

Auburn Community Television (ACTV)

**Operating Policies & Guidelines
for
Channels 11, 12, & 13 and Facilities
Information for Producers**

**Auburn Community Television
99 Auburn Street
Auburn, MA 01501**

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Introduction

On June 28, 1993, the Town of Auburn granted Greater Media Cable a Renewal License to operate a cable television system in Auburn. The Renewal License provides for Public, Educational and Governmental (PEG) access. Access is provided through Auburn Community Television and the Local Channel Committee, by a staff dedicated to community programming, as previously charged by the Board of Selectmen.

Auburn Community Television will provide residents or persons working in Auburn, free of charge, training in the uses of television production equipment, access to production resources and time on the PEG access channels. These resources are available on a non-discriminatory basis for the production and presentation of programming by and for the Auburn community. All uses of Auburn Community Television facilities shall be for non-commercial purposes in accordance with these Policies and Guidelines. These policies and guidelines are in place to give the Operations Manager and Local Channel Committee the basis on which to manage and coordinate the use of the facilities, equipment, and other resources placed in their custody by the Board of Selectmen. These Policies and Guidelines have been written with the guidance of legal counsel to further insure their consistency with federal, state, and local laws.

Auburn Community Television's facilities and offices are located at Auburn High School, 99 Auburn Street, Auburn, MA 01501.
Telephone: (508) 832-5323; Fax: (508) 832-7710.

Mission Statement and Charge

To operate a community television studio and channels for the production of local programming and for training residents, students and local organizations about local television.

To this end Auburn Community Television and the Local Channel Committee will:

- Continue to provide the community with a production studio;
- Educate community members about the studio and provide periodic training;
- Continue outreach to the community, encouraging individuals and organizations to create diverse programming.

Operating Rules and Guidelines

I. Access

A. Any resident or person working in the Town of Auburn, including members of organizations in Auburn, who has signed the Auburn Community Television User Form Agreement shall qualify to use the local programming facilities subject to certification of proficiency as reasonably required in accordance with these guidelines.

B. User privileges allow a user to become an Auburn Community Television producer and gain access to production resources, training, or channel time. Users are not employees or agents of Auburn community Television and act in their own individual capacity. Users are independent of Auburn Community Television and are responsible for their own actions and/or programming.

C. Orientation and training sessions will be scheduled periodically throughout the year. At these sessions, participants will be given a User Form and a copy of these Operating Rules and Guidelines. Signature on the User Form constitutes acceptance of individual responsibility in accordance with these operating rules. The signed User Form must be returned to Auburn Community Television before user privileges are granted. All persons under the age of 18 must have their parent's or guardian's consent and co-signature on all Auburn Community Television forms.

II. Programming

Auburn Community Television is responsible for the administration of Channel 11, a public access channel and Channel 12, a municipal government access channel. Channel 13 is an educational access channel operated by Auburn Community Television and the Auburn School Department. Any producers/sponsors may request public access channel time on Channel 11 for the presentation of programming they produce themselves or sponsor for local cablecasting subject to such lawful rules as set forth herein.

Cablecast Request and Indemnification forms should be turned in with accompanying tape to the Auburn Public Library. The date of receipt will be recorded and stamped on the form at the time it is received by a library official. Tapes and forms are picked up at the Auburn Public Library by the Operations Manager or designee Monday through Friday.

A. Time Slots

1. Thirty (30) or sixty (60) minute program time slots for the public access channel are available on a first-come, first-serve basis. Series are encouraged. To place live or taped programming on the public access channel, users should submit a Cablecast Request and Indemnification Form or similar form as may be prescribed by the Channel Committee a minimum of ten days (and tape at least three days) prior to the cablecast date, unless otherwise approved by the Operations Manager. Requests may be made no more than 10 weeks prior to cablecast.

2. Public access requests for time will be honored subject to reasonable scheduling, staff and equipment availability constraints. No more than 5 showings per week of a single program may be requested per individual request and cablecasts of new original programs may take scheduling precedence over such repeat material. Notwithstanding the foregoing, an individual may request two prime time playback opportunities, per show, per week. Prime time is defined

as any time between the hours of 7:00 p.m. and 10:00 p.m. No more than two weeks of cablecasting of a single program may be requested per individual request.

3. Auburn Community Television holds the right to pre-empt scheduled programming if necessary and in a content-neutral, non-discriminatory manner as may be necessary for customary and reasonable scheduling including coverage of live events including but not limited to Town Meeting and sports events and for scheduling for signal and system tests and other necessary technical testing.

B. Series

A series is considered to be at least four new programs cablecast on a regular (e.g., weekly, bi-weekly or monthly) basis. Time slots may be requested on a yearly basis in order of preference. Series must meet all of the following conditions:

1. Consistent use of time slot with new material.
2. A total of five time slots (including two prime time) may be requested per week.
3. Each program must meet the established running time. Overtime is unacceptable. Episodes that fall short must be filled with other material.
4. If new material is not cablecast within proposed series timetable, series time slot may be revoked and made available to other programming.
5. Series time slots must be re-requested in January.

