

Policy Handbook

Mississippi Authority for Educational Television

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Table of Contents

Section 1. Mississippi Authority for Educational Television

A.	Authorization	1
B.	The Authority	
C.	Terms of the Board	
D.	Officers of the Board	
E.	Standing Committees	
F.	Ad Hoc Committees	2
G.	Members' Compensation/Reimbursement	
H.	Meeting Schedule	3
I.	Special Called Meetings	
J.	Agenda	4
K.	Executive Session	
L.	Open Meetings	5
M.	Public Access to MAET Records	6
	Public Inspection File	
	Mississippi Public Records Act of 1983	
	Public Access to State Records	
N.	Notice of Meetings	7
	Notice to Board Members	8
O.	Minutes	
P.	Members' Voting	
Q.	Adoption and Amendment of Policies	9
R.	Executive Director	
S.	Powers and Duties	
	TV-Radio-ITFS Channels	
	License Applications Review	
	Funding Applications	10
	Equipment Standards	
	Consultative Services	
	Information Clearinghouse	
	Coordinate Development	
	Approve Policies	
T.	Operation of Facilities	
	Facilities/Vehicles	
	Access to ITFS	
U.	Other Services	11
	Production/Equipment Usage Fees	
	Capital Equipment Replacement Revolving Fund	
V.	Other Staff	
W.	Funding	

Section 2. Administration

A.	Authorized Signature Approval	12
	Board Chair	
	Executive Director	
B.	Audits and Financial Records	
C.	Disposal of State Property	
D.	State Property Use	13
E.	Billing of Services	
F.	Vehicle Use	
	General Use	
	Purchase	
	Retired Vehicles	
	Record Keeping	14
G.	Purchasing	
	Personal Service Contracts	
H.	Technical Standards	
	Federal Communications Commission (FCC)	
	Federal Aviation Administration (FAA)	15
I.	Tower Leasing	
	Priorities	
	Usage Requirements	
	Rates	17
	Federal Compliance	
J.	Interconnect Lease	
K.	Field Services	
L.	Drug Free Workplace Act of 1988	18
M.	Overtime Compensation / Compensatory Time	
	Purpose	
	Earned Compensatory Time for Travel	19
	Earned Compensatory Time for a State Holiday	
	Earned Compensatory Time for Attendance at Functions	20
	Earning Compensatory Time (Non-Exempt Employees)	
	Earning Compensatory Time (Exempt Employees)	
N.	Flextime Schedule	21
	Objective	
	Definitions	
	Eligibility	
	Policy	
	Procedures	22
	Responsibilities	23
O.	Compressed Work Schedule (CWS)	
	Purpose	
	Eligibility	
	Monday CWS	
	Friday CWS	
	Rules and Regulations	24

P.	Outside Employment	
Q.	Emergency Employees Attendance	25
R.	Standards of Employee Conduct	26
S.	Smoking	
T.	Equal Employment Opportunity (EEO)	
	General Policy	27
	Responsibility for Implementation	
	Policy Dissemination	
	Recruitment	28
	Job Hires and Promotions	
	Job Hires	
	Promotions	29
U.	Training	
V.	Grievances	
W.	Volunteers	

Section 3. Television and Radio Services

A.	Overview of Television and Radio	31
	Television	
	Radio	
	Music	32
	News, Public Affairs, and Information	
	Reading Service	
B.	Ascertainment	33
C.	Editorial Integrity	
D.	Program Selection	
E.	News and Public Affairs	35
F.	Code of Ethics and Practices	36
G.	Severe Weather Announcements	37
H.	Public Service Announcements (PSAs)	
	Television	
	Radio	
I.	Sale of Television and Radio Footage	38
J.	Program Accessibility	
	Other Broadcast Stations	
	Individuals and Organizations	
K.	Copyright	39
	Scope of Copyright Protection	
	Copyright Considerations for Television	
	Unedited Audio and Video Tapes	40
L.	Credits	
	Contractual Agreements	
M.	Underwriting	
	General Principles of Underwriting	41

	On-Air Credit Guidelines	42
	Production Underwriting Credits	
N.	Outreach	43
O.	Satellite Video Teleconferencing	
P.	Rental and Use of Facilities	44
Section 4. Education Services		
A.	In-School Programs	45
B.	Interactive Video Network (IVN)	
C.	Consortium for Adult Learning Services (CALs)	46
D.	In-School Training	
E.	Instructional Productions	
Section 5. Appendices		
	<i>Appendix A</i>	47
	Statement of Principles of Editorial Integrity in Public Broadcasting	
	<i>Appendix B</i>	50
	Code of Ethics and Practices for News Journalists	
	<i>Appendix C</i>	60
	Acronyms	

References to the Mississippi Code included in some sections of this Handbook indicate a consistency with the Code rather than exact language.

Section 1.

**Mississippi Authority for
Educational Television (MAET)**

(also known as The Authority)

A. AUTHORIZATION

By the authority of the Mississippi Legislature, the Mississippi Authority for Educational Television was created as an agency of state government having the responsibility for the administration, operation, control and supervision of educational television and radio in Mississippi. It is established and developed in the public interest to provide educational and instructional, professional growth, and public service programs for students and citizens of Mississippi.

Miss. Code Ann., Section 37-63-1 (1990)

B. THE AUTHORITY

The Mississippi Authority for Educational Television shall consist of the State Superintendent of Public Education, or his designee, and six (6) members appointed, with the advice and consent of the Senate. The Governor shall appoint four (4) members, one (1) of whom shall be actively engaged as a teacher or principal in a secondary school system in the State of Mississippi and one (1) of whom shall be actively engaged as a teacher or principal in an elementary school system in the State of Mississippi. The State Board for Community and Junior Colleges shall appoint one (1) member, and the Board of Trustees of the State Institutions of Higher Learning shall appoint one (1) member.

Miss. Code Ann., Section 37-63-3 (1994)

C. TERMS OF THE BOARD

Beginning July 1, 1995, the appointee actively engaged as a teacher or principal in a secondary school shall be appointed for an initial term of three (3) years. The member actively engaged as a teacher or principal in an elementary school shall be appointed for an initial term of four (4) years. The remaining two (2) gubernatorial appointees shall serve until July 1, 1996. Beginning July 1, 1996, the Governor shall appoint two (2) members for initial terms of three (3) and four (4) years, with the Governor specifically designating which member shall be appointed for three (3) years and which shall be appointed for four (4) years. After the expiration of the initial terms, all members shall serve for terms of four (4) years. An appointment to fill a vacancy among the gubernatorial appointees, other than by expiration of a term of office, shall be made by the Governor for the balance of the unexpired term.

Miss. Code Ann., Section 37-63-4 (1994)

D. OFFICERS OF THE BOARD

The Mississippi Authority for Educational Television shall elect a chair, vice-chair and such other officers it deems necessary. Officers shall be elected at the Annual Meeting and serve until the next Annual Meeting.

Miss. Code Ann., Section 37-63-5 (1994)

E. STANDING COMMITTEES

- 1) The chair shall appoint members to standing committees to serve during the term of office of the chairperson.

- 2) The chair may appoint ad hoc committees to deal with matters not covered within the purview of existing committee structure.
- 3) There shall be the following standing committees:
 - Finance Committee
 - Assessment, Accountability and Audit Committee
 - Policies and Procedures Committee.
- 4) Meetings of the respective committees will be initiated by the committee chair upon his or her initiative or notification by the executive director of the receipt of a concern (e.g., complaint, request, proposal, etc.) within one committee's area of concern. Investigation, analysis of data/information, committee meeting, and subsequent reports and recommendation(s) to the MAET will be determined by the committee chair and communicated to the MAET chair for proper reflection in subsequent MAET meeting agenda(s).
- 5) The chair and vice-chair may serve as ex-officio of all standing committees.
- 6) The executive director may be involved with the activities of all standing committees and ad hoc committees.

F. AD HOC COMMITTEES

Ad hoc committees are special committees appointed to serve in the event of non-routine issues and problems which are not normally dealt with by one of the standing committees. Upon completion of an assignment, the ad hoc committee shall be automatically dissolved.

The members of an ad hoc committee shall be appointed by the MAET for a term which shall conclude upon termination of the special assignment.

The meetings of an ad hoc committee shall be determined by the committee chair.

G. MEMBERS' COMPENSATION / REIMBURSEMENT

The members of the MAET shall receive no annual salary, but may receive as provided by statute per diem compensation for each day or fraction thereof devoted to the discharge of MAET duties or official MAET meetings.

The members of the MAET shall be entitled to reimbursement for expenses such as meals, lodging and other necessary expenses incurred in the discharge of their duties, including the current rate per mile actually and necessarily traveled as authorized by statute.

The discharge of official MAET duties shall consist of attending regular and called meetings of the MAET and attending meetings at which the attendance of the MAET member(s) is required as an official assignment by the MAET member(s) or the request of the executive director. Reimbursable per diem and

travel for an official assignment by the MAET must be authorized and recorded in the official minutes for other than regularly scheduled MAET meetings.
Miss. Code Ann., Section 37-63-5 (1994)

H. MEETING SCHEDULE

The regular meeting dates, times and place for the Mississippi Authority for Educational Television (MAET) are as follows:

Beginning in January of each year, the MAET will meet every other month on the second Tuesday of the month at 9:30 a.m. at 3825 Ridgewood Road, Jackson, Mississippi. Any regular meeting that differs from the above shall be authorized only by a majority vote of the members of the MAET and shall be entered into the official minutes of the meeting in which the action is taken.

