



Public Media Network Operating Rules and Procedures

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PMN Mission Statement:

The mission of Public Media Network is to provide training, production, and distribution resources so that local voices can be expressed and heard in our community through electronic media.

PMN Vision Statement:

PMN will be our community's primary non-commercial resource for creating and distributing local information, entertainment, and dialogue on cable television, radio, and the Internet.

General Information:

Public Media Network (PMN) provides a variety of services, equipment, and facilities for the creation and distribution of locally produced, non-commercial, television and radio programming. The rules and procedures outlined in this document pertain to use of PMN services, equipment, and facilities by all individuals, groups, or organizations unless specifically indicated otherwise.

The Executive Director is authorized by the Board of Directors to provide interpretation, application, and enforcement of the various rules and procedures contained in this document. The Executive Director is also authorized by the Board of Directors to waive the provisions of any rule or procedure and is the final authority on the application of a rule or procedure to a particular circumstance. Any such waiver or interpretation shall be made in writing and is applicable only in the particular instance under consideration. The fact or substance of a waiver or interpretation does not establish or set a precedent.

The PMN Operating Rules and Procedures document is organized in the following manner:

- Cover Page
- Introduction Page
- Description of PMN Services
- Definitions
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- Technical Training/Workshop Procedures
- Equipment and Facility Usage Procedures
- Program Submission Procedures
- Programming Standards
- Rules of Conduct
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PMN Services:

Technical Training Workshops: PMN provides a variety of workshops scheduled at regular intervals, with curricula designed to provide a basic and functional understanding of how to create television and radio programming. Successful completion of workshops will lead to technical certification that will in turn qualify an individual to use PMN equipment and facilities. PMN will offer “advanced” instruction in television or radio production when resources permit.

Production Equipment and Facilities: PMN provides video and audio production equipment and facilities for use by individuals, groups, and organizations who have achieved technical certification for their use. Equipment and facilities are provided at no charge using a reservation request/confirmation system. Individuals using PMN equipment and facilities are subject to a repair or replacement policy described later in this document.

Programming Distribution: PMN provides distribution of television programming on the Charter Communications, Comcast, and AT&T U-verse systems utilizing channel assignments allocated to Public Access, Educational Access, and Government Access. Specific channel assignments for each system are identified in Exhibit C. PMN also schedules programming for WKDS 89.9 FM, a noncommercial/educational broadcast radio station licensed to the Kalamazoo Public Schools.

Vocational Education: PMN provides vocational education courses in Radio Broadcasting and Digital Video Production under the direction of the Kalamazoo Regional Education Services Agency’s “Education for Employment” (EFE) program. These courses are available to high school students who reside within Kalamazoo County subject to EFE enrollment procedures and restrictions.

PMN Produced Community Programming: Using staff, intern, and volunteer resources, PMN produces a portfolio of general-interest community programming.

WKDS 89.9 FM: Under an agreement with the Kalamazoo Public Schools, PMN manages and operates the non-commercial/educational radio station WKDS 89.9 FM licensed to the Kalamazoo Public Schools. PMN coordinates all technical operations and program scheduling. This service is subject to specific operating policies contained in the “WKDS Operating Policy Manual”.

Government Production Services Unit: PMN provides a production team specializing in developing and producing programming for and about local government. This unit coordinates all government meeting coverage and produces a variety of informational programming about local government services and issues. This service is subject to specific operating policies contained in the “Government Production Services Unit Operating Policy Manual”.

Internships: PMN provides educational enhancement internships for college students pursuing a career in media production. Non-students may also qualify for internship placement at the discretion of PMN staff. Refer to the PMN Intern Handbook for specifics related to eligibility, schedules, assignments, tasks, and compensation stipend.

Definitions:

The following terms are used throughout the PMN Operating Rules and Procedures document. The definitions provided below are intended to clarify the meaning of each term as used in the context of this document.

