

Town of Southborough

(Draft 0.55;)

SboroTV Handbook

**Policies and Procedures for
Southborough Community Access Television**

The Southborough Cable TV Committee, Town of Southborough, 17 Common St, Southborough, MA 01772 prepared the *SboroTV Handbook* ("*Handbook*"). For questions or suggestions about the content of this document, please contact the SboroTV Facilitator at 508-485-8156 or email: info@sborotv.org

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I. Introduction

SboroTV is Southborough's Community Access Television provided for by the current cable license. Funding for implementation and operation of SboroTV is based on an agreement between Charter and/or Verizon and the Town of Southborough. The policies established by SboroTV and procedures required to use any of the facilities or services offered are contained within this *SboroTV Handbook* ("*Handbook*"), and are subject to change. It is the responsibility of the users to obtain the latest version of the *Handbook*.

A. Purpose

The purpose of SboroTV is to provide a cablecast bulletin board and cable television medium for Public, Education and Government ("PEG") Access within Southborough:

- *Public Access* communication is provided by allowing Southborough residents to cablecast over the cable access channel. Residents may also communicate through the Public Access bulletin board subject to these policies and procedures.
- *Education Access* communication is provided by programs that school officials, faculty and students may prepare and submit for cablecast and for the bulletin board, subject to lawful Issuing Authority control in accordance with these policies and procedures.
- *Government Access* communication is provided by cablecast of town government meetings, local public hearings, and local government forums and through the bulletin board, subject to lawful Issuing Authority control in accordance with these policies and procedures. Annual or special town meetings may be subject to additional control as determined by the Board of Selectmen and Town Moderator.

The SboroTV mission is to provide a PEG Access media center that enables the Southborough community to express its creativity, explain its ideas, share its cultures, promote individual access to the media and provide Educational and Government Access for lawful school and municipal purposes. Through SboroTV, viewers may become a better informed community.

The Southborough Cable TV Committee is the designee of the Board of Selectmen, acting in its role as the Town's cable television license Issuing Authority pursuant to MGL c. 166A, §1. The Southborough Cable TV Committee is designated by the Issuing Authority to be responsible for the policies and procedures related to the creation and delivery of Local Access Services, subject to and in accordance with applicable law.

The SboroTV Facilitator is responsible for training, equipment, and facilities together with certain cablecast services subject to individual producers being responsible for their own program productions and content as set forth herein. The SboroTV Facilitator, reporting to the Southborough Cable TV Committee, carries out day-to-day operations with the help of volunteers. Notwithstanding the foregoing, the Board of Selectmen as Issuing Authority reserves the right to designate a non-profit charitable corporation, or other entity, as access designee to be responsible for local access services, subject to applicable law.

B. Eligibility

SboroTV equipment use and cablecast services are available to town residents and employees of the town. Members of municipal agencies and non-profit organizations that serve the town may use the services if sponsored by a Southborough resident or organization, subject to such users meeting lawful training, proficiency and/or

membership criteria, and other criteria described in this manual. A town resident or organization must sponsor an individual or employee or member of an organization requesting cablecast services who is not a town resident, employee of the town or school district. Use of the Public Access bulletin board is similarly restricted except that residents of neighboring towns may also submit messages (see Section IV, paragraph A). Use of SboroTV shall be for non-commercial purposes.

To submit announcements for the Public Access bulletin board, the requester must complete and sign the *Public Access Bulletin Board Form* (see Attachment A of this *Handbook*). To submit a video program or use cablecast time, the applicant must sign the *Producer or Submitter Agreement Form* (see Attachment B of this *Handbook*). If under 18, the Forms must be signed by a parent or legal guardian.

C. Use

No eligible individual or group within the Town of Southborough shall be denied access to cablecast time on SboroTV based on race, sex, age, physical disability, religious or political belief, or sexual orientation.

Any eligible person or organization may request cablecast services for the presentation of a program or use of the Public Access bulletin board. The SboroTV Facilitator will assist by providing cablecast services and may provide equipment, training, and technical assistance to eligible persons for the production and presentation of non-commercial programs. The SboroTV *Facilitator* is not available to serve as a public access production crew to create program material or cover/record events. Individual producers must assume responsibility for their program production work and liabilities arising therefrom and for personal and property injury arising from the use of equipment and facilities and for liabilities arising from acts or omissions of their guests, crew and invitees.

In the future, the SboroTV *Facilitator* may provide training in the use of equipment and field production, editing, and post production along with technical assistance in program production. As a prerequisite to equipment use, a resident would be required to demonstrate adequate knowledge of the equipment to the SboroTV *Facilitator*. The Southborough Cable TV Committee reserves the right to establish training and producer certification requirements and to promulgate further rules concerning use of equipment, including but not limited to rules for advance reservation of equipment, duration of use of equipment, and signing documents for use of equipment.