Four (4) members of the MAET shall be required to constitute a quorum.
Miss. Code Ann., Section 37-63-5 (1994)

A quorum may be at different locations for the purpose of conducting a meeting through teleconference or video means, provided participation is available to the general public.
Miss. Code Ann., Section 25-41-5 (2007)

I. SPECIAL CALLED MEETINGS

Special meetings called for emergencies or unanticipated business which requires the MAET's immediate attention will be subject to the following: Special meetings of the MAET may be called by the chairman with the concurrence of the vice-chair or with the concurrence of a majority of the MAET members only after all MAET members have been contacted. There must be a documented record of prior notification to all MAET members. The specific purpose for the special meeting shall be stated to each MAET member upon notification. The special meeting agenda shall be limited exclusively to the purpose for which the meeting is called. No other matters shall be considered.

Meetings by teleconference or video means may be held as often as needed if an emergency exists and the Authority is unable to meet in regular session. All emergency meetings conducted through teleconference or video means shall comply with the provisions requiring minutes, recordation and preservation of the audio or audio/visual recording of the meeting.
Miss. Code Ann., Section 25-41-5 (2007)

The public must be notified of special meetings in accordance with applicable statutes and MAET policies and procedures.

On an annual basis, the Authority and the executive director shall meet in order

to devote time to developing and specifying the priorities of the agency, which shall be reflected in the form of the annual strategic plan and the budget; both shall be approved by the Authority.

J. AGENDA

All requests for items to be placed on the agenda shall be received by the executive director at least eight (8) calendar days prior to the scheduled monthly meeting.

Matters not on the agenda will not be considered by the MAET except when a majority of the MAET is present and voting and concurs to include an item which did not arise in time to have been placed on the regular agenda, or items which were omitted by clerical error, and which are of such nature as to require consideration of the MAET in the current meeting.

The chair and executive director shall confer and prepare the agenda which is to be considered by the MAET. Matters of emergency which arise after this process or items which could not have been anticipated may be presented for discussion by the MAET.

The executive director shall provide via electronic mail the proposed agenda to each MAET member no later than five (5) calendar days prior to a regularly scheduled meeting. Distribution of the agenda shall also be made to the media and to the representative of the Attorney General's Office assigned to MAET.¹

K. EXECUTIVE SESSION

Executive sessions of public bodies may be held by teleconference means.

Miss. Code Ann., Section 25-41-5 (2007)

The MAET may enter into executive session for the transaction of public business; provided, however, all meetings shall commence as an open meeting, and an affirmative vote of three-fifths (3/5) of all members present shall be required to declare an executive session.

- 1) The procedure to be followed by the MAET in declaring an executive session shall be as follows: any member shall have the right to request by motion a closed determination upon the issue of whether or not to declare an executive session. Such motion, by majority vote, shall require the meeting to be closed for a preliminary determination of the necessity for executive session. No other business shall be transacted until the discussion of the nature of the matter requiring executive session has been taken on the issue.
- 2) An executive session shall be limited to matters allowed to be exempted from open meetings. The reason for holding an executive session shall be

¹ Revised by the Board of Directors, Jan. 12, 2010

stated in an open meeting and the reason so stated shall be recorded in the minutes of the meeting. This shall not be construed to require that any meeting be closed to the public, nor shall any executive session be used to circumvent or defeat the purpose of the statutes relating to open meetings.

- 3) The MAET may legally hold an executive session for one or more of the following reasons:
 - a) Transaction of business and discussion of personnel matters or character, professional competence, or physical or mental health of a person.
 - b) Strategy sessions or negotiations with respect to prospective litigation, litigation or issuance of an appealable order when an open meeting would have detrimental effect on the litigating position of the MAET.
 - c) Transaction of business and discussion regarding the report, development or course of action regarding security, personnel, plans or devices.
 - d) Investigative proceedings regarding allegations of misconduct or violation of law.
 - e) Cases of emergency which would pose immediate or irrevocable harm or damage to persons and/or property within the jurisdiction of the MAET.
 - f) Transaction of business and discussion regarding the prospective purchase, sale or leasing of lands.
 - g) Transaction of business and discussion concerning the preparation of tests for admission to practice in recognized professions.
 - h) Transaction of business and discussions regarding employment and termination of employees. The exemption provided by this paragraph includes the right to hold closed meetings concerning employees as such exemption relates to their deletion from any budget subject to the approval of the MAET. Final budgetary adoption shall not be taken in executive session.
- 4) The total vote on the question of entering into an executive session shall be recorded and spread upon the minutes.
- 5) Any such vote whereby executive session is declared shall be applicable only to that particular meeting on that particular day.

Miss. Code Ann., Section 25-41-5 (1990); Communications Act, Section 396(k)(4)

L. OPEN MEETINGS

All official meetings of the MAET board of directors, unless otherwise provided in this chapter or in the Constitution of the United States of America or the State of Mississippi, are declared to be public meetings and shall be open to the public at all times and unless declared an executive session, which is appropriate to consider matters relating to individual employees, proprietary information, litigation and other matters requiring the confidential advice of counsel, commercial or financial information obtained from a person on a privileged or confidential basis, or the purchase of property or services whenever the premature exposure of such purchase would compromise the business interests of any such organization.

Miss. Code Ann., Section 25-41-5 (1990); Communications Act, Section 396(k)(4)

Meetings may be conducted through teleconference or video means. An audio recording or an audio/visual recording shall be made and preserved for three (3) years following the date of the meeting.

Miss. Code Ann., Section 25-41-5 (2007)

M. PUBLIC ACCESS TO MAET RECORDS

Public Inspection File

The Mississippi Authority for Educational Television maintains a public inspection file for all its public TV and public FM stations in the MAET Administration Building at 3825 Ridgewood Road, Jackson, Mississippi, in accordance with FCC rules and regulations. Location of the file will be provided upon request made to the Administrative Assistant and contents shall be made available during regular business hours from 8:00 a.m. to 5:00 p.m. without asking the requesting party for additional information other than name and address.

The public file contains all documents as required by the FCC, including all applications filed with the Commission, ownership reports, political broadcast records, current authorizations, current service contour maps, *The Public and Broadcasting* manual from the FCC, the quarterly issues/programs lists, and a list of donors supporting specific programs. (FCC rules exclude donations, large and small, which support general operations and are not earmarked for specific programs.) Individuals may obtain photocopies of documents contained in the public file when the request is made by phone or in person and the requesting party agrees to pay the reasonable costs of duplication.

FCC Rule 73.1125, FCC Rule 73.3526, and FCC Rule 73.3527 (as amended, 1999)

Mississippi Public Records Act of 1983

The Authority shall comply with the Mississippi Public Records Act of 1983, and staff shall amend the MAET procedures applicable to the Public Records Act of 1983 and present to the Authority for approval as appropriate.

Public Access to State Records; Form and Retention of Denials

The right to inspect public records will be acquired by a written request. Within seven (7) working days after the receipt of the request, notification of the time, place and method of access will be provided. If unable to produce a public record by the seventh working day after the request, a written explanation will be provided specifying with particularity why the records cannot be produced within the seven (7) day period. The production of requested records shall not be any later than fourteen (14) working days following a request unless there is mutual agreement of the parties.

Miss. Code Ann., Section 25-61-5 (as amended, 2010)

The right to obtain reproduction of a state public record will be acquired by written request. The request must specify which records are to be reproduced and whether the reproductions are to be mailed or received in person. Copies of public records will be available at a rate of 25 cents per page and \$10.00 per hour personnel time the first four hours and actual per hour personnel time thereafter for the reproduction will be applied, plus applicable postage.

In the event the public record is available in computer files and can be obtained through computer use, charges for the computer use, including programming time and actual computer time, as well as any other costs incurred, will be applied. All charges and collections shall be made and collected prior to producing the public records.

The financial provisions of this section may be waived by the executive director for requests from state and federal agencies.

Denial of a request for access to or copies of MAET public records will be in writing and will contain a statement of the specific reasons for the denial.

All written requests must be submitted to:
MAET Executive Director
3825 Ridgewood Road
Jackson, MS 39211
Miss. Code Ann., Section 25-61-1, 25-61-3, 25-61-5 (1983)

N. NOTICE OF MEETINGS

Any public body which holds its meetings at such times and places and by such procedures as are specifically prescribed by statute shall continue to do so and no additional notice of such meetings shall be required except that a notice of the place, date, hour and subject matter of any recess meeting, adjourned meeting, interim meeting or any called special meeting shall be posted within one (1) hour after such meeting is called in a prominent place available to examination and inspection by the general public in the building which the public body normally meets. A copy of the notice shall be made a part of the minutes or other permanent official records of the public body.

Any public body, other than a legislative committee, which does not have statutory provisions prescribing the times and places and the procedures by which its meetings are to be held shall, at its first regular or special meeting after July 1, 1990, spread upon its minutes the times and places and the procedures by which all of its meetings are to be held.

Notices for meetings held by teleconference or video means shall be provided at least five (5) days in advance of the date scheduled for the meeting.
Miss. Code Ann., Section 25-41-5 (2007)

Notice to Board Members

- 1) All notices to members shall be provided via electronic mail to members at their electronic mailing address shown in the office of the MAET.²
- 2) Each member shall submit in writing to the executive director of the MAET any change in the member's mailing address for receipt of official mail.
Miss. Code Ann., Section 25-41-13 (1990)

O. MINUTES

Minutes shall be kept of all MAET meetings, whether in open or executive session, showing the members present and absent; the date, time and place of the meeting; an accurate recording of any final actions taken at such meeting; a record, by individual member, of any votes taken; and any other information that the public body requests be included or reflected in the minutes. The minutes shall be recorded within a reasonable time not to exceed thirty (30) days after recess or adjournment and shall be open to public inspection during regular business hours.

Miss. Code Ann., Section 25-41-11 (1990)

The minutes of the MAET shall be the responsibility of the executive director. In instances when the MAET may find it necessary to excuse the executive director, the MAET chair shall be responsible for ensuring the minutes are kept prepared. All proposed minutes shall become the official minutes upon approval by the MAET. Minutes are to be labeled "draft" until approved by the board of directors. The executive director may secure such assistance as is necessary for the preparation of the minutes or may designate staff to prepare the minutes.