Public Media Network (PMN): An inter-governmental agency formed in 1983 by a consortium of local municipalities under the Urban Cooperation Act of 1963 to provide Public, Education, and Government community media services. Participating municipalities include: City of Kalamazoo, City of Portage, City of Parchment, Oshtemo Township, Comstock Township, and Kalamazoo Township.

Public Access: Services related to allowing individual, groups, or organizations the opportunity to create and distribute non-commercial video programming on cable television channels.

Educational Access: Services related to allowing any Kalamazoo County public or private non-profit school, school district, home school association, community college, college, university, state, or federal educational institution to create and distribute non-commercial video programming on cable television channels.

Government Access: Services related to assisting PMN consortium member municipalities, Kalamazoo County government, State of Michigan government, or the United States federal government, to create and distribute non-commercial video programming on cable television channels.

Producer: An individual or organization certified to create non-commercial video programming using PMN equipment and facilities who accepts the responsibilities and legal obligations of having their programming telecast on PMN's Public, Education, or Government Access cable television channels or WKDS 89.9 FM non-commercial/education broadcast radio station.

Program Sponsor: An individual or organization providing non-commercial video programming created with non-PMN resources who accepts the responsibilities and legal obligations of having the programming telecast on PMN's Public, Education, or Government Access cable television channels or WKDS 89.9 FM non-commercial/education broadcast radio station. Program Sponsors must reside or be located within the geographic limits of a municipality participating in the PMN consortium. For Government Access programming only, the program sponsor is subject to approval by the PMN Board of Directors. Governmental units eligible for membership in PMN (including their representatives and/or agents) that are not consortium members are generally ineligible to sponsor programming, subject to review and consent by the PMN Board of Directors.

Locally-produced Programming: Programming that is substantially created, taped, filmed, edited, or otherwise produced within consortium member communities. Locally-produced Programming may, or may not, have been created using PMN video or audio production resources.

Imported Programming: Programming that is substantially created, taped, filmed or otherwise produced outside of consortium member communities. Imported Programming must be provided by a Program Sponsor who resides within a consortium member community and who accepts all responsibility for delivery, scheduling, and telecast of the material.

Eligibility Criteria:

Residency: PMN services are available for applicable fees (Exhibit A: Fee Schedule) to individuals whose principal residence is within, and organizations located within any participating municipality. Effective 1/1/12, individuals whose principal residence is not within, or organizations not located within, a participating municipality who wish to utilize PMN services will be subject to an annual “non-resident fee” of \$25.00 in addition to any applicable fees for PMN services.

Availability: PMN administrative offices and production facilities are open to the public Monday – Friday from 9:00 am to 9:00 pm, and on Saturday from 10:00 am to 6:00 pm. PMN offices and facilities will be closed on occasion for scheduled administrative in-service planning and selected holidays. PMN staff will provide notice of scheduled office and facility closure at least one week in advance of the scheduled closure.

Age Eligibility: PMN workshops, equipment, and facilities are available to persons fifteen (15) years of age or older. Persons under the age of eighteen (18) years must have equipment or facility reservation forms co-signed by a parent or legal guardian and Program Playback Application forms co-signed by a parent or legal guardian.

Personal Income, Profit or Gain: PMN is a volunteer-based community television and radio operation. PMN equipment, facilities, and telecast time are available for the creation and distribution of non-commercial programming that benefits our entire community.

Use of PMN equipment, facilities, or cable channels to generate income is inappropriate and in direct conflict with the intent of PMN’s mission. No one may receive monetary compensation above and beyond documented out-of-pocket costs for any service rendered utilizing PMN production equipment, facilities, or telecast resources. Any attempt to utilize PMN equipment, facilities, or telecast resources to generate personal income is prohibited.

Employees of a tax-exempt organization may use PMN equipment, facilities, and telecast resources within their regular job duties to further the tax-exempt purposes of their organization and receive compensation from their employer. PMN reserves the right to require such a tax-exempt organization to provide proof of employee status.

