



1610 Grand Valley Student Radio

Policies and Procedures
Version 1.1 (Amended 3-Feb-04)

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1. Mission Statement

WCKS Grand Valley Student Radio provides students with a platform for creative expression, as well as the community with authentic freeform radio, broadcasting media not found in the mainstream.

2. About

WCKS is Grand Valley State University's only student run radio station, broadcasted on AM 1610. The signal is based in Allendale, Michigan and broadcasts approximately 5-10 miles from campus. WCKS broadcasts from 104 Lower Commons on the Grand Valley State University in Allendale, Michigan.

As of 2002 we are live streaming on the website at wcks.org. To listen to the stream click on either the high quality button for broadband, or if you are on a modem connection click the low quality button. The website includes news of goings on at WCKS, reviews of music, upcoming events, a schedule of shows, playlists, charts of what is being played on WCKS each week, a forum, info, an application to DJ, links, and a login to schedule a show or add a playlist for DJ's. Administration can log in and add news, reviews, events and charts each week.

WCKS is a non-profit organization. Therefore, we do not accept payment for advertising or promoting any type of music or event.

WCKS is funded by the University as well as funds earned by benefits.

The station is entirely student run, with any student eligible for a DJ position, time spots withstanding. The executive board (or e-board) consists of a President, vice-president, treasurer and music directors, as explained below.

DJ's are free to design a show however they like, as long as it does not violate any policies set forth in this document. An appendix is included with the member agreement required for membership to WCKS.

WCKS broadcasts a wide variety of shows; indie rock, metal, punk, hip hop, jazz, blues, country, electronic, local, world, as well as live music and talk.

3. Becoming a DJ

If a person is interested in becoming a DJ they should fill out the application on the web site. The application will be reviewed by a board member who will, if approved train the DJ. During training the DJ will be showed how to use all the equipment, be given a copy of the manual, and sign an agreement to follow policies and procedures. After the agreement has been signed they will be given a login for the website. They will then be able to sign up for a maximum of two time slots, unless a board member permits otherwise. At this point they are considered a DJ. They will be held to abide by the policies and procedures set forth in this document.

4. Member Responsibilities

All members of WCKS are expected to act in a civil and respectful manner to members as well as non-members. Anything that is perceived as being offensive, disrespectful or obscene will not be tolerated both on or the off air.

It is the responsibility of members to keep the office and broadcasting booth clean and free of litter. The janitors do not appreciate having to pick up after you. Any equipment or CD's must be put back in the condition they were found. Any lost or damaged equipment will be replaced by the party responsible at their expense.

At the conclusion of a show, if there is not a show following the Dj is responsible for loading a playlist and setting it to repeat and random, so that there is no dead air.

If a DJ wishes to sign out an album they must fill out the album

sign out sheet in the office. Album's are allowed to be signed out for two days, after which it will be considered late. The album sign-out sheet is included in appendix B.

WCKS on-air personnel are responsible for the physical well being of the station and office as well. Members who willfully, maliciously, intentionally or carelessly cause the malfunction, destruction or damage of WCKS broadcasting or office equipment will be held monetarily responsible for the replacement of the broken or damaged equipment.

Attendance is required at the time signed up for on the schedule, each week, starting at the time of sign up, and ending the week of finals. At the beginning of the semester show sign up will begin again. Attendance policies are outlined in the next section.

5. On Air Policies

DJ's must not use profanity on air. Music with Profanity in it can be played after 9 pm. However obscenity is prohibited at all times. From the FCC Title 18 United States Code section 1464 (18 U.S.C. 1464):

"the broadcast of obscene material, by contrast, is prohibited at all times. To be obscene, material must meet a three-prong test: (1) an average person, applying contemporary community standards, must find that the material, as a whole, [does not offend the general audience]; (2) the material must depict or describe, in a patently offensive way, sexual conduct specifically defined by the applicable state law; and (3) the material, taken as a whole, must lack serious literary, artistic, political or scientific value. "

Personal attacks, racial and ethnic slurs are prohibited.

Plugola and payola are prohibited.

WCKS follows all policies set forth in the checklist for on-air personnel is included in Appendix C.

DJ's are responsible for anything that occurs on their show, guests and phone-ins are included.