Any member may request and have recorded in the minutes an explanation of his/her vote, provided such explanation is presented in writing and does not exceed 100 words.

P. MEMBERS' VOTING

A member present may vote for or against any motion or the member may abstain. Voting by proxy is not permitted.

The minutes of the MAET shall reflect the vote of each member on each matter. A unanimous vote may be reflected by each member present and voting on that matter. On all matters, in the event that a roll call vote is not taken, the vote of each member shall be reflected as in favor of the motion unless the member specifically indicates otherwise.

Votes taken during any meeting conducted through teleconference or video means shall be recorded by name in roll-call fashion and included in the minutes.
Miss. Code Ann., Section 25-41-5 (2007)

² Revised by the Board of Directors, Jan. 12, 2010

Should an MAET member in attendance at a meeting leave the meeting, such departure shall be reflected in the minutes. The return of that member shall likewise be noted.

Q. ADOPTION AND AMENDMENT OF POLICIES

The adoption of new policies or changing existing policies is solely the responsibility of the board. It is important that sufficient time be given to permit further study and to give interested parties an opportunity to react; therefore, no new policies nor policy revisions introduced for the first time shall be adopted until a subsequent meeting. The board may temporarily approve a policy to meet emergency conditions; however, discussion and a final vote must be taken before the policy shall be formally adopted.

R. EXECUTIVE DIRECTOR

The Mississippi Authority for Educational Television shall employ an executive director who shall be the administrative officer of the Authority and shall perform such duties as are required by law and other duties as may be assigned by the Authority.

Miss. Code Ann., Section 37-63-7 (1990)

The director shall provide leadership, guidance and management for the Authority and shall achieve the Authority's objectives (to be decided upon annually); further, the Authority will annually review the performance of the executive director and such review shall become a part of his/her official personnel record.

S. POWERS AND DUTIES

The Mississippi Authority for Educational Television is empowered and designated as the proper and official state agency to:

TV-Radio-ITFS Channels

Control and supervise the use of television broadcast, radio frequencies, and ITFS channels reserved by the Federal Communications Commission for noncommercial, educational purposes in Mississippi. It is further empowered to authorize the sale or lease of any excess capacity of such ITFS channels for commercial use to provide funds necessary to implement the purposes of Section 37-63-9(2);

License Applications Review

Initiate or receive for review and approval all applications for educational television and educational radio licenses submitted to the FCC for or on behalf of any public school system, junior college, institution of higher learning, private educational institution, or nonprofit community or municipal educational organization;

Funding Applications

Initiate or receive for review and approval all applications for federal, state, or private funds which involve the construction of educational television or radio facilities or acquisition of educational television or radio equipment;

Equipment Standards

Prescribe official state approved standards for appropriate educational television equipment which may be purchased by any public school, junior college, institution of higher learning, private educational institution, or nonprofit or community or municipal educational organization in order to insure standards of quality and technical compatibility throughout the state;

Consultative Services

Provide consultative services in all aspects of educational television and radio to any agency, public or private, within the state;

Information Clearinghouse

Serve as a clearinghouse for information on television and radio for educational purposes;

Coordinate Development

Perform all other duties necessary to insure the orderly and coordinated development of educational television and radio in Mississippi; and

Approve Policies

Determine and approve all policies governing the programming, administration, control and supervision of Mississippi educational television and educational radio.

Miss. Code Ann., Section 37-63-13 (1990)

T. OPERATION OF FACILITIES**Facilities / Vehicles**

The Authority is authorized and empowered to lease, purchase, own, construct, operate, manage and be the licensee of educational television and radio stations, production centers, transmission sites and all related equipment and facilities for the production and/or transmission of broadcast, closed circuit, fixed services, radio and any other means necessary to provide complete coverage of educational television and radio in the state. The Authority is also empowered to lease, purchase, own and operate any type of vehicle necessary for use in transporting equipment, production crews and service personnel.

Access to ITFS

The Authority, and any other state agency or board licensed by the FCC to provide ITFS educational television, is authorized and empowered to provide

access to video learning resources for all Mississippi public schools through the development of multi-channel interactive video systems (ITFS) for the public schools which shall be able to interact with other school districts in the state.

Miss. Code Ann., Section 37-63-9 (1992)

U. OTHER SERVICES

Production / Equipment Usage Fees

The Authority is empowered to provide noncommercial production or reproduction services for other public agencies and may collect the costs of providing the services from the public agency plus a separate equipment usage fee in an amount determined by the Authority and based upon the equipment used. The costs shall be deposited to the credit of the Authority. The separate equipment usage fee shall be deposited in the Capital Equipment Replacement Revolving Fund.

Capital Equipment Replacement Revolving Fund

The Authority may establish a Capital Equipment Replacement Revolving Fund into which shall be deposited equipment usage fees collected under subsection (1) and funds from other sources designated for deposit in the Capital Equipment Replacement Revolving Fund. The Authority may expend monies from the Capital Equipment Replacement Revolving Fund subject to appropriation by the Legislature to purchase technical equipment for operating the educational radio and television facilities.

Miss. Code Ann., Section 37-63-17 (1990)

V. OTHER STAFF

The Authority shall have the power and authority to employ such technical, professional and clerical personnel as may be necessary for the administration of this chapter and for the performance of other duties as may be imposed upon the Authority by law and to define the duties and fix the compensation of such employees.

Miss. Code Ann., Section 37-63-7 (1990)

W. FUNDING

The Authority is empowered to request and to receive such state funds for educational television construction and operation as may be appropriated or allocated to it, and to solicit and receive contributions, matching funds, gifts, bequests and devices from any source, whether federal, state, public or private. It may enter into agreements with federal, state, public or private agencies, departments, institutions, firms, corporations or persons for the production, transmission, sale, lease or purchase of educational television and educational towers which it owns.

Miss. Code Ann., Section 37-63-11 (1990)

Section 2.

Administration

A. AUTHORIZED SIGNATURE APPROVAL

In order to conduct necessary business of the Authority, the following policy is adopted regarding those individuals authorized to sign documents on behalf of the Authority. These authorizations shall be in compliance with appropriate federal and state requirements, which shall take precedence in the event of ambiguities or conflict:

Board Chair (alternates: vice-chair, secretary)

The chairman of the board shall sign all documents that require the signature of the head of the governing board (FCC licenses and other items consistent with prior board action) including:

- FCC and CPB applications and reports,
- Personnel actions affecting the executive director,
- Executive director out-of-state travel.

Executive Director

All documents requiring the signature of the chief executive officer of the governing board (licensee) consistent with prior board action, and those documents necessary to implement board decisions and actions provisionally delegated by the board. The executive director may designate an alternate to sign such documents, when appropriate, including:

- FCC and CPB applications and reports,
- Personnel documents affecting hiring, termination, classification, and pay,
- Contracts and agreements such as leases, construction contracts, grant applications, etc.,
- Programming and equipment purchases,
- Out-of-state travel authorizations and advance travel payments,
- All expenditures exceeding \$500,
- Legislative documents.

B. AUDITS AND FINANCIAL RECORDS

In compliance with Corporation for Public Broadcasting (CPB) requirements, and consistent with good business practices, an annual audit of financial records shall be conducted by an independent certified public accountant. This audit, along with other appropriate financial records, shall be submitted to the Corporation for Public Broadcasting and shall be available for public inspection.

C. DISPOSAL OF STATE PROPERTY

All equipment and supplies or any other personal property of the Authority deemed surplus, obsolete or no longer needed or required may be disposed in accordance with Miss. Code Ann., Section 29-9-9 (1990).

D. STATE PROPERTY USE

All property owned by the Authority belongs to the State of Mississippi and shall be used only for official agency business. The Equipment Management Procedures Manual, as approved by the board on January 1, 1993, and revised on March 1, 1999, is made a part of this Policy Handbook by reference.

The Authority is dedicated to providing the best possible service to Mississippians and is committed to ensuring that the information systems resources of the State and MAET are used appropriately for the intended purposes. All property owned by MAET shall be used for official agency business. The Electronic Communications Policy (Internet use), as approved by the board on November 13, 2001, to become effective December 1, 2001, is made a part of this Policy Handbook by reference.

Executive director approval is required for any request for a temporary loan of property to other governmental agencies for official business.

E. BILLING OF SERVICES

The Authority may provide production, duplication and other services to public and private entities as authorized by Miss. Code Ann., Section 37-63-11 (1990).

F. VEHICLE USE

In accordance with state law, agency vehicles are to be used for agency business only.

General Use

Vehicles will be parked on the agency premises when not in use. Certain personnel such as transmitter supervisors may be excepted only under special conditions, approved by the executive director, for vehicles to be driven home overnight.

Purchase

MAET vehicles will be purchased on state contracts through the Bureau of Purchasing. MAET includes vehicle replacement as part of the agency budget and an appropriation is requested from the Legislature. New vehicles are placed on inventory and license tag applied for. An agency decal is applied in accordance with state law. A state credit card is requisitioned and placed with the vehicle where it remains. A log book is also placed in each vehicle for recording of trip mileage and trip purpose.

Retired Vehicles

Retired vehicles are disposed of according to state law with the assistance of the Bureau of Purchasing.

Record Keeping

MAET's Department of Business Services will maintain all financial records and annual mileage records. Assigned vehicles each contain usage logs for record keeping purposes.

G. PURCHASING

The Authority will adhere to all state purchasing laws, rules and regulations in accordance with Miss. Code Ann., Section 31-7-13 as set forth in the Mississippi Agency Accounting Policies and Procedures Manual, Section 9. All purchases will be made within the Authority's approved operating budget, using agency-approved purchase requisition forms.

Prior board approval is required for the purchase of unbudgeted goods and services exceeding \$50,000, except in emergency situations, which will be reported to the board at its next regular meeting.¹

Personal Service Contracts

The Authority shall adhere to all state personal service contract laws, rules and regulations in accordance with Miss. Code Ann., Section 25-9-120 et al (as amended) and as set forth in the Mississippi Procurement Regulations of the Personal Service Contract Review Board of the Mississippi State Personnel Board. The executive director shall have authority to execute personal service contracts up to \$50,000 without prior approval of the board of directors. All personal service contracts between \$10,000 and \$50,000 shall be reported to the board of directors at its next regular meeting.