C. Technical and Format Requirements for Tape Submission

1. Auburn Community Television technical requirements for playback of a videotape include the pre-roll, as described below, from the beginning of the tape immediately preceding the show and one minute following the last graphic or picture (no dead air) unless approved by the Operations Manager with pre-roll including:

- a. 30 seconds NTSC color bars and 1K tone set at 0 dB peak, 10 seconds black 5 seconds countdown stopping at the number 5 (start at #10);
- b. 5 seconds of black and then the program.

Upon reasonable advance request, Auburn Community Television will make available for loan a tape of the above pre-roll.

2. Tapes submitted for cable casting must be in these formats:

- a. VHS in SP* mode
- b. S-VHS in SP* mode

• SP meaning video recorded on the 2 hour record speed of home VCRs that have multiple speeds (SP - 2 hours; LP - 4 hours; EP - 6hours)

Program audio must register on standard level meters on ACTV equipment or it will not be audible when played for cablecast.

Video must be stable, not jumpy, clear and focused. Second and third generation copies may not meet technical standards therefor may not be acceptable for cablecast. Producers/sponsors must view material before submitting it. If there are any questions contact ACTV operations manager or designee at 832-5323.

3. The program submitted must meet NTSC minimal standards for audio and video. Tape must be of high quality and in excellent condition. If a program fails to meet technical standards, the program will not be cablecast until the producer makes arrangements to correct technical problems.

To be cablecast as a program, the material or tape submitted must technically be a program, that is, it must be in broadcast standard format, Bars & tone at beginning of tape, opening credits/graphics, the actual program with a beginning, middle, and an end, and end credits/graphics. It must include a combination of multiple and changing video, a combination of moving and still video frames with matching/corresponding audio. Material suitable for a cable television bulletin board or other outlet such as an announcement, message, mere transmission of computer or character generator text or text over a video still frame or solid color background or prolonged repetition of an individual photograph, video of a fixed nonmoving subject or single still video frame will **not** be technically acceptable. In furtherance of the foregoing, Auburn Community Television reserves customary content-neutral placement or scheduling station rights so that material or tapes submitted and consisting of the afore mentioned type of program may be cablecast on the applicable bulletin board or appropriate outlet, subject to content-neutral bulletin board and scheduling rules, and such that placement or scheduling of material may be appropriately implemented in a content-neutral manner.

4. Rewind the tape to the beginning and label properly with Date, Title, Producer, Show Length. Other optional information for label: Topic, Guests, Host or Episode #. This applies to programs produced outside ACTV facilities as well.

5. All Auburn Community Television forms must be completed, signed and submitted to the Auburn Community Television staff.

6. Programs using Auburn Community Television facilities and equipment are Auburn Community Television Productions and will have as their final graphic, "This has been an Auburn Community Television Production". Upon reasonable advance request, Auburn Community Television will make available for loan a tape of the above graphic.

7. Producer of the program and participants must be identified in all programs produced using ACTV facilities and/or equipment. It can be any time during the program or in the credits. This is Auburn Community Television's way of insuring that all community producers take responsibility for the content of their programs. Auburn Community Television and the Local Channel Committee remains content-neutral.

D. Minimum Technical Standards

Programs to be cablecast must meet certain minimum technical/broadcast standards pursuant to II.C 1, 2, above and as determined by the Operations Manager.

E. Content and Clearances

Auburn Community Television is content neutral and does not preview programs. Producers must be familiar with and are fully responsible for the content of their program material. Producers/Sponsors are responsible for obtaining all releases, clearances and permissions (copies submitted to Operations Manager). Sample forms are to be available from Auburn Community Television. Presentation of the following are prohibited in accordance herewith:

1. Any material that constitutes libel, slander, obscenity, or unlawful invasion of privacy or violation of publicity rights.

2. Any unauthorized use of copyrighted material or which violates trademark or other intellectual property rights.

3. Any works in violation of FCC regulations, local, state or federal laws.

4. Commercials. (It is the intent of the Cable Television License by and between the Town of Auburn and the Cable Operator that access channels not be used for commercial advertising, however, reasonable notices of underwriting, as used by non-profit public television stations, may be cablecast and included within public access programs.)

5. Conducting a lottery, raffle or game of chance.

The foregoing are prohibited to the extent, and in a manner, access channels may prohibit same in accordance with applicable law:

The Operations Manager may schedule programming of an adult subject matter for after 10:00 p.m. (safe harbor hours) to preclude younger audiences.

Auburn Community Television reserves the right, consistent with its own First Amendment rights, to cablecast disclaimers that programming does not necessarily represent the opinions of the Town or of Auburn Community Television or of the Local Channel Committee and said disclaimers may indicate that individual persons independent from Auburn Community Television may be solely responsible for such programs.

