

KZYG & KZYZ

STATION HANDBOOK

REVISED AUGUST 2003
MENDOCINO COUNTY PUBLIC
BROADCASTING

ALL MCPB PERSONNEL
ARE RESPONSIBLE FOR READING AND
UNDERSTANDING THIS HANDBOOK

I: GENERAL INFORMATION

THIS HANDBOOK EXPLAINS THE RIGHTS AND RESPONSIBILITIES OF ALL STATION PROGRAMMERS, VOLUNTEERS, AND STAFF. THE TERM PROGRAMMER REFERS TO ANYONE WHO HAS BEEN AUTHORIZED BY MANAGEMENT TO OPERATE MCPB EQUIPMENT OR BROADCAST FROM ITS FACILITIES. ALONG WITH THE MCPB MISSION STATEMENT, **THE FOLLOWING GUIDELINES CONSTITUTE STATION POLICY**. WHERE NOTED, THEY ALSO REFLECT FEDERAL COMMUNICATIONS COMMISSION (FCC) REGULATIONS.

MCPB'S HISTORY

In September of 1984, Sean Donovan called a public meeting to see if there would be interest in a community radio station in Anderson Valley. Those attending agreed to work together to establish a station with enough power to serve all of Mendocino County. Mendocino County Public Broadcasting was incorporated in January 1985. It received a U.S. Department of Commerce planning grant in 1986, which made possible the necessary engineering and legal work. In 1987 the Commerce Department awarded MCPB an equipment grant toward construction of the transmitter and studio. In March 1988 a ten-year lease was signed for the studio and offices in Philo, and a year later a lease was signed with the California Department of Forestry for the transmitter site on Cold Springs Peak.

KZYY began broadcasting on October 15, 1989. It immediately became clear that the county's mountainous terrain blocked the station's signal to many areas. A translator was placed near Fort Bragg and later another went up on the Butler Ranch south of Ukiah. Inland reception was still poor, however. In late 1994, MCPB received another Commerce Department grant, this time to build a translator on Laughlin Peak near Willits. The Laughlin Peak signal, KZYZ, went on the air in October 1995, solving the inland reception problems. Plans are underway to enhance MCPB's signal to the south coast of the county, thus finally fulfilling the mission to serve all of Mendocino County.

MISSION STATEMENT

KZYY&KZYZ is the community non-commercial radio station of Mendocino County, serving several counties in Northern California. Its programming and operational philosophy are controlled by its membership, which is open to all. Through its dedication to balance and excellent programming, Mendocino County Public Broadcasting reflects the rich diversity of the county, while promoting a sense of community across such a large and varied area. The finest in national public radio programs are available, as well as local programs that are creatively and professionally produced, responding to the needs of the community.

KZYY&KZYZ pledges to be a responsible and responsive county-wide medium for news, information, music, performing arts, entertainment and local features. KZYY&KZYZ sees its programming as a complement to the work of Mendocino's commercial media. This station seeks to foster increased communication among all groups in the county, and makes access available to all points of view.

II: STATION POLICY

STATION-WIDE RULES & REGULATIONS

HOUSE RULES

1. Treat others with respect and the building and equipment with care.
2. No equipment or recorded material may be taken from the station unless specifically authorized by management.
3. Station record albums, CDs and tapes are not to be removed from the building
4. Long distance calls must be authorized by management and are to be made for station purposes only.
5. The copy and fax machines may not be used for personal business.
6. No food or beverage other than water is allowed in the on-air or production rooms.
7. Outside of business hours, only programmers, on-air guests, staff and persons signed up to use the production room are allowed inside the station.
8. Clean up whatever materials you use, including reshelving CDs in their proper place. Consider it part of your shift duty.
9. Check Your Mailbox. Occasionally you may receive mail from the outside, but the primary function of these boxes is for communication among individuals within the organization.

DRUG AND ALCOHOL POLICY:

Illegal drugs are not permitted in the station at any time. No alcohol will be allowed in the station unless previously approved by management. Alcohol is never allowed in the on air room. The use of alcohol or illegal drugs by a staff member or volunteer that affects his/her job performance shall be cause for immediate suspension, and dismissal, in accordance with the procedures set forth in this handbook. Smoking of tobacco is not permitted inside the station.

MINOR POLICY:

Minors may not be on MCPB premises outside business hours. (Business hours are, for this purpose, any time staff shall be on MCPB premises, or a member of the board of directors who has been so authorized by a vote of the board). The only exceptions to this are as follows:

A: The minor is accompanied by a parent or legal guardian at all times when on MCPB premises; OR

B: The parent or legal guardian has executed a written consent allowing another adult person to be present with the minor on MCPB premises and that adult is with the minor child at all times.

SEXUAL HARASSMENT

MCPB will not tolerate any form of sexual harassment. Sexual harassment includes, but is not limited to, any unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature. If any employee or volunteer believes that he or she is being subjected to employment-related sexual harassment, the situation must be reported immediately to the employee's supervisor, to the manager or to a board member. That individual must investigate and take the corrective action deemed appropriate. If the problem is not quickly resolved, the grievance procedure may be initiated.

CONFLICT RESOLUTION, MEDIATION AND GRIEVANCE PROCEDURES

The following conflict resolution and mediation procedures are to be followed by management, programmers, staff members, and volunteers. For example management shall use these procedures in cases of proposed discipline, suspension, or termination for cause of programmers, staff members, or volunteers. Programmers, staff members, and volunteers shall use these procedures in cases of perceived inequitable work practices, seriously disruptive behaviors, arbitrary management actions, or management's failure to follow procedures provided in this handbook. As an additional step, a grievance procedure is provided to permit programmers, employees, and volunteers to challenge adverse actions on the part of management by appeal to the Board of Directors.

