

# **Acton Public Access Television (APAT) Town of Acton**

## ***Policies & Regulations***

## **I. Introduction**

Welcome to Acton Public Access Television (APAT), a public access cable television facility established by the Town of Acton in cooperation with Metrocast. Cablecast on channel 26 within the town, APAT operates a PEG (Public, Educational, Government) cablecast channel, supported by a franchise agreement between Metrocast and the Town of Acton. APAT provides facility and training on videotaping, video post-production (editing), broadcast (cablecast), and an electronic bulletin board that includes community, government, and school announcements for public interest.

This document contains APAT's policies and regulations, established to ensure fair and equal access to the facility and equipment, training, and time on the access channel. The facilities of APAT are prohibited from commercial use.

Residents, employees, and organizations affiliated within the Town of Acton are encouraged to use these resources.

## **II. Mission Statement**

To establish and maintain a not-for-profit public access cablecast station and facilities that provide Public, Educational, and Government (PEG) cable channel access for the Town of Acton, to be known as Acton Public Access Television (APAT).

To facilitate, encourage and promote community involvement in the production of locally originated media, and to oversee and ensure the contractual and regulatory commitments for the Town of Acton.

## **III. APAT Membership**

Membership is available to any individual who lives, works, or is affiliated with an organization based in Acton. To become a Member of APAT an individual must:

1. Provide proof of:
  - a) Acton resident or property owner, or
  - b) Affiliation with a charitable or non-profit organization that operates within Acton; and
2. Agree to, in writing, to follow all terms and conditions set forth in this document including its subsequent revisions (see form B: Agreement with Policies & Regulations).

APAT Members may:

1. Submit non-commercial programming for cablecast (see Section V, Programming).
2. Become authorized to operate various equipment and facilities at APAT (see Section IV, Requirements).
3. Receive APAT publications.
4. Be appointed to an APAT sub-committee.
5. Take an active role in operation of APAT's public access facilities.

## **IV. Equipment/Facilities**

### **Requirements:**

To use APAT equipment and/or facilities, a person must be APAT staff or:

1. Be a current Member or a member of the Cable Committee (appointed by the Board of Selectmen).
2. Be trained to operate the specific equipment (see Section IV, Training Requirements).
3. Use the equipment/facilities exclusively for the creation of non-commercial programming for cablecast on the access channels.
4. Agree to APAT Policies & Procedures, including by not limited to, taking full responsibility for the care of the equipment being used, and actions of crew and/or guests. Please note that the APAT equipment will not leave the town hall unless accompanied by an APAT committee member or authorized individual.

### **Training:**

APAT will provide training for and certification on equipment on an on-going basis. Members may reserve and use those respective APAT resources that apply (see Section IV, Availability/Usage).

Sign-up for courses and workshops is on a first-come, first-served basis. Members may reserve and use respective APAT course/workshop, an advance deposit may be required. The deposit will be refunded upon successful completion of the course/workshop.

Training is offered to familiarize members with production concepts and resources available at APAT, and to ensure proper technique and care are used when handling APAT equipment. Individual instruction may be set up by appointment with authorized individuals or staff.

## **Availability/Usage**

### **1. Reservations:**

All reservations are dependent upon cable committees or Board of Selectmen's approval of a Program Proposal (see form C).

Equipment/Facilities will be available to members on a first-come, first-served basis. Reservations should be made at least 7 days in advance.

APAT reserves the right to limit the amount of equipment and/or time which any one individual or group may reserve. Unauthorized or improper handling of APAT equipment may result in a violation.

Members must give a 24-hour notice when canceling any reserved use of APAT equipment or facilities. If a Member is more than 30 minutes late without notification and approval, the reservation may be canceled.

### **2. Equipment Check-Out/In:**

Equipment must be picked up at and returned to APAT immediately after use.

Use of APAT equipment outside the Town of Acton requires Board of Selectmen approval.

Equipment must be returned by the time indicated on the Check-Out/In form.

When returning equipment, any damage or operating irregularities must be reported on an Equipment Repair form (see form E).

### **3. Facility/Studio Use:**

Any authorized equipment user or staff may use the APAT facilities. Each authorized use of APAT facilities (i.e. studio, edit workstations, etc.) must be logged by each person on the APAT studio sign-in sheet.

