



Marblehead Community Access and Media, Inc.  
217 Pleasant Street, Marblehead, MA 01945  
Phone: 781-631-8213 Fax: 781-631-2263

## PEG ACCESS PROGRAMMING OPERATING PROCEDURES

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## **I. INTRODUCTION**

### **About Marblehead Community Access and Media, Inc.:**

Marblehead Community Access and Media, Inc. (MCAM) is a non-profit organization for the purpose of operating and managing the Public, Educational and Governmental (PEG) access channels in the town of Marblehead, Massachusetts.

MCAM is organized to develop and promote cultural, literary, charitable, community, sports and public affairs programming over the PEG channels, including available accredited educational training and programming.

### **At MCAM:**

- We believe that it is important for all of us to treat each other with consideration and respect.
- Our work environment models safety for our employees, vendors, customers, and volunteers.
- The behaviors that we demonstrate reflect the attitude of respect and dignity for all.
- We work together in a team environment.
- We require the proper use of equipment, computer systems, and our facilities.

**Therefore, the following standards of conduct have been developed. Violation of any one of these standards can result in loss of privileges to MCAM facilities. MCAM has full authority and discretion to deny access privileges as and when it deems appropriate.**

MCAM provides channel time, production equipment, training, and technical assistance to its members for the production and presentation of noncommercial programs.

In order to use production equipment to produce a program, a member must demonstrate adequate knowledge of the equipment or receive training in its use and certification by MCAM staff.

- MCAM staff will provide training in the use of equipment and customary studio and field production, editing, and post production, along with technical assistance in program production.
- MCAM staff is not available to serve as a production crew to make programs or cover events for volunteer producers.
- MCAM staff will assist residents in assembling production crews from among trained and qualified volunteers.

**MCAM equipment and facilities are available only for the production of programs to be shown on MHTV. Use for private, recreational or commercial purposes is strictly prohibited.**

### **Membership**

Membership is open to Marblehead residents, Town Employees, anyone working in Marblehead, along with members of Non-profit Organizations, Municipal Agencies and Businesses that serve the town. Any member may request channel time for the presentation of a non-commercial program produced

elsewhere (See *Bicycled Programming*, page 18. Membership includes: Ability to vote in Board of Director elections at Annual Meeting; access to training, production equipment, facilities and channel time. All memberships are good for one year.

**Categories of membership:**

- 1. Individual: \$25**
- 2. Student (ages 12 – 18): \$10**
- 3. Family/Household (family/household members living at the same address): \$40**
- 4. Senior (ages 65 and up): Free**
- 5. Organization (Non-profit Organization or Town Department): \$50**
- 6. Business: \$75**

**MCAM reserves the right to review all definitions and policies contained in this Access User Policy Manual, and to make changes it deems necessary.**

**II. DEFINITION OF TERMS**

**Access Channels** -- Channels set aside by cable operator(s) for use by the public, educational institutions, municipal government on a nondiscriminatory basis.

**Access User** – Access Users must be members of MCAM. (For membership requirements, see page 2.) In order to use MCAM equipment & facilities, an Access User must successfully complete training and sign the Access User Agreement. Access users may request outside programming to be shown on MHTV (See *Bicycled programming* for details)

**Bicycled Program** -- A program that is not produced in the town, but is brought to MCAM for PEG Access use.

**Copyright** -- The exclusive right to the material contained in a program. The right covers reproduction, publishing, and broadcasting of information. Access users must obtain permission from the copyright holder, in order to use any copyrighted materials, including music, artwork, concert and theatrical performances.

**Crew** -- Access Users working with producers, other Access Users or MCAM Staff to assist in the production of programming. MCAM understands it may be difficult for Community Producers to find adequate crew from within the town. Crew members that are non-residents must fulfill all the requirements of MCAM's PEG access programming operating procedures, including signing the Access User Agreement, but excluding the residency requirement, under conditions set forth and approved by MCAM. It is expected that non-resident crew members will be an exception and will constitute a very

small minority. Non-residents involved in any programs shall be limited to the production crew only. Only MCAM Access Users may be producers.

**Libel** -- A written or oral statement that conveys an unjust characterization.

**Obscene Material** -- Material which fits the legal definition of obscene or indecent material under local and state laws.

