

Bremerton Kitsap Access Television Policy Handbook

****Please note: Editing studio is closed until further notice****

BKAT's Mission is to benefit greater Kitsap by providing a means for expression through cable TV and video; encouraging civic awareness with coverage of government meetings; and inspiring our community with positive, hyper-local stories.

BKAT is funded through a fee added to cable bills and service contracts with the City of Bremerton, the City of Poulsbo, the City of Bainbridge Island, the Port of Bremerton and Kitsap County. BKAT links together individuals, educational facilities and government institutions to over 50,000 cable subscribing households in Kitsap County via Comcast Channel 12 and Wave Broadband Channel 3.

A citizens Advisory Committee, appointed by the City of Bremerton and Kitsap County, meets regularly to provide policy and planning guidance.

1. Airing a Program on BKAT

Members can submit original video programs they have created or sponsor pre-produced programs for airing on BKAT.

1.1 Eligibility

Members can submit programs for airing after membership is secured. Programs must be accompanied with a Playback Request Form and must be uploaded to the cloud via *LiquidFiles* (preferred) or can be on DVD-R disc. The programs must be non-commercial, meet basic technical requirements and have proper cablecast rights in order to air. Content of programs must conform to BKAT policies and will be the sole responsibility of the Program Sponsor. Individuals sponsoring programming must be 18 years of age or older. Those under the age of 18 must have their parent or legal guardian sign all proper paperwork on their behalf.

1.2 Technical Requirements

Programs are required to be on either DVD-R discs or a video file that meets these specifications: The program must have a clear and unbroken picture; The audio must be clearly understandable and at audio levels free from distortion. BKAT reserves the right to reject programs not meeting minimum standards.

1.3 Single Programs and Series Programs

The annual BKAT season is January 1 – December 31st. Series within that season are scheduled by Lottery. Remaining timeslots for non-series programs are scheduled on a time available basis. NOTE: BKAT reserves the right to pre-empt regularly scheduled programming in the event of an emergency, during Holidays, live community events, or to accommodate extended government meeting coverage.

Series: a new program provided to BKAT at a minimum of once a month. Program will run weekly for remainder of slots in the given month. Up to a calendar years' worth of programs can be turned in at once.

Program time slot Lottery forms will be sent out early November and Lottery will be held at end of November.

Only one program will be scheduled per timeslot; any remaining time in each timeslot will be programmed with filler material at BKAT's discretion. Programs exceeding the timeslot length will be truncated to fit. All public programs will be preceded by a 10 second disclaimer video; BKAT will add this if the member video does not already include one.

1.4 Holiday Schedule

Holidays that might affect the BKAT schedule are: New Year's Day, Martin Luther King Jr. Day, President's Day, Memorial Day, Juneteenth, Independence

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Day, Labor Day, Veteran's Day, Thanksgiving Day, Day after Thanksgiving, Christmas Eve and Christmas Day.

Certain days are also reserved for special programming on BKAT that might pre-empt regularly scheduled programs: Armed Forces Day and Election Day.

1.5 Program Promotion

BKAT's Schedule appears on the BKAT Website and on the TV Guide Channel of your cable system and as a courtesy is updated with 1-3 weeks of data. Due to the nature of the third-party of cable guide data, BKAT makes no guarantee or warranty for accuracy or availability of cable guide data.

1.6 Program File Management

Program scheduling is completed by noon Friday prior to each scheduled programming week; Programs must be received by 6:00am (via *Liquidfiles*) or by 10:00am (DVD) each Thursday for airing in the next program week, unless otherwise arranged in advance with BKAT staff. Programs must include a title or episode number and expected date of playback based on currently assigned schedule time slot. Failure to meet the deadline will result in program being scheduled in following week's timeslot. Non-Series programs will not be scheduled prior to being submitted at the office with a completed Playback Request Form. All programs must be picked up within 3 months after the program's last scheduled airing or it will be considered abandoned and may be discarded. BKAT is not responsible for any lost, stolen, abandoned or damaged DVDs.

