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Introduction to WBCA 102.9 FM Policies

Boston Neighborhood Network (BNN) has been managed by the Boston Community Access and Programming Foundation, Inc. (BCAPF) since Boston's first cable franchise agreement in 1983. BCAPF was established as a 501(c)(3) non-profit to “ensure access to channels and facilities for all Boston residents, groups and institutions and to provide public education and training regarding the use of access facilities and channels.” It is BNN’s primary purpose to provide information, education, empowerment, and public access to community television and radio training, facilities, and equipment for all Boston residents, groups, communities, and neighborhoods, as expressed in BCAPF’s Agreement with the City of Boston, Articles of Organization, Bylaws, and Mission Statement.

BNN’s mission is to “connect, inform and empower those who live, work and study in Boston through distinct and diverse community media programming, education and services.”

BNN is governed by a Board of Directors that develops policies to ensure that BNN resources, including BNN-TV and WBCA, are available to residents and groups on an equitable, non-discriminatory, and fiscally responsible basis subject to reasonable scheduling policies. The Programming Committee is responsible for ensuring the availability of a wide variety of programming which addresses the interests and needs of Boston residents, making policy recommendations for Board consideration to encourage the development and production of public access, educational, health care, cultural, human services, and other community programming. The Board may also establish advisory committees or working groups of community members to develop recommendations.

The following policies apply to WBCA 102.9 FM. Other BNN facilities (including the *BNNLive* and Community TV Studios, BNN Timothy Smith Network Media Lab, Field Production Equipment, and Mobile Production Truck) and distribution channels (including the News and Information Channel and the Community TV Channel) have separate and distinct policies and guidelines.

In addition to these general policies (which require Board approval), BNN staff may on its own, with approval of BNN management, and subject to review by the Board of Directors, develop and implement additional operating guidelines, rules, procedures, and specifications so long as they conform with the spirit and letter of these policies. The Programming Committee may review these guidelines and recommend changes if it seems necessary or useful. All staff-implemented guidelines will be posted.

BNN management may make exceptions to policies or guidelines if necessary to ensure a wide diversity of BNN programming or to fulfill a critical community need. BNN members are invited to contact BNN management with suggestions for subsequent revisions of BNN policies and guidelines.



WBCA 102.9 FM Policies

I. ACCESS TO WBCA AIRTIME

A. ELIGIBILITY & SCHEDULING PRIORITIES. BNN or the City of Boston may produce and provide programming for WBCA airtime. All scheduled programming may be pre-empted or interrupted at any time for emergency or public safety information from the City of Boston.

BNN members with proposals that meet the programming guidelines established by the Board of Directors may request access to airtime on WBCA. Staff will schedule airtime, upon approval of management, according to these guidelines and the following priorities and criteria. These are designed to prioritize original, local content, address community needs, build audience and participation, and maximize opportunities for promotion.

1. Original programming produced in Boston will be given priority over non-local programming.
2. Programs produced at BNN will be given priority over programs produced elsewhere.
3. Programs produced specifically for WBCA and radio will be given priority over programs produced for BNN-TV.
4. Programming comprised of greater amounts of original, locally produced material will be given priority over programming with lesser amounts.
5. New programming will be given priority over repeat programming.
6. Weekly, series programming will be given priority over one time specials.
7. Imported programs (produced outside of Boston and requested by a BNN member) produced at other Massachusetts community media centers or LPFM stations will be prioritized over other imports.

In addition, to these factors, staff will take into account the following when developing the program schedule: the needs and interests of a demographically diverse audience; programming that will reach and serve underrepresented communities or provide otherwise unavailable content; reasonable time, place, and manner restrictions for program content; the overall schedule composition and audience flow characteristics; the audience-building potential of the program; the current timeliness of program content; the reliability of a producer/requester to deliver programs in a regular, timely, and consistent manner; and the overall technical standards and production values of the program.