F. Political Campaigning

Political candidates or advocates of ballot referenda, including political action committees or groups supporting candidates, referenda issues or other advocacy groups (herein after "candidates, groups or committees") are subject to the same policies as other users of the Public Access channels. The nature of Public Access is that everyone in the community has equal access to the facilities and channel time subject to skill certification, scheduling, availability of equipment and in accordance with these rules: In the case of elections or special elections for referenda, if a candidate, political group or committee receives access to the facilities and/or channel, any other candidate, group or committee may also receive access. Consistent with the local cable franchise, this means that the candidate, political group or committee or producer shall have access to facilities to produce their own programming and not that Auburn Community Television will produce programming for them or provide production crews, however, Auburn Community Television may exercise its own First Amendment rights to initiate bona fide election coverage, debate forums and the like.

Candidates, Groups or Committees that wish to produce any "LIVE" or "PRERECORDED" debates, information forums or the like must meet the following pre-production criteria:

1. Candidates, groups or committees must meet with the Operations Manager or designee from ACTV for a pre-production meeting for scheduling of studio time and equipment, determining skill certification needs, number of qualified crew members needed, show outline and storyboard, etc., at least **4 weeks prior to the proposed cablecast date**. The request for the date of cablecast should be made at this time using the Cablecast Request and Indemnification Form.

2. Studio time, remote locations equipped for live broadcast, any equipment needed, and most important the date and time for the cablecast, must be reserved with the appropriate

office or ACTV at least 4 weeks, and not more than 6 weeks in advance of the requested date for cablecast,

3. Producers must have all necessary forms filled out and pre-planning requirements met 7 days prior to proposed cablecast date. Producers should have held their own pre-production meeting with their crew and technical personnel in advance of the foregoing. This will give enough time to answer questions, iron out technical problems, and make any necessary changes.

4. Producers will insure that crew members are available the day of cablecast for pick-up, set-up, and testing of equipment at remote locations or in the studio, for set arrangement and technical run through. The Operations Manager or Staff may provide some assistance at this time.

5. The above requirements MUST BE MET for all live or prerecorded studio programs to insure that all programs are of good technical quality and meet cablecast standards and formats. **day, Requests for LIVE cablecasts, less than 4 weeks prior to date for cablecast or voting day, WILL NOT BE ACCEPTED!** These requirements will be enforced in a nondiscriminatory and content-neutral/first come-first served manner.

A candidate or political group/committee may cablecast pre-produced programming, but not paid for political advertising, subject to Auburn Public Access's nondiscriminatory scheduling and equipment constraints and requirements for tape submission (Section C, pages 6 & 7). **All pre-produced programs must be submitted no less than 7 days, prior to requested cablecast date/times or voting day. Last minute requests, less than 7 days, will not be accepted.**

G. Ownership

1. All programs produced using Auburn Community Television facilities, equipment and staff assistance become a Auburn Community Television Production and the master videotape becomes the property of Auburn Community Television for archival purposes. If an Auburn Community Television videotape is used for the master, the producer may make one free duplication on his/her own tape stock. (See Section XI)

2. Auburn Community Television has the right to maintain a copy of any program produced using Auburn Community Television facilities and equipment in its tape library and to cablecast it an unlimited number of times.

3. Auburn Community Television has the right to use programs for promotional purposes related to Auburn Community Television.

4. Only the community producer may authorize any other use of his/her program.

5. After one year a producer may request in writing that his/her program not be cablecast further.

H. Underwriting and Grants

1. Acknowledgment of underwriting by business, organizations or grantors providing monetary or other assistance to the making of the program may be included in the program credits. Notices of program underwriting or support, if any, shall conform to standards used by non-profit television stations and shall not be in the form of commercial advertisements.

2. To the extent prohibitions of commercial advertising may be implemented in accordance with applicable law, commercial advertising is prohibited from the access channels. Auburn Community Television users working on commercial productions may rent Auburn Community Television facilities at a non-discounted rate and subject to negotiated terms and applicable law.

I. Publicity

Auburn Community Television encourages producers to publicize their programs in a variety of ways including local media and public service announcements (PSAs).

J. Staff Programming Initiatives

1. Staff may use its discretion to produce programming for purposes of community awareness, outreach, promotion and producer training.

2. Staff may hire an independent videographer to produce Governmental and Educational programming.

K. Outside Programming

ACTV is committed to seeking programming that would contribute to the diversity and quality of programming offered to the Auburn community. For programming opportunities from outside the Auburn community (e.g. satellite downlinking, Access Centers, organizations such as the Alliance for Community Media, media arts centers, MCET) staff may exercise the prerogative to sponsor such programming as Producer of Record. (see section A, 1, a)

1. Any person meeting user criteria may request or sponsor outside programming for community access cable casting by filling out and signing the applicable forms.

