

CHARLOTTE MECKLENBURG PUBLIC ACCESS CORPORATION

REGULATIONS & PROCEDURES

Effective – 10/21/2020

A. MISSION STATEMENT

1. Charlotte Mecklenburg Public Access Corporation (CMPAC) was created to manage and operate ACCESS 21 on the Time Warner Cable and AT&T U-verse systems in Charlotte and Mecklenburg County.

2. Our mission is to provide facilities and education that welcome and accommodate individuals to create and submit programming that expresses diverse opinions, talents, activities, and interests in the Charlotte metropolitan area through non-commercial open access television.

3. The facilities and services of ACCESS 21 are available for use by residents of Mecklenburg County, North Carolina, on a first-come, first-considered, non-discriminatory basis upon the completion of all requirements as established by the Board of Directors.

4. CMPAC will not exercise control over content of a program except as described in the regulations. However, CMPAC reserves the right to review any program to ensure that ACCESS 21 transmits a reasonable level of technical quality and permitted content.

5. All CMPAC programs must be produced and/or submitted by a Mecklenburg County resident.

B. REGULATIONS GOVERNING USE OF ACCESS 21

1. These Regulations & Procedures govern participation in, and the operation of, the services of ACCESS 21.

2. The definition and interpretation of the rules on a day-to-day basis will be at the discretion of the Executive Director. If conditions arise that are not specifically covered by the regulations, the decision of the Executive Director will prevail.

C. PROCEDURE FOR BECOMING AN ACCREDITED CMPAC MEMBER

1. All persons, who are at least 12 years of age, interested in becoming a member of Access 21 must attend an orientation session.

2. After completion of the orientation session, a Registration Application must be submitted in person at the Access 21 office during regular business hours.

3a. There is a registration fee of \$25 for all residents of the city of Charlotte, which must be submitted with the registration application.

3b. There is a registration fee of \$65 for residents who live outside the City of Charlotte but within Mecklenburg County.

3c. There is a registration fee of \$100 for non-county residents; however, such persons may not produce programming on Access 21, but may volunteer on production crews and attend any training workshops.

3d. Fees paid by personal check must contain the registrant's legal address. All registrants are required to provide a valid government issued form of identification containing the registrant's current residential address. A photocopy of this valid government issued form of identification will remain on file with the Executive Director. An inactive registrant, as described in Section C 10, may request, in person, that this photocopy be returned to him or herself.

4. After submitting the registration application and applicable registration fee, registrants may enroll in the next available training workshops.

5. Members wishing to produce a program on Access 21 must complete all applicable training courses and workshops.

6. Upon completion of all applicable training courses and workshops, the member will be certified.

7. Members who wish to cancel or reschedule any course or workshop in which they are enrolled must do so no later than two (2) business days prior to the first day of the course or workshop. Failure to give adequate notice will result in a written warning. A second failure to give adequate notice will result in a six month suspension from all courses and workshops and any subsequent failure to give adequate notice of cancellation or rescheduling will result in a one-year suspension from all courses and workshops.

8. All fees associated with all courses and workshops are non-refundable. Should a member need to reschedule a course or workshop for which a fee has been paid, they must do so no later than two (2) business days prior to the first day of the course or workshop and all associated fees will be applied to the rescheduled course. Failure to give adequate notice of rescheduling will result in the loss of all associated fees for the course or workshop. Members who wish to outright cancel a course or workshop, or fail to attend any course or workshop forfeit all associated fees for that course or workshop.

9. Attendance at all classes associated with any course or workshop is mandatory. Failure to attend any class associated with any course or workshop will result in removal from any remaining classes for that course or workshop and any fees associated with the course or workshop will be forfeited.

10. Any member who does not remain active, either by producing a program or serving as a production volunteer, for a period of two years will be considered inactive and will be required to repeat all necessary steps to be recertified as specified in this Section.

11. Members are required to verify their legal residency every two years. At the discretion of the executive director, a member may be requested to verify their legal residency at any time.

D. PROCEDURE FOR SCHEDULING A NEW PROGRAM

1. After the completion of all applicable training courses and workshops, a member wishing to produce a new program series must complete and submit a Program Information Sheet to the CMPAC office. This provides CMPAC with information about the proposed program series.