B. RESPONSIBILITIES. Members requesting airtime must be familiar with and carefully adhere to these policies and related guidelines. For each request for airtime, a member must provide a signed form by which he or she: agrees to adhere to City of Boston, BNN and WBCA policies as may be applicable, guidelines and all applicable laws and regulations, including those prohibiting obscenity, copyright infringement, and libel; and assumes legal responsibility for the program, its content, and its public dissemination. This form is a legal document that requires careful reading to understand its provisions, which detail important responsibilities regarding copyright, permissions, etc. No program may be submitted for airtime containing content, such as obscene or libelous material, which may be found to be in violation of any city, state, or federal law. Any civil or criminal complaints or other legal matters relating to program content will be referred to the member who requested the airtime. (Even a member who requests airtime for a program produced by someone else assumes liability for its airing.) BNN does not provide legal advice to its members. The member requesting airtime for any programming involving minors must provide, upon request, written parental permissions for their appearance on WBCA. All programs submitted for airtime are subject to staff review to ensure compliance with these policies. Staff is directed to use its discretion in withholding from broadcast any program found to be in violation,



pending further review. BNN and the City of Boston reserve the right to require member/user forms to include user indemnification of BNN and the City of Boston for liabilities if any arising from the acts or omissions of the member/user.

C. REQUESTING AIRTIME. Staff will provide a request form, guidelines, and other informational materials that detail the current process for scheduling airtime. Guidelines will describe a process for the equitable apportionment of this finite resource; necessary limitations such as program length, the number of programs scheduled at one time, etc; acceptable formats and the process for delivery of programs; and other related procedures and requirements. The request form will include questions about planned program content and how it will address the programming guidelines of the Board of Directors. BNN management will authorize selected programs for scheduling based on these guidelines.

1. Scheduling pre-recorded programs. Times will be reserved in the WBCA schedule sufficient to accommodate approved requests for pre-recorded single and series programs.

2. Scheduling live programs. Regular time-slots will be reserved for live programs produced from the WBCA Radio Studio or other approved locations. Other requests for live programs must be made at least one month in advance.

3. Series time-slots. For members delivering pre-recorded series programs of a consistent length on a regular basis, regular weekly time-slots may be scheduled. Staff is directed to make a commitment of a regular time-slot only to requesters who will likely be able to successfully deliver programming as scheduled. At least one completed program must accompany new series requests. To ensure opportunities for new series to get a time-slot, the schedule for series will be constructed on a periodic basis, such as quarterly, as described in guidelines. Requesters of series time-slots will provide multiple options for scheduling, in order of preference. Staff will allot time-slots according to scheduling priorities and will accommodate scheduling preferences as closely as possible.

4. Renewing series time-slots. Series time-slots are not renewed automatically. They must be requested periodically. Staff will make every effort to accommodate requests for renewing series that have successfully delivered programming as scheduled, but there is no guarantee of continuing in the same time-slot. Members who have not been successful in delivering programming as scheduled may be advised to submit programs singly as they are completed and may not be given a weekly series.

D. CONTENT. WBCA is for BNN members to present programming, subject to restrictions as may be expressly authorized herein or otherwise in accordance with law. Program content is determined by the producer. WBCA may place notices of any kind between programs, including notices disclaiming editorial responsibility or control of program content.

1. Commercial content. In order to maintain BNN's status as a charitable, tax-exempt non-profit organization, we must ensure that BNN resources are not used impermissibly for private financial gain or commercial purposes. Therefore, no program aired on WBCA can contain commercial advertisements or be designed to promote any commercial product, service or business. Non-promotional information may be discussed, but no direct call to action may be included at any point. Phone numbers, addresses, and websites may be provided "for more information" within reasonable limits: at the beginning or end of a program, for no longer than one minute; or infrequently, for no longer than fifteen seconds, during the program.



2. Non-profit fundraising content. BNN member organizations or other verifiable non-profits or public agencies may not fundraise for charitable fund-raising purposes on WBCA.

