

SOUTHWESTERN OAKLAND
OAKLAND CABLE
COMMISSION
SWOCC Studios

POLICIES

AND

PROCEDURES

FOR Community/Public Access

Adopted November 4, 2010

SOUTHWESTERN OAKLAND
CABLE COMMISSION
33300 Nine Mile Rd.
Farmington, MI 48336
248-473-2800

SWOCC Provides free-of-charge:

1. A Public Access Channel to which residents may submit non-commercial, non-profit programming for cablecast in the cities of Farmington, Farmington Hills and Novi on the Bright House Cable system.
2. A tape dub system whereby those submitting public access programs may transfer programming to the DVD format required for SWOCC playback.
3. A Community Bulletin Board to which residents may submit non-commercial, non-profit messages for transmission in the cities of Farmington, Farmington Hills and Novi on the Bright House Cable system.
4. Facilities/Equipment that may be used by qualified and certified public access volunteers.

MISSION STATEMENT

Helping Residents shape better communities through participation, education, information, and cost-effective use of technology.

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STATEMENT OF PURPOSE

Providing residents of Novi, Farmington and Farmington Hills with the opportunity to distribute non-commercial, non-profit video programming and information to the community on the Bright House Cable System.

DEFINITIONS

COMMUNITY ACCESS - Public, Educational and Governmental Access (PEG) cable programming.

PUBLIC ACCESS – Programming created by individuals or groups without editorial override by the access entity, government or cable operator.

GOVERNMENT - In this context government refers to the cities of Novi, Farmington and Farmington Hills.

STAFF - Paid employees and unpaid interns of SWOCC.

PRODUCER - The volunteer, who creates, plans, writes and is responsible for content, and makes the decisions regarding the production.

OBSCENITY - According to the Alliance for Community Media (a non-profit membership organization committed to assuring everyone's access to electronic media), a cable program is obscene if a) the average person, applying contemporary community standards for the cable medium, would find the material, taken as a whole, appeals to prurient (sexual) interest; b) the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by applicable state law; and c) the work, taken as a whole, lacks serious literary, artistic, political or scientific value.

INDECENCY - The FCC describes indecency as "any programming that describes or depicts sexual or excretory activities or organs in a patently offensive manner as measured by contemporary community standards for the cable medium".

SLANDER - The speaking of false and malicious words concerning another whereby injury results to his reputation.

LIBEL - A false and unprivileged publication in print, writing, pictures or signs of defamatory material.

DEFAMATION - The unprivileged publication of false statements which result in injury to another (injure reputation, diminish the esteem, respect, goodwill or confidence, or to excite adverse, derogatory or unpleasant feelings or opinions against another).

ELGIBILITY

Only residents are eligible to submit programming and utilize designated facilities/equipment.

A resident is any person who:

Resides or owns property or a business within the cities of Farmington, Farmington Hills or Novi.

A Residency Verification Form must be completed.

The person must be 18 years of age or older to be eligible.

Those persons under age 18 may qualify by having a parent or legal guardian accept full legal and financial responsibility for the actions of the minor by signing the Residency Verification Form.

SWOCC student interns may also be eligible to submit programming to the Public Access channel during the term of their internship.

GENERAL POLICIES

It is the responsibility of the access user to know and understand all applicable policies and procedures.

SWOCC facilities and equipment are available for use free-of-charge and may be used only for productions intended for cablecast on the community access channels. If a producer derives income from the use of access equipment or an access program (this includes the sale, lease or rental of the program or the use of the program for marketing purposes), the producer must pay to SWOCC the monetary value of the equipment or production. If it is discovered that the producer has derived income from an access program or the use of SWOCC studios and equipment, he/she shall immediately reimburse SWOCC for all costs as determined by SWOCC. Access privileges shall be suspended until payment is made.

SWOCC assume no responsibility for the actions of an access user, and shall be indemnified and held harmless for any claims or damages resulting from the access user's utilization of SWOCC Studios.

The access user assumes complete financial and legal liability for activities during utilization of SWOCC facilities, services and equipment. Damage to or loss of equipment can be cause for immediate suspension of the access user's right to facility and equipment use until full compensation is made, or a repayment contract is signed. Should the access user fail to meet the terms of the repayment contract,

the user's rights will be suspended until full payment is made or until the user is no longer in default.

