

OPERATING RULES

A well-run Access Center fosters a sense of pride and ownership by the citizens of that community. It should be operated in such a way that everyone in the community feels welcome, has equal rights, and is treated evenly and fairly.

The board establishes policy which the staff implements. Board policy is reflected in the access center's operating rules and procedures. Operating rules and procedures need to be written in ordinary English so the broadest range of the community can readily understand them. The writing style, and content of Rules and Procedures must be clear, consistent and fair. They should not be burdensome to the access user or the staff who has to enforce them.

One of the purposes of an access center is to lessen the anxiety of people who are learning new skills. The rules and procedures must facilitate and clarify this purpose. One of the reasons for these rules is to prevent people's rights from being impinged upon by either the access center or other access users. The rules need to function as guidelines, not absolutes. They must be flexible enough to encourage rather than discourage access use.

In a typical situation where there are many requests for remote equipment on the weekends, and there is a limited amount of equipment to go around, a rule might require that a producer may check out portable equipment only two weekends a month. In order to maintain flexibility an exception to the rule is added that if by Friday at 4:00 PM the equipment has not been signed out a producer may reserve the equipment for an additional weekend.

Rules must not be vague or too broad. Care must be taken so that the exceptions to the rules are specific enough that they do not encourage favoritism in their application. Rules that give any member of the staff blanket authority can undermine the rights of the access user and permit arbitrary application.

The operating rules and procedures must be a "living document" and should be reviewed and updated as the access environment dictates. The rules need to be put in a manual that is given to every access user as part of their orientation to the station.

The rules and procedures are there to protect everyone's rights and to insure that the facility operates in ways that are inclusive. Good operating rules and procedures insure that a steady flow of producers and programs move through the station creating a diversity that truly reflects the community at large.

The introduction of your Policies and Procedures Guide or Manual needs to establish the access center's philosophy and commitment to public purpose. A positive approach is needed to encourage community participation such as:

"Access provides a medium for individuals and organizations to communicate with their community via the cable television network. Public Access equipment, training classes and facilities have been made available for the residents ...to help facilitate the development of non-commercial programs for the Public Access Channels..."

The following are examples that cover a few areas that are sometimes problematic and give examples of flexible, fair or clarifying solutions:

Check-Out by Producers of Minor Age

Access is an important forum for the voices and ideas of all ages to be heard and seen. Access centers sometimes have worry over giving equipment to minors. A realistic and responsible way to allow this might be the following:

"A minor may become a certified producer with full rights. Certified producers under 18 years of age must have on file an equipment contract cosigned by a responsible adult who accepts full responsibility for loss or damage of equipment on behalf of the minor."

In addition to the above, certified producers under the age of 12 must also have a certified producer, over the age of 18, accompany them during equipment use.

Rule Input

There should be a provision in the rules for Access producers, the public and staff to submit suggestions for changes to current rules or introduction of new rules. This provision can read something like the following:

“Suggestions for modifications or additions to the Access Center's Rules and Procedures may be submitted in writing to the Access board. All such suggestions will be reviewed at the next scheduled board meeting. A written response will be sent to the person requesting the change after that meeting.”

Certification

Only certified producers may use the equipment. A person becomes a certified producer by passing a proficiency test for the specific equipment to be used. Tests are designed to demonstrate the producer's ability to safely and properly set up, operate and shut down the equipment. The hands-on and/or written tests, are to be conducted by persons designated by the station.

Rule Infractions

A distinction should be made between major and minor infractions of rules. Major infractions involve the safety of the facility, the staff or other producers. They are important and must be dealt with immediately and severely. Minor infractions, on the other hand, may involve noncompliance with the rules and procedures that do not involve imminent danger. Minor infractions are just that. Most Access producers are not deliberately ignoring rules and a gentle reminder is all that is sometimes necessary. However, there needs to be a clear stipulation for major infractions should they occur.

“A major infraction will result in immediate expulsion from the facility and denial of all further Access privileges. A major infraction would involve possession of a weapon or a hazardous substance, threats of physical violence, reckless handling of the equipment, vandalism...”

Channel-time Scheduling

The rules need to be designed to allow for flexible programming and encourage producers, old and new, to create programming while preventing any producers from dominating, monopolizing or stagnating the channel(s) or any single time slot on the channel(s). For example:

“No individual producer is to be guaranteed a permanent time slot on any Access channel beyond a single run of a series. No series may run in a particular time/day slot for more than 26 weeks. After 26 weeks a series will have to move to a different day and/or time.”

Imported Programming

To keep channel time available for locally produced programming and to encourage more original production it is desirable, after the first year of access operations, to limit the amount of imported material. Imported Program is defined as any program in which more than 60% of the total program was NOT produced at the center.

“Imported programming shall not constitute more than 25% of the total programming cablecast on any Access channel for any given year.”

Commercial Programming

It is important that the rules contain language that define and prohibit commercial use of the access equipment, facilities or channel time.

“No program shown on the Access Channel(s) shall promote any specific commercial product or professional service...”

Program Ownership

The rules need to make a clear statement about who holds the copyright for programs that are produced at the access center.

“Any program produced, in whole or in part, with the Access Equipment shall be the sole property of the Producer(s) except that the Access center shall have the right to make and keep a copy of said program, display said program on the Access channel(s) at any time and enter all or portions of said program in any program compilation or access promotional.”

Above all the rules and procedures, when done well, are not a barrier to the community but are thought out to protect the rights of the Access producer and insure the fair and equitable use of resources for everyone.