2. Program Information Sheets will be reviewed by staff, and if necessary, a meeting will be arranged with the producer to discuss the proposed program to insure that the producer is ready to begin production of their program.

3. Producers of special programs must submit a Program Information Sheet for each individual program at any time during the quarter and are limited to no more than two (2) productions per quarter. A program is considered to be a special if it is not part of a regularly scheduled series.

4. Active producers will receive a packet of information and forms during each programming quarter allowing them to register their programs for the following quarter.

5. After the program is registered, it will be placed on the program schedule for the next programming quarter.

E. OTHER PRODUCTION REQUIREMENTS

1. Producers may submit special programs, or a weekly, biweekly or monthly series.

2. Once a weekly program is scheduled, the producer is required to submit thirteen (13) programs per quarter. Of the 13 programs, a minimum of eight (8) must be original programs. This allows for a maximum of five (5) repeat programs. A bi-weekly producer is required to submit six (6) programs per quarter. Four (4) programs must be original programs. This allows for only two (2) repeat programs per quarter. Producers with scheduled monthly programs are required to submit three (3) programs per quarter. Two (2) programs must be original programs. This allows for only one (1) repeat program per quarter. An original program is defined as one that has not been cablecast in its current form within the past year. However, any program submitted that is more than one year old must conform to current regulations.

3. If a weekly producer fails to submit four (4) programs, or a bi-weekly producer fails to submit three (3) programs or a monthly producer fails to submit two (2) programs, or any producer who exceeds the number of repeat programs permitted by these rules, or any combination of missed and repeat programs that will prohibit the producer from submitting the

required number of original programs, during the quarter, will result in the program being removed from the schedule for the remainder of the current quarter and the producer will be suspended for all of the next programming quarter. Producers who fail to submit the required number of programs for a second time will be suspended for the remainder of the current quarter and for all of the next two programming quarters. All subsequent failures to submit the required number of programs will result in the producer's suspension for the remainder of the current quarter and all of the next four programming quarters. Producers who have been previously suspended for failure to submit the required number of programs, but have not been suspended in the previous two years, will be considered as having no prior suspensions.

4. All programs submitted for cablecast must be submitted in an accepted digital format on an SD card, flash drive or hard drive. A list of accepted formats may be obtained from staff.

5. All labeling is the sole responsibility of the Producer. CMPAC is not responsible for programs that are labeled incorrectly. Each digital file shall be labeled with the title of the program (series, not episode), and the date the program is to be cablecast. SD cards, flash drives or hard drives must be placed in plastic bags provided by CMPAC. A completed Cablecast Form must be folded so the form can be read through the plastic bag.

6. A completed Cablecast Agreement Form must accompany each SD card, flash drive or hard drive submitted for cablecast, or the program will not be cablecast and will be counted as a missed program. SD cards, flash drives or hard drives containing multiple program episodes must be submitted with an individual cablecast agreement for each episode.

7. Technical standards must be maintained throughout the program. Luminance levels shall not exceed 100 IRE units. Black levels shall not drop below 7.5 IRE units.

8. Audio recording must be on both Channel 1 and 2. Stereo audio is permissible (Channel 1 is the left channel and Channel 2 is the right channel). Audio cannot be over modulated at any frequency and cannot be distorted. Peak audio level shall be 0 VU referenced to +4dB across 600 ohms.

9. All programs must be received at the CMPAC administrative office by 5:00 PM, two (2) business days prior to the scheduled cablecast. Programs to run Saturday, Sunday or Monday must be received by CMPAC not later than 5:00 PM, on the preceding Thursday. Programs will be accepted Monday through Friday during normal CMPAC office hours (8:30 AM to 5:00 PM). Programs may also be placed through the slot in the front door of the administrative building after hours, provided there are two business days preceding the cablecast date. Programs deposited through the slot after 5:00 PM on Friday, or the day before a holiday, will not be processed until the next business day. Programs may be left with the Studio Coordinator, but if programs are left after 5:00 PM the programs will not be filed until the following business day. Producers may request a written receipt for all programs submitted. The receipt will contain the type of media received, the number of programs received, the air dates of the programs received, the date and time of the submission, along with the signatures of the producer and the staff member who received the submission.

