



## **Portland Community Media Public Access Operating Policies, Rules and Procedures**

### **I. DEFINITIONS**

- 1.01 “PCM” means Portland Community Media, a non-profit corporation.
- 1.02 “PCM Facilities” means all PCM premises, locations, equipment, vehicles, fixtures, studios, services, cable channels, Internet or other services and/or premises or functions whatsoever, which are controlled, operated, managed or regulated by PCM and used or intended for use in the production or post-production of a project.
- 1.03 “PCM Location” means any building, part of a building or area regularly used by PCM for its activities.
- 1.04 “Staff” means any paid employee(s) of PCM.
- 1.05 “Junior Producer” means anyone age 8 to 13 whose parent or guardian assumes legal responsibility and liability for the junior producer’s use of PCM facilities by attending an orientation class and training workshops with their charge and submits an Underage Facility Agreement Form to be kept on file at PCM. The junior producer must also be certified by passing the requisite Media Education Program for the specific facilities to be used.
- 1.06 “Producer” means anyone who has been certified by passing the requisite Media Education Program for the specific facilities to be used. A producer age 14 to 17 must have a parent or guardian attend the orientation class with him/her and assume legal responsibility and liability for the producer’s use of PCM facilities by submitting an Underage Facility Agreement Form to be kept on file at PCM.
- 1.07 “Producer of Record” means a producer or producers who sign a Distribution Request Form as being responsible for the distribution of the project submitted and who act on his/her own behalf or on behalf of another individual, producer or organization to organize, prepare or cause to be distributed a project or project series.
- 1.08 “Production” means the act of creating a project using any of PCM’s facilities.
- 1.09 “Media Education Program” means any individual or series of trainings, classes, workshop or instruction, designed by PCM to instruct, inform and educate Producers, Junior Producers, Sponsors or individuals or any community member on the use of PCM facilities.
- 1.10 “Distribution” means presentation through PCM Facilities including but not limited to PCM channels, website and other project delivery systems.
- 1.11 “Project” means any material intended for distribution through PCM facilities.



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- 1.12 “Series Project” means multiple projects under the same title produced by the same producer for a regularly scheduled distribution.
- 1.13 “Commercial Project” means any project which, in whole or in part, depicts, demonstrates or discusses products, services or businesses with the intent or substantial effect of monetarily benefiting an individual, organization, agency or business.
- 1.14 “Obscene” means as determined by applicable state or federal law or local ordinances.
- 1.15 “Gambling” means any device, scheme, plan, promotion or contest which is prohibited by local, state or federal gambling or lottery laws.
- 1.16 “Judicial Determination” means a final or enforceable determination made by a court of law.
- 1.17 “Sponsor” means a person, organization or business that provides support for a project in the form of finances, food or in kind services in exchange for inclusion in the credits of the project as outlined in [Section 6.14](#).
- 1.18 “Individual” means a person who comes in contact with PCM, is on file in our database and/or wishes to use facilities such as but not limited to public work stations, phone or rest rooms. For purposes of these Operating Policies, Rules and Procedures individuals are persons who have not attended orientation or any training sessions at PCM and therefore are not certified to use any other facilities except as described above. Individual(s) may be representative of an organization, government agency or business, which has entered into partnership or contracted with PCM or a producer. An individual may also be a guest of a producer or junior producer.
- 1.19 “Executive Committee” means the Executive Committee of the Board of Directors of PCM.
- 1.20 “Themes” means pre-determined categories in which program content falls. Independent producers select the appropriate themes for their programs. Themes are used to schedule programs for cablecast with the goal of improving the audience’s ability to find and view content.
- 1.21 “Fair and equitable” means PCM staff will make every effort to ensure that all community members interested in utilizing Public Access facilities will have access to a baseline of resources with the goal of increasing participation and representation on the channels. Fair and equitable will, in general, be interpreted as first come, first served.

**II. GENERAL RULES**

- 2.01 Use of PCM facilities will be scheduled on a non-discriminatory, fair and equitable (generally first-come, first served) basis except where provided for on the Community



- Access Network (CAN) Channel in [Section 7.02](#). PCM at its discretion may impose reasonable limitations. PCM may charge a reasonable activity fee for use of production facilities, equipment and services. The current activity fee rate may be obtained by contacting PCM's front desk during public hours of operation.
- 2.02 Anyone using any PCM facilities requiring certification must attend Orientation and the requisite Media Education Program prior to such use.
- 2.03 Responsibility for project content rests with the producer(s) of record and, if the project is produced using the facilities of PCM, all producers thereof are responsible for its content. PCM does not preview projects prior to distribution for any purpose except for technical specifications as described in [Section 6.18](#).
- 2.04 PCM facilities may be used only for the production of non-commercial projects to be distributed initially through PCM facilities. Segments or promotional pieces produced can be distributed through other facilities for promotional purposes only before distribution through PCM facilities as long as proper credit is given to PCM as defined in [Section 6.15](#). After the project is distributed through PCM, the producer has full rights to use the project for any other purposes.
- 2.05 It shall be a violation of these Operating Policies, Rules and Procedures for any person to knowingly give false information to PCM staff in relation to the usage of PCM Facilities or give false information on PCM documents.
- 2.06 The Media Education Program is designed to train, educate and inform the producer, junior producer or producer of record, to safely and properly set up, operate and shut down PCM Facilities. The Media Education Program is conducted by persons designated by PCM.
- 2.07 A junior producer will have limited use of PCM facilities and not be eligible to submit projects for distribution or check out facilities.
- 2.08 Producers between the ages of 14 to 17 may attend all workshops by themselves but will have privileges of an adult producer only under the supervision of an adult producer.
- 2.09 A producer may only submit projects for distribution after signing a Distribution Request Form and being certified on:
- a) File submission;
  - b) All required components of a workshop track;
  - c) Attending any workshop that results in production certification.
- 2.10 The Operating Policies Rules and Procedures will be reviewed on an "as needed" basis by the full Board. PCM Staff will notify producers and other stakeholders of the review schedule. Comments may be submitted in writing throughout the year to staff or orally during the public comment section at a full Board meeting. Public Comments will be



