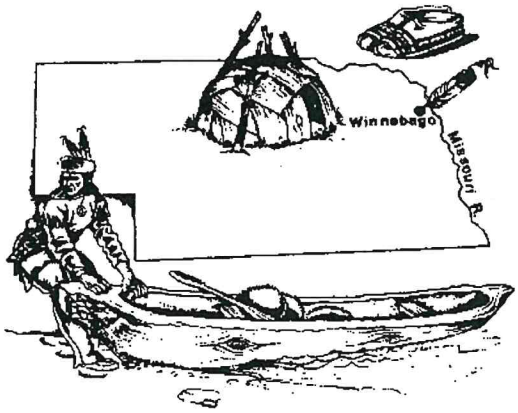
Winnebago Tribe of Nebraska

Live Streaming

POLICIES & PROCEDURES

FY 2018



LAST REVISED 6/28/2018

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Type: **Policies**	**Live Streaming Policies & Procedures**	Received By: **Tribal Admin Office**
Version: **1.0**	Prepared By: **Administration**	Date Received: **06/30/2016**
Effective: **TBD**	Approved By: **Tribal Council**	Tribal Council Meeting Date: **TBD**

INTENT OF POLICY

The Winnebago Tribe of Nebraska's Communications Department provides management and oversight for the publication of the Winnebago Indian Newspaper, public communications, the Tribe's social media pages, and special events. The policies and procedures listed below shall govern the live streaming and the retention and use of live stream recordings of the following events:

- Regular Tribal Council Meetings *(Held on the 1st Monday of the month)*
- Mid-monthly Tribal Council Meetings *(Held on the 3rd Monday of the month)*
- Special Meetings or Events for which live streaming has been approved by Tribal Council *(i.e. Swearing In Ceremony for newly elected Tribal Council Members)*

DEFINITIONS

I. Tribal Council
The governing body of the Winnebago Tribe of Nebraska, including nine (9) members, who shall be elected at large by secret ballot at an election hereinafter provided for by the qualified voters of the Tribe; such members to be chosen from the membership of the Tribe. [As changed by Amendment No. II, effective April 18, 1963]

II. Live Streaming
The transmission or broadcasting of live video and/or audio coverage over the internet.

III. Regularly Streamed Meetings
[Per Article V Meetings, Section II – the meetings of the Council shall be public, except all executive sessions] Those meetings approved to be live streamed on a regular basis, including but not limited to the Regular Tribal Council meeting held on the first Monday of the month, the Mid-monthly Tribal Council meeting held on the third Monday of the month, and other events such as the Swearing-In Ceremony of newly elected Tribal Council Members.

IV. Special Meetings/Events
Those meetings or events that are open to the public and approved to be live streamed, that cover a special topic of concern that warrants further review outside of a Regular Tribal Council meeting.

V. Executive Session Meetings
Those meetings that are closed to the public due to being held in Executive Session. Executive Session refers to a meeting or portion of a meeting whose proceedings are confidential. A motion passed by majority vote of the Tribal Council is required to go into Executive Session.

VI. Ceremonies
Those ritual observances and procedures performed at grand and formal occasions that are open to the public.

VII. Media Consent and Audience Code of Conduct
This is a formal written or recorded communication directed at those individuals present that consent to participation and it further grants permission for audio and visual recording, quotes, or photographs taken at the event to be live streamed or posted in social media, on the internet, or in printed press

VIII. Open Meetings
These meetings are open to the public for viewing and attendance

VIV. Closed Meetings

These meetings are closed to the public for viewing and attendance; they are generally held in Executive Session

PUBLIC NOTICE

The Communications Officer shall give written notice of the date, hour, place, and subject of each event or meeting which will be live streamed. This notice shall be posted through the Tribe's social media pages and at public venues for community awareness. The Media Consent Form must also be included with this posting to allow for prior review by potential audience members and meeting participants. The posting of the public notice will inform people attending the meeting that if they choose to speak in the public live streamed meeting by doing so they are consenting to their live streamed appearance. The Chairperson shall also make a verbal announcement about live streaming and consent at the start of each live streamed meeting.