**Organizational Access User** -- Any member/employee of a non-profit organization with a 501(c)3 identification number that serves the town, or any employee of a municipal agency that serves the town, who has been trained by MCAM and has signed the Access User Agreement. An Organizational Access User is subject to the same weekly facility and channel limitations as individual Access Users, whether one or several individuals book time in the name of the organization. If a member of any such organization is not a resident of the town, he/she may only produce programming that is sponsored by the organization to which he/she belongs.

**PEG Access** -- Refers to "Public, Educational and Governmental" Access channels.

**Producer** -- An individual or organizational user that is responsible for the production of a PEG Access cable program. The producer is MCAM's main contact for a program and must be a resident of the town served by the facility. While a program may involve many Access Users working on the same production, the producer agrees to be personally and financially responsible for all liabilities arising from safety and other violations of MCAM's PEG Access Programming Operating Procedures by themselves or any members of the production crew. (In the case of a minor, his parent or guardian assumes all responsibility for program content and other liability outlined in MCAM's PEG Access Programming Operating Procedures and the Access User Agreement).

**Public Access** -- That channel time, available on a first-come, first-served, nondiscriminatory basis, specifically for noncommercial access programming by residents or local non-profit organizations.

**Public Access Programming** -- Programming produced by volunteers using MCAM facilities and equipment. When an access user brings in Bicycled Programming for cablecast, it is also considered public access. In both these instances, MCAM, by federal law, may not edit or control content. This programming must be noncommercial.

**Regular Access User** -- An Access User that has used either the equipment, facilities, or channel on two or more occasions in the four-week period prior the current request for scheduling. Regular Access Users also include those who have used the facilities or channel on a monthly basis for at least six months prior to the current request for such use.

**Slander** -- A false oral statement that is meant to defame a person's character.

**Staff** -- Those employed by MCAM.

### **III. USE OF FACILITIES AND EQUIPMENT**

MCAM's channels and facilities are a medium for expression and free speech. No individual will be denied the use of the facilities on the basis of race, sex, age, physical disability, religion, sexual orientation or political belief. It is hoped that Marblehead residents, non-profit organizations, and government institutions will utilize this resource as a means to produce a wide variety of programs.

#### **A. Eligibility to Use Production Equipment and Facilities**

1. **Availability** -- Equipment and facilities are available to MCAM members on a first-come, first-served, and nondiscriminatory basis. Non-members formally enrolled in a student internship program at MCAM may also use the equipment and facilities.
2. **Minors** -- MCAM members who are minors must have written permission from their parent or guardian to use MCAM facilities. The parent or guardian must sign the "*Minor Facility Use Form*" and the "*Access User Agreement*", accepting responsibility for scheduled production equipment and/or program material if the minor is the producer of a program. A responsible adult shall execute the necessary assurances that authorization has been obtained concerning the use of any equipment by a minor and/or appearance of any minors on a cablecast program. Such adults shall be responsible for liability resulting from the use of equipment or an appearance by a minor.
3. MCAM members must have successfully completed the applicable MCAM workshop(s) or demonstrate the basic operation of the requested video equipment. If the MCAM member has not used the equipment or facilities for more than one year, re-certification may be required.
4. MCAM members must sign an *Access User Agreement* before using the facilities. This document certifies that the Access User has read, understands, and will abide by the operating rules, and agrees to be solely responsible for the content of any programs produced or scheduled for cablecast if they are the producer of record.

**B. General Facility Policies** -- MCAM is pleased to provide facilities, equipment, and channel time for television productions. In return, we ask that Access Users obey all of MCAM's PEG Access Programming Operating Procedures regarding channel and facility use.

