

# Policies & Procedures Manual

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**A Service of Speak Up Tampa Bay Public Access Television, Inc.**

Located on Lower Level of University Mall  
2264 University Square Mall, Tampa  
Mailing Address: PO Box 4177  
Tampa, FL 33677-4177

813-977-5200  
Fax: 813-977-3288

[www.tbcn.org](http://www.tbcn.org)

## INTRODUCTION

Welcome to Tampa Bay Community Network [TBCN], where you get to make your own TV programs.

TBCN is a service of Speak Up Tampa Bay Public Access Television, Inc., a non-profit agency charged with managing the facility and equipment and providing classes in video production.

Speak Up Tampa Bay, a 501 [c][3] organization, depends upon government funding and charitable donations from individuals, businesses and organizations. Your tax-deductible contributions support our mission which is to: [1] serve as a catalyst for citizen participation in identifying and solving Bay area issues; and [2] provide the community with the means to disseminate information.

TBCN provides a medium for individuals and organizations to communicate with their community via cable television and the Internet and to help them develop skills to support careers in video production.

One of the cornerstones of democracy is a free marketplace of ideas in which citizens are exposed to the broadest possible range of opinions and viewpoints because the merit of any idea in a democracy rests upon its ability to be heard and measured against other ideas. It is a goal of TBCN's Board and staff to encourage the expression of a diverse range of opinions, viewpoints and ideas.

Speak Up Tampa Bay Public Access Television, Inc. [-Speak Up!] has developed these Policies and Procedures with input from staff, Board, TBCN Members, legal counsel and others. They apply to all TBCN Members.

Each TBCN Member must understand these Policies & Procedures and his or her responsibilities regarding facility, equipment and channel usage. If you plan to become a TBCN Member and become involved in access programming, please read this guide carefully as you will need to agree to its terms.

Speak Up is the administrator of the TBCN public access facility. Our contract[s] with local government[s] require[s] that we create and enforce these Policies and Procedures, which may be revised by the administrator as required to ensure growth in usage and appropriate care of our facilities and equipment. Feedback from our user base is always welcome and written requests for procedural and policy changes may be made to management for consideration at any time.

We invite you to play an active role in the growth of this important community-based media outlet and we hope that you enjoy the experience that awaits you as a TBCN Member/Producer.

## **OVERVIEW**

These Policies & Procedures [P&P] have been written to help you understand our operations and to assure that we are all in compliance with our facility management contract[s] with local government[s]. They relay your responsibilities regarding facility and equipment usage and the technical program requirements involved in getting a show on the air.

They let you know what you can expect from staff and what staff will expect of you as we all work together to provide programming of significance to our local community.

It is our hope that you will find these newly revised P&P easier to read and understand than previous editions. If you have any questions about them, however, please feel free to ask our staff for clarification or assistance.

It is our hope as well that you will enjoy your TBCN experience and that you will take full advantage of our video production classes, technical assistance, equipment and facility amenities to create unique and quality programming that you will take pride in producing and airing and that will be viewed by a maximum number of our neighbors.

We are proud of our mission to promote the use of cable television and the Internet as community communications media for Members to produce informative and entertaining, lawful non-commercial programming. We encourage you to become involved and active in increasing the variety and diversity of community expression that is so critical to sustaining our democratic heritage.

## **SERVICES AND FACILITIES**

TBCN offers Members video production training classes, technical assistance, studio and edit facilities and channel time for the production and presentation of non-commercial cable television and Internet programming. Technical assistance is available in the areas of program development, production and post-production.

We currently maintain a multi-camera studio, podcast studio, remote location production equipment and post-production editing equipment.

## **HOURS OF OPERATION**

With the exception of holidays, scheduled maintenance weeks, special membership events and emergency conditions, TBCN's public business hours are 2 PM to 6 PM Tuesday through Saturday. Services are available by appointment only during operating hours.

## HOLIDAYS

TBCN is closed to the public on the following holidays: New Year's Eve, New Year's Day, Martin Luther King, Jr. Day, Easter Sunday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and the day after Thanksgiving, Christmas Eve and Christmas Day.

On these holidays, classes, studio production, edit facilities, equipment checkout and check-in are unavailable to the public. Additionally, no live air times will be scheduled and playback of previously recorded programming will be substituted for live air times. Series programs with live air times that fall on the above holidays will have a pre-recorded replay aired instead.

## MAINTENANCE WEEKS

Studios, control rooms, edit facilities and production equipment may be unavailable between each 12-week programming season to allow for routine equipment maintenance and other activities.

Members will be notified as quickly as possible if TBCN should have to close for any reason or if the facility, specific studios or equipment are unavailable because of membership activities, inclement weather, technical issues or other reasons.

## CHARGES FOR SERVICES AND FACILITIES

Classes, facilities, equipment use, program file storage, technical assistance and channel time are provided on a non-discriminatory basis to qualified individuals. Training, program dubs, promotional items, membership fees, P&P and training manuals/materials and other services are available at posted prices. Inability to pay for classes or materials is no barrier to access as approved volunteer hours may be substituted for payment at minimum hourly rates.

## USER ELIGIBILITY CRITERIA

Upon meeting specific membership and certification requirements, which include successfully completing a range of training modules, skills and knowledge tests, TBCN Members are eligible to become Certified TBCN Producers in a host of arenas.

## MINORS

Unless they are talent in a production and under the supervision of a TBCN Producer at all times or unless they are taking scheduled training classes as described below, minors are not permitted in the facility.

Minors 16 years of age and above may take production training if a parent or an adult willingly accepts legal and financial responsibilities for the behavior and activities of the minor and also accompanies the minor to classes. With staff approval, a minor may be allowed to use the facilities unaccompanied after demonstrating responsible behavior as well as providing either their parent's or guardian's guarantee to be held responsible for the minor's behavior and actions. All minors must maintain a current and completed TBCN Parental Consent form on file at TBCN.

## NON-MEMBERS

Non-members may submit programs for telecast through a TBCN Member who is willing to sponsor the program. The sponsoring TBCN Member must identify him or herself as the program's producer at the program's conclusion.

## EQUAL OPPORTUNITY POLICY

No individual will be denied access to the facility, training, classes or equipment or to channel time on the basis of race, gender, sexual orientation, age, physical disability, religious or political beliefs, or the nature of his or her lawful program interest.

## DISCRIMINATORY CONDUCT POLICY

TBCN is a place where people of diverse backgrounds may meet or join together in close working proximity. Visitors, staff, Members, on-air talent, volunteers and crew come from a wide range of cultural backgrounds with dissimilar social and business customs. When such a setting combines with the time-sensitive nature of what we do, simple communications can accidentally turn into emotionally-charged situations.

