



1623 Fifth Street, Suite A
Davis, CA 95616

VOLUNTEER INFORMATION AND TRAINING MANUAL

December 2007

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1 Station Information

1.1 Understanding FM spectrum allocation & low-power FM's place on the dial

The FM band is divided into a commercial portion, 92.1 FM to 107.9 FM, and a non-commercial educational portion, 88.1 FM to 91.9 FM. **Commercial** stations operate at anywhere from 1000 to 100,000 watts and are for-profit operations.

The **non-commercial** portion is designated for stations licensed to non-profit organizations (such as universities, high schools, religious institutions, and NPR affiliates). These stations operate from a few hundred watts to several thousand. The Federal Communications Commission (FCC) has classes of stations (A,B,C...) that identify a station's broadcast wattage and antenna height.

At one time, the FCC issued Class D licenses, which were **low-power** licenses for non-commercial stations, but ceased in 1978. In recent years, media activists began protesting that local entities could not apply for low-power licenses for community-affiliated programming. "Pirate," or illegal, broadcasting increased, and the FCC responded by creating a Low-Power FM license in 2000.

Since then, licensing of these stations has remained controversial, due largely to lobbying from commercial radio broadcasters and even large non-commercial broadcaster such as NPR. Nevertheless, LP-100 (100 watt) stations have been licensed to serve local communities. The nature of these stations is non-commercial, **meaning that they cannot be used for any commercial, promotional or money-making purposes**. This must be clear to every broadcaster on KDRT. The FCC Laws pertaining to non-commercial FM radio are stated (see Section 3).

2 KDRT Background & Contacts

Davis Community Television (DCTV) is a public access channel serving the city of Davis. DCTV is a 501 (c)(3) non-profit organization and is governed by a nine-member volunteer board of directors. In May 2000, DCTV applied for a low-power FM radio license and in March of 2003 received a construction permit, opening up an 18-month window in which to get the station on the air.

A working group was formed to plan and launch the station. Committees were created to oversee everything, from programming, to equipment, to training. On September 24, 2004, KDRT (K-DIRT) went on the air at 101.5 FM. DCTV is the official licensee and KDRT exists as a project of DCTV. DCTV operates KDRT and programs the station according to its mission and bylaws. KDRT provides non-commercial radio programming for the Davis community.

As the licensee and overarching organizational entity, DCTV and its policies are the ultimate governing authority for KDRT. The rules and policies presented in this document exist within that greater context. KDRT policies and its management are coordinated through the KDRT Working Group, a committee of the DCTV board.

KDRT maintains a staff/volunteer/programmer list that includes all the email addresses and phone numbers of those involved. This list is to be used for KDRT purposes only and will be updated regularly.

Phone Numbers:	
DCTV/KDRT Business Line	(530) 757-2419
KDRT Request Line	(530) 792-1648
Mailing Address:	1623 Fifth Street, Suite A, Davis, CA 95616
Web & Email:	www.kdrt.org
	info@kdrt.org
Staff Contacts:	
Station Director:	Jeff Shaw (530) 757-2419 emergency: 848-0361 info@kdrt.org
Program Director:	George Moore 530-756-0380
Technical Director:	Darrick Servis (530)757-2419emergency:(916)832-5639 darrick@dcn.org
Underwriting Director	Jeff Shaw (530) 757-2419 development@kdrt.org

3 Responsibilities & Rights of Programmers

3.1 Requirements for becoming a programmer

KDRT's programming consists of 1) live, locally created radio shows; 2) simulcasts of selected DCTV television programs; 3) syndicated programs; and 4) automated recorded music.

Currently, community members may sign-up for an airshift by filling out a programming proposal (available at www.kdrt.org) and submitting it for review. If the program proposal is

approved, the programmer will receive training and be integrated into the programming schedule.

Anyone broadcasting material on KDRT is a **programmer**. Programmers must comply with the verbal instructions of KDRT staff. In addition, each programmer must be able to understand FCC laws pertaining to radio, and participate in the tasteful and legal execution of radio programming. Each new programmer shall:

- Undergo training with a designated KDRT staff member;
- Read this document;
- Sign a programming contract stating his/her compliance with FCC laws and KDRT policies and responsibilities, as well as DCTV's rules and policies;
- Fill out an official program proposal;
- Make sure the KDRT Station Director has your current phone number and email address;
- Sign up for the KDRT DJ Email Group to receive official station information.

3.2 Policies regarding unlawful harassment

DCTV, and by extension, KDRT, is committed to providing a work environment free of unlawful harassment. Programmers must comply with these policies, spelled out fully in DCTV's Rules & Policies and in its employee manual, excerpted in the appendix of this document.

3.3 Probationary period & ongoing evaluation

Each volunteer new to KDRT or to his/her respective position shall serve a three-month probationary period. During the probationary period, the volunteer will work under close supervision to clarify job expectations and to demonstrate proper attitudes and abilities for the position. Unless given prior written notice to the contrary, probationary volunteers shall automatically become regular volunteers at the end of the probationary period. Any volunteer may request a performance evaluation from the appropriate supervisor. Supervisors may choose to provide full or partial unsolicited performance reviews at any time.

3.4 Violations

Violations of KDRT and/or DCTV policies are treated seriously. KDRT's response shall be one of progressive, corrective steps—"corrective" in order to assist the volunteer in changing his or her behavior, and "progressive" in moving from less severe to more severe disciplinary actions depending on the circumstances of each situation.

Paid staff members supervise volunteers and, if misconduct continues, may impose appropriate penalties including, but not limited to, requiring that a volunteer meet with appropriate staff and suspending on-air privileges.

A volunteer shall not be dismissed unless s/he has received a verbal and at least one written warning and has failed to improve his/her conduct (unless the infraction is grievous enough as to warrant immediate suspension of privileges—see below, immediate suspension). Performance problems and misconduct as defined in this document shall be responded to fairly and consistently in the organization.

Verbal warning

As a first disciplinary step, staff (at KDRT, this will typically be the station director) shall issue a verbal warning and shall file documentation of same in the individual's personnel file. The warning shall specify either a reasonable time in which the unacceptable behavior is to be corrected, if applicable, or a clearly stated prohibition on unacceptable behavior.

Written warning

As a second disciplinary step, the supervisor may issue a written warning for the same or similar infraction that led to the verbal warning. Depending on the severity of the objectionable behavior, a second warning may result in suspension or discharge.

Immediate Suspension or Discharge

In cases of severe misconduct or illegal activities, the supervisor may bypass the progressive disciplinary procedure and issue an immediate suspension or discharge.

Such violations include, but are not limited to:

- Assault of another person on station premises or at station-sponsored events;
- Theft, willful destruction, or misappropriation of station property;
- Use of alcohol, drugs or illegal substances on premises or to the extent that it impedes job performance;
- Intentional violation or disregard of FCC policies and regulations;
- Willful falsification of station documents;
- Public misrepresentation of the station or dissemination of information detrimental to the welfare of the station;
- Refusal to comply with the policies in this manual.

3.5 Complaints and Grievances

KDRT encourages informal and mutually respectful approaches to solving problems. The purpose of the complaint and grievance policy is to establish open and direct communication on issues concerning and limited to working conditions at KDRT.

Complaints

A complaint is an informal avenue for addressing a problem, with the goal of mutual satisfaction among the parties concerned. Discussion should progress through these stages to an ultimately mutually satisfying resolution: between the volunteer and his/her supervisor;

between the volunteer and the KDRT working group; and finally, between the volunteer and the board of directors. A complaint need not be written.