3. Underwriting. While commercial advertising is not permitted on WBCA, it is required that programs acknowledge all financial or in-kind support or other donations received from businesses, foundations, individuals, or other sources. Each announcement may run no longer than 20 seconds. Underwriting announcements may include the underwriter’s business name, location, contact information, and slogan (depending on the slogan’s language – terms like “best” or “first” are not permitted). Underwriting spots may identify but not promote the donor - they must be value neutral, and not include comparisons or quality judgments (“best pizza in town,” “lowest price,” “delicious food,” etc.). Announcements may not include any pricing information (including “free,” “clearance,” or “discount”) or call to action (“come on down,” “call us at,” “check out our website to buy,” etc.). For programs of one hour or less, announcements shall appear only at the beginning or end of programs. The duration of all donor acknowledgment announcements combined may not exceed one minute total at the beginning of the program or one minute at the end.

4. Other content restrictions. Staff will provide guidelines regarding any other content restrictions (such as any relating to political or mature content), incorporating the Board’s programming guidelines, any relevant regulations (such as from the Federal Communications Commission), and any reasonable time, place, and manner constraints.

E. TECHNICAL QUALITY STANDARDS. It is necessary that each program offered for airtime on WBCA maintain optimal technical quality standards. Programs having technical issues that are likely to interfere with a listener’s ability to appreciate the program may not be broadcast, at the discretion of staff.

F. FURTHER DISTRIBUTION. By requesting airtime, members authorize BNN’s and WBCA’s further distribution of submitted programs by other means, such as through web-streaming, festivals, contest compilations, or at public events. All policies and guidelines regarding access to airtime apply equally to distribution via BNN and WBCA’s website, social media, or any its sponsors.

G. VIOLATIONS. It is the responsibility of staff not to broadcast programs that are found to be in violation of policies and guidelines for airtime, or in accordance with and subject to applicable law, are determined to contain obscenity or other illegal content. Programs that are found in violation may not be scheduled; scheduled programs may not be aired; programs may be interrupted during broadcast or may not be repeated. Staff will use its discretion in assessing the severity of the problem and appropriate follow-up; discuss problems with the member and make every effort to rectify the problem in a mutually agreeable way; and document the issue and its follow-up. The member may be required to provide information in writing. If there is no agreement, the matter will be referred to BNN management for a final decision. Possible follow-up and consequences are further detailed in Section IV.

II. ACCESS TO TRAINING AND PRODUCTION RESOURCES

A. TRAINING AND CERTIFICATION. Staff will provide information and guidelines about training opportunities that detail current classes, fees, certifications, prerequisites and procedures necessary for gaining access to BNN’s production resources, including the WBCA Radio Studio.

1. Various certifications to gain access. A member must become certified in the use of specific equipment or facilities to be entitled to use them. Certification must be achieved separately for the WBCA



studio, field equipment, and the media lab, for example. Distinctions may be made in levels of certification and ensuing benefits.

2. Certification requirements. Members may become certified either through successful completion of the requirements of BNN workshops or by demonstration of the necessary proficiencies acquired through prior training and experience. Some classes, such as orientation to BNN and its policies, may be required for all as prerequisites to training or demonstration of proficiency.

B. ACCESS TO PRODUCTION RESOURCES

1. Shared programming rights. Members may use BNN equipment and facilities only to make programs for distribution on BNN-TV or WBCA 102.9 FM. Members using BNN production resources agree to provide to BNN shared rights to resulting programming. BNN's shared rights shall include the perpetual right to publish and perform such program in any medium and the right of first use. Members hold the program copyright and may distribute and use such programming in other ways after it is distributed by BNN and WBCA, but BNN's shared rights continue. All programming resulting from use of BNN production resources must include an end credit acknowledging the support of BNN and WBCA.

2. Use of production resources. Staff responsible for facilitating the use of various resources, each of which has particular requirements, will provide necessary forms, guidelines, staff contact info, and other informational materials that detail the current process for scheduling and use of equipment and facilities (e.g. the WBCA Radio Studio or BNN Timothy Smith Network Media Lab). Guidelines will detail procedures and all necessary limitations: the maximum number of uses scheduled at one time, the duration of usage, the total usage allowable for a single or series project, the number of projects allowable at one time, etc.