A bulletin board will be available to cablecast a schedule of planned telecasts and a calendar of planned activities within the town and its schools during periods when video or live programming is not being cablecast.

The SboroTV procedures have been developed and are contained in this *Handbook*. Violation of any one of these procedures can result in full or partial loss, suspension or restriction of privileges to SboroTV and its facilities and cablecast services. SboroTV has full authority to deny or suspend access privileges in accordance with applicable law and these policies and procedures, however, such loss of privileges shall be subject to the affected person having a fair opportunity to be heard by the Southborough Cable TV Committee with respect to same and a hearing on same shall afford the affected party due process to the extent required by law, including reasonable notice of the basis for denial or suspension of privileges. The procedure for appealing such decision is available elsewhere in the *Handbook*.

D. Loss or Damage

SboroTV intends to treat submitted program material carefully. However, SboroTV assumes no responsibility for the loss or damage to any materials submitted.

II. Program and On-Air Content

A “producer” is a person responsible for creating a program. A “submitter” is a person who brings program material and requests cablecast time even though he or she may not have produced the material.

Producers and submitters of material to be cablecast are responsible for the content of the material and must ensure the material does not violate applicable local, state and federal laws, regulations and rules, or the prohibitions listed below.

The material cablecast by SboroTV may not be recablecast without written permission from SboroTV. Program content cablecast over SboroTV may not be altered.

A. Prohibitions

The following is prohibited from cablecast on SboroTV, subject to and in accordance with law:

1. Program material which would subject the producer or submitter to civil or criminal prosecution under any applicable local, state, or federal law for production or presentation that constitutes libel, slander, obscenity, incitement, invasion of privacy, violation of publicity rights or false and misleading statements.
2. Program material containing material that violates copyright, trademarks, service marks or other intellectual property rights. Use of such material generally requires obtaining appropriate rights from music licensing organizations, publishers, representatives, copyright, trademark, service mark and other intellectual property rights holders, cablecast stations, networks and any other persons as may be necessary for public showing. SboroTV producers and submitters may be asked to furnish written authorization for use of such materials.
3. Program material that creates the immediate or imminent danger of damage to property or injury to persons; the substantial obstruction of law enforcement or functions or services; the harm of any person by threat, threat of force or physical action through the exercise of a legal right, or the disturbance of any person in the enjoyment of a legal right; or the creation of a public nuisance.
4. The direct or indirect presentation of lotteries or lottery information, except for announcements pertaining to state-sponsored lotteries and games of chance to the extent prohibited under Federal Communications Commission standards and applicable law.
5. Advertising of for-profit commercial services and direct or indirect solicitation of money except for tax-exempt, charitable and not-for-profit organizations. The submitter or producer may be required to provide proof of tax-exempt, charitable or not-for-profit status. Notwithstanding the prohibition of commercial advertising, programs may contain a notice of underwriting support from a commercial sponsor so long as such notices are consistent with the style standards for notices of underwriting support as used by non-profit affiliates of the Public Broadcasting System (PBS).
6. Any material that violates local, state or federal law, or FCC rules and regulations.

B. Responsibilities

Producers and submitters of material intended to be cablecast on SboroTV must be familiar with and are fully responsible for the content of their program material.

Producers and submitters of material to be cablecast must sign the *Producer or Submitter Agreement Form* (Attachment B) acknowledging legal responsibility for the content of the material and responsibility for use of facilities and equipment, and for the acts of their crew, guests and invitees. If the submitter or producer is under 18, a parent or legal guardian must sign the appropriate form. The content of material presented on SboroTV is solely the responsibility of the producer or submitter. Liability for the content of programs or other cablecast material for which SboroTV does not have direct production control shall not attach itself to the *Town of Southborough*, its elected or appointed officials, its agents, designees, servants or SboroTV.

Producers and submitters are responsible for ensuring that programs or content which contain copyrighted material have proper release forms from the agencies, individuals or organizations that hold legal title to these materials, as well as persons appearing in the program material and their representatives as customary or necessary in connection with cablecasting. Producers and submitters must obtain in writing, and submit with the *Producer or Submitter Agreement Form*, all the approvals, clearances, licenses, etc. necessary for authorization to cablecast the program material. Failure to provide the necessary clearances, rights, licenses, etc. may result in the suspension of the particular program, series, or episode in question until such proof is provided.

C. Potentially Offensive Material

Each producer or submitter is responsible to notify SboroTV whether his/her programming content contains any “potentially offensive” material according to the following guidelines:

1. A program that contains content such as, but not limited to, the following will be considered potentially offensive to some audiences, particularly children.
 - a. Profanity, extreme slang or vulgar language;
 - b. Sexual activities not defined under obscenity;
 - c. Extreme acts or depictions of violence.