Conflict Resolution:

The first step of the conflict resolution procedure is to hold a discussion of the problem by the parties involved, clarifying points of disagreement and agreement, proposing solutions, and if possible, coming to a resolution. A third party may be included in the discussion by mutual agreement of the parties. In the case of a programmer, the third party would normally be the Programmers' Representative. A written record of the discussion shall be drafted and initialed by the parties.

Mediation:

If the matter is not resolved by Conflict Resolution, a second meeting of the parties shall be held within 15 days, unless otherwise mutually agreed upon. This meeting will include but not be limited to: (1) a mutually agreed upon mediator, (2) the station manager, (3) the programmers' representative, if a programmer is involved, and (4) the parties involved. The contents of the meeting shall be documented in writing and shall include any decisions and/or intended actions by management. A copy shall be placed in appropriate personnel files and given to all parties.

Grievance Procedure:

The grievance procedure may be initiated by programmers, staff members, and volunteers to appeal management decisions and actions resulting from the mediation meeting described above. Within 15 days from the date of the mediation meeting, the grievant shall present to the President of the Board of Directors a written statement of the grievance along with a copy of the meeting record of the mediation meeting. The President shall refer it to the Grievance Committee of the Board of Directors. The committee chair shall convene a meeting of the committee within 15 days of receipt of the grievance for the purpose of hearing said grievance. Said hearing will be scheduled at a time and date mutually agreeable to the parties involved.

Grievance hearings shall not be bound by judicial procedures. Detailed minutes of the hearing shall be kept and/or be recorded on magnetic tape. Records of this meeting shall remain with the committee in their confidential files. Grievance hearings are not open to the public. (But) The staff member, programmer, or volunteer

requesting the hearing shall be present, as should other parties requested by the committee chair. A mutually agreed upon mediator should also be present. The aggrieved party may request that other parties be present at the hearing. Such requests should be honored by the committee chair. Failure of the aggrieved party to appear may result in dismissal of the grievance.

Within ten days of completion of the hearing, the committee chair shall prepare a written statement of the decision of the committee specifying the reasons supporting the decision. Copies shall be mailed to each member of the Board of Directors, management and the grievant.

The committee shall make its report at the next board meeting. The decision shall be final when ratified by a majority of the full Board. In the event that the decision is not ratified, the grievance shall come before the full board. This decision shall be binding on all parties. A copy of the decision shall be given the grievant and another copy placed in his/her personnel file.

Management may suspend a grievant for cause during the grievance process but may not terminate the grievant until the process is completed and in accordance with the committee's findings and decision.

III: PROGRAMMING

PROCEDURE FOR BECOMING A PROGRAMMER:

Interested prospective programmers may contact the Program Director (PD) to submit a program proposal. Giving due consideration to the commitments and desires of existing programmers, the PD will consider all program proposals submitted in writing and will respond within two weeks. If the proposal is accepted in principle, the prospective programmer will be trained by the appropriate staff in the use of the broadcast equipment and on-air presentation techniques. When the staff members feel the trainee is competent to run a show without assistance, the trainee will be given the opportunity to have her/his own show, when the schedule permits. In most cases a trained programmer will be in attendance during the first two shows that a new programmer broadcasts. In the event that a program slot is not currently available, the trainee may be placed on a list of back-up programmers.

THE PROGRAMMER/MCPB CONTRACT:

When a program proposal is accepted and given a regular time slot, the programmer enters a contractual agreement with MCPB, which typically covers a period of six months. Recognizing that programs are evolving, creative endeavors and may develop in new directions over time, programmers may submit amendments to their program proposals to the PD at any time. Such amendments are subject to the approval of the PD.

Renewal of a programmer's contract is not guaranteed. Programmers will be notified in writing as far in advance as possible, in no case less than one month, if the PD and Station Manager determine their show is not to be renewed. At least one month's notice will also be given in the case of a change in scheduling of an existing program. Programmers have access to the "Conflict Resolution" and "Grievance" procedures described below if they believe they have been treated arbitrarily in program termination or rescheduling.

RIGHTS, REGULATIONS AND RULES

This section presents summaries of the rights, rules and regulations at MCPB. Many of the points summarized here are addressed in more detail further on in this handbook. Programmers assume responsibility for complying with both MCPB and FCC rules and regulations. **A PROGRAMMER WHO DELIBERATELY DOES NOT COMPLY IS SUBJECT TO DISMISSAL, IN ACCORDANCE WITH THE PROCEDURES SET FORTH IN THIS HANDBOOK.**

REGULATIONS APPLYING TO PROGRAMMERS

A programmer is expected to:

1. be proficient in the operation of all equipment that is routinely needed during his/her shift,
2. be informed of, and must follow all FCC rules and regulations,
3. read and understand the contents of this handbook.
4. participate in and abide by conflict resolution and grievance procedures, as outlined in this handbook.
5. read all underwriting announcements assigned to his/her program clearly and without ad-libs.
6. keep accurate logs of his/her shift time.
7. air station promos, PSAs and other announcements as requested.
8. refrain from using MCPB airwaves to air personal and/or in-house grievances. In a news context, station events of general public interest do not fall within the meaning of "in-house" grievances.
9. find his/her own replacement if she/he cannot do a show. Holidays are not an exception to this rule.
10. arrive at least 15 minutes before his/her scheduled shift.
11. check personal mailbox. It's important to check your mailbox before you start your shift, as there may be information pertinent to your show (tickets to give away, a downlink to be taped, messages from guests, etc.).
12. make smooth, courteous and prompt transitions between shifts.
13. be responsible for extra board time before and/or after his or her show to air prerecorded or down-linked programs.
14. remove and/or refile all papers, CDs records, PSAs, extra microphones, etc, preferably before the end of his/her scheduled shift.
15. report threatening phone calls or suspicious activities to management and/or appropriate authorities.
16. ensure the security and safety of the station. In the absence of paid staff, the board operator on duty is responsible for station security and enforcement of all station and FCC rules.
17. keep MCPB management informed of any changes in his/her address or phone number.
18. respect and protect the privacy of programmers by refusing to give phone numbers, addresses or, in the case of programmers who use pseudonyms, real names to anyone other than programmers or staff.
19. notify the PD, in writing, at least four weeks in advance if resigning from his/her shift.

