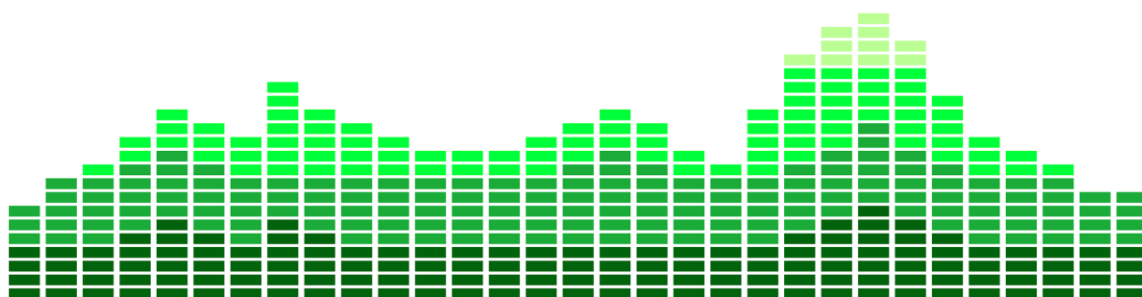


OPERATING RULES & PROCEDURES



**WTBR 89.7
FM**
PITTSFIELD COMMUNITY RADIO

A Project of Pittsfield Community Television

Approved by the PCTV Board of Directors and Pittsfield Public School Committee

APPROVED September, 2023

OVERVIEW

I. Mission

To operate a non-profit, non-commercial Community Radio station in Pittsfield, Massachusetts that provides a media platform to present diverse local, entertaining, informative and educational programming, and to enable community participation in all aspects of the station. WTBR-FM will focus its programming specifically on Pittsfield and neighboring Berkshire communities.

II. Broadcast Area

The City of License for WTBR-FM is Pittsfield, Massachusetts. For the purposes of this manual, we define the broadcast area of the station to be inside the local and distant contours, including both 60 dBu and 50 dBu service contours, as recognized by the FCC. A graphical representation of these contours can be found at: <https://radioLocator.com/cgi-bin/pat?call=WTBR&service=FM> . This typically includes all of the City of Pittsfield, plus contiguous municipalities.

III. Station Format

The format of WTBR-FM consists of a Community Radio model of content, including music and talk formats, enabling individuals, groups, and communities to tell their own stories, to share experiences and, in a media-rich world, to become creators and contributors of media. Contributors will encompass public, educational, and governmental constituencies from the broadcast area.

WTBR-FM programming will be in accordance with the first Amendment, existing law and FCC Regulations.

IV. History

WTBR-FM began broadcasting as a 10-watt station, WTHS, located at Taconic High School, in 1974. It changed its call sign to WTBR and increased power to 380 watts ERP in the 1970s, and eventually became known as “The Brave FM” identified by the school’s mascot at the time, the Taconic Braves. It was run as a student station until the mid-2000s, at which time members of the community began contributing programming. In 2018, a new Taconic High School was built adjacent to the old school, which was demolished. The station currently broadcasts from studios at the PCTV facility at Federico Drive in Pittsfield, at an ERP of 350 watts from a transmitter site in Pittsfield. More information can be found at: <https://radioLocator.com/info/WTBR-FM> .

CORPORATE POLICY

I. Code of Conduct

It is our goal and responsibility to foster community and maintain a workplace in which all staff, members and other visitors are welcome and able to work and collaborate productively. Our facilities are open to members and visitors who are there to participate in productions, attend public meetings or other authorized purposes. It is expected that members conduct themselves at all times with respect for others and that they will ensure the same behavior in their guests and visitors.

1. The following are not permitted or may be subject to sanctions at WTBR-FM facilities:
 - a. disruptive, hostile, abusive or threatening behavior or language
 - b. any form of harassment
 - c. disregard of staff authority
 - d. commercial activities, advertising, sales or solicitation
 - e. misrepresentation or intent to commit fraud
 - f. unauthorized possession of weapons
 - g. use of illegal substances
 - h. unauthorized use of alcohol
 - i. smoking or open flames
 - j. food or drink except in permitted areas
 - k. unhygienic, unsafe or unhealthy behavior
 - l. misuse or unauthorized use of resources, including copier, phones, fax machine, computers and production equipment
 - m. unauthorized tampering with equipment, wiring, etc
 - n. recording without permission
 - o. unauthorized postings
 - p. disregard of other posted guidelines
 - q. Unauthorized use or borrowing of station assets, including music library items
 - r. any criminal act as defined by federal, state or local law or statute
2. Animals are permitted in WTBR-FM facilities provided that they are:
 - a. a registered service animal providing service to a guest or visitor, or
 - b. an authorized part of a production.
 - c. These animals must be properly restrained and/or supervised at all times while in the facility. Owners take full responsibility for any actions taken by the animal(s) brought to WTBR-FM facilities.
3. Members and guests are responsible for their own safety while participating in activities at WTBR-FM or while using WTBR-FM equipment and facilities.
4. Telephone Calls: The phone is for station use only. Do not use the telephone for personal use. Answer the phone promptly and courteously by saying, "WTBR-FM Radio." Take messages as needed; these calls may be important business to the station. No long distance calls are permitted.