The executive director shall have authority to execute contracts of \$50,000 or above in emergency situations and with prior verbal approval of the board chair and board vice-chair and ratified at its next regular meeting.²

H. TECHNICAL STANDARDS**Federal Communications Commission (FCC)**

As an operator of educational television and radio broadcast stations, the Authority is licensed by the FCC to serve the public interest, convenience, and necessity. MAET is subject to numerous federal and state regulations. These include, but are not limited to, the following technical requirements:

- 1) The Mississippi Authority for Educational Television will follow the Federal Communications Commission (FCC) rules and regulations and shall be subject to all the provisions of the FM Technical Standards contained in section 73, subpart B and C at all times.

¹ Revised by the Board of Directors, Sept. 8, 2009

² Revised by the Board of Directors, Sept. 8, 2009

- 2) The Authority will follow the Federal Communications Commission (FCC) rules and regulations and shall be subject to all the provisions of the TV Technical Standards contained in section 73, subpart E at all times.
- 3) Technical Standards contained in part 74, Remote Pickup Broadcast Stations, subpart D, Aural Broadcast STL and Intercity Relay Stations, subpart E, Instructional Television Fixed Service, subpart I.
- 4) Technical Standards contained in part 25, Satellite Communications Stations, subpart C.
- 5) The Authority is responsible for control and supervises the use of television broadcast, ITFS channels and radio frequencies reserved by the FCC for noncommercial, educational purposes in Mississippi.

Federal Aviation Administration (FAA)

Parts 17.4 through 17.53 of the Federal Aviation Administration (FAA) rules and regulations regarding broadcast tower lighting and markings will be adhered to at all times.

I. TOWER LEASING

MAET towers and transmission buildings are not always at full capacity. In order to facilitate increased efficiency in the use of resources and to help offset operating and maintenance costs, the Authority may lease excess capacity as provided in the Mississippi Code.

Miss. Code Ann., Section 37-63-11

Priorities

Leasing of available MAET tower and building space will be considered on a case-by-case basis. Such leases will be approved only after a determination that they will cause no interference to MAET operations. Proposals for leasing space will be entertained with priority consideration given as indicated below. At its discretion, MAET may incorporate "no cause" cancellation clauses in any new or renewing leases.

- 1) State of Mississippi agencies
- 2) Educational agencies
- 3) Federal agencies
- 4) Local law enforcement agencies
- 5) Military
- 6) Amateur radio services
- 7) Non-profit organizations
- 8) Commercial/private

Usage Requirements

The following stipulations are understood and agreed to by all tenants on MAET towers:

- 1) AC power is to be supplied by each tenant using separate meter bases and meters.
- 2) Tenants are responsible for payment of their electrical bills.
- 3) Equipment and antenna mountings on MAET towers are to be inspected and approved by MAET prior to use and after final installation. MAET personnel are to be at the site during the time that work is being performed.
- 4) Tenant will provide any necessary housing for equipment and pad/footing necessary for proper and professional installation that is required by MAET. These enclosures must have approval prior to the actual installation.
- 5) The tenant will be responsible for any damage to MAET tower and adjacent property resulting from tenant's actions and/or negligence in mounting and maintaining equipment.
- 6) Tenant will not cause interference to MAET interconnect service or off-air backup receiving systems. In the event of such interference, tenant will be responsible for clearing such interference by modifying their system or immediately removing their system from service until it is corrected.
- 7) Tenant understands that MAET and the State of Mississippi provide no insurance on the towers or attachments. Tower companies are required to provide insurance or bonded coverage equivalent to one million dollars (\$1,000,000) before performing tower work on MAET towers.
- 8) The site supervisor or senior technician must be contacted upon arrival at the site and all tenants using the tower elevator must sign the elevator log and the Hold Harmless Statement before using the tower elevator.
- 9) MAET is not responsible for damage to tenant's equipment. Reasonable care will be taken to secure the tower from unauthorized persons and to prevent damage to tenant's equipment when maintaining MAET property.
- 10) MAET's use and repair of tower and related equipment has priority over any other service. Expansion of MAET's requirements for tower use may require relocation of other services on the tower. In cases of extreme loading, tenants will be required to vacate the tower in order to accommodate MAET's use. Any cost relocation or removal will be borne by the tenant.
- 11) Subleasing of MAET's tower space by tenant is prohibited without prior written approval by MAET.
- 12) Additional or new and different antenna placements on MAET towers will not be approved without tenant providing documentation from a professional structural engineer as to any adverse effects of loading or moving the tower outside of the RS-222E specs of the Electronic

Industries Association (EIA) standards that this addition or replacement will cause to the tower.

- 13) Tenants will be required to submit data on the frequency and power of the transmitting equipment to be used.
- 14) Tenants may be required to provide an intermodulation study to ensure that no signals will be generated that might interfere with MAET or other tenants.

Rates

MAET will establish lease rates and periodically review such rates.

Federal Compliance

There must be a mutually exclusive agreement of the parties regarding safety and exposure to Radio Frequency (RF) radiation of any personnel working on MAET towers as required by the Federal Communications Commission. Power must be reduced or completely removed by all parties when tower crews are working in the proximity of the mounted antennas.

J. INTERCONNECT LEASE

MAET has a 534-mile microwave interconnect system across the state of Mississippi which provides two-way remote connection/operation and data transmission. Currently, there are five (5) channels in use; however, in the future, this capability may be expanded. Usage of this microwave communications link is governed by the following:

- 1) Coordination of access and usage of the 960 MHZ system will be handled through the director of engineering, assistant director of engineering and/or chief network engineer.
- 2) Lease rates shall be established by the MAET board of directors and reviewed periodically.
- 3) During reported problems, each user will work with MAET's microwave engineering staff; in an effort to quickly and effectively resolve any and all problems, the user will assure his technical staff is at his end station of equipment and coordinating with MAET staff to determine the exact cause of the reported problem. This will expedite return to full operation in a more timely manner.
- 4) Usage/priorities of MAET's interconnect will follow the same priority as stated under paragraph I. Tower Leasing above.

K. FIELD SERVICES

MAET, as an educational services agency, provides limited support to schools as resources allow. Priority is given to public K-12 institutions. MAET service personnel may:

- 1) Install antennas and receiving equipment needed to receive MAET signal,
- 2) Design media room and assist in the installation of equipment,

- 3) Recommend equipment needed for classroom and media room,
- 4) Advise schools on the design, bidding, and installation of TV distribution system equipment,
- 5) Survey sites for satellite down-link equipment,
- 6) Coordinate installation of satellite down-link equipment,
- 7) Assist the satellite operator at each school to locate programming on different satellites as needed by the school,
- 8) Update the data in existing satellite equipment for the ever changing domestic satellite locations,
- 9) Train new satellite operators in schools to operate the equipment,
- 10) Evaluate video and audio equipment to be repaired,
- 11) Troubleshoot satellite and distribution systems and replace damaged component (school must pay for damaged component).

All equipment/parts required by the schools must be paid for by the school.

L. DRUG FREE WORKPLACE ACT OF 1988

The Mississippi Authority for Educational Television recognizes that alcohol and drug abuse are serious health problems which can adversely affect an employee's job performance as well as personal life. The agency is committed to providing a safe and productive work environment for all employees.

MAET will publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition; and

MAET will establish a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace, the grantee's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

MAET's policies are consistent with the Drug Free Workplace Act of 1988, requiring grantees of federal agencies to certify that they will provide a drug-free workplace.

M. OVERTIME COMPENSATION / COMPENSATORY TIME

Purpose

To revise the current policy for eligibility and use of compensatory time and overtime compensation in accordance with the Fair Labor Standards Act (FLSA) as amended Nov. 1985 and Miss. Code Ann., Section 25-3-92(1).

All employees are allowed to accrue compensatory time for all hours worked in excess of a 40-hour workweek. For the purposes of this policy, the hours of the workweek shall begin at 12:01 a.m. on Monday and end at 12:00 p.m. the following Sunday.

Prior supervisory approval is required to authorize earned compensatory time. Prior approval by a deputy director or the executive director is required for any employee to exceed 200 hours of compensatory time.

Exempt and non-exempt employees who work overtime/compensatory time without prior approval must be allowed to claim the hours worked in accordance with FLSA. If the supervisor determines that the performance of the work was unnecessary at the time it was performed, the hours worked must still be reported, but disciplinary action must be taken for failure to follow established policy.

It shall be the responsibility of supervisory staff to ensure adherence to this policy and to ensure they know the appropriate classification of the employees they supervise. Each office will be responsible for recording compensatory time and reporting it to the Payroll Office for its employees.

It is the policy of MAET not to award monetary compensation for extra hours worked. All approved extra hours worked shall be remunerated through compensatory leave, where possible. FLSA wage and hour laws dictate differing regulations for classification of employees, i.e., exempt and non-exempt employees.

Compensatory time may never be counted as time in service for either exempt or non-exempt employees.

Earned Compensatory Time for Travel

Compensatory time will be awarded for travel to and from any function or worksite outside of normal working hours where there is mandatory attendance at a function. All travel arrangements, including estimated departure and arrival times and any changes made to these arrangements, must be approved in advance by the immediate supervisor to ensure adherence to this policy.

Earned Compensatory Time for a State Holiday

Compensatory time shall be awarded at straight time (one hour earned for each hour worked) for any time worked on an official state holiday for exempt and non-exempt employees. A holiday is considered part of the 40 hours that make up the normal workweek, and therefore, time and one-half is not applicable.