PROGRAMMERS' RIGHTS

A programmer has the right to:

1. have access to information on FCC rules and Station Policies and be notified by management of unintentional infractions.
2. have equipment and facilities in working order and repaired as soon as is reasonably possible.
3. have access to the PD regarding station matters.
4. be notified at least one (1) week before his/her show will be pre-empted, except in cases of breaking events.
5. receive at least one (1) month's notice, if the contract is not to be renewed or if of his/her program is to be rescheduled.
6. have access to conflict resolution, mediation and grievance procedures,
7. expect locks and Security devices to be maintained in good working order by staff.
8. ask others to leave the on-air room during his/her shift.
9. begin her/his show on time.

RIGHTS AND RESPONSIBILITIES OF MANAGEMENT

Management has the right or responsibility to:

1. assign air shifts and determine the station's program format and schedule.
2. give due consideration to the commitments and desires of existing programmers when creating the schedule.
3. inform programmers of any changes in regulations or policy.
4. notify programmers of program deficiencies and help them gain needed skills.
5. provide or help find additional training for programmers who need or request it.
6. make available materials and resources for programmers to use in their programs.
7. terminate a program that fails to maintain standards of quality after attempting to correct program deficiencies and following established procedures.
8. maintain reasonable station security.
9. have in place reasonable safety provisions (e.g. fire extinguishers, etc.).
10. pre-empt programming, when necessary.
11. immediately suspend programmers, staff members, or volunteers for serious violation(s) of FCC regulations, state and federal laws or station policy.
12. dismiss a programmer for violation of the programming agreement, FCC regulations and/or station policies, in accordance with the procedures outlined in this handbook protecting programmer's rights.

PROGRAM CONTENT

Everyone involved in producing shows at MCPB shall cooperate in achieving quality Programming. Programmers have the freedom to choose the content of their shows within the agreed thematic boundaries and consistent with station and FCC policies.

The host of a news, commentary or public affairs show, who expresses or has guests who express strong or controversial opinions about an issue of strong local concern, should make an effort to find guests expressing the opposing point of view and allow him/her air time in a timely manner. Airing balanced points of view will help to increase your listenership.

Hosts of these programs are required to read the disclaimer on-air before and after their programs. The disclaimer indicates that the opinions heard on the program do not necessarily represent those of the station management, board and staff.

Guidelines for Programming:

Aesthetic quality, in general, refers to the overall broadcast sound. Understanding that this criterion is inherently subjective, "aesthetic quality" also reflects a number of particular qualities:

- A high quality show should deliver a feeling of unity and completeness from beginning to end.
- Conceptualization and planning: Spontaneity can work well at times, but concept, research and organization are typically crucial to a well-presented program. At the same time a good live broadcaster avoids being so over-prepared that they are essentially reading a script from beginning to end.
- Presentation: A good broadcaster should effectively (a) present and communicate background information on the artist, speaker, or topic; (b) keep the show moving, get from point A to point Z without discussing each stop along the way (e.g. "Now I'll read a PSA"); (c) be a "producer" in the sense of knowing what they're doing, what they're going to say, and where they're going; (d) fulfill the on air requirements (e.g. Official Station ID, underwriting); (e) communicate to the "outside" listener by avoiding inside jargon, including references to "here" -here is wherever the listener is.
- Vocal skills: good diction, natural vocal styles, reading ability, accurate pronunciation and sense of pacing. Effective broadcasters avoid verbal crutches (like "um", "Ok", and "ah"), cliches and repetition of words and phrases. Mistakes may happen, but the broadcaster shouldn't draw attention to them.
- Source material: In general, recordings must be "air quality". Excessive surface noise (old vinyl records) and tape hiss (multi-generation cassettes) are examples of poor source material, unless appropriate in a limited way and in the context of the show. "Bootlegs" or unlicensed recordings are not suitable for airplay. Volume levels from source to source should stay constant (CD, mic, turntable).
- Time management: Arrive on time; timely announcements (underwriters, Community Calendar, etc.); leave next programmer time (5 minutes) for an effective transition. Plan time to clean up following shift; include time to refile CDs.

- **Personality:** Ideally, a programmer will sound friendly, open and engaging, so that listeners are interested in the person at the other end of the radio. At best, this occurs when the programmer is thoroughly involved in what he/she is doing and conveys her/his unique personality.
- **Music program (or portion of show):** Again, the individual show or portion of show should be appropriate to the format. Segues should flow well—from topic to topic, guest to guest, and between discussion and musical or other breaks. If an interview is included, it should focus on the interviewee rather than the interviewer.
- The listener should have a sense that the programmer is in control of the show. Disclaimers shall be given when appropriate.

Program Evaluations:

All programming is subject to ongoing evaluation by program staff, based on but not limited to: aesthetic quality, technical competence, content consistent with the agreed upon format, and the following of the policies and procedures of MCPB.

Periodic evaluations by the PD are an opportunity to discuss a programmer's strengths and weaknesses. In order to prepare for an evaluation, the programmer will be asked by the PD to tape a portion of his/her show. The evaluation will be based in part on this tape.

DETAILS OF PROGRAMMERS' DUTIES AND RESPONSIBILITIES

SIGN-ON AND SIGN-OFF:

Standard sign-on and sign-off announcements are located in the on-air room. These statements are to be read verbatim. Do not voice over music when reading these announcements. When signing on, the announcement should be the first thing to go over the air. When signing off, the announcement should be the last thing to go over the air.

Never turn the transmitter off without permission from the PD, OD, manager or chief engineer (CE) unless there is an extreme emergency such as a fire. It is against Station Policy to turn the transmitter off when a programmer fails to show for his or her shift. In that case it is your responsibility to stay until a replacement can be found, unless it is after midnight.

