



Access Policies, Rules & Procedures

Adopted by the Board of Directors

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I. MEMBERSHIP

Memberships expire one year from the date of joining. A membership fee is established by the Board, and may be waived on a case-by-case basis in return for volunteer activity. Only members may submit programs for cablecasting, and only members certified as “Community Producers” may use BevCam’s production equipment. To join, persons and organizations must fill out a membership form and supply proof-of-residence or proof-of-business address.

Types of Membership

BevCam provides three types of memberships – individual, senior/student and group.

1. Individual Memberships

Individual members shall have the following privileges: receipt of newsletter and programming information; ability to cablecast programs; access to workshops and use of equipment; eligibility to receive technical advice from the BevCam staff for program production; and, eligibility to vote at BevCam annual membership meetings (one vote per individual member). Members under age 18 must have their membership forms signed by a parent or legal guardian, and are not entitled to vote at the annual membership meetings.

2. Senior/Student Memberships

Seniors are classified as anyone 55 years of age or older. Students are classified as anyone currently enrolled in an academic program in Beverly, MA. Senior/student members have the same privileges as individual members.

3. Group Memberships

BevCam has four categories of group membership.

- **Family:** Persons living in the same household (at the same Beverly address) who apply together for a membership.
- **Organization:** Any Beverly-based firms, corporations, organizations or other entities recognized as non-profit, tax-exempt by the IRS.
- **Public Agency:** Any City of Beverly department or agency and other Beverly-based publicly-funded departments or bodies.
- **Business:** Any Beverly-based, for-profit firms, corporations, organizations, institutions or other entities.

Each group membership allows up to five persons to receive training and use the facility. Group members have the same privileges as individual members, with the following exceptions:

- a. A group membership must have a designated representative who will be the person entitled to vote at the annual members meeting. Said representative may vote acting as that group’s representative and may not also vote either as an individual member or as a representative of any additional group.
- b. Public agency members are not entitled to vote at the annual members meeting.
- c. Except for family members, group members’ use of the facilities is allowable only for production of programs made on behalf of the group. All non-family group members’ channel and facility use must be for programs authorized by the designated representative of the group.

II. CHANNEL USE

A. Community Bulletin Board

The Community Bulletin Board (CBB) is a series of graphic screens appearing on BevCam's channel whenever there is no programming being cablecast. The CBB is a service maintained by BevCam for publicizing noncommercial notices, activities, and events of interest and/or benefit to residents of Beverly. It is not to be used as a forum for persuasion or advocacy. In addition to posting announcements of community interest, BevCam uses the CBB to post information about itself and its services, including available training, program schedules and channel identification.

1. Eligibility

Messages submitted for the CBB will be posted if they are from:

- A Beverly city department or agency;
- A federal, state, county, or regional agency, provided the requested message concerns the citizens of Beverly;
- A Beverly-based non-profit organization; or,
- A contributing BevCam sponsor or program underwriter.

Messages submitted by agencies and non-profit organizations from nearby cities and towns may be posted at the discretion of the Executive Director.

2. CBB Requirements and Considerations

- Messages must be submitted on BevCam's "Community Bulletin Board Message Request Form."
- Messages not submitted at least two weeks before their requested display date cannot be guaranteed to be shown.
- Messages will be displayed a period of two weeks or as appropriate to the event as determined by management.
- BevCam reserves the right to edit messages.

3. CBB Restrictions

- The Community Bulletin Board may not contain any commercial announcements, advertising or direct appeals for funds (although it may contain announcements for fund-raising events).
- Committees to elect candidates for Beverly's elected offices and Beverly-based ballot initiative advocacy groups may submit messages announcing events exclusively and only if they are open to the public. These messages may contain only the following: the name of the sponsoring organization; the event name and description; the date, time, and location of the event; and, a contact name, number, website and email address. Any such organizations and any such candidates or positions represented, may have only one message posted at a time. The total number of such messages shall be two (2) representing two separate occasions during one (1) election cycle . All other requirements and considerations listed above apply.