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solicited at a minimum of one full Board meeting prior to consideration by the Board. When needed, staff or active producers can request Board consideration by submitting a request in writing to the Executive Committee. Staff will notify producers and other stakeholders of a proposed change and review schedule. The Executive Committee will at its discretion refer the issue to the next full Board meeting. The Board will hold a minimum of one public meeting prior to consideration of any proposed change.

### **III. MEDIA EDUCATION**

- 3.01 To enable individuals to use PCM Facilities, PCM will offer to the public the following instruction at convenient hours and locations. PCM may charge a fee for such instruction:
  - d) Orientation on the basics of Community Media and Cable Television
  - e) Pre-Production Planning
  - f) Field Production
  - g) Studio Production
  - h) Editing and Post-Production
  - i) Media Literacy
  - j) Any additional instruction as needed
- 3.02 PCM will coordinate additional hands-on production opportunities for producers who request it, by maintaining information and records of volunteer opportunities.
- 3.03 PCM may provide special advanced training workshops, as part of its Media Education Program. PCM may charge a fee for the Media Education Program.

### **IV. FACILITIES RESERVATIONS**

- 4.01 Only producers or junior producers as defined in this document may reserve PCM facilities. A person becomes a producer or junior producer only by attending an Orientation and successfully completing the requisite Media Education Program for the specific facilities to be used. The Media Education Program is designed to educate and inform the producers or junior producers; to gain familiarity with community media; gain critical viewing and production skills and increase involvement in the community as well as safely and properly set up, operate and shut down PCM Facilities. The Media Education program is conducted by persons designated by PCM.
- 4.02 When a producer or junior producer has satisfactorily completed the requisite Media Education Program, the staff will establish a record indicating the facilities the producer or junior producer is certified to operate. This record will be kept and referred to whenever the producer or junior producer wishes to use any other facility at any PCM location. PCM maintains records containing the name, address, telephone, email, certification(s) and cumulative facility use for each producer or junior producer. PCM



will verify photo identification information of each producer or junior producer as needed.

- 4.03 Producer or junior producer certification for any facility is valid only for twelve (12) months beyond the last use of that facility. A producer or junior producer may reinstate his/her certification by satisfactorily completing the requisite Media Education Program.
- 4.04 PCM facilities are to be used to create projects that are to be distributed through PCM facilities. To ensure the use of the facilities is efficient, PCM may establish limits on the number of hours of facility use scheduled by a producer to complete a project.
- 4.05 To ensure fair and equitable access to production facilities, and to provide for growth of the independent producer base, PCM must limit distribution of facilities and resources per producer:
  - 1) In general, a producer may have no more than two (2) projects pending at any given time, one (1) of which may be a series project. Additional projects may be authorized at the discretion of the designated staff person. For the purpose of this section, a series project constitutes one project.
  - 2) In general, a producer may have a maximum of thirteen (13) studio, field camera, and/or edit reservations per quarter, and may use these resources for a series and/or individual projects. Additional reservations may be authorized at the discretion of the designated staff person.

Each producer shall maintain on file with PCM a working title, planning guide and tentative completion date for each project.

- 4.06 To ensure fair and equitable access to distribution resources producers may submit up to thirteen (13) episodes (1 per week) of any series project within a single quarter. If any two or more producers are found to be submitting episodes of the same series under different series projects within the same quarter one or more of those series projects will be cancelled.

If the series' in question meet(s) four (4) or more of the following criteria the series' may be cancelled:

1. Same content;
2. Same set, or if not produced at PCM, same location;
3. Same title and/or graphics;
4. Same host;
5. Same general topic;
6. Same category of programming;
7. Same sponsoring organization.



Staff will use the receipt date on the series applications to determine which of the duplicate series is cancelled (the application that was received later will be cancelled). The producer will be notified of the cancellation in writing.

Producers who wish to submit more than 13 episodes of a series may submit the additional episodes as individual programs. These programs will be scheduled according to PCM's individual distribution scheduling guidelines.

This policy is intended to ensure that no single project monopolizes distribution resources. This policy may not apply to multiple projects that happen to be covering the same event.

- 4.07 Before a producer is permitted to schedule a live project or a series project, the producer must first produce and submit for distribution two (2) projects of similar type and duration, completed with the facilities the producer intends to schedule for the live or series project.

Before a producer may schedule a weekly series project, the producer must first produce a bi-weekly or monthly series, or produce and submit four (4) individual programs of similar type and duration, completed with the facilities the producer intends to schedule for the series project.

- 4.08 Satellite downlink procedures and requirements:

1. A producer of record may submit two (2) distribution requests per year for satellite downlink of a special event. Downlink is at the discretion of staff. A producer should consult his/her facilitator to request a satellite downlink of programming. Requests should be placed with as much advanced notice as possible, and should include:
  - a. Project information;
  - b. Satellite name;
  - c. Transponder ID;
  - d. Feed type (analog or digital);
  - e. Signal test date/time;
  - f. Website address for additional information.
2. Only PCM staff may operation the satellite downlink. A request for use of the satellite downlink is subject to availability of PCM staff. A fee may be charged for staff services in complying with the producer's request. PCM cannot guarantee a satellite downlink will occur as expected.