While we do understand that, it is management's desire to promote a safe, pleasant and harmonious working environment at our facility and at all production sites where TBCN is represented. TBCN is committed to the equal treatment of all persons, with regard to race, color, national origin, gender, sexual orientation, religion, handicap or age. As part of that commitment, TBCN forbids the use of slurs, derogatory comments or any other physical or verbal conduct directed at or based upon another person's race, color, national origin, gender, sexual orientation, religion, handicap or age.

Such incidents threaten the safety, security and well being of not only those against whom they are directed, but all who live and work here as well. They give the erroneous impression that TBCN does not accept the concepts of equal opportunity and treatment under the law. For these reasons, TBCN considers these incidents to be among the most serious violations of TBCN policy and deserving of serious disciplinary action up to and including permanent suspension of privileges.

Members shall not engage in harassment of or offensive verbal or physical conduct directed against an employee, a citizen or any other person or member of the public based upon race, color, national origin, gender, sexual orientation, religion, handicap or age. Users of the facility shall not engage in such conduct at any time during working hours or at the TBCN premises or at TBCN production locations.

Any complaints concerning violations will be thoroughly investigated by management for immediate and corrective action as warranted. Violation of this policy shall be grounds for immediate suspension in the absence of extenuating circumstances, but in no case shall the disciplinary action for a violation be less than a 30-day suspension of privileges. Investigations and disciplinary action administered shall continue to be conducted in accordance with any applicable federal, state or local laws regarding the methods of investigations, complaint reviews and rights of appeal.

## **SAFE WORKING ENVIRONMENT**

To insure a proper, lawful and safe working environment, Members and all visitors are strictly forbidden from violating federal or state laws and City and County ordinances at TBCN or its surrounding property. Such violations of law include, but are not limited to:

- Nudity
- Unlawful possession of firearms or other type of weapons
- Unlawful possession of non-prescription drugs and/or drug paraphernalia
- Smoking or possession or use of alcohol
- Loitering
- Bringing animals into the building without prior notification [ ]exclusion of service dogs which are always permissible

## **WORKPLACE VIOLENCE PREVENTION POLICY**

TBCN recognizes the need for a violence-free work environment for all employees, Members, volunteers, on-air talent and members of the public. It is the policy of TBCN that everyone coming into the TBCN workplace must respect all the other diverse Members, staff, talent and various others who will be in our facilities. TBCN will not condone, permit or tolerate violations of this policy, including, but not limited to, violence in the workplace.

TBCN is committed to maintaining an environment that has zero tolerance for all forms of violence, including verbal or physical threats as well as all forms of intimidation such as harassment or abusive language. Employees, Members and visitors will report all violations of this policy to a supervisor who is not the source of such action and to the Executive Director.

**DEFINITIONS** -- The following definitions apply to this policy:

**Assault** - The threat of use of physical force against another coupled with an apparent ability to carry out such threat and doing some act, with or without a weapon or dangerous instrument, which creates a well founded fear in the other person that such violence is imminent.

**Battery** - The unlawful and nonconsensual touching of another person.

**Perpetrator** – Any person inflicting acts or threats of violence on his/herself or another person. (2). A person engaging in violent acts or threats against his/herself, or another person.

**Workplace** - All TBCN property (including surrounding area) and any non-TBCN property where TBCN activities are conducted.

**Workplace Violence** - The attempted, threatened or actual conduct of a person that endangers or is likely to endanger the health and safety of any person including any threatening statements, harassment or behavior that gives any person reasonable cause to believe that a person's health or safety is at risk.

**Weapon** - Any object used to threaten, injure, or kill.

## RESPONSIBILITY

It is the responsibility of TBCN, its employees, Members, volunteers, crew, on-air talent and visitors to prevent or defuse actual or potential violations of this policy and to ensure compliance with its provisions. All TBCN employees, Members, volunteers, crew, on-air talent and visitors are responsible for using safe work practices, for following all relevant directives, policies and procedures, and for assisting in maintaining a safe and secure work environment.

Violence or the threat of violence, by or against any person is intolerable and contrary to this policy. TBCN will take any steps deemed necessary to protect its employees, Members and members of the public from violence.

Any person subject to these Policies & Procedures who commits a violation of this policy has committed a major violation as defined herein. TBCN will fully cooperate with law enforcement personnel in the prosecution of anyone who violates the law.

Violence and immediate threats of violence should be reported by calling 911. In addition, all violations of this policy that may impact the workplace, whether by TBCN employees, Members, volunteers, crew, on-air talent or members of the public, shall be promptly reported to the appropriate TBCN supervisor and Executive Director.

Failure to report such behavior is a minor violation of TBCN Policies & Procedures. Any person who reports an actual or threatened violation of this policy in good faith will not be subject to retaliation or harassment based upon their report. Individuals who report lies, false or malicious rumors or who otherwise use this policy to unfairly harm another have committed a major violation of the TBCN Policies & Procedures and, in addition, may be subject to a civil lawsuit for their actions.

## PROCEDURES

1. Early intervention is crucial in assuring a safe and secure work environment and handling workplace violence situations. All reports of conduct that threatens a safe and secure workplace should, where possible, be made in writing and are to be forwarded to the Executive Director.
2. All alleged violations of this policy shall be expeditiously investigated by an experienced investigator appointed by the Executive Director. The investigator will give the person accused of violating this policy notice of the allegations and any supporting evidence and an opportunity to respond thereto. Any statements made by any alleged victim, perpetrator or witness in connection with this investigation can and will be provided to law enforcement for criminal prosecution if appropriate.
3. The results of the investigation will be reduced to a written report to the Executive Director, who shall take appropriate action as set forth in the Policy Violations section of this manual.
4. Any person may refer an incident of workplace violence to law enforcement authorities at anytime. The Executive Director may decide to suspend the investigative procedures set forth above in cases where such procedures would interfere with a criminal investigation.

## **MEMBERSHIP**

### **REGISTRATION AS A TBCN MEMBER**

To become a registered TBCN Member, individuals will need to sign-up with our Member Services Department and fill out the necessary member forms.

When the above requirements are fulfilled, a prospective member's legal name and contact information are entered into our database. He or she will then be issued a member badge, which must be worn at all times when in the facility. When the process is completed, the person is considered a TBCN Member and becomes eligible for training and certification in a variety of arenas. [TBCN does not issue press badges to Members/Producers unless approved by management.]

### **BECOMING A TBCN CREW MEMBER**

If a TBCN Member desires to become proficient as a crew member only – and not produce or sponsor programming -- he or she may do so by scheduling and successfully completing coursework as posted in the facility.