5. Staff is responsible for facilitating a professional working atmosphere at WTBR-FM. Staff is directed to use its discretion in either attempting to quickly remediate non-permissible conduct or to ask a non-responsive member or visitor to leave the premises. Subsequent follow-up and possible consequences are detailed in section “Violations of Policy.”

II. Privacy Policy

1. In the course of doing business with WTBR-FM, you may share personal information with us. We do not sell this information to any third parties, and we do not disclose it to third parties unless you have allowed us to do so, or as otherwise required or permitted by law.
2. We maintain physical, electronic, and procedural safeguards to protect your personal information. WTBR-FM restricts the use of this information by employees, and requires that it be held in strict confidence.

III. WTBR-FM Name, Logo and Likeness

1. No one is authorized to use the WTBR-FM name or any likeness of WTBR-FM’s name or logo to describe any event, outing, club, group or other activity that a person may organize, lead or participate in without the express written permission of the PCTV Executive Director. This will include all external efforts at publicity, whether in person, in traditional media, or in electronic or social media.
2. WTBR-FM members, producers, and volunteers are independent agents, not representatives of WTBR-FM; therefore, individuals shall not represent themselves as “From WTBR-FM” without permission from PCTV management. Misrepresentation by any individual of his or her role may lead to loss of privileges.

ORGANIZATIONAL STRUCTURE

I. License

WTBR-FM is an FCC-licensed Class A FM station. The license is held by the Pittsfield Public School Committee as a Non-Commercial Educational radio station on 89.7 MHz. Pittsfield Community Cable Broadcasting, Inc., a 501(c)(3) non-profit charitable organization (hereafter referred to as Pittsfield Community Television or PCTV), manages and operates WTBR-FM as a community radio station under a Time Brokerage Agreement (“TBA”) with the Pittsfield Public School Committee (hereafter referred to as “The Licensee”). This TBA is filed with the Federal Communications Commission, and is dated July 1, 2018.

II. Management

A. Pittsfield Community Television (PCTV):

WTBR-FM operates as a project of PCTV, and exists within its organizational structure. WTBR-FM therefore operates under the non-profit corporation Bylaws, operating rules, and personnel policies of PCTV. All radio operations, rules, policies and procedures must comply with the PCTV organizational guidelines and be approved by PCTV Board of Directors through the normal voting process described in the Bylaws. These rules are then endorsed by the Licensee, as proscribed in the Time Brokerage Agreement.

The activities and affairs of WTBR-FM are overseen by PCTV management with all powers exercised under the direction of the PCTV Board of Directors and Executive Director. Notwithstanding this authority, the Licensee has full authority and power over the station during the term of the TBA. The Licensee has the right to interrupt or preempt programming at any time if it determines the programming is not in the public interest or violates the TBA, or in case of an emergency (Emergency Alert System, or “EAS”), or for any purpose of providing programming which the Licensee determines is of greater national, regional, or local importance.

B. Community Advisory Board

1. *Description and Purpose:* The Community Advisory Board, prescribed in the TBA, is established so that WTBR-FM may benefit from community feedback on programming, guidance on policy decisions and assistance in fundraising. It is intended that this board will provide meaningful input to the Licensee and Station Management that results in better public service. The Community

Advisory board nominates and appoints qualified public members of the Programming Committee, and retains the power to remove Programming Committee members for cause.

2. *Constitution:* The Members of the Community Advisory Board shall consist of seven (7) members. They are nominated and appointed by the Pittsfield Public Schools and by Pittsfield Community Television, after a process of soliciting nominations from the community, and shall include:
 - Three (3) residents of Pittsfield, one each appointed by the PPS Superintendent and the PCTV Board; and the third by mutual agreement of both the parties. These members shall serve three-year terms.
 - Superintendent of the Pittsfield Public Schools;
 - Pittsfield Public School Committee official (selected by the Chairperson of the School Committee)
 - Executive Director of Pittsfield Community Television;
 - PCTV Board Member (selected by the PCTV Board President).

