



BURNSVILLE COMMUNITY TELEVISION
OPERATIONAL USE POLICIES



BCTV BASICS:

Burnsville Community Television (BCTV) operates from a three-camera television studio and control room located within Burnsville High School through a joint powers agreement between the City of Burnsville and Independent School District 191 (ISD 191).

BCTV staff provides training in studio and mobile studio production, portable production equipment and editing. BCTV offers free access for Burnsville residents and organizations to place public access television programs on cable channels in the City of Burnsville, pursuant to the guidelines outlined in Section 2.

BCTV is a public facility and all behavior, language and dress must at all times be appropriate for a public place, and all rules and policies must be complied with. Non-staff persons utilizing BCTV equipment or facilities must not represent themselves as employees or agents of BCTV. The BCTV mailing address and phone number may not be used as contact information.

SECTION 1: ACCESS TO FACILITIES AND EQUIPMENT

1.1 BCTV facilities and equipment must be reserved in advance. Access shall be on a first-come, first-serve basis, with some exceptions found in these guidelines.

1.2 Access to equipment, studio facilities, training sessions and cablecasting of programs shall not be withheld, prohibited, or restricted in any way because of race, color, creed, religion, political beliefs, sexual orientation, disability, national origin, marital status, status with regard to public assistance, age or sex.

1.3 Access to BCTV facilities and equipment is reserved for residents of Burnsville or Burnsville organizations. Non-residents may utilize facilities and equipment only if they are working on behalf of an area organization(s), upon approval from the BCTV Staff. City organizations include churches, schools and non-profit organizations. Non-residents must provide a letter from the organization they are serving.

1.4 ACCESS TO EQUIPMENT: All equipment users must attend a BCTV sponsored training session, or be able to demonstrate proper use of equipment as determined by BCTV staff. Users of equipment/facilities will be required to sign a RESPONSIBILITY FORM for equipment use.

1.5 ACCESS TO CABLECASTING: Program producer(s) must sign a PROGRAM SUBMISSION FORM for each completed program. Program producer(s) are responsible for insuring that all persons appearing in completed programming have signed a TALENT RELEASE FORM, and that any applicable copyright or other permissions have been obtained.

1.6 ACCESS TO TRAINING SESSIONS: Any individual may attend a BCTV sponsored training session. A fee will be charged. Lack of ability to pay for a training session fee will not result in

denial to attend the training session. Instead the fee may be waived and volunteer hours requested in lieu of the fee.

1.7 REFUNDS OF FEES: No training session fees will be refunded. Individuals with emergencies or unforeseen circumstances or individuals that cancel 24 hours in advance of a scheduled training session will be offered a rescheduled session at no additional cost.

SECTION 2: USER RESPONSIBILITY

2.1 Liabilities and Indemnification: It is the responsibility of a program producer to know and understand BCTV policies and procedures. As such, producers assume liability for their activities while utilizing BCTV services, equipment and facilities. The City of Burnsville, BCTV, or ISD 191 assume no responsibility for producer actions and will be indemnified and held harmless for any claims or damages resulting from producer utilization of BCTV services, equipment and facilities.

2.2 All BCTV users/producers are responsible for insuring that use of equipment does not result in:

2.2.1 COMMERCIAL ADVERTISING: No advertising material will be cablecast. The display of commercial logos, products and services shall be avoided whenever and wherever possible.

2.2.2 POLITICAL ADVERTISING: No advertising material explicitly endorsing a candidate, platform or political issue will be cablecast. Programming that is political in nature but does not constitute as “explicit endorsement” is not prohibited.

2.2.3 OBSCENE OR INDECENT MATERIAL OR LANGUAGE shall not be cablecast, nor shall programs that promote illegal acts.

2.2.4 LOTTERY INFORMATION: Neither lotteries nor lottery information will be cablecast.

2.2.5 COPYRIGHTED MATERIALS: Program producers shall be held responsible for any disputes arising from unauthorized use of copyrighted materials.

2.2.6 SELLING OF PROGRAMS: The producer shall be held responsible for reimbursing BCTV for the actual cost(s) for any program or program portion produced with BCTV equipment that is sold or otherwise receives remuneration of a monetary nature. Production costs are determined by BCTV staff.