Access users shall exercise extreme care of all production facilities and equipment, and are expected to return equipment in the same condition as when the equipment was checked out.

Certified producers and crew may not represent themselves as an employee of, representative of, or a producer for SWOCC Studios.

RULES OF CONDUCT

The access user shall not engage in activities that violate federal, state, or local laws and ordinances.

The access user is expected to be courteous and respectful to staff and other access users at all times.

No alcoholic beverages or drugs are allowed on SWOCC Studios premises.

Access to production facilities shall be denied to any person reasonably suspected to be under the influence of alcohol or illegal drugs.

No smoking is allowed in SWOCC Studios facility.

SWOCC is not responsible for any materials (video tapes, equipment, furniture, etc.) brought into or left at any community access facility.

No food or drink is allowed in any studio, control room, edit suite, or other places designated off-limits for these activities.

No producer, crew, talent or guest may use offices, storage areas closets, office machinery/equipment, phones, or supplies without permission of staff.

The access user shall not interfere with the production and/or studio usage of another access user or the orderly conduct of SWOCC business.

COMMUNITY BULLETIN BOARD

Information to be submitted to the Public Access Channel 12 Bulletin Board must be non-profit/non-commercial and serve the interest of Novi, Farmington, and Farmington Hills.

Information may be rejected if it does not meet all qualifications in these policies, or if staff is not available to create and transmit information.

Residency is not required to submit information for the bulletin board.

Bulletin board pages may be submitted to SWOCC Studios electronically by e-mail, in a word document, plain text, or power point slide; graphics must be jpg or bitmap and fit the aspect ratio of 3 x 4 or 640 x 480 pixels and be readable on TV. Submitted pages may be rejected due to readability or aesthetic issues.

All submissions must comply with Southwestern Oakland Cable Commission policies for Public Access.

Bulletin board pages which are not date-sensitive will run up to two (2) months. After that time they must be resubmitted and updated if necessary, excluding: Class Reunion announcements which can run up to (6) months

Dated messages will run at least two (2) weeks prior to the date of event; depending on when the message is transmitted to SWOCC.

Information submitted by way of paper, fax, or e-mail will be transferred into a bulletin board page by SWOCC Staff or a community volunteer and may be edited or consolidated to fit limited space.

Announcements should include the basic information only; Event, date, time, location, graphic or logo, contact phone or email for more information

FACILITY/EQUIPMENT USAGE

Residents may use certain facilities and equipment for public access production under the following criteria:

Residents are responsible for obtaining their own training. All residents must be certified for the facility/equipment he/she requests.

If staff determines that a producer or crew person demonstrates an inability to perform a previously certified skill, uses equipment in a negligent manner, or fails to participate in any access production activity for more that twelve (12) months, they may be required to recertify or may be denied access.

Staff is not available to train, assist with or trouble-shoot for public access productions.

SWOCC studio and equipment use is on a first come first serve non-discriminatory basis. Emergencies excepted as determined by Executive Director.

Reservations may be made by calling SWOCC Studios at 248-473-2800 at least two weeks in advance.

The producer must submit programming for the public access channel within 30 days after using SWOCC facility and/or equipment.

Use is subject to availability and operations.

Government and staff use can override public access reservations.

SWOCC makes no guarantee of equipment or facility availability. Some equipment may not be repaired or replaced.

UTILIZATION AND RESERVATION

An **Application for Utilization of the Access Channels and Facilities** form must be completed prior to use of facilities and/or equipment.

Facility usage will not be approved until the producer complies with all staff requests, including completion of the Application for Utilization, prior certification and a pre-production meeting.

Any reservation may be cancelled by staff without advanced notice and/or denied due to lack of available staff or equipment, or if staff believes the continued use of the equipment may cause damage to same.

A fifteen (15) minute grace period will be allowed for all reservations. A user arriving more than fifteen minutes late may forfeit the reservation. An access user is expected to call if unable to make an appointment.

An access user must finish promptly at the scheduled time.

Failure to use facilities correctly and productively may restrict the access user's right to use the facility.

The producer is responsible for crew and all aspects of the production as outlined in the procedures.

Only authorized personnel and crew are allowed in the control room.

SWOCC Studios does not store sets for Public Access shows, but may provide generic sets for public use.