B. Requesting Programs for Cablecast

1. Eligibility

Any Beverly resident and Beverly-based non-profit organization that is a BevCam member in good standing and any Beverly-based public agency is eligible to place programming on BevCam. In order to show a program on BevCam, requesters may first be required to attend an orientation meeting. Program requesters must submit properly prepared and labeled programs, along with a completed cablecast request form. Those requesting cablecasts of programs:

- Must be thoroughly familiar with the program's content and agree to take responsibility for that content;
- Must take responsibility to obtain clearances and permissions, as may be needed, from any and all organizations, individuals and groups to cablecast this material on the access channel and to provide BevCam, prior to cablecast or other distribution, any program, copies of any talent releases, licenses or other permissions for content that is copyrighted or subject to ownership or royalty rights obtained with respect to the program ;
- Must agree to allow his/her name and contact information to be listed on BevCam's bulletin board and website as the requester of the program;
- Must accept complete liability for any false, misleading or slanderous statements in the program and be fully responsible for the program content and compliance with all applicable federal, state and local laws;
- Must agree to hold harmless the City of Beverly, Beverly Cable and Telecommunications Corporation (BevCam), cable providers (i.e. Comcast, Verizon), their directors, employees, or successors, for any liability, loss, claim, cost or damage of any nature whatsoever which may arise by reason of any claim that any material cablecast or disseminated by me (the requester or producer) infringes or violates any rights of any person or organization, or any and all liabilities arising out of use of facilities and resources or out of breach of the Producer Agreement and Access Policies, Rules and Procedures;
- Must sign a statement accepting such liability and agree to indemnify BevCam for any legal action arising from the cablecasting of the program, whether due to alleged or actual harms, including, but not limited to, defamation, copyright infringement and invasion of privacy; and,
- Must deliver and pick up the program(s) in a timely fashion. BevCam will return programs only to the requesters or to their designees and will do so only in person.

2. Restrictions and Requirements

The following restrictions and requirements apply to all programs submitted for airing on BevCam.

a. Content Restrictions

For the most part, BevCam can exercise no control over the content of programs submitted for cablecast. However, presentation of the following material on BevCam's channel is prohibited:

- Any commercial programming or advertising;
- Any material which constitutes libel or slander
- Any obscene material or pornography
- Any unauthorized use of copyrighted material or publicity rights, and invasion of privacy;
- Any material in violation of FCC regulations; and
- Any material that violates local, state or federal laws.

BevCam cannot and will not pre-screen submitted programs to ensure compliance with these prohibitions. Program requesters are responsible for ensuring that their programs do not contain such prohibited materials.

However, if in the course of preparing a program for cablecast, BevCam staff becomes aware of material it believes might be in violation of these prohibitions, the program will be withheld from cablecast, pending a review of the material, a discussion with the program requester and removal

of prohibited material, if any. In doing this, BevCam may ask to be provided with copies of any written releases or use permissions it believes may be required before cablecasting the program.

b. Election Campaign Restrictions

Candidates for election to public office and representatives of ballot question advocacy organizations who would be eligible for use of the channel as described above in Section II.B.1, have the same rights of channel use as other eligible users.

However, the following channel restrictions for such candidates and ballot question organizations will apply during the period beginning from the deadline for filing certified nomination papers with the City Clerk and ending with the close of polls on election day:

- The minimum length of any program in which a candidate or ballot question representative appears is 10 minutes.
- The total amount of time allotted to any one candidate or ballot question representative in any and all programs on BevCam shall not exceed one hour per week. This time limitation does not include appearances within BevCam-produced coverage of governmental bodies' meetings, or election forums in which all candidates/issues have equal opportunities to participate.
- In the final 96 hours before the polls open on any election day, no candidates or ballot position representatives may appear on BevCam's channel in any format other than a debate-style program in which all candidates/viewpoints have an equal opportunity to participate.

c. Prohibition of Financial Benefits

No individual or organization may receive any financial benefit/remuneration from having a program cablecast on BevCam's channel in accordance with BevCam's 501(c)(3) IRS non-profit status, unless through an awarded grant.

d. Underwriting Acknowledgements

While commercial advertising is not permitted on the access channels, BevCam requires that programs acknowledge all support received from businesses, foundations or other sources.