Vacancies on this board will be filled as soon as practicable and in a timely manner by the proper appointing authority. Members whose terms have expired shall continue to serve in that capacity until re-appointment, or until such time as a replacement has been appointed.

3. *Meetings:* The Community Advisory Board shall meet a minimum of once per year, and as necessary. A quorum of members to convene and decide matters shall consist of four individuals. The board shall elect officers and adopt rules of order as necessary.
4. *Reports:* PCTV shall submit an annual report to the Community Advisory Board, covering such topics as: programming; member participation; fundraising; expenditures; FCC compliance; and other areas of concern. Minutes of Community Advisory Board meetings shall be submitted to the Licensee and PCTV.

C. Programming Committee

1. *Description and Purpose:* The Programming Committee reviews all program proposals submitted by individuals who live and work in the area, intending to create programs of local interest to the community of Pittsfield. The committee looks for proposals that will fulfill the ideals of service, enrichment, localism, diversity, innovation, and community. Proposals reviewed may include news, arts and culture, music, entertainment, and interview talk shows, and may be live in-studio, remote on-site, or pre-recorded programs.
2. *Constitution:* The members of the Programming Committee shall consist of eight (8) members, including:
 - Five residents who live in the WTBR broadcast area, at least three of whom are residents of Pittsfield, nominated and appointed by the Community Advisory Board. These members must not be employed by, or serve as a governing member of, either the Licensee or PCTV; or be the producer or sponsor of a current radio program airing on WTBR during their term of service. This restriction on programming shall not include incidental programming such as public service announcements, underwriting and such, whether produced by the individual or an affiliated organization. Programming committee members shall serve two-year terms.
 - One PCTV Staff person (non-voting) appointed by the Executive Director;

- One PCTV Board representative (non-voting) appointed by the PCTV Board;
- One Pittsfield Public Schools representative (non-voting), appointed by the Superintendent.

Vacancies on this board will be filled as soon as practicable and in a timely manner. Members whose terms have expired shall continue to serve in that capacity until re-appointment, or until such time as a replacement has been appointed.

3. *Meetings:* The programming committee meets in person or electronically on an ongoing basis, but a minimum of twice per year. A quorum of members to convene and decide matters shall consist of three voting members. A minimum of three affirmative votes is required for passage of all matters to come before the board. The board shall elect officers and adopt rules of order as necessary.
4. *Powers:* Review and approve program proposals for programming on the station, participate in the approval process of pilot programs, review and adjudicate complaints brought about programming and rules violations, and other on-air matters. All complaints about on-air programming must be submitted in writing to the Programming Committee. Notwithstanding the role of the Programming Committee, the activities and affairs of WTBR-FM shall be conducted and all powers shall be exercised by the PCTV Executive Director under the direction of the Pittsfield Community Television Board of Directors, as is required by the Time Brokerage Agreement with the Licensee.

MEMBERSHIP

Membership in WTBR-FM is included in every PCTV membership, as described in the PCTV Operating Rules & Procedures. By becoming a PCTV member, individuals, families, groups and organizations may participate in WTBR-FM activities, including training, radio production and broadcast air time. All producers and on-air hosts of radio programs produced at WTBR-FM are required to be PCTV members.

For details on the benefits and responsibilities of PCTV membership, please refer to the relevant section in the PCTV Operating Rules and Procedures.

PRODUCERS

I. Producer Policies

1. Definitions
 - a. “Producer” is defined as the WTBR-FM member, 18 years of age or older, who is acting individually or representing an organization, who creates and submits original live or recorded radio programming for air on WTBR-FM.
 - b. “Program Sponsor” is defined as the WTBR Member, 18 years of age or older, who requests that a program originating outside the broadcast area be considered by the programming committee for approval and air on WTBR-FM. Program sponsors shall have the same requirements as local program producers, as outlined below. These programs, when approved, are considered outside-submitted sponsored programming for scheduling priorities detailed below.
2. Each radio producer must be a PCTV Member, who is the single point of contact with PCTV for all details and responsibilities regarding the show.
3. Producer must receive approval for their program proposal from the Programming Committee.
4. Producer must sign a WTBR Producer Agreement, agreeing to radio rules.
5. Producer must sign a Station Indemnification Form (Appendix A), which affirms that the producer is solely responsible for the content of their own programs, and that the producer will operate in accordance with existing law, FCC regulations, and WTBR-FM station policies, principles and procedures.
6. Producer must be trained and certified, as defined below.
7. During the execution of all programming produced through WTBR facilities, producer shall be the operator/on-air talent, and must be present. One associate producer per radio show will be allowed to substitute for the producer on an occasional basis, providing that the associate has been trained and certified to use the equipment, and has also signed a Producer Agreement and Station Indemnification Form. Long-term or ongoing substitutions are not allowed.
8. A producer is solely responsible for providing a technically sound program for the day and time scheduled in a consistent manner for the duration of his or her commitment, and to properly format and schedule their show for rebroadcast if necessary.

