

Policies and Procedures
for
Monrovia Public Access

"Empowering Monroviaans to speak for themselves through television."

*Public Access
Channel 16
Monrovia*

Adopted May 2002



Community Media
of the Foothills

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I. INTRODUCTION

- A. Community Media of the Foothills Mission Statement
"It is the mission of Community Media of the Foothills to promote artistry and expression, freedom of speech and civic pride by use of community media."
- B. Public Access Mission Statement
Empower members of the Monrovia community to speak for themselves through television.
- C. Public Access Programming Vision
Through programming represent the diverse people, organizations and perspectives of the Monrovia community.
- D. Public Access Basics
Public Access grew out of concern that because cable companies act as monopolies in our communities, they need to put something back into the community, thus the concept of public access was born.
Community Media of the Foothills provides an opportunity for people living in the City of Monrovia and other cities served by CMF to create a community dialogue in which they communicate their interests and concerns as producers and receivers of television programs. The content of the material carried on the Public Access channel is determined by individuals that produces or provides it. Other than the guidelines established in this document, CMF remains "content neutral" in determining what is cablecast on the Public Access channel.

Both the Cable Acts of 1984 and 1992 permit local governments to include and enforce requirements for Community Access equipment, facilities, service and support. The Acts explain the purposes of access this way -

"Public Access channels are often the video equivalent of the speaker's soap box or the electronic parallel to the printed leaflet. They provide groups and individuals who generally have not had access to the electronic media with the opportunity to become sources of information in the electronic marketplace of ideas."

Public access is made available by the franchise agreement between the municipal governments and cable companies and other video providers (City of Monrovia, Adelphia Communications and Altrio in the case of Monrovia). Whether or not those provisions are in the franchise agreement is at the discretion of the local government and it's citizens. Many cities opt not to have Access because of the problems associated with First Amendment rights and the conflicts that occur with community interests. It is up to the citizens to guarantee Public Access by producing responsible programming and expressing their support to their local representatives.

II. ELIGIBILITY

A. Channel Time

Public access channel time shall be made available free of charge to any Public Access Producer. Use of channel time will be prioritized in the following order from top to bottom

- Shows produced by Public Access Producers using KGEM resources
- Shows sponsored by Public Access Producers but produced elsewhere

B. Public Access Producer

Requires certification under the “Policies and Procedures for Community Media Center” as a Community Access Volunteer and attendance at a “Community Producing” training course. Certification requirements may be waived by the Station Manager for those individuals who were actively producing Public Access Programming upon the initiation of these policies or who can demonstrate proficiency because of experience in other public access settings or television or movie studios.

C. Nondiscrimination

No person will be denied channel time on the basis of race, sex, age, physical disability, religious or political belief or affiliation, sexual orientation, or the nature of their programming interest or any other characteristic protected by state or federal law.

III. SCHEDULING

A. Submitting and Scheduling Access Programs

Public Access producers may submit completed access programs for cablecast. A Timeslot Request, Producer Information and Statement of Compliance Form must be completed prior to the show being scheduled. The station manager will schedule programs a minimum of two weeks in advance of cablecast in order to include them in TV listings. The access producer may request specific cablecast dates and times and every effort will be made to accommodate the request but is not guaranteed.

1) The Video Submission & Statement of Compliance Form

Any program submitted for scheduling must be accompanied by a signed Video Submission & Statement of Compliance form prior to the show being aired. Minors must have an adult co-signer. The party signing the form assumes liability for program content and warrants that the program does not contain any of the following:

- a). Material designed to promote the sale of commercial products or services;
- b). Advertising that endorses or opposes candidates for public office or ballot measures that is also intended to be presented as a paid advertisement on other media;
- c). The solicitation or appeal for funds for any purpose (unless specifically authorized by CMF);
- d). Material that constitutes or promotes any lottery or gambling enterprise;
- e). Obscene material, as defined by state and federal law;
- f). Material that constitutes libel, slander, invasion of privacy or publicity rights, unfair competition, violation of trademark or copyright or that might violate any local, state or federal law;
- g). Material that may create an immediate danger of injury to property or persons.

2) Potentially Objectionable Program Content

CMF requires that producers provide notice to staff (via the Video Submission and/or Timeslot Request forms) in the event that their program contains potentially objectionable content. Potentially objectionable content includes human performances, animation, computer generated graphics and all other forms of visual or audio portrayals of:

- a). Profane, vulgar or sexually explicit language or behavior;
- b). Nudity;
- c). Racist, abusive or derogatory speech;
- d). Graphic images (i.e. mutilation, medical procedures)

If a program includes any of the aforementioned elements, a viewer advisory must be included immediately prior to the beginning of the program stating:

"The following program contains material which some viewers may find objectionable or inappropriate for viewing, particularly by children."

The viewer advisory must be read aloud and displayed on screen for 15 seconds. Responsibility for including the viewer advisory rests with the program's producer. Programming with viewer advisories will be scheduled after 10 p.m.

5) Submission by Producer

Only an eligible certified producer may submit programs for cablecast. The producer must take full responsibility for the content of the program.

6) Disclaimers

All proper disclaimers must be included in tapes submitted for cablecast. Appropriate wording shall be provided by staff upon request.