- Producers shall acknowledge donors with text announcements, which may be accompanied by voice announcements. Announcements may include the donor's name, logo, and up to a 15-word description. The announcement may not be displayed longer than 15 seconds. The description may:
 - Include product line or services, location and phone number
 - Identify but not promote the donor. It must be value neutral and not include comparisons or quality judgments (e.g., "best pizza in town," "lowest prices")
 - Mention particular products only if necessary for identification purposes. (For example, "Computerland, authorized dealer of IBM computers," but not "Star Market, this week featuring a sale on Maxwell House coffee.")

- Donors shall be acknowledged only at the beginning and end of programs, with the following exceptions:
 - During programs longer than one hour, announcements may be made during natural breaks, e.g., half time of a game
 - Acknowledgement of donated prizes may be made when the prize is given away, e.g., “We’re about to give away a turkey donated by Victory Supermarket.”
 - Incidental depiction of a donor's logo or advertising should be avoided, e.g., a camera should not zoom in on signs.
- Commercial providers of products and services used in a program's production may be credited at the end of a program. Such credits may include the product and service, such as “Costumes provide by...”, and otherwise must follow the rules for displaying a commercial underwriting credit listed above.

e. Media Formats, Labeling, Titling, & Technical Requirements

As BevCam's playback equipment evolves, BevCam management may add or remove media formats that can be accommodated and may also add or change media preparation requirements. Initially, the following are the acceptable media formats and the minimum labeling, titling and technical requirements all submitted programs must meet:

- **Media Formats:** BevCam can cablecast 3/4", VHS, S-VHS Mini-DV and DV Cam tapes, as well as DVDs and MPEG2 files. Videotapes must be NTSC format and in SP mode. The tape itself must be high quality and in excellent physical condition. Wrinkled, spliced, old or damaged tape will be rejected.
- **Media Labeling:** All media must be submitted with cases and media and cases both must be labeled. Labels for videotapes and their cases must be placed on the spine, and must not be shredded or otherwise extend beyond the edges of the spine. Labels must state:
 - The exact title of the program (and episode title or number, if part of a series) as stated on the cablecast request form;
 - The total running time of the program (from first frame to last frame, in hours, minutes, and seconds);
 - The cue time (the starting point for the program as timed from the beginning of the tape or track); and,
 - The name and telephone number of the program submitter.
- **Program Titling:** All programs submitted for cablecast must have a graphic within the first 60 seconds of the program giving the program’s title, and a graphic within the last 60 seconds of the program giving the producer's name, copyright holder, and year of production.
- **Technical Requirements:** Video and audio quality of all programs to be cablecast must be consistent and of a sufficient level to permit adequate reproduction by transmission equipment. The leader immediately preceding the program may consist either of a countdown followed by two seconds of black or a minimum of 5 seconds of black. The end of the program must be immediately followed by at least 10 seconds of black. Only one program per tape may be submitted for cablecast. All tapes should be completely rewound when submitted.

3. Program Scheduling

a. Timeslots

BevCam staff will schedule timeslots for programs. BevCam will attempt to accommodate requesters' first choice for specific timeslots. However, in scheduling the channel, BevCam will also take the following considerations into account:

- Where the program is/was produced
- Timeliness of program
- Regularity of program/series
- Repeat, live, or first-run program
- Date of receipt of cablecast request form
- Availability of channel time.

In addition to the above considerations, BevCam will assign scheduling priorities, in the following order:

- 1) Programs produced in whole or in part using BevCam facilities;
- 2) Other programs produced by Beverly residents and organizations;
- 3) Other programs produced elsewhere in Massachusetts; and,
- 4) Other programs produced outside of Massachusetts.

