

SANTA MARIA COMMUNITY TELEVISION

POLICIES AND PROCEDURES

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SANTA MARIA COMMUNITY TV MISSION STATEMENT

Santa Maria Community Television (SMCTV) is a Public, Education, and Government (PEG) access television operation offering community members, non-profit organizations, educational institutions and local government agencies the tools and training to produce their own programs for airing on local cable access television in the City of Santa Maria and Northern Santa Barbara County. We support the First Amendment of the United States Constitution, without restrictions of bias or prejudice.

Our mission is to:

- Promote lifelong learning through the creation, production and cablecasting of programs that are aimed at the preservation, development and enhancement of the diversity of thought, culture and heritage of Santa Maria.
- Facilitate communication through electronic media technology for community empowerment.
- Increase civic participation in the democratic process by promoting understanding and informed use of electronic media.

To this end SMCTV shall:

- Maintain those cable channels dedicated to Public, Educational and Governmental use in a manner that is free of censorship except as necessary to comply with State or Federal law.
- Provide resources for program production for the users of these channels.
- Develop and enforce such rules and policies that will ensure equitable access to these channels and production with applicable State or Federal laws.

In support of this mission, SMCTV is committed to the following goals:

- Establishing a broad base of community understanding, support, and involvement in PEG access television.
- Providing information, instruction, and resources to ensure the effective use of the access channel(s).
- Providing sound management and financial strategies to ensure continued community access to and use of the access channel(s) in the years to come.
- Participating in the development of further community uses of telecommunication technology throughout Santa Maria, and other Northern Santa Barbara County communities.
- Working cooperatively with other similar organizations locally, regionally and nationally to promote and develop meaningful community uses of the cable access channel(s).

WHAT IS PEG ACCESS TELEVISION?

PEG television, often referred to as Community Access or Local Access television, exists in many communities around the country as a way of allowing the residents of a community the ability to use the local cable television system to reach out and communicate with their fellow citizens on subjects of local interest.

Depending on resources, PEG operations often provide equipment, technical training and cable time to members of the local community. The local cable operator provides one or more dedicated PEG channels as a condition to receiving the cable television franchise.

Although Federal law does not require the local cable operator to provide PEG access channels, franchising authorities, cities, counties, states, it may legally require PEG access as a part of the cable franchise.

Essentially, a cable TV company secures the right to do business in a community and to use the public rights-of-way to place cables and equipment, and in exchange compensates the community with franchise fees paid to the local government. Some of these fees may go directly or indirectly to the PEG access television facilities.

PEG Access television differs from commercial television in many ways. In PEG access television there is no editorial control of content, no ratings, and no advertising. In commercial broadcast television, programming decisions are based on the desire to generate as much paid advertising as possible by reaching the largest number of TV viewers. In contrast, PEG access television is often referred to as "narrowcasting." That is, the programs seen on a PEG channel are often likely to appeal to a very limited audience. Providing a voice to the under-served is one of the many things that makes PEG access such a unique community resource. Instead of being broadcast over the airwaves, PEG channels are usually seen only on cable systems. The programming is therefore referred to as being "cablecast."

SMCTV also serves the educational and governmental institutions (the E and G of PEG) of Santa Maria and provides specific channel capacity and resources to serve those interests. Separate programming guidelines apply to these channels or programming blocks. Qualified institutions and agencies may use their own criteria for program submission, scheduling and cablecasting.

In an era of media consolidation where fewer individual companies control more media outlets such as TV, local newspaper and radio, PEG television is a unique and special entity. PEG TV has frequently been referred to as the last remaining voice of the independent viewpoint remaining on television. It is special; use it, enjoy it, take care of it. It is truly a community resource.

Individual interests are most effectively served in a system that is open to all voices.