2. Cablecast requests will be honored on a nondiscriminatory basis.

3. Users may request one prime time showing.

III. Training and Workshops

A. Any Auburn resident or member is eligible for training in television production. Basic and advanced TV production workshops for field, studio and post-production are available on an ongoing basis, free of charge. Workshops are given under the direction of the Auburn Community Television staff or by an appointed person as determined by the Operations Manager or Local Channel Committee. Certain advanced classes may require a fee to pay for an outside consultant or instructor.

B. Except for classes specifically designated for youth (under 13 yrs old), minors (13-17 yrs old) must have a parental consent and responsibility form signed by a parent/legal guardian and the Operations Manager or his/her designee on file prior to the start of the course. These forms are available through the Operations Manager.

C. Class schedules will be reasonably distributed over the Channel 11 Bulletin Board and local print media. Those wishing to take classes must sign up on a first-come, first-serve basis.

IV. Certification

A. Community producers may be certified in several ways:

1. Attendance in a workshop training series and completion of a technically adequate certification videotape and demonstrated proficiency in studio and portable production and editing.

2. Experienced videographers may be certified and by-pass the workshop training series by:

a. providing a demonstration ("demo") reel and letter of reference with respect to studio, portable and editing proficiency; and

b. demonstrating proficiency with studio, portable and editing equipment as reasonably requested by the Operations Manager.

B. Re-certification of producers will take place annually, by December 31st of each calendar year.

V. Volunteers and Interns

Auburn Community Television relies heavily on the services of volunteers. Auburn Community Television users are encouraged to volunteer during and after their training and certification. Students receiving high school or college credit are encouraged to intern. Volunteers and interns must complete a user information form and agreement as customarily used in the access community.

VI. Equipment Resources

Portable production, post-production, and studio production equipment are available on a non-discriminatory basis for making live or taped programs for cablecast on the public access channel. Equipment may not be used in hazardous conditions. Use may be subject to certification in accordance with customary and appropriate requirements.

A. Field Production Resources

1. The amount of equipment available for a given request will be determined by Auburn Community Television staff based on availability, producer experience, their needs, the needs of other community producers, and the equipment repair schedule.

2. Equipment must be reserved no less than 48 hours and no more than two weeks in advance.

3. A use is considered to be one check out period. A Program Proposal must be submitted or updated with each use. A maximum of eight uses are permitted per program.

4. If a producer exceeds the maximum time for portable production, he/she must pay the daily rate per the Auburn Community Television Rate Sheet or make arrangements for working off the debt.

B. Equipment Check Out

1. Equipment must be checked out at Auburn Community Television by the producer who reserved the equipment and he/she is responsible for the equipment. An adult co-signer shall be required for minors checking out equipment (that adult is now responsible for the equipment signed out to that minor). Producers and users shall be responsible for equipment and losses in accordance with this section and Section VII below.

2. It is suggested that producers set up and test the equipment before leaving. To keep track of equipment location, staff will enter applicable check-out information into a hard copy or computer log, and a hard copy should be signed by the user/producer. Allow 30 minutes for check in and out of equipment.

3. If a community producer is making use of the equipment for more than one check out period, he/she must renew the check out in person in accordance with established check-out procedures.

4. When equipment is checked out, the return time will be specified and the producer must adhere to schedule. Reservations should be scheduled conservatively so that equipment will be available for another producer.

C. Equipment Return

1. Equipment must be returned at the time indicated on the Equipment Check Out Form and signed in by Auburn Community Television staff.

2. Borrowers are responsible for notifying staff if there are any problems with the equipment. Equipment users will be responsible for the cost of repairs resulting from user negligence.

3. Producers may not borrow additional equipment until all items are returned in good working order.

D. Editing

1. **No one** may reconfigure any edit station or studio wiring. Violation of this rule will result in the immediate loss of all access privileges.

2. For technical reasons, producers must consult with staff before bringing in accessories for use at the studio. For technical reasons, some areas are off-limits to producers and are posted as such.

3. If necessary as a result of edit scheduling conflicts, the Operations Manager shall implement the following on an as needed basis: **Edit time to be reserved no less than 72 hours and no more than four weeks in advance** with a 12 hour per week maximum reservation per person per program; not more than 40 hours per program. **Producers may sign up for four (4) hours per day.** Viewing facilities must also be scheduled with staff.

4. Producers using the edit facility, studio or control room must sign in and out with staff.

E. Studio Productions

1. For technical reasons, no one may reconfigure any studio wiring. Violation will result in the immediate loss of all access privileges.

2. Studio productions require Auburn Community Television staff or a designee to be on the premises unless the Operations Manager has authorized otherwise. Staff is not considered part of a crew; he/she has other responsibilities and is there to oversee the safe use of the facilities. They may also offer limited technical assistance or answer procedural questions producers may have.