SboroTV reserves the right in its sole discretion to run potentially offensive programming at later time periods when it is less likely to be viewed by minors.

2. The producer or submitter is responsible to ensure that programs or cablecast material which contains material deemed not suitable for young viewers or explicit material has a disclaimer to that effect as part of their opening credits on the tape.
3. Failure to notify SboroTV of potentially offensive material prior to a program or other cablecast material airing will result in loss of or suspension of privileges in accordance with applicable procedures set forth above.

D. Disclaimers

1. SboroTV reserves the right to include, or require the producer to include, the following notice before and/or after a program: **“The views expressed on the following [or “preceding”] program are those of the individual producer or sponsor and do not necessarily reflect those of SboroTV.”**
2. SboroTV reserves the right to include, or require the producer to include, the following notice before and/or after a program: **“SboroTV is not responsible for the technical quality of the following [or “preceding”] program.”**
3. SboroTV reserves the right to inform viewers of the producer or producing organization name and contact information of the local sponsor of any programs. SboroTV may add a notice on the submitted media, on the Public Access bulletin board, on program schedules in all media distributions, and by other means.

4. SboroTV reserves the right to include, or require the producer to include, the following notice before and/or after a program: **"The following [or "preceding"] program may contain sensitive material. Viewer discretion is advised."**
5. If SboroTV makes a good-faith determination that the subject material in a program may offend some viewers and/or may not be appropriate for children, SboroTV may include the following notice before and/or after a program and/or may require the producer to add the following notice as part of their opening credits on the tape: **"The following [or "preceding"] program may contain material offensive to some viewers. Viewer discretion is advised."**
6. SboroTV reserves the right to require such other disclaimers as may be appropriate and lawful, before and after a program and at such other times as may be reasonable.

E. Political and Issue-Oriented Programming

Political candidates or advocates of ballot issues or public affairs issues are subject to the same policies and regulations as other users of the SboroTV public access channel except as may be otherwise explicitly referenced herein. The nature of public access is that everyone in the community has equal access to the facilities and cablecast time. Residents are encouraged to produce program material to express diverse ideas and viewpoints

F. Indemnification

Producers and submitters of programs or other cablecast material shall indemnify and hold harmless the *Town of Southborough*, its elected and appointed officials and its agents and servants and SboroTV against any claims, liability, legal fees and expenses arising out of any use of the material that they cablecast and arising out of their acts and omissions with respect to use of facilities and or equipment, or arising out of any breach of SboroTV policies including, but not limited to, any claims in the nature of libel, slander, invasion of privacy or publicity rights, noncompliance with applicable laws and unauthorized use of copyrighted material. Agreement to the foregoing may be made a condition of use of facilities and equipment.

III. Program Policies and Procedures

A. Scheduling Cablecast Time

Cablecast times are provided on a fair and equitable, nondiscriminatory basis to any resident filing a request, in accordance with the operating rules, subject to viewpoint-neutral lawful scheduling criteria. It should be understood, however, that since this is a shared resource, specific cablecast time and equipment use requests cannot always be guaranteed.

1. Requests for cablecast time shall be processed on a fair and equitable, nondiscriminatory basis, subject to the availability of equipment and cablecast time.
2. Normally, a set of programs (schedule) will be for a given week.
3. One time programs will air for a month. Series Producers/Submitters must submit a new program each month.
4. Any one program that is not a town government event will normally be limited to 30 minutes unless approved by the SboroTV *Facilitator*.
5. Cablecast time scheduling requests must be submitted to the SboroTV *Facilitator* at least two (2) weeks prior to the desired cablecast date.
6. Requesters must sign the appropriate forms before any program is cablecast.
7. Locally produced programs have priority and will get more play time than programs that a local sponsor imports from outside of the town. Program repeats will be prioritized with other programming as listed in Step 11 of this section.
8. Time slots for program series will be allocated by the SboroTV *Facilitator* in accordance with reasonable scheduling criteria, provided ample time remains available for other programming requests. Program series will not necessarily be given a consistent time slot from one schedule period to another. The following conditions should be met:
 - a. Titles and descriptions of programs are submitted to the SboroTV *Facilitator* at least four (4) weeks in advance of the first cablecast date.
 - b. The requester has new program material on a consistent basis.
 - c. If a series requester regularly fails to have the program ready for scheduled showing, the time slot may be assigned to other requesters.
9. A program must be complete and the Producer or Submitter Agreement Form submitted before a program will be scheduled.
10. Programs must be submitted and sponsored by a Southborough resident or other eligible person as described Section I, subsection B. *Eligibility*, unless produced by SboroTV.
11. Programs will be scheduled and given cablecast time according to the following priorities. Within each category, individual programs will take priority over series programs. Neighboring municipalities are Marlborough, Sudbury, Framingham, Ashland, Hopkinton, Westborough and Northborough:
 - a. Southborough town government meetings and events
 - b. Programs produced by Southborough residents on
 - i. Southborough events or topics specific to Southborough.
 - ii. Events or topics specific to neighboring towns .
 - iii. Events or topics not specific to Southborough or neighboring towns.