Food and liquid cannot be brought into the broadcasting booth.

6. Attendance

DJ's are required to attend the show(s) they signed up for. If a DJ cannot do a show they must notify a board member who will then make note of the absence, and reason for the absence.

A DJ is allowed 3 un-notified absences before they will lose their DJ position. Upon the first absence a record will be made by a board member. Upon the second another record will be made, and up on the third they will be released from the DJ position. A record will be made of the cause of release by a board member. The person will be eligible to DJ again next semester.

A playlist submitted to the website is considered the proof of attendance to a show. A playlist is a written record of the songs played during a show including the artist and song. An example is shown below. A playlist must be promptly entered in the website by the end of every show in order for it to not be considered an absence. If a DJ is found guilty of submitting a playlist while not attending their show it will be considered one strike, as set forth in the disciplinary actions section below.

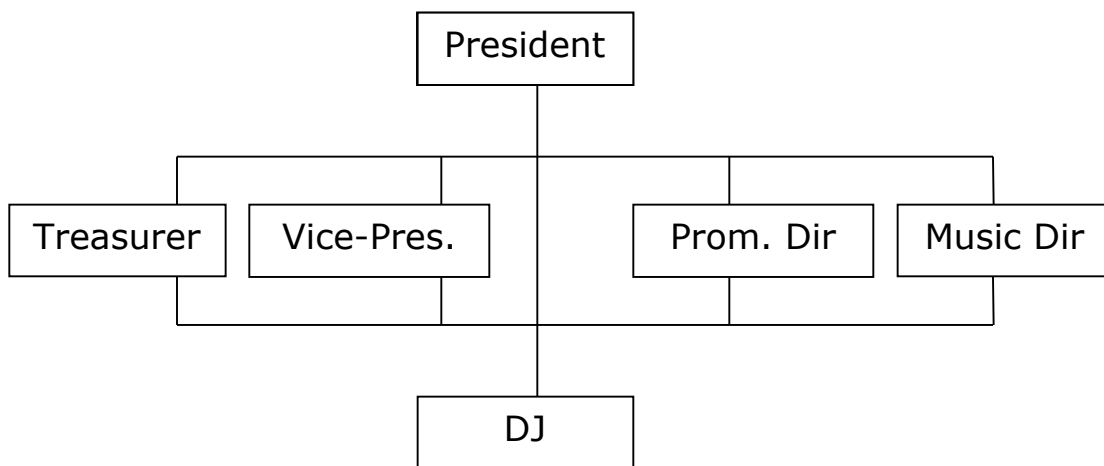
Example playlist from website:

•**Ian** -- Walking Under Ladders -- Wednesday December 03, 2003 at 10:00 AM

The Clash - Guns Of Brixton
Squarepusher - Kill Robok
British Sea Power - Carrion
The Flaming Lips - I'm A Fly In A Sunbeam(Following The Funeral
Procession Of A Stranger)
Underworld - Dirty Epic
Basement Jaxx - Good Luck
Aphex Twin - Window Licker
The Creatures - Godzilla
Clinic - Walking With Thee

The Polyphonic Spree - Wig In A Box
REM - Daysleeper
Spiritualized - Lord Let It Rain On Me
Rachel's - Last Things Last
My Bloody Valentine - Sometimes
Teenage Fanclub - Empty Space
The Incredible Moses Leroy - Transmission C
Mates Of State - Parachutes(Funeral Song)
Joy Divison - Love Will Tear Us Apart

7. Chain Of Command



President:

Provides leadership and makes sure tasks that need to be done, get done.

Vice-president:

Provides support for president.

Treasurer:

Keeps track of funds and provides funds when needed.

Promotions director:

Duties are to promote WCKS using methods to increase visibility of WCKS in the community including but not limited to fliers, advertisements, and events.

Music Director:

The responsibility of a music director is to provide current music for DJ's to play as well as report charts. They have the responsibility of talking to representatives who supply the music, as well as report charts as accurately as possible. It is the music directors responsibility to organize the library of CD's and give DJ's access to the library if they wish. An example chart is included below.

