

rules and procedures.

MEMBERSHIP: Membership is open to individuals and designated representatives of nonprofit institutions, organizations and businesses. Members may receive training and use PAT equipment and facilities. Proof of eligibility will be required.

Individual Membership (\$25) entitles access to PAT facilities and equipment; free or low-cost training in video and multimedia production; and prioritized scheduling on Channel 10.

Youth/Senior Citizen Membership (\$15) entitles access to PAT facilities and equipment; free or low-cost training in video and multimedia production; and prioritized scheduling on Channel 10.

Business Membership (\$100) entitles access to PAT facilities and equipment; free or low-cost training in video and multimedia production; and prioritized scheduling on Channel 10. Programming content must be educational and informational, not commercial or promotional. For example, a financial planner may host a program that discusses relative, general topics, like saving for college, but may not advertise or promote its services related to the topic. Contact the Executive Director for specific guidelines.

Organizational Membership is open to non-profit organizations and public agencies. Organizational membership entitles access to PAT facilities and equipment, channel time, free or low-cost training in video and multimedia production for four designated representatives of the organization or agency, and Community Bulletin Board promotion of organization/agency events. (Additional organization/agency representatives may join for a fee of \$25 each.) Programs must be produced only for the given organization/agency and the "right of membership" belongs to the organization/agency, not to the individual.

TRAINING AND CERTIFICATION

Members in good standing may enroll in training workshops on a first-come, first-served basis. Members can enroll in basic training workshops by attending an Orientation session. Enrollment in intermediate and advanced level workshops may require prior attendance at a specified workshop.

Attendance at all meetings or a workshop, in the sequence given, is mandatory. Failure to attend may result in being dropped from the workshop.

Members may be charged a fee for the workshop and an additional fee for training manuals and videotape used in a workshop.

An access member must become certified in the use of equipment to be entitled to use the equipment. To become a certified producer, an access member must pass a certification exam at the completion of the training workshop.

Certification must be achieved separately for studio, portable and van production.

An access member may receive certification by passing certification exams without having taken a workshop.

An Access ID card will be issued to all members. Lost ID cards will be replaced for a \$10 fee. The ID is valid for 12 months from the date of issue.

EQUIPMENT/FACILITY USE

It is a fiduciary responsibility of the Corporation to maximize public access to facilities and equipment by ensuring that scarce Corporation funds are allocated to equipment uses in an equitable and productive manner.

Public access equipment and facilities may be used only to make programs for cablecast on access channels. Use of equipment for commercial or purely personal purposes is prohibited. All productions using PAT equipment must be cablecast on PAT access channels.

Requests for equipment will be honored on a first-come, first-served basis. The staff may use discretion to ensure that no group or individual monopolizes the use of the equipment.

Members must submit a written Program Proposal describing the program they wish to produce. The proposal helps the staff determine the producer's resource needs and ensures that the program will actually be produced and cablecast.

Equipment and facility requests should be scheduled two weeks prior to the actual date of intended use (but not more than twelve weeks in advance.) These bookings will be made after the program proposal has been approved. Bookings can be made during the posted access hours. Only staff can enter time and date into the production schedule. PAT cannot guarantee availability of equipment requested with less than 48 hours notice.

The amount of equipment available for a given project will be determined by PAT staff upon receipt of the Program Proposal, based on the needs of the project, and the equipment available at the proposed time of the project production. Producers may request additional resources for their programs from the Production Manager. However, additional resources will not be given on a regularly scheduled basis. Producers may also request additional resources use by leasing PAT equipment and facilities.

Under normal circumstances, no more than two portable units (or camcorders) may be checked out at one time for a program. In special circumstances, an Access Coordinator may allow an additional unit to be checked out if it is available.

EQUIPMENT CHECK-IN/CHECK-OUT PROCEDURES

The certified producer named in the Program Proposal must check in and out portable equipment at given times and under the supervision of an access staff member. At checkout time the certified producer must demonstrate that they can operate the equipment safely before taking it out.

A certified producer taking out equipment must allow enough time to examine each individual item requested with the access staff prior to signing it out. All equipment returning to the access center will be checked in by a member of the access staff in the presence of the producer to check for any malfunction or damage. The certified producer will be held responsible for any damage to, or loss of, equipment.

A certified user must present a valid Access ID card and valid credit card at check-out time. Access IDs will be held at the access center until the equipment is returned and checked in undamaged.