1. **Smoking is not allowed** in any MCAM facility including the production van. A loss of privileges may result from abuse of this rule.
2. **Food and beverages are not allowed in the control room, edit suites, or production van at any time.** Food and beverages may be allowed with prior permission in the studio, as long as they are kept away from equipment in the studio. Access Users should plan meals/snacks away from the facility when possible, but may, with prior permission, eat meals/snacks in the Green Room

(Access User will be responsible for proper disposal of trash generated from meals/snacks). **Repair/replacement costs associated with any damage caused by food or beverages will be charged to the Access User. A loss of privileges may result from abuse of this rule.**

3. Anyone found to be under the influence of alcohol or drugs, or carrying a weapon of any kind, will be removed from the premises. **This will result in the loss of privileges.**
4. Abide by safety guidelines. See Section C below.
5. There will be no use of phones or other office equipment (including staff computers) unless granted permission by MCAM staff. **A loss of privileges may result from abuse of this rule.**
6. Access Users are responsible for loss or damage to facilities and equipment due to negligence or abuse.
7. Access Users of MCAM equipment, studio and post-production facilities will not change wiring, patch bays, or components without staff permission or supervision. No attempt should be made to work on or repair equipment. **Repair/replacement costs associated with any damage caused in this manner will be charged to the Access User. A loss of privileges will result from such equipment abuse.** Access Users of MCAM equipment should report any defects or problems to the staff.
8. Access Users that are found to be misusing or abusing the equipment may be asked to repeat training, testing and/or be subject to loss of privileges.
9. Staff may waive certain equipment and facility rules at their discretion.

### **C. Standards of Conduct for Access Users**

1. Keep yourself safe, keep others safe, and keep MCAM property and equipment safe at all times. Endangering the safety of oneself, others, or MCAM property and equipment will not be tolerated.
2. Appropriate, professional, and respectful behavior is expected at all times. Violent behavior will not be tolerated. This includes threatening or intimidating language, any form of physical assault (such as striking or manhandling another person) or fighting. Weapons, or any objects resembling weapons, are prohibited while on or in MCAM facilities.
3. Behavior that could be construed as threatening or harassing (including sexual harassment) toward fellow volunteers, Community Producers, guests, vendors or employees will not be tolerated.

4. Dishonesty with employees or falsifying records or any other access-related documents will not be tolerated.
5. Be courteous and polite to others, including employees, volunteers, Community Producers and guests of the facility.
6. MCAM property and facilities are accessible only with proper authorization. This includes, but is not limited to, company e-mail, vehicles, and production and editing equipment.
7. Respect for, and appropriate use of, MCAM property and equipment, including vehicles, and production and editing equipment is required.
8. Privileges may be lost for engaging in any other conduct that MCAM deems unacceptable.

#### **D. General Rules for Equipment Use**

Public, educational, government access programming is created by volunteers and depends on the participation of many active, trained volunteers who use MCAM facilities and equipment in order to independently reflect their ideas. Staff can assist residents in assembling production crews from among trained and qualified volunteers. Non-profit organizations and municipal agencies planning to do programs on a regular basis are encouraged to form a television production committee, which MCAM will then train. Training for the production of programming will be provided on a first-come, first-served, nondiscriminatory basis in accordance with the MCAM's PEG Access Programming Operating Procedures.

1. Access Users must be properly certified and have completed all required planning and equipment forms approved by the staff before the equipment, van or facilities will be scheduled.
2. Access Users should only identify themselves as Access Users, not as employees or staff of MCAM, Inc. (or MHTV).
3. Reservations for equipment or facility use may be made up to one month in advance and should be made at least one week in advance. Confirmation of facility and equipment reservations, forty-eight (48) hours in advance, is strongly recommended. Reservations can be made with staff in person or by phone.
4. Cancellation of equipment or facility reservations should be made at least twenty-four (24) hours in advance, except in the case of emergencies. **Repeated last minute cancellations may result in loss of privileges.**

5. Additional materials for productions, beyond those supplied by MCAM (i.e. sets, graphics, props, other materials, etc.), must be supplied by the Access User and must be removed after the production.
6. **Memory Cards:** Our HD cameras use memory cards instead of videotape. MCAM will supply one memory card (minimum 4 GB) in each camera kit. **Videographers must transfer footage from the memory card to an editing computer or external hard drive within 24 hours** of returning the equipment, so that MCAM may erase the card and return it to the kit. **Producers are encouraged to buy their own memory cards and portable hard drives. See MHTV staff for recommendations.**
7. **Videotapes:** The Access User will be loaned a basic set of working tapes and one master editing tape per program at any given time. All working tapes and masters may be stored at the studio. Additional tape needs will be considered on a case-by-case basis by staff. (Note: As technology advances, tape will be phased out.)