- 4.09 Maximum scheduled time for use of facilities is based on PCM public hours as follows:

- a) Subject to [Section 4.11](#) relating to series projects, a producer may have up to two (2) reservations of facility use at any given time.



- b) The maximum amount of time which a producer may schedule for each reservation of PCM facilities is as follows:
    - 1) Field Facilities: forty-eight to seventy-two (48 - 72) hours
    - 2) Studio and Studio Facilities: four (4) hours
    - 3) Editing Suite: four (4) hours
    - 4) Mobile Production Facilities: eight (8) hours
    - 5) Media Storage Facilities: thirty (30) days
    - 6) Dub Racks: reservation procedure developed by staff, please see front desk.
  - c) Under extenuating circumstances, and if no other producer is scheduled, extensions may be granted by consulting with PCM staff. If ongoing demand for specific facilities dictates, PCM may restructure time limits to insure maximum access.
- 4.10 Reservations for PCM facility use by producers should be placed through PCM's computer-based reservation portal accessible on all of the rich media workstations. If a producer is not able to place a reservation through the portal he/she may place a reservation with PCM staff in person or by telephone. Producers may reserve facilities in their own name only. When making the reservation, the producer shall provide the project title for which the facility reservation is being made. All reservations for PCM facilities will be available for public inspection.
- 4.11 Scheduling a Series Project:  
For complete program scheduling policies see [section 7](#).
- a) Before a producer is permitted to schedule a series project, the producer must:
    - 1) attend the requisite Media Education program, and
    - 2) produce and submit for distribution, two (2) projects of similar type, title and duration, completed with the facilities the producer intends to schedule for the series project.
  - b) A producer may have only one series project scheduled at any given time.
  - c) If a producer fails to produce any three (3) installments if a weekly series or any two (2) installments if bi-weekly or monthly for a series project, the series project may be cancelled by PCM. Unless the failure to produce the series installment is the result of circumstances beyond the producer's control, the producer may not be granted a series project time in the future without the permission of the designated staff person.
  - d) A series project may consist of no more than thirteen (13) installments and no less than three (3) installments.
  - e) No installment may be longer than fifty-eight (58) minutes and thirty (30) seconds in length and no less than fifteen (15) minutes in length unless the designated staff person; upon written request; grants an exception.
  - f) Series producers may reserve equipment in advance (during the regular series scheduling window):
    - 1) Series with three (3) episodes may reserve up to three (3) camera reservations, three (3) edit suite reservations, and/or three (3) studio reservations per quarter.
    - 2) Series with six (6) episodes may reserve up to six (6) camera reservations, six (6) edit suite reservations, and/or six (6) studio reservations per quarter.



- 3) Series with thirteen (13) episodes may reserve up to thirteen (13) camera reservations, thirteen (13) edit suite reservations, and/or thirteen (13) studio reservations per quarter.
  - 4) In general, series reservations may not exceed more than one reservation for field, edit and/or studio per week. If additional reservations for series projects are required the reservation must be approved by the designated staff person, and may be placed after the new quarter dates are available for general scheduling.
- 4.12 PCM requires forty-eight (48) hours advanced notice of a producer's intention not to use a facilities reservation to permit rescheduling for other producers. Repeated failure to provide advanced notice may result in suspension from PCM facilities (see [section 4.14](#)).
- 4.13 A reservation of PCM facilities shall be deemed cancelled if the producer does not arrive at least 15 minutes after the scheduled reservation time. PCM staff will maintain a list of producers who would like to use facilities on a walk in, first come first served basis. Producers that have fewer than two (2) reservations have preference. This use is not counted as one of the two allowed reservations as set out in [Section 4.09](#). Repeated "no-show" cancellations may result in suspension from PCM facilities (see [section 4.14](#)).
- 4.14 Producers must arrive no later than fifteen (15) minutes past their scheduled reservation for facilities, facilities return or facilities use. If a producer is going to be late, the producer is required to call PCM and will be granted an extension unless another producer has the facilities reserved. The producer must speak directly to PCM staff. Failure to do so will result in the following:
- a) First and second offense: a policy variance report (warning) will be filed in the producer's record and he/she will be notified in person, by phone or email;
  - b) Third offense: Minor suspension. The producer will lose all PCM privileges for thirty (30) days including all use of facilities.
  - c) Policy variances are tracked on a quarterly basis. The tracking process will begin again at the start of each quarter.
  - d) If a producer receives two or more minor suspensions within a one year period he/she must meet with PCM's CEO, or a designated staff person before regaining producer privileges. Producer privileges will resume on a probationary basis for six (6) months.
  - e) During the probationary period, if the producer continues to be unable to follow PCM facility use guidelines he/she may be permanently suspended from PCM.
  - f) Missing an equipment return appointment without contacting staff may result in immediate suspension from PCM equipment and facilities.
  - g) In cases of extraordinary circumstances a variance may be waived by a designated staff person. Under these circumstances a producer should contact his/her facilitator as soon as possible.
- 4.15 Personal use of PCM facilities by PCM officers, directors and staff shall be subject to these rules and regulations without special consideration and priority.