If PMN discovers an attempt to generate personal income utilizing PMN resources, the person(s) responsible will be asked to compensate PMN for the use of PMN resources at a rate equal to the average commercial rate available in Kalamazoo County, and will be subject to an indefinite suspension of eligibility to use PMN services.

Program Underwriting: Underwriting of programming produced utilizing PMN resources is permitted based on the following limitations and criteria:

- A. Producers may solicit grants or “tangible” contributions (food, set materials, blank media, etc.) to be fully used for the production of their programming in return for underwriting credit. Producers cannot identify themselves as employees or representatives of PMN. Producers must clearly indicate that any grant or contribution made by the underwriter is given directly to the Producer and not PMN.

- B. Underwriting credit shall be limited to the following presentation criteria: (1) the visual and/or audio presentation of the underwriter during the beginning and ending credits of the program; (2) a maximum of fifteen seconds (:15) is permitted for identifying an underwriter; (3) the underwriting recognition presentation may include: business or organization name, location, telephone number, and web address, description of the business or organization, trade names, products, or services, a corporate slogan; (4) The underwriting recognition presentation may not include: language that is qualitative, comparative, or promotional, calls to action, pricing information, encouragements to buy or sell.
- C. In the event a Producer or Program Sponsor secures underwriting for a project, they are required to complete and submit to PMN the Production/Programming Underwriting Disclosure Form (see Exhibit B). Failure to comply with this policy will result in loss of PMN production and/or program scheduling privileges. The PMN Program Playback Application includes a checkbox for underwriting disclosure.

Technical Training/Workshops:

PMN offers a variety of instructional workshops that provide both a theoretical and “hands-on” experience related to the development and production of television and radio programs. In addition to regularly scheduled workshops, PMN will offer equivalency examinations and on-site training as alternate options to achieve technical certification to utilize PMN production resources.

Standard PMN training workshops may include, but not be limited to, the following:

- Orientation Workshop (One 3-hour session)
- Basic Radio Production (One 2-hour session)
- Pre-Production Planning (One 2-hour session)
- Photoshop Elements for Final Cut (One 2-hour session)
- Robo-Studio Production (Two 2-hour sessions)
- Main Studio Production (One 6-hour session)
- Basic Video Production – Camcorder + Final Cut (Four 2-hour sessions)
- Advanced Camera and Lighting Techniques (One 2-hour session)

PMN will require identifying information, including but not limited to, name, address, telephone number, e-mail address, driver license or Michigan ID of participants prior to their certification as a workshop graduate.

All prospective Producers or volunteer technical crew members must begin with PMN’s Orientation Workshop. This workshop will provide the foundation for understanding PMN services and how to progress into technical training and certification for use of PMN production resources.

Equipment and Facility Use Procedures:

Successful completion of PMN’s Orientation workshop and any applicable technical workshop, or certification via an equivalency examination, is required for a Producer to reserve and use PMN production resources (e.g. completing the Orientation plus the Main Studio workshop is required to be able to reserve and use the Main Studio for production work). Appropriately certified Producers have

access to a variety of PMN media production resources at no charge based on the following procedures, conditions, and restrictions:

Equipment and Facility Scheduling: PMN media production resources are typically shared among many individuals and organizations, thus there is a need to provide reasonable scheduling limitations on equipment and facility usage as detailed below:

Camcorder Kits:	(72) hour maximum reservation period
Mac Laptops:	(72) hour maximum reservation period
Main Studio:	(4) hour maximum reservation period
Robo-Studio:	(4) hour maximum reservation period
Edit Suites:	(4) hour maximum reservation period
Conference Room:	(3) hour maximum reservation period
Advanced Equipment:	(72) hour maximum reservation period

Because it is possible for individuals within a group to separately reserve equipment and facilities in excess of the limitations, PMN expects that a spirit of cooperation will exist. PMN will monitor equipment and facility usage to ensure that no Producer (individual or group) is monopolizing availability to the detriment of other Producers.