Certified producers under 18 years of age must be accompanied by an adult certified producer for both check-in and check-out. The adult must co-sign the Equipment Usage Agreement and access full responsibility for any loss or damage to equipment. The adult certified producer must present a valid credit card at check-out time.

On location, no one other than a certified producer is allowed to operate the equipment. The person who signs for the equipment is liable for all persons using the equipment on a production.

EDITING FACILITY PROCEDURES

Certified producers reporting for scheduled edit time must check in with the staff member on duty. If a producer fails to check in, the producer will be listed as a "No Show" and his or her edit time may be given away.

Producers must consult with staff before bringing in accessories. Unauthorized connection of external devices is a major violation and grounds for suspension.

Producers may not bring guests to an editing session without prior approval from a staff member.

Producers may reserve only one four-hour block of edit time per day in advance. However, on the day of an edit session, a producer may extend edit time if the room is available.

Producers may not reconfigure any wiring. Violation will result in the immediate and permanent loss of all membership privileges.

STUDIO FACILITY PROCEDURES

The PAT staff person on duty during a studio production is not to be considered part of a crew.

Crew position assignments are the responsibility of the producer. All studio crew must be certified or approved by PAT staff.

A studio reservation is not considered confirmed until the producer has, at a minimum, the assignment of a Director and at least 1 additional crew member. Studio productions require a minimum of 3 crew members, including the producer. At least one crew person must be dedicated to the control while another must operate camera.

Producers must consult with staff before bringing in accessories to the control room.

Producers may not bring guests to a studio production without prior approval from a staff member.

Studio time must be reserved no less than 3 weeks and no more than 12 weeks in advance. Studio reservations will be approved in two hour blocks. The studio reservation may be extended on the day of production with staff approval if time is available. Hours of studio use are firm. Producers should allow time for set-up and break-down before their time is up.

No one may reconfigure any studio wiring or lighting. Violation of this rule will result in the immediate and permanent loss of all access privileges.

OWNERSHIP RIGHTS AND PROGRAM SYNDICATION

The copyright for programs produced using PAT equipment is retained by the access producer, provided it is cablecast at least once on the access channel. This includes the right to distribute the program to other cable systems.

PAT has the right to make a dub of the program for cablecast in Peabody and retains the right for unlimited cablecasts on the Peabody cable system. PAT also has the right to require a copy of the program for cablecast.

PAT has the right to use any program for promotional purposes related to PAT.

PROGRAM DUBS

Producers will receive one free tape or DVD copy of their program, provided it is produced at PAT's facilities. A producer may use PAT dubbing facilities to make additional copies for each guests, but must provide the media stock.

Copies of PAT-produced programming are for sale to the public.

RATES: \$20 per dub (\$5 discount if requestor supplies media stock)

PROGRAMMING ELIGIBILITY

Cablecast time is free to all PAT members (excluding chosen participants in PeabodyLIVE and individual member producers of live series.)

Channel time will be allocated on a first-come, first-served basis.

PROGRAMMING CONTENT

All use of Access Facilities by Access Producers shall be for bona fide noncommercial public access purposes, e.g., community, cultural, educational, neighborhood and municipal programs, and programs to promote diverse artistic and individual expression or to otherwise enable public access training and carry out the public access purposes of the organization.

All programming must contain the following disclaimer:

The editorial and content responsibility of the following program lies solely with the program producer. This program does not necessarily reflect the views of Peabody Access Telecommunications, Inc.

Prohibition of Commercials : Access Programming may not contain commercial advertisements but may include underwriting or grant acknowledgments in accordance with the underwriting standards used by nonprofit public television stations, as further set forth in the Corporation's rules.

Obscene Content: Program content is determined solely by the certified producer. However, PAT will not cablecast programs which are obscene as defined by federal and Massachusetts law.

According the FCC website, Obscene broadcasts are prohibited at all Times. Obscene material is not protected by the First Amendment to the Constitution and cannot be broadcast at any time. The Supreme Court has established that, to be obscene, material must meet a three-pronged test:

- An average person, applying contemporary community standards, must find that the material, as a whole, appeals to the prurient interest;

- The material must depict or describe, in a patently offensive way, sexual conduct specifically defined by applicable law; and
- The material, taken as a whole, must lack serious literary, artistic, political, or scientific value.