USER REQUIREMENTS

1. STATEMENT OF COMPLIANCE

Before using SMCTV's services, the scheduling of channel time or operation of any equipment, all persons (producers and volunteers including minors and their parents) are required to attend an orientation session, read the SMCTV Policies and Procedures and sign a Statement of Compliance. Failure to sign and adhere to the terms of the Statement of Compliance will result in the forfeiture of privileges to use SMCTV. The Statement of Compliance is at the end of this guide.

2. MEMBERSHIP

Upon completion of a membership application and an orientation session, membership is open to:

- residents of the City of Santa Maria; and other nearby communities.
- any legal non-profit organization, governmental entity, or institution with an office located in the City of Santa Maria or other nearby communities; or having as members a large number of residents of these cities;
- any person who is an employee or member of such non-profit organization or institution and who is in agreement with the objectives of SMCTV and is involved in a production on behalf of the non-profit organization or institution;
- students, employees, and faculty of any accredited learning institution located within the City of Santa Maria, and other nearby communities, or a local school district's jurisdiction.

3. PARENTAL PERMISSION

Parental permission is required for youths under the age of 18 to use the equipment provided by SMCTV. Minors using SMCTV must have on file a signed Parental Consent form. The parent or guardian who signs the form assumes all responsibility for any liability arising from the minor's involvement in SMCTV. Equipment may only be checked out with the express written permission of a parent or guardian, and also only with the consent of SMCTV staff. Staff may, at its discretion, refuse to permit a minor to use SMCTV equipment, based on failure of how to demonstrate sufficient knowledge to safely and properly handle equipment.

4. MEMBERSHIP APPLICATIONS

Membership applications are available at www.smctv.tv. Membership is available to all without discrimination.

5. MEMBERSHIP FEES

Membership is free to all qualified local residents. A government-issued picture I.D., and completion of a membership application and orientation session are required.

MEMBERSHIP BENEFITS

As an active member in good standing you will be eligible to:

- utilize SMCTV production equipment
- schedule programs on an SMCTV access television channel.

TRAINING

1. ORIENTATIONS

All users of SMCTV must attend a new member's orientation session conducted by SMCTV staff. These free sessions consist of an overview and introduction to SMCTV with special emphasis on policy, safety and rules regarding SMCTV use.

Orientation session attendance is a prerequisite to training sessions. However, at the discretion of the SMCTV staff, a user who can demonstrate proficiency in operating video equipment may be considered for a waiver of training sessions.

2. TRAINING

SMCTV offers informal training sessions, by appointment. These training sessions must be program-driven and the trainees must have a program planned or in production prior to making a training appointment.

3. TRAINING

SMCTV does not charge a fee for informal training sessions.

SMCTV PROGRAMMING

1. PROGRAMMING PRIORITIES

SMCTV specifically wishes to encourage programming designed to meet the general and specific needs Santa Maria and to reflect the values, wishes, and activities of Santa Maria and nearby communities. Accordingly, SMCTV encourages programming of the following nature:

- Programs produced locally involving subjects, events, or people unique to the area.
- Programs for and about communities or groups that are underserved by traditional commercial broadcasting.
- Programs tailored to the needs of the entire area.
- Programs, which are innovative and free from traditional restrictions on length, format or subject.
- Quality programs on subject matter demonstrating educational, artistic or technical excellence or extraordinary effort in the planning, production or editing of the program.

2. CHANNEL ACCESS

Programming placed on the Public channel must originate with community producers, non-profit organizations or community groups.

Programming placed on the Education channel must originate with an educational institution or entity, including education-oriented non-profit organizations and satellite programming with educational content.

Programming placed on the Government channel is limited to programming authorized by the City of Santa Maria.

3. PROGRAM PROPOSALS

Public access producers shall be required to meet with SMCTV staff to review the proposed program and anticipated utilization of SMCTV equipment and shall complete a program proposal prior to use of media center equipment. SMCTV staff shall provide limited guidance and assistance, upon request, in developing program proposals and planning a production. Members using SMCTV equipment, and playback services do so with the intent of submitting non-commercial programming on a SMCTV channel and not for private commercial gain.