Earned Compensatory Time for Attendance at Functions

Both exempt and non-exempt employees will receive reasonable compensatory time for attendance at functions (i.e., training, workshops, conferences, etc.) if the employee's attendance at the function is mandatory and will cause the employee to work more than 40 hours during the workweek.

Earning Compensatory Time (Non-Exempt Employees)

It is the position of MAET that non-exempt employees should not work over 40 hours per week. However, should circumstances require overtime, the Fair Labor Standards Act (FLSA) requires that non-exempt employees must receive time and one-half for any approved time worked in excess of 40 hours per week. If a supervisor has prior knowledge that an employee will be required to work more than 40 hours during any week, the supervisor may request that the employee take time off during the week in lieu of earning compensatory time.

The maximum number of compensatory leave hours to be accrued by a non-exempt employee is not to exceed 240 hours. Any compensatory time request that would cause a non-exempt employee to accrue more than 240 hours must be approved by the executive director. Accrued compensatory time in excess of 240 hours will only be approved in cases of extreme emergency. The supervisor should encourage any non-exempt employee with a compensatory leave balance greater than 200 hours to take leave immediately, or at the earliest possible time.

Non-exempt employees are required to use compensatory leave in lieu of personal leave when the employee has an accumulated balance of personal leave and compensatory leave. In the event of illness, non-exempt employees are required to use compensatory leave in lieu of personal leave for the first eight (8) hours of the illness. The employee may elect to take compensatory leave in lieu of major medical leave; however, rules governing major medical leave usage will still apply and a doctor's excuse will be required at the appropriate time.

Earning Compensatory Time (Exempt Employees)

Executive, administrative, or professional employees as defined by the Department of Labor are exempt from overtime pay requirements. However, employees in this status shall be eligible to earn compensatory time at the rate of one (1) hour for each hour worked in excess of the normal 40 hour workweek when such hours are necessary and are authorized prior to working by their immediate supervisor.

Exempt employees are required to use compensatory leave in lieu of personal leave when the employee has an accumulated balance of personal

leave and compensatory leave. In the event of illness, exempt employees are required to use compensatory leave in lieu of major medical leave; however, rules governing major medical leave usage will still apply and a doctor's excuse will be required at the appropriate time.

N. FLEXTIME SCHEDULE

Objective

To allow employees latitude in scheduling their work hours within policy requirements set forth below. In establishing flextime, both management and employees recognize that the use of flextime cannot prevent or interfere with the accomplishment of the mission, goals and tasks of the agency, nor can flextime cause a reduction in the levels of service being provided. Management will be open to alternative and creative approaches to the scheduling and accomplishment of work and employees must fulfill their commitments in a trustworthy and productive manner.

Definitions

Flextime is a schedule which allows management a choice, within limits, to vary employee arrival and departure times from work. It is a system of varying employee work time in which the employee will work the same number of hours as usual, but the timing of hours worked will vary by mutual agreement between the employee and his/her supervisor. Core hours are the hours during which all employees must be on the job (excluding regular lunch and break periods).

Eligibility

- 1) All regular, full-time employees are eligible to participate in flextime.
- 2) Specific positions or work units may be excluded on a temporary or permanent basis to meet workload or production requirement. It is, therefore, understood that flextime is not possible for all positions and all departments equally.
- 3) Employees requiring close supervision, as identified by the supervisor, are restricted to working only those hours when the supervisor is available.
- 4) An employee may be denied eligibility on a temporary or permanent basis for abuse of flextime.

Policy

Individual departments may use flextime work schedules subject to the following conditions:

- 1) The implementation, continuance, or modification of flextime is at the discretion of the department director, in consultation with the supervisor in charge of the division. At its discretion, management has

- the right to return an employee to a standard work schedule at any time if operating needs are not being met.
- 2) There shall be adequate staff coverage, sufficient to meet the operating requirements of the department, at all times.
 - 3) Management should give at least one week's notice before changing a flextime schedule.
 - 4) The normal workweek of forty (40) hours and five (5) days shall be observed. No flextime schedule shall be approved requiring more than forty (40) hours in a workweek.
 - 5) Shift schedules other than the 8:00 a.m. to 5:00 p.m. normal work schedule do not apply to flextime.
 - 6) Employees, with the exception of shift employees, will work during core hours of 9:00 a.m. until 4:00 p.m. An employee may not devise a schedule for reporting for duty earlier than 7:00 a.m. or to remain later than 6:00 p.m.
 - 7) Flextime schedules must be approved in writing and in advance and must be in effect for the entire month. Any changes to a previously approved schedule must be requested in advance.
 - 8) For all employees a one-hour lunch period is allowed; however, the lunch period may be adjusted according to department needs. The supervisor will schedule the lunch period for employees so that workflow is not interrupted. Employees taking lunch breaks in excess of the allotted time will be charged with personal leave or leave without pay if the employee does not have accrued personal leave. Scheduling a work period without a lunch break shall not be allowed.
 - 9) Employees are not permitted to work during a lunch period in order to make up time for being late.
 - 10) If situations within the division where employees have requested the same flextime schedule, the supervisor must consider the operating requirements of the division. Seniority may also be a factor in the decision.

Procedures

- 1) To obtain a flextime schedule, the employee must submit a written request, Flextime Schedule Request Form, to his/her immediate supervisor. The supervisor will route the request to all approving levels.
- 2) Supervisors are responsible for forwarding the approved form to the Personnel Department for the employee's personnel file with a copy to the Payroll Office. The supervisor should maintain a copy of each employee's approved schedule.
- 3) Flextime forms are available from the Personnel Department or on the shared drive, R:\Blank Forms\Personnel\Flextime Schedule Request Form.

Responsibilities

- 1) Department management ensures that flextime is administered consistently and equitably within the department and that staffing is always available to meet the operational requirements of the department.
- 2) The employee is responsible for adhering to the agreed upon flextime schedule.

O. COMPRESSED WORK SCHEDULE**Purpose**

In response to the changing needs of its workforce and to the increasing cost of fuel, the Mississippi Authority for Educational Television (MAET) shall offer its employees a "Compressed Work Schedule" (CWS). This CWS policy strives to enable employees to accomplish the mission of the agency and to balance work and life. This policy sets forth the guidelines for employees participating in the CWS. MAET shall adhere to all Federal and State laws as they pertain to the CWS. At no time shall an employee be allowed to work less than eighty (80) hours over a two-week period under this CWS policy.

Eligibility

MAET's Executive Director shall have the authority to allow all employees, subject to supervisory approval, to participate except Executive Staff, Agency supervisors and/or employees in the Production, Live TV, News, and Radio departments in one of two Compressed Work Schedules: "Monday CWS" or "Friday CWS."

Monday CWS

The Monday CWS will allow an employee to take the first or second Monday off in a two-week period. For example, if an employee chooses the second Monday to be off, the employee will work eight (8) hours on the first Monday and nine (9) hours each day Tuesday through Friday. The employee will then have the following Monday off of work. The employee will then return to work and work nine (9) hours each day Tuesday through Friday.

Friday CWS

The Friday CWS will allow an employee to take the first or second Friday off in a two-week period. For example, if an employee chooses the first Friday to be off, the employee will work nine (9) hours each day Monday through Thursday. The employee will take off on the following Friday. The employee will then return to work and work nine (9) hours each day Monday through Thursday and eight (8) hours on the following Friday.

Rules and Regulations

- 1) All departments must be adequately staffed between the hours of 8:00 a.m. and 5:00 p.m.
- 2) Employees participating in a CWS must work between the hours of 6:30 a.m. and 6:30 p.m. Each employee must select and follow one of the CWSs.
- 3) An employee's CWS may be temporarily disrupted at the discretion of his or her supervisor when the supervisor determines that it is necessary to carry out the duties assigned to the employee. This includes the duties of "Emergency Employees" as set forth in the *MAET Policy Handbook*.
- 4) Participation in one of the CWSs must continue for a minimum of six (6) months, absent extraordinary circumstances.
- 5) Employees participating in a CWS shall receive eight (8) hours of compensatory time when an official holiday falls on the *off* day of his or her CWS.
- 6) When a CWS employee takes personal leave, major medical leave, compensatory leave, and/or leave without pay, the total number of hours (for both leave and work) entered into the agency time system for that day must always equal the number of hours the employee was scheduled to work that day.
- 7) MAET's Executive Director shall have the authority to terminate an employee's participation in a CWS at any time.
- 8) It is important to realize badges verify compliance with schedules, as well as accountability of all staff present and on the premises in times of emergency. Compliance reports may be randomly reviewed by management to insure compliance of attendance and scheduling policy. Improper recording and/or documentation of attendance at work may result in a written reprimand depending on severity. Please be certain, even when following someone else in or out of the building, to swipe your badge when entering and exiting.

P. OUTSIDE EMPLOYMENT

It is the policy of MAET to allow its employees to engage in outside work or hold other jobs, subject to certain restrictions as outlined below:

- 1) The employee's activities and conduct away from the job must not compete or conflict with or compromise its interests or adversely affect job performance and the ability to fulfill all responsibilities to MAET. This requirement, for example, prohibits employees from being compensated for any services performed for agency clients. This prohibition also extends to the unauthorized use of MAET materials or equipment. In addition, employees are not to solicit or conduct any outside business during paid working time.
- 2) Employees, prior to taking outside employment, should certify to the employee's division director that such employment shall not interfere

- with his/her employment with MAET. Failure to do so will be cause for disciplinary action.
- 3) Employee certification regarding outside employment, including self-employment, should be submitted in writing to the employee's department head. It should contain any pertinent information about the outside employer, the nature of the job, and the hours of employment. The department head should then forward the certification to the executive director with appropriate endorsement.
 - 4) Employees are cautioned to consider carefully the demands that additional work activity will create before seeking outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. If outside work activity does cause or contribute to job-related problems, such employment must be discontinued; and, if necessary, normal disciplinary procedures will be followed to deal with the specific problems.
 - 5) No public servant shall use their official position to obtain pecuniary benefit other than that compensation provided by law or to obtain pecuniary benefit for any relative or any business with which they are associated.