Indecent Content: Program content is determined solely by the certified producer. However, it is the producer's responsibility to inform the Corporation when requesting cablecast time that a program "may be offensive to some audiences, or is of a mature nature", and that such programs will be cablecast with appropriate viewer warning and at a late night time slot.

The FCC website defines broadcast indecency as "language or material that, in context, depicts or describes, in terms patently offensive as measured by contemporary community standards for the broadcast medium, sexual or excretory organs or activities." Indecent programming contains patently offensive sexual or excretory material that does not rise to the level of obscenity.

The courts have held that indecent material is protected by the First Amendment and cannot be banned entirely. It may, however, be restricted in order to avoid its broadcast during times of the day when there is a reasonable risk that children may be in the audience.

Consistent with a federal indecency statute and federal court decisions interpreting the statute, the Commission adopted a rule that broadcasts -- both on television and radio -- that fit within the indecency definition and that are aired between 6:00 a.m. and 10:00 p.m. are prohibited and subject to indecency enforcement action.

Profane Broadcast Restrictions: The FCC has defined profanity as "including language so grossly offensive to members of the public who actually hear it as to amount to a nuisance."

Like indecency, profane speech is prohibited on broadcast radio and television between the hours of 6 a.m. and 10 p.m.

Viewer Warning for "Potentially Offensive" Programs: The Viewer Warning below shall be cablecast and/or edited on the videotape for 30 seconds to 60 seconds prior to start time of the program. The Viewer Warning may also be required in the body of long (60 minutes) programs.

"The following 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 the producer and not PAT or its Board."

Definition of "Late Night" Time Slots for "Potentially Offensive" Programs

10 p.m. to 6 a.m. Monday through Sunday

TECHNICAL REQUIREMENTS

.Tapes Submitted for Cablecast

PAT only accepts SVHS, Mini DV, or DVD formats.

If staff identifies a problem with the audio and/or visual signal during actual cablecast, every attempt will be made to complete the cablecast. Staff can terminate the cablecast prior to the scheduled end of the cablecast if the break-up or poor signal quality persists. The program will not be repeated until the producer corrects the technical problems.

All tapes delivered to PAT for cablecasting must be rewound and properly labeled. Labels must be placed on the tape itself, the outside of the tape, and on the spine of the tape case. Tapes delivered without cases will not be accepted. Tape cases and labels must contain Program Title exactly as it appears on the Program Request Form; Series Title and Program Number (if applicable); Correct IN and OUT times; and Correct Program Length.

Programs scheduled for a half-hour slot must not exceed a total running time of 30 minutes. Programs scheduled for an hour slot must not exceed a total running time of 60 minutes.

All tapes submitted for cablecasting must have a :45 leader time. DVDs do not require leader time.

If a series is to be repeated in a different order from its original cablecast, the producer must re-label and re-number the tapes so they match the numbering system on the new Program Request Form for a series renewal.

Old information must be completely removed or covered.

Community producers will deliver tapes to PAT by the close of business hours on Friday for the cablecast week that begins the following Monday and ends the subsequent Sunday. Tapes will be available for pick-up by producers the day after cablecast.

PAT can reject a tape for cablecast for either an improper label or case, if the tape length exceeds its allotted time, if the leader is not :30, or if the tape is delivered after the tape delivery deadline. The producer will be notified of these infractions and given the opportunity to correct the problem and can resubmit the tape for cablecasting on another date.

PROGRAM SCHEDULING

General

A *Program Request Form* must be submitted for each program to be cablecast. Refer to the sections on “Program Scheduling: Single Program” and “Program Scheduling: Series” for specifics.

All producers must sign a *Producer’s Agreement and Indemnification Form* prior to the request for cablecast of a program in which they indemnify PAT for any defamation, copyright infringement or legal action resulting from the cablecast of a program, as well as indicate their agreement with PAT Access Rules and Procedures. The form must be submitted to the Office Manager who will file it at the access center. A parent, legal guardian or authorized organization must co-sign for channel use by persons under 18 years of age. The Agreement and Indemnification Form must be completed for each program cablecast, including each program in a series.

All producers must also complete a *Program Description Form* (which lists program title length, and a description suitable for press release) at the time of submitting the Program Request Form. The Program Description Form must be completed for each program cablecast. For a series, the Program Description Form must be submitted to the Office Manager with the tape itself when it is delivered for cablecast.

A program will not be scheduled for cablecast unless these forms are completed.

