

Southwest Fox Valley Cable and Telecommunications Consortium Access Operating Rules and Procedures

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Introduction

The Southwest Fox Valley Cable and Telecommunications Consortium is comprised of representatives of the Illinois communities of North Aurora, Plano, Sandwich, and Yorkville, as well as Waubonsee Community College. Consortium board members are appointed by their respective communities or organizations and meet regularly to oversee cable and access related issues. The consortium is funded by a portion of the franchise fees paid by the cable provider to the communities. The Manager of Public Access Programming is hired by the Consortium and Waubonsee Community College to encourage and oversee the use of access equipment and shared studio resources, conduct training of community members, and facilitate playback of access programming on the appropriate channels.

Access Philosophy and Overview

In order to provide access to the medium of cable television, the citizens of the Consortium's communities are provided with a Public Access channel on the cable system for their use. The Public Access channel, FVTV, provides citizens with a forum for locally produced programming which is non-commercial in nature. Individuals and community organizations are encouraged to utilize the Public Access channel to present ideas and issues often ignored by the mainstream media. *On a Public Access channel the individual producer is responsible for the content of their program.*

The local governments of the Consortium communities are also provided a Government Access channel for their use. *Each local government is responsible for the content of their programming on a Government Access channel.* Programming may include public meetings, informational notices, and other programs designed to inform and educate citizens regarding local government. Government Access programs may air on the Public Access channel until the amount of programming exceeds the playback capacity of a shared Access channel, as determined by the Consortium board.

Training and Certification

All users of the Public and Government Access channel must first complete Public Access training as provided by Waubensee Community College. Training requires registration for and successful completion of *TVP001 "Public Access Television Production Training"*. Upon successful completion of TVP001, qualified individuals will be certified as an active Access producer with access to the equipment and facilities provided by the Consortium, for use in the production of programming to air on FVTV, the Access channel.

Only residents of the Consortium communities and current students, faculty, staff, and administrators of Waubensee Community College who enroll in and successfully complete TVP001 are eligible for certification. Only certified Access producers will have access to production equipment and air-time. The Consortium's Access staff and interns are exempt from the certification requirement.

Access certification is valid for a period of one year from the date of issue. Access users who have participated in at least three productions during that time period may renew their certification. To renew their certification, a user will be required to pass a practical or written examination. Users not meeting the minimum participation requirement will be required to re-take TVP001 to restore their certification.

Use of Access Facilities and Equipment

Certified Access producers are encouraged to use the Consortium's production facilities to produce programming to air on FVTV, the Access channel. Use of the production equipment for any personal or commercial production, as defined by the consortium, is strictly prohibited.

The Consortium's production facilities and equipment consists of:

- 1) Field production packages including a DVCAM digital camera, tripod, light kit, and audio kit.
- 2) Non-linear edit suites (Mac computer based) with DV source deck/recorder, video monitor, headphones, soundtrack production software, and DVD burners.
- 3) Three camera studio with control room facilities. (Scheduled in cooperation with Waubensee Community College.)
- 4) DVCAM and DVD program playback facilities. (staff access only)
- 5) Text-based electronic Community Bulletin Board. (staff access only)

Access production equipment and facilities may be reserved on a first come, first served basis by certified Access producers. A completed Equipment or Facilities request form must be submitted for approval to the Manager of Public Access Programming. Equipment and facilities will not be considered reserved until the completed request is approved. Equipment pickup, return, program playback and use of FVTV facilities must occur during regular business hours as determined and posted by FVTV.

Reserving Field Production Equipment

Producers are allowed to make one *Field Equipment Reservation* per request form. A normal field equipment reservation is for a period of 24 hours from pickup to return. Equipment must be picked up and returned during regular business hours. Saturday reservations are due the next regular business day.

Field equipment must be reserved at least 48 hours in advance of pickup, and no more than four weeks in advance of use.

One set of field equipment per request will be authorized depending on availability and maintenance or repair schedules. An additional set may be authorized at the Access staff's discretion, provided only certified users will operate the equipment.

Equipment must be picked up, used, and returned by the certified producer making the request. A valid Driver's License is required to sign out any equipment.

Access producers are required to notify the Access staff, in writing, of any equipment problems encountered in use.