3. Crew position assignments are the responsibility of the producer. Studio crew must be certified or approved by the Auburn Community Television staff. Interns and volunteers may be available to assist. Producers must consult with the staff before bringing in accessories. Certain areas are off-limits and are posted as such.

4. Studio time must be reserved no less than 72 hours and no more than four weeks in advance, through the Operations Manager. The studio may be reserved for a maximum of 12 hours per week. There is a maximum of 24 hours per program, including set up and strike time. Studio hours are firm. Producers should allow time to strike sets and clean up before leaving.

5. Producers may construct sets at the discretion of the Operations Manager.

6. Upon completion of use of facilities, producers must notify Auburn Community Television staff about the condition of the facility and its equipment.

F. Production Period

Program production is expected to be complete within six months.

VII. Responsibility

Producers are responsible for the Auburn Community Television facilities and equipment signed out to them, including damages. Producers are responsible for any program-based liability for defamation, obscenity or other prohibited speech in their programs and user agreements may require producer acknowledgment of producer responsibilities. Producers are responsible for the actions of crew, guests, and any others involved with their production. Producers are to take any and all reasonable and prudent precautions to safeguard access equipment against damage and theft. In the event any equipment is stolen, the producer is responsible for the following to assist with possible insurance claims: a police report must be filed; the producer must provide, if applicable, evidence that the equipment was not left unattended or in a vehicle overnight; other proof of theft should be provided. The producer responsible for the equipment will be responsible for the insurance deductible, if any, in the event Auburn Community Television insurance, if any, covers the equipment claim. If insurance is not available, the user is responsible for the full replacement value. In the case of minors as producers, the preceding section applies to the parent/legal guardian who signed the consent form.

VIII. Cancellations

Producers must give at least 24 hours notice when canceling any reserved use of Auburn Community Television portable equipment, edit use, or classes. Studio/Control Room

must be canceled within three working days. If a producer is more than 30 minutes late without notification, the reservation may be canceled.

IX. Violations

In order for these policies and guidelines to be effective and to keep operations running smoothly, a penalty system has been instituted. There are two types of rules — major and minor — the violation of which may result in restrictions on a member. The Operations Manager or his/her designee is authorized to issue warnings and suspensions.

A. Major Violations

Major violations may include but are not limited to:

1. Abuse or threat of abuse of staff or users.
2. Commercial or profit-making use of Auburn Community Television facilities.
3. Misrepresentation of members' affiliation with Auburn Community Television.
4. Falsifying forms.
5. Taking or reserving equipment without staff permission.
6. Abuse of equipment, including attempted repair, facility reconfiguration, and improper transport.

Major violations will, following due process, result in a 90-day suspension of user privileges. Any subsequent major violation may, following due process, result in longer term suspensions. (See Section X.I, Grievance Procedures)

B. Minor Violations

These may include, but are not limited to:

1. Failure to cancel a reservation in accordance with Section VIII - Cancellations.
2. Late pick up or return of equipment without notification and approval.
3. Mishandling of equipment.
4. Eating and/or drinking in restricted areas.
5. Failure to clean up after using the facilities.
6. Handling off-limits equipment or being in off-limits areas.
7. Smoking in the facility.
8. Failure to comply with programming guidelines and deadlines.

Minor violations will, following an opportunity to be heard, result in the following series of actions within a one year period:

- | | |
|---------------------|-----------------|
| 1. First violation | verbal warning |
| 2. Second violation | written warning |

- 3. Third violation 30 day membership suspension
- 4. Fourth violation 90 day membership suspension

C. Appeals

Producers and users are encouraged to resolve difficulties on the staff level. Producers or members wishing to appeal an action of the staff may request a hearing before the Local Channel Committee.

X. Miscellaneous

A. Videotape

Auburn Community Television will provide videotape stock free of charge to users for edited masters only. Production tapes may be purchased by the producer from Auburn Community Television stock. Price of the tape will be based upon the price Auburn Community Television pays for the tape. If the producer of a show wishes to provide tapes for the above use, it must be of good quality and of proper format utilized by Auburn Community Television and subject to the approval of the Operations Manager.

B. Member Input

Users are encouraged to propose changes and additions to Auburn Community Television Operating Policies and Guidelines. Users may submit suggestions to Auburn Community Television staff or Operations Manager. Staff or the Operations Manager will present suggestions to the governing board(LCC) at the next regularly scheduled meeting.

C. Public File

There will be a file available to the public which includes the names and addresses of all users, Local Channel Committee Minutes and the Operating Policies and Guidelines. A file will be kept which includes program logs from the current calendar year. Unless subject to exemption from public record status, the records of Auburn Community Television shall be presumptively considered public records to be released within periods applicable to public records.

D. Facility Upkeep

1. The Auburn Community Television facility is a public building with substantial electronic equipment. Therefore, it is a strictly enforced, non-smoking environment. No smoke or fog machines are permitted in the studio.