## V. FACILITY USE

- 5.01 PCM facilities shall be used only when:
- a) the producer is certified for that facility,
  - b) the producer has furnished positive identification as required by [Section 5.02](#),
  - c) the producer has signed all necessary forms specifically agreeing to comply with the requirements and undertakings of Sections [2.03](#), [5.03](#) and [5.08](#), and
  - d) the producer has filed the information required by [Sections 4.05](#) for the project for which the PCM facilities are to be used.
- 5.02 PCM equipment and facilities are intended for use by residents within PCM's service area. A new producer must furnish photo identification and proof of residence within the City of Portland or Multnomah County prior to his/her first equipment or facility reservation. The producer must provide proof that he/she is at least 18 years of age or has a current Underage Facility Agreement Form on file prior to his/her first equipment or facility reservation. Non-residents of the City of Portland or Multnomah County are welcome to participate in PCM workshops and, upon certification, may operate PCM equipment in a volunteer capacity.
- 5.03 Each producer or junior producer shall be responsible for the proper care, use, treatment, protection and prompt return of PCM facilities or other facilities while signed out or used by the producer or junior producer. Producer or junior producer shall agree as a condition to use to indemnify and reimburse PCM for all damage(s) to PCM facilities or other facilities caused by neglect, abuse, theft or other calamity, ordinary wear and tear excepted, which occurs while such facilities are used or signed out by the producer or junior producer as a pre-condition to the producer or junior producer's use of any PCM facilities. A junior producer's parent(s) or legal guardian(s) is/are responsible for the junior producer's compliance with these Operating Policies Rules and Procedures.
- 5.04 Unless otherwise authorized by the designated staff person or PCM staff, no one shall disassemble, repair or otherwise tamper with any PCM facilities.
- 5.05 No one may willfully interfere with any project and/or facility usage by another producer or junior producer.
- 5.06 No smoking is allowed in PCM's facilities. Drinking or eating is allowed only in designated areas.
- 5.07 No one may use any PCM facilities while under the influence of alcohol or drugs, or while otherwise not in full control of his/her faculties.
- 5.08 Each producer or junior producer who has signed out or is using any PCM facilities shall be responsible for assuring that all other persons accompanying the producer or junior producer abide by all these Operating Policies, Rules and Procedures regarding their use thereof.



- 5.09 After a producer or junior producer's use of any PCM facilities, that producer or junior producer shall assure that the PCM facilities are left in a clean and neat condition and available for a subsequent producer or junior producer at the end of the time used or reserved.
- 5.10 Before taking out and upon returning any PCM facilities, a producer must demonstrate to staff that the facilities are in satisfactory condition. Staff will endeavor to maintain facilities in a ready and functional status and to assist producer or junior producers as requested.
- 5.11 Upon approval by the designated staff person, and space permitting, producers may store sets and props at PCM for no more than 48 hours after any scheduled use of PCM facilities at which the props and/or sets were used. It is the responsibility of the producer to remove the sets and props within that 48 hour period. If not removed, PCM may dispose of said materials and charge the producer for any cost involved in disposal or make them available for general use. Storage of sets and props at PCM shall be at the producer's risk. PCM assumes no responsibility for sets, props or other property or equipment left behind at PCM facilities.

## **VI. PROJECT POLICY**

- 6.01 No producer shall distribute any project which constitutes or promotes gambling in a manner which is in violation of any applicable local, state or federal laws.
- 6.02 No producer shall distribute any commercial project ([Definition section 1.13](#)). Producers who repeatedly and/or flagrantly produce and submit programs that contain commercial content (for example: discussion of products with an intent to encourage sales, identification of prices, direct calls to action, etc.) may lose the privilege of using PCM facilities and channels.
- 6.03 No producer shall distribute a project which constitutes copyright infringement or invasion of privacy or which is defamatory.
- 6.04 No producer shall distribute any project which is obscene. ([Definition section 1.14](#))
- 6.05 In applying [Section 6.04](#), PCM will rely and act only upon a judicial determination, or an acknowledgement by the producer, with respect to the enforcement of Sections [6.01](#), [6.03](#) and [6.04](#).
- 6.06 In order to provide parents and viewers with the tools to decide whether certain programs are appropriate for viewing in their household, PCM follows "safe harbor" scheduling standards similar to those adopted by the FCC.



Programming that contains indecency (as identified in [section 6.07](#)), profanity (as identified in [section 6.08](#)), and/or extreme violence or degradation is considered “potentially objectionable” and will be cablecast during safe harbor hours:

- 11pm – 5am on channels 22 and 23
- 12am – 5am on channel 11

The producer of record is required to inform PCM programming staff if his/her project contains potentially objectionable content. Potentially objectionable projects must be identified as such on the distribution request form. Potentially objectionable programs that are submitted without notification will be cancelled, and the producer may lose the privilege of submitting programs for distribution at PCM. Potentially objectionable programs require a warning message prior to the program content (see [section 6.09](#)).

- 6.07 A producer must use a warning message as described in [Section 6.09](#) with any project in which is seen uncovered any of the following portions of a live maturely developed human body: the nipple or aureole area of a female breast, the genital area of a male or female or the anal cleavage of a male or female.
- 6.08 A producer must use a warning message as described in [Section 6.09](#) with any project in which is heard a slang, vulgar or colloquial expression which refers, in the context within which it is used, to sexual intercourse, masturbation or anal or oral sexual contact, to human genitals or to human elimination.
- 6.09 The warning message required by Sections [6.07](#) and [6.08](#) shall consist of a spoken and an easily readable on-screen message stating: “The following program contains material which may be offensive to some viewers or may be inappropriate for viewing by children.” The written message shall appear on the screen for at least 15 seconds at the beginning of a project. It shall be the responsibility of the producer to assure that this message is included in projects containing material described in section [6.07](#) or [6.08](#).
- 6.10 Except for live programming (or other programming determined by PCM’s designated staff person or staff to be time sensitive), all projects submitted to PCM for distribution must be submitted to staff forty-eight (48) hours prior to distribution or further scheduled distribution may be cancelled.
- 6.11 All producers presenting projects for distribution shall agree, as a pre-condition of the distribution, to defend and indemnify and hold harmless PCM, its staff and its agents from all loss, liability and damage arising out of or caused by the distribution of the producer’s project.
- 6.12 Any projects submitted to PCM for distribution may only be submitted by a producer or staff.
- 6.13 Projects will be distributed through PCM only after the producer submitting the project has completed and signed a Distribution Request Form. If the project is submitted, the