- c. Programs produced by citizens of neighboring towns on
 - i. Southborough events or topics specific to Southborough
 - ii. Events or topics specific to neighboring towns .
 - iii. Events or topics not specific to Southborough or neighboring towns.
- d. Programs produced by those not resident in Southborough or neighboring towns on
 - i. Southborough events or topics specific to Southborough
 - ii. Events or topics specific to neighboring towns.
 - iii. Events or topics not specific to Southborough or neighboring towns.

B. Technical and Tape Standards

1. Programming must meet minimum quality standards. If programming does not meet minimum technical standards and/or does not comply with FCC regulations, SboroTV will refuse the request to cablecast.
2. SboroTV can accept DVDs, MiniDV or SVHS/VHS videotapes. DVDs are preferred.
3. DVDs must have no table of contents or index. Only one program can be put on a DVD. DVDs must be recorded such that they begin playing automatically and continue through the program.
4. All videotapes supplied for cablecast must have no observable defects, and must be in miniDV or SVHS/VHS Standard Play (SP) mode unless other arrangements have been made. A videotape must not have any unrecorded tape prior to the end of the program.
5. Labels – Before cablecast, all media must be clearly labeled with the following information:
 - a. Title of program
 - b. Producer's name
 - c. Length of black leader (seconds)
 - d. Length of introductory titles (seconds)
 - e. Length of program material, not including leader (hours: minutes: seconds)
 - f. Date submitted to SboroTV
6. The beginning of a cablecast program must include 30 seconds of black leader.
7. Introductory titles should follow the black leader. If no introductory titles are included, then the tape should include a total of 90 seconds of black leader.
8. Tapes should include 60 seconds of black at the end.
9. Media should include appropriate production credits.

C. Grants, Underwriting, and Sponsorship

Programs may be sponsored or underwritten with the following conditions:

1. Underwriting support for programs must be for goods and services or in-kind contributions that aid in developing and improving the program.
2. Credit for underwriting will be similar to the following: "Goods and services used in the production of this program were contributed by [company name]" and shall be consistent with the underwriting style standards used by non-profit Public Broadcasting System (PBS) affiliates.
3. Credits will be shown before and/or after the program.

SboroTV must be notified that a program will be underwritten at the time the program proposal is submitted.

Any individual or group submitting a proposal for grant funding for a project which involves the use of SboroTV equipment must have obtained prior written approval from SboroTV.

D. Outside Programming (Bicycled Media)

A bicycled media is a videotape or other media that is not produced in the town, but rather, is pre-produced and prerecorded material that is submitted to SboroTV for cablecast. Southborough residents and employees of the town may sponsor a program produced or originating outside of Southborough. SboroTV may also exercise the prerogative to sponsor outside programming. Bicycled tapes must be noncommercial in nature and technical and production quality must be high. Locally produced programs will receive priority scheduling. Bicycled media will be prioritized with other programming as listed in Section III A, "Scheduling Cablecast Time."

SboroTV reserves the right to inform viewers of the producer or producing organization name and contact information of the local sponsor of any program including those produced outside of Southborough. SboroTV may add a notice on the submitted media, on the Public Access Public Access bulletin board, on program schedules in all media distributions, and by other means.

E. Rights

SboroTV program submitters and producers have the following rights.

1. Ownership of rights to all original material.
2. To request in writing that a program recording they submitted to SboroTV be removed from the cablecast schedule.
3. To request in writing that a program recording they submitted to SboroTV not be duplicated for any redistribution.

SboroTV has the following rights:

1. To retain a tape of the program for its tape library
2. To make duplications of the program for noncommercial distribution, except where permission has expressly been denied. Producers will be given credit in the videotape for such use.
3. To cablecast the program at any time in the future and as often as is deemed appropriate by the SboroTV *Facilitator*, unless requested in writing by the submitter that the program be removed from the cablecast schedule.
4. To exercise the option of erasing an obsolete or unusable program 60 days after it has been cablecast.
5. SboroTV will own programs produced by SboroTV with or without the assistance of volunteers.

F. Copies of Recordings, Media Hold Policy

This policy refers to all recordings except recordings of public meetings as defined by Massachusetts General Law. See Section V. for the case of public meetings.