Grievances

Although KDRT encourages continuing informal communication among volunteers, staff and board, it recognizes its responsibility to ensure that an established written grievance procedure relating to conditions of station involvement is available to volunteers. This grievance procedure shall ensure that each volunteer may, without prejudice or fear of retaliation, express and present a grievance through proper channels with the assurance of timely and thorough consideration. During the formal grievance procedure, the grievant and supervisor shall make efforts to resolve the grievance by seeking a mutually acceptable solution to the matter(s) grieved.

Grievances shall be submitted in writing to the station director no later than two weeks (14 calendar days) from the date the volunteer first became aware of, or should have become aware of, the matter grieved. Only one subject matter shall be covered in any grievance.

A grievance shall describe: the condition of volunteering that is the subject of the grievance; the facts upon which the grievance are based; and the relief sought by the volunteer.

Within twenty-one (21) days of the receipt of the grievance from the volunteer, the station director shall meet with the grievant to hear the grievance. When the grievance concerns the conduct of the supervisor, the volunteer may omit this step file a grievance with the KDRT Working Group. If the grievant is still dissatisfied, s/he may file a grievance with the board of directors.

The grievant is entitled to a written response from either the supervisor, working group or board, no later than two weeks (14 calendar days) following the appropriate party's decision.

4 FCC Laws Pertaining to Radio Broadcasts

4.1 Laws pertaining to all non-commercial stations

Some material in this manual is enforceable by the federal government via the FCC. If those laws are broken, the station can be fined several thousands to tens of thousands of dollars, or even have its license revoked. This manual attempts to outline basic information on FCC laws and regulations needed by KDRT programmers, but is by no means comprehensive.

Some of the FCC laws and regulations that all non-commercial stations adhere to are:

- Under the influence: You must never broadcast while under the influence of alcohol or any other intoxicant as per FCC regulations. (Additionally, DCTV rules prohibit possession of alcohol anywhere on the premises.)
- Rebroadcasted Material: A programmer cannot rebroadcast material originally broadcasted on another radio station, per LPFM rules.

- **Station ID:** A legal station ID must be broadcast at least once per hour, at the top of the hour (See “Talking on the Air” for details). This is recorded in the Programming Log.

4.2 Obscenity and Indecency

Of the issues that come up during new programmer training, perhaps none is more perplexing to the trainee—or the training staff—than those pertaining to obscenity and indecency.

Roget’s Thesaurus will tell you obscene and indecent are synonymous and interchangeable, but the FCC makes an important distinction between these words, and thus enforces obscenity and indecency standards differently.

The FCC’s obscenity and indecency guidelines have less to do with the (in)famous Seven Dirty Words (see appendix) than context. Concerning obscenity and indecency standards for broadcast, the FCC website says:

It is a violation of federal law to broadcast obscene programming at any time. It is also a violation of federal law to broadcast indecent programming during certain hours. Congress has given the Federal Communications Commission (FCC) the responsibility for administratively enforcing the law that governs these types of broadcasts. The Commission may revoke a station license, impose a monetary forfeiture, or issue a warning, for the broadcast of obscene or indecent material.

Obscene Speech

Obscene speech is not protected by the First Amendment and cannot be broadcast at any time. To be obscene, material must meet a three-prong test:

An average person, applying contemporary community standards, must find that the material, as a whole, appeals to prurient interests;

The material must depict or describe, in a patently offensive way, sexual conduct specifically defined by applicable law; and

The material, taken as a whole, must lack serious literary, artistic, political or scientific value.

Indecent Speech

The FCC has defined broadcast indecency as “language or material that, in context, depicts or describes, in terms patently offensive as measured by contemporary community broadcast standards for the broadcast medium, sexual or excretory organs or activities.” Indecent programming contains patently offensive sexual or excretory references that do not rise to the level of obscenity. As such, the courts have held that indecent material is protected by the First Amendment and cannot be banned entirely. It may, however, be restricted in order to avoid its broadcast during times of the day when there is a reasonable risk that children may be in the audience. The infamous Seven Dirty Words are all considered indecent (see Appendix, section 3).

Consistent with a federal statute and federal court decisions interpreting the indecency statute, the FCC adopted a rule that says broadcasts (both television and radio) which are aired between 6 a.m. and 10 p.m. are subject to indecency enforcement action. In other words, indecent material is only allowed during certain times (10 p.m. to 6 a.m.) termed “Safe Harbor.”

As of March 2004, the FCC streamlined the procedure for enforcing obscenity and indecency. All that is required for material to be deemed indecent is “patently offensive” references or depictions of sexual or excretory activities or organs. It is therefore KDRT’s policy to ban the broadcast of songs that include these subjects from 6 a.m. to 10 p.m.

The only way to avoid airing indecent music during non-“safe harbor” hours—or to avoid playing obscene music at any hour—is to listen to and evaluate the content of every song before performing your radio show. Preparation is the key to avoid endangering our broadcast license. Stay safe; listen to the songs before airtime.

For more detailed examples of obscenity and indecency, please refer to the Appendix.

4.3 Other prohibited On-Air Speech

In addition to the *Seven Dirty Words*, strong sexual innuendo, and non-scientific references to excretion, the FCC prohibits certain remarks and types of speech. **Violations of any of these rules can result in criminal or civil prosecution of the programmer or host responsible, in addition to sanctions and fines for the radio station.**

Cusswords

Cusswords are not allowed in broadcasts outside of safe harbor. A cussword may occasionally be inadvertently broadcast. If this happens, *do not* draw attention to it. Never apologize for indecent material—it only draws attention to it. If there is a song with cusswords being played, the best policy is just to fade it down and go to another song. In your back-wrap, do not explain why you faded the song down.

Guest Cussing

Programmers must brief guests in advance that they cannot cuss or talk about indecent/obscene material. If they do accidentally cuss, you must warn them. If they do cuss again, you must turn off their mic and not allow them to speak on the air again. For callers, you must hang up *as soon as possible* if that caller is cussing.

Defamation

Defamation is defined as an attack on the character of a private or public figure by making on-air statements that are false or cannot be proven. Private figures—ordinary people, such as your neighbors—can bring and win defamation lawsuits against a radio station and/or a program host by proving that the host negligently issued false statements potentially damaging to the plaintiff’s reputation. Public figures must additionally prove that malice was used, i.e., the host knew that a statement was false or acted in reckless disregard as to whether a statement was true or false.

In a widely known example, O.J. Simpson was acquitted of two counts of murder, and despite popular opinion that he was wrongly acquitted, it is illegal to say on the radio that O.J. Simpson is a killer. To avoid becoming a defendant in a defamation lawsuit—the host is just as likely as the radio station to be implicated in a civil action for defamation—remember the immortal words of your kindergarten teacher: “If you can’t say anything nice about any person (on the radio), don’t say anything at all.”

Personal Attacks

The FCC’s personal attack rule gives individuals the right to respond to an attack on their character during a discussion of controversial public issues such as upcoming elections for state or local governmental office. In such cases, the FCC has concluded that radio stations airing such attacks should be required to send the text of the attack, a recording of the attack, or a synopsis of the elements of the attack to the party of the attack and a specific offer to use their broadcast facilities for response.

Public affairs hosts must notify the station director immediately after a personal attack has been waged—whether by the host, co-host, or guest of the program—and supply a tape or CDR of the show if available (and if not, a synopsis of the attack) so that the director may make the requisite outreach to the assailed party. The rule applies most often in political talk shows, where a host or guest may call into question the voting record of a local Congressperson, or scientific talk shows, wherein a host or guest may attempt to dispel a particular scientist’s research or credentials.

Fighting Words

It is illegal for programmers or hosts to use language likely to cause listeners to react in a violent way. A likely scenario is a programmer—in response to a pesky caller making threats or repeated catcalls—lashing out at the caller in a live, on-air tirade.