Single Program

Cablecast dates and time slots for single programs may be requested by filling out a *Program Request Form*. However, dates and times cannot be guaranteed. Staff will not accept requests directly from community producers over the telephone.

A single program is a program of either 30 or 60 minutes. Producers may request an extended time slot for special events. Running time must include the 30-second PAT-provided disclaimer, funding acknowledgement, and a two-minute break during each thirty-minute segment for the insertion of PAT-provided promotional announcements.

A single program will be scheduled for one original cablecast in a week and one repeat a week later. Channel time is scheduled on a first-come first-served basis.

Series

A producer of who wants to produce a new series must have completed at least 2 programs of similar length following completion of certification.

A producer requests to produce a new series by using the *Program Proposal Form* and by discussing the series production with the Program Manager.

The Program Manager will then develop a production schedule and equipment use plan with the producer to produce a pilot for the new series.

If a producer successfully completes the pilot within the equipment use plan and established time-line, the Production Coordinator will then schedule equipment for the production of the minimum number of programs required for completion prior to requesting cablecast time.

To request cablecast time for a new series, a minimum of 1/4 of the total number of programs in the series must be completed at the time of the request. For example, to request a 12-week or 12-month series be scheduled, 3 programs must be completed.

After completing the minimum number of programs, the producer will submit a *Series Request Form* (which includes requests for studio, equipment and channel time) to the Office Manager.

A contract will be written between PAT and the producer which stipulates the following:

- a. the beginning and ending date of cablecast;
- b. the time slot of the cablecast;
- c. reservations for studio time and other production equipment;
- d. the date by which renewal application must be made;
- e. signed Producer Agreement

A series is defined as any program having a regular cablecast time slot scheduled either weekly, bi-weekly, or monthly. Each program in a series is limited to a maximum of either 30 or 60 minutes. Longer length programs can be requested for specials such as festivals. Running time must include the 30-second PAT-provided disclaimer, funding acknowledgement, and a two minute break during each thirty minute segment for the insertion of PAT-provided promotional announcements..

Weekly Series: One original program produced each week, which can be scheduled for thirteen cablecasts at the same date and time slot. After the initial thirteen-week run of the series, a producer has the

option of repeating these programs for an additional thirteen weeks at the same day and time slot;

Bi-weekly Series: One original program produced every two weeks, which can be scheduled for thirteen original cablecasts at the same date and time slot. A producer has the option of scheduling one repeat cablecast of each program during the same day and time slot the week following the original cablecast;

Monthly Series: One original program produced per month, which can be scheduled for twelve original cablecasts at the same date and time slot. A producer has the option of scheduling one repeat of each program on the same day and time slot when original programs are not scheduled. A producer may also request two additional repeats of each original program in a month on the same day and time slot. This request may be granted at the discretion of the Program Scheduler if the time is available and not requested by other producers.

Series Renewal

A producer may request a renewal of the series by submitting a new *Series Request Form* four weeks prior to the last scheduled cablecast of the original series. If a new *Series Request Form* is not submitted to the Office Manager by this date, the series will not be renewed and the time slot may be assigned to another program.

The Executive Director will determine, based on staff recommendation, whether the series has complied with PAT policies and procedures.

If the series has violated these standards, it will not be renewed and will relinquish its studio, equipment, and channel time.

For a series that has complied with the above standards and is requesting renewal beyond its initial 12 months, the following rule applies: The access staff will determine whether the granting of facility, equipment, or channel time to the existing series would prevent the granting of any other request for a new series. If no such conflict exists, then the existing series will be renewed. If a conflict does exist, then the staff will attempt to work with the producers of the existing series to reschedule their studio, equipment, or channel time, or to help them obtain studio or equipment use from other sources. If there is still a conflict, then the existing series will not be renewed.

In special circumstances, the Executive Director may make an exception to these Series Renewal Rules if necessary to ensure a wide diversity of programming on the channel or to fulfill a critical community need.

A series that is required to change time slots to accommodate another series will be given three months to publicize the change.

A producer whose series is denied renewal can apply as a new series after a six-month period. The producer may produce single programs during that time period.

LIVE PROGRAMMING

Live series slots may be available for a fee of \$10 per thirty minute program and \$20 per sixty minute program. Because special requests for live programming require advance technical and scheduling coordination, requests for live programs must be made 4 weeks prior to the event itself if it is a field production, and 2 weeks prior if it is a studio production.