Reserving Editing Suites

Certified producers are allowed to make one *Editing Facility Reservation* per request form. Use of the editing facilities is limited to four hours per session. Edit facilities must be reserved and scheduled during regular business hours.

Editing facilities must be reserved at least 24 hours in advance of the session, and no more than four weeks in advance.

Editing activities such as rendering, graphic production, DVD creation or dubbing must occur in a scheduled edit session.

No more than two users may utilize an edit station at one time, without expressed permission from the Access staff. Users are encouraged to create a "paper" edit list before capturing footage to the computer to maximize disk space. For larger groups, a "paper" edit list will represent the common vision of all participants prior to editing.

Each project requiring editing must be completed and ready to air within three months of the initial scheduled edit session. Materials for edits not completed within three months will be removed from the computer hard drive. It is the producer's responsibility to back up any project materials they wish to preserve. Producers are encouraged to back up their project materials to DVD during the editing process. Because our editing systems are publicly shared, FVTV assumes no responsibility for any materials or files on, or missing from, the edit system hard drives or computers.

Reserving Studio Facilities

Studio Facilities are shared with Waubensee Community College television courses and staff productions. Certified producers are allowed to make one studio reservation per request. Studio facilities must be reserved at least one week in advance of the usage, and no more than four weeks in advance. Special rules apply to live and series productions. No studio production may take place without Access staff supervision and all usage must occur during regular business hours.

A completed *Studio Request* form must contain the names and contact information for all crew members required for the production. Studio time will not be scheduled or reserved until the completed request form is approved. Studio productions with insufficient crew will not be authorized.

Studio sessions are limited to a maximum of four hours a day, unless otherwise approved by Access staff. The scheduled time period is to include all setup, breakdown, and studio cleanup time required. A typical session should allow one half hour before and after production for setup and cleanup. No schedule changes will be made to accommodate delays or tardy users.

Live In-Studio Productions

Requests for live studio productions must be made no less than four weeks prior to the production date. All other studio usage requirements stated above apply, with the following additions: Certified producers must have completed three live-to-tape studio productions before qualifying for a live studio production. In addition to a *Studio Request* form, the producer must complete an *Application for Cablecast/Statement of Compliance* form, as required for program playback.

Viewer Call-ins

All viewer calls must be answered “off-air” so the producer can obtain the callers name and phone number. The producer or phone operator must then call back the individual before allowing them to talk on-air. A log must be kept of the names and phone numbers of all callers who participate in a viewer call-in program. Names and phone numbers are to remain confidential, except as otherwise required by a court action or legal action. This procedure addresses issues of libel, slander, obscenity, and threats to public and personal safety. Such precautions are taken should any such instance of FCC prohibited content occur.

Program Proposals

Any initial equipment or facilities request must be accompanied by a *Program Proposal* form completed by the producer. This form indicates the type of program, estimated

program length, expected equipment usage and other information that will help the Access staff to understand the program and assist users in the completion of their project.

Playback on the Access Channel

Programming aired on FVTV, the Access channel, is distributed to the Consortium communities on Comcast cable channel 17. Public Access program content is subject to the first amendment's "freedom of speech" protection against censorship by the cable operator. However, the following content are strictly prohibited or restricted by the Southwest Fox Valley Cable and Telecommunications Consortium or federal law:

Prohibited Content

- 1) Any program material that is commercial in nature: This includes any advertising or program material that promotes a commercial product or service. This also includes advertising by or on the behalf of, or in opposition to, candidates for public office.
- 2) Obscenity: It is a violation of federal law to broadcast obscene programming at any time. To be obscene, material must meet a three-prong test:
 - a. An average person, applying contemporary community standards, must find that the material, as a whole, appeals to the prurient interest.
 - b. The material must depict or describe, in a patently offensive way, sexual conduct specifically defined by applicable law; and
 - c. The material, taken as a whole, must lack serious literary, artistic, political, or scientific value.
- 3) Indecency: Indecency is defined as language or material that, in context, depicts or describes, in terms patently offensive as measured by the consortium's contemporary community standards for the channel, sexual or excretory organs or activities. Programs which fit the indecency definition may only be aired after 10pm, when there is less risk that the material may be seen by children. FVTV does not currently, nor has any obligation in the future to, offer program playback after 10pm.
- 4) Lotteries and Solicitation of Funds: It is a violation of federal law to broadcast any advertisement of, or information concerning, a lottery. There are exceptions to the provision but due to the non-commercial nature of Public Access all such programming is prohibited. Solicitation of Funds is likewise prohibited to Access users but may be conducted by the Consortium as long as contributions are used for the announced purposes.
- 5) Libelous, Slanderous or Defamatory materials: Any materials representing, or statements about, a person or persons which are untrue and damaging to a person's reputation. Users are responsible for the content of their program and

may face civil charges if any of the criteria for libel, slander, or defamation are met by their statements or representations.