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- producer agrees to keep the original or a copy of the project for at least two (2) weeks following the last date of distribution and to make the copy available to PCM upon request during the period for review. If a project is distributed live and the producer does not choose to record the project, the producer agrees to allow PCM to record the project and keep the recording for the review period.
- 6.14 Support of PCM projects by an individual, organization or business is acceptable, provided:
- a) There may be acknowledgement of contributions but no promotion of goods or services of sponsor(s).
  - b) Acknowledgements do not interrupt the project and appear only at the beginning or end of the project for a period of not longer than 30 seconds total for all sponsors.
  - c) Acceptable acknowledgement for sponsors may include:
    - 1) logograms and slogan that identify but do not promote;
    - 2) contact information including address, phone, website and email;
    - 3) value-neutral descriptions of a product line or service and
    - 4) brand names, trade names and product service listings.
- 6.15 All projects distributed through the use of PCM facilities must carry the following easily readable, onscreen announcement for between 5 to 10 seconds: *“This Program was Produced Through the Facilities of Portland Community Media, Portland Oregon (year produced) [www.pcmv.org](http://www.pcmv.org).”*
- 6.16 Except as limited by these Operating Policies, Rules and Procedures, copyright ownership of projects produced with PCM facilities belongs to the producer of the project. PCM will re-distribute and/or duplicate projects only with the signed permission of the producer. PCM reserves the right to use portions of cablecast programming for PCM historical compilations and promotional purposes.
- 6.17 Projects submitted for distribution shall not be refused because of technical quality, except as provided in these Operating Policies, Rules and Procedures. In any instance in which staff determines the technical quality of a project significantly interferes with a viewer’s appreciation of a project, staff shall endeavor to contact the producer of that project and offer assistance in remedying the technical failings.
- 6.18 Technical quality guidelines:
- A. File integrity verification. Digital files will undergo a verification process for errors at the time of submission. This verification is automatically performed by the ingest software, and will identify files whose creation is non-standard.
    - 1. If there are errors in the file PCM will not be able to process or play the program. It is the responsibility of the independent producer to provide error free files.
    - 2. PCM staff will provide as much assistance as is reasonable to aid the independent producer during the file submission process.



3. PCM staff may request information from producers about their file creation process and tools to share with software developers in an effort to improve the ingest process.
- B. Program technical quality. Programs will undergo a verification process to ensure that the program meets basic technical quality standards. Programs will be assessed to ensure that the following technical standards are met (except where there is clear and deliberate artistic intent):
1. The video level is between 7.5 and 100 ire without clipping - and human faces are at 50–80 ire;
  2. The color balance/phase is correct and there is no color bleeding or smear (skin tone colors are within human skin tone ranges, and color information must appear inside the edges of the object with which it is associated);
  3. The audio is discernible without processing and is not distorted (generally, audio level is between -30 and -10 on the digital VU, or between -20 and +4 on the analog VU, and there is no distortion, crackling or continuous hum);
  4. The program is free of time code breaks, snow, and other losses of signal that interfere with programming staff’s ability to cue or play the program, or to obtain an accurate run time of the program.
  5. Test patterns and other content not intended for distribution (including color bars, slates, DVD menus and countdowns) have been trimmed by the producer of record at the time of submission.
- C. A project that has technical errors as described above, where those errors continue for a period of three (3) minutes or more, or where those errors occur repeatedly throughout the program, will not be replayed until the technical errors have been corrected. Programming staff will immediately notify the producer of record by phone when a program has been pulled for poor technical quality. Once the program technical quality errors have been corrected the producer of record may submit the program to complete the pre-scheduled plays, or if those plays have been missed, the program will be re-scheduled.
- D. PCM recognizes that some footage has content value that is greater than the video quality. Staff must follow technical standards guidelines fairly. A producer may contact program staff or the designated staff person to discuss best options prior to cablecast to ensure the program schedule is uninterrupted.
- 6.19 Producers requesting “live” project time for a studio shall be granted that time, pursuant to scheduling and producer conditions described elsewhere in these Operating Policies Rules and Procedures. Staff will endeavor to maintain studio and control room facilities in a ready and functional status and to assist producers as requested. If, after consultation with a producer, PCM’s staff determines that “live” projects cannot occur as scheduled, a message so indicating must be displayed for the viewing audience. At the producer’s option, efforts to initiate the distribution may continue or other projects substituted.

## **VII. PROJECT SCHEDULING**



- 7.01 Except as otherwise provided in these rules, distribution of projects will be scheduled by request on a first-come, first-served basis.
- a) When a producer of record does not request specific distribution, PCM staff will schedule his/her projects.
  - b) Each producer of record will be limited to a maximum of 20 premiere hours of scheduled programming per quarter. (Example: a weekly, one hour series is approximately 13 premiere hours per quarter).
  - c) Each producer of record may have one series project per quarter.
  - d) Producers may choose their own replay schedule within the allotted scheduling themes; however, all scheduling is at PCM's discretion.
  - e) Producers must choose at least one and up to two theme categories when entering program and/or show information.