### **PRODUCING LOCAL PROGRAMMING**

To produce local programming from our studios or from locations outside our studios, a TBCN Member must successfully complete specified training and certifications. All prospective producers must successfully complete coursework as described in the Training Schedule.

### **ACTIVE & INACTIVE STATUS**

TBCN Members and/or Producers who use equipment in a negligent manner will have their memberships and/or certifications changed to inactive status, meaning they will be denied access to the facility and equipment until such time as they have become re-certified in the deficient area[s]. When recertification is completed, TBCN Members/Producers will be re-instated to active status by qualified TBCN staff.

### **NEW EQUIPMENT CERTIFICATIONS**

From time to time, new production equipment is added to TBCN's inventory. At such time, TBCN Members/Producers are required to schedule individual time with a Trainer/Liaison to become certified on all the new equipment before they will be permitted to operate that equipment.



## **TRAINING/VIDEO PRODUCTION CLASSES**

### **PRODUCER TRAINING**

The purpose of TBCN's Producer Training Programs is to develop skilled Producers. TBCN, through a variety of training and testing mechanisms, offers formalized processes whereby experienced and inexperienced TBCN Members alike may obtain, develop or demonstrate the skills and knowledge required for certification in specific areas.

Participants are trained in program production to become effective communicators via community media. Training also provides a solid background in equipment operation to ensure its proper care and use for years to come.

Current class listings and registration information are available at TBCN, on the TBCN website, <http://www.tbcn.org>.

### **“FAST TRACK” CERTIFICATION**

If a TBCN Member has previous broadcast/video experience, can demonstrate proficiency in one or more of the classes, he or she can be more quickly certified as a TBCN Producer. Such certifications are subject to evaluation and final approval by qualified TBCN training staff.

### **SPECIAL GROUP TRAINING**

Depending on space and staff availability, organized non-profit groups that wish to produce programming may choose to schedule special group training sessions for a nominal fee. One or more individuals from the group must accept responsibility to prepare a training proposal for the group and satisfy the requirements to become that organization's Certified Studio Producer by fulfilling all the requirements listed herein. The remaining individuals must complete and become certified crew members.

### **INTERNSHIPS**

Non-paid internships are available to qualified high school and college students through licensed educational institutions. Academic credit may be available as well.

## **PROGRAMMING**

TBCN is an exciting, community-based media resource. A variety of community programming appears on our channels including cultural and sporting events, public affairs, public service announcements for non-profit groups, documentaries, talk shows, religious and/or inspirational programming, children's and educational programming and programming about health and other topics.

## **TYPES OF PROGRAMS**

### **SERIES PROGRAMS**

To qualify for a 12-week series contract, a Producer must have successfully completed the proper qualifications for a series and filled out a Series Project Proposal Form.

### **SINGLE PROGRAMS**

Qualified Producers may produce and submit single programs for cablecast at any time. All single programs are subject to programming policies and will be scheduled according to equipment availability and channel capacity. A Single Program Proposal Form must be submitted.

### **LIVE PROGRAMS**

Producers of live programming must be in the studio a minimum of 30 minutes prior to airtime or lose his or her airtime.

## **PROGRAM WORK FILES**

TBCN permits Members to store their program work files at our facility for a maximum of 30 days, at which time they are erased. Storage capacity limits for work files are posted by our Training Department. Members agree that TBCN does not assume responsibility or liability for damage or loss of program work files.

## **COMPLETED PROGRAM FILES – READY FOR AIRING**

TBCN's Programming Department will post acceptable file formats for program submission. Members agree that TBCN does not assume responsibility or liability for damage or loss of completed program files. TBCN reserves the right to remove or erase any program files that are not retrieved from TBCN within 14 days following the first telecast without notification.

## **PROGRAM CONTENT**

TBCN Producers and program sponsors are required to certify that they assume full responsibility for program content and that each program complies with TBCN's most current Policies & Procedures and applicable federal, state and local laws. Producers must agree to absolve and indemnify TBCN

from any responsibility or liability should their program be damaged, lost or stolen.

## PROHIBITED CONTENT

Programs that will air on TBCN cable channels that sponsored by and/or produced by TBCN Members/Producers must NOT contain:

- Material designed to promote the sale of products or services
- Solicitation of funds for any purpose
- Lottery, gambling or pari-mutuel schemes
- Any material that is obscene, libelous, or slanderous as defined by federal, state or local laws
- Materials or performances that require copyright or trademark authorization unless written authorization for the use of such materials has been secured and provided to TBCN *prior to production*

Programs that will air on TBCN streaming apps that are sponsored by and/or produced by TBCN Members/Producers must NOT contain:

- Any material that is obscene, libelous, or slanderous as defined by federal, state or local laws
- Materials or performances that require copyright or trademark authorization unless written authorization for the use of such materials has been secured and provided to TBCN *prior to production*

## MATURE AUDIENCE PROGRAMMING POLICIES

Producers who intend to develop programs that contain mature audience content as defined in the -Programming Categoriesll definitions herein, including adult language, nudity, erotica and graphic depictions of violence *must* state on their Project Proposals that the program is intended for mature audiences. All programming intended for mature audiences will be scheduled after 11 PM.

## APPEARANCES BY POLITICAL CANDIDATES

Chapter 97 of the Florida Code defines a candidate as any person to whom any one or more of the following applies:

- Any person who seeks to qualify for nomination or election by means of the petitioning process
- Any person who seeks to qualify for nomination as a write-in candidate
- Any person who receives contributions or makes expenditures or gives his or her consent for any other person to receive contributions or make expenditures with a view to bring about his nomination or election to, or retention in, public office
- Any person who appoints a treasurer and designates a primary depository
- Any person who files qualifications papers and subscribes to a candidate's oath as required by law.

Current public office holders are not automatically designated or defined as candidates unless one or more of the above criteria apply.

## CANDIDATE-PRODUCERS

It shall be the responsibility of Candidate-Producers to notify: [1] TBCN management and [2] all other candidates [as listed by the Supervisor of Elections on the day of notification] in their race in writing within 48 hours of becoming a Candidate or on the next business day prior to the first telecast of their program as a defined Candidate, whichever comes first. Such notification will relay the Candidate-Producer's appearance on TBCN and advise opponents how they too can participate in TBCN programming. Notification must be made in writing on a TBCN Candidate Notice form and sent by certified U.S. Mail or Certificate of Mailing to the candidates' addresses as provided by the Supervisor of Elections.

Thereafter, it is the responsibility of the Candidate-Producer to notify by the same means all additional defined candidates who may later enter the race. Such notification must be made within 48 hours or on the next business day after the entry of any such additional defined candidates into the race.