Tapes owned by MCAM will be held at the studio for a maximum of thirty (30) working days. After that time, if previous arrangements have not been made, the Access User should either:

- a. arrange to buy the tape or replace it with approved tape stock
- b. dub the tape onto his own videotapes
- c. schedule post-production sessions, or
- d. bulk erase and recycle the work tapes.

All working and master digital files or tapes will be subject to deleting or recycling at the discretion of staff. Best efforts will be made to inform producers that such work will be deleted, so that producers can make arrangements to back up their work.

#### **E. Scheduling Conflicts**

1. Facility use for dubbing, practice, or any other personal purposes shall have the lowest priority and may be bumped from a requested time slot if facilities are needed for production of MHTV programming.

#### **F. Portable/Field Equipment**

1. Access Users holding equipment reservations must follow these check-out and check-in procedures:

##### **Check-out:**

- a. Sign all required forms and equipment checklists.
- b. Determine if equipment is in working order. It is the producer's responsibility to make sure that they have all required equipment including audio, headphones, batteries, tapes, etc.

**Check-in:**

- a. Equipment must be returned on time.
  - b. Any problems with equipment or damage must be noted on the equipment checklist and brought to staff attention. Users are responsible for loss or damage due to negligence or abuse while the equipment is checked out to them.
2. Equipment must be picked up and returned during staff hours. Pickups and returns must be made at least 30 minutes before the facility closes.
  3. Failure to return equipment when due may result in suspension of Access User privileges and/or a late charge of \$25.00 per day.
  4. Equipment may be borrowed for a maximum of twenty-four (24) hours during the week and seventy-two (72) hours over the weekend. Longer loan periods must be requested at the time the reservation is made and will be honored at the discretion of staff.
  5. Access Users with portable equipment already checked out will not be allowed to check out additional equipment, unless special arrangements are made with staff.
  6. Only in special cases, and with staff permission, can Access Users take equipment outside of Marblehead.

**G. Editing and Post Production**

1. Requests to use the editing equipment for titles, special effects, etc. shall be made at least twenty-four (24) hours in advance and will be subject to the discretion of staff.
2. Access Users are entitled to a maximum of 4 hours per session with a maximum of 12 combined hours per week. Scheduling outside these parameters will be made at staff discretion. These guidelines are designed to allow everyone equal and fair access to the post-production facilities.
3. Access Users must arrive on time for scheduled editing sessions. Sessions may be cancelled if Access User is more than 30 minutes late.

**MCAM is not responsible for lost files, lost footage, or lost work due to technical malfunctions or any other reason. Access Producers are encouraged to purchase their own memory cards and portable hard drives and to back up all digital files.**

## **H. Studio Productions and Facility Use**

Studio productions need a crew, talent, set, props, etc. A crew sign-up sheet will be available to solicit other volunteers.

1. A minimum of one (1) week notification is required for scheduling a studio production.
2. Access Users must show up on time for scheduled studio productions and must have the studio and control room equipment and sets put away before the end of the scheduled time period. It is generally good practice to allow for set-up and clean-up of the studio, at least one hour before, and after, the time needed to tape the actual show. Also, remember to leave time before or during the scheduled studio time to brief the crew and talent on the planned production.
3. Scheduled studio productions will be cancelled if the production crew does not show up within thirty (30) minutes after the start of the scheduled facility time.

## **IV. PROGRAM CONTENT**

### **A. Community Producers are fully responsible for the content of all program material and have the following program rights and responsibilities:**

1. Ownership of rights to all original material.
2. To request that programs be discontinued from cablecast or that files be deleted in the event that program information becomes outdated or obsolete.
3. To play or distribute the videotape, **for nonprofit purposes only**, provided MCAM is given graphic credit within the videotape at each cablecast date or play.
4. Blank DVDs for making duplicates (dubs) of program masters, or any other tapes, must be provided by the individual or group making the dub.
5. Duplication services may be purchased from MCAM at the posted cost. Access Users are permitted one free dub of their completed, ready for telecast program provided they furnish a blank tape/DVD. This policy does not apply to raw, unedited, or work print footage. Access Users may also make copies without charge for the purpose of using their program as a bicycled program at other facilities. All distribution costs (postage, file upload costs, etc.) are the responsibility of the producer.

