KVIK Code of Content for Show Submission

The show producer(s) is/are expected to insure that their program content remains within this Code of Content. KVIK Coordinator will offer opportunity to review KVIK Code Of Content at any time, but producers are assumed to understand KVIK’s Code Of Content as per the Executive Producer Contract. Producers are directly responsible for following guidelines in the KVIK Code of Content. 

All submissions must:

- Have producers that are current Western Washington University students.
- Follow pertinent and relevant copyright laws and FCC regulations for content.

Obscenity, Indecency and Profanity Regulations:

The maximum fine for a single violation is now $325,000 signed into law by President Bush, Thursday June 15, 2006.

Programming that is considered to be obscene or indecent or profane IS NOT allowed to be broadcast by KVIK.

- **Obscenity**:
  
  Material must meet a three-prong test:
  
  1. an average person, applying contemporary community standards, must find that the material, as a whole, appeals to the prurient interest;
  2. the material must depict or describe, in a patently offensive way, sexual conduct specifically defined by applicable law; and
  3. the material, taken as a whole, must lack serious literary, artistic, political, or scientific value. See Miller v. California, 413 U.S. 15 (1973).  

- **Indecency**:
  
  1. Broadcast indecency has been defined as language or material that, in context, depicts or describes, in terms patently offensive as measured by contemporary community standards for the broadcast medium, sexual or excretory organs, or activities.
  2. The definition of indecency is not limited to the “seven dirty words,” but is also extended to any material found indecent under broad, “generic” definition of indecency. This expanded definition not only includes graphic descriptions, but innuendo and indirect allusions.

  The definition of **indecency** is not limited to the “seven dirty words” (shit, piss, fuck cunt cocksucker, motherfucker, tit), but is also extended to any material found indecent under a broad, “generic” definition of indecency. This expanded definition not only includes graphic descriptions, but innuendo and indirect allusions.

- **Profanity**:
  
  On the issue of **Profanity** the FCC states: The term “profanity” is commonly defined as “vulgar, irreverent, or coarse language.” The Seventh Circuit, in it most recent decision defining “profane” under 18 U.S.C. section 1464, stated that term is “construable as denoting certain of those personally reviling epithets naturally tending to provoke violent resentment or denoting language so grossly offensive to members of the public who actually hear it as to amount to a nuisance.”

  Broadcasters are on notice that the Commission in the future will not limit its definition of profane speech to only those words and phrases that contain an element of blasphemy or divine imprecation, but, depending on the context, will also consider under the definition of “profanity” the “F-Word” and those words (or variants thereof) that are as highly offensive.

  If there is a question regarding content, the volunteer should err on the side of caution and not broadcast the material. Contact the KVIK Coordinator or General Manager to discuss any specific situations or request clarification.

**The Basics**:

1. The FCC commissioners have directed the FCC staff to take an extremely hard line about any violation.
2. Local community standards are no longer an issue. National standards which take into account the most conservative communities are the guideline.
3. No defense is acceptable. No accident, no slip of the tongue, no “i didn't know,” no “it was a guest,” nothing.
4. Fines are to be taken to the max. $325,000.00 per incident.
5. Incidents are no longer entire shows. Incidents are individual words. Therefore 5 words in one minute will be treated as 5 separate incidents, with the potential for 5 fines.
6. Profanity is a new category for fines, and includes as part of its definition, the word "irreverent."
7. Recent FCC fines have been aggressively levied for violations in foreign languages.
10. There is no statute of limitations on violations.

Additional Programming Requirements:
Programming content that IS NOT allowed on KVIK:
- Programming that is derogatory to a person’s sex, race, religion, color, creed, disability, national origin or sexual orientation.
- Programming that advocates violence -- including self-mutilation or suicide.
- Programming that advocates the use of illegal drugs or alcohol.

Meet submission deadlines:
Grant KVIK full rights to the material once submitted. If there are any questions or concerns regarding this requirement, please address them with the KVIK Coordinator.
Be submitted in digital format, either as an .mp4 or .mov video file. Any other file formats will not be accepted or aired. Other arrangements may be made upon consultation.
Pass sound, video and content standards.
All finished products or live shows must offer KVIK contact information in some form.

Additional requirements for submission:
Executive Producer(s) must prove leadership proficiency & file the necessary paperwork to the KVIK Coordinator.
Producers must produce at least one episode a year (excluding summer quarter).
Producers must hold weekly meetings with the KVIK Coordinator concerning progress in production as well as present their current productions prior to show deadlines.
Any new show may not conflict with an already existing KVIK show.
Notice to all submissions:
KVIK is an equal opportunity organization and is free from prejudice on the basis of race, religion, ethnicity, physical appearance, age, sex, disability, or sexual orientation.
It is expected that permission was given for all persons and materials incorporated in a submission and that it is cited in the program. If it comes to our attention that plagiarism, copyright infringements, or any unwritten or un-given permissions has occurred, the program will be discontinued indefinitely. Producers are responsible for attaining all necessary permissions and following copyright laws.
All submitted material will be reviewed by the KVIK Coordinator and KVIK General Manager. If the program is thought to be unacceptable, it will be returned to the submitter along with a written statement explaining why the material was denied and what can be done to make it acceptable. If the KVIK Coordinator and KVIK General Manager find the submitted material to be acceptable, the program will then be scheduled.