outside TPC and/or DCM18’s contracting areas. Residents over age 18 or organizations in TPC and/or DCM18’s contracting areas may submit non-local commercial-free programs from other sources for cablecasting. Locally produced programming has priority over non-local programming. The submitter must accept full responsibility for the program content. At the end of any television program, contact information of the member must be displayed for at least 15 seconds (see Sec. III, B paragraph 3).

## **I. Underwriting**

TPC and DCM18 encourage television program producers to acquire underwriters to help defray their production costs, if any, and encourages businesses, groups, and individuals to help expand TPC or DCM18 by providing underwriting support in money, goods, or services.

TPC and DCM18 want to give credit to underwriters. In conformance with “SESSION LAW 2006-151, HOUSE BILL 2047 AN ACT to promote consumer choice in video service providers and to establish uniform taxes for video programming services,” all programming on PEG channels must be non-commercial. Underwriting is when a business or individual donates a product, service, or funding to assist an access show or the organization in return for a non-commercial acknowledgement.

According to the Federal Communications Commission (FCC) Underwriting Guidelines, an underwriting “spot” is (a) no longer than 15 seconds; (b) includes no calls to action (i.e., “Come on down and BUY our products!); (c) includes no comparative language (i.e. “We’re better than that other pizza place!”).

Underwriting spots must be placed at the beginning or end of a show versus in the middle to avoid giving the video a “commercial” look.

## **J. Community Bulletin Board**

Messages for the Community Bulletin Board must be noncommercial in nature. Timely cablecasting cannot be guaranteed unless they are submitted at least two weeks in advance via email. TPC and/or DCM18 may charge a nominal fee for announcements to be produced.

## **IV. MISREPRESENTATION**

TPC and/or DCM18’s name and logo may be used only with permission from TPC and/or DCM18. Certified members must not represent themselves as employees of TPC or DCM18 or as having the authority to speak for the organization. When staff and/or Board Members are acting as individual certified members, they do not have the authority to speak for TPC and/or DCM18. Any misrepresentation on any access form will be considered a violation of TPC and/or DCM18’s policies.

## **V. VIOLATIONS OF POLICIES**

Any minor violation of the policies shall result in a written or verbal violation notice. Three such notices in a three month period shall be considered a major violation.

Minor violations shall include but are not limited to:

1. Late return of equipment. Late return of equipment is subject to a fine of \$5. The staff may waive this fine as appropriate.
2. Return of equipment with minor damage or in a mishandled state.
3. Any “no-show” for any scheduled equipment or facility use. (See Sec C, paragraph 1)
4. Any food, drink (including water), or chewing gum within TPC and/or DCM18’s facilities except as designated. Exceptions may be made for medical conditions.
5. Smoking anywhere within TPC or DCM18’s facilities except when used with permission as a “prop” in a studio production.

Major Violations shall include but not be limited to:

1. Verbal, physical or sexual abuse of anyone at TPC and/or DCM18’s facility.
2. Possession of any firearm or concealed weapon of any kind at TPC and/or DCM18’s facility, except for law enforcement authorities acting in an official capacity.
3. Use of alcohol or illegal drugs at TPC and/or DCM18’s facility, or operation of any equipment while under the influence of alcohol or illegal drugs.
4. Rewiring or altering the wiring of equipment or attempting repair or modification of equipment without staff supervision.