7.02 Series scheduling guidelines:

- a) To preserve the availability of PCM facilities for individual projects, PCM may designate certain blocks of facilities and channel time as available only for individual programs.
- b) Series are scheduled on a quarterly basis within a finite scheduling window;
- c) Series scheduling windows will be promoted within the facility, and current series producers will have renewal documents delivered electronically, via email or mailed to them;
- d) Series forms will be available at the PCM front desk for a period of two weeks (ten business days) prior to the application deadline;
- e) Scheduling priority within each of the following categories is first come, first served:

Producer priority for series scheduling:

- 1) Producers entering their second quarter with PCM may retain their existing first quarter schedule for a second quarter if they choose.
- 2) Producers starting a new series with PCM are given priority status in the first quarter of their series to assist them in making the initial contact with their target audience.

Project priority for series scheduling:

- 1) Live, call-in programs are first priority because they rely on the viewing audience for a large portion of their content.
  - 2) Live and taped programs are second priority.
- f) Series projects that have been produced within the PCM service area, and that have not previously aired on channel 11 (CAN) from PCM or any other facility will receive 1 scheduled play on channel 11 (CAN), 1 scheduled play on channel 22 and 1 scheduled play on channel 23.
  - g) Series projects that have been produced outside of the PCM service area will receive 1 scheduled play on channel 22 and 1 scheduled play on channel 23.



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h) Series producers are required to submit new programs as part of their series in order to obtain CAN channel 11 scheduling:

- 1) Weekly series must contain at least four (4) new episodes;
- 2) Bi-weekly series must contain at least two (2) new episodes;
- 3) Monthly series must contain at least one (1) new episode.

Series that contain fewer than the above required new episodes may be resubmitted once every three quarters and will be scheduled to air on channels 22 and 23 only.

If PCM does not receive an episode of a series forty-eight (48) hours prior to the premiere of that episode (except for live programs), that episode will be cancelled and the most recent episode available on PCM's video servers will be played in its place to maintain continuity for the viewing audience. Too many missed episodes can result in cancellation of the series (see [section 7.03](#)).

7.03 Series cancellation policy:

If a producer is late submitting or misses an episode of his/her program, staff will fill the timeslot with a recent episode of the same series. If no recent episode of the same series is available, staff will fill the time slot with filler programming. After two (2) if weekly or one (1) if bi-weekly or monthly, late or missed episodes, a warning letter will be sent. If the producer misses an episode or submits a program late after the warning letter has been sent, the producer's series will be cancelled.

7.04 Individual program scheduling guidelines:

- 1) Individual programs are programs submitted for distribution outside of the series scheduling process. Individual programs may be submitted by PCM producers at any time.
- 2) Individual programs are scheduled on a first come, first served basis within the allotted scheduling themes.
- 3) Individual programs that have been produced within the PCM service area, and that have not previously aired on channel 11 from PCM or any other facility will receive 1 scheduled play on channel 11 (CAN), 2 scheduled plays on channel 22 and 2 scheduled plays on channel 23.
- 4) Individual programs that have been produced outside of the PCM service area will receive 2 scheduled plays on channel 22 and 2 scheduled plays on channel 23.
- 5) Individual programs may be identified by the producer of record for addition to PCM's filler program library and will be subject to filler scheduling policy (section 7.06).
- 6) As demand for resources increases, PCM may limit the number of scheduled replays from a maximum of five (5) to a maximum of three (3) (one scheduled play per channel).

7.05 Program resubmission policy:



In order to ensure that all producers of record have fair and equitable access to PCM's distribution services PCM will accept limited resubmission for scheduling of programs that have previously been scheduled for cablecast on PCM channels:

- a) Producers may resubmit programs as filler to obtain additional distribution. These additional replays will be based on filler scheduling policy ([section 7.06](#)).
- b) PCM will schedule an additional replay of a program at the request of a viewer on a case-by-case basis.
- c) Producers may resubmit a program for scheduling once every six months. Resubmitted programs will receive two (2) scheduled plays on channel 22 and two (2) scheduled plays on channel 23. At the producer's request, resubmitted programs may play as filler on CAN channel 11.

7.06 Filler scheduling policy:

- a) A program may be designated for filler scheduling by the producer of record.
- b) Individual programs may be designated at the time of submission.
- c) An episode of a series may be identified as filler by the producer of record at the time of submission of the episode.
- d) Filler programs are scheduled as needed based on the length of the gap in the daily schedule, and the date of submission of the filler program. This usually means that shorter fillers will play more frequently due to the great number of small gaps in an average daily schedule. This also means that newest filler programs will be chosen first when selecting filler ensuring that filler plays are timely.
- e) PCM cannot promise that a program designated as filler will receive additional replays, however, programming staff will make every effort to ensure that all programs submitted as filler are utilized in that capacity.
- f) PCM will set maximum storage capacities per producer for filler programs stored on PCM's video servers. These numbers will change based on the number of participants using PCM distribution services, the technology being utilized, and the amount of storage available on PCM video servers.

7.07 Digital archive policy:

- a) It is the independent producer's responsibility to maintain his/her own program archives. PCM will not store any physical media for independent producers.
- b) PCM will maintain recent program files on the video servers. Files will be deleted after scheduled replays are completed unless the producer has requested that his/her program be used as filler.
- c) PCM will maintain some program content for filler purposes for up to two years from the date of submission. These files may be deleted at any time without notice depending on storage capacity.

7.08 At the time of program submission a producer may choose to have a flash video automatically generated and made available for viewing at the PCM website.