- 6) False Information: It is against FCC rules to knowingly broadcast false information concerning a crime or catastrophe from which “public harm” may result (i.e. the “War of The Worlds” radio broadcast). Disclaimers may be used which clearly characterize the program as fiction if the disclaimer is presented in a way that is reasonable under the circumstances.
- 7) Unauthorized use of copyrighted material: Use of copyrighted materials is prohibited without proper authorization from the copyright holder or their agents.
- 8) Invasion of privacy: Producers and their programs must respect the rights of private citizens. Access users are encouraged to obtain a signed talent release from persons appearing in their production.

Application for Cablecast/Statement of Compliance

Access producers are required to complete and sign an *Application for Cablecast/Statement of Compliance* form before a program will be aired. In addition to requesting playback on the Access channel, this form attests that the production does not contain any of the aforementioned prohibited content and complies with these Operating Rules and Procedures.

Submitting a Program for Playback

Producers must submit their completed program on DVD or DVCAM/miniDV tape for playback. Each program submission must be accompanied by an *Application for Cablecast/Statement of Compliance* form signed by the producer. Only certified users and Access staff are permitted playback time on FVTV.

All programs produced with, or edited on, FVTV equipment must contain the visual credit: “Produced through the facilities of the Southwest Fox Valley Cable and Telecommunications Consortium”. The credit must appear for at least :05 (five) seconds.

All programs submitted must be clearly labeled with the name of the producer, the title of the program, and the total running time (TRT) of the program. Series programming must also include an episode title or number for further identification.

It is recommended that a first generation tape copy or duplicate DVD of each program be submitted for playback. The producer should retain the master tape or DVD copy. For any and all materials submitted to FVTV for playback, the producer agrees to indemnify and hold harmless the Southwest Fox Valley Cable and Telecommunications Consortium and Waubensee Community College, their officers, employees, and agents from any and all liability associated with the physical maintenance and/or condition of the videotape(s) or DVD(s) on which the program(s) reside.

Technical Requirements

DVCAM and miniDV videotapes submitted for playback must meet the following standards:

- 1) Only one (1) program per videotape is permitted.
- 2) Programs must start within the first minute of video tape, preceded by at least :30 seconds of color bars, a :10 second visual slate containing the program title, length, producer name and production date followed by a standard :10 second countdown ending at :02 before the program start.
- 3) Tapes must contain continuous drop-frame time code from the beginning of the tape until at least :30 after the program has ended.
- 4) Programs lengths should be in 15 minute increments, with 30 minute and 1 hour programs preferred.
- 5) Videotapes with video levels exceeding 100 IRE, or audio regularly exceeding a level of 0db may be rejected for technical reasons.

DVDs submitted for playback must meet the following standards:

- 1) Only one title is permitted per disk.
- 2) NTSC format 720x480.
- 3) Audio at 48Khz: PCM or Dolby Digital (AC-3), -6dbFS
- 4) DVDs must play directly from the initial menu. The initial menu should display the same visual slate information as required for videotapes. The main menu must include only a single button for play.
- 5) The “first play” of the disk must be set to Menu: Play Button.
- 6) Menus and buttons must not contain motion video or complex graphics
- 7) Programs must begin playback with play button activation (enter) and run unaided until the program end.
- 8) Program lengths should be in 15 minute increments, with 30 minute and 1 hour programs preferred.
- 9) DVDs with video levels exceeding 100 IRE, or audio exceeding a level of 0 dbFS may be rejected for technical reasons.
- 10) Some DVD recorders may not produce disks that are compatible with FVTV’s playback system, due to their individual formatting and finalizing features. Disks created on DVD recorders that do not initially play properly will be removed from the playback schedule immediately. FVTV is not responsible for pre-checking supplied disks.