### **B. The following material is prohibited:**

1. Obscene and indecent material. This type of programming is not permitted on cable television by federal law.

2. Material which constitutes libel, slander, invasion of privacy or publicity rights, or which might violate any other local, state or federal law.
3. Programs containing material that violates copyright or trademarks. Use of such material generally requires obtaining appropriate rights from music licensing organizations, publishers, representatives, copyright holders, broadcast stations, networks and any other persons as may be necessary for cablecast. Access Users may be asked to furnish written authorization for use of such materials.
4. Program material that creates the immediate danger of damage to property or injury to persons; the substantial obstruction of law enforcement or functions or services; the deprivation of any person by threat, threat of force or physical action through the exercise of a legal right, or the disturbance of any person in the enjoyment of a legal right; or the creation of a public nuisance.
5. The direct or indirect presentation of lotteries or lottery information, except for announcements pertaining to state-sponsored lotteries.
6. By law, MCAM may not exercise any editorial control over Public, Educational, or Governmental programs on access channels.

### **C. MCAM Program Rights**

As MCAM has provided materials, facilities, and staff support for the production of programs, MCAM has the following rights:

1. To retain the edited master of the program for its program library.
2. To make duplications of the program for noncommercial distribution, except where permission has expressly been denied in advance. Producers will always be given graphic credit in the videotape for such use.
3. To cablecast the program as often as is deemed appropriate and on any of its affiliated PEG Access channels.
4. To exercise the option of erasing an obsolete or unusable program after it has been cablecast.
5. MCAM should be notified of any subsequent use of any program produced at their facilities if the producer receives any profit or remuneration.
6. MCAM must be reimbursed for equipment rental at fair market value or 50% profit whichever is smaller. This is not a rental agreement.
7. MCAM will own programs produced by MCAM's staff. When MCAM staff produces a program, with the assistance of volunteer or staff crew, it is

considered to be Local Origination Programming and copyright ownership is held entirely by MCAM.

#### **D. Political and Issue-Oriented Programs**

1. MCAM will not produce any partisan programming but will assist community producers in providing non-partisan forums, such as live or pre-recorded debates.
2. MCAM does not accept political advertising
3. MCAM encourages political candidates and other citizens to use the public access channel to communicate their political views. Candidates and other providers of political programs, as well as the programs themselves, are subject to the same policies and procedures as any other user of MCAM.
4. Coverage of Public Affairs Issues and Access – Public Access Users are under no legal obligation to show any viewpoint other than their own. Residents with diverse viewpoints are encouraged to use public access to express those ideas.

#### **V. PROGRAM SCHEDULING & CABLECASTING**

Channel and facility times are provided on a first-come, first-served, nondiscriminatory basis to any resident Access User filing a request, in accordance with the operating rules. It should be understood, however, that since this is a shared resource, specific channel time and equipment use requests cannot always be guaranteed.

##### **A. Scheduling Channel Time**

1. MCAM reserves the right to schedule programs at its discretion to meet the needs of the channel and the community.
2. Scheduling priorities are as follows:
  - Shows produced by MCAM members
  - Shows featuring Marblehead events & municipal meetings
  - Bicycled shows featuring Marblehead guests
  - Bicycled shows requested by MCAM members

MCAM reserves the right to pre-empt regularly scheduled programs to meet the needs of the channel and the community. Best efforts will be made to re-schedule pre-empted programming in a comparable time slot.

3. **Repeat Showings:**  
If scheduling and equipment allows, a program may be repeated any time during any weekly period. First-run programs have priority over reruns in slot scheduling.

**4. Series:**

Program series will be allocated consistent time slots at the discretion of the staff, provided ample time remains available for other programming requests and if the following conditions are met:

- a. PEG Access User(s) produce the material.
  - b. Titles and descriptions of programs are submitted to MCAM staff at least three weeks in advance of the scheduled time.
  - c. Access User has new material on a consistent basis.
  - d. A crew has been trained and certified.
  - e. If a series Producer regularly fails to have the program ready for scheduled cablecast, the staff may, at its discretion, assign the time slot to other Access Users.
  - f. A series time slot will be allocated for new series only if Access User has completed two taped programs prior to application, and/or Access User has successfully produced two live programs in the proposed series.
5. Except for live and series programming, channel time will generally not be scheduled until a program is complete and all the information pertaining to the program is supplied to the staff for scheduling.
  6. If scheduling conflicts occur, staff may resolve the conflict at its discretion.