II. Program Proposal Process

In order for a producer to bring a regular radio show to air on WTBR-FM, it is necessary to follow the program proposal process. Here are the steps:

1. Fill out and submit a Program Proposal form to the Programming Committee. This will contain basic information about the show you wish to create, including content and showformat..
2. The Programming Committee will review your submission during a regular meeting. You may be asked to attend, in order to answer questions the committee may have. Programming Committee meetings are open to the public.
3. If your proposal is accepted, you will need to fill out and sign a program agreement form, a station indemnification form, and sign up for training as described below.
4. Signed Program agreements are valid for up to 1 year, but program commitments may vary depending on the nature of the programming, the desires of the producer, and the judgment of the Programming Committee. Requests for variations on commitments can be discussed with the Programming Committee.
5. Program agreements are eligible to renew annually without Programming Committee review if programming is in good standing, unless PCTV membership has lapsed, or if the Programming Committee wishes to review the agreement for any reason.

If your program proposal is not accepted for any reason defined by the Programming Committee, you will be unable to produce a show on WTBR. You may be able to re-submit your revised proposal, taking into account recommendations from the Programming Committee, at a future date.

In keeping with the station mission, PCTV and/or the Licensee may produce and air programming at any time, outside of the program proposal process.

USE OF FACILITIES

I. Training and Certification for Radio Production

1. WTBR-FM and its staff will strive to support members in all ways that enable them to produce reliable, technically sound radio broadcasts, whether produced in studio or remote facilities.
2. Any member is eligible to receive training for radio production. All producers must receive this training prior to producing their show. The certification process requires successfully completing a series of trainings offered at the WTBR-FM facilities, completion of a successful pilot program, to be reviewed and approved by staff and the programming committee, and will result in a certification approval by staff.
3. The training covers the following areas:
 - a. FCC Regulations and relevant law.
 - b. WTBR-FM programming principles and policies.
 - c. The knowledge and skills necessary to produce a technically sound “live” and/or pre-recorded radio program.
4. Training will be offered through scheduled workshop sessions, as well as by appointment. Check with PCTV staff for the most suitable offering presently available.

II. Reservation of Facilities & Air Time

Once producers have attended training and been certified to produce a program, they are eligible to reserve the appropriate facilities and air time slot with which to produce their approved program.

1. PCTV staff is responsible for the management of all facilities and the air schedule of WTBR-FM. Therefore, producers must arrange all reservations of facilities and air time with the appropriate PCTV staff person.
2. Facilities available:
 - a. On-Air Radio Studio
 - b. Radio Production Suite
 - c. Remote Radio Production Equipment
 - d. Television Production Studios (as available)
3. *Access to the Facility:* PCTV requires that when the WTBR facilities are in use, there must be a paid staff person present, unless authorized by the PCTV Executive Director. This is consistent with existing PCTV policy for all facilities. It will be possible to pre-record, and schedule for air, programs that fall outside of the normal operating hours of PCTV. PCTV Staff reserves the right to assign producers to the appropriate and available facilities.
4. *Reserving Air Shifts:*

- a. The most important aspect of any radio station is what goes over the air, and at any moment the most important person is the producer on the air.
- b. All producers are given regularly scheduled air shifts. Music programs are eligible for two-hour slots, and talk programs are eligible for one-hour slots.
- c. Pre-recorded programs must be submitted for air at least three working days prior to air.
- d. Producers are limited to producing two distinct programs, which can be scheduled in week-daily, weekly or monthly slots. Daily slots (music or talk) are limited to one hour. PCTV staff will take producer requests about time slots into consideration when assigning air time slots, but in support of the station mission, final decisions on scheduling will be made by PCTV staff.
- e. Producers may choose to change their time slot, but in doing so, they forfeit all incumbency rights to that time.
- f. Exceptions to these rules may only be granted by station management.