Due to high demand for PMN production resources, a reasonable ratio of equipment and facility usage to completed program length is expected. As a guideline, PMN expects that a maximum of forty (40) hours of equipment and facility usage (camcorder, laptop, studio, edit suite) would be needed to complete at least one program thirty (30:00) minutes or one-hour (1:00:00) in length depending on the production style and complexity. PMN reserves the right to monitor equipment and facility usage, and make equipment and facility requests in excess of this guideline subject to staff evaluation before approval.

Reserving PMN Equipment and Production Facilities: PMN maintains a simple “first come – first served” equipment and facility reservation system that must be used by all Producers. To reserve equipment or facilities: (1) Producers will check equipment and/or facility availability in the PMN reservation system; (2) Producers must complete and sign an equipment and facility Reservation Form with time and date stamp.

Equipment and facility Reservation Forms will be processed by PMN staff within one PMN work day, and PMN will attempt to notify Producers only if there is a time conflict or the requested equipment or facility is unavailable.

Equipment and Facility Use Procedure Violations: Upon receipt of PMN production equipment and/or use of facility resources, the Producer accepts full responsibility for the care and use of any item, including being financially responsible for damage, misuse, or loss.

PMN requires that a Producer who is unable to use equipment or facilities previously reserved notify PMN as soon as possible in order that the equipment or facility may be made available to other Producers.

If a Producer fails to arrive to pick-up or use of reserved equipment or facilities within thirty (30) minutes of the reservation start time, the reservation will be forfeited. Should a Producer fail to use PMN equipment or facilities previously reserved, or fail to notify PMN of a cancellation in advance during PMN business hours, the Producer will receive:

- A. A verbal warning on the first offense (written confirmation filed).
- B. Written notice and thirty (30) day suspension on a second offense.
- C. Written notice and ninety (90) day suspension on a third offense and subsequent offenses.

If a Producer fails to return equipment or relinquish facilities at the scheduled reservation end date/time, PMN may impose the following remedies:

- A. A verbal warning for equipment return or facility use fifteen (15) minutes beyond the scheduled end time (written confirmation filed).
- B. Written notification and a fourteen (14) day suspension for equipment return or facility use between fifteen (15) minutes and twenty-four (24) hours beyond the scheduled end time.
- C. Written notification and a thirty (30) day suspension for equipment not returned within twenty-four (24) hours of the reservation end date/time.
- D. Written notification and a ninety (90) day suspension for equipment not returned within forty-eight (48) hours of the reservation end date/time. Without notification from the Producer, PMN may consider the equipment stolen and a police report may be filed. If PMN determines the equipment was stolen by the Producer, a permanent suspension will be issued.

If PMN equipment or facilities are lost or damaged in the course of a Producer's reservation, PMN will impose the following remedies:

- A. Determine the cost of repair or replacement of lost or damaged item(s).
- B. Invoice the Producer for the repair or replacement of the item(s) within a thirty (30) day period. The standard payment due date will be thirty (30) days from the date of the invoice, unless an alternate payment plan is agreed upon by PMN and the Producer. The Producer is not eligible for equipment or facility usage until the invoice is paid in full.
- C. If the Producer fails to pay the invoice within the specified period, PMN may pursue all legal remedies to collect the amount owed. PMN reserves the right to issue an indefinite suspension for a Producer's failure to repair or replace damaged or lost equipment.

Provision of Media: Producers are responsible for providing their own media (e.g. CD's, DVD's, videotape, memory cards, etc.) for production activities. This includes media for original recording, editing, and final mastering. PMN reserves the right to specify the type and format of media that will be compatible with PMN production equipment and systems. PMN also reserves the right to restrict a Producer from utilizing media that in PMN's estimation might damage production equipment or systems.