Calls to Action

You hear commercial radio and TV do it all the time (it’s legal for them), but it is illegal for non-commercial programmers to issue calls to action to their listeners. A call to action occurs when a programmer or host uses a verb in its command form (“go, see, look, do buy.”). For example:

When informing listeners about a political rally or protest, programmers must represent a rally or protest as nothing more than what the organizers of the rally or protest have received a permit for. (Gatherings for which there is no permit should not be promoted on the air. The permit itself becomes the authority in any dispute.)

When informing listeners of a live music event, it is illegal for a non-commercial programmer to say *Be there*, *Go to this show*, or words to that effect. Merely inform or suggest.

Enforcement of the call to action rule is generally limited to sponsorship announcements, but KDRT has adopted the practice of extending this to programmers and hosts as a matter of principle, to provide an alternative to the relentless commands heard elsewhere on the FM dial.

Plugola

A plugola is not permitted and includes:

- It is unlawful to engage in the practice of promoting an on-air personality's non-broadcast business activities unless the management is disclosed, the interest of the station or announcer involved is disclosed, the announcements carry the proper sponsor identification, and the sponsor announcements conform to rules regarding calls to action and other rules regarding non-commercial sponsorship announcements;
- “Sneaked” promotional announcements for any business are not permitted on the air if the programmer or host making the announcement stands to gain direct or indirect benefits for making the plug; and
- A programmer or host who is a musician, playing the music of their own band or project during their radio show.

5 Important KDRT Policies & Procedures

In addition to federal laws and regulations, a number of KDRT policies apply to programmers:

5.1 Internal policies

Never talk about internal station policy or decision-making on the air. This includes decisions made regarding your show or accrued violations. If you disagree with management decisions there are appropriate processes, outlined in Section 2e. Discussion of internal station business on the air is unprofessional, and damages the both KDRT's and DCTV's credibility.

5.2 Guest policy

After graduating from trainee status, programmers are allowed to have up to two guests on air provided the guests sign in on the station's guest log in the studio binder. Under certain circumstances, the programming director may grant permission to a programmer for more than two guests, but such requests should be submitted in advance.

5.3 Substitution policy

When a programmer cannot host their show due to a foreseeable reason (e.g., planned family vacation, final exam, doctor's appointment, etc.), s/he must obtain a qualified substitute for her or his show as soon as possible, ideally at least 48 before the program. Acceptable methods of requesting a sub include e-mailing a request to kdrtjd@yahoo.com (specifically detailing the time and date of the show) or e-mailing or calling specific programmers to request subbing.

5.4 Emergency Substitution Policy

Occasionally, unforeseen circumstances prevent programmers from being able to perform their show without 48 hours notice. The proper way to address these issues depends on how much time remains before the programmer's show.

An e-mail to kdrtprogrammer@yahoo.com requesting an emergency sub is still the best option if 24 hours notice is available, but it is also advisable to place some calls to programmers who you might expect to be available and willing. Don't just send an e-mail and wait; be more active in pursuing a sub if you are near a phone. If less than 24 hours remains before your show and there is no easy solution to your problem, you must be very active in calling programmers on the phone list. If, despite this effort, no one can answer your request for a sub, call the program director. If your crisis confronts you with just a few hours before your show, try to contact the programmer who is on before your show to inform him or her about your situation. Calling the DCTV/KDRT business line ((530) 757-2419) is essential to let staff know, and perhaps an available programmer who can cover your slot is at the station. If not, try to find a sub by calling an available programmer directly at home.

5.5 If there is a programmer scheduled after you and they do not show up:

At first, keep doing the show. However, because a computer is recording your show, sign off at the end of your timeslot as you normally would. Do not mention to the listeners that someone has "flaked" on their show; this is unprofessional.

Call the next scheduled programmer. Leave a message if they do not pick up. If that person cannot be reached, you can either do their show or call the program director. If you cannot contact this person, call the station director.

If the director is not available, leave a message. If you do not know anyone else on staff to call you must either stay on the air until someone shows up or turn on the station automation. If station automation is not working or something has gone wrong, shut down the station, using proper "sign-off" procedure (see section f, below). After shutting off the station, leave a note in the programmer binder for the next programmer, and leave a phone message with the station director.

When you get a chance, email the program director explaining the circumstances.

5.6 Shut down and Start Up

If there is ever a time when you need to turn the station on or off, use the following protocol.

Procedure: Start up

1. *Turn on: Turn switch to "on" on the rack.*
2. *Log the start-up on the Carrier Log section where you log the TIME, YOUR INITIALS, and check "on" (denoting you turned the transmitter on).*

3. Announce: “KDRT is now beginning its broadcast day. KDRT operates at an ERP of 82 watts on the frequency of 101.5 Megahertz from Davis Community Television. KDRT is a low power radio station located at 1623 Fifth Street in Davis, California. Thank you for tuning into KDRT.”

No logging of transmitter power is necessary for LPFM on a daily basis. It is recommended that the designated technical staff take monthly transmitter checks and record this in the Public File.

Procedure: Shut Down

1. Announce: “KDRT is now ending its broadcast day. KDRT operates at an ERP of 82 watts on the frequency of 101.5 Megahertz from Davis Community Television. KDRT is a low power radio station located at 1623 Fifth Street in Davis, California. Thank you for tuning into KDRT.”

2. Turn off: Turn switch to “off” on the rack.

3. Log the shut down on the Carrier Log section where you note the TIME, YOUR INITIALS, and check “off” (denoting a shut-down).

5.7 Food & drink

No food or drink is allowed in the KDRT Studio. If you need to eat or drink something while you are on the air, keep it out on an office desk or in the lounge with your name on it. You may access it during a song.

5.8 Right to preempt

KDRT has a pre-emption policy in which management has the right to temporarily preempt regular programming in order to air special programming that helps fulfill KDRT’s mission. As much advance notice as possible will be given to all affected programmers.

5.9 DCTV rules & policies

Finally, KDRT volunteers must read and sign DCTV’s Statement of Compliance, which establishes their understanding of and agreement to the rules & policies pertaining to use of the DCTV facility.

6 KDRT Logs: Required Record Keeping

The FCC requires that non-commercial radio stations maintain several different logs. They are:

6.1 The Public File

Located in KDRT’s main office within DCTV (Suite B), this is a gray filing cabinet (covered in stickers) that contains information for “public inspection.” Although LPFM stations are not technically required to have a Public Inspection File, it is highly recommended. If

certain members of the public contest that KDRT is not serving the public interest—as all radio stations licensed by the FCC must—KDRT has an official record-keeping system to prove it. The public file contains:

- Official station licenses: Construction permits, original licenses, license renewals, microwave link license, public announcement of license renewals, etc.
- Official business: Mitigation, affidavits, forms submitted to FCC, Annual Employment Report, Equal Opportunity Employment Policy, etc.
- Letters from the public
- Annual income: Lists persons, businesses, and organizations that have given money to KDRT
- A record of topics and summaries of news and public affairs programming, listed quarterly
- Agreements made with third-party entities that directly affect programming
- Completed logs from the studio binder.

Generally, people are allowed to look at the file during normal business hours (9 a.m. to 5 p.m.). If they come in after hours, obtain their name and number and indicate that the station director will get back to them. *Please*, write a note for the station director and put it in his/her box. Also send email to info@kdrt.org with the subject line of “PUBLIC FILE AFTERHOURS REQUEST: Date and Time.”

6.2 Studio Binder

Located in the KDRT studio. The binder has five sections:

Section 1: Four logs are contained in this section on one form (Appendix B).