III. Scheduling Priorities

In keeping with the mission of WTBR-FM, to focus its programming specifically on Pittsfield and neighboring Berkshire communities, PCTV staff will schedule the station according to the following programmatic priorities:

1. PCTV-produced or sponsored programming (live or recorded)
2. Regular WTBR-FM member-produced original local programming
 - a. Live member programming
 - b. Recorded or repeat member programming
3. Special WTBR-FM member-produced original local programming
4. Programming produced in the WTBR-FM broadcast area
5. Radio Automation sequenced by WTBR-FM staff
6. Outside submitted, sponsored programming originating from beyond the broadcast area in Berkshire County
7. Outside submitted, sponsored programming originating from beyond the broadcast area in Massachusetts
8. Outside submitted, sponsored programming originating from beyond the broadcast area and outside Massachusetts

Notwithstanding these scheduling priorities, as described in the Time Brokerage Agreement, the Licensee may, at any time, preempt and schedule its own programming at any time on the station. By law, EAS broadcasts required by the FCC will supersede all programming.

IV. Operational Rules

Producers using the WTBR-FM facilities are expected to abide by the following operational rules:

1. *Logs*: Producers will maintain two logs, a programming log and a station log. Logs are legal records; it is important that accurate logs be kept. All logs must be signed and filed appropriately in a timely manner. Producers that are found to be derelict in their responsibility

to provide logs, or fail to provide logs in a timely manner will be subject to disciplinary action which may include suspension of member rights.

- a. *Programming Logs:* As per the station's contractual agreements with music licensing agencies, producers shall maintain a log of all music played. This log will include artist and song title. The name of the composer should also be noted when possible. Producers will also note the time at which their show begins and ends as well as the times legal IDs are read. It will solely be the responsibility of the producer to provide logs, upon management's request, if any are found to be missing.
 - b. *Station Logs:* WTBR-FM is required by FCC regulation to maintain a station log. This log should reflect the time at which a producer begins and ends their show, if any EAS alerts were received during that time, the nature of the alert as well as the time at which the alert was broadcast over the air.
2. *Absenteeism:* It is the sole responsibility of producers to be on time for their programs. Station staff and other producers are not responsible for filling in for producers who fail to show up for their shows. However, all producers are responsible for ensuring that there is audio being broadcast from the station when they leave.
 - a. *Planned Absences:*
 - i. In the case of a planned absence, it is the responsibility of the producer to find a suitable replacement for their shows. As outlined in the Producers section, substitutes must also be qualified to be producers.
 - ii. Planned absences on weekly shows may be filled in this manner for up to two consecutive weeks, and not to exceed eight weeks in a calendar year. Planned absences on daily shows may be filled in this manner for up to one day per week on occasion, or up to two consecutive weeks to allow for vacations, and must not exceed 20% of reserved slots in a calendar year.
 - iii. Station management must be advised of all planned absences and fill-ins.
 - b. *Unplanned Absences:* All unplanned absences will be investigated and documented by the Station management. In the case of absenteeism without cause or notification, or failure to provide programming without cause or notification, the offending member will be subject to disciplinary action which may include suspension of member rights.
3. *Truancy:* All producers will be prepared for their live broadcast times. Anyone arriving more than 15 minutes late without prior notification for their scheduled production time will be understood to be truant. Members with 3 or more truant arrivals in a six month period will be subject to disciplinary action.
4. *Equipment:* Abuse of station property is strictly prohibited, as is any unauthorized possession of station property. Items may not be borrowed from the station, including music and equipment, without written approval from PCTV management. If you are having problems with any equipment or it is not functioning as you expect, note it in your log and inform the PCTV staff or Executive Director immediately. Do not attempt to repair or adjust any of the equipment

yourself. Any theft, vandalism, or damage incurred to the equipment will automatically result in disciplinary action.

5. *Visitors:* All visitors and program guests must sign in to the facility. Avoid having people who are not on staff or planned program guests present in the studio, even if you know these people well. Producers are responsible for the actions of all visitors and program guests present during their air shifts.

PROGRAMMING

WTBR-FM programming will be consistent and reliable. Producers who have been given scheduled air times are expected to adequately prepare their programs and either be present at the studio or deliver any pre-produced programming to staff so it can be aired at the proper time.

I. FCC Regulations

This radio station is licensed by the Federal Communications Commission (FCC). All involved with the station will follow FCC guidelines including but not limited to political broadcasting, news distortion, libelous and slanderous statements as well as all areas listed in this section. It is expected that all Producers are aware of, and will operate in accordance with the relevant FCC regulations. Failure to do so can jeopardize the WTBR-FM station license and will lead to disciplinary action.