1.7 Content Restrictions

Commercial Content

The Cable Television Franchise agreement between the City of Bremerton and Comcast and WAVE Broadband prohibits producers from submitting commercial programming. The franchise agreement states in relevant

part: *"Access or Access Programming includes Public Access, Educational Access and Governmental Access, collectively, and means the availability for Noncommercial use by various governmental and educational agencies, institutions and organizations, in the community..."*

Program content is the sole responsibility of the Program Provider. Programs that are copyrighted must have written permission on the copyright holder's letterhead granting permission for cablecast on BKAT.

Additional restrictions may apply for programs that might contain the following:

- Fundraising or Solicitation of funds.
- Advertising material designed to promote the sale of commercial products or services.
- Invasion of Privacy.
- Lottery information or games, raffles, gift enterprise or similar scheme.
- Material that is slanderous, libelous or made unlawful by any law instituted by a governmental body.
- Material that is copyrighted or subject to ownership or royalty rights, union residuals or other payment unless program provider has provided necessary written permission for cablecast.

1.8 Scheduling Potentially Objectionable Material

Bremerton Kitsap Access Television wants to provide parents or guardians with a means of controlling the viewing of potentially objectionable programming so that they may make informed cable-viewing choices.

While providing such notification, we do not wish to preclude the opportunity for all forms of expression on cable television in accordance with all relevant laws.

For the purposes of these guidelines potentially objectionable material in programs is defined as any program that

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contains nudity, excessive swearing and or excessive violence.

All potentially objectionable programs will be aired after midnight only and will be preceded by the following message, to be included as part of the video file by the producer. The announcement will be in clear legible white font on a black background and run for no less than 5 seconds followed immediately by their program:

“The following program contains material which may be offensive to some viewers or may be inappropriate for viewing by children”

It is the responsibility of the Program Providers to check the appropriate box on the Playback Request Form when submitting the program that designates it to air after midnight. Promotion for potentially objectionable programs will also include the above message.

1.9 Legal Definitions of Offensive Material

BKAT recognizes that potentially offensive or obscene behavior, is subjective. For the purposes of this Policy Handbook: “Excessive Swearing” or profanity includes, but is not limited to, words as those identified in FCC vs. Pacifica. “Obscene Material” is defined by applying the “Miller Test” from the U.S. Supreme Court in the decision Miller vs. California: (a) whether the average person, applying contemporary community standards would find that the work, taken as a whole, appeals to the prurient interest; (b) whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by applicable state law; and (c) whether the work taken as a whole, lacks serious literary, artistic, political or scientific value.

1.10 Political Programming

BKAT has specific guidelines with regard to programming on political issues before, during or after a political campaign season.

NOTE: Programs that include appearances by incumbents acting in their regular elected capacity are not subject to these policies.

BKAT encourages the production of programs relating to political forums, candidate debates and interview style programs when recognized political or ballot issue spokespersons are invited to participate. This means that sponsors of such recorded events must strive, in good faith, to accurately recruit and represent varying points of view, recognizing that representing all points of view is an unattainable goal in any community.

The sponsors or coordinators of these events should not intentionally design programming to promote one candidate or a single viewpoint over another. Therefore, program originators must be able to demonstrate that reasonable opportunities were provided to political parties, candidates, proponents and/or opponents to participate in the program.

Political programs may not contain advertising, signage or overt promotion for a political campaign.

1.11 Underwriting Credit

Program Originators may acknowledge individuals, companies or other organizations that provide financial or other assistance in the production of a program. Such acknowledgement may include the individual’s name, brand name and/or trade name. This credit shall not include advertising information. The FCC describes advertising information as a “buy this” pleading, price information and/or “comparative or qualitative” language. Underwriting credits may not exceed 15 seconds per underwriter and no more than a

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total of two minutes. Note: The above underwriting acknowledgements shall not be repeated more than once per half-hour segment.

1.12 Program Library & Archive

BKAT reserves the right to re-cablecast and/or archive copies of programs submitted for cablecast with program originator's permission. BKAT also reserves the right to use program segments for our own promotional and training purposes.