●**Top30** -- December 2nd, 2003

#	ARTIST	RECORDING
1	SHINS	Chutes Too Narrow
2	BASEMENT JAXX	Kish Kash
3	RAPTURE	Echoes
4	LOST IN TRANSLATION	SOUNDTRACK
5	MATMOS	Civil War
6	APOLLO SUNSHINE	Katonah
7	BELLE AND SEBASTIAN	Dear Catastrophe Waitress
8	MATES OF STATE	Team Boo
9	ENON	Hocus Pocus
10	PRETTY GIRLS MAKE GRAVES	The New Romance
11	APPLES IN STEREO	Velocity Of Sound
12	JOE STRUMMER AND THE MESCALEROS	Streetcore
13	INCREDIBLE MOSES LEROY	Become The Soft.Lightes
14	SEKSU ROBA	Pleasure Vibrations
15	NOBODY	Pacific Drift: Western Water Music
Vol. 1		
16	BRITISH SEA POWER	The Decline Of British Sea Power
17	CREATURES	Hai
18	SUN KIL MOON	Ghosts Of The Great Highway
19	MODEY LEMON	Thunder And Lightning
20	TEENAGE FANCLUB	4766 Seconds: A Short Cut To Teenage
Fanclub		
21	SOUNDS	Living In America
22	OCEAN COLOUR SCENE	North Atlantic Drift
23	CHEMICAL BROTHERS	Singles '93-'03
24	CLEARLAKE	Cedars
25	ON AN OCEAN AMP	On An Ocean Amp
26	BEULAH	Yoko
27	DFA COMPILATION #1	VARIOUS ARTISTS
28	PEACHES	Fatherfucker
29	DEATH CAB FOR CUTIE	Transatlanticism
30	SPIRITUALIZED	Amazing Grace

8. Policy Enforcement

Any infraction by any policy set forth in this document will be noted by a member of the e-board, and considered as being one strike. After one strike the member will be given a verbal warning, after two strikes

the member will be given a written warning, and then after the third strike the membership of the person will be removed. Only after the semester of membership cancellation is over will that person have the opportunity to be a member again. After two membership cancellations that person will no longer have the opportunity to be a member.

Appendix A



DJ Agreement

I _____ agree as a DJ of WCKS that I have read and will abide by the policies and procedures set forth in that document

X _____

Appendix C: from

<http://www.webcom.com/radioweb/educate/legal.html>

Legal Checklist for On-Air Personnel

Counsel from the Legal Department

from the National Association of Broadcasters, Info-Pak, May-June 1988

This was written in 1988. Some rules have changed. Some have not. Take this information as being years old.
Where possible, the FCC regulations are cited with links to the applicable rules.

Summary

Very often on-air personnel make programming decisions which require a keen awareness of the legal ramifications of their actions.

This Council Memo provides a brief checklist of many of the various laws and regulations which affect the business of broadcasting.

Broadcasters should circulate this checklist among on-air personnel to make sure that they are aware of the items listed. Any unchecked boxes will indicate a need to brush up on those areas. An outstanding tool for management and employees is the third edition of the NAB Legal Guide to Broadcast Law and Regulation. It and other publications mentioned in this Council Memo may be obtained from the NAB Publications Department at 800-368-5644.

Payola and Plugola 47CFR73.4180

The acceptance of cash, travel, meals or other benefits in exchange for playing records or plugging products or events on the air is a danger sign of payola or plugola. Either practice may expose the licensee to FCC sanctions and payola could result in fines and imprisonment for the licensee and the personnel involved.

Payola is accepting or agreeing to accept anything of value in return for broadcasting records or any other material without disclosing that the payment is made. Section 507 of the Communications Act requires station employees who receive such payments to report them to station management before broadcast. Failure to do so can result in a \$10,000 fine and up to a year in prison. In addition, Section 317 requires that the broadcast of such material contain a sponsorship identification announcement. Violation of this section subjects the licensee to FCC action.

Plugola is the practice of promoting a licensee's or on-air personality's nonbroadcast activities on the air. In contrast to payola, such announcements are permitted if management is aware of what is going on, the interest of the licensee or announcer involved is disclosed and the announcements carry the proper sponsor identification.

Obscene or Indecent Material 47CFR73.4170

The broadcast of obscene or indecent material is prohibited by law and carries a maximum penalty of a \$10,000 fine or a two year jail sentence, or both. It can also result in FCC administrative sanctions, including fines and the revocation of the broadcaster's license.