LOGS:

Operators are required to keep accurate and legible operating and transmitter logs. These logs are required by the FCC as part of the station's official and legal records of compliance and performance. If in doubt over the correct way to fill out the logs, ask the PD, OD or CE.

TIMELINESS:

Please arrive 15 minutes early for your shift. If you are going to be later than that, call the station so that the operator before you doesn't start preparing to fill in for you. Chronic lateness will not be tolerated. And will be considered grounds for dismissal.

Radio happens on time. You should always try to end your show on time. National shows that are prerecorded should begin as close to the second as possible. National shows that are aired direct from the satellite must start on the second. The first shift person each morning should call time (767-2676) and set the clock exactly. If you're in doubt about the accuracy of the clock simply call time and reset it. Note in the log the actual times that program changes occur. There is a place provided next to the scheduled times.

STATION IDENTIFICATION:

Every radio station is required by law to identify itself at particular times: at sign-on, sign-off and as close to the hour as possible. In order to fulfill the letter of the law regarding station identification you must say a legal ID. A legal ID is either of the following:

1. "KZYX, Philo, KZYZ, Willits and Ukiah"
2. "KZYX, 90.7, Philo, KZYZ 91.5, Willits and Ukiah"

We are also required to give the translator ID three times daily; at sign-on, sign-off and once during the day. This will be in the Log Book.

Do not say "KZYX in Philo or KZYZ in Willits". The wording in is not legally correct. Do not reverse the order of the ID. The call letters always go first and the city of license is always last.

Try to announce your legal ID right at the top of the hour. However, don't necessarily interrupt your program to announce it. Make it as near the hour as possible. Five minutes either way is considered an allowable maximum.

Feel free to give any kind of station identification you like at other times during the hour. In fact, you're encouraged to mention the call letters and frequency often so people know what station they're listening to.

UNDERWRITING:

Procedure for airing underwriting:

1. A programmer must check the program logs before his/her shift begins to see if underwriting is scheduled.
2. All underwriting is to be read exactly as written and scheduled.
3. Underwriting logs must be signed before a programmer's shift is over. Repeated negligence with respect to reading underwriting costs the station money and may be grounds for dismissal.

GUESTS:

You are responsible for the conduct, both on and off air, of anyone you bring into the studio. If you have a show that occurs during non-business hours you must have any guests' names recorded in the visitor log sheet in the control room. Minors

under 18 who visit the station after normal business hours must bring with them a signed parental consent form. Forms are available in an envelope by the mailboxes. Programmers must provide the minor with the form prior to the minor's station visit.

The studio is not a place to party. Station security during non-business hours is the responsibility of the person whose board shift it is. Theft of small items like CD's and microphones can be a problem, don't let it happen on your shift.

EMERGENCY ALERT SYSTEM:

In late 1996, the Emergency Broadcast System was changed to the Emergency Alert System.

MCPB is required to air an EAS test once a week during working hours. The times are varied each week to allow as many programmers as possible to become familiar with the system. The test is scheduled in the operating log. If you are unsure how to conduct an EAS test, consult the PD or OD.

The procedure for airing an EAS test is outlined in The Log Book in the on-air room. If you miss a test you **MUST** inform the PD so that it can be rescheduled.

Our link to the EAS is through radio stations KUKI and KOZT in Ukiah. Monthly, one of their tests turns on the system in our studio. When this happens, determine, by listening to the test's message, whether it is a test or an actual emergency. If the latter, immediately go to the orange folder on top of the equipment rack that is labeled: EAS CHECK LIST. Open the folder and follow the instructions on page one. If it is only a test, note the time of its occurrence in the log after resetting the switch. If it is not a test, immediately notify the OD, PD or news director **BEFORE** taking any EAS related action. Do not push the EAS tone generator button without authorization.

EQUIPMENT MALFUNCTION:

When equipment malfunctions, it is the responsibility of the operator to maintain program continuity to the extent that it is possible. Report the malfunction to the Chief engineer or any other paid staff. If the malfunction occurs during non-business hours, leave a message in the mailbox of the CE and the PD. If the malfunction is serious enough to interrupt regular broadcasting, try to inform the CE by phone. If the CE cannot be reached, try the OD next, then the PD and/or manager.

SUBSTITUTE POLICY & MISSING AIR SHIFTS:

Notify program director that you will not be able to make your regularly scheduled show. For non-emergency situations, please give a minimum of two weeks notice, or as soon as you know.

If you have a co-host with whom you share your time slot, the first option is to trade dates with that person. Notify program director of this and any subsequent changes that this causes in your program rotation schedule.

If you need to find a substitute, first contact program director to discuss mutually agreeable potential substitutes. Non-programmers may not sub for you except under special circumstances and with prior approval.

Once a list of potential substitutes is identified, it is your responsibility to contact those programmers and notify PD of who will be filling in for you.

In the event of a bona fide emergency, notify program director or another staff member as soon as possible. **DO NOT LEAVE A MESSAGE ON VOICE MAIL**, as it may not be retrieved in time. If time & circumstances permit, make a good faith effort to contact potential substitutes in accordance with the policies outlines above.

An operator who misses an air shift without notifying the PD is subject to immediate and permanent removal from all air shifts. The only excuse is a last minute emergency that wouldn't allow time to notify the station (auto accident, sudden road washout, etc.).

PREEMPTIONS:

The PD may preempt your air shift in full or in part to air special programming. The PD will notify you personally as soon as possible after the decision to preempt you has been made. If one hour or more of your air-time is preempted, you will not be responsible for any of your air-time if you so choose. The decision of the Program Director on matters of preemption, is final. You may be asked to run the board during a preempted air shift but you may decline with no prejudice against you or your work at the station.

If you are informed while your show is in progress that the remainder will be preempted, you are expected to cooperate in full with the PD. Preemption on such short notice would only be in cases of important, breaking news events or emergencies (see EAS Tests).