10. No program will be cablecast on ACCESS 21 that contains advertising for the sale of commercial products or services, promotion of candidates for public office, or solicitation for contributions, donations or offerings. In addition, promotion of talent for hire, products,

vendors, or entertainment venues is not permitted. Talent performances on a public access program must be for entertainment purposes only. A telephone number and/or website may be given on the program if the primary purpose is non-commercial.

11. Mention of financial support by commercial sponsors who underwrite public access programs is allowed only at the end of the program. The name of the sponsor may be displayed as a graphic (with or without a voice-over) stating, "This program has been made possible through the support of (sponsor name)." No slogans, addresses, telephone numbers, websites, travel directions or other representations of sponsors or products of the sponsors will be permitted. Use of the public access channel, or facility, for financial gain will result in the permanent loss of public access privileges.

12. No program will be cablecast on ACCESS 21, which directly or indirectly concerns a lottery or contest.

13. No program will be cablecast on ACCESS 21 that contains material that is libelous, slanderous or incites riot.

14. No program will be cablecast on ACCESS 21 that contains obscene material, as defined by the Federal Communications Commission (FCC). Programs identified by the Producer to contain material for mature audiences will be cablecast no earlier than 11:00 PM or no later than 6:00 AM.

15. Each program must show the program title graphically within the first two (2) minutes.

16. Each program must end with credits that show:

a. The legal name of the producer and an actual method of contact, ie: phone number, fax number or e-mail address. This must remain on the screen for a minimum of five seconds.

b. The statement, "The producer assumes full and sole responsibility for the entire content of this program" must follow the Producer's name and be visible for a minimum of five (5) seconds.

c. If CMPAC facilities are used in the production of the program the following statement must appear in the credits, "Produced using the facilities of the Charlotte Mecklenburg Public Access Corporation Access 21", and must be visible for a minimum of five (5) seconds. An additional voice-over is acceptable, but the graphic must appear.

17. The omission of any of the items specified in Section E (16) will result in the program not running and it will be counted as a missed program.

F. REGULATIONS FOR PRODUCERS

1. The producer of each program is responsible for the content of each program submitted for cablecast. Any program containing material with copyright to anyone other than the producer must be accompanied by a written authorization for use. The producer is responsible for any copyright infringement liability and/or any resultant expenses.

2. All programs submitted to ACCESS 21 for cablecast are the sole property of the producer and cannot be used for any purpose other than cablecast without the written consent of the producer, except when programs may be reviewed and/or reproduced by CMPAC staff for technical quality and/or content analysis.

3. The producer of each program using CMPAC facilities is responsible for the use of those facilities and equipment and must be present at all times when their program is in production or post-production. It is the producer's responsibility to provide a certified crew for any production in the CMPAC studio facilities. Every person using CMPAC equipment is required to have completed the applicable CMPAC training courses prior to working in the facility.

4. The producer is responsible for their guests in the facility and must ensure that all regulations are properly observed. Any damage to the facility, or equipment in the facility, or loss of equipment from the facility, is the sole responsibility of the producer.

5. Use of ACCESS 21 by any one Producer is limited to not more than one (1) regularly scheduled program per week during the times normally scheduled for cablecast by CMPAC.

6. Programs for cablecast must be twenty-nine (29) minutes in length for a half-hour program, and fifty-nine (59) minutes in length for a one-hour program. Programs that run over time, or are more than five minutes under time, will not be cablecast and will be counted as a missed program.

7. Only one person may be listed as the Producer for each program cablecast on ACCESS 21.

8. The program schedule will be determined by CMPAC staff. Producer requests for changes in scheduled cablecast times can be made to the Executive Director.

9. Each calendar year is divided into four (4) thirteen-week quarters. Approximately six (6) weeks prior to beginning each production quarter, CMPAC will mail Production Agreement Forms and a cover letter of specific instructions to all Producers who have a Program on the current program schedule. Each Producer is responsible for returning completed Production Agreement Forms to CMPAC within the dates and times specified in the cover letter.

10. CMPAC will allocate the use of studio and edit facilities on a first-come first-considered basis, and will make every effort to achieve an equitable distribution of available facilities. CMPAC will provide scheduling of production studio time on a first-come first-considered basis beginning on the first day of the week designated for Production Agreements to be submitted to CMPAC.