The Commission's new indecency policy has taken away much of the certainty in determining whether material is permissible for broadcast. Prior to April 1987, the FCC

limited enforcement of the indecency standard to repetition of the "seven dirty words" contained in George Carlin's "Filthy Words" monologue. The new policy uses the more general interpretation that language or material which depicts or describes sexual or excretory activities or organs, in terms patently offensive as measured by contemporary community standards for the broadcast medium, shall be deemed indecent if there is a reasonable risk that children may be in the audience. The 10:00 p.m. "safe harbor" previously established by the Commission has been pushed back to midnight, although the FCC has not committed itself to maintaining this post-midnight "safe harbor" and there is not definitive ruling as to what time the "safe harbor" ends. Repetition of the language is also no longer determinative: the FCC will instead look at the context in which the material was aired to determine if innuendo or double entendre may be indecent. If the material also appeals to the prurient interest of the audience, it may be "obscene" and its broadcast at any time is prohibited.

The FCC has refused to exempt from the policy the airing of indecent language during the coverage of a news event (e.g., a trial or public meeting), although again the context in which the language is aired and the licensee's determination as to whether children may be in the audience will be considered. A warning that such material contains language which may be offensive to some segments of the audience is still good practice, but may not provide much of a shield should the FCC inquire about the language used.

If there is a chance that the FCC might consider any part of a broadcast indecent or obscene, the material must be checked with the appropriate station officials before airing. This is a licensee decision -- not one for the individual employee.

Drug Lyrics 47CFR73.4095

While the broadcast of songs containing "drug lyrics" is a matter of licensee discretion, the Commission has established a procedures by which licensees must exercise responsibility and judgement in the screening of songs which may promote drug usage.

Some songs contain references to drugs which are simply incidental or which, in effect, warn against the use or abuse of drugs. Such songs would not normally be of concern to the Commission.

If your station's music format provides for the broadcast of songs which might promote the use of drugs, management should establish screening procedures to ensure that responsible judgements can be made about the appropriateness of broadcasting such songs. One or more members of your station's staff should attempt to have a reasonably current understanding of "street" or slang references to popular drug terminology.

Rebroadcasting Telephone Conversations 47CFR73.4265

Before you broadcast live or record a telephone conversation for later broadcast, you must expressly notify the other party that the conversation will be taped or broadcast (or both). This prior notification results in implied consent if the party stays on the line. Specific notification/consent is not required during an "open mike" show, when it can be presumed that the "call in" party is aware that he or she is being or likely will be broadcast.

Sponsorship Identification 47CFR73.4242

Whenever a station receives anything valuable in exchange for broadcasting certain material (however short), a sponsorship identification announcement must be made. For example, "teaser" announcements in which the sponsor's identity is not revealed violate the FCC's rules. Generally, the name of the company or individual actually paying for the announcement is required, although if the commercial is for a product manufactured by the company the brand name of the product will suffice. Failure to make a required sponsorship identification announcement is considered a serious offense by the FCC, since it violates Section 317 of the Communications Act.

Contests and Promotions 47CFR73.1216

A station cannot broadcast information that misleads the audience about station conducted contests. The rules must be made clear from the very beginning, and the station must follow the rules to the letter. The licensee must disclose "any material term" of the contest's rules or operation. It cannot misrepresent the chance of winning, for example. A violation of the contest rules could subject the licensee to FCC fines and provides grounds for revocation of license.

While the Commission will no longer hold a station accountable for contests which adversely affect the public interest, state and local laws may still hold the station liable for damages cause by contests. If the conduct involves a felony, it could reflect on the licensee's character at renewal time. Problems could develop with contests that require contestants to actually search for prizes or to get to a particular location in a short time, or which otherwise endanger people and property.

Lotteries 47CFR73.1211

Broadcasting information about or promoting a lottery is a criminal offense under federal law and a violation of FCC rules. There are only two exceptions -- state operated lotteries and fishing contests that are self liquidating (all proceeds are consumed by prizes and operating expenses). Remember, although state law may permit a lottery, broadcasters must follow the federal prohibitions.