SboroTV does not lend recordings and does not have facilities for the public to view a recording. Southborough residents may request a copy of a recording that has been cablecast on SboroTV. SboroTV may reproduce and make available the recording dependent on the following conditions:

1. If SboroTV has retained the recording
2. If the producer or submitter has requested that copies not be distributed
3. Availability of staff and volunteer time
4. Availability of equipment
5. Station priorities

SboroTV reserves the right to turn down a request for recordings of any programs other than public meetings, based on the above conditions.

To cover media, labor and equipment costs, SboroTV may charge a fee for duplicating recordings. The published fee schedule is available on request.

SboroTV will hold tapes or other media for 60 days after cablecast. After that time, media not reclaimed by the producers or submitters will be available for reuse, recycling or discarded.

IV. Public Access Public Access bulletin board

A text information Public Access Public Access bulletin board service is available, free of charge, to Southborough residents and employees of the town. Non-profit organizations serving Southborough may use the service as described in paragraph A below. The Public Access Public Access bulletin board consists of text information cablecast on the SboroTV. This Public Access Public Access bulletin board service acts as a Southborough community calendar and provides non-commercial public service announcements and event information.

A. Eligibility to Submit Messages

The Public Access bulletin board is intended primarily for use by Southborough residents and town officials for announcements relating directly to the *Town of Southborough*. Resources to implement announcements are limited. For these reasons, submittals will be restricted and prioritized as described in this section.

1. Southborough residents, employees of the town or school district representatives may submit Public Access bulletin board announcements. These receive the highest priority.
2. Residents of neighboring municipalities (Marlborough, Sudbury, Framingham, Ashland, Hopkinton, Westborough and Northborough) may submit announcements, but these will be processed with a lower priority. They are prioritized as follows:
 - a. Southborough events or topics specific to Southborough.
 - b. Events or topics specific to neighboring towns .
 - c. Events or topics not specific to Southborough or neighboring towns
3. Individuals and organizations outside of Southborough and neighboring towns are not normally eligible to submit announcements. These submittals will air at the discretion of the SboroTV *Facilitator*.

B. Message Content and Format

1. Messages may be submitted to announce upcoming events, changes to scheduled events, results of an event (i.e., election results), or provide general information on a particular topic.
2. Messages must adhere to all the conditions and prohibitions described in Section II, *Program and On-Air Content* and its subsections including *Prohibitions, Responsibilities, and Indemnification*.
3. Posting Guidelines:

Messages are single page and 15 seconds in duration. Please be brief.

 - a. **Who** - is the individual or group sponsoring the event.
 - b. **What** - is the event
 - c. **When** - is the event (Date, Time; Start and end)
 - d. **Where** - is the event located.
 - e. **Cost** - of the event, if any
 - f. **Contact** - First name, Phone, Email, and or Web site

4. Requests that are submitted with incomplete information will not be cablecast. SboroTV will attempt to contact the message owner when incomplete message requests are received.
5. An image, such as a picture for background, an illustration, or your own legitimate logo, may be included with a Public Access bulletin board announcement request.
 - a. Images will be used at the discretion of the SboroTV *Facilitator*. Issues such as workload, staff resources, technical or copyright considerations may prevent image use.
 - b. Hardcopy images or digital images may be submitted. Digital images may be submitted on flash drive or emailed to: bulletinboard@sborotv.org. Return of flash drive and hardcopy pictures will be on a best efforts basis.
6. SboroTV reserves the right to edit messages for space considerations, when necessary.
7. The SboroTV *Facilitator* determines message content for cablecast on the “crawl bar”.
8. SboroTV is not responsible for errors that appear in the cablecast message, either because of information provided by the requester or caused by the SboroTV *Facilitator*.

C. Procedure to Submit a Public Access bulletin board Request

1. The Public Bulletin Board Form is available at the Southborough Town House, or the Southborough web site: www.sborotv.org.
2. To place a message on the Public Access bulletin board, complete and sign a *Public Access Bulletin Board Form* and submit to the SboroTV *Facilitator* as described below in C.2.a, C.2.b, or C.2.c, or complete the *Public Access Bulletin Board Form* available on the Southborough web site as described below in C.2.d:
 - a. Send email to: bulletinboard@sborotv.org (Best Way)
 - b. Mail to SboroTV, 17 Common St., Southborough, MA 01772;
 - c. Deliver to the SboroTV *Facilitator*

Please note a Fax capability is *not* available

3. Message requests should be submitted as early as possible. Submitters are encouraged to submit requests a month in advance. Requests received fewer than 14 days prior to the starting date may not be cablecast by the requested date/time.
4. General messages that do not pertain to a specific event will be cablecast based upon available space and cablecast time.
5. Messages will normally run through the day of the event or 30 days. If a non-event message is intended to run for longer than 30 days, the submitter must notify the SboroTV *Facilitator*. The *Facilitator* may require that a new Public Access bulletin board Request Form be filed at 30 day intervals in order for the message to continue running.
6. Users of the Public Access bulletin board are subject to all the policies and procedures contained in this *Handbook*.
7. SboroTV will review messages for adherence to rules described in this *Handbook*. In some cases, the requester may be required to provide proof of tax-exempt, non-profit status, or of copyright or trademark rights.
8. The Public Access bulletin board is updated weekly, generally early in the week.