This section has a form marked for each day of the week. This form is a combined Operator Log, Programming Log, EAS Log and Carrier Log. Specifically:

OPERATOR LOG: This is a log of who is signing on and off the air. You should sign-on before your show and sign off after your show, denoting the times. KDRT uses this for reference to who was officially on the air at what time. Only trained operators who have signed up for shows may sign in and out. **IMPORTANT:** If the programmer before you has forgotten to sign in and out on the Operator Log, remind them to do so before they leave KDRT. If the previous programmer does not make the necessary entries, be sure to skip a line so that he or she may add the log entry later. Operator Logs must be accurate and complete for every day at KDRT as a record of who was on at what time.

PROGRAMMING LOG: this is where individual programmers log that they have officially played specific announcements. **All Programming Log entries must be made in blue or black pen ink as per FCC log-keeping rules, and accuracy and thoroughness is crucial.** Programmers and public affairs hosts or engineers must print their name at the top of each box representing the one-hour increments of their programs. If a pre-produced

station identification announcement (or “cart”) is played at the top of the hour, the cart number of the announcement must be indicated on the blank next to “Station ID.” If the Programmer announces, “KDRT, Davis” live at the top of the hour, write “live” on the blank next to “Station ID”

If an underwriting announcement must be played for the hour, the appropriate underwriting announcement code will appear on the blank next to “Underwriter.” Sponsorship announcements must be played at 10 minutes and 50 minutes after the hour, ordinarily. The programmer must also enter his or her initials in the blank to the right of the underwriting announcement code. This attests that s/he has played the announcement at the required time, and the Programming Log is KDRT’s only affidavit of performance to demonstrate to sponsors that we are satisfying our signed contracts with them.

There are spaces labeled “Cart”—referring to prerecorded computer announcement located on the computer—and “Announce”—referring to any script announcement that needs to be announced in the Public Service Announcement (PSA) section of the binder. There will be a number in these blanks if a pre-selected cart or announcement is to be played/read.

On the bottom of each box in the Programming Log a field appears for EAS tests. If the box next to “EAS Test” is marked, you must perform an EAS test during that hour. Instructions on how to do this follow, in the EAS Test section of this manual.

Also at the bottom of each hour box appears “Automation PGM#” for “Automation Program Number...”. If this box appears filled in on the timeslot after yours, this means you are to turn on prerecorded programming. The number or name next to “#” in gives the program code to be run on the computer. Most of the time, you’ll only need to activate the “start” button on the on-air computer to complete this task.

Again, all Programming Log entries must be made in blue or black pen ink as per FCC log-keeping rules, and accuracy and thoroughness is crucial.

EAS LOG: Whenever you receive or send an EAS Test you should log it here (explained in EAS section, below).

CARRIER LOG: Most of the time you will not have to be concerned with this log. Whenever you turn the station on or off you will log it here (explained in the “Shut Down/Start Up” part of this manual).

Section 2: This section of the Studio Binder is the Public Service Announcements section. Scripts of messages to be read on-air are located here. The scripts for reading PSAs and station announcements are located here.

Section 3: This section is the Underwriting section. If there is a script to be read from a business sponsoring airtime, the script should be in this section or located on the computer as a prerecorded announcement. The scripts for underwriting announcements will either be here or on the cart machine.

Section 4: This section is a “Show Issues” Log and is for public affairs hosts only. Talk show hosts must fill this out after each show. If you do a talk/ interview/ discussion /etc

show, it is important that you write a brief description about it in the “Show Issues.” This record is used to show that KDRT is serving the public interest.

Section 5: This section contains “KDRT Playlists” to be used by music shows. Every music programmer must fill out a playlist during a radio show listing the artists and songs played. Playlists are useful to back-wrap, for the music department to tally new artists played, and for the programming department to keep track of airplay. Blank playlists are available in the studio and will include the following information:

- Real name (not programmer name), show time, and show date
- On each row, write the artist and song played
- Check the following boxes: “Current” if the artist is current (if it is a new release at the station), “Request” if it is a request, and “Comp” if it is a Various Artists/Compilation
 - If you play a compilation, you must 1) write the compilation name and underline it 2) write the artist name, and 3) write the song name, all on one line.

Most people fill out a playlist while doing a radio show in real-time. Some people fill out a playlist of songs before executing a radio show (a little bit more labor intensive). See the appendix for a sample playlist.

6.3 E.A.S. Tests

The Emergency Alert System is a national alert system required by all broadcasters to inform listeners of pertinent emergency events from floods to nuclear attacks. The EAS (formerly known as EBS—Emergency Broadcast System—the analog equivalent) “tests” are done intermittently to see if the system is working correctly. There are two types of tests, a transmitted test (TX), and a received test (RX). There are also received messages that are not tests.

“Sending” (TX) an EAS Test

Tests of the EAS are performed during hours specified in the Programming Log. In the log, there are boxes for each hour of the day, and in the bottom corner of each box is another box, denoted “EAS Test.” If the box is filled in, or otherwise marked, an EAS test must be performed during that hour.

The process to perform an EAS Test involves finding the TFT EAS module in the Studio, located on the other side of the wall, near the turntables. The TFT EAS module is located about five feet above the ground and has a ticker-tape emitting from it, several buttons including a number pad resembling that of a touch-tone telephone, and an LCD display. To send an EAS Test, hit the “Manual Forward” button. Performance of the test must be logged on the EAS Log. The time of the test must be entered in military time, you must sign your initials, and a checkmark or “X” must be marked in the “TEST” column.

After “Manual Forward” has been pushed, the EAS module transmits the noises associated with the emergency alert for approximately 15 seconds. Because the noises end abruptly,

many Programmers have made it a common practice to perform EAS tests in the middle of a song so that there will be no risk of transmitting dead air. However, this sounds very unprofessional and unsettling to the listener. For that reason, consider adopting this method:

Cue at least one PSA (“cart”) of medium to long length (at least thirty seconds).

During an airbreak (preferably after you have back-wrapped your setlist), announce, “Following this message, we will conduct a test of the Emergency Alert System” (or other words to the same effect).

Immediately after pushing play on the cart, stand before the TFT EAS module.

Listen for the end of the cart, and then press “Manual Forward”.

Immediately get back to the mic and be ready to resume your radio show within 15 seconds.

Don’t forget to log the performance of the test on the EAS Log.

EAS Transmit Test Log example:

<u>Time</u>	<u>Initial</u>	<u>TX</u>	<u>RX</u>	<u>Test</u>	<u>Actual</u>
13:45	KDS	X		X	

“Receiving” (RX) an EAS Test

Tests are received on our EAS unit. The unit will print out a piece of paper when it happens. The piece of paper should read when the test was sent. Do not pull the printout off; staff will take care of it.

Receiving and Transmitting (RX & TX) an EAS Message

EAS messages can unexpectedly interrupt your radio show at any time with the familiar tone, followed by a message of relevance to listeners in our broadcast area. The messages can carry on for a brief moment or a prolonged period, but you must stand by in the studio and remain ready to resume your show at the end of the transmission. Furthermore—and just as important—you must log receipt of the EAS message in the EAS Log (enter the time in military time, your initials, and place a checkmark or “X” in the “ACTUAL” column).

6.4 Equal Time rule and political broadcasts

Whenever a candidate for any public office speaks on KDRT, we are required by FCC law to make a record of the broadcast. This record must be in the form of a durable recording such as a cassette or CDR, a transcript, or thorough synopsis of the candidate’s commentary, including a description of all issues on which the candidate identified his or her stand, and especially all of those in which the candidate took an opponent’s views to task.

Whenever a legally qualified political candidate has been given any amount of airtime—whether in the studio or on the telephone—any and all of his or her legally qualified opponents must be invited to take advantage of the same amount of time to refute the original candidate’s arguments and offer his or her own agendas. A copy of this invitation

must be kept for the public file, and any correspondence with invited candidates and/or their staffs must also be recorded and kept.