In the event that a Candidate-Producer appears on a regular series program, notification prior to each program is not required. A one-time notification to the Candidate-Producer's opponents stating that the Candidate-Producer makes regular appearances on TBCN will meet the notification requirement. Within 48 hours of any candidate notification, the Candidate-Producer shall provide to TBCN staff for our records copies of all notices and evidence of mailings.

## CANDIDATES AS ON-AIR TALENT

Producers who invite candidates to appear on their shows must notify TBCN management no less than 48 hours before their appearance by submitting a TBCN Candidate Appearance Notification form. Such Producers must also notify competing candidates no less than 48 hours prior to the telecast, telling them about the appearance and explaining how they too can participate in TBCN programs. Notification must be made in writing on a TBCN Candidate Notice Form and sent by certified U.S. Mail or Certificate of Mailing.

In the event that a candidate will make multiple appearances on the same program, notification prior to each program is not required. A one-time notification to the candidate's opponents as listed by the Supervisor of Elections stating that such candidate makes regular appearances on TBCN will meet the notification requirement.

No less than 48 hours prior to a Candidate's appearance, a Producer of a program on which a candidate will appear shall provide copies of the required notices and evidence of the mailings to TBCN, where those records will be maintained until the election is concluded. Failure to notify TBCN or to complete the required forms will result in suspension of all TBCN privileges for 90 days.

## CANDIDATE FORUMS

Organized candidate forums or debates that are open to all defined candidates in a race will be exempt from these notice requirements.

## CANDIDATE AND/OR POLITICAL FUND-RAISING

Candidate and/or political fund-raising are prohibited on TBCN. Any solicitation of funds by a candidate or any other person acting on behalf of any candidate or political party or group is strictly prohibited and will be considered a major policy violation.

## **CABLE CHANNELS SPONSORSHIPS/COMPENSATION (NOT REQUIRED FOR STREAMING APPS)**

Community businesses wishing to support TBCN Member cable channels programs through contributions of monies, goods and/or services may do so if they have been pre-approved by TBCN management. When sponsors are involved in programming, TBCN Sponsorship Disclosure forms must be completed and submitted to TBCN management for approval **prior** to the production of the program or the receipt of any monies, goods and/or services.

Sponsorship identifications are strictly for the interest of full disclosure and not to promote the sponsor, its products and/or services. –Sponsors spots may contain the sponsor's name and/or logo, location, phone number and web address. These sponsor spots can appear no more than twice during a program and that is during opening and/or closing credits. Please refer to the Public Broadcasting rules governing sponsorships :

### **Public Broadcasting Rules Governing Sponsorships:**

#### Overall Appearance and Effect of Credits

The on-air appearance and overall effect of each credit and credit sequence must be in keeping with the noncommercial nature of public television.

FCC Requirements: From the FCC's standpoint, the purpose served by underwriting credits is to identify the funder in the interests of full disclosure, not to promote the funder or its products and services. At the same time, however, the FCC has indicated that it will rely on the good faith determinations of public broadcasters in interpreting the FCC's noncommercialization guidelines.

#### A. Underwriter Name or Logo

All underwriters must be identified in video by their name and/or logo. If a logo by itself does not adequately disclose the identity of a funder, then the funder's name must be stated in audio or video. An underwriter may not be anonymous.

#### B. Additional Identifying Information in a Credit

Besides identifying the funder clearly by name and/or logo (as required above), a credit may contain additional information in audio, video, or both, to help identify a funder. Any language that in PBS's judgment is gratuitously or blatantly promotional is not acceptable. In addition, information that would appear to be self-congratulatory or that could be construed as an advocacy position on a particular issue or subject will not be acceptable.

FCC policy statements, rulings, advisory opinions and letters applying its rules and policies to specific underwriting announcements have cautioned against the use of certain types of language, phrases, and visuals, such as the following, which it deems promotional:

- call to action (e.g., "come in today and take a test drive")
- superlative description or qualitative claim about the company, its products, or its services (e.g., "the most intelligent car ever built")
- direct comparison with other companies, or with other companies' products or services
- price or value information (e.g., "only \$160 down and \$160 per month," or "7.7% interest rate available now," "affordable," "discount," or "free")

- inducements to buy, sell, rent, or lease (e.g., "six months' free service when you buy," or "guaranteed for life")
- endorsements (e.g., "recommended by 4 out of 5 doctors for headache pain")
- demonstrations of consumer satisfaction.
- Some of the words and phrases that the FCC has found unacceptably promotional include:

Efficient	Economical	Dependable
Dedicated	Prompt	Fair price
Reliable	Excellent	Leading
Luxury	Quick and clear	Very accommodating
Delightfully honest	Quality	Number One

The context in which the word or phrase appears must always be taken into account and a separate judgment must be made for each credit. The line separating permissible from impermissible, in wording and visuals, is not always a bright one.\* Accordingly, PBS retains the authority to interpret language and other elements for purposes of compliance with FCC requirements and toward maintaining our own uniquely noncommercial service.

The following types of additional identifying information are acceptable, according to FCC statements concerning enhanced underwriting announcements:

- Value neutral descriptions of a product line or service
- Brand and trade names and product or service listings
- Visual depictions of specific products
- Location information, including telephone numbers and Web addresses
- Logograms or slogans which identify and do not promote\*\*

### C. Other Factors to be Considered

Inevitably, no set of specific rules or guidelines will anticipate every use or possible combination of creative elements that constitutes an underwriting credit or sequence of credits. In evaluating a proposed underwriting message, PBS will consider FCC decisions as well as elements of the creative content which can affect the overall tone and character of an underwriting announcement, such as:

- music
- number and speed of video cuts
- voice quality and inflections
- verbosity
- "dwelling" on product features
- primary emphasis\*\*\*

In general, a corporate, institutional, or "image" spot may be more easily adaptable than other types of spots for a PBS underwriting message. Messages that seek primarily to promote public television generally or align with the PBS mission are encouraged. In any event, in reviewing proposed underwriting messages, PBS may suggest appropriate revisions and shall have final judgment regarding acceptability.

\* A more complete discussion of applicable federal statutes and FCC regulations is available on request.

\*\* Slogans or corporate positioning statements are evaluated in the same way as any other additional identifying information. The degree to which a slogan is an established part of an underwriter's identity will also be taken into account.

\*\*\* In some cases the sequence of certain visual or audio elements may impermissibly tip a message in a promotional direction, and PBS may suggest re-ordering certain elements for a more appropriate result.

## **ON-AIR IDENTIFICATIONS**

### **PRODUCER IDENTIFICATION**

Producers must identify themselves using their legal names for a minimum of ten seconds during the last two minutes of each program. Such identification must be displayed in on-screen graphics as follows: -Produced by [legal name] or -Producer: [legal name]. Fictitious names may not be used to identify a Producer. Upon inquiry by telephone or mail, a program Producer's contact information will be provided by TBCN.