2. Community producers are expected to clean up after each time they use the facility. This includes striking sets, replacing all equipment and cables, sweeping floors, and kitchen clean up.

3. No animals are allowed in the building except for seeing eye/ear dogs or animals involved with a production.

4. Eating and drinking are only allowed in designated areas.

5. Auburn Community Television is not responsible for providing sets or props or for funding same. Producers are responsible for providing sets and props and assuring their safety and for assuring compatibility with studio door entry and space availability in temporary storage. Storage shall not be available for more than one month as needed during production. Auburn Community Television reserves the right to require removal of any sets and props in its discretion as needed for space availability. Community producers must remove all set materials from the facility when they are finished or obtain specific authorization concerning getting set struck, stored and cleaned up on following day..

6. Auburn Community Television office equipment/furniture may not be used for sets. No one may use another producer's set without permission.

7. Auburn Community Television is not responsible for set, props or personal items left on the premises.

E. Right to Refuse

Auburn Community Television reserves the right to refuse the use of its facilities to any individual who reasonably appears to be under the influence of alcohol or drugs or who interferes with the orderly conduct of business.

F. Indemnification

Users of the access channels shall indemnify and hold harmless the Town of Auburn Board of Selectmen, Local Channel Committee, Auburn Community Television, the Operations Manager, and Greater Media against any and all liabilities arising out of their own use of facilities and resources, or out of breach of the Agreement with the Operating Policies and Guidelines.

G. Minors

No minors will be allowed in the facility while staff persons are not on duty. The parent/guardian is responsible for all actions of that minor and must sign all Auburn Community Television forms. The parent/guardian that becomes responsible for the minor will accept responsibility for equipment check out and check in, responsibility for repair and replacement in the event the minor was responsible for need for same in accordance with Sections VI and VII above.

H. Grievance Procedures

A grievance is defined to mean a complaint by a user based on a dispute involving the meaning, interpretation or application of Auburn Community Television Operating Policies and Guidelines. The grievance must first be presented in writing to Auburn Community Television within three working days of the occurrence of the event upon which the grievance is based. The Operations Manager or his/her designee will meet with the user within seven working days in an effort to settle the grievance. In the event that the grievance is not disposed of at this time or in the event that no decision has been rendered, the grievance shall be referred in writing to the governing board(Local Channel Committee)for a decision at the next regularly scheduled meeting. The decision of said governing board will be final.

XI. Videotapes, Storage and Dubbing

A. Purpose

Auburn Community Television frequently receives requests for copies ("dubbing") of programs cablecast over the local access channels. Such copying shall be in accordance with the following.

B. Original Videotapes and Storage

1. Municipal Programs

Because of the expense of preserving videotapes of municipal programs (selectmen, school committee, planning board, etc.), these programs are not recorded for playback or archiving, however, an individual may record same with use of his or her own recording equipment.

2. Local Productions

(a) Recording of independent local productions is the responsibility of the local producer. The local access facilities may be used for this purpose by the local producer using certified assistants.

(b) In those cases where Auburn Community Television is the local producer (e.g. coverage of special events), Auburn Community Television may preserve the videotape as originally cablecast unless the videotape is needed for other production. No assurance of such preservation is given.

3. Storage

Auburn Community Television may store videotapes in its local access facilities or in any other suitable location. No assurance of such storage nor the preservation nor quality of the stored videotaped production is given. Auburn Community Television does not accept responsibility for the theft, reuse or other loss of videotapes kept by it for other persons, organizations or entities, and all risks with respect to such tapes are the sole responsibility of the owner or producer of those videotapes. Auburn Community Television reserves the right to request any person, organization or entity to remove stored videotapes from its premises, and may deem any tapes not removed within thirty days of that request to be abandoned. Abandoned tapes may be used or discarded by Auburn Community Television as it deems appropriate. All tapes will have a label on them containing this information; program title, date of production, producer/contact's name, leader time, and program time.

C. Dubbing

1. Auburn Community Television shall make available for duplication ("dubbing"), on request, any videotaped production which it may have, subject to applicable copyrights, if any.

2. Auburn Community Television requires that dubbing be done in the local access facilities under its jurisdiction. Master tapes may not be removed from the facilities.

3. Special facilities for dubbing, as designated by the Operations Manager, will be made available to certified community producers subject to reasonable scheduling and availability of necessary equipment.

4. The person making the request, in writing, for a duplicate shall provide his/her own videotape.

5. Duplication of copyrighted local or other copyrighted productions shall not be permitted without the written consent of the copyright holder.

6. A log of all duplicates made using the local access facilities shall be kept, and shall identify the program or tape duplicated, the person or organization making the request, the number of copies made, the name of the person doing the duplication and the date of duplication.