Crew position assignments are the responsibility of the authorized equipment user.

Authorized equipment users are responsible for the actions of guests, assistants, crew, children, etc. in the facilities. It is highly recommended that authorized equipment users require all talent appearing in the program to complete a Performance/Visual Arts Release (see form F), to keep for their records.

Authorized equipment users must clean up after themselves. No animals, except for trained guide/seeing eye/hearing ear, are allowed in the studio without the approval of

APAT staff or Board of Selectmen. Eating and drinking is allowed in designated areas only.

All audio and video content, taped or produced using APAT facilities, becomes the exclusive property of the Town of Acton.

#### 4. Videotape/DVDs/Copies:

APAT does provide DVDs and videotape stock for the production of programming for APAT. DVDs and tapes that are signed out must be returned like any other piece of equipment. There is no guarantee as to the quality of the DVD/videotape stock. Any lost or damaged DVD/tape must be replaced, or APAT must be reimbursed.

A Member is entitled to one free copy of one master DVD program.

Anyone who wants a copy of a program is encouraged to tape it off cable. Requests to APAT to repeat a program for this purpose will be honored whenever possible.

APAT will make DVD copies available for a \$10 donation to APAT via the Town of Acton.

## **V. Programming**

### **Community Bulletin Board**

The Community Bulletin Board (CBB) is a service maintained by APAT for publicizing non-commercial, non-partisan notices, activities, and events of public interest and/or benefit to residents of Acton. Postings on the CBB are provided free of charge by submitting a completed CBB Request form (see form A).

### **Channel Time**

Programs may be requested to be cablecast on the access channels. All programs submitted for cablecast shall be accompanied by a completed Request for Cablecast form (see form G), full disclosure of contents, and an opportunity to screen.

Anyone wishing to have a program cablecast must submit a Request for Cablecast form at least two weeks in advance.

The following considerations will determine the scheduling of channel time:

- Where the program was produced
- Timeliness of program
- Regularity of program
- Repeat of first run program
- Date of receipt of Request for Cablecast form
- Availability of channel time

Channel time is scheduled by APAT . APAT will try to accommodate all reasonable requests. It is the responsibility of the presenter/producer to alert staff of any questionable content in the requested program, particularly if it may not be appropriate for younger viewers and/or contain adult content. Such programming will not be cablecast. APAT reserves the right to require an appropriate disclaimer on any program.

Programs should be no longer than 29 minutes in length for a 30-minute program or 59 minutes in length for a 60-minute program.

## **Preparation Requirements**

Before cablecast, a completed cablecast request form must be submitted to be authorized. All applicable release forms must be attached. All videotapes/DVDs must be clearly labeled on the case and cassette/DVD with the following:

- Presenter's name
- Date of recording
- Taped by
- Title of program
- Exact running time (hours, minutes, seconds)

The end of all programs to be cablecast should, when applicable, have the following:

- Appropriate credits
- Presenter's name
- Program title
- Date of recording
- "Produced with facilities provided by Acton Public Access Television"
- Five (5) seconds of black

## **Technical Requirements**

1. All programs must be submitted on high quality DV videotape or DVD.
2. All tapes must be recorded in XP mode.
3. Video and audio quality of all programs to be cablecast must be consistent and sufficient level to permit adequate reproduction by transmission equipment.
4. All individuals submitting programming to APAT on DVDs must comply with the following guidelines:
  - a) One program per DVD or DVD set
  - b) DVDs submitted with menus preceding or following actual program will not be accepted
  - c) DVDs must be labeled with title of program and producer/presenter's name and date of recording
  - d) DVDs must be submitted in cases
  - e) Programming submitted on DVDs must comply with APAT Preparation Requirements
  - f) Only DVD-R (DVD) and mini-DV videotape formats will be accepted

APAT reserves the right to withhold the cablecast of any program which does not meet technical requirements.