1.13 First Use of Program

All programs produced through BKAT must premiere on BKAT prior to other uses of the material.

2. Using Equipment and Producing Programs

Upon membership BKAT makes available free use of video cameras, a studio, and ****editing**** equipment for use by production originators to assist them in producing their program to air on BKAT. See *BKAT Studio Production Protocols* and *BKAT Instant TV Guidelines* for more information on studio use.

2.1 Eligibility

Any Kitsap County resident may use BKAT equipment to produce programs to air on BKAT. They must first become BKAT Members by having a current *Membership Form* on file and demonstrate proper use of equipment. Individuals under 18 years of age must have their parent(s) or legal guardian(s) reserve, sign the *Public Equipment Checkout Form*, check out and return the equipment on their behalf. A parent or legal guardian must also accompany an individual under the age of 18 if they are using the edit equipment at BKAT. Individuals under the age of 14 may not operate BKAT equipment.

2.2 Financial Liability for Equipment

If BKAT equipment or facilities are damaged beyond normal wear and tear as determined by BKAT Management, or if equipment is lost or stolen, then the "user of record" (the member whose name is on the *Public Equipment Checkout Form*) is liable and will be billed for the repair or replacement costs. A member will not be allowed to reserve or check out equipment until their repair or replacement cost bill is paid in full.

2.3 Training for use of BKAT Equipment

A basic instructional video on camera usage "Meet the Canon XA-10" is available at BKAT's YouTube page, accessible at bkat.org. Individuals who cannot demonstrate proper equipment and/or edit use can set up a time with staff for individual training at no cost.

2.4 Equipment Use and Location Restrictions

Equipment may only be operated in the manner for which it was designed. The equipment may not be transported out of Kitsap County unless given specific approval by the BKAT Manager.

2.5 Equipment & ****Edit Reservations**** and checkout

Equipment (camera and audio) & edit bays may be reserved up to 30 days from the current date and no less than 7 days in advance. Reservations will be held for no more than 30 minutes from specified start time. Members are allowed no more than three equipment reservations to be on file at any given time.

Reservations for equipment are by appointment only, and only during regular office hours. Requests are taken via email. Equipment and space are limited, please do not assume that you have a reservation until you hear back from a staff member.

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Equipment checked out on Fridays must be returned Monday. Equipment checked out on Monday or Tuesday must be returned by Friday morning.

Only certified equipment operators may pick up equipment and must confirm the equipment's proper working order at the time of check out. Once the paperwork is signed the member assumes full financial responsibility of equipment.

Non-certified persons may drop off the checked-out equipment upon approval of staff.

2.6 Station Identification

Producers using BKAT equipment and resources must display the following tag at the end of their program. The text must be in white font on a black background and be clearly legible:

***Production Facilities and Resources
Provided by
Bremerton Kitsap Access Television***

2.7 Duplication

BKAT will not make copies of any program that BKAT did not originally produce. Copies of BKAT programs are available to the public with a reasonable time and charges are applied using the current rate card.

Any request by the public for a copy of a program that is not produced by BKAT will be referred to the program sponsor. It is up to the program sponsor to decide if they allow copies of their program or not. Those copies are to be made by the program sponsor on their own equipment, not BKAT's.

3. Financial Gain

Individuals and or organizations are prohibited from using BKAT Resources for financial gain. Those in violation of this

policy may be billed according to the current BKAT rate card.

3.1 Compensation

No one may charge for equipment use, airtime, labor, production supplies and/or any other cost affiliated with a program creation by using BKAT equipment.

3.2 Exclusions

Independent Producers or program sponsors who use their own equipment may charge individuals or use underwriters for anything listed in section 3.1 with the exception of airtime.

3.3 Underwriting Credit

Program originators may acknowledge individuals, companies, or other organizations that provide financial or other assistance in the production of a program. Such acknowledgement may include the individual's name, brand name and/or trade name. This credit shall not include advertising information. The FCC describes advertising information as a "buy this" pleading, price information and/or "comparative or qualitative" language. Underwriting credits may not exceed 15 seconds per underwriter and no more than once per half hour segment.