Media Storage: Producers are responsible for the proper labeling and storage of their media. For Producers who create a regular series of programs, PMN may provide an unsecured area for media storage. PMN is not responsible for the security of any media or other materials that a Producer keeps at PMN.

PMN will take reasonable precautions related to the reception and retention of “air copy” media intended for telecast on PMN community cable television channels or on WKDS 89.9 FM radio. Producers will accept the responsibility for proper labeling, encasement, delivery, and retrieval of their “air copy” media.

Credit Line: All programs created in whole or in part utilizing PMN production resources must contain the following credit line:

“Produced using the resources of Public Media Network, Kalamazoo, Michigan”.

Practice Time: PMN encourages all Producers and volunteer technicians to continually develop their skills in media production. Producers may schedule “practice sessions” on PMN equipment and facilities using the standard Reservation Form and process described above. However, priority will be given to Producers reserving PMN equipment and facilities for the production of programming.

Production Planning and Technical Assistance: PMN staff may provide consultation on production planning and technical “troubleshooting” matters. However, PMN staff will not serve as technicians or production crew on Producer projects.

Programming Submission Procedures:

Program Scheduling: In order to promote viewer interest, programming balance, maximum participation by varied individuals and groups, and efficient use of resources, PMN will utilize a program scheduling system for its community cable television channels that balances “first come – first served” concepts with PMN’s authority and discretion to schedule programming. An established program schedule is not “owned” by a Producer or Program Sponsor. PMN reserves the right to periodically “open up” program schedule availability and require re-application for telecast dates and times.

Locally-produced programming may be scheduled for up to four (4) telecast slots by the Producer or Program Sponsor. The Producer or Program Sponsor may indicate that a program may be used at PMN’s sole discretion in additional telecast slots.

Imported programming may be scheduled for up to two (2) telecast slots by a Producer or Program Sponsor. Imported programming may not be scheduled during “prime time” (established by PMN as 7:00 pm – 10:00 pm Monday – Friday). The Producer or Program Sponsor may indicate that a program may be used at PMN’s sole discretion in additional telecast slots.

PMN recognizes that a Producer or Program Sponsor may submit programming in either a “stand-alone” (a single program not part of an on-going sequence) or “series” (multiple programs intended for sequential scheduling) format. Series programming will receive a telecast time slot once a minimum of three (3) programs are completed. Series may schedule only one of their allowed telecast slots in “prime time” (7:00 pm – 10:00 pm Monday – Friday).

The series time slot(s) will be maintained as long as the Producer or Program Sponsor supplies new programming for the series. If the Producer or Program Sponsor fails to supply new programming, the series may be removed from the telecast schedule at PMN’s discretion. This scheduling criteria in no way restricts PMN from periodically “opening up” available telecast slots for re-application and re-appointment.

In the event a Producer or Program Sponsor is scheduled for more than five (5) hours of telecast time in a given calendar month, PMN may preempt any telecast time slot(s) in excess of five (5) hours to provide access to other Producers or Program Sponsors not meeting this test. If time permits, PMN will attempt to provide two (2) week's notice to the affected Producer or Program Sponsor.

At PMN's discretion, locally-produced programming may preempt imported programming. If time permits, PMN will attempt to provide two (2) week's notice to the affected Producer or Program Sponsor. Similarly, "Live" programming can preempt pre-recorded programming at the discretion of PMN. Any preempted pre-recorded programming will be rescheduled and the affected Producer or Program Sponsor notified of the change.