4. ASSISTED PRODUCTION

Producers are required to assemble their own qualified production crew.

5. CONTENT

SMCTV's concern with program content is limited to ensuring that program material does not violate Federal, State, or local law; that all appropriate rights have been obtained; that adult material not suitable for children be scheduled in "safe harbor" hours between Midnight and 5:00 a.m. and that SMCTV policies and procedures are not violated, including the restriction of content intended for personal commercial gain.

Violations of the above program content guidelines may result in a 3-month suspension of all privileges for the first violation, a six-month suspension for the second and a one-year suspension for the third violation.

6. PRIVACY AND RIGHTS

Producers of public access programs retain all rights to the content of their program. Producers must secure all releases of copyrights, talents, etc. and any

other necessary permissions or legal clearances to use materials included in the program prior to its airing. The producer's signature upon a Request for Playback certifies that the producer assumes full responsibilities for program content, and releases SMCTV, the City of Santa Maria, and its staff from any liability or legal fees and expenses or legal challenge that may be incurred as a result of the cablecasting of the program. This RFP also gives SMCTV limited right to cablecast or to repeat the program on the channel.

Programming and scheduling of programs will be the responsibility of the designated SMCTV staff. Members wishing to submit a program for scheduling will obtain a request for playback and meet with the SMCTV staff to determine available dates and times for airing the program.

7. PROGRAMMING STANDARDS

It is the responsibility of SMCTV member-producers to warrant on their requests for playback that the community access channels are not used for the presentation of:

- any material that is illegal, i.e., content that is not protected by the First Amendment to the United States Constitution, e.g., obscenity, slander, defamation, libel, etc.;
- any material which constitutes an invasion of the privacy rights of an individual.
- any material which is a violation of any local, State or Federal law;
- any material or information concerning a lottery, gift enterprise, or scheme offering prizes dependent on lot or chance (non-profit organizations formed under IRC 501(c)3 may advertise their raffles on a SMCTV channel provided such raffles are registered and approved by the office of the California Attorney General);
- any material presented in violation of copyright, royalty, trademark, literary or motion picture rights, or other ownership rights, or any material submitted without all necessary releases, licenses, or other required permission;
- any material presented for personal commercial gain.

SMCTV assumes no liability for programming cablecast on SMCTV channels unless specifically authorized. Public Access programming must include a disclaimer in which the Programmer accepts full responsibility for their speech and that the expressed viewpoints of the show are not the viewpoints of SMCTV or its staff and the program shall hold harmless SMCTV, the cable provider(s) on which SMCTV programming appears and each franchising authority contracting with SMCTV. SMCTV staff, upon receiving proper notification, will not cablecast

programming that is illegal or the subject of legal proceedings, until such proceedings are resolved in favor of the producer.

Programs containing material that may be unsuitable for younger audiences will air only in the "safe harbor" hours between Midnight and 5:00 a.m. and must contain a warning and disclaimer prior to first video and all subsequent broadcasts.

8. COMMERCIAL CONTENT RESTRICTIONS

SMCTV shall not cablecast nor permit to be cablecast, programs which have commercial content. Commercial content includes, but is not limited to, product placement, advertisement and service designations provided in exchange for value of any kind or nature. This shall not exclude corporate sponsorship recognition for business/professional supporters of SMCTV, but such recognition shall be limited to 15 seconds, must not contain calls to action, superlatives, voiceover audio, and must be placed at the end of the program, just prior to the mandatory end-disclaimer.

Logos, addresses, phone numbers, exterior photos, or websites of sponsors/underwriters are acceptable, provided they conform to the above guidelines.

Local non-profit organizations producing their own programs or appearing as guests on other programs may mention services and provide contact information. Any fundraising in support of their organizations must be restricted to the final thirty seconds of their programs, prior to the mandatory disclaimer and contact information. In addition, they may promote special fund-raising events and may mention prices for those events in programs, short subjects and on the channel 24/25 bulletin board. Documentation of their status as a tax-exempt organization (501-C-3 status) may be required at SMCTV's discretion.