2a. Project Proposal. Before scheduling or using BNN production resources for WBCA programs, members must submit a written project proposal describing the program they plan to produce and how it addresses the programming guidelines of the Board of Directors. Project proposals must be approved by BNN management before staff proceeds to work with members on the details of production planning. Project proposals should be submitted far enough in advance of requested usage to enable all coordination and authorization necessary to permit scheduling. The proposal helps staff determine the producer's resource needs and the feasibility of successful completion. It is used to facilitate the authorization and coordination of the use of BNN facilities and equipment, including the WBCA studio. The amount of time and the date(s) of equipment use will be determined by the staff and the producer. This determination will be based on relevant guidelines, current availability of requested resources, and staff assessment of the producer's prior production experience and readiness to complete the program as proposed. Once approved, this paperwork constitutes a contractual commitment of the producer to BNN and WBCA with respect to the specifications in his/her proposal, including: an equipment usage plan; a timeline for all phases of production and for completion and distribution of programming; and the producer's agreement to comply with these policies and other applicable guidelines, including producer's acceptance of liability for loss of or damage to equipment. The successful completion of plans and prior agreements will be considered strongly in subsequent proposals. Upon approval of the project proposal, designated staff will schedule use of equipment and facilities as detailed in guidelines. Additional paperwork may be required. All projects aired on WBCA must have a standard running time, consistent with guidelines for use of airtime.



2b. Series projects. A producer who wants to propose a new production series project must have completed and successfully distributed similar programming, including a series pilot that has demonstrated the producer's ability to produce a series program within its prescribed timeline and equipment usage plan. Series projects will be limited to a maximum of 13 programs and one year of equipment use. Guidelines may further limit these maximums in order to assure availability of limited resources for all. An extension of the series project may be proposed when one half of the current series have been aired. Approval will depend on current availability of resources and on the producer's performance in completing programs as planned in the current project proposal. All programs of a series must have a standard running time, consistent with guidelines for use of airtime.

3. Scheduling, notifications and cancellations. Every scheduled use of BNN production resources, including the WBCA studio or the Timothy Smith Network Media Lab, must be viewed as an asset that others would use if it were available. It is essential that scheduled bookings be utilized to their fullest potential and not squandered. Respect and courtesy for other scheduled users – or would-be users – must be consistent. No-shows, late arrivals and late cancellations are tracked by staff and highly relevant in consideration of future project proposals. The consequences of violations are described in Section IV. All scheduling of equipment and facilities must be done as far in advance as possible and in accordance with guidelines posted for each production resource. Last-minute scheduling may be possible at the discretion of staff, providing there is no conflict with other duties. Producers are responsible for having ready access to BNN contact information and calling to notify the relevant staff if running late or needing to cancel due to unavoidable circumstances. Written explanations may be required. Bookings will not be held beyond the scheduled start time without such contact. Future reservations may be jeopardized by failure to adhere to this requirement. Whenever possible, cancellations should be done with enough notice for someone else to use take advantage of the availability.

C. UNDERWRITING

1. Prohibition of commercial activities. BNN production resources or other assets may not be used by members for commercial activities or private financial gain. In order to maintain BNN's tax-exempt status, violations of these and related policies and guidelines may lead to loss of member privileges as detailed in Section IV.

2. Donor support encouraged. It is understood that production of programming can be costly and that many members, both individuals and organizations, have financial constraints that limit production capacity. Therefore, producers are encouraged to seek underwriting and/or grants from foundations, government agencies, and/or private businesses to help fund their programs. It is essential that any such arrangements be conducted openly and correctly.

3. Disclosure of BNN support. Members must accurately identify themselves as independent producers to potential funding sources. BNN must be accurately described as a non-commercial, non-profit organization that provides free services, production resources, and airtime to members. Under no circumstances may an independent producer charge for anything he or she is receiving at no cost from BNN and WBCA – whether use of production resources, airtime, or any other service provided to members.