REMOTE EQUIPMENT

A remote production (a program comprised of at least 90% video shot off-premises and requiring post production) may be allowed up to 10 equipment loans (including studio equipment) and 20 hours of editing time, per 30 minute program. Extensions may be granted after review of production progress by staff.

Remote equipment for community access use is available at SWOCC Studios. The access user must be certified for remote production and complete an **Application for Remote Equipment** before checking out equipment.

Remote equipment may be reserved for a period of 24 hours unless prior arrangements have been made with staff.

Check-in and check-out of remote equipment shall occur only during facility hours.

Remote equipment may not leave Oakland County without prior staff approval.

Remote equipment may not be transferred to another producer/crew person.

Equipment must be returned in the same condition as when loaned. If damage occurs, it must be reported promptly. If equipment damage is deemed to be due to the negligence of the user, the user may be held financially responsible, and may be denied future use.

If equipment is not returned on time (as scheduled upon checkout) and other arrangements are not made with staff, this may constitute theft and police may be notified.

Public Access programming must be submitted before remote equipment will be loaned additional times.

PROGRAMMING

PROGRAM OWNERSHIP AND COPYRIGHT

The ownership and copyright of an access program belong to the individual or group producing the program. (See definition of producer).

PROGRAM CONTENT

The producer is responsible for the content of the program and is required to sign an **Application for Cablecast and Statement of Compliance** form.

SWOCC Studios will run the following disclaimer on the Public Access Channel:
"VIEWS AND OPINIONS EXPRESSED BY PRIVATE INDIVIDUALS IN THIS PROGRAM DO NOT NECESSARILY REFLECT THOSE OF SWOCC OR ITS MEMBERS."

The producer shall not submit material that is unlawful, such as, but not limited to:

- a. Material which is obscene,
- b. Material which violates copyright or trademark laws.

The producer shall not submit material that is defamatory, libelous or slanderous.

The producer shall not submit material that advertises or promotes a commercial product or service, or directly solicits funds for commercial or private gain (through a call to action).

The FCC restricts indecent programs on TV or radio to the hours between 10 p.m. and 6 a.m. Producers must notify SWOCC when a program contains adult material and it must be scheduled after 10 p.m.

The producer is responsible for obtaining signed release forms from all talent.

SUBMISSION FOR CABLECAST

A completed ***Application for Cablecast & Statement of Compliance*** must accompany each media (DVD or USB drive) submitted for cablecasting. This includes each program in a series. Producers may photocopy a completed application, as long as each application has an original signature and date.

Programming for cablecast must meet the following criteria:

- 1) If submitted on DVD:
 - No Menus
 - Must be standard definition DVD (no BluRay).
 - Only one title per DVD.
- 2) If submitted on USB Drive:
 - MPEG-1 System Stream or MPEG-2 Program Stream (consisting of a single elementary video stream with an optional single elementary audio stream)
 - NOTE: Transport stream is not possible.
 - Elementary video stream
 - Three video resolutions (pixels) are allowed. Other resolutions are not supported.
 - 352 x 240 (Horizontal x Vertical)

- 352 x 480
- 720 x 480
- Picture rate must be 29.97 pictures per second.
- A maximum bit rate of 10 Mb/s is allowed. Higher rates are not supported.
- National TV Standards Committee (NTSC) with 4:3 aspect ratio required.
- 4:2:0 sampling format required. (Main profile at Main or Low Level, 10 Mb/s max)
- IBBP group of pictures (GOP) structure recommended for best quality (30 frame maximum GOP size).
- Encode header information in stream every few seconds to aid in error recovery,
- Audio, if present, must be encoded into the MPEG file using Audio layer II.
- Audio may be encoded at a 32, 44.1, or 48KHz sampling frequency.
- Audio sampling rate of 44.1 KHz for optimal performance.
- MPEG filenames may contain up to 27 characters (no spaces) in addition to the required ".mpg" extension..

In Addition, all submittals must:

- Be labeled with title, subject and correct length in hours/minutes/seconds format on both the media and box/envelope.
- The program must be one continuous file.
- No slate, bars, tone or countdown.
- Programs cannot be submitted with breaks for PSAs, etc. Such content must be edited before submitting.
- The program must begin within the first two second of the submitted media.
- At least two seconds of black are required at the beginning and end of each program.
- Each media submitted can contain only one program.