Program content cannot promote a for-profit business, a commercial service, or a product offered for sale.

Producers may not charge a fee for personal appearances on SMCTV.

A first violation of the above restrictions will result in a verbal warning, the second violation in a written warning and may result in the loss of privileges for 30-days. The third violation may result in the loss of all privileges for up to a year.

9. TECHNICAL STANDARDS

SMCTV reserves the right to reject a program not meeting minimum technical standards; however, programming which do not carry a stable signal over the

cable system or might damage SMCTV equipment shall not be used. All programs submitted must include all required disclaimers.

10. FORMAT

SMCTV is able to air programming in .mp4 and .m4v formats, DVD (-R), MiniDV, DVCam, and VHS.

PROMOTION AND SCHEDULING

Producers are encouraged to promote their programs to build community awareness and support for their local access channel(s).

All requests for channel time shall be processed on the appropriate channel on non-discriminatory basis, depending upon the availability of cablecasting equipment and channel time. Programs produced locally and which address local interests may be given scheduling priority over programs that are produced outside of Santa Maria/Orcutt.

11. PLAYBACK SCHEDULING PROCEDURES

Programs will be scheduled by staff given time, place and manner criteria applied consistently to all programming. Certain thematic blocks may be established for grouping programming. Other criteria for grouping may be technical (e.g., live vs. taped), programming source (public, educational, governmental), or age-appropriateness.

SMCTV staff will assign programs for playback with the goal of presenting a coherent schedule that maximizes fairness and diversity of expression, and which helps fulfill its mission. SMCTV serves both producers and viewers and will work to develop schedules that are interesting, timely, logical and beneficial to the community based on the availability of time slots and the need to avoid monopolization or relative over-utilization of the channel. SMCTV will reserve ample space for the individual voice, single-issue programs, and other non-series programming.

Programmers may request specific time and day scheduling, subject to availability and in accordance with the above principles.

Series producers will commit to providing programming on a regular basis in order to maintain their time slot. Time slot assignments to series producers may be redistributed according to demand in order to maintain fairness in allocating shared access resources. Programs are limited to 90 minutes in length and individual producers are limited to two programs per-month. Each program series may repeat an episode once every six months or once for every six new episodes scheduled. A program or a series may only be scheduled by a single producer.

12. High-Demand Playback Hours

7:00 p.m. to 11:00 p.m. are high-demand playback hours. Community producers residing in Santa Barbara and San Luis Obispo counties can request up to 3 high-demand timeslots per-program with 3 timeslots outside high-demand hours for a maximum of 6 timeslots per-week over the course of a 31-day period from first cablecast. The 6 timeslots per week maximum also applies to programs playing entirely outside of high-demand hours.

If there is less than a 5 percent inventory of timeslots available during high demand hours for a 31-day period or longer and there are requests from producers of new programs for access to high-demand hours, then all programs submitted by all producers will be limited to 1 high-demand timeslot and 2 timeslots outside of high-demand hours.

14. Disclaimers

All programming received from public access producers must contain a 10 second or longer disclaimer at the beginning and end of each program submitted and it should include a legible disclaimer similar to the example below appearing for ten to fifteen seconds at the beginning (immediately prior to first video) and at the end of each and every program:

PROGRAMMING DISCLAIMER:

The following (or preceding) program is (or was) presented by _____ who is wholly responsible for the content. The producer acknowledges that this program is not the expression of Santa Maria Community TV, your cable television service provider, or the City of Santa Maria. For more information on this program, contact _____ at _____.

(Optional: Copyright 20__)

15. *Satellite Downlinking.*

Due to capacity issues, satellite downlinking of programs by client request is not practical at this time.

16. *SMCTV Staff Limitations*

SMCTV staff are not allowed to volunteer their time on members' productions except during training sessions or while acting in a production advisor capacity.