BevCam is responsible for providing television coverage of the regular meetings of Beverly's City Council and School Committee and, for that purpose, will set aside portions of channel time for live meetings and an appropriate number of repeats. Also, BevCam reserves the right to determine the portion of the weekly or daily schedule to be set aside for any category of programming.

b. Safe Haven for Potentially Offensive Programming

Program requesters must alert BevCam staff via the cablecast request form to submitted programs that may be inappropriate for younger viewers. BevCam reserves the right to cablecast programming with excessively violent material, offensive language, nudity or sexually explicit material after 11 PM and before 6 AM, in order to preserve a safe haven for viewing by all audience members. BevCam reserves the right to require this disclaimer before and after any program containing potentially offensive programming: "The following [preceding] program contains material which may be offensive to some viewers or may be inappropriate for viewing by children. This program content is solely the responsibility of [producer's name]."

III. EQUIPMENT USE

A. Eligibility

Any member wishing to use BevCam's equipment and facilities to produce programming must first become a Community Producer by attending a community producer orientation. Community producers may then need to take additional workshops, depending upon the particular pieces of equipment they wish to use. Community producers with previous production experience may test out of additional workshop requirements by providing a demonstration reel or letter of reference and demonstrating proficiency with each piece of equipment requested by passing the certification test required for that equipment.

B. Certification Levels & Training Workshops

Separate certifications need to be achieved in order to use each of the following BevCam production facilities:

- Portable Camcorders
- Editing
- Auto-Pilot Studio
- 3-camera studio

Training workshops in each of these areas will be held on a regular basis. As BevCam acquires additional equipment, additional certifications in its use may be required and BevCam will provide such training as may, in those instances, be required.

C. Program Proposal

In order to use BevCam facilities and equipment, certified community producers must fill out a Program Proposal Form, providing the following information:

- Title or working title of the program to be produced
- A brief description of the *type of production* – e.g., a studio talk show, a field documentary, event coverage
- The expected length of the final -program
- Whether it is a series
- Whether it is to be live
- The date projected for completion of production work (planned end date)
- What equipment and facility time will be needed to complete the project.

PLEASE NOTE: The purpose of this proposal submission requirement is to assure that the producers have everything needed to do their shoots and that they are using the methods and materials best suited to their productions. Nothing in this process concerns the content of the proposed program, subject matter, etc. Program content is strictly the producers to control. But BevCam may need to know a few things about what the program will contain (for example, slides shown, a team sport shoot, involvement of a public audience) in order to provide the appropriate resources.

D. General Rules

Public, educational, government access programming is created by members and depends on the participation of many active, trained members who use video communication tools in order to independently reflect their ideas. Staff will assist residents in assembling production crews from among trained and qualified members. Non-profit organizations and municipal agencies planning to do programs on a regular basis are encouraged to form a television production crew, which BevCam will then train.

1. Access users must be properly certified and have completed all required planning and equipment forms approved by the staff before the equipment or facilities will be scheduled.
2. 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. Producers' confirmation 48 hours in advance of facility and

equipment reservations is strongly recommended. Reservations can be made with staff in person, by telephone or e-mail.

3. Cancellation of equipment or facility reservations should be made at least 24 hours in advance, except in the case of emergencies. Repeated last-minute cancellations may result in loss of privileges.
4. Additional materials for productions, beyond those supplied by BevCam (i.e., sets, graphics, videotapes, other materials), must be supplied by the member and must be removed after the production.
5. All work and master tapes will be subject to recycling at the discretion of staff, after 30 days. Producers may elect to purchase these tapes for their own use.

E. Portable/Field Equipment

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

Check-out:

- a. Equipment requested must be related to a production project intended for cablecast.
- b. Sign all required forms and equipment checklists.
- c. Determine if equipment is in working order.

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.
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 24 hours during the week and 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 advanced notification, and staff permission may members take equipment outside of the town being served by BevCam.

F. Editing and Post-production

Requests to use the editing equipment for titles, special effects, etc. shall be made at least 24 hours in advance and will be subject to the discretion of staff.