7) Scheduling Priorities

In scheduling programs on the public access channel, first priority is given to programs produced with the facilities of Community Media of the Foothills.

8) Live Programs

A live show certified producer may request a timeslot for a live program no less than two weeks and no more than three months in advance of the date of the live broadcast. Live shows will only be approved if it is absolutely necessary for the program to be live (i.e. interactivity with the community like taking phone calls, etc.). A live show certified producer may produce a live program, the producer must provide a certified technical director

It is the responsibility of the producer to be sure that the following guidelines are followed for any live program.

- a) Caller ID must be used for all calls that are let onto the air. No call can be let onto the air that is caller ID blocked.
- b) Phone calls are to be logged prior to being allowed on the air.
- c) Phone numbers are to be checked against numbers that have been deemed unacceptable due to prior use of objectionable content. Any number that has been deemed unacceptable may not be allowed on the air. List will be made available by staff.
- d) Any phone number that uses objectionable content must be submitted to staff during or directly after the program.
- e) Special live show disclaimers must run before and after the show. If the show is more than an hour, the live show disclaimers must play at the end of each hour.

Certification as a Live Show Producer requires -

- Must be a certified public access volunteer.
- Producer must have produced three live-to-tape programs in the studio of at least 25 minutes each.
- Pass the Live Show Policies and Procedures Test.

9) Videotape Retention/Pickup

Videotapes that belong to access producers will be retained at CMF's tape storage area for a period of two weeks following their last scheduled cablecast. Producers are responsible for picking up their tapes within two weeks of the last cablecast. Tapes left in the access facility for six months or more following their last cablecast become the property of CMF.

B. Public Access Bulletin Board

Shall display the program guide, listing the programs scheduled to air during the next 7 days. The bulletin board may also be used by CMF staff to display required postings (through bylaws, contracts, FCC requirements, etc.).

C. Acknowledgment of Program Sponsors

An access producer may give credit to an individual, company, or organization that underwrites any of their production costs. This is meant to give underwriters credit, but not advertising time. The following policies define how the acknowledgement may be presented on any program aired on channels governed by CMF.

1. Permitted:

- A fifteen (15)-second voiceover (see examples below) and video display per underwriter at end of program
- Video title including name, address, and phone number of company or organization
- Corporate Logo that fills no more than ¼ of the screen
- Video of the **front** of the main office/store
- Video of *symbols* (not products) that represents the sponsor.
- Video of employees or the sponsor themselves

Samples of permitted voiceovers

- "This program was made possible by a grant from xyz"
- "Local presentation of xyz was made possible by xyz"
- "This program has been brought to you by xyz"
- "We'd like to thank xyz for their contribution making this program possible"

2. Prohibited:

- Video of person using a product or packaged goods in or out of the container
- Video of a service provided for a price by the organization
- Calls to action such as "buy, try, consider, or call this or that"
- Comparative statements, qualitative adjectives or any subjective evaluations, such as "the best pizza"
- Music or audio elements not in keeping with the overall tone of the program

Pieces less than ten minutes in length may give a visual credit or thank you to sponsors in ending credits but may not give a 15-second underwriting announcement.

IV. RULE VIOLATIONS/SANCTIONS/LOSS OF PRIVILEGES

Any access user or staff member may report rule violations to the Station Manager. Upon verifying that a rule violation has occurred, the Station Manager will issue a written statement to the producer describing the rule violation and sanctions. Sanctions will become effective immediately upon receipt of that statement. For further information on sanctions and appeal of sanctions see “Policies and Procedures for Community Media Center.” The following Major and Minor violations described below are specific to use of Public Access channel time and are in addition to the Major and Minor violations listed in the “Policies and Procedures for Community Media Center.”

A. Rule Violations

1) Minor Violations

- a. First submission of a program with potentially objectionable content without a viewer advisory.
- b. First submission of a program without proper disclaimers.
- c. First submission of a program containing material designed to promote the sale of commercial products or services.
- d. First submission of a political advertisement that is a paid advertisement on other media.
- e. First submission of a program containing an unauthorized appeal for funds.

2) Major Violations

- a. Second submission of a program with potentially objectionable content without a viewer advisory.
- b. Second submission of a program without proper disclaimers.
- c. Second submission of a program containing material designed to promote the sale of commercial products or services.
- d. Second submission of a political advertisement that is a paid advertisement on other media.
- e. Second submission of a program containing an unauthorized appeal for funds.
- f. First submission of a program containing obscene material, material that constitutes libel, slander, invasion of privacy or publicity rights, unfair competition, violation of trademark or copyright, material that may create an immediate danger of injury to property or persons.

V. PREEMPTION OF PROGRAMMING BY STAFF

Staff may preempt all programming on the channel when it is necessary to use the channel to communicate immediate safety issues, or sudden news events to the Monrovia Public.

VI. AMENDMENT OF THE PUBLIC ACCESS POLICIES AND PROCEDURES

The Public Access Policies and Procedures may be amended at any meeting of the Directors of CMF where a quorum is present. Interim Policies and Procedures may be implemented at the discretion of the Station Manager subject to the approval of the full board at the next general board meeting.