PLEDGE DRIVES:

It is part of a programmer's responsibility to help with the fund drives. Currently, these occur once each spring and once each fall. They are an extended period of selling MCPB to the listeners and raise a significant amount of our budget.

Pledge drives are not considered a preemption. If your show falls on a pledge day, you are expected to work your regular air shift and devote it to raising money.

It is important to have the regular programmers on air doing the pitches because your audience recognizes your voice and associates you with the show. However, a pledge drive is under the direction of management. If a disagreement arises about the content of your show or the frequency of your pledge pitches, you must defer to those managing the drive.

During a pledge drive, you should be teamed up with another programmer for your shift. In most cases it will be someone you know and already work well with. You'll find it a great relief to have someone to interact with on air during these fund-raisers. It's important that you both plan ahead how to best to work as a team.

Although marathons are a lot of work, usually a great sense of camaraderie infects the volunteers as we labor together for our common good of your show does not occur during a marathon, chances are you'll be asked to help in other ways, from answering phones to being on air during one of the programs.

THE PROGRAMMER'S PHONE LIST:

All programmers' phone numbers are included in the Programmer's Phone List. This list makes you accessible to other programmers. Under no circumstances, other

than express permission from another programmer, may you give information from the list to anyone other than MCPB staff or programmers.

ON-AIR ANNOUNCEMENTS:

Read through all written announcements before reading them on-air in order to make sure they are timely and you can pronounce all names, etc. properly. It is important to remember that you cannot give ticket prices, use imperative language or call to action in either PSAs or Calendar Events. You may give ticket prices and use imperative language when promoting station-sponsored events.

PUBLIC SERVICE ANNOUNCEMENTS:

One of the important ways that KZYYX serves the community is through Public Service Announcements. KZYYX programmers are expected to read at least two PSAs an hour. To ensure a fair rotation of announcement, it is best to choose PSAs that haven't been read yet or recently, in addition to choosing PSAs of interest to your particular audience. After you read a PSA, please initial and date it. Please read PSAs as if you care about them.

CALENDAR EVENTS:

Calendar events are defined as for-profit events and should be read separately from PSAs. These events are introduced by saying something like "...and now for today's community Calendar." You are free to use or not use the Calendar Events file as you wish. Remember that we don't announce prices. Remember, also, to use the Calendar to inform about, not promote events (see "Commercialism").

PROMOS:

You are requested to promote other MCPB shows during your shift, and you are expected to promote MCPB-sponsored events. Many of these promos may be available in the on-air room on carts.

CARTS:

Programmers are encouraged to make carts promoting their shows. Carts are also a useful tool to help you time your show or turn a record over without causing dead air. Carts must be approved by the PD before being put in the on-air room for airing. A cart's subject, expiration date, and running time in seconds should be clearly written on its label. Carts of 60 seconds or less will fit into more formats and will be played far more often than longer carts. Indeed, a 10 to 30 second cart may relay your message as well or better than something longer.

It is station policy that carts are used only to promote MCPB activities, shows, benefits, etc. They are not to be used for PSAs or to promote other activities unless specifically approved by the PD or manager.

Music carts of various styles are also available for fill/transitions to other programs.

CONTESTS AND TICKET GIVE-AWAYS:

MCPB does not conduct on-air contests. You may give away tickets on the air to the 2nd or 3rd caller, etc. but you can't conduct a contest for skill or knowledge. Also, you cannot mention the event on the air if you accept complementary tickets for your own use. That could be construed as "Payola" (see page 25). Ticket give-aways must be approved by the PD. Ticket winners must be logged on the Ticket Give-away Form and returned to the PD or Operations Director (OD).

BROADCASTING A TELEPHONE CONVERSATION OR TAPING ONE FOR LATER BROADCAST:

The law states that before you put a live phone conversation on the air, or record one for later broadcast, you must inform the other person verbally that you intend to broadcast the conversation. The usual procedure is to ask for permission. During a live call-in show, it is mandatory that you inform the person that they are being placed on air. If the call is initially taken on-air, standard policy is to answer the phone with the information that the caller is on-air Example: "Hello, KZYX&Z, you're on the air!"

GUIDELINES FOR NEWS, PUBLIC AFFAIRS AND COMMENTARY:

Definitions:

- "News" - short, timely, factual, informative pieces.
- "Cultural /Public Affairs" - longer, analytical programs, timely or not.
- "Commentary" – an opinion piece or program representing a particular point of view on a topic.

NEWS POLICY:

News programming should strive for the highest standards of fairness, accuracy, and credibility. Information is to be confirmed before it is aired. If it cannot be confirmed, a statement to that effect is to be included and the source of the information identified. All sources must be identified or, if confidential, be identifiable to management.

News reporters will be assigned to stories based on KZYX&Z's needs and their interests. No reporter will be assigned to a story that may present a conflict of interest. It is the station's policy that all news personnel receive sufficient training to maintain MCPB's technical and journalistic standards.

CULTURAL AND PUBLIC AFFAIRS COMMENTARY POLICY:

The opportunity for free, informed debate is an important service MCPB provides. It's everyone's responsibility, staff and programmers alike, to ensure that no one opinion, point of view, analysis or ideology is given regular programming

dominance of the airwaves at the expense of others. Public affairs programmers in particular have a responsibility to facilitate the fullest possible discussion on the issues at hand through in-depth questioning of guests representing multiple points of view. The presentation of a range of perspectives is considered central to MCPB's mission.

Both programmers and guests should be able to identify the source(s) of information they present on the air. Listener participation by telephone should be encouraged on cultural/public affairs programming when possible. Expressions of opinion by programmers and station listeners should be clearly noted as such.