Supplied Programming

Any program submitted for playback on FVTV which was not produced on FVTV equipment or by a certified FVTV producer is considered supplied programming. Any supplied programming submitted for playback must meet all of the above content and technical standards to be considered for playback. Additionally, supplied programming must be sponsored by a certified Access producer. Submission or editing of supplied

programming for airing does not apply towards a producer's minimum participation requirement.

Submitting individuals or organizations must be clearly identified by a minimum :05 second visual credit at the end of the program, as well as a visual disclaimer preceding the program stating: "The following program was produced outside of the FVTV facilities. FVTV is not responsible for the content of supplied programming."

Programming produced by Consortium residents and organizations receive priority in the formulation of playback schedules. FVTV reserves the right to limit the amount of supplied programming at its discretion.

Scheduling

Certified producers may produce individual programs or a series of related programs. Series programs may be scheduled weekly, bi-weekly, or monthly. Series programming must be consistent in program length and related by content. Commitment to a series program requires that a new program be delivered for each consecutive airing.

Series programming may be allocated one regular time slot for both production and playback. Failure to submit new programming, or to have a program ready for its scheduled cablecast may result in the playback time slot being allocated to other users.

All scheduled programs must be delivered to FVTV at least one day prior to the scheduled airdate. When a new series program is not available an old program may be re-run on a limited basis, not to exceed five times a year for a weekly series, three times a year for a bi-weekly series, and once a year for a monthly series.

Individual program submissions will be scheduled as they are received. FVTV scheduling will generally be completed two weeks in advance of playback. Waiting lists may affect the time between submission and the actual cablecast.

Each individual program submitted for cablecast will be scheduled to play at least twice. When schedules permit, programs may be scheduled for additional play.

The scheduling of playback is done by Access staff. All scheduling decisions must be approved by the Manager of Public Access Programming. Scheduling decisions will be based on the type of program, the intended audience and timeslot availability. New programming will receive priority in scheduling. All scheduling decisions are final. FVTF reserves the right to change playback times for any reason and will notify producers of such changes. FVTV also has the right to refuse playback of any programs that do not fully comply with these Operating Rules and Procedures, subject to board review at the producer's request.

Political programming will not be scheduled to air during a period of 24 hours before the opening of the polls in any of the consortium communities.

Program Ownership and Distribution

Public Access users own the rights to the programs they produce. Current copyright laws protect programs automatically at their completion, but Access users are encouraged to register their program with the US copyright office if they desire documented protection under copyright law.

All requests for program copies or duplication will be directed to the program producer.

Producers using FVTV equipment in the production of their program give FVTV the right of first airing. Subsequent airings of programs on other cable systems or in other communities may only occur after the program has aired on FVTV.

All programs produced with, or edited on, FVTV equipment must contain the visual credit: "Produced through the facilities of the Southwest Fox Valley Cable and Telecommunications Consortium". The credit must appear for at least :05 (five) seconds.

Underwriting and Grants

FVTV does not supply access users with tape stock, blank DVD's, set materials, or other expendable or program specific materials. It is the responsibility of the Access user to supply all such materials, including the program copy that is retained by FVTV for playback.

Access users may utilize grants and underwriting to assist in the funding of their production. Program support must be in the form of goods, services, in-kind contributions and/or donations that aid in the development or improving of the program.

Credit for grants and underwriting must be given at the end of all programs as follows: "This program is made possible in part by..." Or, "Goods and services used in this program were contributed by..." . Access staff must be notified in advance of the use of any such underwriting and consulted regarding the proper format for underwriting credit.

Rights and Indemnification

In return for the use of FVTV equipment of facilities in the production of their program, producers give the following rights to FVTV, in addition to those previously stated in this document:

- 1) The right to retain a copy of the program and schedule playback of said program at any time.
- 2) The right to use the program in whole, or in part, for the purpose of advertising, promoting, or publicizing FVTV. The producer also grants FVTV permission to enter the program in any contest or competition without restriction, given the producer is properly credited.

Furthermore, the producer agrees to indemnify and hold blameless the Southwest Fox Valley Cable and Telecommunications Consortium, the member communities, Waubonsee Community College, their officers, employees, and agents from any and all liabilities arising from the use of FVTV production equipment and/or the airing of programs on FVTV.