1. *Commercial Content:* As a Non-Commercial Educational Station ("NCE"), WTBR-FM may not broadcast commercials or other promotional announcements on behalf of for-profit entities. However, NCE stations may acknowledge contributions over the air as underwriting, as described below.
2. *Official Operational Logs:* WTBR-FM maintains two logs, an FCC required station log and a programming log, as defined above.
3. *Public Inspection File:* PCTV maintains the Public Inspection File on the website of the Federal Communications Commission, making it available to members of the public, as mandated by the FCC.
4. *Emergency Alert System (EAS):* Producers must respond to all required EAS tests and alerts, and interrupt their program to enable the EAS equipment to broadcast these alerts. Additionally all required EAS messages must be recorded appropriately on the station log.
5. *Station Identification:* All producers are required to identify the station hourly, as close to the top of the hour as possible, using a valid station ID by announcing the call letters of the station followed by the city of license. Example: **"WTBR-FM, Pittsfield."** The FCC does allow stations to add the frequency before, and additional cities or towns or a slogan after the license location. Example: **"89.7, WTBR-FM, Pittsfield and Central Berkshire County" or "89.7, WTBR-FM, Pittsfield Community Radio."** These identifications can be done either live or through pre-recorded announcements.
6. *Obscenity:* Obscenity is prohibited by the FCC and subsequent case law. The FCC considers any material that meets the following criteria as obscene:
 - a. The Average Person finds it lewd by contemporary standards
 - b. It describes sexual conduct in an offensive way.
 - c. The material as a whole lacks serious literary, artistic, political or scientific value.
7. *Indecency:* The FCC defines indecent material as: language or material that depicts or describes, in terms patently offensive as measured by contemporary community standards for the broadcast

medium, sexual or excretory activities or organs. Although the FCC does allow indecent material to be aired between the hours of 10pm and 6am, the content may be subject to enforcement action by the FCC, thus it is the policy of WTBR-FM that indecent material will not be aired.

8. *Broadcast Hoaxes*: Broadcasting false information concerning a crime or a catastrophe violates the FCC's rules if:
 - a. The broadcaster knew the information was false;
 - b. Broadcasting false information directly caused substantial public harm;
 - c. It was foreseeable that broadcasting the false information would cause substantial public harm. (from FCC publication, The Public and Broadcasting June 2008)
9. *Clear and Present Danger*: Although the FCC has determined that enforcement should be performed by appropriate law enforcement authorities and not the FCC, any speech that it (1) intended to incite or provoke dangerous activity; and (2) likely to succeed in achieving that result is prohibited. This applies to advocacy of using force, violence, or acting in violation of the law.
10. *Broadcast Telephone Conversations*: Before recording a telephone conversation for broadcast or broadcasting such a conversation live, any party to that call must be informed of the intention to broadcast the conversation. This doesn't apply when that person is presumed to be aware of its broadcast, such as in the case of that party originating the phone call to a call in show, or other program that regularly broadcasts telephone conversations with producers.
11. *Rebroadcasts*: No broadcast station can retransmit the program, or any part of a program of another U.S. broadcast station without the express authority of the originating station. A written copy of this consent must be kept and be available to the FCC upon request.
12. *Political Broadcasting*: When a qualified candidate for public office has been permitted to use a station during an election campaign, the FCC requires that station to afford equal opportunities to all other such candidates for that office. This does not apply if this person's appearance is part of a news broadcast, interview or documentary and her or his candidacy is incidental to the subject being covered.
13. *Underwriting Announcements*: Non-commercial radio stations can acknowledge contributions over the air but they may not promote the goods and services of for-profit donors or underwriters. Acceptable enhanced underwriting acknowledgements may include:
 - a. Slogans that identify but do not promote.
 - b. Location information.
 - c. Value-neutral descriptions of a product line or service.
 - d. Brand names, trade names and product service listings.

In addition, there can be no call to action in the announcement, e.g. "get right down to Bertha's Kitty Boutique", "Stop by the Chatterbox Café", etc.

13. *News Distortion*: This is described as airing inaccurate or one-sided news reports or comments, covering stories inadequately, or overly dramatizing the events that are covered. As public trustees, broadcast licensees may not intentionally distort the news: the FCC has stated that "rigging or slanting the news is a most heinous act against the public interest."

Producers found to be in violation of any FCC regulation will be subject to disciplinary action up to and including loss of membership rights. Producers found to have deliberately and knowingly violated FCC regulations will be subject to immediate loss of membership rights. A broader explanation of FCC regulations and policy can be found in The Public and Broadcasting (July 2008) which is available online and at the studio.