4. Financial disclosure. In each instance that program funding is planned or received for any program using BNN production resources, the producer must fully disclose arrangements before use of BNN



facilities will be authorized. In the event funding is re-arranged or subsequently arranged (during production or after completion and airing of programming) the member must disclose the new information without delay.

5. BNN'S right to share in compensation. In the event a member using BNN production resources is compensated by a third party for any production or for any resulting programming, BNN shall have the right to be reimbursed at a reasonable market rate for use of production resources. These provisions will be waived if the amount of funding covers no more than actual documented expenses such as for tapes, sets, transportation, and crew meals. If the funding provides for payments to individuals such as the producer, crew, or talent, an equitable arrangement for sharing of proceeds to support BNN costs will need to be approved by BNN management.

6. BNN support for funding proposals. Members are encouraged to share their ideas with staff in order to avoid duplication of efforts, to encourage collaboration with other producers, and to gain the benefit of staff expertise. When funding proposals are closely in line with BNN priorities, BNN management may write letters in support. In other instances, BNN may consider collaborating on joint proposals. All funding proposals or other forms of support that indicate any participatory role or support from BNN must receive written approval from BNN management in advance. BNN reserves the right to be selective about what funding proposals it will support.

7. Acknowledgement of donors. All funding support must be acknowledged in resulting programming as described in Section I.D.3.

III. MEMBERSHIP

A. ELIGIBILITY. BNN Membership is open to all Boston residents and Boston-based non-profit organizations or public agencies. All members are considered "Associate Members" as further detailed in BNN Bylaws, which also contain other important details relevant to BNN membership.

B. EQUITABLE ALLOCATION OF RESOURCES. Services are provided to members on a non-discriminatory, first-come, first-served basis. BNN management and staff will use discretion to ensure that no group or individual receives a disproportionate share of available resources at the expense of others.

C. APPLICATION PROCESS. Staff will provide a membership application and other informational materials that detail current categories, fees, benefits, and guidelines necessary for becoming a member. Membership is for one year. The application process must be repeated annually to renew membership benefits.

D. FEES AND REDUCTIONS. BNN's membership and training fees support our ability to provide services to all. Fees are not intended to exclude participation by any individual with financial constraints that prohibit full payment. Some fee reductions are available for youth, seniors, and those with limited income. Tax-deductible donations are invited to support our providing financial assistance.

E. ACCEPTANCE OF POLICIES AS CONDITION OF MEMBERSHIP. Applicants must sign an agreement accepting responsibility for understanding and adhering to these policies and all applicable guidelines governing use of BNN resources, facilities, equipment, channels, and airwaves. Member benefits may be suspended or restricted as described in Section IV.



F. INDEMNIFICATION. In signing the membership agreement, BNN members agree they shall indemnify the City of Boston, its cable service providers, BNN, their employees, and the BNN Board of Directors against any and all claims or liabilities arising out of their use of facilities, resources and channels, or out of breach of the agreement with these policies.

G. PARTICIPATION OF MINORS. Minors (under 18 years of age) must provide written permission from a parent or guardian in order to receive member benefits. Parents must familiarize themselves with these policies and all relevant guidelines. They must assume full legal responsibility for the actions of minors, whether in their use of equipment, their automation of programs, or any other activity at BNN. Members must obtain a signed Minor Release Form from the parent or guardian of any minor appearing on programs and provide the form to staff upon request.

H. CODE OF CONDUCT. It is our goal and responsibility to foster community and maintain a workplace in which all staff, members, and other visitors are comfortable and able to work and collaborate productively. Our facilities are open to members and visitors who are there to participate in productions, attend public meetings, or other authorized purposes. It is expected that members conduct themselves at all times with respect for others and that they will ensure the same behavior in their guests and visitors. The following are not permitted or may be subject to sanctions at BNN facilities: disruptive, hostile, abusive or threatening behavior or language; any form of harassment; disregard of staff authority; commercial activities, advertising, sales or solicitation; dishonesty; possession of weapons; use of illegal substances; unauthorized use of alcohol; smoking or open flames; food or drink except in permitted areas; unhygienic, unsafe or unhealthy behavior; misuse or unauthorized use of resources, including copier, phones, fax machine, computers and production equipment; unauthorized tampering with equipment, wiring, etc; recording without permission; unauthorized postings; any criminal act as defined by federal, state, or local law or statute; or disregard of other posted guidelines. Staff is responsible for facilitating a professional working atmosphere at BNN. Staff is directed to use its discretion in either attempting to quickly remediate non-permissible conduct or to ask a non-responsive member or visitor to leave the premises. Subsequent follow-up and possible consequences are detailed in Section IV.