Public affairs hosts should never invite candidates to speak on the air without the approval of the station director and/or programming director. Historically, music programmers have not played a role in political broadcasts, and therefore, it is especially important that they do not seek to provide a forum for candidates without approval of the appropriate director.

Violation of this rule will result in an FCC fine. Therefore, unauthorized interviews with political candidates can result in a major violation, punishable by suspension of programming privileges.

6.5 What if the FCC shows up?

You must answer their questions and know or be prepared to provide the following:

- You must know how to shut off and start up the station.
- You must know where the transmitter is located.
- You must know how to perform an EAS test.
- You should know where the KDRT Public File is. Be familiar with the important documents: license, logs, etc.

7 Underwriting & Sponsorship

7.1 Promotion of for-profit entities

As an integral part of its fund-raising activities—and according to FCC guidelines for non-commercial radio sponsorship—KDRT may play promotional announcements for local businesses in exchange for compensation. These announcements differ from commercial advertisements on account of the limits set by Congress and the FCC regarding the information contained in sponsorship announcements for non-commercial radio. KDRT identifies such sponsorship arrangements as underwriting.

Documented and compensated promotion of for-profit entities can include no more than:

- The entity's name or dba (i.e., business name)
- Location information
- Audio logograms or slogans that merely identify the entity, but do not promote it
- "Value-neutral description" of a product line or service
- Brand and trade names and product or service listings that do not include qualitative or comparative language

Underwriting announcements must include:

- The fact that the announcement was paid for (e.g., “The following hour of KDRT programming is brought to you in part by a generous donation from Acme Livery Stables.”)
- The identity of the person or entity who made the payment or promise to pay for the announcement

Paid sponsorship announcements must never contain:

- Prices
- Calls to action (as mentioned above under “Prohibited on-air speech”)
- Inducements to buy (e.g., “The first six months of service is free,” or “Books available at wholesale prices”)
- Qualitative or comparative language (e.g., “Tastes Great, Less Filling,” or “the largest selection of Ford cars and trucks in the Sacramento Valley”). Any statement that compares—implicitly or explicitly—the products or services of a sponsor to the sponsor’s competitors is a violation of FCC laws
- Background music that includes lyrics that violate the prohibition against mentioning prices, calls to action, inducements to buy, or qualitative or comparative language

7.2 Promotion of non-profit entities

Underwriting by non-profit entities must conform to the same rules mentioned above concerning underwriting by for-profit entities. However, it is important to note here that unpaid, voluntary statements by a programmer or host promoting a non-profit entity, with no direct competition by for-profit competitors, are not restricted by FCC rules regarding promotion, other than calls to action. If you make any kind of promotional announcement for a non-profit entity, be sure that the message serves the public interest.

8 Public Service Announcements

Public service announcements (PSAs) are the type of announcements the station runs for free. They are not “commercials” and should not be referred to as “commercials” (never refer to anything as a “commercial”). KDRT does not get money for running these basic announcements; it is a public service. There are both pre-recorded and programmer-read announcements. Pre-recorded announcements are referred to as “**carts**”. The name is taken from the days radio stations used actual cartridge tapes. All announcements are stored on computer or in the Studio Binder.

8.1 Types of PSAs:

- Station Identification (ID’s): Station ID’s are a colorful way for the station to express identity. Playing a prerecorded ID can be a fun way to break up the monotony of only hearing one on-air voice. There are two types:

- A legal ID cart must be played at the top of the hour to identify the station as prescribed by FCC regulations. The words “KDRT” and “Davis” must be present in any announcement for it to meet the FCC’s legal standard for station identification. Adding “101.5 FM” never hurts.
- Non-legal ID’s can be played anytime, but cannot stand alone as an official station ID at the top of the hour.
- **Disclaimers:** If your show is deemed to necessitate a disclaimer, a number will appear in the “cart” box in the Programming Log. Shows that might need a disclaimer are political shows, advice shows, or “how-to” shows.
- **Show promos:** Playing a show promo is a great way to build solidarity among programmers, and help promote others’ shows. Imagine tuning in and hearing a programmer play a promo for the show you host.
- **Community announcements:** Usually announcing a local event, series of events, or service offered.
- **Technical difficulties announcement:** If something has gone temporarily wrong, this can buy you time.

8.2 Using the on-air computer to play carts

The current cart machine is a virtual system managed by the computer in the studio. This is specialized software developed by a KDRT volunteer to play computer-made announcements. Announcements are saved to specialized directories on the KDRT server, which is accessed by the on-air computer.

To play a cart from the on-air computer, you must first stop any automatic log that is currently playing. Do this by simply tapping the “Stop” button in the upper left corner of the computer screen with your mouse. The program “RD AirPlay” must be the visible window. Next, make sure the “Sound Panel” is visible. Do this by clicking (once) on the “Sound Panel” button in the lower middle of the screen. Next, click once on the cart you wish to play.

Make sure to check the Programming Log to see if you are supposed to restart the automatic log after your on-air shift. Do this by clicking “Start” in the upper left corner.

9 Misc. helpful information for programmers

Gleaned from radio colleagues elsewhere, especially our friends at KDVS, 90.3 FM in Davis:

9.1 Phone etiquette for programmers/taking requests (off the air)

Before picking up phone calls during your radio show, be sure that you have the time to talk. Do not pick up the phone if there are 30 seconds or less remaining in the last song before you go back on the air. Do not pick up the phone if the next song isn’t cued up. Greet the

caller professionally; don't just say "Hello." Be sure to identify the radio station: "Hello, KDRT" will suffice.

If the caller calls for no apparent purpose other than to make small talk, do not allow this situation to linger if you cannot afford the temporary distraction. Assume control of the direction and context of the conversation. As soon as the caller veers into pointless small talk, instruct the listener to make a request. If after making the request, the caller goes back to small talk, thank them for the request and conclude the call. Sometimes, the easiest way is to ask for the caller's name, and then thank them for calling.

Not all requests need to be played, or should be played. If you cannot or do not want to play a particular request, that is your right. But never belittle a listener's request, even if they are pesky and call back to ask, "When are you gonna play my request?" Rather than explain your decision (which could lead to an argument or hurt feelings), you can get away with telling the listener that you could not find the request (that way, the truth doesn't have to hurt).

9.2 When is it OK to take a call on the air?

Before broadcasting any phone call on the air, you must have the permission of the caller to conduct the conversation on the air or record it for later broadcast. Congress passed a bill that was signed by the president and codified by the FCC making it illegal to broadcast anyone's voice without consent. Therefore, it is usually illegal to pick up the phone live on the air.

There is one exception to the law: when a host or programmer has manufactured implied consent such that listeners can fully expect that, if they call the request line, they will be talking live on the air.

Public affairs hosts earn permission for live phone pick-ups merely by inviting listeners to call to ask questions or make comments. Normally, a staff person screens the calls off the air to help ensure that the listener is serious and will add to the discussion.

Music programmers must set a precedent that callers will be placed on air. In addition to inviting live on-air callers or announcing that callers will be taken live on the air (ideally at or near the beginning of each airbreak), music programmers must also receive enough calls to satisfy the requirements to assume that the listenership understands that—despite extended "music breaks" of 20 minutes or more—this is a live call-in radio show. Because that number is not quantified, the subjective opinion of the program director prevails, and you must first get his or her permission before attempting to host a live call-in show.

To be sure, very few programmers can expect the requisite phone traffic to achieve implied consent, and before asking for the program director's permission, you should have demonstrated a penchant for engaging listeners through your own interesting, entertaining live on-air personality as well as a record for respecting the rules concerning on-air profanity and indecency.