2.2.7 DEFAMATION: Programming containing defamation is prohibited. Defamation shall mean any material in a program and/or presentation that in the judgment of BCTV staff could be deemed defamation, slander or libel by local community standards or by standards established by any federal, state, or local regulation or law.



2.3 The BCTV user/producer is responsible for adhering to booking times and reservations. BCTV staff reserve the right to re-assign use of facilities or equipment if the user is more than 30 minutes late.

2.3.1 Being late for a booking time or reservation may result in that time being booked for another producer.

2.3.2 Being late for scheduled equipment pick up or return time may result in a temporary or permanent suspension of access to equipment as determined by BCTV staff.

2.3.3 The user/producer is responsible for informing BCTV staff if equipment or facilities previously booked will not be utilized or if there is a change in pick-up or return time.

2.3.4 Only the specific user/producer who makes a reservation can pick up or drop off equipment.

2.3.5 It is the user/producer's responsibility to identify him/herself to the person(s) being taped, especially if the subject is not aware of the taping. At no time may an access user identify himself or herself as an employee or agent of the City of Burnsville, BCTV, or ISD 191.

2.3.6 The user/producer assumes responsibility for damage done to any BCTV production equipment he or she has signed out, excluding normal wear and tear. Should damage occur to BCTV equipment, the user/producer is responsible for informing BCTV staff as soon as possible, but no later than upon return of the equipment. BCTV staff will review each equipment/facility damage and/or loss and determine the extent that the user is responsible.

2.4 Productions using any BCTV equipment must fully credit BCTV at the end of a program for facilities use and assistance.

2.5 Users should address any questions or concerns to the BCTV staff.

2.6 A user who appears to be under the influence of alcohol or drugs, or whose conduct endangers the safety of people or facilities, or who engages in any illegal activity while using access equipment or facilities on BCTV property, or who violates BCTV or facility policies or procedures will be prohibited from using the access channels and facilities.

2.7 Tobacco use is prohibited on school property and may not be used around BCTV equipment.



SECTION 3: EQUIPMENT RESERVATION POLICY

3.1 Prior to reserving facility or equipment use, individuals and/or groups must fill out the appropriate VOLUNTEER FORMS and MUST be trained in a BCTV sponsored training session, or show competence in equipment use, determined by a BCTV staff member.

3.2 Use of equipment or facilities must result in programming for one of the BCTV channels within six (6) months.

3.3 If the person requesting equipment or facility use is under 18 years of age, a parent or guardian must sign the appropriate responsibility forms required for the facility and equipment use or check-out.

3.3.1 Parents or guardians of equipment or facility users who are between the ages of 13 and 18 years of age must sign a PARENT/GUARDIAN PERMISSION FORM, allowing the minor to check out equipment or use equipment in the facility without being accompanied by an adult. PARENT/GUARDIAN PERMISSION FORMS must be updated each year.

3.3.2 Use of equipment by minors age 12 and under will be considered on a case by case basis as determined by BCTV staff. If approved all minors under the age of 12 must be accompanied by an adult in all cases, including training seminars.

3.4 Each person or group requesting use of BCTV equipment or facilities may:

3.4.1 Make reservations up to one month in advance. (Example: On Feb. 29, reservations may be made up to March 29. On March 1, reservations may be made up to April 1.)

3.4.2 Reserve up to four hours of studio production time per week.

3.4.3 Reserve up to four hours of editing time per week per editing facility.

3.4.4 Reserve up to one 24 hour block for portable equipment check-out per week. (Saturday to Monday time periods and time periods that include holidays will be counted as one booking.)

3.4.5 Only one weekend per month may be reserved per member or group.

3.5 Time in excess of the above may be obtained on a day-to-day basis. If unreserved time is available within 24 hours of requesting additional time, it may be reserved.

3.6 Reservation of one portable camera system is allowed per person or group per check-out.



3.7 Sections **2.3.2** and **2.3.3** of this policy also apply to portable equipment. Please call the BCTV facility early to check on the possibility of extending your time so as to allow enough time to return the equipment in case other bookings have been made.

3.8 If there are no reservations prior to or following reserved time, time may be extended with staff permission. Beyond this exception, all booking times must be strictly adhered to.