Miss. Code Ann., Section 25-4-105 (1994), Miss. Const., Art. IV, Section 109

Q. EMERGENCY EMPLOYEES ATTENDANCE

The following policy applies to situations that prevent significant numbers of Mississippi State employees from reporting to work on time or which require State agencies to cease all or part of their activities, including major disasters and other emergency situations (e.g., terrorist attacks, exposure to biohazards, and other severe hazardous conditions), adverse weather conditions (snow emergencies, severe icing conditions, floods, tornados, and hurricanes), and other incidents causing disruptions of State government operations (disruption of power and/or water, interruptions of public transportation, closing of major transportation routes, etc.).

These procedures apply to all Mississippi Authority for Educational Television (MAET) employees who are all designated as "First Level Emergency Employees." These procedures are based upon the principle that the business of MAET is vital to serving the public by gathering and disseminating information during times of crisis, as well as fulfilling its obligations as a member of the Mississippi Emergency Management Response Team.

MAET shall designate "First Level Emergency Employees" to all employees since all are critical to agency operations in all dismissal or closure situations. The MAET Executive Director has the discretion to identify and designate those employees who he or she judges to be necessary to continue agency

operations in any given emergency situation. Each "First Level Emergency Employee" shall be notified of his or her status in writing. This notice shall include the requirement that such employees report for or remain at work when operations are disrupted and an explanation that dismissal or closure announcements do not apply to these employees unless otherwise instructed. This notice shall include a statement that "First Level Emergency Employees" who do not report to work may be reprimanded for "leave usage without justifiable and reasonable excuse for such absence" (see *Mississippi State Employee Handbook*, p. 66, ed. July 2005). The MAET Executive Director shall have the authority to grant a reasonable amount of excused absence to "First Level Emergency Employees" for individual hardships or circumstances. For example, factors such as distance, availability of public transportation, or available alternatives to childcare or eldercare may be considered.

"First Level Emergency Employees" who are required to work during their regular shifts, as well as during overtime shifts, on a day when MAET is closed (or when other employees are dismissed early) shall receive compensatory time for their work according to the regular compensatory time policy as set forth in the *MAET Policy Handbook*.

R. STANDARDS OF EMPLOYEE CONDUCT

MAET will follow policies and guidelines for standards of employee conduct as included in the *Mississippi State Employee Handbook*. These handbooks are provided to each employee of the agency and incorporate guidelines dealing with attendance, work performance, sexual harassment, grievance procedures, and other related standards of conduct.

S. SMOKING

It is the policy of MAET to provide a work environment that promotes the well-being of its employees and is as free as feasible from recognized hazards.

MAET has adopted the following policies regarding smoking:

- 1) The agency recognizes that smoking in the workplace can adversely affect employees. Accordingly, no smoking is allowed in the facilities.
- 2) Supervisors are expected to enforce this policy.
- 3) Complaints about smoking issues should be resolved at the lowest level possible, but may be processed through the grievance procedure. Employees who violate the policy will be subject to disciplinary action.
- 4) The smoking policy applies to all employees and visitors while on MAET premises or in MAET vehicles.

T. EQUAL EMPLOYMENT OPPORTUNITY (EEO)

General Policy

It is MAET's policy to provide equal employment opportunity to all qualified individuals without regard to their race, color, age, religion, national origin, sex or disability in all personnel actions including recruitment, evaluation, selection, promotion, compensation, training and termination.

It is also MAET's policy to promote the realization of equal employment opportunity through a positive, continuing program of specific practices designed to ensure the full realization of equal employment opportunity without regard to race, color, age, religion, national origin, sex or disability. We encourage applications from all qualified applicants for hiring and promotion to all types of positions at the agency.

To make this policy effective and to ensure conformance with the rules and regulations of the Federal Communications Commission (FCC), MAET has adopted an Equal Employment Opportunity (EEO) program which includes the following:

Responsibility for Implementation

The executive director, or designee, and the personnel director and manager are responsible for the implementation and administration of the agency's EEO program. It is also the responsibility of all persons making employment decisions with respect to recruitment, evaluation, selection, promotion, compensation, training and termination of employees to ensure that the agency's program is adhered to and that no person is discriminated against in employment because of race, color, age, religion, national origin, sex or disability. Any employee who has a question or concern regarding any type of possible discrimination is encouraged to bring it to the attention of his/her immediate supervisor or to the EEO Officer.

Policy Dissemination

To ensure that all members of the staff are cognizant of the Equal Employment Opportunity policy and their individual responsibilities in carrying out the policy, the following communication efforts are made:

- 1) The employment application form contains a notice informing prospective employees that discrimination because of race, color, age, religion, national origin, sex, or disability is prohibited and that they may notify the appropriate local, state, or federal agency if they believe they have been victims of discrimination;
- 2) Official notices are displayed on bulletin boards and elsewhere informing applicants and employees that the agency is an Equal Opportunity Employer and of their right to notify an appropriate local, state, or federal agency if they believe they have been victims of discrimination;
- 3) Other methods of policy dissemination include:

- a) New employees are provided a copy of the official state handbook which contains the state EEO Program Statement of Equal Opportunity Employment adopted by the State Personnel Board for all state agencies;
- b) Employees are periodically notified of the agency's policy of nondiscrimination and equal employment by a reaffirming statement issued by the executive director;
- c) Recruitment sources are advised of MAET's policy of nondiscrimination. The policy is reaffirmed in all written contracts;
- d) Position openings posted in-house on bulletin boards include a designation that MAET is an Equal Opportunity Employer. Notices sent to recruitment sources and all classified advertisements also contain this designation.

Recruitment

To ensure nondiscrimination in relation to minorities and women and to foster their full consideration in filling job vacancies, MAET will:

- 1) Maintain systematic communication, both oral and written, with a variety of minority and women's organizations to encourage the referral of qualified minority and female applicants whenever job vacancies occur;
- 2) Send job orders to the state employment service and the State Personnel Board where applicants are referred without regard to their race, color, age, religion, national origin, sex or disability;
- 3) Use, as a recruitment source, educational institutions, area schools and colleges with significant minority and female enrollment. When utilizing media for recruitment purposes, "help wanted" advertisements include a notice that MAET is an Equal Opportunity Employer, and the ad contains no indication, either explicit or implied, of a preference for one sex over the other;
- 4) Encourages all employees, particularly minority and female employees to refer minority and female candidates for existing job openings;
- 5) Place employment advertisements with media which have significant circulation or viewership, or are of particular interest to minorities and women in the recruitment area.

Job Hires and Promotions

MAET will hire and promote employees without regard to race, color, age, national origin, religion, sex or disability.

Job Hires

MAET will consider applicants for job openings on a nondiscriminatory basis. Further, to assure that qualified minorities and women are given due consideration for available positions.

Promotions

MAET promotes individuals on a nondiscriminatory basis. Further, to assure that qualified minorities and women are given due consideration for promotional opportunities.

U. TRAINING

Employee training will be provided without regard to race, color, religion, national origin, sex or disability.

- 1) MAET provides on-the-job training to upgrade the skills of employees.
- 2) When funds permit, other training opportunities include seminars for management-supervisory personnel as well as technical training to upgrade skills of non-management employees.
- 3) The Personnel Department shall serve as a clearinghouse for staff training opportunities, sharing such information with division directors and other appropriate staff.
- 4) The Personnel Department is responsible for scheduling and coordinating all MAET training provided to state employees by the State Personnel Board.
- 5) The Personnel Department, with assistance from division directors, shall document all training completed by employees and routinely provide the executive director with reports on the status of completed and planned training.
- 6) The Personnel Department is responsible for developing and coordinating activities relative to any and all MAET intern programs for college and university students. MAET offers assistance to students through the Student Internship Program by providing guidance and training in their field of study for a period of approximately 10 to 12 weeks. Mississippi colleges and universities are notified of the internship program by the Personnel Department. MAET provides equal opportunity to all students chosen to participate in the program by their respective educational institutions.

V. GRIEVANCES

MAET will follow the grievance procedure established by the State Personnel Board as outlined in the *Mississippi State Employee Handbook*, which is distributed to all MAET employees.

W. VOLUNTEERS

MAET encourages the use of volunteers in order that our viewers and listeners are offered the best services possible. Through their unique talents, skills, and knowledge, volunteers are a valuable resource for MAET and the people served.

- 1) All staff requests for volunteer assistance must be recommended by the appropriate division director and approved by the executive director;

- 2) All volunteer activities will be coordinated through a designated volunteer coordinator;
- 3) The volunteer coordinator shall maintain all records related to volunteer activities and shall provide appropriate assurances to protect MAET from claims against it by volunteers;
- 4) Appropriate recognition shall be provided for those volunteers contributing time and talent to MAET activities.

Section 3.

Television and Radio Services

A. OVERVIEW OF TELEVISION AND RADIO

Television

MAET was established to deliver to the citizens of Mississippi quality, non-commercial and educational television programming services that address the problems, needs and interests of all Mississippians.

To achieve this mandate, Television broadcasts programs from national, regional and other sources and produces local programs meeting ascertained community problems, needs and interests. These include:

- 1) Basic instructional and enrichment programs to public and private school classrooms in the state as selected by Educational Services in conjunction with the Mississippi Department of Education.
- 2) Consortium for Adult Learning Services (CALs), a member of the PBS Adult Learning Service, provides a mechanism for working with colleges and universities in facilitating delivery of distance learning courses.
- 3) General instructional and educational programs covering specific subjects and interests for individual and group learning experiences.
- 4) Informational programs covering the broad spectrum of concerns and needs of citizens of the state.
- 5) News and public affairs programs dealing primarily with issues affecting citizens of Mississippi.
- 6) Children's programs of an entertaining, educational character for out-of-school viewing.
- 7) Cultural programs in all art forms bringing the best available performances into homes across the state.
- 8) Fundraising programs to encourage direct citizen involvement in support of public television programming in Mississippi.
- 9) Contract production services for special informational, training and educational programs to meet the needs of state agencies and other organizations.
- 10) Closed Captioning: In an effort to serve the needs of the hearing impaired community, MAET will continue to caption locally produced programming. This service will be in compliance with all applicable FCC rules and guidelines. It will be expanded to include additional programs as possible under staff and budgetary considerations.