7. It shall be the responsibility of the Operations Manager or his/her designee to carry out this policy. The Operations Manager shall take reasonable steps to assure the integrity of the original videotape. The original videotape remains the property of Auburn Community Television.

XII. Municipal and Community Access Character Generated Cable Television Bulletin Boards

1. Use of the Municipal Access Bulletin Board

a. Use of the municipal access bulletin board shall be by and through the Operations Manager or his/her authorized designee subject to applicable laws and operating policies hereunder. To allow for timely and efficient production and transmittal of notices, announcements and listings, the Operations Manager or designee shall send out bulletin board messages through the Auburn Municipal Access character generator.

b. Any municipal department may have notices, announcements and listings about or pertaining to that department displayed on the municipal access bulletin board subject to and in accordance with these operating policies.

c. Based on the content-neutral need to make room for multiple announcements, announcements which require more than two video pages shall not be permitted.

d. In accordance with applicable law, the following material shall not be permitted on the municipal bulletin board:

1. Material violating any copyright, trademark or other intellectual property law;

2. Material that was lawfully found to be unlawful defamation, libel or slander, obscene; unlawful violation of trade secrets, privilege or confidentiality; or unlawful violation of other applicable laws;

3. Material conducting or promoting a lottery, raffle or game of chance or promoting a commercial gift or door prize enterprise or similar scheme;

4. Direct solicitation of funds or donations; and

5. Commercial advertising designed to promote the sale of commercial products or services and advertising by or on behalf of candidates for electoral offices, political parties, political action groups (PACs), political campaigns or ballot referenda.

e. Scheduling of municipal access bulletin board material shall be content neutral, equitable and non-discriminatory to the extent required under applicable First Amendment law, however, in accordance with such reasonable scheduling practices as necessary and customary to prevent indefinite repetition or repetition in excess of time slots afforded other similarly situated speakers, and as necessary and customary to provide for timely and efficient bulletin board transmittals, municipal access scheduling shall be by and through the Operations Manager and his/her designee.

2. User Forms For Municipal Access Bulletin Board

(a) Municipal access bulletin board users shall file a user form to log: (i) the name of the municipal department using the bulletin board; (ii) a name, phone number and address of a municipal department contact person regarding said use and (iii) a concise notation of the purpose of the use. Forms are available at Town Hall or the office of the Operations Manager.

(b) Repeat users of the bulletin board may use existing user forms on file so long as the information therein is current and subsequent uses are reasonably noted on the user form on file.

(c) The user form shall contain an acknowledgment that the user or contact person will be reasonably accessible to the Local Channel Committee or Operations Manager concerning the announcements submitted by or on behalf of the user.

(d) The user form shall also include the user's acknowledgment of potential responsibility and liability for unlawful copyright infringement, obscenity, invasion of privacy, libel, slander or defamation, or other unprotected speech in the user's material and shall include the user's agreement not to knowingly cablecast unpermitted speech on the municipal access bulletin board.

B. Operating Policies For the Public Access Bulletin Board

1. Use of the Public Access Bulletin Board

a. Use of the public access bulletin board shall be by and through the Operations Manager or his/her authorized designee subject to applicable laws and operating policies hereunder. To allow for timely and efficient production and transmittal of notices, announcements and listings, the Operations Manager or designee shall send out bulletin board messages through the Auburn Community Television character generator.

b. Any person residing in Auburn, or any group, organization or other entity based in Auburn may have non-commercial announcements, notices and listings displayed on the public access bulletin board subject to and in accordance with these operating policies.

c. Cablecast of public access announcements shall be in the order received.

d. The bulletin board shall be for the use of persons, groups, organizations or other entities residing in, having their principal office in or based in Auburn. Consistent with the intent of the Renewal License that provided for the establishment of a non-commercial access channel, the public access bulletin board shall be for messages that are of a non-commercial nature.

e. Based on the content-neutral need to make room for multiple announcements, announcements which require more than two video pages shall not be permitted.

f. In accordance with applicable law, the following material shall not be permitted on the public access bulletin board:

1. Material violating any copyright, trademark or other intellectual property law;
2. Material that was lawfully found to be unlawful defamation, libel or slander, obscene; unlawful violation of trade secrets, privilege or confidentiality; or unlawful violation of other applicable laws;
3. Commercial advertising designed to promote the sale of commercial products or services and paid advertising by or on behalf of candidates for electoral offices, political parties, political action groups (PACs), political campaigns or ballot referenda. For purposes of the foregoing, the term "advertising" does not include bona fide programming about political candidates, parties, action groups, campaigns or referenda.

g. Scheduling of public access bulletin board material shall be content neutral in accordance with applicable First Amendment law, equitable and non-discriminatory and in accordance with such reasonable scheduling practices as necessary and customary to prevent indefinite repetition or repetition in excess of time slots afforded other similarly situated speakers.