RULES FOR POLITICAL BROADCASTING:

The FCC forbids noncommercial stations to broadcast political advertising. MCPB cannot accept remuneration to broadcast support for or opposition to any candidate or ballot measure. Violation of these rules can put MCPB's license in jeopardy. Willful violation by a programmer is grounds for immediate suspension from the air, at the discretion of the PD and/or manager

Stations must provide "reasonable access" to all legally qualified candidates for federal office (President, Vice President, the U.S. House of Representatives, and the Senate). A station is expected by the FCC to provide "reasonable time" to candidates for state and local office (governor, mayor, city council, board of supervisors, etc.). MCPB management is responsible for making good faith journalistic judgment in determining which state and local races to cover and how much time to make available to such candidates.

A programmer addressing political concerns and candidates within his/her program must be aware that if s/he broadcasts a "use" by candidate A, "equal opportunities" must be provided to A's bona fide opponents. This need not necessarily be on the same show with A, but it must be within the context of the programmer's show and within a reasonable time after A appeared. If this is not possible, the programmer must consult with the PD or manager before putting A on the air to insure that "equal opportunity" can be made available in a different time slot.

Definitions:

- "Use" is defined as the broadcast of a candidate's voice, which is identifiable by members of the public.
- "Equal opportunities" means that the station must make available the same length of time with an audience potential comparable to that of the first candidate.

To be eligible for "equal opportunities," a person must be a legally qualified candidate for office. To be legally qualified, a person must A) publicly announce his or her candidacy and EITHER B) meet California's requirements to be on the ballot, OR C) make a substantial showing that s/he is a bona fide write-in candidate.

An opponent's request for equal opportunities must be made within seven days of the first "use." The station is not obliged to contact candidate B. However, the station has a duty to place information about the "use" in its political file, which is part of the public file. Programmers are therefore required to provide the PD with all

information about a "use" on their program.

Certain situations are exempt from the "use" requirements. These are:

1. bona fide newscasts
2. bona fide news documentaries
3. on-the-spot coverage of bona fide new events
4. bona fide news interviews

If the station grants access to an individual or group promoting candidate A and the group does not actually use the candidate's voice, the station must also provide "quasi-equal opportunity" to a comparable group supporting candidate B (providing B's supporters make their request within seven days of the broadcast). This rule only applies to major candidates and major opponents. We are not required to give air time to "fringe" opponents (although you may elect to do so).

Additional information regarding political broadcasting may be obtained from the PD.

COMMERCIALISM:

MCPB's non-commercial license does not allow commercial advertising except on our own behalf. All programmers must understand what does and does not constitute a commercial. Many individuals and businesses will want to put their messages on the air, but if their message is a commercial, we must turn them down.

FCC rules on advertising can be difficult to interpret. The important criterion is to determine who benefits from an announcement. It is each programmer's responsibility to be clear on the commercial nature of any announcement s/he reads over the air. If there are any questions, one must consult the PD BEFORE airing the announcement. All Public Service Announcements (PSAs) must be approved by the PD before being included in the PSA file for airing.

EXAMPLE: Someone calls up and says she has two tickets to a concert this weekend, but a family emergency prevents her from using them. She's willing to sell them at cost. You cannot announce these tickets for sale. You may, if you choose, offer to help give the tickets away. Or you can write down the information on the remote chance that someone else will call the station looking for tickets to that concert. But, you cannot be involved in selling the tickets on the air, not even if the seller offers to donate the proceeds to the station.

EXAMPLE: Someone calls up and says the Coalition to Stop Blue Meanies is having their taco benefit. The station has been reading their PSAs, but the turnout is low and the benefit is half over. The caller pleads with you to go on the air and really encourage people to attend. A case like this will call for some judgment from the programmer. It is not appropriate for a non-commercial station to promote the sale of tacos. It is permissible for you, as an individual, to say how you feel about Blue Meanies, and even personally endorse the work of the coalition. But FCC regulations prohibit you from urging people to buy tacos. In short, you can inform your listeners that tacos are being sold but can't promote them in any way, such as calling them the best tacos this side of Tijuana.

It is both FCC and station policy NOT to make statements that are a "call to action," that is, any statement directing the listener to do something. For example, "go on down..." "come by and see..." "call them at..." Nor may you use qualitative or

comparative language when describing a product, service or company. For instance, "... a relaxing and comfortable evening in one of Tom's luxurious limousines..." is not permissible; "...an evening in one of Tom's limousines..." is permissible. You may inform (who, what, where, when, why) but not promote.

EDITORIALS AND DISCLAIMERS:

It is a station policy that we do not, as a station, editorialize on any subject. In addition, the FCC specifically forbids our editorializing on or endorsing a political candidate or pending legislation.

As individuals, you, your callers and guests are welcome to editorialize as long as a disclaimer is used. It is your responsibility to make clear to the listener that your, your guest's, or phone caller's opinions are those of the person expressing them, and are not necessarily the opinion of the station, its staff, or management. A standard disclaimer to that effect is posted on the wall in the on-air studio. This disclaimer must be read at the beginning of any show that by its nature will contain strong opinions. This disclaimer should be reread every hour and again at the conclusion of the show.

REBROADCASTING AND COPYRIGHT LAWS:

It is illegal for us to rebroadcast anything from another radio or television station, either simultaneously or delayed, unless we have express, written permission from the originating station. If you want to rebroadcast something on your show, you must first consult the PD. MCPB must have written permission from any originator on file before a rebroadcast can be aired.

If you want to broadcast a speech or concert that was recorded privately and isn't published material, you must submit written permission from the artist(s) or their representative(s) to the PD or OD before the recording is aired. Artist Release Forms are available from the PD.

Copyright laws apply if you quote print material in your program. You are permitted "fair use" of copyrighted print material if reading or quoting from it on the air. Before you read copyrighted material at great length on the air, ask yourself whether doing so could reasonably interfere with the copyright holder's ability to sell the material in our broadcast area. If it would, that would constitute an infringement of the copyright. Consult the PD if you have questions regarding copyright and your program.