II. Programming Principles

Moving beyond the current laws and FCC regulations which define and limit hate speech, personal attack, libel, slander etc., WTBR-FM members are expected to be inclusive, respectful and courteous in presenting their ideas and opinions and in responding to those of others.

1. *Personal Attacks:* “Personal attacks occur when, during the presentation of views on a controversial issue of public importance, someone attacks the honesty, character, integrity, or like personal qualities of an identified person or group” (source: The Public and Broadcasting 1999). It is the policy of this organization that personal attacks are prohibited. Individuals found to have violated this policy will be subject to disciplinary action which may include a suspension of member rights.
2. *Controversial Issues:* Any discussion of controversial issues of public importance shall be reasonably balanced with the presentation of contrasting viewpoints in the course of the producer’s programming; no attacks on the honesty, integrity, or like personal qualities of any person or group or persons shall be made during the discussion of controversial issues or public importance; and during the course of political campaigns, programs are not to be used as a forum for editorializing about individual candidates.
3. *Religious Content.* Religious programming is not allowed on WTBR, as it creates a conflict for the licensee, a public entity, and is inconsistent with the First Amendment establishment clause concerning separation of church and state. Therefore, proposals for radio shows which are primarily religious in nature, containing dogmatic teachings or opinion for and about one religion or sect, will not be considered by the programming committee and will not be accepted for broadcast. Notwithstanding this prohibition, incidental discussion, interviews, guests, or mention of religion on otherwise non-religious programming is permitted.
4. *Professionalism:* When conducting yourself during WTBR-FM radio time, you are expected to maintain a high level of professionalism. WTBR-FM radio time is anytime you are working for the station, in the station office, production room, studio, or at any event. To maintain professionalism, do not talk poorly of the station, PCTV, its members, or any of other person. If you have an issue or concern, bring it up with the appropriate person and do not vent publicly.
5. *Telephone Calls:* Live call-ins during a radio program may be accepted and incorporated into the broadcast only when using the broadcast delay device. Producers must be properly trained on the operation and usage of the delay prior to taking calls. Producers will be held responsible for any illegal content, as defined in the FCC regulations section, broadcast during their live shows, including those from callers and participants, and will be subject to the Disciplinary and Appeal section in this manual.

6. *Disclaimers:* PCTV reserves the right to require producers to add disclaimers to any and all programming aired on WTBR-FM.

III. Music Policy

1. *Music Library:* Members are encouraged to submit songs to the WTBR-FM digital music library so long as it is formatted in a manner that will correctly log song title and performer name once imported into the automation system, such that this information may be submitted to the music licensing agencies of which WTBR-FM is a member.
2. *Performance Rights:* WTBR-FM pays royalties to several performance rights organizations for the ability to broadcast music on the public airwaves. Producers must either play only music that is covered by these organizations, or have the rights from the publisher to be able to play the music.
3. *Obscenity:* The obscenity rules stated above in the FCC Regulations section also apply to music content. Producers are responsible for reviewing and editing all songs that are played, and will not play music on-air that violates these rules.
4. *Requests:* Callers requesting songs are gladly taken from the audience and can be played at the appropriate times indicated on the program log. Before playing a request, look back to make sure it has not been played recently (within the last three hours). Be sure to write down the request on the program log and whether or not you were able to play it; what our audience wants to hear is important information we can use.

IV. Political Candidates

1. *Definition:* WTBR-FM recognizes that an individual is a candidate for office at the moment that individual has taken out nomination papers for that office, until the end of their candidacy.
2. *Further Determination:* WTBR-FM staff, at their discretion, may determine that an individual is a candidate for office, given a preponderance of evidence, including but not limited to the following activities undertaken by the individual:
 - a. Made a public statement that they intend to be a candidate for office;
 - b. Actively engaged in a mainstream or social media campaign promoting their candidacy;
 - c. Organized a campaign committee for the purpose of running for office;
 - d. Any other credible, verifiable evidence leading to that conclusion.WTBR-FM staff will not determine an individual's candidacy based on only one of the above criteria; but will take all indications into account in order to make the decision.
3. *Producers who become Candidates:* Producers with pre-existing shows on WTBR-FM will be removed from their regular air slot until such time as they no longer a candidate. Substitute hosts are not allowed to continue the program in the interim. Producers' air slots will be preserved and restored after their candidacy is terminated.