11. Producers may not designate, trade, or substitute facility usage time in any area with any other producer.

12. Weekly producers may schedule no more than four (4) production studio sessions per quarter. Only two of those sessions may be scheduled in the evening or on a Saturday. Producers of bi-weekly programs may schedule no more than three (3) production studio sessions per quarter. Two (2) of these sessions may be in the evening or on a Saturday. Monthly producers may schedule no more than two (2) production studio sessions per quarter. One of those sessions may be scheduled in the evening or on a Saturday. Producers of special programs may schedule one studio session for the production of their special. Producers of special programs will not be granted any additional studio time for any subsequent productions until such time as their current production has been completed and submitted for cablecast.

13. Producers of new programs may schedule no more than two (2) production sessions in the period between registration *week* and the beginning of the new quarter, depending on availability, in order to have programs completed for the beginning of the quarter.

14. Producers who wish to use additional studio time other than that which they are entitled to under Section F (12) and Section F (13), may reserve additional time for a fee of \$50 per studio session. These fees must be paid at the time of the studio reservation and are non-refundable. Producers who need to change dates for any pre-paid additional studio time must do so in accordance with all such rules specified in Section G. Failure to use pre-paid studio time will result in the loss of the studio fee.

15. Producers may schedule no more than four (4) Editing sessions per calendar month. Two of these sessions may be scheduled for an evening or on a Saturday.

G. REGULATIONS FOR STUDIO USAGE

1. If a producer must cancel a studio session, notification must be made to the CMPAC office at least two (2) business days in advance of the scheduled session. CMPAC will make an effort to reschedule sessions that are properly cancelled, but cannot guarantee that the facility will be available. Failure to utilize scheduled studio time, or to give proper notification of cancellation, on two (2) occasions in the same quarter will result in the loss of studio privileges for the remainder of the current quarter and for all of the following quarter. If a studio session is cancelled without proper notification, that producer's session will be lost and may not be rescheduled.

2. Producers are required to provide sufficient certified crew personnel for their own productions.

3. The producer is responsible to ensure that all equipment and props are returned to their proper place after the production; that the studio and control room are left clean and neat; and that any personal property is removed by the end of the studio session. In order to ensure sufficient time to clear the studio, recording sessions will end at least fifteen (15) minutes before the end of the scheduled session. Large or complex settings will require more time to remove. The Studio Coordinator will determine the required strike time.

4. Producers are responsible for the quality of the programs produced at CMPAC facilities. The role of the Studio Coordinator is supervisory and educational. Studio Coordinators may not be part of the production crew.

5. Guests of the producer, children and other visitors are welcome, but are requested to remain in the front lobby or Green Rooms. Visitors and children are the responsibility of the producer. Each two children under 16 years of age must be accompanied by a responsible adult at all times.

6. The total number of crew and guests is not to exceed twenty (20) for any production at CMPAC. Productions requiring more than 20 people should schedule the arrivals of their guests to prevent crowding in the facility.

7. Food and drink are prohibited in all edit suites, control rooms and studios. Food and drink for crew and guests may be served in the Green Rooms only.

8. A producer may set up a production before the scheduled studio time if the studio session immediately prior to the schedule session is available. This time must be used for set up only. Recording program material during this time is not permitted. Producers wanting to set up early must contact the office no sooner than 24 hours prior to the desired set up time.

9. It is the responsibility of the Studio Coordinators to insure that the studio facilities are utilized in a safe and efficient manner.

H. REGULATIONS FOR EDITING

1. If a producer must cancel an edit session, notification must be made to the CMPAC office at least two (2) business days in advance of the scheduled session. CMPAC will make an effort to reschedule sessions that are properly cancelled, but cannot guarantee that the facility will be available. Failure to utilize scheduled studio time, or to give proper notification of cancellation, on two (2) occasions in the same quarter will result in the loss of edit privileges for the remainder of the current quarter and for all of the following quarter. If an edit session is cancelled without proper notification, that producer's session will be lost and may not be rescheduled.

2. Producers wishing to use an edit suite must complete the appropriate course and be certified, or utilize the services of a certified editor. The producer is responsible to insure that the edit suite is left in a clean and neat condition, and that all personal property is removed at the end of the session.