Occasionally, a caller will call regular (non call-in) music shows and request to be put on the air live. Sometimes, you might receive a call off the air from someone whom you feel should say a few words on the air. If such an occasion occurs, exercise discretion before placing the caller on the air (Is the caller indeed adding to the quality of your program?), but first be sure to ask the caller for permission off the air. The only acceptable method for this is to field calls when music is playing and time allows you to pick up the phone; then, after getting the caller's consent to talk on the air, place the caller on hold until you are on the air speaking. Even if the phone is not on the air, it is not acceptable to pick up the receiver and ask the caller for permission while your microphone is on and the listeners can hear you.

When talking to callers on the air, be in control of the direction and context of the conversation. If the caller begins to veer into pointless small talk ("How are you doing? What's your sign?"), instruct the caller to make a request, as covered in the previous section of this manual concerning off-air phone etiquette.

9.3 Talking on the air: helpful hints

Just remember that there are five simple things you need to do between playing sets of songs. And if you want to talk at length about something you think is important or funny, you must always be sure to take care of these five things, and never let them fall below the highest priority while you are on the air. They are essential, and they are expected of you.

This outline arranges the five tasks in the most logical sequence in which to perform them.

- Station identification
 - The words "KDRT" and "Davis" must be present in any announcement for it to meet the FCC's legal standard for station identification. Adding "101.5 FM" never hurts.
 - A legal ID is required within five minutes of the top of every hour—before or after (e.g. between 12:55 and 1:05)—but it is always wise to ID the station during every airbreak.
- "Back-Wrap" your set-list
 - Review the song you most recently played first.
 - Continue reviewing songs/tracks in reverse order from most recently played until the first song of your current set.
 - Indicate the first song of the set with a special phrase (e.g., "...And we began that set with the Flying Luttenbachers.").
 - Live-mixing shows are not exempt from this. Listeners still want to know what they are hearing. Help your listeners keep track, and give the bands and artists you play proper promotion.
- Take care of station business
 - According to the Programming Log, play or read a PSA.

- Promote any pending station events and fund-raisers.
- Give the phone number
 - Although not as especially necessary as the other four steps to an airbreak, inviting listener comments or requests sounds professional and gracious.
- “Forward announce” your next song selection.

9.4 Words to avoid when talking on the air:

- Repetitive uses of the words *before that*, *actually*, and *uh*, etc. Everyone has his or her pesky pet words and phrases that they doesn’t realize they say so much. Record your show on tape or CDR and take a listen to discover your annoying repetitive pet phrases; it’s the best way to begin the process of eliminating the habit of repeating those words.
- References to “my show” (e.g., “We’ve got one hour left in *my show*” followed 20 minutes later by “We’ve got forty minutes left for *my show*”). This sounds very selfish and unprofessional. When you must be self-referential, try to acknowledge the following host or Programmer or other KDRT programmers (e.g., “We’ve got 40 minutes left in my show, and after that, you’ll be hearing “This Week in Science.”).
- References to KDRT internal affairs, “shop talk,” and radio jargon. Avoid explaining any condition that is not noticeable to the listener (e.g., your headphones are working in only one channel, the hallway floor is slippery and wet, etc.), and never call PSAs or recorded announcements *carts*. Your listeners might think you’re talking about a tray on wheels. Also, never crack jokes that “no one’s listening” or “maybe five people are listening.” KDRT doesn’t stand to benefit from a pathetic self-image, even if it’s just a joke.
- Do speak as an expert about the music you are playing, but do not talk to the listeners like they are stupid; therefore, do not say “of course” at the wrong time. When you say “of course,” you might as well say, “like you should know if only you were as cool as me.”

9.5 Optional topics for airbreaks: adding value for your listeners.

- Give your listeners a long-range outlook on what’s coming up. If you are going to play music from Italy later in your program, why not say something like “At two o’clock, stay tuned for new music from Italy.” This could give some listeners extra incentive to stay tuned, and others can have fair warning that they might have some time to make a sandwich.
- How about some kind of reference to the shows that follows yours? Give the listeners a long-range forecast of what they will hear. Read show descriptions from the program guide, perhaps. Again, this may give some listeners added incentive to keep it locked on 101.5 for several more hours.

- Suggest live events—time and place, but *never prices* (unless it's free or proceeds benefit a non-profit organization)—that are relevant to your program or KDRT listeners in general. This speaks to fulfilling our mission of education and community service. Remember that the key words should be *inform* and *suggest*; don't go so far as to say *Go to this show!* or *Be there!*, etc.
- If you can speak as an expert on the subject, provide background information about a band you played. This can be integrated into a "back-wrap": e.g., instead of "You just heard *band A* with *song 1*, and before that was *Band B* with *song 2*, and *Band C* started us off with *song 3*," why not give more information? Try "You just heard brand-new music by *Band A* with *song 1* from their new album [*say the title*] on *ABC Records*. *Band B* played *song 2* off their single from last year on [*label*]; you can check them out live this Friday at the [*Wherever it is*] in Sacramento with *Cool local band #21*. And *Band C* started us off with *song three*, which featured [*Underrated Musical Genius #7354*] on guitar." Not every band or artist needs to get the same detail, but sometimes you might feel that a full-blown history lesson is in order, or maybe just the year the recording was made, or their hometown, or just a brief sentence or two about how they met, or what former bands' members comprise the band. Just please be sure to give accurate information. Research the facts and write them down. Simple information about an artist could include:
 - Where are they from?
 - What record label are they on?
 - When did it come out?
 - Tour Dates
 - Former members of another group, or who is playing with them?
 - Web address?
 - What format is it on (LP, CD, 7", mp3, etc)?
- If it's current, then say it. Don't use the word "current;" just say it is "new" and maybe give some information. Sometimes starting or ending a set with something new draws more attention to it.
- Always back-wrap the songs you've played before signing off. It is customary to back-wrap a song set and then pre-announce your last song, or occasionally, your last two songs. Your last song will lead into the next person's show. Be sure to try to make your last song end around the scheduled beginning of the next person's show. Do not consistently run over a minute into the next person's show unless that programmer says it's OK. If your show is short one minute that's OK, because ID carts can be run or the next person can gladly take over early.

9.6 Brevity

It's difficult to stick to this every time, but try to keep your air breaks as brief as possible (but long enough to give all of the important information). Many media researchers say that two minutes is the threshold for the average listener's ability to listen to any single voice speak on the radio. That is why this primer on on-air speaking suggests that you read PSAs and other announcements in the middle; first you talk for a while, then there's a PSA with a different voice to break the monotony just as it begins to set in, and lastly you come back on the air with a purpose...to get the music back on the air. When your five tasks are performed in this order, you will be enhancing the professionalism of your radio show even without a canned approach or contrived voice.

Following this orderly process during your airbreaks will *not* hinder your personality and creativity. Most importantly, following it as a routine helps you to avoid being confused or drawing a blank, thereby making your personality and creativity that much more substantial.

9.7 Pitfalls to avoid

- Commercial programmer voice/show: you do not want to sound like the phonies on commercial radio. Talk confidently, but do not overdo it with an exaggerated voice. Don't try and act like a comedian; people didn't tune-in to hear how good you are at improv. Also, don't do the "wacky" stuff they do on commercial radio like, "*Here's a funny joke...*" Don't give away prizes for the listeners to win that you made in your garage. In fact, do not give away or solicit calls for anything unless approved by the program director or station director.
- Don't turn your show into a "circus": It may be funny to you to play "snippits" of *The Simpsons* or opera music in between songs, but it's been done before. If you have an idea for a show, run it by the programming director before doing it to see if it is mundane or not. We want innovative programming, but it shouldn't be forced. There is a lot that hasn't been done before, but learn the basics before plunging into your first show with your version of *The Morning Zoo*.
- The "Trivia Master": Don't ask the listener to call-in and answer unreasonable trivia questions just "for kicks". It's permissible to ask the listeners a simple trivia question when giving away tickets. However, don't turn your whole show into getting the listeners to solve difficult trivia questions.
- Don't admit what you don't have to admit: Don't say things that make you look incompetent, like, "You know, I don't know anything about this music." Also, don't pit music genres against each other like, "I only play punk music. Electronic music sucks." Stay away from apologizing. Don't try to generically classify music genres unless you know what you are talking about. Try not to classify things, like: "That was my hip-hop set. Next set is my electronic set."
- Don't get friends to call-in and put them on the air just to talk to them: Inside jokes make the station appear elitist.