Requests for all live programs should be made to the Production Manager on the *Program Request Form*. Exact information about date, time, and location of the event must be included. If it is a request for a field production, then a location scout by the producer is necessary. These must be completed at the time of the request.

A producer who fails to use a scheduled live time slot, or who cancels a live production with less than 2 weeks notice, must submit a written explanation to the Production Manager. Such cancellation may be a reason to deny other such live program requests. Acceptable reasons for not using a live time slot include sickness, severe personal problems and technical problems beyond the producer's control.

STAFF PRODUCTIONS

PAT staff occasionally produces special programs that are cablecast on Channel 10 as a community service for our viewers. These programs are chosen at the discretion of the Executive Director.

PeabodyLIVE

Non-profit organizations and public agencies that serve Peabody may submit applications and program proposals for review and approval by the Executive Director to participate in PeabodyLIVE. An opportunity available exclusively to member non-profit organizations and public agencies, PeabodyLIVE is a series of live 30 or 60-minute studio programs disseminating important information that impacts Peabody residents. PAT staff handles production. Organizations/agencies approved for participation join PAT as either a Silver or Gold member and can designate up to 3 representatives to participate in free host training. Subsequent training of additional hosts requires a \$25 fee. Channel use fees start at \$35 for each 30-minute program and \$55 for each 60-minute program produced. Show series are scheduled and billed in advance of a quarter and include a

complimentary DVD of each show. (Costs may vary per quarter.) Member representatives must attend a free one-session Orientation Workshop.

OUTSIDE PRODUCERS

An outside producer is defined as a person who is not a Peabody resident or a non-profit organization or public agency that is not located in Peabody or does not serve mostly Peabody residents.

Subject to scheduling priorities, PAT will cablecast single programs or series made by outside producers at its discretion. The outside producer must pay the appropriate membership fee

Subject to scheduling priorities, programs from other Massachusetts access centers may be accepted for cablecast, at the discretion of PAT Staff, if such programs would be of particular interest to Peabody viewers.

PAT will schedule cablecast of all outside produced programs according to the Rules and Procedures for Scheduling a Single Program or Series.

A request for renewal will be reviewed according to the rules for series renewal. Renewal requests may be denied if other high priority programs have requested cablecast time or for any of the reasons listed in the section of these rules concerning series renewal.

Outside productions must comply with program content and technical quality rules.

Producers must pay the cost of delivery and pick-up of videotapes. PAT cannot pay for any return postage. PAT reserves the right to destroy videotapes not claimed by producers within two months of their final cablecast date. PAT is not responsible for the loss or damage of videotapes or programs.

SCHEDULING PRIORITIES AND PRE-EMPTION POLICY

Channel time is scheduled on a first-come first-served basis, following these priorities:

First Priority is given to the first cablecast of a Peabody member producer's program.

Second Priority is given to a repeat cablecast of a Peabody member producer's program.

Third Priority is given to a program produced by another access center or outside producer.

When a request is made for a special event program or a live program which conflicts with a program previously scheduled, the Production Manager will contact the producer to discuss a pre-emption. The producer will be offered another time to cablecast the program or a series will be offered an extension. If the producer does not agree to the pre-emption, the Production Manager will bring the issue to the Executive Director. The Executive Director's decision is final.

PAT reserves the right to pre-empt scheduled programs.

Graphic notice of the pre-emption will be put on the channel at the date and time of the original scheduled time. The newly scheduled date and time slot will be given.

COMMUNITY BULLETIN BOARD

Space on PAT's Community Bulletin Board is available to members only. PAT reserves the right to schedule announcements at its discretion. PAT is not responsible for content or spelling errors. PAT reserves the right, as producer of the CBB, to reject or edit any message.

Public Service Announcements: Local member organizations may submit public service announcements for inclusion on the Community Bulletin Board. Announcements must be of a non-personal nature and relevant to Peabody residents. No commercial announcements, advertising, or direct appeals for funds will be accepted (other than fund-raising events or projects.) Promotion of a for-fee service outside the scope of an organization's primary function will not be allowed. PAT staff will determine the eligibility of all submissions.

Friends of PAT Acknowledgements: We are non-profit and depend on the financial support of local individuals and organizations to augment our only major source of funding. You can become a "Friend of PAT" by making a tax-deductible sponsorship donation. Friends receive recognition on our Community Bulletin Board and website.