OBSCENITY, PROFANITY, INDECENCY

Obscenity, as legally defined (see below), has always been prohibited by the FCC and is not allowed on MCPB. Programmers should be aware that they will not only lose their program, but may be prosecuted directly for obscene broadcasts under both state and federal regulations. FCC policy on profanity and indecency has been subject to change in the past and may be again. Management will post any changes on the bulletin board. The following policy reflects the management's understanding of current FCC requirements, in it "sensitive language" refers to indecency' and/or profanity. PLEASE UNDERSTAND THAT IF THE FCC GETS A SINGLE COMPLAINT ABOUT MCPB AIRING SUCH LANGUAGE, WE CAN LEGALLY

BE FINED. Deliberate abuse of this policy is grounds for a programmer's dismissal.

DEFINITIONS:

-- OBSCENITY - The basic guidelines used by the FCC regarding obscenity were put forward by the Supreme Court in Miller V. California (413 U.S. 15, 1973) a case that dealt with printed works. ALL THREE ELEMENTS of the standard set out by the Court in this case must be present for a program to be considered legally obscene.

- 1.) Whether the average person, applying contemporary community standards, would find that the work, taken as a whole, appeals to the prurient interest.
- 2.) whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law.
- 3.) whether the work, taken as a whole, lacks serious literary, artistic, political, or scientific value.

-- INDECENCY - Indecency is defined by the FCC as the broadcast of language that "describes, in terms patently offensive as measured by contemporary community standards for the broadcast medium, sexual or excretory activities and organs" (Pacifica Foundation, 56 FCC 2d, 1975).

While this definition is similar to that for obscenity, there are some important differences. First, obscenity requires that the language in question appeal to the prurient interest; indecent language does not have to meet this test. In addition, indecent language "cannot be redeemed by' a claim that it has literary, artistic, political, or scientific value. Also, obscenity laws look to local values to determine what is patently offensive; the FCC's indecency policy creates a single national standard for the broadcast medium. Finally, obscenity is never permissible; whereas, indecency is permissible when there is no reasonable risk that children are in the audience. It is MCPB policy to consider that children are not likely' to be listening from the hours of 10:00 p.m. until 6:00 a.m. As of this writing there is NO legal "safe harbor" at any time of day, however.

-- PROFANITY - Court cases have stated that in the case of language that might be characterized as profane (hell, damn, Goddamn, etc.), the key factor is the intention of the speaker. If the speaker's language was meant as "an imprecation of divine vengeance or implying divine condemnation, so used as to constitute a public nuisance." the language is considered profane. In other words, profane language occurs when someone who says Goddamn really means God damn.

So, while members of the public may find the use of such language offensive, a complainant would have to prove the above intent in order to get a profanity ruling against the programmer. It's generally assumed by the Commission that letters from the public to broadcasters serve as the most effective check with regard to such language.

GUIDELINES:

All programmers and on-air participants will use caution with respect to on-air speech and their choice of aired materials. Both editing and forethought may be necessary, where appropriate, to avoid jeopardizing MCPB's license. Obscene words are never allowed on air. The use of "sensitive" language is restricted to programming in which it constitutes part of an artistic, literary, or documentary' device, that is, it is consistent with the aims and context of the subject matter.

It is station policy that:

1. Words that could be taken as obscene by any listener will not be used at any time in any on-air format (conversation, phone-in, taped material etc.). Participants should be told of this rule.
2. Guests and callers who use obscene words will be reminded of the rules after the first instance and immediately removed from the air if it continues to occur.
3. Any program material containing "sensitive language" must be cleared in writing with the PD or manager before being aired.
4. Programming containing "sensitive language" will only be aired between 10:00 p.m. and 6:00 a.m. Exceptions must be cleared in writing by' the PD or manager.
5. Programming that may contain "sensitive language" will be prefaced by reading the following statement over the air:

LANGUAGE WARNING:

"The following programming contains sensitive language which may be considered unsuitable for children. Listener discretion is advised. This program will conclude at ----- o'clock."

Ignorance is no excuse for airing obscenity or "sensitive language" at an improper time. Be aware that this policy includes music. You are responsible for what you air, including recorded material, and are expected to have previewed whatever goes out on your program.

Be aware these policies apply to all languages, not only to English. In addition, the FCC also requires that broadcasters reasonably screen out songs that promote drug use. More specific material regarding obscenity, profanity, and indecency may be obtained from the PD or manager.

ON-AIR "PERSONAL ATTACK":

The Personal Attack rule is a spin-off from the Fairness Doctrine (an FCC rule that has been dropped). It requires that, in certain circumstances, stations give individuals and groups a chance to respond to certain allegations made about them.

According to the FCC, a Personal Attack occurs when, during the discussion of a controversial issue of public importance, programming is broadcast that attacks the honesty, character, integrity, or like personal qualities of a person or group. This rule applies to all programming that meets this definition, including programming done by station personnel, volunteers, or guests, or programming supplied by a network, independent producers, or other program suppliers.

All the elements cited above must exist in order to trigger the Personal Attack rule. Material must actually be broadcast, the programming must involve a discussion of a controversial issue of public importance, and finally there must be an attack

implying the moral turpitude of an individual or group. Criticisms of ability, knowledge, reasoning process or conclusions are not a personal attack. Stating that a person is incompetent, for example, is not a personal attack.

Within seven days of a personal attack, the licensee (in our case, MCPB) is required by Section 73.1920 of the FCC's rules to provide to the person or group attacked:

1. The date, time, and identification of the broadcast.
2. A script or tape of the broadcast, or a summary if neither script nor tape is available.
3. An offer of a reasonable Opportunity to respond over the licensee's facilities.

The station is then obligated to let the person or group attacked respond in person. The person or group attacked may wish to delegate this right to a representative, but the station may not itself select a substitute respondent to fulfill this obligation. If the attacked person or group does not wish to exercise the right to respond, the station may still have a general responsibility to present an Opposing viewpoint.