3.9 Consecutive bookings by members of the same group will not be accepted.

SECTION 4: REMOTE EVENT COVERAGE

4.1 BCTV owns a portable production cart and co-owns a mobile production truck. These multi-camera remote event coverage resources are not available for checkout. Any coverage with these resources is scheduled and supported by BCTV staff. Some volunteers are scheduled by staff to run certain crew positions, which helps make event coverage possible.

4.1.1 To this end, BCTV will generate a community event production schedule on a periodic basis that identifies events for which coverage is a high priority and reserves the appropriate equipment.

4.1.2 BCTV staff will work with volunteers to fill crew positions on priority events.

4.1.3 All remote event volunteers will be required to complete VOLUNTEER FORMS.

4.1.4 Equipment, facility and staff needs resulting from the community event production schedule will supersede any other guidelines found in the BCTV Operational Use Policies.

4.2 City organizations may request BCTV to cover an event. Requests should be made prior to the completion of the quarterly priority production schedule for consideration. Requests made after this schedule is complete will be considered based on the availability of the mobile production truck, and the availability of volunteers provided by the requesting organization.

4.3 All events covered by BCTV will be produced by BCTV. An event coordinator may be required to co-produce the event and supply trained volunteers to fill the crew for the event.

4.3.1 The co-producer must be certified in Mobile Studio Production and/or Multi-Camera Portable System production as applicable.

4.3.2 The co-producer may be responsible for assembling a set-up crew certified in Mobile Studio Production and/or Multi-Camera Portable System production as directed by BCTV staff.

4.3.3 The event coordinator may be required to supply a completed REMOTE PRODUCTION PROPOSAL as deemed necessary by the BCTV staff, because of special production requirements.



4.3.4 A crew list and AUTHORIZATION TO RECORD ON PREMISES FORM must be submitted one week prior to the production, unless the gathering of this information has been arranged by a staff member.

4.4 All remote event productions, crews and equipment are subject to the approval of the BCTV staff. Event production requests may not be granted, or may be cancelled, based on factors such as location, staffing and equipment considerations, weather and safety issues.

SECTION 5: CABLECASTING

5.1 Completion and submission of a PROGRAM SUBMISSION FORM will constitute a formal request for cablecast time. A PROGRAM SUBMISSION FORM is required for any program to be cablecast, whether locally produced, dropped off or mailed to BCTV.

5.1.1 Programs submitted for playback that are not facilitated or produced by a BCTV producer must be sponsored by a Burnsville resident or organization. The resident or organization sponsoring the program must sign the PROGRAM SUBMISSION FORM.

5.2 The person signing the PROGRAM SUBMISSION FORM will be considered responsible for the content of the program.

5.2.1 The PROGRAM SUBMISSION FORM must include the responsible party's full name and legal street address. P.O. boxes are not acceptable.

5.2.2 A copy of the responsible parties valid MN Drivers License is required. If no MN Drivers License can be provided a piece of mail with current address may be utilized and must be approved by BCTV staff.

5.2.3 A PROGRAM SERIES SUBMISSION FORM is required for series programs. The responsible party will be required to fill out a new PROGRAM SERIES SUBMISSION FORM for each series program for each calendar year.

5.3 Programming will be scheduled at the discretion of the BCTV staff.

5.4 Upon determination by BCTV staff that a program contains material for a mature audience, and/or unsuitable for children, the program will be scheduled in time slots no earlier than 11 p.m.

5.9 Staff reserves the right to suspend or cancel the cablecasting of any program that contains poor technical quality.

5.10 BCTV will not place any restrictions on political programming that is not already covered by these policies. Additionally, BCTV is under no governance from the FCC or any other governing or contractual body to assure "Equal Time" for candidates and issues. BCTV may,



from time-to-time, host candidate and issue forums either through a third party organization or in a manner that will promote equal access.

SECTION 6: MEDIA STORAGE PROCEDURES

6.1 The content of any media stored by BCTV is the sole responsibility of the access producer. Further, the producer is the sole owner of the content and said content may not be altered or censored in any way without the permission of the producer.

6.2 All media owned by BCTV must be stored with BCTV.

6.3 Edited and/or unedited media will be held with BCTV for ninety (90) days from the day they are entered in BCTV cataloging system.