- 7.09 Community Access Network (CAN) Channel:
- a) The intent of the Community Access Network (CAN) is to provide public access producers a vehicle to reach cable viewers throughout the Portland metropolitan area. Public access programs produced within the service area of PCM have priority for scheduling on CAN. Foreign programs (produced outside of the CAN service area) will not be scheduled on CAN.
  - b) If a program has already received a scheduled cablecast on the CAN channel from any participating facility that program will not receive a scheduled CAN play from PCM.
  - c) Community Bulletin Boards will not be scheduled for more than 15 minutes of CAN time unless a facility is experiencing technical difficulties.
  - d) Channel 11 (CAN 11) time is regulated by the CAN Agreement in conjunction with five (5) or more other community media/cable access agencies. The CAN Agreement states guidelines for programming on Channel 11 (CAN 11). *Please see attached CAN Agreement at the end of this document for informational purposes only.*
- 7.10 PCM updates TV Guide channel listings weekly. Series programs will appear in the TV Guide listings. To be included in the TV Guide listings individual distribution requests must be submitted at least three weeks in advance of the requested program premiere.
- 7.11 PCM channels are first and foremost dedicated to the transmission of locally produced content. Depending on demand for services, PCM will limit the distribution of projects produced outside of the Portland Standard Metropolitan Statistical Area (SMSA).
- 7.12 Requests for alphanumeric bulletin board notices which comply with PCM Community Bulletin Board guidelines will be accepted for consideration in available alphanumeric project segments on a first-come, first-served basis. Due to the volume of requests, PCM cannot guarantee that all submissions will be distributed.

## **VIII. DISAGREEMENTS AND SETTLEMENTS**

- 8.01 In general, PCM staff will attempt to resolve conflicts informally and as promptly as possible.
- 8.02 All complaints concerning these Operating Policies, Rules and Procedures, PCM staff or PCM producers or junior producers shall be referred to the PCM designated staff person. If, after preliminary investigation, the designated staff person determines that there is potential merit to a complaint, the designated staff person may do any one or more of the following, as appropriate:
- a) Attempt to resolve the matter informally.
  - b) If the complaint concerns PCM staff, proceed pursuant to PCM personnel policies.
  - c) If the complaint concerns these Operating Policies, Rules and Procedures, refer the matter to the PCM Executive Committee.
  - d) If the complaint concerns another producer or junior producer, proceed pursuant to [Section IX](#) herein.



- e) For any other complaints, proceed as the designated staff person deems appropriate.
- 8.03 If the designated staff person concludes that a complaint does not have potential merit, the complainant may submit the complaint in writing to the Executive Committee. The Executive Committee, on receipt of the complaint, shall proceed on the basis as the designated staff person, with instructions for appropriate action.

## **IX. ENFORCEMENT PROCEDURES**

- 9.01 When staff determines that there has been an apparent violation of any of these Operating Policies Rules and Procedures, he/she will notify the producer or junior producer within forty-eight (48) hours as follows:
- a) First offense: A verbal warning will be given by staff to the producer or junior producer and noted in their file.
  - b) Second offense: A written warning will be given by staff to the producer or junior producer and noted in their file.
  - c) Third offense: A written notification of the alleged violation will be sent by the designated staff person advising the producer or junior producer of his/her right to meet with the designated staff person before a final determination, including possible sanctions. The producer or junior producer shall be advised that his/her request for a meeting must be made within two (2) weeks of the date of the letter of notification. Copies of the written notification may also be sent to all members of the Executive Committee.
- 9.02 Staff will immediately suspend distribution of a project, provided that the project contains alleged violations of these Operating Policies Rules and Procedures relating to nudity, language, gambling or commerciality or provided that clear and substantial risk of legal liability for PCM exists. In the event of suspension of distribution, a producer will be given notification of the alleged violation as provided for in [Section 9.01](#). Enforcement procedures are specified in item 7.01.
- 9.03 PCM Management strives to resolve disputes in a manner that is “fair, reasonable and equitable”. Within two (2) weeks after the date of notification to the producer or junior producer of the infraction, the designated staff person will meet with the producer to discuss the infraction and potential solutions (depending on infraction a third party may be included in such a meeting to ensure fairness). After this meeting (or if the producer refuses a meeting) the designated staff person may take one or more of the following actions:
- a) Require the producer to attend designated training or workshops prior to further use of PCM facilities;
  - b) Suspend for a period of time or revoke, in whole or in part, the producer’s privileges to use PCM facilities;
  - c) Determine through discussion or mediation an alternative solution and/or
  - d) Take no further action.



- 9.04 No person shall have producer or junior producer rights suspended or revoked under [Section 9.03\(c\)](#) unless the designated staff person determines that the producer or junior producer's conduct is an aggravated infraction of these Operating Policies Rules and Procedures. In determining whether an infraction is aggravated, the designated staff person shall consider whether:
- The producer or junior producer has been involved in previous infractions.
  - The infraction reflects a serious disregard by the producer or junior producer of the personal or property rights of others.
  - The infraction reflects a serious disregard by the producer or junior producer of the proper care, use, treatment or protection of PCM facilities.
  - The infraction was intentional or demonstrated a willful disregard for these Operating Policies, Rules and Procedures.
- 9.05 The designated staff person shall notify the producer or junior producer in writing of a decision to impose sanctions under [Section 9.03](#) as soon as possible. If the designated staff person suspends or revokes producer or junior producer rights under [Section 9.03](#), and if the designated staff person determines that the producer or junior producer's conduct seriously endangered PCM facilities or the person or property of others, the notice shall so state and the revocation or suspension shall take effect immediately. The Executive Committee shall be sent a copy of any Executive notice required by this Section.
- 9.06 Any producer or junior producer against whom the designated staff person has imposed sanctions pursuant to [Section 9.03](#) may appeal that decision to the Executive Committee. A request for appeal shall be in writing and delivered to the Executive Committee within thirty (30) days after the producer or junior producer is notified of the designated staff person's decision. If a request for appeal is made, sanctions shall not take effect unless the designated staff person has determined that the producer or junior producer's conduct seriously endangered PCM facilities or the person or property of another, and has notified the producer or junior producer of this decision.
- 9.07 Upon receipt of appeal from a producer or junior producer, the Executive Committee shall include the matter on its agenda, granting priority over all other agenda matters except for the appeals made under this section. That portion of an Executive Committee meeting at which an appeal is heard shall be open to the public and shall be recorded. At the meeting the designated staff person shall describe any sanctions imposed and the basis for alleging a violation of these Operating Policies, Rules and Procedures. The producer or junior producer shall be entitled to testify regarding the alleged violation and any sanctions. Both the producer or junior producer and the designated staff person may present witnesses or evidence related to the alleged violation. Additional public comment may be taken.
- 9.08 If the Executive Committee determines that there is sufficient basis to justify the designated staff person's determination of a violation of these Operating Policies, Rules and Procedures, then that determination shall be affirmed. The Executive Committee may