2. User Forms For Public Access Bulletin Board

- a. Community access bulletin board users shall file a user form to log: (i) the name of the person or organization submitting bulletin board material; (ii) a name, phone number and address of a contact person regarding said use and (iii) a concise notation of the purpose of the use. Forms are available at Town Hall, the office of the Operations Manager, and at the Auburn Public Library and said forms will be filed at the Library. Completed forms must be date stamped by Library staff and must be turned in at least one week prior to the date of the event being promoted.
- b. Repeat users of the bulletin board may use existing user forms on file so long as the information therein is current and subsequent uses are reasonably noted on the user form on file.
- c. The user form shall contain an acknowledgment that the user or contact person will be reasonably accessible to the Local Channel Committee or Operations Manager concerning the announcements submitted by or on behalf of the user.
- d. The user form shall also include the user's acknowledgment of potential responsibility and liability for unlawful copyright infringement, obscenity, invasion of privacy, libel, slander or defamation; or other unprotected speech in the user's material and shall include the user's agreement not to knowingly cablecast unpermitted speech on the public access bulletin board.

C. Applicable Law

It is the intent hereof that the municipal and public access bulletin board operating policy shall be subject to and in accordance with applicable laws, including without limitation the federal Cable Act, as it may from time to time be amended.

XIII. Local Channel Committee and Governance

Pursuant to the cable television renewal license by and between the Board of Selectmen, as cable television license Issuing Authority pursuant to M.G.L. ch. 166A, s.1 and Greater Media Cable, the Licensee, the Selectmen duly created the Local Channel Committee

for governance and oversight of Auburn Community Television, subject to and in accordance with the renewal license and applicable law. The following shall be applicable to Local Channel Committee governance.

A. Meetings

Public notice of meetings shall be by posting in accordance with the Open Meeting Law, M.G.L. ch. 39, s.23B and meetings shall be conducted in accordance with same. Notice of meetings to Local Channel Committee members shall be by either first class mail or other actual notice. Meetings may be conducted at any public place in the Town of Auburn as determined by the Local Channel Committee's Chairman and as duly noticed.

B. Members and Officers of the Local Channel Committee

The Local Channel Committee shall be appointed by the Board of Selectmen and shall include five members. The Committee shall include a Chairperson and Secretary as determined by the Committee members at an organizational meeting to be held by July 15th of each year. Members shall serve for three year terms.

C. Action by Vote

The Local Channel Committee may take action on a matter by a vote of a majority of the members of the Local Channel Committee present and qualified to vote at any meeting at which a quorum is established unless a different vote is specified by applicable law.

D. Quorum

Fifty percent of the members being present in person shall constitute a quorum at any meeting of the members but a lesser number may without further notice adjourn the meeting to any other time.

E. Management of Operations; Accountability to Board of Selectmen and Editorial Limitations

The Local Channel Committee shall, as part of its governance and oversight of Community Television operations, have the power to determine financial and operational matters including but not limited to allocation of annual budget and facility and equipment purchases. With respect to governance of the operations of Auburn Community Television, the Local Channel Committee is accountable to and shall report to the Board of Selectmen or their appointed representative as requested by the Board of Selectmen, excepting that editorial control of public access programming may not be exercised by the Board of Selectmen or by the Executive Secretary of the Town. Notwithstanding the foregoing, the Board of Selectmen and the Local Channel Committee may exercise editorial control with respect to municipal programming as permitted for municipal (not public) access programs and may act as producers to exercise their own First Amendment rights by producing public access programming of their own. It is the intent hereof that the Local Channel Committee shall implement Community Access Operations, subject to Selectmen operational oversight, in such a manner as consistent with the First Amendment and other constitutional rights of the public.

F. Community Television Operations Manager

Subject to availability of funding, a Community Television Operations Manager may be hired. Such a position will be subject to the Town's personnel policy and procedures.

G. Rules of Order

To the extent applicable and not in conflict with the general laws or by-laws of the Town of Auburn, Robert's Rules of Order, latest edition, shall be recognized as the authority governing the conduct of the meeting of the Local Channel Committee.

H. Adoption and Amendment of Policies and Guidelines

These operating rules and guidelines may be amended by a majority vote of the members of the Local Channel Committee present and qualified to vote at any meeting at which a quorum is established provided the substance of such proposed amendment or amendments shall be plainly stated in the call of the meeting; provided the subject operating rules and guidelines are within the scope of delegation of authority from the Selectmen to the Local Channel Committee and provided said adoption and amendment are otherwise in accordance with applicable law. To the extent permitted by applicable law, the Selectmen may override and supersede actions of the Local Channel Committee.

I. Local Channel Committee Adoption and Ratification

These operating rules and guidelines were duly adopted and ratified by the Local Channel Committee on July 30, 1997.

Barry L. Davis
Chairman/Secretary, LCC

Lisa Rice
Vice Chairperson, LCC

Adele Hamilton
LCC Member

Richard Hedin
LCC Member