Programming Submission: Producers and Program Sponsors may submit programming for telecast on one of PMN's Public Access channels. To assist PMN in maintaining an equitable apportionment of telecast time for all Producers and Program Sponsors, reservation of telecast time is subject to the following procedures:

- A. The Producer or Program Sponsor is responsible for researching available telecast time prior to completing a Program Schedule Request Form. A program will not be accepted and scheduled by PMN without a properly completed and signed Program Schedule Request Form. If the date(s)/time(s) requested are unavailable, PMN will attempt to notify the applicant and suggest other scheduling options.
- B. Program Schedule Request Forms must be completed and delivered to PMN along with the "air copy" of the program at least two (2) weeks prior to the requested telecast date(s)/time(s). If the Producer or Program Sponsor fails to provide the two (2) week lead time, PMN makes no guarantee that the program will be telecast in the slots requested.
- C. PMN reserves the option to adjust and approve an alternate lead time requirement for Producers or Program Sponsors who schedule a regular series that may not be able to efficiently provide the two (2) week lead time.

Media Formats: PMN accepts programming for telecast in the following media formats: Super VHS (Standard Play); Mini-DV; DVCAM; and DVD. PMN requires that Sony videotape be used if that is the media format selected by a Producer. If a Producer or Program Sponsor chooses the DVD format for their "air copy", PMN recommends they utilize DVD-R disks to enhance compatibility with PMN DVD devices. "Air copy" media must contain only one complete program intended for telecast with no extraneous or unrelated video or audio or PMN may reject the program for telecast.

Media Labels: PMN requires Producers and Program Sponsors to clearly label "air copy" media and associated cases. All media delivered to PMN for telecast must be labeled as follows: (1) labels must be affixed to both the face or spine and box/case of the media; (2) include the title of the program matching the title used on the Program Schedule Request Form; (3) include the subtitle or episode (if any), the exact length of the program, the name of the producer, the date produced.

Loss or Destruction of Program Materials: PMN will not be responsible for the loss, destruction, theft or damage of program media (videotape, CD, DVD). PMN strongly encourages Producers and Program Sponsors to maintain "master copies" of each program for backup or personal archiving. Once a program has completed all scheduled telecast date(s)/time(s), the Producer or Program Sponsor is

required to retrieve the program media from PMN. Program media left at PMN unclaimed for more than thirty (30) days may be recycled or disposed of.

Programming Standards:

PMN operates Public Access Channels in a content-neutral manner and exercises no editorial control over programming provided by Producers or Program Sponsors. However, every Producer or Program Sponsor submitting programming for telecast on a PMN Public Access Channel must complete and sign a Program Schedule Request Form, which includes a “Statement of Compliance”, “Indemnification Statement”, and “Waiver of Liability” as illustrated below:

Statement of Compliance:

The Producer or Program Sponsor has read and is thoroughly familiar with the Operating Rules and Procedures for use of Public Media Network services, equipment, and facilities, all of which are incorporated herein and made a part herof. The Producer or Program Sponsor agrees to abide by and be bound by these Operating Rules and Procedures, and to pay any amounts owed to PMN for violations of these Operating Rules and Procedures.

The Producer or Program Sponsor is thoroughly familiar with the content of the program material to be telecast and represents and warrants to PMN that all program material provided by the Producer or Program Sponsor shall be consistent with PMN’s Operating Rules and Procedures and meet all legal, technical, and non-commercial standards including, but not limited to:

- A. Neither a lottery nor lottery information will be telecast.
- B. No advertising material designed to promote the sale of commercial products or services will be telecast.
- C. All appropriate arrangements, licenses, approvals, releases and copyright clearances have been obtained from broadcast stations, networks, sponsors, music licensing organizations, performers’ representatives and without limitation by the above any and all persons (natural or otherwise) as may be necessary for authorization to telecast the program materials.
- D. The program material does not contain obscene material, as determined in a court of competent jurisdiction.
- E. The program material does not contain slanderous or libelous material.
- F. The Producer or Program Sponsor understands that violation of any of the above may result in the imposition of civil (and in some cases criminal) liability.