G. Studio Facilities

Studio productions need a crew, talent, set, props, etc. The Producer is responsible for obtaining a crew and may also use the volunteer crew list posted on the BevCam website to help fill positions.

1. A minimum of one-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 may be canceled by the BevCam staff if the production crew does not show up within 30 minutes after the scheduled start of the production.

IV. OTHER CONDITIONS

A. Misrepresentation

Members must not misrepresent themselves as employees of BevCam or as having the ability to speak for BevCam. Such actions may result in a suspension of access privileges.

B. Facility Upkeep

No animals are allowed in the building except for service animals or as part of a production. Smoking is not allowed anywhere in the building. Subject to approval, members may, at their own risk, store sets and props associated with their productions. Any such materials must be labeled with the member's name, contact information, and date of deposit. From time to time, BevCam management may review and reapportion such storage availabilities.

C. Right to Refuse

BevCam staff reserves the right to refuse the use of the facilities to any individual who appears to be under the influence of alcohol or illegal drugs, or who interferes with the orderly conduct of business.

D. Indemnification

Users of BevCam's channels and facilities shall indemnify BevCam, the cable operator, and the City of Beverly and its employees against any and all liabilities arising out of any use of the facilities and resources or out of breach of these Rules and Procedures.

E. Interpretation

Where the implementation of these procedures is subject to interpretation, decisions shall be at the discretion of the Board, Executive Director or designee.

F. Amendments

The Board of Directors reserves the right to amend these policies on an ad hoc basis. Members will be notified of any such changes.

G. Unusual Situations

Any situation in which there is not an operating rule or procedure will be temporarily governed by the judgment of the Executive Director or staff person on duty and the issue referred for discussion at the next Board of Directors meeting.

V. VIOLATIONS

In order for these rules and procedures to be effective and to keep operations running smoothly, a penalty system has been instituted. There are two types of rules, which, if violated, may result in restrictions on a community producer. The Executive Director or a designee is authorized to issue warnings and suspensions. Membership fees will not be refunded to a member whose privileges have been suspended or revoked.

A. Major Violations

Major violations will result in an immediate 90-day suspension of membership. These may include, but are not limited to:

- Commercial or profit-making use of BevCam facilities
- Abuse of staff or other members
- Smoking in BevCam's facilities
- Misrepresentation of members' affiliation with BevCam to others
- Falsifying forms
- Taking or reserving equipment without staff permission
- Abuse of equipment, including attempted repair, facility reconfiguration, or improper transport
- Tampering with, copying or deleting BevCam software or data
- Three "No Show" cancellations in any one-year period

Any subsequent major violation will result in the permanent loss of BevCam equipment and facilities privileges.

B. Minor Violations

These may include, but are not limited to:

- Failure to cancel a reservation
- Late pick-up or return of equipment without notification and approval
- Mishandling or unsafe use of equipment
- Eating or drinking in non-designated areas of BevCam facilities
- Failure to clean up after using the facilities
- Handling off-limits equipment or being in off-limits areas
- Creating any disturbance to other BevCam members, producers, guests or the public
- Three "Late Cancels" in any six-month period.

Minor violations that take place within a one-year period will result in the following series of actions:

1st violation: written warning

2nd violation: 30-day suspension

3rd violation: 90-day suspension

4th violation: permanent loss of BevCam privileges.

VI. BEVCAM-SPONSORED PROGRAMMING

There are two forms of programming that may be desirable for BevCam to put on its channels. One is imported – that is, shows that have been produced elsewhere and are received as completed productions. The second consists of programming ideas that staff and/or management believe to be of interest and value to the community.

In either case, such programming or ideas for production of programming may be submitted to the Executive Director for review and then presented to the President of the Board and/or the full Board of Directors for approval on a case-by-case basis and time limited.

It is important to recognize the distinction between such sponsored programming and productions submitted by request or by access producers. Such sponsorship by BevCam represents to the public a form of approval of the values, ideas and viewpoints presented in such programming and, therefore, needs to be approved at Board level.