(Note: At the time of this writing, legislation pending before congress would make the federal and state laws more compatible. However, until new legislation is enacted, broadcasters must abide by the federal prohibition.)

The three elements of a lottery are

1. the award of a prize
2. where the ultimate winner is selected or ties are broken by chance
3. where some payment must be made, or other "consideration" furnished, to the promoter by anyone who wants to participate.

Consideration is found in requiring a purchase or a test drive in order to enter, or in requiring the entrant to be a present to win without giving a specific time for the announcement of the winner.

Many apparently innocent giveaways turn out to be lotteries. If a prize is being awarded, and the element of chance appears to play a part in selecting the recipient, you should check with management (and probably the station's attorney) to determine if a

lottery is present. NAB's Lotteries and Contests: A Broadcaster's Handbook can also help answer many questions.

Station Identification Announcements 47CFR73.1201

The FCC requires that each station make identification announcements at the beginning of each broadcast day, and hourly, as close to the hour as feasible at a natural break in the programming (e.g., at the end of a record or between plays of a football game).

The official ID must contain the station's call letters followed immediately by the name of the city of license. In addition, the licensee's name and frequency may be included between the call letters and the city of license. Note that this is the only extra matter that may be included between the call letters and the city of license. Thus, "WET, Backwater Broadcasting at 95.9 FM in Grinder's Switch" would be acceptable. On the other hand, "WET, rockin' Grinder's Switch" or "WET, rockin' Grinder's Switch all the time" would not be acceptable.

In addition, a station may include the name of any other community or communities with its official station identification. However, the community of license must be named first, for example, "WET, Grinder's Switch - New York City." No additional FCC authorization is needed to add additional cities to the station identification. Moreover, it is not necessary that the station be able to demonstrate signal coverage over any of the additional cities named in the identification.

Mechanical Reproduction Announcements 47CFR73.1208

No recorded program material in which the element of time is of special significance, or in which an affirmative effort is made to create the impression it is live, may be broadcast without an appropriate announcement at the beginning of the program or program segment that is being recorded. The language of the announcement must be clear and in terms commonly understood by the public. Where the time element is not of special significance, the announcement need not be made, but the licensee is prohibited under FCC rules from trying to create the impression that the program is live when it is actually recorded.

Time is considered of special significance in certain programs (e.g., a speech, news event, or special event) when the failure to announce the mechanical or recorded nature of the program would create, either intentionally or unintentionally, the impression or belief on the part of the audience that the event is occurring simultaneously with the broadcast. This requirement does not apply to recorded announcements which are of commercial, promotional or public service nature.

Unauthorized Communications Rebroadcasts 47CFR73.1207

The program of another broadcast station may not be rebroadcast without receiving the written consent of the originating station. If possible, this consent first should be obtained in writing. If not possible, oral consent should later be confirmed in writing.

Stations originating emergency communications under a detailed state EBS operational plan are deemed to have conferred consent to rebroadcast the emergency communications.

Point to Point Communications no cite

Except in emergencies, a radio station may not broadcast a message intended primarily for a specific individual or group (such as a sales meeting). This applies to both coded and uncoded transmissions. In an emergency (e.g., a hurricane), a broadcast station may be used to get emergency messages to fire, police, other civil authorities and to individuals in distress.

Incidentally, commercials should not be broadcast during "emergency operations," such as when a daytime only radio station broadcasts at night following a flood or earthquake.

Engineering Operator Licensing [47CFR73.1300](#)

Persons operating AM or FM transmitters need only hold a Restricted Radiotelephone Operator Permit. No examination is required for a Restricted Permit.

A DJ or on-air talent is no longer required to hold a Restricted Radiotelephone Operator Permit. However, such a permit may be required by the station for hiring.

Completely unattended operation of broadcast transmitters, even with automatic transmission systems, is not permitted. A licensed operator must be on duty at the transmitter or fixed remote control or automatic transmission system control location at all times when a station is on the air. The repair and maintenance of broadcast transmitters does not require any kind of FCC operator permit. Broadcast auxiliary stations may be operated and maintained without any operator permit. Station licensees, however, are responsible for the proper operation of broadcast and auxiliary service facilities and should be selective in the qualifications of maintenance personnel.