Indemnification:

The Producer or Program Sponsor agrees to defend, indemnify, and hold harmless the City of Kalamazoo, the City of Portage, the City of Parchment, the Township of Kalamazoo, the Township of Comstock, the Township of Oshtemo, their staff and elected representatives, the Board of Directors and Staff of Public Media Network, Charter Communications, Comcast, AT&T, their officials, officers, employees, and agents from and against any and all claims, demands, causes of action, liabilities, judgments, costs and expenses (including attorney fees) arising out of their use of, or in connection with:

- A. Use of PMN services, equipment, or facilities;
- B. Production and/or transmission of programming;
- C. Any violation of PMN's Statement of Compliance (as set forth above) or the PMN Operating Rules and Procedures; and
- D. Any injury or damage arising out of the use of PMN services, equipment and facilities.

Waiver of Liability:

In consideration of the services and resources provided by Public Media Network, and the fact that the Producer or Program Sponsor shall not realize any personal economic gain therefrom, the Producer or Program Sponsor permanently waives and releases PMN and its officers, Directors and employees ("Released Parties") from any and all claims, demands, causes of action, losses, and rights of recourse which the Producer or Program Sponsor now has or may have in the future against any of the Released Parties that relate to or arise from:

- A. Any violation of PMN Operating Rules and Procedures;
- B. Use of PMN equipment and/or facilities by the Producer or Program Sponsor;
- C. Any injury suffered by the Producer or Program Sponsor or loss or damage to any property of the Producer or Program Sponsor; and
- D. PMN's operations.

Non-Commercial Use Only: PMN community cable channels must be used for non-commercial purposes only and thus excludes the following material:

- A. Material, the primary purpose of which is to promote a commercial service, product, trade, or business.
- B. Program material which identifies any product, service, trademark, or brand name in a manner which is not reasonably related to the non-commercial use of such product, service, trademark, or brand name portrayed on the program material.
- C. Direct solicitation for funds or other goods that would benefit the Producer or Program Sponsor or his/her agent.
- D. The above shall not prevent underwriting credit given to persons or institutions providing grants or aid as specified elsewhere in the PMN Operating Rules and Procedures.

Technical Quality and Compatibility with Equipment: PMN will not be responsible in any way for the technical quality of programming provided by Producers or Program Sponsors. PMN reserves the right to reject any program media not technically compatible with, or potentially damaging to, PMN's transmission equipment.

Right to Preview: From a content-neutral perspective, PMN reserves the right to preview fully or in part all programs and programming material submitted for telecast to determine compliance with the legal, technical, and non-commercial standards set forth in the PMN Operating Rules and Procedures. If a compliance issue is revealed, and PMN and the Producer or Program Sponsor cannot reach agreement, the issue can be referred to the PMN Board of Directors whose decision will be considered final and binding.

Programming Options: In the event any program or programming material is in violation of PMN's Operating Rules and Procedures, PMN may exercise any of the following options:

- A. Discuss with the Producer or Program Sponsor the ramification of telecasting the program.
- B. Schedule the program at a time appropriate for its content.
- C. Run a message warning viewers of the presence of material intended for a mature audience.
- D. Revision of the programming material by the Producer or Program Sponsor.
- E. Reject the program for legal, technical, or non-commercial standards only.
- F. A program will not be rejected because of its content.

Rules of Conduct:

The following rules of conduct are designed to promote a quiet, safe, and orderly atmosphere and to insure reasonable access to services and facilities. Anyone violating any of these rules may be asked to leave the premises for the remainder of the day, or for a longer period of time under the circumstances described below. Any person who refuses to comply or leave after being requested to do so for violation of any of these rules, or returns prior to the authorized time, will be subject to arrest and prosecution for trespass. These rules apply to all areas of any PMN facility and all equipment, including but not limited to: the Main Studio, Control Room, Robo-Studio, classrooms, editing suites, Master Control, equipment storage room, common areas, and administrative offices. Persons using PMN shall not:

