

THE CONTROL OPS:

Over the years, the Control Ops have been chosen for their good judgment, good operating practice, and long standing commitment to the Club. Hopefully, the members of the group are some of the best people the club has to offer, and the Membership at Large trusts them to “do the right thing” in the best interests of the Club.

From time to time, a name may be put forward for consideration as a Control Op. The name may be offered by the General Membership, the Board of Directors, the Technical Committee, or the Control Ops themselves. The name, and some supporting materials or testimonial should be submitted to the Head Control Op, who will review the nomination (after evaluation and consultation with the Control Ops). The Head Control Op will present the name, supporting materials, and a recommendation to the Board of Directors. If the Board agrees, the name and recommendation would be taken to the General Membership (with prior notice in the newsletter) for approval. A person becomes a Control Op by action of the Membership.

A Control Op member has no term, but must remain a club member in good standing.

A Control Op may be removed by the following process: First, the Head Control Op (after evaluation and consultation with the Control Ops) makes a recommendation to remove to the Board of Directors. If the Board agrees, the recommendation would be taken to the General Membership (with prior notice in the newsletter). A control Op is then removed by action of the Membership.

It is expected that the Control Ops will be responsive to, and follow the directives and policy as set forth by the General Membership, Board of Directors and Head Control Op of the MRC. The Control Op's need to all be on the “same page” and act the similarly in control actions, however, they are individuals and human, and differing opinions or interpretations will occur. The Control Ops should discuss and review among themselves, privately, the situations that arise, and evaluate the actions that have been taken.

The Control Ops are lead by the Head Control Op. The Head Control Op should be a current, long standing Control Op member (two years or more), and have the qualities of judgment, fairness, and commitment to the MRC needed to perform the

duties of this position. The Head Control Op shall be selected by the following process: The current Control Op members shall consult, and arrive at a name to nominate for the position. This name shall be put forward for consideration to the Board of Directors. Upon the approval of the Board, the person then becomes the “Head Control Op”.

The Head Control Op may be removed by the following process: First, a recommendation to remove is made by the Board of Directors. If the Board agrees, the recommendation would be taken to the General Membership (with prior notice in the newsletter). If the membership agrees by more than three-quarters vote of the members present, the Head Control Op is then removed by action of the Membership, and the remaining control ops vote to nominate a replacement. A Board member cannot recommend someone to be a Head Control Op unless they are also a control op.

The Head Control Op observes, gathers opinions and input, assesses, and then writes all directives and policies of the MRC Control Ops, and performs the other duties as outlined in this document. The Head Control Op will report to the Board of Directors at least once a year.

The Head Control Op needs to listen to the General Membership, President, the Board of Directors, and other Control Ops to assess the best plan or policy that will accomplish the needs and goals of the Club. The FCC Part 97 rules are the main starting point of any policy or action decision. In addition, the published opinions of the Special Counsel of the Enforcement Bureau of the FCC are carefully reviewed and accepted as the best interpretation of the FCC Part 97 Rules. The book The FCC Part 97 Rules as published by the ARRL has also been found to be very helpful in interpreting the FCC's Part 97 Rules.

CONTROL OP DUTIES:

There are numerous functions and roles of a Control Op. First, they should be helpful and “Friendly”. They are there to aid and assist the membership and all users of the repeater. They may offer general information about the Repeater system, Club membership information, etc. They should provide, by their operating technique and style, the best example of “Proper Amateur Radio Practice” to others. Even in Control or Enforcement Actions, the Control Ops need to try to keep the attitude of “The

Friendly One” first and foremost. It is our intent that all actions taken shall be as discrete as possible.

In regard to system hardware control functions, the Control Ops must operate in almost complete confidentiality. The control frequencies, and controller MACRO numbers in particular must be guarded.

The Control Ops will be required to keep a written log of all control functions made, and all warning conversations or actions taken with users. The logs shall be submitted to the Head Control Op on a scheduled basis. All Logs and materials of the Control Ops are considered confidential.

During an on the air event or conversation, a Control Op may break into the conversation and explain that the topic, word used, etc. is “offensive”, and suggest the users change the topic, move to another frequency, or at the least refrain, or the system will be taken down. It is suggested that all Control Ops use the key phrase “You’ve crossed the line”. This may well be all that is needed. Most times people are just having fun and get “carried away” in a conversation. This is NOT a discussion, a further explanation or conversation may be had off air if requested. If the users do not respond positively in a timely manor, the machine may be taken off line.

It is hoped that a simple on air comment pointing out a user has “Crossed the Line” of proper practice, or good taste will be all that is needed to address and correct most random and one time situations. A Control Op's first action to correct a continuing problem would be direct off air contact with the person or persons involved. This approach has been used in the past with a number of people with GOOD success. Off line conversation saves “Face” and allows for an easy apology and change of behavior. This is their first warning.