STREAMED MEETING TYPES

There are three (3) types of meetings: Regularly Streamed Meetings, Special Streamed Meetings, and Executive Session Meetings. These meetings are either open or closed in nature. Open meetings are open to the public for viewing and attendance. Closed meetings are those meetings held in Executive Session or otherwise not available for public viewing and attendance due to the nature of topics covered during those meetings.

Regularly Streamed Meetings

Three (3) regularly streamed meetings will always be streamed live unless otherwise instructed by Tribal Council. These include the *Regular Tribal Council Meeting*, the *Mid-monthly Tribal Council Meeting*, and the *Swearing In Ceremony* for newly elected Tribal Council Members.

The *Regular Tribal Council Meeting* is held every month on the first Monday of the month and is generally held in the morning. The *Mid-monthly Tribal Council Meeting* is held on the third Monday of the month and is generally held in the evening. Both meetings' agendas will typically allow for reading of the previous meeting minutes, ratification of Five Signatures, old business items, new business items, and Tribal Council items. Both meetings are open in nature and will be streamed live on the Tribe's social media pages. However, if a community member or Tribal Council Member brings a new topic to address at the table which is confidential in nature, these items will be addressed in Executive Session following the close of all other open business items. This portion of the meeting will not be streamed live on the Tribe's social media pages.

The *Swearing In Ceremony* is held on the day following the Regular Tribal Election in October. At this event, newly elected Tribal Council Members will be sworn into office and the new officers will be elected. This event is open to the public and will be streamed live on the Tribe's social media pages.

Special Streamed Meetings or Events

Special Streamed Meetings or Events are those occasions other than the Regularly Streamed Meetings that Tribal Council has approved to stream live. This may include a groundbreaking ceremony or ribbon cutting ceremony for a Tribal project.

Executive Session Meetings

Executive Session Meetings are closed in nature. A motion passed by majority vote of the Tribal Council is required to go into Executive Session. This will be done any time that the Tribal Council needs to address a topic which is confidential in nature and is meant to protect those parties involved. Tribal Council may not take action while during Executive Session but may take action if necessary immediately upon returning from Executive Session to an open meeting.

CODE OF CONDUCT

Meetings will be conducted in accordance with Robert's Rules of Order. Meeting participants and audience members must be notified prior to the start of business whether or not the session will be streamed live. The standard ground rules listed below will govern the behavior of meeting participants:

- Treat others with respect
- Be prompt in arriving to the meeting and in returning from breaks
- Turn cell phones off or to vibrate
- Talk one at a time, waiting to be recognized by the Chairperson
- Present yourself in a positive manner
- Unless special permission is granted by the Chairperson, each tribal member may only speak once for no more than five (5) minutes on each agenda item. Follow up questions from the Tribal Council members shall not be considered part of the five (5) minute limit.
- Address any concerns about the discussion or the meeting with the Chairperson as it is their responsibility to maintain the order of the meeting and keep the meeting on topic.
- Must allow Tribal Communications staff to connect audio equipment to participants
- Must give name & title to tribal administration for lower third graphics, archiving & future broadcasting.
- HIPAA violations will not be tolerated. The Health Insurance Portability and Accountability Act (HIPAA) is a federal law that says that a patient has control of his or her own protected health information. No one else can release that information without consent of the patient. Any employee attending a streamed (or any other) meeting who is subject to HIPAA regulations will subject to disciplinary action up to an including termination for any violations of HIPAA during a live streamed event.
- Audience members shall not disclose personal information or issues involving specific people, other than themselves during the meeting unless they have the written consent of the person they are speaking about or the person being spoken about is present and gives their consent to have personal details about themselves disclosed. Information that is publicly available shall not be considered personal information.

Although meetings that are live streamed are open to the public for viewing and attendance, audience members will be asked to refrain from recording on their personal devices to prevent interference with the Communication Department's recording equipment. All meetings or events that are live streamed will be made available online in real time broadcast format, unless redacted as otherwise stated in these policies and procedures. Instructions for accessing these recordings will be made public knowledge. Recordings will be archived and disposed of in accordance with the Communication Department's Media Retention Schedule.