According to the FCC, the Personal Attack Rule does NOT apply to the following:

1. Attacks on foreign groups or foreign public figures.
2. Any attacks made by a legally qualified candidate for public office during "uses" of stations covered by the candidate rules.
3. Attacks made by legally qualified candidates for public office, their authorized spokes person, or persons associated with candidates in a campaign on other such candidates, their spokes person, or persons associated with them in the campaign.
4. Bona fide newscasts, bona fide interviews, and on-the-spot coverage of a bona fide news event, including commentary or analysis contained in the foregoing programs.

When questions of personal attack arise you are expected to assist the Program Director in any way you can.

INVASION OF PRIVACY:

According to the FCC, no programming may be aired that will violate the privacy or other rights of third person parties. Invasion of Privacy may arise from

1. intrusion upon the seclusion of another
2. public disclosure of embarrassing private factors or unreasonable publicity given to a private life,
3. publicity which places a person in a false light before the public, and
4. appropriation of a person's name or likeness for commercial advantage.

SLANDER:

California Civil Code Section 46 (first enacted in 1872) defines 'slander' as "a false and unprivileged publication, orally uttered, and also communications by radio or any mechanical or other means which:

1. charges any person with crime, or with having been indicted, convicted, or punished for crime;
2. imputes in him the present existence of an infectious, contagious, or

loathsome disease;

3. tends directly to injure him in respect to his office, profession, trade or business, either by imputing to him general disqualification in those respects which the office or other occupation peculiarly requires, or by imputing something with reference to his officer, profession, trade, or business that has a natural tendency to lessen its profits;

4. imputes to him impotence or a want of chastity; or

5. which by natural consequence, causes actual damage."

Examples from California courts of statements found untrue and therefore slanderous under category #.3 are: Statements that a school principal was about to be dropped because his superior considered him a "weak spot" in the school system; president of a nonprofit corporation called a liar and black sheep; statement that a master mariner was in the habit of getting drunk; calling an attorney a crook; accusing a car dealer of having a "hot" title.

The meaning of category #.5 is that, even though the statement may not fall into one of the other categories, if it actually causes damage to a person (such as loss of a job or income) and is not true, it constitutes slander.

Truth is, of course, an absolute defense to a charge of slander.

Slander may arise from original material or material repeated from another source. In court, the origin of a slanderous statement is unimportant. For example, if a programmer repeats verbatim a slanderous remark made by another, even though the third party source is made clear, a slander lawsuit may result. Also, if a programmer encourages a guest to make slanderous statements or makes no reasonable effort to prevent such statements from being made, a slander lawsuit may result.

An organization or person sued for slander has the burden to prove that the statement was true. The person wronged by a slanderous statement made on MCPB's air may sue any or all of the following: KZYX&Z Radio, Mendocino County Public Broadcasting, the programmer, members of management, and individual board members.

Guidelines to help programmers avoid slander and inform them of their rights in the event that slander is charged:

1. If a programmer has a question about information or statements which she or he intends to broadcast or questions the style of a planned presentation, he or she must clear the broadcast with management. If a programmer follows this procedure, obtains written approval, and is later sued for slander over the material approved, the station will provide a legal defense in the suit to the extent of its financial ability.

2. If slanderous material is inadvertently broadcast (i.e., by a phone caller or a guest who gave no prior indication that she or he planned to make the statement) and the programmer is sued, the station will provide a legal defense to the extent of its financial ability. The programmer is responsible, however, to exercise due care to prevent the utterance of slanderous statements. If a programmer suspects that a guest or phone caller is heading into a questionable area, the programmer should cut that person off immediately. If the statement is made before the programmer has time to do so, s/he should cut the caller off as soon as possible and immediately read the standard disclaimer.

3. If a programmer makes a statement that does not adhere to these slander guidelines or encourages others to make such statements, and if that programmer is sued for slander, the station is not obligated to provide a legal defense.

In the event that slander is charged, the PD and manager will meet with the programmer involved to verify what happened. This information will be given to an attorney who will advise on the next steps to be taken. Legal timelines will be followed and the programmer will be expected to be available for telephone or in-person meetings as necessary

Common sense and the truth are the best guidelines for avoiding a slander lawsuit. Programmers should be concerned for and respectful of the privacy and reputations of others. While truth is a defense to slander, it is not sufficient that a programmer believes in the truth of the statement, or even that others have assured the programmer of the truth of the statement. Sensitive information must be carefully confirmed. While it is station policy to confirm accuracy and check sources before airing any information, you must be especially careful to adhere to this policy where the information may be damaging to a person's reputation.

MCPB's policy is to strive for truth and not shrink from controversy. A forum for free and informed debate is one of the most important services we can render. In no way is this policy intended to stifle controversy or investigation into areas that are uncomfortable for some people. This policy is intended, rather, to clarify the legal rights and responsibilities of programmers and to encourage respect for both truth and individual rights of privacy.

PAYOLA

The FCC has rules regarding payments to individuals. MCPB has developed the following policy to conform to those rules. Any MCPB employee or volunteer who has any role in the selection of broadcast matter will not, on behalf of his or her own person,

1. accept money, services, goods, or other valuable consideration from individuals, organizations, associations, or other entities to broadcast a program or program material, or
2. promote any activity or matter in which he or she has a direct or indirect financial interest, or
3. broadcast any material that, to his or her knowledge, requires sponsorship identification as outlined in the FCC's regulations and that does not include the required announcements.

Among other things, this policy means that you cannot accept tickets to an event for your own use in exchange for mentioning that event on the air. You can, however, accept tickets to give away to listeners on the air.

Detailed information regarding payola is found in Sections 317 and 508 of the Communications Act and the Commission's Rule 73.1212, both of which are found in the NFCB Legal Handbook. Consult the Program Director if you are unclear about the station policy or require more information.

Scanned off grid using solar and bio-diesel power by Creek Norris.