

MHSA HANDBOOK EXCERPT: Policies on Radio, Media, Photography, Video, Webcast and Replay

Section (31) RADIO BROADCASTING POLICY

The Montana High School Association and the Montana Broadcaster's Association agree to the following joint policies on the radio broadcasting of MHSA Athletic Activities (revised policy effective July 1, 1994):

- A. The host member school shall be responsible for the local policies concerning radio broadcasting of all MHSA athletic events other than district, divisional, and state tournaments and playoffs and exhibitions. Member schools and local stations shall work cooperatively to promote the broadcasting of both male and female activities.
- B. The radio broadcasting of district, divisional, and state tournaments and playoffs and exhibitions shall be controlled by the MHSA Executive Board with the following guidelines:
 - 1. Any radio stations that declare their broadcasting interests to the tournament/playoff manager no less than three days in advance of the scheduled event shall, without charge, be granted permission to broadcast such contests.
 - 2. Radio stations with permission to broadcast any contests have an obligation to provide a reasonable amount of free air-time prior to the event to promote attendance and ticket availability of the tournament/playoff game.
 - 3. The local radio station serving the market that normally has carried and promoted tournament/playoff representatives' contests throughout the season shall be given first right of broadcasting facilities in the site location. This local station will broadcast the contests of any local teams participation, as well as, the consolation and championship contests.
 - 4. The tournament/playoff manager shall determine and assign broadcasting space to all other stations requesting permission. Assigned location shall be desirable for broadcasting and limited to no more than three (3) people. The tournament manager will provide a limit of three media passes if they are needed. These passes must be used by the broadcast team members only and are not transferable.
 - 5. Radio stations may request feeds from any radio station broadcasting the tournament/playoff contests. All stations are responsible for making their own broadcast arrangements. If feeds are not available, the stations may request permission to broadcast those contests of interest.
- C. The privilege to broadcast is granted on the following conditions:
 - 1. There shall be no announcements or advertisements contrary to the principles of high school athletics.
 - 2. Stations shall be responsible for any and all expenses incidental to setting up and broadcasting the activity.
 - 3. Reports of accidents, injuries, or other incidents should be minimized and factual to prevent or minimize undue anxiety on the part of the listener.
 - 4. Radio stations providing "feeds" will adhere to the format approved by the Montana Broadcaster's Association.
 - 5. No commercials or advertisements on behalf of or at the request of the MHSA will be broadcast without a signed Timed Brokerage Agreement between the Montana Broadcasters Association and the Montana High School Association.
 - 6. At all times, the sportscasters should be unbiased and shall use good judgment in providing an objective, fair and professional presentation of the contests. The sportscasters should "report" the contests rather than judge or criticize the performance of the officials, coaches or players. Broadcasts should reflect sensitivity and a caring attitude towards the contests' participants.
 - 7. Stations have demonstrated efforts to broadcast post season events for both genders when applicable.
- D. Stations that are not in compliance with MHSA policies on broadcasting will be notified in writing by the MHSA of details of their non-compliance and be allowed to respond and remedy the problem before their requests to broadcast are declined.

Section (32) POLICIES FOR VIDEO, CYBERCASTING, TELECASTING AND PHOTOGRAPHY OF MHSA EVENTS

The MHSA reserves the exclusive authority to regulate photographic and video recordings and their distribution, including but not limited to photos, tapes, CD's, DVD's, broadcasts, telecasts, cybercasts, video-streaming, audio-streaming and other mediums. The Montana High School Association is the owner of the rights to and the copyright holder of all audiovisual recording, filming, videotaping, telecasting, webcasting and photography of MHSA events involving MHSA member schools.

The MHSA and its member schools will consider equitable coverage of both male and female activities when granting permission for any photography, filming, audio and/or video recording, and the subsequent use of those mediums.

All regular season and post season audiovisual rights may be granted to other parties as stipulated below:

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A. Videotaping/Filming:

1. All videotaping shall be conducted from an area designated by the event manager or tournament manager.
2. No videotaping shall be conducted for commercial purposes unless previously approved by the MHSA Executive Director.
3. Videotaping by spectators is allowed only from designated areas and only for private home use (not for distribution, broadcast or cybercast).
4. Videotaping by school/team representatives is allowed only from designated areas and only for use by the individual school program (not for distribution, broadcast or cybercast). Schools or their representatives may videotape only those specific competitions in which their students participate.
5. Videotaping by media and commercial outlets is allowed only from designated areas and is regulated as outlined below.

B. News Media Broadcast, Telecast, Cybercast and Video Display:

1. News media may air, broadcast, telecast, cybercast, audio-stream, video-stream or display highlights only in a bona fide newscast or through an approved MHSA media outlet or website. "Bona fide newscast" is defined as a half hour or one hour program that is regularly scheduled and includes news, weather and sports, e.g., the 6:00 p.m. and 10:00 p.m. newscasts on broadcast television stations. Entertainment and commercial uses of highlights are not considered "bona fide newscasts" and shall not be permitted without the written consent of MHSA.
2. News media may display highlights of an event in progress as part of a bona fide newscast so long as such highlights are not live excerpts.
3. News media highlights may not exceed five (5) minutes per event (or per day of multiple day events such as post season tournaments) of running time total in any one newscast or via an approved MHSA media outlet website.
4. News media highlights may not be sold or transferred in any way except for transfers from newspaper to newspaper within the same publishing corporation or from a newspaper to a bona fide news agency. Media highlights may not be used commercially or in any other manner not specifically set forth above without the written consent of MHSA, except for provisions granted in Section E, #3 of this policy.
5. At all times, the sportscasters should be unbiased and shall use good judgment in providing an objective, fair and professional presentation of the contests. The sportscasters should "report" the contests rather than judge or criticize the performance of the officials, coaches or players. Broadcasts should reflect sensitivity and a caring attitude towards the contests' participants.
6. The MHSA may revoke or refuse to issue credentials to any person or entity failing to comply with these guidelines.