ENFORCEMENT

The Chairman and Communications Officer will work together to ensure that the Code of Conduct is adhered to at all times throughout the live streaming process. Those individuals whose behavior is disruptive, harmful, or otherwise in violation of the Audience Code of Conduct will be asked to leave. Tribal Council may choose further disciplinary action if necessary for those who are repeatedly asked to leave. Such enforcement action could include exclusion from future meetings for a specific length of time depending on the seriousness of the violation. No part of a closed event or meeting held in Executive Session may be recorded. All audio and video equipment will be turned off and a place holder graphic will be broadcasted to notify viewers that meeting is in executive session.

Media Consent and Audience Code of Conduct

It is common practice of the regular monthly Tribal Council meetings that members of the public be permitted to attend and speak on agenda items. Audience participants will be given verbal notification of the Media Consent and Audience Code of Conduct prior to recording. Further, the Media Consent will be posted at the entrance to the meeting so that participants are aware of the policy and procedure.
Audience participants will be made aware that the meetings are being recorded and streamed live. Audience members, especially those that choose to speak at the meeting will need to consent to having their voices and image recorded and broadcast. Those individuals who wish not to be recorded may choose to leave or request their issues be addressed following the recording.

- Items on the Agenda: Those wishing to speak on items specific to the agenda are asked to do so when that item is up on the agenda. The Chairman will recognize and call forward those audience members who wish to speak. Each speaker is limited to speaking on each agenda item one (1) time for no more than five (5) minutes and must speak into the microphone. Time limits may be extended or reasonably decreased at the discretion of the Chairman.

- Items not on the Agenda: Those wishing to speak on items relating to other Tribal business not on the agenda may request permission to do so. It is at the discretion of the Tribal Council (majority consensus) to accept requests to speak on items not on the agenda. If accepted, the Chairman will recognize and call forward those citizens who wish to speak. Each speaker is limited to speaking on each agenda item one (1) time for no more than five (5) minutes and must speak into the microphone. These time limits may be extended or reasonably decreased at the discretion of the Chairman.

The Tribal Council values and welcomes civil, respectful, clear and concise communication from the public. During public comments, speakers should refrain from repetitious, profane, or irrelevant comments. Unsolicited comments and disruptive behavior are prohibited. Individuals who are disruptive may be given a warning and also, may, if necessary, be removed from the meeting.

Live Stream Retention and/or Redaction

It is possible that statements could be made which may be regarded as offensive, defamatory, or contrary to law. Statements such as these made in a Tribal Council meeting by Council officers and members and/or members of the public are not protected and may be the subject of legal proceedings and potential liability. The Tribal Council as a body does not accept liability for any inaccurate or defamatory statements or comments made at a meeting, and will take appropriate steps to ensure that it does not publish that material by live streaming or publishing recordings of meetings.

All live streamed meetings will have a full and un-redacted recording saved in a secure location and may only be made available upon written request and written permission of the Chief Executive Officer or by an order of the Winnebago Tribal Court or subpoena from the Winnebago Tribal Court.

Accordingly, at any time during a meeting the Chair (can stop the meeting and ask for a majority vote of the Tribal Council as to h whether the Chair shall direct the termination or interruption of live streaming if they believe it is advisable to do so. If the Tribal Council votes "yes", live streaming shall be stopped. If the Tribal Council votes "no" then live streaming will continue. Such direction will only be given in exceptional circumstances, where statements are or are likely to be made that are considered inappropriate to be published (by streaming or recording).

Following any meeting, the Communications Officer has the discretion and authority to direct the exclusion of all or part of any meeting recording that are considered inappropriate to be published.

Material considered to be inappropriate may include, but is not limited to material that may:

- be defamatory
- infringe copyright
- breach the privacy of an individual or unauthorized disclosure of the personal information of an individual
- be offensive
- constitute discrimination
- constitute racial hatred or vilification, if based on the race, color, national or ethnic origin of a person or group of people, and is likely to offend, insult, humiliate or intimidate
- disclose confidential or privileged information.