9. If you have any questions about completing the *Public Access Bulletin Board Form*, please contact the SboroTV *Facilitator* at 508-485-8156, or send email to bulletinboard@sborotv.org.

V. Policy for SboroTV Recording and Cablecast of Public Meetings

The following policies govern the recording of a public meeting (“meeting”) of Southborough town boards/commissions for cablecast on the government channel and requests for a copy of a recorded public meeting. These policies refer only to public meetings recorded by SboroTV.

1. The board or committee chairperson will make the decision and provide notification whether or not their meeting will be cablecast, and schedule use of appropriate facilities.
2. At least one room in the Southborough Town House will be equipped for recording or cablecast of town board or committee public meetings.
3. Depending on the availability of an open meeting room with equipment and availability of staff or volunteers, and at the discretion of the board chairperson, the SboroTV *Facilitator* may activate televising equipment at the beginning of public meetings of town boards and / or committees.
4. Each room equipped with televising equipment may have a sign posted to indicate that the meeting may be recorded or cablecast.
5. There will be a visible indicator to inform the board chairperson when the televising equipment is operating.
6. It is the responsibility of the chairperson to notify the person recording the meeting to discontinue recording and cablecast of the meeting, when he or she chooses not to record or cablecast the meeting or a portion of the meeting.
7. It is the responsibility of the chairperson to notify the person recording the meeting to discontinue and resume recording and cablecast of the meeting, when the committee is meeting in Executive Session.
8. A schedule of times when meetings will be cablecast may be posted on the bulletin board.
9. The chairperson of a town board and committee, or their designee, may request a copy of their public meeting that has been recorded. There will not be a charge for this copy. The requester must deliver a request to the SboroTV *Facilitator*. The request should include the name of the committee, the meeting date, and a location in the town building where the material should be delivered. SboroTV will create a copy and deliver the material to the requester within 10 days of receipt of the request.
10. SboroTV will lend a copy of the meeting to the person who takes meeting minutes at the request of that person. There will be no charge for this. The requester must return the copy within 6 weeks, or earlier if requested by the SboroTV *Facilitator*.
11. All other interested parties may request a copy of a public meeting that has been recorded. The requester must deliver a request to the SboroTV *Facilitator* per Public Records Law (M.G.L. Chapter 66). The request should include the name of the committee, the meeting date, and an address where the material should be sent. Within 10 days of receiving the request for a copy of a public meeting, SboroTV will

offer to provide a copy of the public meeting or advise the requester why SboroTV is unable to provide the copy.

12. There may be a fee associated with providing a copy of a public meeting, per the published fee schedule, for any requester other than the board or committee chairman.
13. SboroTV is not responsible for the content or recorded quality of the recorded meeting or its copy.

VI. Other Conditions

A. Standards of Conduct

These Standards of Conduct apply to SboroTV *Facilitator*, volunteers, and producers and submitters.

1. Safety First. Keep yourself safe, keep others safe, and keep property and equipment safe at all times. Endangering the safety of oneself, others, or SboroTV property will not be tolerated.
2. Appropriate, professional, and respectful behavior is expected at all times.
3. Respect for, and appropriate use of, SboroTV property and equipment is required.

Subject to and in accordance with applicable law and this *Handbook*, privileges to use SboroTV facilities and cablecast services may be denied or suspended, or restricted fully or partially, for engaging in any conduct that SboroTV reasonably finds to violate applicable law or these policies and procedures.

B. Complaints and Escalation Process.

A complaint by volunteers, submitters and producers disputing the meaning, interpretation or application of SboroTV policies and procedures must first be presented in writing to the SboroTV *Facilitator* . The *Facilitator* will offer to meet with the complainant within 14 days of receipt of the complaint in an effort to settle the complaint. A written decision by the SboroTV *Facilitator* will be returned to the complainant within 7 days of the meeting. In the event that the complaint is not disposed of within 21 days of submission, the complainant may submit an appeal in writing to the Southborough Cable TV Committee. Within 14 days of receipt of the written appeal, the Southborough Cable TV Committee will hold a hearing to review the complaint and render a decision. A written decision by the Southborough Cable TV Committee will be returned to the complainant within 7 days of the hearing. This decision will be final.

C. Public Records

SboroTV will keep a written public record of all programs cablecast, along with names, addresses and contact information of persons and organizations that submit or produce programming. The information will be made available to the public for inspection. All written records will be kept a minimum of 7 years. Written records do not include material submitted for cablecast.