C. Commercial Broadcast, Telecast, Cybercast and Video Display:

1. All commercial broadcast, telecast, cybercast or video display of any regular or post-season event must be approved by the MHSA Executive Director. Rights and conditions (including fees) of live commercial broadcasts, telecasts, and/or cybercasts of regular and post season events will be specified through written consent of the MHSA.
2. When granted authority for commercial broadcast, telecast, cybercast or video display of MHSA events, the commercial entity must comply with the conditions set forth by MHSA, including any safety, contractual, fiscal, or other concerns that apply. The MHSA will consider the promotion of both male and female activities when granting authority.

D. Non-Media/Non-Commercial Tape Delay Policy:

Any filming by private or non-media outlets that is intended for tape-delayed broadcast, telecast, or cybercast must meet the following criteria:

1. All non-media, non-profit filming for any post-season event must be approved by the MHSA Executive Director. Rights and conditions (including fees) of tape-delayed broadcasts, telecasts, and/or cybercasts of post season events will be specified through written consent of the MHSA. The MHSA will consider the promotion of both male and female activities when granting authority. Schools may request permission to live-stream their post season events from the Executive Director only if they are a member of the NFHS Network's School Broadcast Program (SBP).
2. All non-media, non-profit filming for regular season events must be approved by the local school districts involved in the event. Member schools are granted the authority to regulate tape-delayed telecasts and/or cybercasts of regular season events, provided that member schools and local entities work cooperatively to promote both male and female activities. (If it's a commercial broadcast, telecast, cybercast or video display, it must be approved by the Executive Director, also.)
3. All entities and outlets must comply with the conditions set forth by MHSA, including any safety, contractual, fiscal, or other concerns that apply.

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E. Still Photography:

1. Personal photography by individuals (including students, coaches, parents, and/or fans) is permissible provided that the resulting images are for private home use only and not for any manner of distribution. The act of photographing any part of an MHSA event must not interfere in any way with the conduct of the event or with the view of other patrons. Personal photography is allowed only from designated spectator areas.
2. Photography by school/team representatives is allowed only for use by the individual school program (specifically yearbooks, school newspapers, other school-produced publications and/or school websites). Resale of images is prohibited, unless authority is granted under item 4 (below). Press credentials will not be issued to school/team photographers, and these individuals are allowed to photograph only from designated spectator areas. School/team representatives are not allowed in areas designated for members of the media.
3. Bona fide members of the news media may photograph and print photo images as part of their established print media or websites. Newspapers will have unrestricted use and sale of photo images that appear in print or on newspaper websites as part of news articles or in photo galleries. News media photography must not interfere in any way with the conduct of the event and is allowed only from designated news media areas.
4. Rights and conditions (including fees) of commercial photography and subsequent distribution will be specified through written consent. When granted authority for commercial photography, the commercial entity must comply with the conditions set forth, including any safety, contractual, fiscal, or other concerns that apply. The promotion of both male and female activities will be considered when granting authority. Commercial photography rights are authorized as follows:
 - a. For regular season events, the event manager has the authority to grant photography rights with the permission of participating schools.
 - b. For district/divisional tournaments and playoffs (excluding post season football and Class A soccer), the tournament/event manager has the authority to grant photography rights with the permission of conference schools.
 - c. For all state level competition, all post season football and all Class A post season soccer, the MHSA Executive Director has the authority to grant rights.
5. The MHSA may revoke or refuse to issue credentials to any person or entity failing to comply with these guidelines.

F. Media Passes

1. Print news media - one pass for Associated Press and passes for working staff of local newspapers of teams in the tournament or newspapers in the marketing area of those teams. Members of the print media are required to show their Montana Newspaper Association press credentials when picking up their passes.
2. Television news media - passes for working staff of local stations of teams in the tournament or stations in the marketing area of those teams.
3. Commercial photography or broadcast - passes for working staff as contracted by the event manager or MHSA.
4. Passes will not be issued for spouses or children who attend the event with working members of the media.

G. Policy on Venue Video Boards/Replay Boards

It is recognized that as technology advances, more facilities are adding video capability to the assets utilized at contests. To ensure the proper conduct of contests, and to ensure that such video is not used to the detriment of any school, coach, participant or contest official, the following specific restrictions shall be in place:

- 1. Any live action being shown during the contest may only be the simulcasting of the event, and no audio from the simulcast can be projected via the venue sound system;***
- 2. In the event of officials holding any type of conference to properly interpret or apply a game situation, video replays may NOT be shown during that conference and may not be shown later. There cannot be any replay of any controversial call or controversial play;***
- 3. Any replay of game action that is shown on the video board, shall be shown only once immediately following the play, only at full game speed, and without announcing commentary from any source;***
- 4. Replays of specific scoring plays and contest highlights may be shown during time-outs or during breaks between periods, but must reflect a balance between participating teams and may not include announcer commentary;***
- 5. Game administration is continually expected to exercise prudent judgment and ensure that nothing shown on the video boards can serve to incite the crowd against either team or the contest officials. Failure to perform this expected discretion may result in penalties against the school for a violation of MHSA Rules and Regulations.***