DISCLAIMER

Opinions expressed and statements made during a Tribal Council meeting are those of the individuals making them, and not those of the Tribal Council as a body. Unless set out in a resolution of
Council, Council does not endorse or support the views, opinions, standards, or information that may be expressed by individuals at a Council meeting and which may be contained in a live stream or recording of a Council meeting.

The Council does not accept any responsibility for any verbal comments made during Council meetings which may be inaccurate, incorrect, or defamatory and does not warrant nor represent that the material or statements made during the streamed meetings are complete, reliable, accurate or free from error.

The Tribal Council does not accept any responsibility or liability for any loss, damage, cost, or
expense that might be incurred as a result of the viewing, use or reliance of information or statements provided in a live stream or recording of a Council meeting. Endorsed Council minutes provide the definitive record of Council's resolutions.

TECHNICAL DISCLAIMER

There may be situations where, due to technical difficulties beyond Tribal Council's control a live stream or recording may not be available. Every reasonable effort will be made to ensure the availability of live streaming and recordings of meetings.

However, Tribal Council takes no responsibility for and accepts no liability in the event that live streaming of a meeting or a recording of a meeting is unavailable.

Technical issues may include, but are not limited to, the availability of the internet, network or device failure or malfunction, unavailability of social media platforms or power outages.

ELECTRONIC RECORD

Recordings will be available on the Tribe's social media pages for a 2 year time period. Following that time period, the recording will be locally archived for 5 year time period. Local archives will be purged according to the Communication Department's Media Retention Schedule.

LICENSE AND USE OF LIVE STREAMS AND RECORDINGS

Access to live streams and recordings of Tribal Council meetings is provided on www.winnebagotribe.com for personal information only and non-commercial use.

Video, images and audio contained in a live stream or recording must not be altered, reproduced or republished without the permission of Tribal Council or Communications Department.

Copyright remains with Tribal Council.

For any commercial or media queries or use, please contact Communications Officer.

Retention Schedule

Sample Retention Schedule Listed Below:

The records retention schedule is organized as follows:

SECTION TOPIC	
A	Regularly Streamed Meetings
B	Special Streamed Meetings

A Regularly Streamed Meetings

Record Type	Retention Period	Description
REGULAR TRIBAL COUNCIL MEETING	2 Year Active 5 Year Inactive	*Categorized by fiscal year; must include brief description and memo date (FYXXXX_TCMeeting_Regular_Date_Recording_V0.0)*
MID-MONTHLY TRIBAL COUNCIL MEETINGS	2 Year Active 5 Year Inactive	*Categorized by fiscal year; must include brief description and memo date (FYXXXX_TCMeeting_Midmonthly_Date_Recording_V0.0)*
SWEARING IN CEREMONY	2 Year Active 5 Year Inactive	*Categorized by fiscal year; must include brief description and memo date (FYXXXX_TCMeeting_Swearing_Date_Recording_V0.0)*

B Special Streamed Meetings or Events

Special Streamed Meetings or Events will be retained for 2 amount of years as active files for viewing. These files must be clearly labeled and categorized. For example:

FYXXXX_Groundbreaking_BuildingA_Date_Recording_V0.0
All active files will be moved to the local archive after 5 years and will at that time be considered inactive files for viewing. Archived recordings are kept for 25 years prior to disposition. Recordings will be disposed of following 26 years while written minutes will remain permanently in the Tribal Record Archives.

For questions and concerns related to these policies and procedures, please contact:

The Winnebago Tribe of Nebraska
Communications Department
P.O. Box 687 Winnebago, NE 68071
Ph: 402-878-3130 Fx: 402-878-2963

REVISION HISTORY:

Revision	Date	Meeting Title	Updated By
1.0	09/19/2017	Initial Draft	KWhitebeaver
1.1	10/10/2017	Second Draft	GCoons