All programs are cablecast on standard definition television with a 4 x 3 aspect ratio. 16 x 9 programs may not translate correctly resulting in squeezed/distorted video.

SWOCC may refuse to accept programming this is not submitted on the correct media and/or in the correct format.

SWOCC will not be responsible in any way for the technical quality of access programs produced by others and reserves the right to reject any program displaying unstable signal quality on standard cablecasting equipment as further indicated below.

A program will not be cablecast unless it meets certain standards, specifically, the audio must be free of hum, with levels of at least -7db, video levels of at least 30 I.R.E. If SWOCC determines that the quality of a program is poor, the program may be suspended.

PROGRAM SCHEDULING

Scheduling will take place only after a program is submitted.

SWOCC will schedule programming when time allows. There is no guarantee on the timeframe or turn-around time between submittal and scheduling.

Producers may request preferred time slots and staff will work to accommodate such requests.

Playback is on a first-come, first-serve non-discriminatory basis.

SWOCC has no obligation to cablecast a program more than once.

Shows may be cablecast additional times upon request or when time slots become available until the producer indicates an end time.

PROGRAM SUBMITTAL

It is the producer's responsibility to deliver programs to SWOCC by mail or hand-delivery.

Media will not be returned unless the producer supplies a stamped, self-addressed envelope. SWOCC will not assume delivery costs.

TAPE/DVD TRANSFER

SWOCC's dub/transfer equipment may be used only by residents submitting programming for cablecast on the public access channel.

Only one dub of each program is permitted.

Users must be trained by SWOCC staff.

All users must call in advance for a reservation to use transfer equipment.

SWOCC makes no guarantee on availability of equipment or formats for transfer.
(*Note: Information above was approved by SWOCC at its June 3, 2010 public meeting*).

NON-COMMERCIAL, NON-PROFIT

All programming submitted for cablecast on the Public Access Channel must be non-commercial and non-profit. The producer of the program must not derive any income from the production or dissemination of this program.

UNDERWRITING

Underwriting (the exchange of goods, service and/or money) is allowed only for the support/improvement of a production. (For example, a business may provide financial assistance, materials, equipment, location, artist fees, or other forms of in-kind support). Underwriting is not allowed for the personal gain of the producer, crew or sponsor or for the payment of labor and time.

All underwriting must be registered with SWOCC on the Application for Cablecast & Statement of Compliance.

Contributors may be recognized in the program credits under the following conditions:

1. List the type of service provided by the contributor.
2. An official slogan or jingle may be used as long as it is used elsewhere in their advertising. For example: "Flowers for the set were supplied by Flowers Forever, Inc...bringing joy through flowers to Oakland County."
3. Any one credit cannot be longer than 10 seconds.
4. All underwriters' credits shall together appear for no longer than 30 seconds.
5. The credit may be given once before and once after the actual program.
6. SWOCC accepts no liability for any disputes arising from underwriting contracts.

SUSPENSION OF PRIVILEGES

Staff may immediately refuse service if the resident/user abuses or fails to comply with any policy, rule or procedure stated herein or communicated by staff in any other manner.

SWOCC may warn users of policy violations and/or suspend privileges for one-time or ongoing violations.

Staff will complete a Documentation Form to alert the Executive Director of any violation of these policies. The Executive Director will determine action, up to and including suspension of facility privileges.

APPEAL

If an access user wishes to dispute any policy decision or action taken by SWOCC staff, the following process applies:

1. Request a meeting with the Executive Director.
2. If the access user desires to appeal the determination of the Executive Director, a request for review shall be submitted in writing to the full SWOCC Commission by delivery to the SWOCC Executive Director at least seven working days prior to the next regularly scheduled SWOCC meeting. SWOCC shall place the request for review on the agenda for review and determination.

Penalties imposed may remain in effect throughout the appeals process.

All cable access users agree to employ this appeal process as an exclusive means of dispute resolution prior to any resort to any court system.

All policies shall be interpreted and construed so as to conform to federal, state and local law.

All access users must sign a policy compliance form supplied by SWOCC which reads:

I have read and understand the policy and procedure handbook of the Southwestern Oakland Cable Commission and have received a copy. I agree to comply with the policies and procedures contained therein.

After December 31, 2010 all previously certified residents will be denied facility and equipment usage unless this form is signed and a copy given to SWOCC.