- A. Make loud or unnecessary sounds or noises which disturb the quiet of other people and staff.
- B. Loiter, which is defined as remaining in the PMN facility without studying, or using PMN services or facilities, or being engaged in PMN related activities. Persons not using PMN services shall leave the premises.
- C. Harass, intimidate, disturb, or threaten any person by word or act or interfere with any other person's use of PMN facilities by behaving in any manner which reasonably can be expected to disturb other persons or interfere with their use of PMN. Examples of such behavior include, but are not limited to: fighting, unwanted staring at another person, following another person. Use of tobacco products is strictly prohibited. Food or beverages may only be consumed in connection with events or in locations approved by PMN (e.g. "break area" or classroom).
- D. Enter PMN facilities barefoot or without wearing a shirt.
- E. Sleep, solicit, or beg on PMN premises.
- F. Bring any weapon including, but not limited to, any firearm, knife with a blade longer than three (3) inches, any switchblade or mechanically operated knife, blackjack, brass or metal knuckles, bar, club, or bludgeon onto the PMN premises. The exception to this rule applies to law enforcement personnel or those with appropriate authorization (permit).
- G. Theft or damage of PMN property.
- H. Possess, consume, or be under the influence of any intoxicant or any controlled substance (except as may be authorized by prescription) while on PMN premises.
- I. Bring any animal into the PMN facility, except for certified service animals in compliance with ADA Title II and Title III (e.g.: leader dog), and animals brought into PMN in connection with program production.
- J. Operate any radio, CD player, cell phone, or any other personal electronic device so that any other person can hear it.
- K. Have poor personal hygiene such that it constitutes a nuisance to another person.
- L. Engage in public displays of affection, disrobe (completely or partially), or engage in sexual activity.

- M. Engage in sexual harassment of any kind. Sexual harassment can be a continuing pattern or a single incident of unwelcome sexual advances, requests, or demands for sexual favors, physical contact of a sexual nature, and verbal abuse or threats of a sexual nature.
- N. Violate any laws or any of these Rules of Conduct or fail to follow posted policies, directives, or procedures, including PMN's Operating Rules and Procedures.
- O. Refuse or fail to leave the PMN premises after having been requested to do so for violating any of these rules.

Implementation of Rules of Conduct: Any person who violates Rules C, G, H, will be denied access to PMN by the Executive Director (or his or her designee) upon notice to the person. While the denial period is intended to be progressive, i.e. 1st violation – up to 30 days, 2nd violation – up to 60 days, 3rd violation – up to 90 days, the Executive Director may deny access for a period of up to one year or permanently for any violation that significantly disrupts the operation of PMN or significantly interferes with a person's rights to use PMN.

Before denying access to any person, the Executive Director or designee will inform the person of the reason and period of time he or she is being denied access and give the person a reasonable opportunity to state his or her response to the proposed denial. The Executive Director or designee will confirm the denial by written notice to the person if the person's name and address are known.

A person denied access may appeal to the Executive Director within five (5) days of the date of the written notice. Additionally, a person denied access may appeal the denial in writing to the PMN Board of Directors at 359 S. Kalamazoo Mall, Suite 300, Kalamazoo, Michigan 49007, within ten (10) days of the date of the written notice. The appeal shall state the reasons why access to PMN should not be denied. An appeal to the Board of Director's shall not stay the Executive Director's denial. The Board of Director's shall provide the person with an opportunity to be heard before deciding on the appeal, and may affirm, modify, or reverse the Executive Director's denial. A person who has been denied access to PMN permanently may petition to the Board for access after a period of one year. The petition will set forth the reasons the person believes reinstatement is justified. The PMN Board shall provide the person with an opportunity to be heard before it makes its decision on the petition for reinstatement. The PMN Board may deny, grant, or grant with conditions the petition for reinstatement.

Any suspension imposed under these Rules of Conduct will be in addition to any remedy or penalty stated elsewhere in the PMN Operating Rules and Procedures.

PMN will notify law enforcement authorities of any violation of these Rules of Conduct that may be a violation of the law.