One-month sponsorship: \$40

Three-month sponsorship: \$120 (includes a one-year business membership to PAT (\$100 value.) Acknowledgment will be non-commercial in nature using the same format as public television.

PUBLICITY

PAT encourages all producers to publicize their programs. A two week notice is required for inclusion on PAT's Web Page schedule. PAT shall also make available its Community Bulletin Board for programming-related announcements. Producers are encouraged to produce 30-60 second program cross promos for airing on Channel 10.

Producers must never represent themselves as PAT staff or their programs as PAT productions.

OUTSIDE FUNDING GUIDELINES

No program cablecast on a public access channel can contain commercial advertisements or promote a commercial product, service, business, trade, or profession. Program length commercials are also prohibited.

Members are encouraged to seek commercial underwriting and/or grants from foundations, government agencies and/or private businesses to help fund their programs.

Program producers are encouraged to share their ideas with PAT staff in order to avoid duplication of efforts, to encourage collaboration with other producers, and to gain the benefit of access staff expertise. When proposed program ideas are particularly meritorious or are closely in line with PAT priorities, PAT staff, with prior approval from the Executive Director, may write letters of support that producers may take to potential funding sources.

PAT channel time and equipment is available to certified access producers on a first-come first-served, free of charge basis* (except non-profit organizations and public agencies approved for PeabodyLIVE programs and live studio programs produced by individual members.) To aid those wishing to prepare proposals for funding, PAT staff will determine an approximate value for these services. Producers preparing proposals are encouraged to meet with PAT staff while preparing budgets to ensure accurate figure estimates.

Public access producers must accurately identify themselves to potential funding sources. Producers may not say they are employees of PAT, indicate that PAT is a co-producer of the program, or otherwise misrepresent their relationship with PAT. Violations of this rule may result in suspension or termination of access privileges.

Producers shall describe to donors the type of acknowledgement they will receive at the beginning and end of the program (see "Donor Acknowledgement Guidelines").

PAT requires producers to disclose all funding received for a program.

DONOR ACKNOWLEDGEMENTS

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

Producers shall acknowledge donors with announcements similar to those seen on PBS stations. 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. Prohibited are direct sales talk, marketing, or "calls to action" which disclose specific products on sale.

The description may:

- a. include product line or services, location, phone number and website;
- b. identify but not promote the donor - it must be value neutral, and not include comparisons or quality judgments ("best pizza in town", "lowest prices", "delicious food");
- c. 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:

- a. during programs longer than one hour, announcements may be made during natural breaks, e.g. half-time of a game;
- b. 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 can include the product and service, such as "Costumes provide by...", and otherwise must follow the rules for displaying a commercial underwriting credit listed above.

CHARITABLE GRANTS TO ACCESS PRODUCERS

In the event a particular program or series results in an Access Producer or sponsor receiving a charitable grant or similar underwriting compensation, the Corporation shall be paid for use of its equipment or facilities in accordance with the applicable rate card(s). In the event the Corporation has knowledge of producers or nonprofit sponsors involved in efforts to obtain such charitable grants or other compensation, the Corporation may require written acceptance of this provision and other applicable terms herein as a condition of use of the Corporation's equipment and facilities. PAT members are encouraged to seek grant and/or underwriter funds from outside sources for their productions. All funds must be paid directly to PAT. PAT retains 20% of such funds in order to extend our non-profit status to our members; and

the receipt of the funding by the producer would be impossible without the actual support and resources of PAT.

In the event an Access Producer is compensated by a third party for any production or for any resulting program(s), the Corporation shall have the right to either participate in such compensation pursuant to rules to be adopted by the Board of Directors, and/or charge for use of Access Facilities in accordance with the Corporation's rate card(s), subject to and in accordance with applicable law.

FUNDRAISERS

Program Request submissions will only be considered on behalf of non-profit organizations.

POLITICAL PROGRAMMING

The Corporation has an affirmative obligation to further discussion of political issues and candidates in Peabody. This goal should be accomplished by PAT production of programs and by encouraging the use of the channel by access producers and political candidates. PAT provides to all Peabody residents, including those residents running for local, state or national public office or those supporting a ballot issue, equal opportunities for access to training, equipment resources and cable channel time on a first-come first-served basis. Any candidate for public office for whom Peabody residents may vote shall be afforded the same rights as a resident of Peabody with regard to access PAT facilities and channel time.

A producer must follow the Access Rules and Procedures to use Corporation facilities to produce political programs.