9.8 Other Tips

- If you have permission to use the phone and take calls over the air, act in a competent way. Don't tell the listening audience, "let me see if I can do this," or "just a minute," or "this is my first time," or "[long pause]"—just take the call without hesitating. You should not be taking calls in the first place if you are not sure about how to use the phone.
- Thank the previous programmer or host on the air.
- Announce the next programmer or host before you sign off, especially in the 30 to 60 minutes before your show is over, and then again as you are signing off.
- Please do not offer personal editorials about the content of PSAs or critiques of their production qualities on the air, especially if you disapprove of them. For instance, if you play a PSA about adoption services offered by a non-profit agency that is church based, do not speak about how the same agency might be trying to support efforts to overturn *Roe v. Wade*. You are never required to read an announcement or play a PSA that opposes your beliefs if other announcements and PSAs are available.
- Be aware of background noise when you have the mic on. The mic can pick up conversations in other parts of the station. If another programmer is on the air, be very quiet when entering the studio. Also, try not to shuffle through CD's, tap your pen, etc, while you are on the mic.
- When doing an interview, encourage your guests to speak close to the mic when they are talking. Try to compensate by turning the auxiliary mic up louder to catch guests talking that are further away from the mic.
- When doing your radio show, you may have a large collection of records and CDs in piles around the studio desk. When taking a CD out of the CD player, or a record off the turntable, be sure to place the album in the correct storage case or jacket. Sometimes new programmers will be inattentive and place a CD or several CDs in the wrong cases. You may want to come up with your own system of making sure you are easily matching up the empty cases/sleeves with the correct CD/records.
- Pull things ahead of time.
- If a song is "iffy" regarding language content, be sure to listen to the whole song. This is *a lot* easier to do before your show.
- Jot down the tracks beforehand that you might want to play during your show.

APPENDIX

1. Policy statement on unlawful harassment
2. Excerpts from DCTV's Rules & Policies
3. The FCC's "Seven Dirty Words"
4. More information about obscenity and indecency (disclaimer)]
5. Reference of FCC laws pertinent to LPFM
6. Studio Log: examples of forms
7. Subject matter: talk show log
8. Music playlist
9. Playlist example

1 Policy statement on unlawful harassment

Davis Community Television and KDRT(“DCTV”), are committed to providing a work environment free of unlawful harassment. The policy is spelled out fully in DCTV’s Rules & Policies for Volunteer Producers and in its employee manual.

DCTV policy prohibits sexual harassment and harassment based on race, religious creed, color, national origin, or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation or any other basis protected by federal, state or local law, ordinance or regulation. All such harassment is unlawful. DCTV’s anti-harassment policy applies to all persons involved in the operation of DCTV and prohibits unlawful harassment by any DCTV employee or volunteer, including, but not limited to supervisors and co-workers.

Prohibited unlawful harassment based on of sex, race, religious creed, color, national origin, or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation or any other protected basis includes, but is not limited to, the following behavior:

- Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances invitations or comments;
- Visual conduct such as derogatory and/or sexually oriented
- posters, photography, cartoons, drawings or gestures;
- Physical conduct such as assault, unwanted touching, blocking
- normal movement or interfering with work because of sex, race or any
- other protected basis;
- Threats and demands to submit to sexual requests as a condition of
- continued employment, or to avoid some other loss, and offers of
- employment benefits in return for sexual favors; and
- Retaliation for having reported or threatened to report harassment.

If you believe that you have been unlawfully harassed, provide a written complaint to the executive director as soon as possible after the incident. Your complaint should include

- details of the incident or incidents,
- names of the individuals involved, and
- names of any witnesses.

DCTV will undertake immediate, effective, thorough, and objective investigation of the harassment allegations.

If DCTV determines that unlawful harassment has occurred, effective remedial action will be taken in accordance with the circumstances involved. Any employee or volunteer determined by the Company to be responsible for unlawful harassment will be subject to appropriate disciplinary action, up to and including termination. Whatever action is taken against the harasser will be made known to the employee lodging the complaint and DCTV will take appropriate action to remedy any loss to the employee resulting from harassment. DCTV will not retaliate against you for filing a complaint and will not tolerate or permit retaliation by management, employees, co-workers, or volunteers.

DCTV encourages all employees to report any incidents of harassment forbidden by this policy immediately so that complaints can be quickly and fairly resolved. You should also be aware that the Federal Equal Employment Opportunity Commission and the California Department of Fair Employment and Housing investigate and prosecute complaints of prohibited harassment in employment. If you think you have been harassed, or that you have been retaliated against for resisting or complaining, you may file a complaint with the appropriate agency. The nearest office is listed in the telephone book.

2 Excerpts from DCTV's Rules & Policies (Section 6)

Because this document references DCTV's rules and policies, we have excerpted the relevant portions pertaining to facility use:

2.1 Violations of DCTV Rules and Procedures and Suspension of Privileges

To ensure that DCTV equipment and facilities remain in good working order, are available to the broadest range of producers, and that equipment and facilities are used in such a manner as to fulfill DCTV's contractual obligation to the City of Davis, DCTV reserves the right to refuse services on a temporary or permanent basis. DCTV also reserves the right to otherwise initiate suspension of services, disciplinary actions, or legal action against individuals or groups interfering with or jeopardizing DCTV's operations or otherwise violating DCTV's rules and policies.

Disciplinary action may include suspension of VP privileges for varied lengths of time or permanent suspension when necessary. Disciplinary action could also include re-attendance in an orientation or workshop session, or the demonstration of proficiencies or understandings. Violations are:

- Consuming alcohol or illegal substances in the DCTV facilities
- Interfering with the orderly conduct of DCTV activities
- Theft, vandalism, or willful damage of DCTV facilities or equipment
- Willful injury to or theft of the personal property of DCTV staff, users, or visitors.
- False representation by VP's of him or herself as a DCTV employee or representative.

- Use of facilities or equipment for private, commercial, or any purpose other than for the production of programming for cablecast on DCTV.
- Chronic and willful disregard for DCTV's Rules and Procedures
- Misuse, abuse, or negligent use of DCTV facilities and equipment
- Failure to return equipment through intent, negligence, loss, or theft
- Making false or misleading statements on DCTV forms
- Removal of equipment from DCTV facilities without proper check-out
- Use of equipment by non-certified individuals
- Failure to return equipment on time, or to cancel reservation without sufficient notice, or late return of equipment without authorized extension.
- Return of functional, but dirty equipment
- Unsafe or improper use of DCTV facilities and equipment
- Improper packing of DCTV equipment for transport
- Attempted disassembly or repair of DCTV facilities or equipment
- Making reservations on behalf of others
- Smoking, drinking or eating while in designated DCTV production facilities, or while operating DCTV equipment
- Any other violation of Rules and Procedures

Amendments to this document may be considered and implemented by the DCTV Executive Director at any time, and will be posted in the offices of DCTV. Exceptions to rules can be discussed.

3 The FCC's "Seven Dirty Words"

DISCLAIMER: For purposes of further explanation, we have used graphic examples of prohibited language. Please do not read the next two sections if you are easily offended.