**B. Cablecasting Procedures**

1. **Copyrights, Licenses, Releases** – Access users must obtain permission from the copyright holder, in order to use any copyrighted materials, including, but not limited to music, artwork, broadcast/cable network, concert and theatrical performances.

Access Users must obtain in writing, and produce upon request, all the necessary approvals, clearances, licenses, etc. in order to cablecast any program material including copyrighted materials.

**Talent releases** must be obtained from all who appear on camera, or whose voice is used in a production. Some organizations and schools have blanket releases for their members or students. Minors require a parent or guardian signature on their releases.

Failure to provide proof of the necessary clearances, rights, licenses, etc. will result in the suspension of the particular program, series, or episode in question

until such proof is produced. (See **page 14** for further information on use of copyrighted material).

2. Labels – Before cablecast, all videotapes and DVDs must be clearly labeled with the following information on the box spine and on the tape or DVD:
  - a. Title of program (and episode name if a series program)
  - b. Name of Producer
  - c. Month show is set to run
  - d. Length of Program
  - e. Length of Preroll
  
4. Trailer – The end of all cablecast programs must include the following:
  - a. Appropriate production credits
  - b. MCAM credit (“Produced through the Community Television facilities of MCAM’s MHTV”)
  - c. Copyright (Copyright 20\_\_ – Production Company or Producer’s name)
  - d. Fade to black
  
5. Shows scheduled for cablecasting must be brought to the staff at least seventy-two (72) hours prior to the scheduled cablecast, unless otherwise arranged with staff.

### **C. Technical Standards**

1. Programming must meet minimum quality standards for cablecast. MCAM reserves the right to pre-screen programs. Videotapes/DVDs must be of such quality that a processing amplifier used by the channel will accept the signal. If the amplifier will not accept the signal and the resulting picture is unstable, the videotape/DVD may be rejected.
2. Audio quality of all videotapes will be constant and of sufficient level to permit adequate reproduction on MCAM transmission equipment.
3. If staff notices an abnormal number of production problems with a videotape (i.e. poor audio or video), an Access User may be asked to re-train.

### **D. Disclaimers/Labeling of Sensitive Material**

1. Programs must include the following:

**Opening Disclaimer:** A 10 second opening disclaimer slate of black background, with white that states:  
the following, verbatim:

"The following program was provided by an independent producer solely responsible for its content. The opinions expressed do not necessarily represent the views of MHTV, its staff, Board of Directors, or underwriters."

**Closing Disclaimer:** A 10 second opening disclaimer slate of black background, with white that states:

the following, verbatim:

"The preceding program was provided by an independent producer solely responsible for its content. The opinions expressed do not necessarily represent the views of MHTV, its staff, Board of Directors, or underwriters."

## 2. **Sensitive Material**

If MCAM makes a good-faith determination that the subject material in a program may offend some viewers and/or may not be appropriate for children, MCAM may require that the following announcement be added to the beginning of the program: **"The following program may contain sensitive material. Viewer discretion is advised."** MCAM reserves the right to run potentially offensive programming between 11pm and 4am - typically known as "Safe Harbor" hours. Failure to notify MCAM of potentially offensive material prior to a program or episode airing may result in loss of privileges.

## **E. Grants, Underwriting and Sponsorship**

1. MCAM must be notified that a program will be underwritten at the time the program proposal is submitted.
2. Any individual or group submitting a proposal for grant funding for a project which involves the use of MCAM's facilities must have obtained prior written approval from MCAM staff.
3. Underwriting for programs must be for goods and services or in-kind contributions that aid in developing and improving the program. Underwriting may NOT be used to remunerate producers, talent, or crew.
4. Credit for underwriting will be similar to the following: **"Goods and services used in the production of this program were contributed by [company name, address]."** A company logo and/or photograph may be included. Credits will be shown before and after the program and can be displayed at periodic intervals during the program. Such programs must still include MCAM's credit.

## **F. Personal Profit/Commercial Use**

Individuals, non-profit organizations, or any other Access Users may not use all or any part of the program for personal profit or gain without the express written permission

of MCAM. MCAM may require that a producer share such profits in order to compensate for the facilities, equipment, tape supplies, and staff time that were provided to the producer. Access Users found to be using the facilities or equipment for personal profit without prior permission will be subject to loss of privileges.

