

Community Television Policies And Procedures

Revised September 26, 2022

Attention

Notwithstanding anything to the contrary contained herein,
the City of Stevens Point reserves the right
to create additional requirements from time to time,
and/or to amend these policies and procedures.

Section One

Introduction and Definitions

1.1 Introduction - Since the earliest days of Cable TV systems, the FCC had allowed cities and states to require a cable company to provide Public, Educational, and Government (PEG) channels, and funding for them, in exchange for the company's use of public rights-of-way (See Appendix A). Today, phone companies and others who provide TV service using public rights-of-way are also required to provide PEG channels and funding for them. Community Television, Spectrum channel 984 and TDS channel 13, is Stevens Point's Public and Government Access TV channel.

The FCC allows franchising authorities to make reasonable rules for the use of PEG channels, as long as the rules are not based on the content of the programming. Such rules are set forth in these policies in order to ensure fair and non-discriminatory public access to the Community TV channel.

Government use of the Community Television channel, equipment, and facilities is not necessarily addressed in these policies.

1.2 Definitions – The following definitions apply throughout these policies.

Community Television – Community Television is the Public and Government Access TV Channel operated by the City of Stevens Point. Community Television may be referred to as "Community TV," "us," and "we" in these policies. Community TV is managed by the Community Media Manager, an employee of the City of Stevens Point. The Community Media Manager and other Community TV Staff may be referred to as "Staff" or "we" herein.

Producer – The Producer is the person ultimately responsible for the making of a TV program. The Producer is solely responsible for the content of the program. Other Producer responsibilities are defined throughout these policies. The Producer may be referred to as "you" in these policies.

Sponsor – Anyone who submits a program to be played on Community TV is considered the Sponsor of the program if they did not produce the program themselves. The Sponsor is solely responsible for the content of the program, just as if they had produced it themselves, and must have permission from the program's actual Producer or copyright/license holder to cablecast the program. The Sponsor may be referred to as "you" in this handbook.

Viewing Area – For the purposes defined in this handbook, the Community TV viewing area includes Stevens Point, Plover, Hull, Whiting, Park Ridge, and parts of other municipalities in Portage County. Municipalities outside of Portage County where Community TV is seen on Spectrum or TDS, or on the Internet, are not included in our viewing area for purposes defined in this policy handbook.

Volunteer – A volunteer is any person involved with the making of a TV program who is not the Producer or Community TV Staff. Volunteers are not responsible for the content of the program – such responsibility is solely the Producer's.

Program, Educational Access – An Educational Access program is any program produced, directed, engineered, and otherwise made and/or sponsored by or for an educational institution or a representative of one. Educational Access programs are not played on Community TV, but can be submitted to one of the Educational Access Channels in Stevens Point.

Program, Government Access – A Government Access program is any program produced, directed, engineered, and otherwise made by government agencies or employees including, but not limited to, the City's Community Media Manager and other Staff. Government Access programs provide a means of communication between units of government and their constituents, and/or provide other public services through the medium of cable television. These policies and procedures do not necessarily apply to Government Access programs and their Producers.

Program, Public Access – A Public Access program is any program produced, directed, engineered, and otherwise made and/or sponsored by a member of the general public. Persons wishing to produce or sponsor programs to be cablecast on Community TV must be residents of the Community TV viewing area or must be official representatives of a group or organization that is located or headquartered in the Community TV viewing area (for example: a Board member of a non-profit organization in Stevens Point may submit a program on that organization's behalf even if that person does not live in the Community TV viewing area).

Section Two Cablecasting Programs

2.1 Producer/Sponsor Responsibilities - A Program Responsibility Form must be signed by the Producer or Sponsor of any program before the program will be scheduled for cablecasting on Community TV. The signer of the Program Responsibility Form must be a resident of our viewing area and at least 18 years of age.

Regularly-scheduled series programs must be submitted no later than 5:00 p.m. the day before the program is scheduled to play, with the exception of programs scheduled to play on Mondays which must be submitted no later than 10:00 A.M. on Monday.

The Producer or Sponsor of any program cablecast on Community TV is responsible for the program's content and agrees to indemnify, save, and hold harmless Community TV, the servicing cable system, the City of Stevens Point and its employees, and any volunteers involved with the production of the program from and against any and all liability, claim, judgment, action, loss, cost damage, injury (including death) or expense (including attorneys' fees), arising out of or resulting from their program.