Station Logs [47CFR73.1800](#) [47CFR73.1820](#) [47CFR73.1835](#) [47CFR73.1840](#)

Although the FCC has eliminated its program logging requirements, Commission rules still mandate the maintenance of station operating (transmitter) logs. Except where automatic equipment records information for the operating log, remember to enter:

1. The time the station goes on and off the air;
2. The time the tower lights are turned on and off, or if automatically controlled, the time of the daily check of proper operation (unless an automatic alarm system meeting FCC specifications is installed), and any failure of the lighting system;
3. The time EBS alerts are received and transmitted.

Remember to sign the log and record the date and time when going on and off duty.

AM and FM stations have additional, but different, entries that are required. It is suggested that all operators fully familiarize themselves with FCC rule 73.1820.

Emergency Broadcast System [47CFR73.1250](#) [47CFR73.4097](#)

Be certain that all operating personnel (announcers, newscasters and engineers) are thoroughly familiar with EBS procedures and that these procedures are periodically reviewed. Remember, the Emergency Broadcast System depends not only on industry planning but also on the knowledge and competence of "the person on the board" when an emergency strikes.

Public Inspection Files 47CFR73.3526 47CFR73.3527

The FCC requires licensees to maintain certain records in a file for public inspection during regular business hours (usually 9:00 am-5:00 pm). While the station may require personal identification (names and addresses) of those wishing to inspect the files, it may not require information about their organizational affiliations or their intended use of the information gathered from the files. Duplicating materials in the files should be arranged through the station manager.

Tower Lights 47CFR73.1213

The FCC requires that you report immediately, by telephone or telegraph, to the nearest Flight Service Station or office of the Federal Aviation Administration and "extinguishment" or improper functioning of any top steady burning light or any flashing obstruction light, regardless of where it is located on the tower, if not corrected in 30 minutes. The FAA must also be notified when the repairs are made.

Keep the FAA's phone number posted and be sure all personnel who may have occasion to check the tower lights know the procedure for notifying the FAA of the tower light failure or improper operation.

Defamation: Libel and Slander no cite

Defamation is a false statement spoken (slander) or written (libel) about a person or group, which damages the person or group in the eyes of a majority or significant minority of your community. On-air personnel should be cautious when broadcasting potentially damaging information about persons or groups in the community. Whether a statement is defamation is determined by state laws, so local counsel should be contacted if a question arises.

NAB has prepared a videotape, "Staying Out of the Libel Stew," and offers a booklet, "Synopsis of the Law of Libel and the Right of Privacy," which are available through the NAB Publications Department.

Network Clipping no cite

Although the FCC has eliminated its rules in this area, on-air radio personnel should still be cautious about "clipping" network radio programs. "Network Clipping" is the failure of the licensee to fulfill its contractual obligation to the network with which it is affiliated or to a syndicator by certifying that specific material was broadcast in full when there were, in reality, cancellations or deletions.

The "clipped" material could be commercials, program content, network identifications, or any other network originated transmission which the station had contracted to broadcast. "Clipping" network or syndicated material could lead the station into expensive and time consuming litigation.

Copyright Problems no cite

While your station's ASCAP, BMI and SESAC licenses may cover the performance of recorded music played on your station, they might not authorize the airing of other recorded material, such as certain non-musical recordings, old radio or television programs, or movies. Unauthorized, indiscriminate use of these materials can cause problems for your station. Always check with management before airing these materials

to be certain the station is licensed to do so.

"Fair use" of these materials is permitted by the Copyright Act for purposes such as news reporting, comment or criticism. Determination as to whether the use is "fair" involves the purposes and character of the use, including whether it is for commercial or educational purposes; the nature of the copyrighted work; the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and the effect of the use upon the potential market for or value of the work. If there is doubt as to whether the station is licensed to air the material or the use is "fair," the station's attorney should be contacted.

You should also know that your ASCAP, BMI and SESAC licenses do not authorize your station to re-record portions of songs as part of producing commercial spots. A good place to start to obtain such authorization is the Harry Fox Agency in New York.

NAB's Counsel Memos are intended to serve as a source of general information on legal issues of interest to the broadcasting industry. Broadcasters seeking information on how the principles discussed in a Counsel Memo apply to their specific circumstances should seek the advice of their own attorneys.

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