### **BUSINESS IDENTIFICATIONS OF ON-AIR TALENT/GUESTS REQUIREMENTS FOR CABLE CHANNELS (STREAMING APPS DO NOT APPLY)**

On-air business identifications [for example, John Doe, ABC Corporation] may appear for a ten-second duration at a maximum of three times during the course of 30 minutes of programming. Logos in any form (company or product identifications) are not to be used as set props, backgrounds or other visual prompts.

## **PRIZES AND AWARDS**

Producers are welcome and encouraged to enter their TBCN programs in professional competitions. Any prizes or awards received are the property of the entrant.

## **INDEMNIFICATION**

TBCN Members/Producers and program sponsors must agree that they are solely responsible for the content of their programs. Producers must agree to indemnify and hold Bright House Communications, Verizon Florida, Comcast, Speak Up Tampa Bay Public Access Television, Inc., Tampa Bay Community Network and local governments harmless from any and all liability or other injury (including the reasonable cost of defending claims or litigation) arising from or in connection with claims for failure to comply with any applicable law, rules, regulations or requirements of local, state, or federal authorities; for claims of libel, slander, defamation, invasion of privacy, or infringement of common law or statutory copyright; for unauthorized use of trademark, trade name, or service mark; for breach of contractual or other obligations owing to third parties; and for any other injury or damage or liability in law or equity which claims result from the Producer's or sponsor's use of an access channel managed by Speak Up Tampa Bay Public Access Television, Inc. and Tampa Bay Community Network to cablecast the Producer's and/or sponsor's programming. See indemnification on last page of this manual.

## **RESPONSIBILITY FOR TALENT AND CREW**

Producers are solely responsible for the actions of their crew and talent and will be held liable for any violations committed by them. Producers, therefore, must assume responsibility to relay these Policies and Procedures to their crew and talent.

## **RESPONSIBILITY FOR RELEASES AND PERMISSIONS**

The Producer and/or sponsor of original programming will be responsible for obtaining signed TBCN Releases from talent and written permission from copyright holders for audio, visual, or written material used in his or her program. Copies of all such releases and permissions must be submitted to TBCN *prior to airing*.

## **PROGRAMMING AUDITS**

Producers of TBCN programming are subject to random compliance audits. Producer files and program files selected by the audit will be reviewed to ensure compliance with all TBCN contracts and Policies & Procedures. Violations discovered during random audits will be addressed in accordance with P&P provisions.



## PROGRAM SCHEDULING

A signed TBCN Program Submission Form must be presented with each submitted program. To insure accuracy of cable program guides, programming will be scheduled four weeks in advance. Schedules take into consideration:

- Balance and diversity of program mix on TBCN channels
- Overall quality and production value of programs submitted
- Ability of Producers to deliver programs in a regular, timely and consistent manner
- Competing requests for telecast and production time
- Intended audience

Producers may wish to confer with TBCN Programming Department for help selecting a time slot that best complements their programs (see Programming Categories on page 26). There is no guarantee that programs will be scheduled at requested times. Programming with content for mature audiences is scheduled after 11 PM.

Programs not produced at TBCN that are submitted for telecast must satisfy TBCN P&P and the technical requirements listed below.

## TECHNICAL REQUIREMENTS

All program files submitted to our Programming Department are monitored for both video and audio quality. To be considered air-ready, program files must meet technical requirements posted by our Programming Department. If technical requirements are not met, a TBCN Quality Control Form will be issued to the Producer and the program will not air. If a Producer accumulates three Quality Control Forms in a six-month period, he or she will receive a written warning and be required to schedule a special training session with our Training Department before being permitted to submit future programming.

Program files must be submitted no later than 48 hours prior to the first scheduled cablecast time. Programs submitted later than this will be replaced with an alternate program and may or may not be rescheduled for a later date.

## PROGRAMMING CATEGORIES

On TBCN Project Proposal for Singles and Series Proposal forms, Producers and sponsors of new or pre-recorded programs, respectively, must select the appropriate programming category that best describes their program so that the best possible time slot may be chosen.

Programming categories and descriptions are outlined on the following page.

CATEGORY	DESCRIPTION
Children's	Programming intended to appeal to children 12 years and under. Includes all types of programming produced for and by children.
Entertainment Comedy	Comedic entertainment programming. Includes stand-up comedy, original skits, humorous talk and interview programs.
Entertainment General	General entertainment programming. Includes book and movie reviews, variety programs and original teleplays.
Entertainment Music	Musical entertainment programming. Includes performances by local bands, music video programs, concerts, musical instruction and music--related talk and interview programs.
Ethnic/Cultural	Programming highlighting the diversity of ethnic groups and cultures represented in our community. Includes festivals, parades, cultural events, related talk and interview and foreign language programming.
Fine/ Performing Arts	Taped or live coverage of concerts, plays, dance recitals, school programs, poetry readings, art shows, talk and interview programs related to the arts.
Informational	Programming designed to inform and educate the community. Includes documentaries, talk and interview programs, live call-in programs that inform.
Inspirational	Programming related to religious and philosophical expression. Includes coverage of religious services, inspirational music, related talk and interviews.
Mature Audience	<p>Programming intended for mature audiences. Includes the following:</p> <p>Graphic depictions of violence.</p> <p>Language: Slang, vulgar or colloquial expression which refers to sexual intercourse, masturbation, anal or oral sexual contact, to human genitals, or to human elimination.</p> <p>Sexual Activities: Images or depictions of the Specified Sexual Activities, as follows:</p> <ol style="list-style-type: none"> <li>Human genitals in a state of sexual stimulation or arousal;</li> <li>Acts of cunnilingus, fellatio, masturbation, sexual intercourse, sodomy, whether actual or simulated;</li> <li>Fondling or other erotic touching of human genitals, pubic region, buttocks or female breasts.</li> </ol> <p>Human excretory activity.</p> <p>Anatomical Areas: Depictions of the portions of the human body defined as Specified Anatomical Areas as follows:</p> <p>Less than completely and opaquely covered:</p> <ol style="list-style-type: none"> <li>Human genitals or pubic region;</li> <li>Buttocks;</li> <li>Female breasts below a point immediately above the top of the areola.</li> </ol>
News	Programming related to events of local, state or national interest. Includes news, documentaries, talk, interview and live call-in programs on current news/ events.
Public Affairs	Programming related to events and issues affecting our community. Includes talk, interview, live call-in and political programming and documentaries related to governmental and public affairs.
Senior	Programming by and for senior citizens. Coverage of events, issues and entertainment of particular interest to senior citizens.
Sports/Health/ Fitness	Includes coverage of local sporting events, sports talk, interview, fitness, nutrition, health and medical programming.