The following words seven words are indecent, and as such, fall under FCC regulation, as declared by the 1978 case "FCC vs. Pacifica Foundation" whereby an afternoon broadcast of a monologue entitled "filthy" words (by George Carlin) was declared indecent: fuck, shit, piss, cunt, cocksucker, motherfucker, and tit. These. The FCC regulates indecency by requiring that it air between 10 p.m. and 6 p.m. .

4 More Information About Obscenity & Indecency

The FCC clearly states that **obscene** material must never be broadcast, but if you are still hung up on where **indecent** ends and **obscene** begins, consider these points.

- "Contemporary community standards" is not synonymous with "Davis community standards" or standards for the Sacramento/Yolo Combined Metropolitan Statistical

Area; they are statewide standards. As the most diverse state in the country, California is sure to harbor its share of residents with points of view as sheltered and reactionary as anyone, anywhere. When evaluating material for broadcast, listen not only with your ears, but the ears of those with opposite views.

- When it comes to any of the *Seven Dirty Words*, beware of songs with lyrics that include repetitive uses of any of those words. A stray expletive in a song with indubitable political or artistic redeeming value usually runs little to no risk of offense, but repeated expletives can have a cumulative effect that places a well-intentioned song firmly in **indecent** territory, or possibly **obscene** territory. Same with repeated references to sex, nudity, or excretion. For reasons described later in the case example of KBOO-FM's indecency violation in 1999, be exceedingly cautious when choosing to air political or otherwise redeemable music containing a stray expletive during non-“safe harbor” hours. Certainly a political song by Bob Dylan that says a stray *bullshit* is by law not indecent, but the reason for that has as much to do with redeeming social importance and artistic merit as it does with the acceptance and respect that Dylan has earned as a musician and lyricist. Be mindful of the fact that virtually none of the more obscure artists normally heard on KDRT accord such acceptance or respect.
- The KDRT Working Group does not discriminate against or favor programmers on the basis of the type(s) of music they play, so when enforcing the rules and regulations regarding obscenity and indecency, standards must be applied equally. There are certain genre-specific issues regarding obscenity and indecency—punk rock and hip hop programmers run the highest risk of airing indecent or obscene material if the music was selected randomly. Little if anything is taboo for hip-hop, and most songs are produced with exceedingly clear and prominent vocals with lyrics possibly ranging across dozens of topics within the same song.

When playing hip-hop pay attention to the repetition of expletives and frequency of innuendos. One casually delivered couplet including a sexual reference will make an otherwise clean rap song indecent, but a verse describing sexual acts in detail—even with few or none of the *Seven Dirty Words*—can be more than enough reason to avoid playing a song altogether on obscenity concerns. Punk all but ignores any social standards for lyrical taboos, and repetitive choruses that include profanity can be so repetitive that certain indecent words or phrases can become obscene on account of the cumulative effect of the listener hearing the same word or phrase so often that the song becomes as much or more about its shock value as its redeeming value or social importance (e.g. the song “Code Blue” by T.S.O.L., wherein the singer clearly proclaims “I wanna fuck the dead” repeatedly in the refrain).

Programmers who play electronic music (trance, jungle, drum and bass, etc.) must be wary of expletives or certain noises that appear in samples heard during their track selections. In an otherwise instrumental song, repetitive samples that depict strongly suggestive moans, groans, and squeals associated with sexual acts, or samples including

any of the *Seven Dirty Words* or strong sexual innuendo, must be avoided at all times on account of their risk for meeting or exceeding the standard for obscenity. Without other lyrics, the words or sounds of a sample in an otherwise instrumental song must be taken at face value, and that is why such music is obscene. Electronic music of the “gabber” techno variety is notorious for its offensive use of samples.

- If it helps to know about certain examples of obscene music, consider these: (1) as mentioned above, T.S.O.L.’s “Code Blue” is obscene on account of the repetitive use of the phrase “I wanna fuck the dead,” which—although it is surely metaphorical—is intended to shock the listener, and thus, most people altogether overlook any deep meaning in the song’s verses and consider the song to be simply about necrophilia; (2) In “Blue Velvet,” the band Spit pays homage to the David Lynch film of the same name, but any artistic merit inherent in such a motion picture tribute is lost on egregiously repetitive samples of actor Dennis Hopper yelling expletives and sung lyrics ripped straight from Lynch’s screenplay, especially the inclusion of repetitive instances of “Baby wants to fuck;” (3) “Too Drunk to Fuck” is an example of a lyric that, if said once or twice within verses, would merely be indecent, but in the Dead Kennedys song, those are the only words in its repetitive chorus; (4) with the exception of the philosophical “Life in General,” the entire LP by Nig Heist is obscene on account of the numerous lewd sexual references in each song; (5) virtually nothing by Sacramento rapper Brotha Lynch Hung can receive airplay at any time of the day or night on account of the strong sexual content of his songs which often also intertwines depictions of sexual acts with violence; (6) “Cuntkiller” by Hemdale is a death-metal/grindcore song which contains depraved sexually offensive lyrics that are so garbled that they would surely go unnoticed by any listener, but the B-movie sample that contains the word “cuntkiller” comes across loud and clear, and therefore clearly makes this song obscene.
- Context is key, more so than profanity, in determining what is **indecent**. Context is what makes the *Seven Dirty Words* “dirty” in the first place. *Pussy* is not profane in certain contexts (mainly, as a synonym for cat). *Cock* can mean rooster, of course, but *cocksucker* can mean nothing else but what it means; that’s why *cocksucker* makes the list. Having a list of just seven words can seem ridiculous when you consider the thousands of words and phrases that describe sexual or excretory acts or organs. Just know that innuendo—no matter how shrewdly veiled—is equally as profane according to the word of law as the *Seven Dirty Words* if its context is of a sexually explicit nature or depicts excretory acts or organs.
- If you inadvertently air music that is indecent during non-“Safe Harbor” hours, the best and most professional way to react is to gently fade the song out as soon as possible after the indecent content is detected. Remember that a singular stray expletive does not necessarily constitute indecency if the song is neither sexual nor scatological and achieves strong, indubitable political and/or artistic merit. If you believe that the song has just one expletive and you allow it to continue, be vigilant

and ready to fade the song out if the song contains additional expletives. During the next airbreak, you can briefly apologize to the listeners for cutting it short, but do not draw unnecessary attention to the song. It is recommendable to announce, "We heard Band XYZ with '[Song Title]'; sorry we had to cut that one short; before that was Band JKL with '[Song Title].'"

- Before playing a song with any sexual innuendo in it, consider the case of KBOO FM when it aired poet Sarah Jones' "Your Revolution" on October 20, 1999. A listener in Portland, Oregon—a socially and politically liberal city more so than any in our broadcast area—recorded a tape of the "Soundbox" program which aired the song and submitted it to the FCC, and despite this song's obvious political message of demanding gender equality in a male-dominated and often misogynistic world of hip hop, the FCC sided with the complainant and levied the base fine of \$7000 against the radio station. The lyrics contain none of the *Seven Dirty Words*. Despite the obviousness of the political value in "Your Revolution," the FCC ruled the song indecent and unlawful for daytime airplay in the Portland community on account of their interpretation of the lyrics "at face value." In other words, if the redeeming social importance or merit of the song's message is not obvious to the listener—particularly any child who may be in the listening audience at the time of broadcast—then the song can be considered indecent anyway. Judge for yourself. The lyrics are included following the FCC's official discourse concerning their decision in the case. Certainly you will agree that the song has unquestionable political importance and merit, but also understand why the FCC made the decision to cite KBOO with a violation and \$7000 fine. That the FCC's decision was later rescinded—letting KBOO off the hook for paying the fine—is beside the point; KBOO still wound up paying between \$24,000 and \$25,000 to fight the initial violation.