3. The maximum number of people allowed in each edit suite is three (3).

4. Dubbing of programs will be performed by the Studio Coordinator. A Producer is required to supply the necessary media. A Producer is entitled to one (1) dub of each program that has been cablecast on Access 21. Additional dubs will be made on a time available basis for a fee of \$10 per copy.

5. Studio Coordinators are responsible for the efficient utilization of the editing facilities.

I. SCHEDULING OF CABLECASTS

1. Cablecast schedules are at the discretion of the Executive Director.
2. All programs that contain adult or indecent material must air after 11:00 PM or before 6:00 AM.
3. Determining suitability of program content is the sole discretion of the Executive Director.
4. Determining technical quality is the sole discretion of the Operations Manager.
5. Series producers may produce a maximum of one (1) "Special" program per quarter. A program information sheet for these specials must be submitted to the Operations Manager for approval prior to production and producers will be given one additional studio session to produce the program. Such programs will be cablecast as the Access 21 schedule permits.

J. REGULATIONS FOR PODCASTING

1. After the completion of all applicable training courses and workshops, a member wishing to produce a podcast must complete and submit a Podcast Information Sheet to the CMPAC office. This provides CMPAC with information about the proposed podcast.
2. Podcast Information Sheets will be reviewed by staff, and if necessary, a meeting will be arranged with the producer to discuss the proposed podcast to insure that the producer is ready to begin production of their podcast.
3. No podcast may be produced at ACCESS 21 that contains advertising for the sale of commercial products or services, promotion of candidates for public office, or solicitation for contributions, donations or offerings. In addition, promotion of talent for hire, products, vendors, or entertainment venues is not permitted. Talent performances on a podcast must be for entertainment purposes only. A telephone number and/or website may be given on the podcast if the primary purpose is non-commercial.
4. Mention of financial support by commercial sponsors who underwrite podcasts is allowed only at the end of the podcast. The name of the sponsor may be mentioned stating, "This podcast has been made possible through the support of (sponsor name)." No slogans, addresses, telephone numbers, websites, travel directions or other representations of sponsors or products of the sponsors will be permitted. Use of the facility, for financial gain will result in the permanent loss of privileges.
5. No podcast will be produced at ACCESS 21, which directly or indirectly concerns a lottery or contest.
6. No podcast will be produced at ACCESS 21 that contains material that is libelous, slanderous or incites riot.

7. The following statement must be stated at the end of each podcast, “This podcast was produced using the facilities of the Charlotte Mecklenburg Public Access Corporation Access 21”.

8. The producer of each podcast is responsible for the content of each podcast. If a podcast contains material with copyright to anyone other than the producer, the producer must provide written authorization for use to CMPAC. The producer is responsible for any copyright infringement liability and/or any resultant expenses.

9. All podcasts produced at ACCESS 21 are the sole property of the producer and cannot be used for any purpose without the written consent of the producer.

10. The producer of each podcast using CMPAC facilities is responsible for the use of those facilities and equipment and must be present at all times when their podcast is in production. It is the producer’s responsibility to provide a certified crew for any production in the CMPAC studio facilities. Every person using CMPAC equipment is required to have completed the applicable CMPAC training courses prior to working in the facility.

11. The producer is responsible for their guests in the facility and must ensure that all regulations are properly observed. Any damage to the facility, or equipment in the facility, or loss of equipment from the facility, is the sole responsibility of the producer.

12. CMPAC will allocate the use of podcast facilities on a first-come first-considered basis, and will make every effort to achieve an equitable distribution of available facilities.

13. Podcasters may not designate, trade, or substitute facility usage time with any other podcaster.

14. Podcasters may schedule no more than two (2) podcasting sessions per calendar month.

15. Podcasters must identify an internet host for their podcast and incur all expenses associated with the hosting.

16. All podcasters using the facilities of the Charlotte Mecklenburg Public Access Corporation are required to provide a link to the internet host housing their podcast for inclusion in the podcast section of the CMPAC website.

K. CODE OF CONDUCT

1. CMPAC members are expected to conduct themselves in a civil manner while using or representing the organization. Failure to conduct oneself in a civil manner toward staff or other members will result in the suspension of Access 21 privileges.