Radio

Radio was established to provide radio programming for the citizens of Mississippi--programming which will educate, entertain, and expand the cultural and social awareness of the listeners.

To achieve this, Radio will broadcast programming acquired from national, regional, or local sources and produce news and public affairs and music programming which meets the needs and interests of Mississippians.

In the selection and scheduling of this programming, Radio's primary guides will be educational and artistic content and the nature of radio usage as ascertained by audience research.

Radio's primary formats are:

Music

Radio broadcasts art and folk music not generally provided by other radio stations. The music choices include classical, folk, blues, and space/new age selections. Musical broadcasts include performances given by Mississippians throughout the state.

News, Public Affairs, and Information

Radio seeks to broadcast coverage of news, public affairs, and information from an international, national and state perspective.

Reading Service

The Reading Service provides blind and other print-handicapped Mississippians with access to current printed material. Its signal is transmitted throughout the state via the 67 kHz subcarrier of Radio.

Broadcasts can be heard only with special receivers which are available at no cost to print-handicapped Mississippians. The Reading Service will determine the criteria for eligibility in distribution of receivers. These receivers are provided by a combination of state and private funds.

The term, "print-handicapped," may be applied to many noncorrectable impairments or conditions which often make it impossible for a person to read, hold a book, or turn the pages of a newspaper.

The Reading Service concentrates on providing readings of newspapers, magazines, and books. Its programming also features grocery ads, recipes, television listings, and other specialized materials which are not available in a timely manner from other audio services.

The Reading Service utilizes volunteers whenever possible in the preparation and production of programming. They also provide assistance in other areas of the daily operation of the service. The coordinator and the assistant coordinator supervise the volunteer staff.

B. ASCERTAINMENT

MAET recognizes its responsibility to ascertain the needs and interests of Mississippians, then to broadcast programs to address those needs and interests. With this in mind, MAET will engage in an aggressive and structured process of community ascertainment.

Among the techniques to be employed in this process are community leader surveys, public forums, viewer and listener response to programs, random surveys by telephone and mail. Additionally, information will be acquired and utilized that is provided by Nielsen, Television Ratings Analysis Consortium (TRAC), PBS station indexes, radio audience data provided by Arbitron, and the Radio Research Consortium (RRC), as well as formal, informal, and anecdotal surveys of educators.

C. EDITORIAL INTEGRITY

The MAET executive director, program director, and program producers are expected to make programming decisions within the policies, direction, and guidelines established by the board to resist coercive pressures from special, economic and political interests. Decisions to include, or not to include, specific program material within the broadcast schedule shall be made in accordance with such considerations as fairness, balance, accuracy, respect for diversity of viewpoint, merit, availability of resources, prior commitments, demonstrated or potential audience interest, and the availability to the public of similar programming or information from other media. The MAET board subscribes to the *Statement of Principles of Editorial Integrity in Public Broadcasting*, originally adopted by the board in 1985 and contained herein as *Appendix A*.

D. PROGRAM SELECTION

MAET develop radio and television program schedules in accordance with the mission and goals of the agency. Foremost among these is the requirement to address the needs and interests of the citizens of Mississippi through our programming. Among the many factors considered in the selection of programs:

- 1) Needs and interests of Mississippians, as identified through ascertainment procedures,
- 2) Audience research data entities such as Nielsen, Arbitron, the Corporation for Public Broadcasting (CPB), National Public Radio (NPR), the Public Broadcasting Service (PBS), and similar organizations,
- 3) Costs for producing/acquiring program materials,
- 4) Availability, length, costs, and any restrictions of broadcast rights for such programs,
- 5) Market exposure and exclusivity. MAET will normally avoid duplicating a program already available to viewers and listeners and will strive to obtain exclusivity where possible. Overlapping commercial and non-commercial markets may limit MAET's ability to fully exercise these factors,

- 6) Previous program performance,
- 7) FCC rules and regulations,
- 8) Technical standards as measured against acceptable PBS and NPR guidelines.

Specific program selection also involves a degree of subjectivity that relies upon the experience and judgment of professional staff; therefore, MAET programming staff is charged with making day-to-day decisions regarding such matters. Implementation of these program selection policies and review and approval of programming decisions shall be the responsibility of the executive director.

MAET shall not seek, nor shy away from, program topics solely on the basis of their controversial nature.

No program will be broadcast for the purpose of discriminating or advocating discrimination against any person or persons by reason of race, color, creed, gender or age.

Except for fostering increased membership and support for Television and Radio, programming decisions will not be made for the purpose of gaining support, economic or otherwise, for special interest groups. However, when such programming decisions are determined by the executive director to be in the community's interest, they may be allowed.

MAET shall attempt to schedule programs that inform, entertain and inspire audiences.

MAET will not censor or edit materials for broadcast solely out of fear of complaint. Meeting the diverse needs and interests of Mississippians necessarily involves the broadcast of a wide range of program themes and topics. Scheduled programs will not likely be appreciated by all members of the audience. Individual adult viewers and listeners should judge for themselves what is suited to their individual tastes. They should choose their viewing and listening accordingly for themselves and their families.

MAET shall strive to schedule programs it deems inappropriate for children at times children are not likely to be in the audience. When deemed necessary, MAET will insert announcements alerting viewers and/or listeners to the potentially sensitive content of programs.

In the absence of specific FCC determinations on what constitutes "obscenity" and "indecenty," MAET shall strive to meet perceived community and state standards when scheduling programs. Certain documentary and dramatic

programs may contain language or scenes which some individuals find offensive, but which may be considered essential to the event or situation portrayed. In such cases, MAET will attempt to ensure that such material is essential to the context of the program and not used solely for effect. When deemed necessary, MAET will insert announcements alerting viewers and/or listeners to the potentially sensitive content of programs.

E. NEWS AND PUBLIC AFFAIRS

It is not only a licensee responsibility, but also a policy that MAET shall broadcast programs which relate to community, state, regional and national issues. MAET shall rely upon its News and Public Affairs Department to produce such programming for both Television and Radio.

The purpose of such news and public affairs programming is to inform Mississippians so that they are better able to pursue civic activities which impact their lives. MAET shall use appropriate means to ascertain needs and interests of Mississippians and then produce/acquire programs that address these issues. The director of News and Public Affairs, who serves as executive producer for all news and public affairs programs, shall participate with the director of Radio and the director of Television in establishing and maintaining an ongoing process of community ascertainment.

MAET shall conscientiously pursue fairness and balance in presenting news and public affairs programs. However, the reasonable limits to most programs are such that there will be occasions when fairness and balance must be achieved over time rather than within a single program. In those instances where it is impossible to give adequate attention to differing sides on one given broadcast, every effort will be made to present these points of view in subsequent broadcasts.

The following items shall provide guidance in the producing and broadcasting of news and public affairs programs:

- 1) Programs shall deal with subjects incisively, fairly, accurately and responsibly. Qualified spokespersons representing reasonable points of view on significant issues will be accorded the opportunity to support their positions, within the bounds of responsibility and common decency and to the extent allowed by the time and resource limitations of MAET.
- 2) All controversial and political candidate programs will adhere to the rules and regulations of the Federal Communications Commission. Decisions of program content--including guest participation--are the responsibility of the director of News and Public Affairs.
- 3) The sole purpose of any program produced by MAET dealing with candidates for public office or with issues scheduled for a decision by voters shall be to inform and to interest viewers and listeners in the affairs

of citizenship. Disclaimers citing no station endorsement shall be positioned at the open and close of those programs involving candidates for public office or issues being submitted for a decision by the voters.

- 4) The facilities and equipment of MAET shall not be used in the preparation of political advertising for any candidate for public office.
- 5) While staff may work with a variety of organizations, such as The League of Women Voters, newspapers, etc., final responsibility and authority for all political broadcasting on Television and Radio rests with MAET.

News and Public Affairs programs shall deal with participants and subjects fairly, accurately and responsibly. MAET staff shall adhere to generally accepted journalistic standards; management will strive to ensure that such journalistic enterprise is conducted in an environment unfettered by undue political or economic pressures.

Individuals and groups who believe they represent opposing and unstated viewpoints concerning any broadcast of controversial issues produced by MAET may request, within one week of broadcast of the program, comparable broadcast time to present their views. Points of consideration for such requests include:

- 1) The person or group requesting time is recognized as a qualified entity and holds a reasonable alternative viewpoint on the disputed topic;
- 2) Insufficient coverage of the opposing viewpoint was contained in the initial program, or that insufficient coverage was given within a reasonable period of time on other programs.

The executive producer of the program in question will make initial determinations on such requests, subject to review by the executive director in consultation with other appropriate staff. Programs from PBS and other outside suppliers will generally be afforded response opportunity by the supplier, and MAET will assist any individual or group in making their concerns known to the appropriate program producer.

Radio will broadcast severe weather announcements as issued by the National Weather Service during network operating hours. Local staff coverage of weather-related situations will be the responsibility of the News and Public Affairs Department.

F. CODE OF ETHICS AND PRACTICES

A Code of Ethics and Practices was established for news journalists to protect the credibility of news programming by ensuring high standards of honesty, integrity, impartiality and conduct.

As a news organization, the Code of Ethics and Practices articulates the ethical

standards for news journalists to observe while pursuing and presenting news stories and establishes guidelines and policies to prevent conflicts of interest and activities that may fall outside journalism so that journalistic independence is not jeopardized.