The Producer or Sponsor is responsible for making all appropriate arrangements and obtaining all appropriate clearances from broadcast stations, networks, music licensing organizations, performers, performers' representatives, and without limitation by this list, any and all other persons as may be necessary for authorization to edit and/or cablecast the material in their program.

If Community TV receives a complaint or inquiry about a program, we may provide the complainant/requestor with the name and contact information of the program's Producer and/or Sponsor, as required by Wisconsin Open Records Law.

It is the responsibility of the Producer or Sponsor to find out when the program is scheduled to be cablecast, and they should not expect us to contact them regarding this schedule. Community TV's schedule is published on the city web site, StevensPoint.com/TV.

2.2 Technical Requirements for Pre-Recorded Programs - It is the responsibility of the Producer or Sponsor to be sure any program meets our technical requirements. Contact our staff for details.

2.4 Channel Time Allotment – First priority for channel time will be given to Government Access programs including, but not limited to, live and recorded coverage of Stevens Point Governmental meetings, and Portage County Board of Supervisors meetings.

Priority will then be given to locally produced Public Access series programs with reserved weekly or monthly time slots, and then to non-locally produced Public Access series programs with reserved time slots.

Priority will then be given to other locally produced Public Access programs on a first-come, first-served basis, and finally to other non-locally produced Public Access programs on a first-come, first-served basis.

Community TV Staff will use the following guidelines to determine the number of times any single program or episode of a weekly or monthly series program may play in any given 4-month period:

1. Locally produced Public Access series programs -

A. Half-hour episodes may play eight times.

B. One-hour episodes may play four times.

2. Non-locally produced Public Access series programs -

A. Half-hour episodes may play six times.

B. One-hour episodes may play three times.

3. Any other locally produced Public Access program -

A. Half-hour programs may play six times.

B. One-hour programs may play three times.

4. Any other non-locally produced Public Access program may play six times.

Public Access programs under 15 minutes in length may be repeated back-to-back with itself, and will be considered as a single half-hour program when using the formula above.

If excess time in the schedule allows, we may adjust the formula (as listed above) to increase the number of times Public Access programs and episodes play, but ALL Public Access programs will be treated the same regardless of their content.

If there is not enough time in the schedule to allow all programs to play the number of times listed in this policy, we may adjust the formula (as listed above) to decrease the number of times Public Access programs and episodes play, but ALL Public Access programs will be treated the same regardless of their content.

Community TV might play any program in our "library," even if that program has already played the maximum number of times normally allowed, in order to fill occasional openings in the schedule, but not to regularly repeat a particular program or series in excess of the number of times allowed by the formula.

Time slots may be reserved no more than one month in advance and no less than one week in advance of the requested cablecasting date unless approved by Staff.

Reserved weekly or monthly time slots, when available, may be given to series programs with special consideration given to programs presenting dated material, programs with audience building needs,

and other factors which Community TV considers to be in the best interest of the program and our overall cablecasting schedule, without regard to the program's content.

Producers or Sponsors of series programs will be considered in default of their responsibilities and may have their time slot reservation canceled and/or be restricted from series time slots temporarily or completely for any of the following reasons:

1. Failure to produce a new program two episodes in a row without giving us notice 24 hours prior to the program's scheduled cablecast time.
2. Failure to produce a new program three episodes in a row for any reason, unless special arrangements were made in advance.
3. Repeated violation of any Community TV rules, policies, or procedures.

Section Seven Community Bulletin Board

7.1 Community Bulletin Board - Community TV will maintain a computer-generated Community Bulletin Board for the purpose of publicizing Community TV and City of Stevens Point programs and services, our cablecast schedule, public services of general community interest, a Calendar of Community Events, and more.

7.2 Community Calendar - Persons or organizations residing within our viewing area who wish to have an event publicized on the Community Calendar will submit a Community Calendar Entry Form via StevensPoint.com/TV. Instructions on the form must be followed or the form may be discarded. Forms may be accepted less than two weeks before the event but we cannot guarantee it will get on the air with such short notice. Events publicized on the Community Calendar must be open to the general public and noncommercial or nonprofit in nature.