The SboroTV *Facilitator* will serve as the custodian of public records.

Copies of the above mentioned written records are available upon request per the Town's public information request procedure. However, the requesting party may be charged the appropriate costs. Persons requesting inspection of the public file should identify themselves by name and address, in writing. Persons inspecting the public file may not remove any records from the premises.

VII. Definitions

- a. **Advertising** – Calling public attention to one’s product, service, need, etc., for profit-making purposes. Solicitation of money or support for goods, political candidates, or political opinions through bulletin board text pages, :30/:60 second full motion video spots or infomercials.
- b. **Bulletin Board** - Available to provide a schedule of planned cablecasts, and a calendar of planned activities within the town and schools.
- c. **Copyright** – Certain rights to the material contained in a program, including, but not limited to, rights of reproduction, publishing, and cablecasting of information consistent with applicable copyright law.
- d. **Crawl Bar** – a text message that scrolls across the screen.
- e. **Federal Communication Commission (FCC)** – The U.S. government agency established in 1934 to regulate electronic communications.
- f. **Invasion of Privacy** - The wrongful intrusion into one’s private affairs by other individuals or the government. In addition, the intrusion into one’s private affairs with which the public has no concern by unwarranted exploitation or publicity that causes mental suffering or humiliation to the average person.
- g. **Issuing Authority** – The Board of Selectmen of the *Town of Southborough* in their capacity as cable television license Issuing Authority pursuant to M.G.L. c. 166A.
- h. **Local Access Services** – The bulletin board, video, and other cablecast services over SboroTV .
- i. **Libel** – Any written material that constitutes a defamation of character.
- j. **Obscene Material** – Material that meets the legal definition of obscene material under local or state laws, or court rulings as determined in accordance with applicable law.
- k. **Producer** - The person responsible for creating a program.
- l. **Series** - A program that appears and is updated regularly for cablecast.
- m. **Slander** – Any oral statement that constitutes a defamation of character.
- n. **Submitter** - A person who brings program material and requests it be cablecast even though he or she may not have produced the material.
- o. **Televising Equipment** shall include video, audio, cablecast, and recording equipment and media.
- p. **Trademark** - Any word, name, symbol or device used by a manufacturer or merchant to identify his or her goods. Trademark shall be defined in accordance with applicable federal and state law and include “service marks” if and when applicable.

VIII. Revision History and Acknowledgments.

A. Revision History

draft 0.55, Oct. 09 Changes SboroTV Producer/Submitter form at the request of
Town Council
draft 0.54, July. 09 Changes made at the request of the Town Council
draft 0.53, Nov. 08 Changes made at the request of the Board of Selectmen
draft 0.52, Sept 08 Changes made at the request of the Town Administrator
draft 0.51, Aug. 08 SboroTV original

B. Acknowledgments

We'd like to thank Ann and the Stow Local Access Channel Advisory Committee for allowing SboroTV to copy and edit their original Handbook. This has saved SboroTV many hours of work needed to create our own document.

**Stow Local Access Channel Advisory Committee
Stow Town Building
380 Great Road
Stow, MA 01775**

<http://www.stowtv.org/>

IX. Attachments

For questions or assistance for any of the SboroTV Forms, please contact the SboroTV *Facilitator* at 508-485-8156 or email: info@sborotv.org

The following forms are included in the *SboroTV Handbook* and are contained on the following pages.

A. SboroTV Bulletin Board Form

This form is used when requesting the cablecast of information on the Public Access bulletin board.

B. SboroTV Producer/Submitter Form

This form is used when submitting video or program material for cablecast.

C. SboroTV Equipment Sign Out Form

This form is used when borrowing equipment from SboroTV.

The Southborough Cable TV Committee may revise this *Handbook*. The current version of the *Handbook* will be at our web site www.sborotv.org.

SboroTV Public Access Bulletin Board Form

To request an announcement be placed on the SboroTV Public Access bulletin board, mail completed form to SboroTV, Town of Southborough, 17 Common St., Southborough, MA 01775; FAX 978-897-4553 or deliver to the SboroTV mailbox in Town Building; or complete Form on Southborough web site.

Requester Name(s): _____

Phone Number:(Day)_____ (Eve)_____

Address:_____

Email:_____

Organization (if applicable):_____

Announcement start:_____ end:_____

Public Access bulletin board

1. Use of the bulletin board is subject to the policies and procedures contained in the *SboroTV Handbook*.
2. Any Southborough community, government, school member or Non-profit group may submit messages. Announcements for events outside of Southborough must be sponsored by a Southborough citizen, Non-profit group or the *SboroTV Facilitator*
3. Messages may not include: any obscene or profane material in accordance with applicable law and FCC Regulations; any lottery or lottery information; any advertisements of for-profit commercial services or advertisements for political candidate campaigns or ballot referenda questions; any direct or indirect solicitation of money except for charitable and not-for-profit organizations; any material which constitutes libel, slander, invasion of privacy or publicity rights, violation of trademark or copyright, or which might violate any local, state or federal law, regulation or rule .
4. Message requests should be submitted 14 days prior to the desired starting date for cablecast.
5. Additional copies of this form are available at the Town Building and www.sborotv.org.
6. SboroTV is not responsible for any errors that appear in the announcements either because of information provided by the submitter or because of processing by the *SboroTV Facilitator* .