The Code of Ethics and Practices shall apply to all news reporters, hosts, news editors and producers, as well as all senior news managers. The Code of Ethics and Practices may also apply to material provided by independent producers or freelance reporters. The MAET board adopted the Code of Ethics and Practices in March 2008 and is contained herein as *Appendix B*.

G. SEVERE WEATHER ANNOUNCEMENTS

In an effort to meet the needs and interests of the people of Mississippi, Television and Radio will broadcast severe weather announcements as issued by the National Weather Service during network operating hours. Local staff coverage of weather-related situations will be the responsibility of the News and Public Affairs Department.

In cooperation with the Mississippi Emergency Management Agency (MEMA) and the Mississippi Department of Transportation (MDOT), Radio is the official source of information during evacuations caused by hurricanes or other emergencies. Radio will broadcast information provided by MEMA and other appropriate sources in such situations.

Both Television and Radio should establish and adhere to specific procedures that will help ensure the timely broadcast of such announcements.

H. PUBLIC SERVICE ANNOUNCEMENTS (PSAs)

Television

Because of the nature of our statewide network and the limited amount of interstitial time available, it shall be the policy of MAET not to broadcast pre-recorded public service announcements (PSAs) unless they relate to an event sponsored/co-sponsored by MAET. However, Television views programming as a public service to Mississippians. Announcements of community events, "calendar," or those activities with statewide appeal may be broadcast, providing they are noncommercial in nature and contain no mention of ticket prices.

Radio

Radio regularly receives requests from various groups and individuals for time on the air to promote a variety of events and activities. It is the policy of Radio to air only those announcements that conform to the following guidelines:

- 1) PSAs will promote events of an educational, news and/or public affairs, fine arts or humanities nature, or awareness of programs promoting the

general well being of the public. Such events or programs should be of broad public interest.

- 2) PSAs generally will not promote meetings of private organizations or groups.
- 3) PSAs will not promote political or controversial events where there is no balance of opposing views.
- 4) Radio will accept PSAs concerning events within or near our listening area.

I. SALE OF TELEVISION AND RADIO FOOTAGE

MAET may sell audio and video footage for which it holds the copyright.

Charges for research, tape stock, dubbing and shipping will be over and above the license fee based on rate card. License fees are determined by:

- 1) Area of use (regional, national and international),
- 2) Method of distribution,
- 3) Duration of license agreement,
- 4) Type of use (educational, commercial).

The rates for MAET footage will be based on current market value.

J. PROGRAM ACCESSIBILITY

Other Broadcast Stations

To facilitate providing noncommercial educational programming to as many citizens as possible, programs produced by MAET may be made available to other broadcasters (commercial and noncommercial) under the following conditions:

- 1) All applicable laws, rules, and regulations must be observed,
- 2) Written permission for off-air pick up must be obtained from MAET,
- 3) Written agreements must be made with MAET for dubbing and use of audio and video tapes, including payment of expenses for dubbing and use,
- 4) MAET must be given visual and/or audio credit for such off-air or taped uses.

This policy does not apply in instances where MAET programs are being produced or are otherwise under contract to others or where MAET does not have rights for such distribution.

Individuals and Organizations

MAET maintains a library/archive of programs and other production materials. These programs are produced with state funding and belong to the people of Mississippi and many of them contain valuable archival and historical information.

MAET will make programs available to the public for research or informational purposes consistent with current copyright restrictions. Charges for this service will include costs and overhead.

K. COPYRIGHT

MAET will adhere to copyright guidelines as established by the 1976 Copyright Act which is designed to help stations "both avoid infringing the copyright of others and to protect their own copyright interests in the programming they have created."

Scope of Copyright Protection

There are two main areas of concern for broadcasters:

- 1) Programs that are produced by MAET, and
- 2) Programs which are acquired.

The only absolute requirement for a station to acquire a copyright for a program it has created is that the program be fixed in a "tangible medium of expression" that would allow it to be reproduced. Typically, a broadcast program is fixed by being taped or filmed. For a live program, a copyright will be created if the program is taped simultaneously with its broadcast. A program could also be "fixed" through a written script that would permit the program to be reconstituted at a later time.

Once the station has created a program and it has been "fixed," the station owns the exclusive right to:

- 1) Perform the program publicly (by broadcast or otherwise),
- 2) Copy the program,
- 3) Distribute copies of the program,
- 4) Prepare adaptations or derivative works based on the program; and these rights apply to all markets in the United States.

For programs that are acquired, it is the policy of MAET to adhere to guidelines established by the copyright licensee.

It is the policy of MAET that division directors will be responsible for apprising staff of copyright rules and regulations in addition to ensuring that a monitoring system is in place. Division directors are also responsible for providing appropriate information and training relative to copyright laws and monitor changes in the law as they occur.

Copyright Considerations for Television

In order to be properly and legally assigned copyright protection by the United States Copyright Office, a production is required to graphically display the copy-

right sign along with the year of copyright and the names of the holders of the copyright (or some recognizable abbreviation or alternative designation).

The Examining Division of the U.S. Copyright Office has indicated the proper identification as: "Mississippi Authority for Educational Television." Additionally,

to ensure some protection of the program in countries outside the United States, the line, "All Rights Reserved" should be added. Both of these lines should appear in small print at the bottom of the last page of the credits and contain the standard network production credit, e.g.:

©2000 Mississippi Authority for Educational Television
All Rights Reserved

Unedited Audio and Video Tapes

Any request for copying or viewing of audio or video tapes that are unedited, or field recordings, will be considered by the division director and honored within ten (10) business days. The cost for these items will be an appropriate hourly charge for dubbing and materials. MAET will provide a written estimate as to costs, with payment to be made in advance before release of the materials. These items are copyrighted materials by MAET and their duplication is prohibited. Materials may not be used or cited without written permission from MAET. A signed acceptance of the conditions of the release of these materials is required before materials may be released to those requesting these materials.

If there is a question regarding the release of sensitive materials, copyright issues, or other issues, the matter will be referred through the proper channels to the executive director for review. Where appropriate, the executive director will consult the Office of the Attorney General for legal advice on how these specific requests should be handled.

L. CREDITS

MAET adheres to production credit standards as set forth by PBS and NPR.

Contractual Agreements

Programs produced under contract with outside organizations and/or contractual agreements with writers, talent, etc., will occasionally have requirements or restrictions which may supersede portions of this policy. Final approval of such negotiated settlements must be approved by the executive director.

M. UNDERWRITING

Because of the noncommercial nature of public broadcasting, MAET may not sell advertising time on television or radio. The Authority may, however, solicit and receive financial support in the form of underwriting grants. In return, the

Authority shall acknowledge such support by utilizing on-air credits deemed to be consistent with the following policies.

The authority to solicit membership, major donor, planned giving, corporate underwriting, and other private funding consistent with established policies and procedures is granted by MAET to the Foundation for Public Broadcasting in Mississippi, Inc. (FPB), whose sole purpose is the financial support of MAET.

All policies shall apply to both television and radio unless otherwise stated.

1) **General Principles of Underwriting**

a) **Application of FCC Regulations and PBS/NPR Guidelines to Local Underwriting**

MAET will comply with all FCC regulations for public broadcasting regarding program funding, on-air and off-air underwriting acknowledgments and will retain final authority for approval of both the acceptance and the appropriateness of such funding and acknowledgments.

PBS and NPR underwriting guidelines, explanations, definitions and examples will apply except where superseded by policies adopted by the MAET board.

MAET management shall exercise its discretion in approving on-air credits in the event of questions regarding the appropriateness of such credits.

b) **Content**

The content of underwriting credits is subject to the overall test of whether the credit is consistent with the noncommercial character of public broadcasting, the guidelines on credit elements and MAET's established on-air image.

c) **Editorial Control**

MAET will not allow editorial control to be exercised by program funders or underwriters and will guard against the public perception that editorial control might have been exercised by program funders or underwriters.

d) **In-Kind and Trades**

In-kind contributions and trades for goods or services may be acknowledged in the same manner as underwriting grants.

e) **Distribution of Underwriting Grants**

Unless otherwise determined by agreement between the underwriter, FPB and MAET, underwriting funds will be utilized for general support of MAET programming and production services as determined by policies and procedures established and approved by MAET and FPB.

f) **Production and Underwriting Credits**

- i) Radio: Underwriting credits for radio shall generally be read live by the radio announcer. There is no provision for pre-produced, taped credits or for credits read by outside talent or corporate spokespersons.
- ii) Television: Underwriting credits for television shall be produced by Production personnel. Requests for the use of pre-produced video shall be initially approved by the appropriate Production personnel. Requests to air a pre-produced credit shall be evaluated on an individual basis and must comply with all MAET and PBS/NPR underwriting guidelines. Requests by an underwriter to independently produce an on-air credit shall be considered on an individual basis and cannot generally be approved without oversight by the appropriate Production personnel.

2) **On-Air Credit Guidelines**

a) **Content**

- i) Visual (Television) - Video images representing the underwriter's logo and other identifying images deemed appropriate under PBS guidelines are generally acceptable, except that MAET shall not generally approve: "ads" created for use on commercial stations or networks, or; any video not deemed by MAET to be consistent in nature with MAET's on-air image, regardless of acceptability under PBS guidelines.
- ii) Audio (Television and Radio) - Audio content deemed appropriate under PBS or NPR guidelines shall be generally acceptable, except for content deemed by MAET not to be consistent with MAET's on-air image, regardless of acceptability under PBS or NPR guidelines.

b) **Duration and Number of Credits**

- i) On-air credits shall not exceed 20 seconds in length for one underwriter or 30 seconds total for multiple underwriters.
- ii) No more than three underwriters may be acknowledged in a single 30-second break except where multiple underwriters are listed only by name with no other identifying information.
- iii) Following the statement of the underwriter's name, every attempt should be made to limit the additional information to no more than 20 words.

3) **Production Underwriting Credits**

Funding credits included in the opening or closing of television programs produced for distribution by MAET shall comply with guidelines established by PBS. These guidelines shall be maintained in the Production Manual.