6.4 The producer of any completed program made at BCTV may receive one free copy of their production. Additional dubs may be purchased at the fees in effect on BCTV's rate card.

SECTION 7: STORAGE OF PROPS AND SETS

7.1 Approval for storage of props, sets, backdrops, costumes, etc., must be obtained from the BCTV staff, and is subject to the availability of storage area.

7.1.1 As storage situations change, the access producer may be asked to remove the materials from storage.

7.2 Materials left in storage will not be the responsibility of the City of Burnsville, BCTV, or ISD 191 should damage or losses occur.

SECTION 8: SPONSORSHIP AND PROMOTION

Producers of public access programs through BCTV have the right to solicit sponsorships under these guidelines:

8.1 "Sponsorship" is defined as goods, services, or grants in aid of a production provided to a program producer by a third party, not to include salary, pay, per-diem, or any form of profit paid to the producer(s) or crew.

8.2 An acknowledgement of sponsorship may be made in the following manners: character generation, display of logo, and/or spoken audio at the beginning and/or end of the program in the same style as the other program credits. The two production methods in which sponsorship may be displayed must follow one and/or the other of these two formats:



8.2.1 Special thanks to (name of sponsor) for (goods, services, or support provided), and/or,

8.2.2 This program made possible (in part) by a grant from (name of sponsor).

8.3 No price or call to action may be included in the sponsorship credit.

8.4 Individual sponsorship messages shall be no longer than 15 seconds.

8.5 Sponsorship messages must be reviewed by the BCTV staff.

8.6 A maximum of 60 seconds of sponsor acknowledgements will be allowed before or after a single program, along with placement during “natural breaks” in programs. **In addition, no more than 10% of any programming hour will consist of sponsorship messages.**

8.7 In-kind sponsorships donating goods or services are allowed subject to the approval of the BCTV Staff.

SECTION 9: CHARACTER GENERATED MESSAGES

9.1 BCTV does not facilitate or manage a community billboard system.

SECTION 10: REGULATION OF POLICIES

10.1 The City of Burnsville, BCTV, and ISD 191 reserve the right to waive any self-imposed regulation when such waiver is judged to be in the public interest.

10.2 All users of BCTV's facilities should be aware that they can be held accountable for their actions by the same laws that govern any public activity.

10.3 Any person seeking relief against the City of Burnsville relating to any programming on BCTV shall be limited to injunctive relief and declaratory relief. *See 47 U.S.C. § 555a(a); Coplin v. Fairfield Public Access Television Committee, 111 F.3d 1395 (8th Cir. 1997).*

SECTION 11: APPEALS PROCESS

11.1 Unless otherwise stipulated in these guidelines, three violations of the above guidelines will result in a loss of all access privileges for up to one year. A single violation of a more serious nature, in the sole discretion and determination of the BCTV staff, may result in immediate suspension of all privileges for up to six months. Failure to deal with the access staff in a straight-forward, truthful, and courteous manner will also be considered a violation of the above guidelines.



11.2 Should anyone, including producers, users and the viewing public, dispute any action taken by the BCTV and its staff, and/or their interpretation of the BCTV policies, and/or request the censorship of a public access program(s), the following process shall be followed:

11.2.1 Request a meeting with the City Manager to discuss the issue(s).

11.2.2 If still unresolved, the matter may be appealed to an administrative hearing process which would be conducted by an attorney specializing in Cable Television Law.

11.2.3 The City Council is not involved in any way with specific disputes with these rules; however, they reserve the right to modify the rules as necessary.

STATEMENT OF NON-CENSORSHIP OF PUBLIC ACCESS CHANNEL(S)

The City of Burnsville shall not exercise editorial control over programming presented on BCTV. Only in the event that public access programming is in violation of local, state and federal laws, and/or in violation of the BCTV policies, shall BCTV have the authority to restrict public access programs.

CITY OF BURNSVILLE CABLE CHANNELS

- 14 BCTV - Burnsville Community Television
- 15 Eagan Television
- 16 BCTV – Burnsville Civic Television
- 18 Independent School District 191
- 19 Independent School District 196
- 20 Independent School District 194

CONTACT INFORMATION

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