PAT maintains the right to limit length and frequency of programming. Such limits when imposed shall apply to all programs on the channel and to all program producers.

PAT retains the right to pre-empt programming at any time in order to provide timely local programming, such as live or taped special municipal events, important local debates/forum.

TERMINATION/SUSPENSION OF BENEFITS

The right to use Corporation studio, equipment, and channel time may be suspended or terminated in the following instances:

- a. loss or damage to equipment due to negligence;
- b. illegal use of drugs/and or alcohol at the centers or on location with equipment;

- c. misrepresentation to a third party of a community producer's relationship with the Corporation;
- d. expired membership
- e. hostile or abusive behavior towards staff, producers, or the public while at the PAT facilities or on production location.

When any of the above situations occur, the Executive Director will meet with the producer in question to determine if a suspension or termination is warranted. The decision of the Executive Director is final.

The right to use Corporation studio, equipment, and channel time may be suspended for repeated violation (more than 2 times) of the following:

- a. cancellation of scheduled studio or equipment use, cancellation of a program for cablecast, or repeated late return of equipment;
- b. violation of the Programming rules governing the content of programs;
- c. failure to notify PAT about potentially offensive content in programs;
- d. failure by a series producer to have appropriate clearances and permissions for copywritten material ;
- e. failure to submit Indemnification and Program Description Forms for each program at least 2 weeks prior to the scheduled cablecast date, unless a prior arrangement has been made for a differing schedule for delivery of Program Description Forms;
- f. failure to follow guidelines concerning tape labels, tape delivery and program scheduling procedures;
- g. failure by the producer to follow these Access Rules and Procedures and those separate rules governing the use of facilities of the individual access centers.

When any of these situations occur, the producer shall be given an oral warning, if it is the first violation, or a written warning, if it is the second violation. Upon a third violation, membership privileges will be terminated.

GRIEVANCE PROCEDURE

Community producers and PAT members are encouraged to resolve difficulties at the staff level. Any member wishing to appeal an action of the staff, or to communicate a problem or complaint, should communicate with the Executive Director. After receipt of the complaint, the Executive Director will provide a final written decision in 15 days or less.

LEASE OF FACILITIES

Access Facilities shall not be used for commercial projects except in accordance with the Internal Revenue Service rules governing Unrelated Business Income of charitable tax exempt organizations and any such use shall be in accordance with the

Corporation's applicable rate card, which shall require that any such commercial user fully reimburse all Corporation costs. Such uses shall be subject to such other rules as the Board may reasonably adopt.

PAT's production facilities may be available for lease to member producers who require additional time to complete a production or to members that will receive compensation for their program and are thus exempt under PAT policies from free use of the facilities. In all cases, programming produced with PAT equipment must air on Channel 10. Members requesting to lease facilities must complete a *Lease Request Form*. PAT is under no obligation to approve a lease request. For rates and other information, please contact the Executive Director.

CORPORATION FIDUCIARY RESPONSIBILITY

It is a fiduciary responsibility of Peabody Access Telecommunications, Inc. to seek to maintain the financial well being of the organization. Therefore, it is necessary to charge for membership and other for other services as defined in these policies.

LOSS OF/DAMAGE TO EQUIPMENT

PAT has insurance coverage for equipment use by members. Premiums are paid by PAT and the policy is in PAT's name. In the event that equipment is stolen or damaged due to negligence and the insurance company honors the claim, the member is responsible for the deductible payment. In the event the insurance company does not honor the claim, or the claim is less than the deductible, it is the responsibility of the member to reimburse PAT. Members may ask the Executive Director for a determination of negligence. Members are reminded that equipment must not be left unattended or left overnight in a car or handled in a manner that might damage the equipment. Equipment may not be used in hazardous situations without prior approval of PAT staff. If equipment is stolen, a police report must be filed immediately. PAT must be informed when equipment is to be taken outside of the community. Normal care and precautions should be taken during the set up, taping and breakdown of the equipment. The equipment should be returned to the studio after the shoot or locked in a pre-approved designated area at the site of the shoot.

POLICY STATEMENT TO SUPERCEDE PRIOR INCONSISTENT RULES

It is the intent of the Board of Directors that any inconsistent standard, rule or policy be revised or amended as needed. Notwithstanding the foregoing, in the event of conflict between anything herein and federal, state or municipal law, or the Articles of Organization, said federal, state or municipal law and the Articles of Organization shall control.