4. Studio Productions

The BKAT Studio and staff are available for "Instant Television" by appointment only, a minimum of 7 days ahead (See section 4.1); on Wednesdays from 10-2; for one producer per day. The BKAT Studio is in the BKAT office at 7266 Tibardis Rd NW in Bremerton.

4.1 Instant Television

BKAT will supply the camera crew and a director. Members can have two hours per studio appointment to create TV program(s). Minor editing is provided. Instant Television is intended as content for BKAT Cable channels 12 and 3. BKAT retains all rights

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to Instant Television productions. For more information on scheduling and studio set up, see *BKAT Production Protocols*.

Use of the BKAT studio for Instant Television production is limited to two appointments per quarter per individual member or organization. See *BKAT Instant Television Guidelines* for more detail on studio use and options.

5. Penalties for Violations of Policy

A system of progressive discipline is in place to protect the rights of access clients while ensuring fair application of policy and due process.

5.1 Examples of Policy Violations

Any violation of BKAT Policy may be grounds for disciplinary action and/or loss of privileges. Examples include but are not limited to:

- 1) Repeated failure to pick up reserved equipment, or late returns.
- 2) Repeated cancellations or failure to show for studio or editing equipment appointments.
- 3) For series: failure to provide a new program at a minimum of once a month.
- 4) Failure to provide content for a scheduled program a minimum of one week ahead of scheduled air date.
- 5) Failure to pay fees/charges or complete paperwork in full.
- 6) Unauthorized commercial distribution of material produced in whole or part through BKAT facilities and equipment.
- 7) Unauthorized use of BKAT equipment including use of equipment for non-BKAT programs.
- 8) Violation of content policies.
- 9) Behavior in violation of conduct code.

5.2 Disciplinary Action

Probation with or without restrictions, suspension or revocation of access privileges may be assessed at the discretion of the BKAT Public Access Manager based

upon the number and nature of the violation for any individual or organization. In the event of disciplinary action, notice will be given in writing stating the nature of the violation, restrictions (if any), and conditions for reinstatement.

For series: failure to provide a new program at a minimum of once a month for two consecutive months can result in default to scheduling on a time-available basis and/or forfeiting ability to participate in annual scheduling Lottery.

Failure to pay fees/charges in full when due can result in default to scheduling on a time-available basis and/or forfeiting ability to participate in annual scheduling Lottery and/or removal of shows from air completely.

Failure to complete membership and/or playback paperwork when due can result in default to scheduling on a time-available basis and/or forfeiting ability to participate in annual scheduling Lottery and/or removal of shows from air completely.

5.3 Appeal Process

BKAT disciplinary action may be appealed in writing to the Director of Financial Services for the City of Bremerton. Their decision is final.

5.4 Variances

BKAT recognizes that variances to policies or procedures may become necessary to meet special needs or unusual circumstances. In such cases, access clients may request BKAT management to consider a variance. Exceptions are considered on a case-by-case basis.

6. Membership

Annual membership fees and completed, signed forms are collected for all persons and/or organizations using BKAT resources.

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Resident and non-resident fees are defined on the *Membership Forms*.

All membership renewals due November 1st of each year for static membership period Jan 1-Dec 31 of upcoming calendar year.

All memberships renew at end of the calendar year regardless of membership establishment date. New members who join mid-year still renew at year's end.

Members will also be required to complete and sign a *BKAT Series Playback Agreement* or *Playback Request Form*, whichever is appropriate.

Each member (either individual or organization) is entitled to one scheduled series slot (30 or 60 minutes) if they have sufficient content to support it.

Members are considered in good standing when all membership paperwork is completed and signed, all membership dues are paid in full and playback agreements are completed and signed.

7. Community Bulletin Board

The revolving message board on BKAT runs between scheduled programs on the channel. It is available ONLY to Government, Education and Non-Profit organizations. (See *Community Bulletin Board Form* at bkat.org for information on length and other guidelines).