If the problem continues, a Control Op's second action would be to “turn over” the situation to the Head Control Op, who may develop a specific policy or response, and inform and direct the entire group regarding the situation. The Head Control Op will then contact the individual(s) involved to discuss the situation, and explain the Club's policy and concerns with their actions. This is their second warning.

Third, the Head Control Op may take a situation to the MRC Board of Directors. The Board may directly contact the individual, or draft a letter outlining the situation and asking the individual(s) to stop the violation. This is their third and final warning.

If the individual continues to violate Club Repeater use policy as explained in the above three warning contacts, their name may be submitted to the Board of Directors with a recommendation to “deny access” to our repeater (i.e. banning the individual from use of the MRC Repeater, this could be permanent, or for a defined period of time). If the Board agrees, the name and recommendation would be taken to the General Membership (with prior notice in the newsletter). Upon Membership approval, the Control Ops would confront the individual each time they are heard using the Repeater, and take it off line if necessary.

THE ISSUE OF “TRUSTEE”:

The Milwaukee Repeater Club membership is very large, and the coverage area of the Repeater is measured in Counties across Southeast Wisconsin. You may find users on the repeater most anytime, 24 hours a day. The Club has recognized that no one person could possibly be responsible for, and monitor all the activity on the repeater. As outlined in this document, the Milwaukee Repeater Club, Inc. owns and takes responsibility for our repeater, and has created the MRC Control Operators to represent its interests, take responsibility in this area, and ensure the proper operation of the repeater hardware, and that the users of the repeater abide by the FCC Part 97 rules, and club policy. Ultimately however, each individual Amateur Radio Operator is responsible for their own transmissions and the content therein.

Here are our current major Policies and Directives: The following violate FCC Part 97 Rules, or are deemed to be “Offensive” by the MRC Community, and will not be tolerated on the Repeater system.

1. Gross Foul Language
2. Sexual innuendo, degrading conversation / slang references to body parts
3. Extreme Temper, or Fighting / threats of harm
4. Drunkenness, Slurred speech / incoherence

Our best action, if possible, is a simple on air comment pointing out a user has “Crossed the Line” of proper practice, or good taste.

In general, we would not like to hear anything that “I would be embarrassed to have my grandmother or granddaughter hear”.

FURTHER SUPPORTING MATERIALS:

The FCC rules prohibit Amateur stations from transmitting obscene or indecent words or language. Utterances of “any obscene, indecent or profane language by means of radio communications” are prohibited by Title 18, U.S.C. Section 1464. Under the Communications Act of 1934, as amended, the Commission may revoke any station license for violation of Section 1464 of Title 18. See 47 U.S.C. Section 312(a)(6).

Obscene speech is not protected by the First Amendment and cannot be broadcast at any time. To be obscene, material must meet a three point 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).

The Commission defines indecency as language or material that, in context, depicts or describes, in terms patently offensive as measured by contemporary community standards, sexual or excretory activities or organs.

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The Milwaukee Repeater Club, Inc.
Control Operators Charter

RIGHTS FOR ACTION BY THE MRC:

The Milwaukee Repeater Club, Inc. owns and operates the equipment that is the Club's Amateur Radio Repeater system, and is therefore responsible for it, and has the right to control and limit its use.

Amateur Radio Frequencies are “Public Domain” and our authority to use them, and the rules of use comes from the FCC Part 97 Rules. The FCC however recognizes that a repeater system, when properly coordinated by a recognized Frequency Coordination Group (such as the Wisconsin Association of Repeaters), has the right to create and apply additional rules for users operating through a repeater system beyond the Part 97 Rules, as long as those policies and rules do not violate the intent of Part 97 itself. The additional policy and rules set by a repeater owner may include “denial of service” to any person. The ARRL's interpretation of the FCC Part 97 Rules also supports the assertion that a repeater owner has the right of full and complete control over the content, conversations, use and users of a repeater system.

So even though the Amateur Radio Frequencies are “public”, once a properly coordinated Repeater is placed in operation, the owner may control use, and even “Close” the repeater, and limit its use to a very few individuals. The MRC can therefore set its own rules, and make known its sense of “proper and acceptable” use of the system BEYOND and in addition to the FCC Part 97 rules. The distinction is that the frequency IS public, but the hardware that makes up the repeater is private property. The use of the Club's repeater is a privilege, which can be denied (with proper cause) to any individual. (reference FCC Part 97 Section 97.205e)

Therefore, The Milwaukee Repeater Club, Inc. has created the MRC Control Operators; charges them with the responsibility; and grants them the authority to control the Club's Repeater to ensure that the operation of the repeater hardware, and the users of the repeater abide by the FCC Part 97 rules, and club policy.

This Control Operators Charter serves to outline what is expected of the Control Ops, and documents the structure and procedures of the Control Ops.