## **CANCELLATION AND PRE-EMPTION**

If a TBCN Member commits to a telecast date for a particular program and is unable to fulfill that commitment, his or her telecast time will be canceled and other programming will be scheduled for that telecast time slot. If a Producer of live programming is not in the studio a minimum of 30 minutes prior to airtime, his or her telecast will be cancelled and other programming will be substituted by the Programming Coordinator.

Booked studio time or taped replay time may be pre-empted by management when necessary. Producers affected by such pre-emption will be notified prior to the schedule change whenever possible and the pre-empted telecast will be shown within 30 days, based on available time slots for that programming category.

## **PROGRAM OWNERSHIP**

Producers retain their copyrights to their programs. TBCN will not authorize duplication or use of or distribute any program without the Producer's written permission, except when required by law.

## **PROGRAM PROMOTION**

TBCN distributes and promotes TBCN's program schedule. Creating an audience for a specific TBCN program is the responsibility of the individual program Producers. Press releases, video promos, social media posts, fliers, posters, letters to individuals or groups and word of mouth are all tools that Producers can use to promote their programs. Use of TBCN letterhead or logo is not permitted without the written approval of TBCN's Executive Director.

## **PROGRAM ARCHIVES**

Active Producers in good standing may apply for inclusion in TBCN's Archive Library up to a maximum of 12 months that exhibit or contain historical value, are award winners, have high replay value, are -first'sll and/or contain unique or creative design elements. To be considered for inclusion in Archives, programs submitted must comply with current P&P, meet all technical requirements, be accompanied by necessary talent and copyright releases and have the approval of TBCN management. Additionally, the Producer must agree to grant TBCN unrestricted telecast rights. Programs are removed when members become inactive or at the discretion of management.

## **COMMUNITY BULLETIN BOARD**

TBCN's Community Bulletin Board is used to inform our community about local events and activities that are of general interest. It is not used to promote political campaigns or commercial interests.

Individuals and representatives of community organizations who wish to announce non-commercial events that are open to the public should submit their requests in writing a minimum of two weeks prior to the scheduled event. These may be submitted through our website or mailed to the Community Bulletin Board, TBCN, Post Office Box 4177, Tampa, FL 33677-4177 or they may be emailed to [info@tbcn.org](mailto:info@tbcn.org). Announcements may be edited for length or clarity.

## **FACILITIES AND EQUIPMENT**

For security reasons, our facilities are equipped with surveillance cameras and a digital video recording system. All Members and visitors must sign in and out when they enter and leave the facility, respectively, and to consent to a search of all personal belongings before leaving the facility. To gain entry beyond the lobby area, they also must be active members with advanced reservations/appointments to use the facility or designated on-air talent.

## **RESERVATIONS**

Program files, equipment and studio or edit facilities are allocated for a project based upon the submitted TBCN Project Proposal form [for singles or series]. Staff schedules equipment and facility reservations on a first-come, first-served basis. Series Producers may reserve facilities for a 12-week season. Producers of single programs are permitted to reserve production facilities and/or location equipment on a per project basis. Each reservation for the above must be completed before another reservation can be made. Reservations will be confirmed by email when possible.

All reservations are for the specified time only. Facilities must be vacated on time unless the next Producer voluntarily grants an extension and TBCN staff approves it. Reservations are forfeited following a 15-minute grace period. If a Producer is unable to meet a commitment to use the facilities and/or equipment as scheduled, he or she must notify staff in advance.

To reserve equipment, Producers must complete a TBCN Equipment Checkout Form and agree to be responsible for returning the equipment on time and in working order.

Equipment is not deemed to have been returned unless it has been properly checked back in by Trainer/Liaison staff. If a Producer experiences a problem with any equipment, he or she must complete a TBCN Equipment Trouble Report and submit it to a Trainer/Liaison to assure it is repaired.

## **DAMAGE TO OR LOSS OF EQUIPMENT**

Members are responsible for damage to or loss of equipment or facilities entrusted to their care if same are damaged as a result of their misuse, mistreatment, accident, neglect and/or theft. Normal wear is excluded. A Member who is responsible for damaged, lost, or stolen equipment and/or facilities must immediately pay TBCN the cost of repair or replacement in full. TBCN management may, in its sole discretion, permit the Member to enter into a written agreement for payment. If the Member fails to pay in full immediately or defaults on a payment agreement, the Member shall be suspended until, at the sole discretion of TBCN management, the default is cured or full payment is made.

## **RESTRICTED AREAS**

Members and their on-air talent may not enter staff offices, break room, training room, master control, studios, control room, edit suites, equipment check-out room, engineering, the storage area or restrooms without TBCN staff permission.

## **STUDIO & EQUIPMENT RULES**

### **STUDIO USE RULES & RESTRICTIONS**

To protect our equipment, food and beverage consumption are not permitted anywhere in the facility. They may be used only as props in the multi-camera studio. Water, however, may be consumed in the studios by on-air talent only.

Only Certified Multi-Camera Studio Producers can reserve and use multi-camera studios. To do so, the Studio Producer must also:

- Have a minimum technical crew of two persons
- Not count on-air talent as technical crew
- Count himself or herself as either technical crew or talent – but not as both

To use a Single-Camera Studio for a production, a Member must be a Certified Single-Camera Producer.

Both Single-Camera and Multi-Camera Certified Producers are permitted to reserve and use a multi-camera studio virtual set with only one technical crew if all cameras in that studio are in lock-down position. With this option, on-air talent will not count as technical crew. Again, the producer of a Virtual Set production can count himself or herself as either technical crew or talent – but not as both.

All Producers are required to remove all personal sets and props from the studio following each of their productions. Set pieces, risers, props and chairs provided by TBCN must be returned to their storage areas after each production unless a Producer following you has agreed to assume full responsibility for their removal and storage.

With staff permission and receipt of fees, Series Producers may store sets and props at TBCN during a current series. Staff, however, reserves the right to decline storage requests based on space availability.

TBCN does not assume responsibility for damage to or loss of personal sets or props while they are in use, in transit or stored at our facility. All sets and props that have not been claimed within two weeks following either the conclusion of a series contract or after a single program become the property of TBCN and may be disposed without notification.

Following production of their programs, Producers and/or Crew are required to turn off studio lights and return all lights, risers and equipment to their original positions. They are required to sweep floors as necessary and to tidy up for the next production and to assure that all studio lights and barn doors are properly mounted and that safety chains are properly latched.

Failure to follow these rules will result in an immediate 30-day suspension.