I agree to indemnify and hold harmless the *Town of Southborough*, its elected and appointed officials, SboroTV and their agents and servants from any liability or legal fees and expenses incurred either by the *Town of Southborough* or the Requester as a result of cablecasting this message and accompanying visual material.

Requester(s) Signature:_____ Date:_____

(Bulletin Posters need only complete this form once)

SboroTV Producer/Submitter Form with Statement of Compliance and Agreement

To request a program or video be cablecast on SboroTV: Contact the SboroTV *Facilitator* SboroTV, Town of Southborough, 17 Common St., Southborough, MA 01772; Phone: 508-485-8156 Email: info@sborotv.org

Requester(s)Name: _____

Phone number: (Day)_____ (Eve)_____

Address: _____ Email:_____

Organization (if applicable):_____

Program Title:_____

Program Producer:_____

Program Description:_____

Program info. A Series?:_____ Single Program:_____

Make copying available for third parties? YES : NO : Always ask first.

Hold media for reclaiming. NO : YES (60 days Max.)

Statement of Compliance Agreement

I, the undersigned, hereby warrant and represent to the SboroTV that:

1. I have read and thoroughly understand the content of the SboroTV Handbook, a copy of which I have received and I hereby agree to be bound by the terms set forth in that document.
2. I will be thoroughly familiar with the contents of all matter to be submitted by me for cablecast and agree it will comply with all applicable law and polices as described in the SboroTV Handbook.
3. I assume full responsibility for the content of all programs submitted by me for cablecast and will ensure such program matter will not violate the rights of any third party. I further agree that program material will not include obscene or profane material in accordance with applicable law and FCC Rules and Regulations; and lottery or lottery information; any advertising of for-profit commercial services or advertisements for political candidate campaigns or ballot referenda questions; any direct or indirect solicitation of money except for charitable and non-profit organizations; any material which constitutes libel, slander, invasion of privacy or publicity rights, violation of trademark or copyright, or might violate any local, state or federal law, regulation or rule.
4. I have obtained (or will obtain) all releases, approvals, clearances, licenses and premissions, if any, which are required for the use of any program which I submit for cablecast. This includes, but is not limited to, approvals by broadcast stations, networks, sponsors, music licensing organizations, and holder of copyright or performing talent rights, all persons appearing in or referred to in the program over the SboroTV cable channel. I am responsible for any licenses and fees owing to any third parties as a result of such programming.
5. I indemnify, protect and hold harmless the Town of Southborough and its elected and appointed officials, SboroTV, its officers, employees and agents and the cable operator upon whose system the program matter is carried, from any and all claims, demands, actions, damages, costs, expenses or other liabilities, including but not limited to attorney's fees, for a breach of any other provisions contained herein: libel, slander, invasion of privacy or infringement of copyright; failure to comply with any authorities; unauthorized use of trademark, trade name or service mark; breach of contractual or other obligation owing by me

to third parties; and any other injury or damage in law or equity arising or alleged to have arisen as the result of cablecast of such program matter.

6. I shall not represent myself or any other person involved in community access cablecasting or productions as an employee, representative or agent of the SboroTV or their facilities.
7. I shall pay, in a timely manner, the cost of repair or replacement of any SboroTV productions equipment and material resulting damage beyond normal wear and tear, inoperability due to misuse or theft while such equipment or materials are in my possession or control. If replaced in the sole discretion of SboroTV such equipment and material will be a new, like kind, replacement.
8. I understand that I may be criminally liable for cablecasting any material which contains lottery or lottery information, obscenity, or which incites or promotes illegal activity.
9. I understand that false or misleading information furnished by me in this, or any other information supplied to SboroTV shall constitute grounds for forfeiture of the right to use SboroTV production equipment and facilities.
10. I understand that after acceptance by SboroTV, this document is not transferable.
11. I further understand that I assume full responsibility for any dispute arising from violation or the above conditions and agree to hold blameless in any disputes the Town of Southborough, its elected and appointed officials and its agents and servants and SboroTV in any dispute arising thereof.

Requester(s) Signature: _____ Date: _____

(Series Producers/Submitters need only complete form once for a given show)

(If under 18, Form must be signed by a parent or legal guardian.)