4. *Candidates as Program Guests*: If a qualified candidate for public office (certified for the ballot by city or town clerk, or appropriate election official) appears on a producer's program and their candidacy is not incidental to the content being discussed, then the producing member must provide equal opportunities to competing qualified candidates for the same office. No producer may have any candidate for public office (as defined by WTBR rules) as a guest on their program, or rebroadcast programming to which any candidate was a party, within 100 hours prior to the start of an election, to allow adequate time for equal opportunities requests to be submitted and fulfilled. No broadcasting or rebroadcasting of political programming, except for PCTV produced-programming, is allowed within 100 hours of the start of an election. Producers found to have violated this policy will be subject to disciplinary action which may include a suspension of member rights.

V. Streaming and Further Distribution

WTBR-FM may stream its broadcast signal and distribute other content on the internet. All WTBR-FM policies on live broadcast shall apply during this time. This is the only authorized retransmission of WTBR-FM programming on the internet.

FUNDRAISING AND UNDERWRITING

1. WTBR-FM is a non-commercial educational station. All fundraising activities are subject to relevant laws and FCC regulations and must be cleared with the PCTV Executive Director or his/her designee. Any on-air announcements of underwriting support must conform to the FCC guidelines for underwriting announcements on non-commercial radio stations.
2. *Authority and Approval:* PCTV is responsible for all fundraising efforts which benefit the operation of the station. This includes all manner of fundraising, including corporate underwriting, grants, and on-air fundraising events. All monies raised in support of WTBR belong to PCTV. All fundraisers must have approval of the PCTV Executive Director, in collaboration with the fundraising committee of the PCTV Board of Directors, and be in agreement with the fundraising plan.
3. *Underwriting Announcements:* Producers are expected to execute underwriting announcements as scheduled and when instructed to do so by staff, in the format they are provided.
4. *Third-Party Fundraising:* While the FCC allows non-CPB funded NCE broadcast stations to conduct fundraising for third-party non-profit organizations, it is the policy of WTBR-FM that such efforts are not permitted on this station without approval from the PCTV Board of Directors. Fundraising events for third-parties shall be such that they do not compromise the noncommercial nature of the station, that they do not as a whole represent more than 1% of WTBR-FM's yearly airtime, and will be subject to the PCTV Operating Rules and Procedures.
5. Political candidates are forbidden from submitting underwriting messages on WTBR-FM. Federal Law prohibits underwriting messages from political candidates.
6. WTBR-FM does not discriminate in program underwriting contracts on the basis of race, color, religion, gender, gender expression, age, national origin, disability, marital status, sexual orientation, or military status. Any provision in any order of agreement for underwriting that purports to discriminate as described above, even if handwritten, typed or otherwise made a part of a particular contract, is hereby rejected. WTBR-FM retains the right at any time to reject, suspend, or cancel any underwriting if, in its sole discretion, it determines that any underwriting arrangement or credit is not in WTBR-FM's best interests or the public interest.

DISCIPLINARY AND APPEAL PROCESS

As an FCC licensed FM station, WTBR-FM must operate in strict accordance with federal law and FCC Regulation. As a community radio station, it is our intention to create a clear and fair progressive discipline process to correct actions that violate FCC regulations and/or the principles, policies and procedures of WTBR-FM/PCTV.

A. Violations

1. *Deliberate Violations:* Producers found to have deliberately and knowingly violated FCC regulations or other egregious violations of these rules will be subject to immediate loss of membership rights. The PCTV Executive Director will determine whether further punishment is justified, which may include paying for damages or legal prosecution.
2. *Incidental or Accidental Violations:* Producers who commit unintentional, accidental or minor procedural infractions of these rules will first receive a verbal warning. Upon a second infraction, the member will receive written warning. If a member commits a third infraction within a six month time frame, they will be suspended from air for a period of six months. Producers suspended from air will forfeit all incumbency rights to their current air slot. Upon completion of the suspension, the member may apply for reinstatement. If a reinstated producing member commits three more infractions within a six month period, they will receive permanent suspension from broadcast. Absenteeism and truancy are examples of these types of violations.
3. *Financial Damages:* In addition to the disciplinary actions listed above, the producer may be held liable for financial damages incurred by WTBR-FM. This may include damage to equipment, fines levied by the FCC, and other financial hardship.

B. Grievance Process:

Programming grievances should first be addressed to the Programming Committee. Any producer grievances regarding WTBR-FM that cannot be resolved with the parties directly involved, should be discussed with the PCTV Executive Director. If that does not provide an adequate solution, a grievance may be filed following the procedure outlined by the PCTV Operating Rules and Procedures. In accordance with the PCTV Bylaws/Operational rules, all producer grievances will be resolved using the standard procedures of the corporation for the moment. Current copies of the PCTV Operating Rules and Procedures are available on the organization's website and at the office upon request.