## **LOCATION EQUIPMENT**

To assure the proper handling of our equipment, only Certified Location Producers can reserve and/or checkout portable equipment. Only one set of equipment may be reserved per event unless a TBCN Exception Request Form has been submitted and approved by management.

Generally, location equipment may be reserved up to a maximum of five hours each day. Equipment can be checked out from Tuesday through Saturday by appointment only. Equipment must be returned when agreed upon so that it is available to others. Failure to return equipment as scheduled is a minor violation. Anyone who does not return checkout equipment as scheduled cannot checkout equipment again for 60 days. If they fail to return equipment as scheduled a second time, they will lose checkout privileges for one year. Overnight checkouts are permitted when equipment is available and only with the approval of the Studio Manager.

Prior to departing with location equipment, TBCN Producers are required to complete a TBCN Checkout Form and test the equipment to verify that it works and is in good condition.

At equipment check-in, all equipment being returned must be set up, turned on, and operated to demonstrate that it is being returned in good working condition. If not, Producers are assessed costs to replace any missing or damaged equipment.

## **EDITING EQUIPMENT**

Certifications in Editing and Graphics are required to reserve and use editing equipment. To assure the greatest availability of equipment, unless the Studio Manager grants an exception, the maximum editing time block that will be granted for editing equipment is three hours per day.

## **TELEPHONES & MESSAGES**

Staff and volunteers will use their best efforts to transmit any messages that a Member may receive from a viewer or as the result of an emergency but cannot assume responsibility for these messages and cannot accept collect phone calls from or for Members. TBCN is also not responsible for producer correspondence that may be directed to our facility address. Members should have their mail directed elsewhere.

Producers are responsible for ensuring that their talent and crew turn off cell phones and pagers prior to a production beginning.

## **POLICY VIOLATIONS – WARNINGS & SUSPENSIONS**

Production facilities and channel time may be refused for violations of policies and procedures as spelled out in the pages of this P&P as well as enumerated below.

Suspended members are not allowed on the premises during their suspension periods. At the completion of their suspensions, they must complete the Member Re-Activation process as described elsewhere in this manual in order to again produce programming on our channels. Producers are responsible for their talent and crew.

All violations are cumulative.

### **MINOR VIOLATIONS**

A minor violation will result in a written warning. If a Member/Producer accumulates three minor violations within a 12-month period, he or she will be suspended for 90 days. Four violations will result in a 120-day suspension; five in a 150-day suspension and six or more in a one-year suspension of all privileges.

Minor Violations include, but are not limited to:

- Failure to provide TBCN with advance notification when you are unable to use equipment or facilities as scheduled
- Failure to return equipment or vacate facilities as scheduled
- Failure to use or complete TBCN forms
- Having food or beverages beyond the front lobby area
- Failure to remove sets and props from the studios immediately following your production
- Serving as crew without fulfilling certification requirements
- Unauthorized entry of staff offices, break room, training room, master control, studios, equipment check-out room, engineering, the storage area or restrooms
- Failure to comply with check-in and check-out procedures
- Failure to display a TBCN identification badge at all times when in the facility
- Failure to report equipment malfunction [TBCN Equipment Trouble reports are available for this purpose]
- Failure to complete studio and/or control room clean up
- Accumulation of three (3) Quality Control write-ups within a six-month period
- Failure to report a violation of the TBCN Workplace Violence Prevention Policy

## MAJOR VIOLATIONS

A major violation will result in immediate suspension for 90 days. A subsequent suspension within a six-month period will result in a one-year suspension. Repeated major violations will result in a permanent suspension of all facility and equipment privileges.

Major violations include, but are not limited to:

- Disruptive or disorderly conduct, including abusive treatment (physical or verbal) or sexual harassment of staff, fellow Members, Talent, Volunteers, Crew or Visitors
- Possessing or being under the influence of alcohol or drugs at the TBCN facility or on any remote shoot location where TBCN is being represented
- Making false, slanderous, misleading, or fraudulent statements as defined by law
- Falsely representing oneself as a qualified resident or as an employee of Speak Up Tampa Bay and/or TBCN
- Making false statements on any TBCN form or document
- Abusing, vandalizing, or stealing TBCN equipment or files or abusing or vandalizing the facility, etc.
- Dismantling, rewiring or re-configuring production equipment
- Downloading any applications from our computers or running any executable files on our system
- Allowing unauthorized persons to use TBCN equipment
- Failure to abide by program content guidelines, including failure to secure proper talent and/or copyright releases or sponsorship disclosure authorization prior to production
- Failure to include the words -Produced byll or -Producerll followed by the Producer's legal identification for a minimum of ten seconds during the last two minutes of each program. Such identification must be displayed in on-screen graphics.
- Failure to abide by facilities, equipment, studio rules, procedures, guidelines or technical requirements
- Using TBCN facilities or equipment for purposes unrelated to the production of TBCN programming
- Violations of any state, local or federal laws
- Violation of the TBCN Workplace Violence Prevention Policy, including, but not limited to, violence and/or threat of violence toward, abusive treatment (physical or verbal) or sexual harassment of staff, fellow Members, etc.

Speak Up Tampa Bay/TBCN reserves the right to restrict an individual's privileges based on the severity of their violation or, as a result of repeated major violations, to suspend their use of the facility and equipment on an indefinite basis. Other major violations, such as equipment loss, are defined elsewhere in this document.



## **COMPLAINT/GRIEVANCE PROCEDURE**

A TBCN Member with a complaint or grievance concerning TBCN operations or management (other than a Member appealing a disciplinary action taken against that Member) should bring it to the attention of the Member Services Manager. Prompt written submissions are encouraged. If a Member is not satisfied with the Member Services Manager's handling of a complaint or grievance, the Member should promptly bring the matter to the attention of the Speak Up Tampa Bay Public Access Television, Inc. Board of Directors by written submission to the board president or during public comment at a regular board meeting.

## **APPEAL OF TBCN DISCIPLINARY ACTIONS**

A TBCN Member, who is disciplined for violation(s) of these policies and procedures, may appeal such disciplinary action in writing to the TBCN Member Services Manager within 20 days of the effective date of the disciplinary action. The appeal must state with specificity why the Member believes the discipline should be set aside or modified. Any and all documents or other evidence the Member wishes to be considered part of the appeal must be delivered to the Member Services Manager at the same time.

The Member Services Manager shall promptly forward the appeal to a Discipline Review Committee (-DRCII) of the Speak Up Board of Directors. The DRC shall consist of three voting members of Speak Up—a chairperson and two members, who will be appointed from the Speak Up board by the Speak Up president—and one non-voting member, an active TBCN Member selected by majority vote of DRC voting members.