17. *Equipment Usage Restrictions*

Equipment and resources of SMCTV are intended to be in support of non-commercial programs that will appear on one of SMCTV's cable channels. Programming that is made in whole or in part with our equipment and resources may be used in other non-commercial contexts only and must be shown on a SMCTV channel prior to any such non-commercial usage.

EQUIPMENT

1. CONDITIONS FOR USE

SMCTV production equipment is available, free of charge, to persons who:

- are members of SMCTV and are making a program for SMCTV cablecast;
- have completed the necessary one-one-one training sessions or can demonstrate prior training and have familiarity with the equipment and its uses
- have read the Policies and Procedures guide and have signed the Statement of Compliance;
- Have a government-issued picture ID to establish identity.

However, parties using SMCTV equipment shall be made responsible for the use of said equipment and shall be held financially responsible for the replacement costs of any damaged, lost, or broken equipment that is damaged during their use.

2. CANCELLATIONS/LATE RETURN SANCTIONS

SMCTV producers are required to provide prior notice of cancellation of production equipment. Repeated failure to provide prior notice may result in a suspension or loss of SMCTV privileges.

The first time that a producer fails to return check-out equipment without prior notification will result in a verbal warning. The second time within a 12-month period will result in a written warning. The third time within a rolling 12-month period may result in a loss of SMCTV privileges for 30 days.

4. EQUIPMENT CHECKOUT

A copy of the Field Equipment Checkout Form will be provided to any member wishing to use SMCTV Field Production Equipment. Members will complete and sign the Equipment Checkout Procedures Agreement. Any malfunction or surface damage to equipment, at the time of checkout will be noted on the agreement and initialed by both member and staff.

If a member fails to pick up equipment at the assigned hour or fails to notify SMCTV of a possible delay, that equipment may be assigned to another member after 30 minutes.

I. CHECKOUT TIMES

Portable equipment may be picked up during regular business hours. Contact the SMCTV staff to schedule checkout.

II. LIMITATIONS

- a. In the interest of facilitating equipment usage by the maximum number of SMCTV users, the checkout of portable equipment must be limited to one advanced reservation per week per user, or one advanced reservation weekend per month per user. These limits will not apply if there are no reservations for the equipment two hours prior to the end of a given business day, when the equipment will become available on request.
- b. All checkout equipment is available for a maximum of 24 hours, or the next business day. Extended checkouts must receive prior approval from SMCTV staff.
- c. Portable equipment may not be available for checkout during the maintenance of such equipment. The SMCTV staff will post notification of such times. Users will be notified when equipment becomes available.

Users are required to sign a written agreement to pay all costs of repair or replacement beyond normal wear and tear, i.e., if the equipment must be replaced or repaired due to abuse or theft. The checkout form will list each item and the member will acknowledge that list of items when signing the checkout form.

The user will have 10 days to work out satisfactory agreements with the PEG Production Manager for the payment of costs of repair or replacement of any equipment loss and/or damage. All SMCTV user privileges will be suspended until satisfactory agreements for payment are made.

The user's privileges may be suspended or revoked if, in the opinion of staff, equipment has been damaged through abuse or negligence.

5. CHECKOUT FORM

The Field Equipment Checkout Form must list the name of the equipment and should also be signed by the user and dated.

6. EQUIPMENT CHECK-IN

If a member is going to be late in returning equipment, they will be expected to advise SMCTV staff in a timely manner. Failure to do so may result in a suspension of privileges, with the same sanctions applied as with cancellations without prior notice (see above).

The member must return video field production equipment undamaged and on time to SMCTV staff or designee. Additionally, the member will reimburse SMCTV for expenditures required to repair damaged equipment or to replace equipment as specified and approved by SMCTV in the instance of irreparable damage or loss of equipment. Any malfunction or damage will be noted on the check-in card and initialed by staff and the member. In the event that a user is unable to pay the full cost in a timely manner the user can apply to the PEG Production Manager for a hardship situation and work out a payment schedule. Failure to provide satisfactory payment shall result in permanent suspension of privileges.