2. CMPAC has an obligation to the City of Charlotte to maintain a Drug-Free Workplace. It is unlawful to manufacture, distribute, dispense, possess or use a controlled substance on CMPAC property. Violators of this rule will immediately be expelled from the premises and

will be subject to existing legal penalties that apply. Local law enforcement authorities will be given the right to enter the property to enforce the law.

3. No CMPAC member may receive or solicit any financial compensation for services performed at the station as a producer, director or volunteer in furtherance of any of the programming at the station.

L. APPEALS AND GRIEVANCES

1. Any producer wanting to appeal a suspension, or file a grievance on any matter, may do so by submitting the appeal or grievance to the Executive Director, in writing, via electronic mail. The submission should include any material that the producer believes will support their request.

2. The Executive Director shall acknowledge receipt of the appeal or grievance and will respond, in writing, to the producer via electronic mail.

3. the Executive Director shall schedule a meeting, to be held in-person, with the producer at the earliest possible time convenient to both the producer and the Executive Director.

4. Once the meeting between the producer and the Executive Director is complete, the Executive Director shall consider any supporting materials provided by the producer in the decision-making process.

5. The Executive Director shall inform the producer, in writing via electronic mail, within 7 days, as to the decision regarding the appeal, or to steps that may be taken to resolve a grievance.

6. If the producer is satisfied with the decision of the Executive Director the matter shall be considered closed.

7. If the producer is unsatisfied with the decision of the Executive Director, they may inform the Executive Director, in writing via electronic mail, within 10 days of the original decision, that they want to move to a hearing of the Appeals and Grievances Committee of the Board of Directors.

8. The Executive Director shall immediately inform the Appeals and Grievances Committee, which shall consist of 3 members of the Board of Directors, one of which shall be one of the producer representatives, as to the producer's request for a hearing.

9. The Appeals and Grievances Committee shall schedule a hearing with the producer, along with the Executive Director, at which the producer shall be given an opportunity to present the reason for the appeal or grievance and the Executive Director shall present materials supporting the original decision.

10. At the conclusion of the meeting, the Appeals and Grievances Committee shall vote as to whether to grant the appeal, or in the case of a grievance, whether the resolution as proposed by the Executive Director is acceptable. A simple majority vote of the Committee shall be considered the decision of the Committee.

11. The producer shall receive the decision of the Appeals and Grievances Committee, in writing, via electronic mail from the Chair of the Committee and a copy of the written decision shall be sent, via electronic mail, to the Executive Director to be kept as part of the producer's records.

12. Upon receipt of the Appeals and Grievances Committee decision, the producer may accept the decision, at which point the matter shall be considered closed, or have 10 days to request a hearing by the full Board of Directors.

13. the Appeals and Grievances Committee shall present a report to the Board of Directors, at the next regularly scheduled meeting, as to any hearings held and decisions rendered by the Committee.

14. a producer who has informed the Executive Director, in writing via electronic mail, that they wish to appeal the decision of the Appeals and Grievances Committee, shall be invited to the next regularly scheduled Board meeting to present their appeal.

15. The Chair of the Appeals and Grievances Committee shall make a presentation, following that of the producer, as to the reasons for the Committee's decision.

16. At the conclusion of presentations from the producer and Appeals and Grievances Committee, the Board shall vote whether or not to uphold the decision of the Appeals and Grievances Committee. A simple majority of those board members present shall be considered the decision of the board.

17. If a majority of Board members present votes to uphold the decision of the Appeals and Grievances Committee, the matter shall be considered closed.

18. If a majority of Board members present does not vote to uphold the decision of the Appeals and Grievances Committee, the matter must be resolved through a proper motion, second and vote, under Robert's Rules of Order, as to the final resolution of the matter.

19. All decisions rendered by a majority vote of those Board members present shall be considered as final and the matter closed.

20. Failure to follow the appeals and grievances process as specified in this section will result in the original decision being upheld and the matter considered closed.

M. CHANGES IN REGULATIONS & PROCEDURES

These Regulations & Procedures have been adopted to establish guidelines for the usage of CMPAC services by certified members. CMPAC reserves the right to change the rules and regulations at any time at the discretion of the Board of Directors.