

## **88.1 The 'Burg Rules and Guidelines**

### **I. Station Guidelines**

#### **▪ Space Guidelines**

- NO Food or Drinks in the studios.
- Leave the station how you found it or better. Reset the board, log out of WideOrbit, open the blinds, leave door open, etc. Refer to the Pre-Show and Post-Show checklist posted in the studio.
- Report all damages or malfunctions to [Tommy.Skaggs@cwu.edu](mailto:Tommy.Skaggs@cwu.edu) **AND/OR** [Nicholas.Elliott@cwu.edu](mailto:Nicholas.Elliott@cwu.edu) when discovered/caused. You will not be reprimanded for reporting equipment or gear that was accidentally damaged or not working based on normal usage.
- Any content created and broadcasted by KCWU staff or volunteers can be used for rebroadcast, promotional material, external award submissions, and other purposes.
- KCWU Staff and volunteers are excluded from being selected as winners for station giveaways.

#### **▪ On-Air Guidelines**

- Personal opinions must be prefaced with the following disclaimer: “This is my personal opinion and does not reflect the opinion of Central Washington University or 88.1 The ‘Burg.”
- If there is a show right after yours, finish at the :55 mark.
- If you are unable to host your regularly scheduled show, send an email to [kcwu@cwu.edu](mailto:kcwu@cwu.edu) prior to your scheduled time. Three (3) missed shows without notification within a quarter will lead to the loss of show time. (This does not include holidays, university breaks, or finals week)
- Air all Underwriter announcements that are placed within your show’s scheduled hour (labeled purple and cart numbers start with “UDW”)
- Content must not promote, encourage, or instruct listeners in illegal activities in any form.

#### **▪ Copyright and Intellectual Property**

- Music included in shows must be pre-approved and uploaded by the student Program Director or Music Coordinator.
  - Playing music prior to official launch dates is prohibited.
  - Information and process to request music: <https://www.881theburg.com/song-request>
- Unauthorized use of copyrighted music, sound clips, or materials constitutes infringement and is prohibited under CWU policy. All music in WideOrbit has already been checked and can be used within radio shows.

#### **▪ Remote, Field, and Pre-Recorded Material**

- Recording outside of the station is approved on a case-by-case basis and requires additional training and planning.
- Make sure audio is clear, free of technical errors, normalized to -3db, and can fit within the time limit for the hour to include underwriters and other scheduled elements.
- Do not include unwanted external audio such as fans, fridges, background TV, or electrical hums.
- Station staff can provide general technical guidance, but cannot troubleshoot personal equipment.

- Show recordings should be free of music with copyright, as this will not allow necessary metadata to display on the website, app, or car radios.
- Music can be added before, between, or after segments if available in WideOrbit Automation.
- Content will be reviewed by the KCWU General Manager or designated employee at least one week prior to scheduled airdates to allow for review, the opportunity to provide edit notes, and loading into the automation system.

▪ **Training and Compliance**

- All station personnel (e.g. Show hosts and DJs) must complete training on FCC broadcast standards, University free speech policies, and nondiscrimination rules.
- Training Process (<https://www.881theburg.com/training>) must be completed prior to shows airing on 88.1. If you take a gap from training or hosting a show for more than one quarter, additional training may be required.
- The KCWU Radio General Manager or designee must review questionable material prior to broadcast when concerns arise about compliance.
- Documentation of content reviews and training completion must be maintained on file.

▪ **Enforcement and Compliance**

- The goal of enforcement is to preserve the integrity of the KCWU Station, ensure compliance with laws and policies, and educate students on responsible broadcasting practices. Violations of these rules may result in corrective or disciplinary actions.
- The KCWU General Manager or designee may respond to any suspected or reported violation of the rules and guidelines outlined in this document by initiating a review and, when necessary, issuing warnings, letters of expectation, referral to the Office of Student Rights & Responsibilities or the Office of Civil Rights Compliance & Title IX, or other corrective actions.
- If you become aware of potential violation, you must report it promptly to the KCWU General Manager or another KCWU Professional Staff Member.
- KCWU reserves the right to suspend or delay broadcast of any material pending review for compliance with these rules.
- When there is notice or report of a possible violation of the KCWU rules, the following steps are taken:
  - **Initial Assessment:** The General Manager or designee will review to determine whether an incident involved a potential violation of KCWU rules, CWU policy, state/federal laws, or potential FCC infraction.
  - **Notice to Student:** The General Manager or designee will send a written notice to the student of the alleged violation, the specific rule implicated, and an opportunity of three (3) business days to respond before disciplinary action is finalized.
- If the General Manager or designee finds a student responsible for violating a rule, the following progressive disciplinary steps will apply based on severity, intent, and frequency of the violation(s):
  - **Verbal Warning:** For first-time or minor violations (e.g., inadvertent use of borderline language, food in the studio, etc.), KCWU General Manager or designee will provide verbal

guidance, record the incident in internal notes, and may require re-training if appropriate. Students will be given the opportunity to remedy the non-compliance issues.

- **Written Warning:** For repeated or moderately serious violations (e.g. telling people to buy a product and including prices, damaging equipment without reporting, skipping a legal ID, etc.), a written letter of expectation will be sent with a corrective action plan to resolve the issues.
- **Referral to Office of Student Rights & Responsibilities or Office of Civil Rights Compliance & Title IX:** If violation includes CWU policies- such as, but not limited to, discrimination, harassment, retaliation, or misuse of resources- the matter shall be referred to the appropriate office.