7. COMMUNITY BULLETIN BOARD

Legal non-profit organizations in Santa Maria, its nearby communities may submit graphics for cablecast on the SMCTV Community Bulletin Board. Staff must approve other messages. Messages may include information regarding services or events presented by non-profit groups and/or approved cultural or educational organizations which have registered with SMCTV. Fees for events will be listed only for those organizations that have registered with SMCTV. A contact number must be included.

SMCTV RULES OF CONDUCT

- Use of SMCTV's name and logo is prohibited except as authorized by SMCTV.
- SMCTV equipment is to be used for making programs that will be shown on SMCTV channels and in other non-commercial contexts.

SANCTIONS

Minor Violations

Not adhering to the above rules of conduct will be considered a minor violation. The first instance will result in a verbal warning, the second in a written warning and the third instance in a twelve-month period will result in the suspension of SMCTV privileges for 30 days. A fourth instance in an 18-month period will result in a 60-day suspension of privileges.

Major Violations

- SMCTV does not tolerate threatening, harassing, or verbal abuse of any kind by any person, employee, access user or third party. No person shall have the authority, whether expressed, actual, apparent or implied, to commit any harassment, including, but not limited to sexual or verbal harassment to staff, members, users, community members, or other persons at SMCTV. Harassment of a verbal, physical, visual or sexual nature will not be tolerated at SMCTV.

Not adhering to the above will be considered a major violation and will result in a suspension of SMCTV privileges for a minimum of 12 months and may result in being permanently banned from SMCTV.

APPEAL OF SANCTIONS

Should it become necessary for the PEG Production Manager or his/her designee to deny a member access to equipment or other privileges enjoyed by SMCTV members and the member feels the action is unfair or inappropriate, the member may appeal the decision of the PEG Production Manager to the City of Santa Maria's Public Information Manager. Such appeal shall be in writing and provide a full explanation of the situation. It will be filed within ten (10) business days of the action deemed unfair by the member to the PEG Production Manager with copies to the Public Information Manager.

Within 30 days of receiving the appeal, the Public Information Manager shall deliberate the appeal before rendering a decision. No further administrative appeal shall be available.

STATEMENT OF COMPLIANCE

- A. I have received, read, and am thoroughly familiar with the contents of the SMCTV Policies and Procedures and I agree to completely comply with these provisions. I understand that SMCTV staff reserves the right to suspend or revoke the privilege of any user to utilize SMCTV if that user is in violation of any of these rules.

- B. I will thoroughly familiarize myself with the content of program material to be taped and/or cablecast and agree that it will not contain:
 - 1. Any material which is obscene or an invasion of privacy;
 - 2. Any material which is slanderous, libelous, defamatory, or which is a violation of any local, state or federal law;
 - 3. Any material or information concerning a lottery, gift enterprise, or scheme offering prizes dependent on lot or chance.
 - 4. Any material presented in violation of copyright, royalty, trademark, literary or motion picture rights, or other ownership rights, or any material submitted without all necessary releases, licenses, or other required permission;
 - 5. Any material presented for personal commercial gain.

- C. I assume full responsibility for the content of all program material cablecast and will ensure that such program material will not violate any right of any third party.

- D. I assume full responsibility for the program content and releases SMCTV, the City of Santa Maria, and their staff from any liability of legal fees and expenses or legal challenge that may be incurred as a result of the cablecasting of a program that I produce.

- E. I understand that false or misleading statements made in this statement are grounds for forfeiture of the right to use SMCTV channel space and equipment.

- F. All master tapes and DVDs submitted will be available for pickup from SMCTV for 90 days after first playback, after which they may be recycled or discarded.

Print name: _____ **Date:** _____

Signature: _____ **Address:** _____

NONPROFIT INSTITUTION/ORGANIZATION:

Institution or organization: _____

Address: _____ Official agent: _____

Title: _____ Telephone: _____
(Executive Director, President, Dept. Head)

Signature of agent: _____