Reimbursements for profit making programs are as follows:

- a. Charging an hourly fee for the actual value of the equipment and facility time; or
- b. Trading services (e.g., a media artist working under a grant trades teaching specialized video production classes in return for using the facility).

### **G. Bicycled Programming**

Bicycled Programming is a program that is not produced in the town, but is brought to MCAM by a member for PEG Access use. Bicycled programming must be strictly noncommercial in nature and technical and production quality must be high. Locally produced programs will receive priority scheduling.

1. An MCAM member must sponsor the bicycled program by signing the sponsor form.
2. Fees incurred for running requested programming (postage, download fees, etc.) must be borne by the local sponsor.
3. MCAM Staff may accept bicycled programming without a local sponsor from nonprofit organizations that serve Marblehead; Municipal, County, State or National Government entities; or area Access Studios when the programming is produced by that studio's staff.

## **VI. VIOLATIONS, GRIEVANCES, INSURANCE AND INDEMNIFICATION**

**A. Violations** - MCAM access members are expected to conduct themselves in a courteous and professional manner whenever using MCAM equipment or facilities. The following is a list of some violations of rules and the consequences:

### **1. Minor Violations**

- a. Repeated cancellations, late or otherwise
- b. Repeated late pickup/return of equipment or arriving more than 30 minutes late for editing or studio sessions
- c. Not cancelling reservations for equipment or studio time
- d. Mishandling of equipment/facilities
- e. Use of equipment in unsafe environments
- f. Incomplete return or improper storage of equipment
- g. Smoking in/on MCAM facilities or school grounds or around equipment anywhere

*Penalties for minor violations:*

- 1<sup>st</sup> – Verbal warning
- 2<sup>nd</sup> – Written warning
- 3<sup>rd</sup> – Loss of privileges

**2. Major Violations**

- a. Commercial or for-profit use of MCAM equipment or facilities
- b. Misrepresentation as a staff member or employee of MCAM, Inc. (MHTV)
- c. Knowingly falsifying forms
- d. Abuse or neglect of equipment
- e. Taking or use of equipment or facilities without proper permission
- f. Attempted self-repair of equipment and/or rewiring of facility equipment
- g. Verbal or physical harassment of staff, directors or other members of MCAM
- h. Theft of any kind
- i. Use or possession of alcohol or illegal drugs in/on MCAM facilities or school grounds or while in possession of MCAM equipment
- j. The recording of or use of equipment for recording obscene, illegal or inciting material

*Penalty for major violations:*

Major violations will result in the immediate suspension of privileges to use facilities or equipment. Some violations may result in criminal prosecution. A hearing before the MCAM Board of Directors will automatically be held upon the suspension. The MCAM Board will determine if these privileges will be reinstated.

**3. Appeals**

MCAM Access Members may appeal any loss of privileges to the Board of Directors of MCAM. **Decisions of the MCAM Board of Directors are final.**

**B. Grievances** – Any grievance regarding the assignment of channel time, equipment, studio time, editing time, or any other matter regarding MCAM facilities should first be discussed with the Executive Director. If that does not provide an acceptable solution, a grievance may be filed in writing with the MCAM Board of Directors.

**C. Insurance Requirements** – All MCAM equipment is insured. MCAM access members are responsible for all equipment signed out to them. In the event of an accident it is imperative that the following information be compiled. Failure to provide this information to MCAM may result in non-payment by the insurance company and the access member would pay replacement or repair of the equipment:

- 1. A police report must be filed in the town or city in which the theft occurred.
- 2. Equipment cannot have been left unattended.

3. Equipment cannot have been left in a hazardous situation.
4. There must be proof of unauthorized forcible entry into the vehicle or location where the equipment was stolen.
5. Equipment must not have been left in a vehicle overnight.

If the insurance company honors the claim, the access member is still responsible for payment of the deductible.

**D. Indemnification** – Any user of the MCAM facilities, equipment and/or channel time shall indemnify and hold harmless MCAM, Inc., its officers and staff, and the Town of Marblehead against any and all liability claims arising out of the breach of the “Access User Agreement”.