modify the designated staff person's determination or any sanctions imposed or may make a new determination or impose new sanctions, in accordance with [Sections 9.03](#) and [9.04](#). If the Executive Committee determines that there was no basis for the designated staff person's determination of a violation of these Operating Policies, Rules and Procedures, the Executive Committee shall remove any sanctions which were based upon the determination.

- 9.09 Any decision by the Executive Committee shall be final and conclusive.
- 9.10 Any PCM staff may cause any persons to be removed from PCM facilities and may require any persons to return any PCM facilities in his/her possession when the person is interfering with other PCM business or staff in the performance of PCM facilities or activities, or when the person is placing in immediate danger any PCM facilities or the person or property of others. Any PCM staff who takes such action shall make a written report to the designated staff person of the actions taken and the circumstances that caused them to be taken.

## **X. NON-DISCRIMINATION**

No person will be denied training, equipment, facilities, or channel time on the basis of race, sex, age, physical disability, religious or political belief or affiliation, or the nature of their programming interest.

## **XI. VIOLATIONS**

- a. Owing funds to PCM due to failure to pay for equipment damage, submitting a check with insufficient funds, etc.
- b. Breach of the distribution contract warranties.
- c. Using equipment and facilities for any purpose not related to the production of programs for cablecast on PCM managed channels.
- d. Attempted equipment maintenance or disassembly.
- e. Changing the wiring/cabling of the studio or an editing room without specific authorization in advance by designated PCM staff.
- f. Removal of equipment from the equipment storage area without proper checkout procedures and/or without signing an equipment contract.
- g. Checking out equipment for use by a non-certified producer, or for a producer on suspension.



- h.** Covering PCM equipment labels or identifying information on equipment without prior approval and clearance from designated PCM staff.

**A Violation of any of the above items will result in immediate action as stated in section IX: ENFORCEMENT PROCEDURES**

**XII. PROHIBITED ACTS**

- a. False information:** Intentionally providing false information to PCM for the purpose of obtaining services, access to channel time, or to avoid determination of facts in accordance with any PCM investigation or hearing.
- b. Misrepresentation:** Individuals and organizations must not identify themselves as being an employee or agent of PCM or the funding jurisdictions unless hired by PCM or the jurisdictions to perform a specific service.
- c. Destroying or damaging property:** Intentionally and/or recklessly destroying or damaging PCM property or the property of others on PCM premises or at PCM sponsored events or activities.
- d. Drugs/alcoholic beverages:** Use, possession or distribution of any controlled substance, illegal drug, or alcoholic beverage on PCM premises or at PCM-sponsored events. Appearance at any PCM-sponsored event while intoxicated or under the influence of a controlled substance will be considered a violation. Alcohol may be permitted at certain organizational events with prior written consent from the designated staff person.
- e. Weapons, firearms, explosives and dangerous chemicals:** Use or possession of any weapon, explosives, dangerous chemicals, substances or instruments or other weapons, as defined by state law, which may be used to inflict bodily harm on another individual or damage upon PCM premises or PCM sponsored events. Exceptions may be made for displays or demonstrations in conjunction with bona fide productions, for which prior permission has been granted by PCM's designated staff person.
- f. Harassment, threats and/or physical harm:** Threatening, intimidating or harassing another with intent to substantially harm the person with respect to her or his physical safety or mental health. This includes causing physical harm to any person or property on PCM premises or at PCM sponsored activity or cause reasonable apprehension of such harm to another person. Verbal or written threats of violence will be taken seriously. Individuals making threats towards PCM or any individual in the facility or at a PCM sponsored event will be escorted from the premises and banned from PCM facilities.
- g. Smoking:** Tobacco and other substances may not be smoked inside the PCM facilities.



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- h. Theft or conversion:** Deprivation of another person's property including PCM property or services without that individual's or PCM's authorization.
- i. Use of PCM name/logo:** Unauthorized use of the PCM logo, name, indicia, motto, mission statement, symbols or other materials generated by PCM for any purpose without prior consent by PCM's designated staff person.
- j. Inappropriate Behavior:** Engaging in lewd, indecent, erotic or obscene behavior on PCM premises or at PCM-sponsored activities.
- k. Unlawful acts:** Engaging in any unlawful act while on PCM premises or while participating in a PCM-sponsored event or activity.
- l. Trespassing:** Unauthorized entry into restricted areas.

**Any violation of the above prohibited acts will result in an immediate suspension, from the use of PCM facilities and/or services. There are no written warnings or probationary period for these violations.**



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