I. ACCURACY IN SELF-IDENTIFICATION. It is essential that, in all matters, BNN members properly represent their relationship with BNN. BNN members are independent agents, not representatives of BNN. Misrepresentation by a member of his or her role may lead to loss of member privileges.

IV. SANCTIONS

BNN reserves the right to restrict, temporarily suspend, or deny member privileges, including use of production resources, channel or airtime, and entry to facilities, to any individual who has violated his or her membership agreement. Each BNN member is expected to know and abide by these Access Policies and related guidelines. In the event of violations, it may become necessary for BNN to take disciplinary actions or otherwise impose sanctions. Because each case may be different, BNN reserves the right to deal with each member or situation individually. A program violating content policies, for example, may lead to its not being repeated or the suspension of its series time-slot, but not necessarily denial of access to production resources. Likewise, a problem negatively impacting other BNN members may result in loss of equipment access, but not necessarily suspension of channel or airtime. How sanctions are imposed depend upon the seriousness of the violation, the member's previous actions, precedence, and other relevant factors. The type of sanction and duration of disciplinary action will vary with the nature of the infraction and the history of the member. In extreme cases, member benefits may be permanently



terminated. BNN management and staff will exercise judgment giving the highest importance to the best interests of the BNN community as a whole, but also giving due consideration to the individual's rights. Sanctions shall be implemented, where possible, after providing the affected person with reasonable notice of the basis for the action, and a fair process for being heard on the matter.

A. IMMEDIATE SUSPENSION FOR MAJOR VIOLATIONS. As noted above, members have responsibility in the maintenance of a safe and productive workplace. Any behavior which threatens the safety and well-being of staff, members, or other visitors may result in immediate suspension of member privileges and the requirement that the suspended member leave BNN premises until further notice. Staff may issue an **immediate temporary suspension** in such cases and immediately notify BNN management, including all necessary detail; the suspended member may not then return to BNN or regain access privileges without the approval of BNN management. An **immediate ninety day suspension** may be issued by BNN management in these cases or when it is determined that there has been an apparent policy violation of a serious nature, particularly those relating to Sections III.H. and I.C. During the subsequent ninety days, the affected person will be provided reasonable notice and a fair process for being heard on the matter prior to any consequent decision.

B. REMEDIAL PROCESS FOR LESSER VIOLATIONS. A single instance of violation of most policies and guidelines will not result in immediate suspension. It is understood that problems may arise, at times, which are unavoidable. Usually, a brief conversation between staff and members leads to an improved understanding of policies and of the fact that they are in place to protect the interest of members. But, for the sake of all members, staff is responsible for guarding against the emergence of a pattern of violations and for following up as necessary to achieve conformity with all relevant policies and guidelines. The follow-up steps, from verbal warning to written warning, are documented by staff. Members are welcome, and may be required to add written comments to the record.

C. SUSPENSION FOR PERSISTENT VIOLATIONS. If the remedial process is ineffective and violations continue, staff will recommend suspension or other sanctions and forward all related records to BNN management, who will make the decision.

D. APPEALS. In accordance with BNN Bylaws, the Grievance Committee of the Board of Directors may consider complaints from members relating to claims of unfair treatment, rules violations, and improper management decisions. Complaints must be submitted to the committee in writing only after being thoroughly pursued with BNN management. The Committee has the right to refuse to pursue matters which it believes are trivial, irrelevant, or beyond its scope. The decisions of the Grievance Committee are final.