Section Eight Other Policies and Procedures

8.1 Policies Not All-Inclusive - The City of Stevens Point, its Community Media Manager, and other Staff may establish other rules, policies, and procedures as necessary to ensure fair and non-discriminatory public access to the Community TV channel without regard to the content of programming.

Appendix A

FEDERAL COMMUNICATIONS COMMISSION

FACT SHEET

May 1998



CABLE TELEVISION FACT SHEET

PUBLIC, EDUCATIONAL, AND GOVERNMENTAL ACCESS CHANNELS ("PEG CHANNELS")

Pursuant to Section 611 of the Communications Act, local franchising authorities may require cable operators to set aside channels for public, educational, or governmental ("PEG") use.

Public access channels are available for use by the general public. They are usually administered either by the cable operator or by a third party designated by the franchising authority.

Educational access channels are used by educational institutions for educational programming. Time on these channels is typically allocated by either the franchising authority or the cable operator among local schools, colleges and universities.

Governmental access channels are used for programming by organs of local government. In most jurisdictions, the franchising authority directly controls these channels.

PEG channels are not mandated by federal law, rather they are a right given to the franchising authority, which it may choose to exercise. The decision whether to require the cable operator to carry PEG channels is up to the local franchising authority. If the franchise authority does require PEG channels, that requirement will be set out in the franchise agreement between the franchising authority and the cable operator.

Franchising authorities may also require cable operators to set aside channels for educational or governmental use on institutional networks; i.e., channels that are generally available only to institutions such as schools, libraries, or government offices.

Franchising authorities may require cable operators to provide services, facilities, or equipment for the use of PEG channels.

In accordance with applicable franchise agreements, local franchising authorities or cable operators may adopt on their own, non-content-based rules governing the use of PEG channels. For example:

- Rules may be adopted for allocating time among competing applicants on a reasonable basis other than the content of their programming.
- Minimum production standards may be required.
- Users may be required to undergo training.

Federal law permitted a cable operator to prohibit the use of a PEG channel for programming which contained obscene material, sexually explicit conduct, indecency, nudity, or material soliciting or promoting unlawful conduct. However, The U.S. Supreme Court determined that this law was unconstitutional. Therefore, cable

operators may not control the content of programming on public access channels with the exception that the cable operator may refuse to transmit a public access program, or a portion of the program, which the cable operator reasonably believes contains obscenity.

PEG channel capacity which is not in use for its designated purpose may, with the franchising authority's permission, be used by the cable operator to provide other cable services. Franchising authorities are directed by federal law to prescribe rules governing when such use is permitted.

For additional information:

Any questions or comments about PEG channels on a particular system should be directed to the cable operator or the local franchising authority, and not to the Federal Communications Commission. The name and telephone number of your franchising authority should appear on your cable bill, or should be available through your cable operator. With very limited exceptions, the Federal Communications Commission is not responsible for enforcing the federal statute governing PEG channels.

Stevens Point Community Television Program Responsibility Form

Your Name: _____ Date: _____

Group you are Representing (if any): _____

Address: _____ City: _____

Phone: _____ E-Mail: _____

Title of Program: _____

Program Length in Hours: Minutes: _____

Briefly Describe the Program: _____

If possible, you'd like us to play this program on or before (date): _____

Before this program will be scheduled for playback, this form must be filled out completely and signed by a resident of the Stevens Point Community TV Viewing Area who is at least 18 years of age.

Statement of Compliance

I have read and understand this form and understand that as producer/sponsor of the program described above I am responsible for the program's content. I understand that Community TV is required to keep for public record the names and addresses of all persons requesting TV time for a period of two years from this date.

I have made all appropriate arrangements and obtained all appropriate clearances from broadcast stations, networks, music licensing organizations, performers, performers' representatives, and without limitation by the above list, any and all other persons as may be necessary for the authorization to edit and/or cablecast the material in this program on Community TV, on the servicing cable system.

I hereby agree to indemnify, save, and hold harmless Community Television, the servicing cable system, and the City of Stevens Point and its employees from and against any and all liability, claim, judgment, action, loss, cost, damage, injury (including death) or expense (including attorney's fees), arising out of or resulting from the program or programs referred to herein.

Date: _____ Signature of Applicant: _____

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