The DRC shall hold a public hearing on the appeal within twenty (20) days of the date the appeal is delivered to the Member Services Manager and shall provide TBCN management and the appealing Member at least ten (10) days advance notice of the date, time and place such hearing. If necessary, TBCN management will allow a suspended Member whose suspension is under review to enter the access center for his or her hearing.

TBCN management shall deliver to DRC members and the appealing Member copies of any documents or other exhibits it wishes to be considered in response to the appeal not less than five (5) days before the hearing. The DRC may, in its sole discretion, decide the appeal upon the written submissions or it may receive additional information through un-sworn statements at the hearing. Courtroom rules of evidence do not apply to written submissions or statements; however, the DRC chairperson may decline to accept written submissions or statements that are not relevant and material to the appeal.

All written submissions shall be treated as public records under Chapter 119, Florida Statutes. The appealing Member's failure to appear at the public hearing or departure from the hearing before rendition of the DRC's decision shall constitute abandonment of the appeal. The DRC shall conduct all inquiries, deliberate, vote on, and render its decision in public. The decision of the DRC as to the disciplinary action is final and binding on the appealing Member and on TBCN management.

## TBCN MEMBER CODE OF ETHICS

- Respect the First Amendment rights of all TBCN Members equally
- Strive to produce quality programs
- Display common courtesy during production hours and keep excessive noise in check
- Return equipment and vacate the facilities as scheduled
- Be responsible and adhere strictly to the TBCN programming policies when producing programs for mature audiences. Such programs must be scheduled after 11 PM.
- Have membership badges clearly displayed at TBCN
- Follow equipment check-out and check-in procedures and report any damage to or loss of equipment
- Respect and treat TBCN equipment as if it were your own
- Treat staff professionally and respectfully
- Keep food and beverages out of facility
- Assume responsibility for any damage resulting from the use of food or beverages used as studio props
- Abide by all TBCN Policies & Procedures and the TBCN Member Code of Ethics and ask your on-air talent and crew to do the same

## POLICY AND PROCEDURE AMENDMENTS

From time to time, TBCN's P&P are revised. At that time, a notice is posted on the TBCN Member Bulletin Board and a copy of the revised P&P is made available to Members for their review at the facility.

It is the responsibility of TBCN Members/Producers to obtain, review and acknowledge in writing on a form to be provided by management [one is included here] that the Member has obtained, reviewed and agreed to adhere to current revisions to the P&P. Such acknowledgments are maintained by TBCN. No Member/Producer will be permitted to reserve TBCN equipment and/or facilities unless and until TBCN has received a completed and signed acknowledgment that the Member/Producer has received and reviewed the most recent P&P and any and all amendments thereto.

## PUBLIC RECORDS

Speak Up Tampa Bay Public Access Television, Inc. maintains files for public inspection as required by the FCC rules, 76.205(d) and, pursuant to its By-Laws, Chapter 119, Florida Statutes. Requests for inspection and/or copying should be made to Executive Director, Speak Up Tampa Bay Public Access Television, Inc., Post Office Box 4177, Tampa, FL 33677-4177.

Producers are required to identify themselves in on-screen graphics using their legal names for a minimum of ten seconds during the last two minutes of their programs. Fictitious names may not be used. Upon inquiry by telephone or mail, TBCN staff will provide a program Producer's contact information.

## P&P RECEIPT/ACKNOWLEDGEMENT

TBCN's Policies & Procedures Manual is provided to you for your information and immediate reference. It is your responsibility to read it carefully and completely. Policies included are subject to change from time to time and it is your responsibility to assure that you are following the most up-to-date P&P revisions. You must acknowledge receipt of this P&P Manual by signing and returning this page to a TBCN staff member.

I have received a copy of TBCN's Policies & Procedures Manual dated below. I have read or had it read to me. I recognize that it is my responsibility to review, be familiar with and abide by all the policies, procedures, practices, standards and rules contained in this P&P Manual.

I agree to obtain releases and other permissions including, but not limited to full copyright authorization. I also understand that all required model/talent releases and copyright authorizations must be obtained by me and provided to the TBCN Programming Department prior to production of any and all programming.

As a Producer or sponsor of taped or live programming, I accept full responsibility for program content submitted for transmission on Tampa Bay Community Network (TBCN) or other retransmission methods. I agree to release TBCN and its employees from responsibility if any program is damaged, lost or stolen while in its/their custody. I will abide by the policies and procedures contained in the TBCN Public Access Policy and Procedure Guide (—P&PII), which are subject to change upon reasonable notice during the term of this agreement. I am responsible to obtain releases, licenses and other permissions including but not limited to full copyright authorization, with respect to the program[s]. I hereby agree to indemnify and hold harmless The City of Tampa, Hillsborough County, Bright House Networks, LLC, Verizon Florida Inc., Comcast of Florida/Georgia, LLC, Speak Up Tampa Bay Public Access Television, Inc. (d.b.a. Tampa Bay Community Network ("TBCN")) and its/their officers, directors, employees and other agents from liability, damages, and/or expenses, including legal fees, arising out of any of my programs and/or any other aspect of my relationship with TBCN. I agree that I will not commence arbitration or bring suit against TBCN and/or its officers, directors, employees and other agents, until I have submitted the claim, dispute or complaint for resolution pursuant to the Complaint/Grievance Procedures and Appeal processes set forth in the TBCN P&P and such procedures and processes have been finally and completely concluded.

In the event a grievance, complaint, dispute or controversy between me and TBCN is not finally resolved through the Complaint/Grievance Procedures and Appeal processes set forth in the TBCN P&P, any remaining controversy arising out of, or in connection with any aspect of my relationship with TBCN shall be resolved by binding arbitration in accordance with the then prevailing Commercial Arbitration Rules of the American Arbitration Association. It is understood and agreed that the arbitrator(s) have no power to vary or modify any of the terms of this agreement and their jurisdiction is limited accordingly. Judgment on the award may be entered in any court having jurisdiction. In any dispute, mediation, arbitration, litigation and/or appeal, including without limitation interpretation or enforcement of this agreement and any claim of intentional tort, breach of duty or contract or violation of my rights by TBCN, that arises from any aspect of my relationship with TBCN, the prevailing party or parties shall recover its/their costs, including reasonable attorneys' fees, from the other party or parties.

From time to time, amendments to this manual may be implemented following appropriate notice. I understand that I am solely responsible for complying with future changes in all policies, practices, standards, and rules.

\_\_\_\_\_

Date

\_\_\_\_\_

TBCN Member/ Producer Signature

\_\_\_\_\_

TBCN Member/ Producer Name Printed

TBCN Staff: File this signed and dated form in Member's permanent file.