## II. Federal Communications Commission (FCC) Compliance

KCWU and its broadcasters must comply with all Federal Communications Commission rules contained in 47 CFR Part 73 and related FCC policies. Student broadcasters should pay special attention to the following:

- **No Obscenity § 73.3999**
  - Material that, taken as a whole, appeals to indecent interests, depicts or describes sexual conduct in a deliberately offensive way, and lacks serious literary, artistic, political, or scientific value. Obscene material may never be broadcast.
  - Content is considered obscene if it meets all three criteria:
    1. The average person, applying contemporary community standards, would find that the material appeals to prurient interests;
    2. The material depicts or describes sexual conduct in a patently offensive way; and
    3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value.
- **Indecent and Profane Content Restrictions § 73.3999**
  - Indecent: Depictions or descriptions of sexual or excretory activities or organs that are not obscene but are patently offensive as measured by contemporary community broadcast standards.
  - Profane: Grossly offensive language that is considered a public nuisance.
  - Especially important between 6am-10pm.
  - More information:  
[https://www.fcc.gov/sites/default/files/obscene\\_indecent\\_and\\_profane\\_broadcasts.pdf](https://www.fcc.gov/sites/default/files/obscene_indecent_and_profane_broadcasts.pdf)
- **Incitement to Imminent Lawless Action (Brandenburg Standard)**
  - Speech directed to inciting or producing imminent lawless action (e.g., violence, property destruction) and likely to result in such action is prohibited.
  - While not codified as a specific FCC rule, such broadcasts can violate federal law and the station's obligations under the FCC's "public interest" standard.

- **Discrimination §73.2090**
  - Speech that targets individuals or groups based on protected characteristics (e.g., sex, race, religion, etc.) that creates a hostile or exclusionary environment is prohibited.
  
- **No Hoaxes §73.1217**
  - You are prohibited from broadcasting false information concerning a crime or a catastrophe if:
    1. You know this information is false;
    2. it is foreseeable that broadcast of the information will cause substantial public harm; and
    3. broadcast of the information does in fact directly cause substantial public harm.
  - More information: <https://www.fcc.gov/reports-research/guides/hoaxes>
  
- **No News Distortion**
  - Broadcasters are only subject to enforcement if it can be proven that they have deliberately distorted a factual news report.
  - More information: <https://www.fcc.gov/broadcast-news-distortion>
  
- **Legal IDs §73.1201**
  - Must be played between :55 and :05 at the top of each hour.
  - It is required to play the pre-recorded liner scheduled at the top of each hour, as these are logged and can be easily reported.
  - If a situation arises where the pre-recorded Legal ID cannot be read, a verbal live read is acceptable. The FCC stipulates that the proper legal ID will have the station’s call letter followed by its city of license. Our Legal ID is: **“KCWU Ellensburg”**. You are NOT allowed to insert any other information in between KCWU and Ellensburg (e.g., “KCWU in Ellensburg”, “KCWU 88.1 FM”, “88.1 KCWU” are not legal IDs).
  
- **Non-Commercial Educational & Underwriting §73.503(d)**
  - KCWU is a Non-Commercial Educational (NCE) FM radio station licensed by the FCC.
  - Do NOT air commercial announcements for for-profit businesses in exchange for payment.
  - No calls to action (e.g., “Stop by,” “Visit today,” “Call now,” “Check them out”).
  - No inducements to buy, sell, rent, or lease (e.g., “Special gift for the first 50 customers,” “Bonus available this week,” “Six months free”).
  - No price or value information (e.g., “Only \$9.99,” “Discount available,” “7.7% interest rate”).
  - No qualitative or comparative language (e.g., “Best in town,” “Fastest,” “Award-winning,” “Most reliable”).
  - Underwriting must identify the business and not promote it.
  - Personal opinions must be clearly personal and cannot be part of underwriting.
  - It is OK to include: business name, location information, phone number or website, value-neutral product or service descriptions, and slogans/logos that identify but do not promote.
  - Do NOT refer to underwriting messages as “ads” — use “sponsors,” “underwriters,” or “support from...” instead.

- Additional Non-Commercial Guidelines: <https://www.fcc.gov/media/radio/nature-of-educational-broadcasting>

### III. Public Institution & CWU Policies

- As a student at Central Washington University, you have the responsibility to be familiar and comply with all university policies and procedures, specifically those governing student behaviors. Failure to comply with these expectations may result in university contact and action to address the behavior which could include removal from the institution. More information can be found: <https://www.cwu.edu/student-life/student-support/student-rights/policies-resources/>
- False statements of fact that damage the reputation of an individual or organization is prohibited (Defamation). Satire, parody, and clearly labeled opinion are generally protected, but must not be misleading and care must be taken to avoid misrepresentation.
- NO official promotion or endorsement of political candidates using CWU / KCWU resources.
  - As a state-funded public institution, CWU staff and students may not use university facilities, equipment, communications, or funds to support or promote a candidate or campaign. This is required by state law (RCW 42.52.180).
  - Airtime to political candidates must comply with federal broadcast law. Under the FCC's Equal Opportunities Rule (§73.1941), if KCWU gives airtime to a legally qualified candidate for public office, all other legally qualified candidates for that office must be offered equal opportunity to appear. This does not require endorsement or promotion, only equal access.