## **Prohibitions and Clearances**

Users of APAT and program producers are fully responsible for the content of their program material. The following material is forbidden for the presentation on the Access Channel:

1. Any obscene and/or other programming prohibited by applicable law(s)
2. Any lottery information
3. Any material designed to promote the sale of commercial products or services
4. Any invasion of privacy
5. Any violation of trademark, copyright, or publicity rights prohibited by applicable law(s)
6. Any illegal or otherwise prohibited activity
7. Any material deemed distasteful or inappropriate for public broadcast

Users are responsible for obtaining, in writing, release forms, minor permission forms all necessary approvals, clearances, licenses, etc. for the use of any program material not taped in a public setting.

## **Ownership**

The copyright for program content produced using APAT equipment is transferred to APAT. APAT retains the master tape of all programs produced using APAT equipment and retains the right of unlimited cablecasts.

No individual may receive any financial benefit/remuneration from programs produced or cablecast using APAT equipment unless through an awarded grant (see Section VII, Underwriting and Grants).

## **Membership Credits**

Commercial advertising is prohibited from the access channels. Acknowledgment of underwriting by businesses, organizations, or grantors providing monetary or other assistance to the making of a program may be included in the program credits.

Acknowledgment may include the underwriter's name, business name and a brief value neutral statement describing the underwriter's contribution or product. No addresses or telephone numbers may appear except for not-for-profit (non-profit) organizations.

## **Political Programming**

APAT makes available its production and cablecasting facilities as an open forum and encourages political discussion of issues and candidates. APAT will air debate programs which all candidates are invited and referendum viewpoints may be expressed.

Political programming will cease 48 hours prior to Election Day and will not resume until after the polls are officially closed.

The community bulletin board may not be used for political advocacy.

## **VI. Violations**

In order for the APAT Policies & Regulations to be effective and to keep operations running smoothly, the following rules have been established. There are two types of violations which may result in restrictions. The Cable Committee and/or Board of Selectmen are authorized to issue violations. Violations may be issued verbally or in writing.

## **Minor Violations**

Minor violations may result in a verbal or written warning, or restriction of use of APAT facilities up to 90 days. These may include, but are not limited to:

1. Failure to cancel a reservation in accordance with APAT's Policies & Regulations.
2. Failure to clean up after using facilities.
3. Eating, drinking, or smoking in non-designated areas.
4. Unauthorized handling of equipment or being in unauthorized areas.
5. Failure to comply with APAT's Policies & Regulations.

## **Major Violations**

Major violations may result in a minimum 120-day suspension. These may include, but are not limited to:

1. Abusive language and/or actions.
2. Commercial, profit-making, or personal use of APAT facilities and/or equipment.
3. Theft or abuse of equipment, including attempted repair, rewiring, etc.
4. Falsifying forms.
5. Misrepresentation to others of affiliation with APAT.
6. Use of APAT equipment without permission.
7. Being under the influence of drugs (including alcohol) or bringing such substances into APAT facilities.
8. Bringing weapons on the premises occupied by APAT.
9. Failure to comply with APAT's Policies & Regulations.

APAT exclusively reserves the right to enforce the APAT Policies & Regulations. The Cable Committee and Board of Selectmen reserve the right to permanently revoke the rights of any individual to use APAT facilities.

## **Grievance Procedure**

Members and the public are encouraged to resolve difficulties with the Cable Committee. To file a formal complaint, the following steps are required:

1. The access user is required to submit any grievance, in writing, to the Cable Committee within seven (7) working days from the date of the incident. If the Cable Committee is an affected party, the grievance request will be submitted immediately to Board of Selectman and bypass step two.
2. The Cable Committee will review the grievance and render a decision in a timely fashion.
3. Should the decision of the Cable Committee not satisfy the access user, the user may file a written request for review by Board of Selectmen. The decision made by the Board of Selectmen shall be final.

## VII. Underwriting and Grants

Access users are encouraged to work with the Cable Committee and Board of Selectmen to apply for and receive underwriting or grants to aid in the development and production of programs. Donations can be in the form of foods, services, and contributions. When monetary consideration is received, a donation to APAT is required unless it violates the terms of the grant. To give proper credit for underwriting and grants, see Section V, Membership Credits.

## VIII. Responsibility

Users of the access channels shall indemnify APAT staff, the Town of Acton, its employees and committee members, against any and all liabilities arising out of the use of facilities and/or resources, or out of breach of the APAT Agreement with Policies and Regulations (see form B).

APPROVED            /   /2009

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Tony Cogliandro, Chairman

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