

Cablecast Request Procedure

All requests for channel time on the Newbury Channel will be processed on a fair and equitable basis

A Request for Cablecast form must be filled out and signed prior to the program's being cablecast. Producers not resident in Newbury must have a resident sponsor co-sign the form.

The NEWBURY MEDIA COMMITTEE will endeavor to honor the scheduling requested in the request form, but retains the right to schedule programming at its discretion.

Media Requirements

Note that all video is broadcast as Standard Definition. The preferred media format for broadcasting is as follows:

- MPEG2 encoding
- audio layer 2 @ 48,000 sample rate
- 29.97 frames per second
- 720 x 480 pixels
- INTERLACED
- first/odd/upper field dominant (the NTSC standard) . Will accept files that are lower or even field dominant

Video files in this format can be delivered via:

- Hard drive (NTFS, FAT, MAC OS)
- USB memory stick
- ISO DVD

VHS videotapes, MiniDV tapes, or DVD Video discs can also be submitted by prior arrangement. They will have to be manually converted to broadcast format, which will be done on a time available basis and may affect scheduling.

All media must be labeled with program title, producer name and contact information.

Program Content Rules

General

The Newbury Channel name and logo shall not be used in any credits or any other part of the program, unless specifically authorized by the Media Committee.

Presentation of the following material on the community access channel is prohibited:

1. Any program that is commercial in nature.

2. Any material, which is intended to defraud the viewer or is designed to obtain money by false or fraudulent pretenses, representations or promises.

3. All advertisement of (or information concerning) any lottery, gift, enterprise or similar scheme offering prizes dependent in whole or part, upon lot or chance; or any list of the prizes drawn or awarded by means of such lottery, gift enterprises or scheme, whether list contains any part or all of such prizes.

4. Libelous or slanderous material.

5. Material that is obscene.

Non-profit organizations interested in producing fundraising programs must submit a proposal to the NEWBURY MEDIA COMMITTEE

Obtaining personal releases is the responsibility of an individual, producer or organization.

Adult Content

The NEWBURY MEDIA COMMITTEE wants to assist parents with a means of controlling the viewing of programming with indecent, adult content, nudity or violent material by children, as well as provide viewers with notification of programming with potentially indecent material so they can make informed viewing choices.

While providing such notification, we do not wish to preclude the opportunity for all forms of expression on the Newbury Channel in accordance with all relevant laws. Therefore, the NEWBURY MEDIA COMMITTEE requests that community producers place a content advisory at the beginning of any program cablecast on the channel which may be unsuitable for children and the NEWBURY MEDIA COMMITTEE reserves the right to cablecast programming with adult content after 11:00 PM.

Political Programming

Political Programming Definition: Programming dedicated to Candidates for Public office or Spokespersons for Ballot/Warrant issues. Any program describing or endorsing declared political candidates or describing ballot issues that are directly related to a current campaign is considered "political programming". Programs, which include appearances by incumbents acting in their current elected or professional capacity, are not included in this definition.

At all times "Political" programming must conform to the same guidelines and procedures governing all Public Access programming at the Newbury Channel.

Additional responsibilities during election periods: No Political Programming will be scheduled on-air within 24 hours of an Election, with the exception of a Political Forum or Debate.

Definition of Political Forum or Debate: A Candidate or issue forum/debate where "Written Notice" and an opportunity to respond have been given to all Candidates or Spokespersons for a Ballot/Warrant issue. The Forum/Debate must have an impartial moderator identified in the "NOTICE." "NOTICE" must include the names of the producer(s) and the moderator as well as the time and place of the event to be produced. A producer must demonstrate in writing "NOTICE" to all Candidates or Spokespersons.

Political Programming may pre-empt regularly scheduled programming.

Public Meetings such as Town Meeting, Board of Selectmen, School Committee, Planning Board, etc. are not considered Political Programming and are not subject to the "24 hour" rule.

The NEWBURY MEDIA COMMITTEE maintains a non-partisan political policy.

Indemnification

The producer of the program accepts all responsibility for the content of the program and must agree to hold harmless and indemnify NEWBURY MEDIA COMMITTEE, Staff, Volunteers and the Town of Newbury.

In support of its mission, and in accordance with federal and state regulations, NEWBURY MEDIA COMMITTEE provides an opportunity for qualified individuals to submit live and videotaped programs for play on its cable access channel as an expression of speech protected under the First Amendment of the United States Constitution. However, as with any speaker in a public forum, you have certain responsibilities when it comes to the content of your speech. That is, if it is illegal for you to say or do certain things in public, then it is also illegal to say or do those same things over Channel 9. And, because NEWBURY MEDIA COMMITTEE does not pre-view your work, the responsibility falls completely on you to police yourself--you can't hide behind us, pretending that we have endorsed you or have made a decision to allow your program to play.

Here are some major things you may not do:

COPYRIGHT. You may not take other people's creations and use them unless (a) you have obtained their **permission**; or, (b) you've paid a license fee for their use on a cable access channel; or, (c) the work is public domain (out of copyright).

MUSIC: If certain conditions are met, most music may be used in a tape shown on NEWBURY MEDIA COMMITTEE. The conditions are: (a) the music cannot be from a stage play and used in conjunction with a videotaped stage play performance; (b) the music must be licensed by ASCAP or BMI--agencies to which fees have been paid by Adelphia Cable; (c) the music cannot be used repeatedly as a theme song to a series of programs; (d) the videotape that the music is on cannot be duplicated for commercial distribution; and, (e) as per conditions cited under the "ephemeral use" section of federal copyright law, the videotape must be either destroyed after six months or be permanently archived.

VISUAL WORKS: Most commercially available books, magazines, newspapers, movies, television programs, plays, etc. are covered by copyright. These may not be included in your videotape, again unless you have obtained permission, paid a license fee, or they are in the public domain. Excerpts and minor use probably could be acceptable, but you must deal with this kind of use on a case-by-case basis.

LIBEL & SLANDER. Defamation to a person's or company's reputation either in writing (libel) or spoken (slander) could be determined grounds for a successful lawsuit. A general distinction can be made between someone else's words that you simply videotaped speaking in a public place, and your own words or commentary added to the video.

FIGHTING WORDS. You **may** not make a call to action that would put people's lives or property in jeopardy. The common example is yelling "fire" in a crowded theater; however, parallels to this in public access are very rare.

OBSCENITY. Under the First Amendment, indecency is protected speech, but obscene speech is not. Obscene material is not allowed on the Newbury Channel. Generally, obscenity is the portrayal of sexual or excretory organs or functions in a patently offensive manner running counter to locally accepted standards and without any socially redeeming value. Swear words and nudity, while possibly offensive to some, have not generally been ruled obscene, in and of themselves, in higher courts of law.

SUMMARY: We strongly recommend that you consult with a lawyer of your own choosing if you think that your video might in any way involve copyright issues, libel, slander, fighting words or obscenity. The NEWBURY MEDIA COMMITTEE is not in any way responsible for the content of your video. In submitting your video to the NEWBURY MEDIA COMMITTEE, you are agreeing to indemnify and hold harmless the NEWBURY MEDIA COMMITTEE from any liability or responsibility for your video.

OWNERSHIP

All programs and their content remain the property of the community producer(s). The NEWBURY MEDIA COMMITTEE reserves the right to and will keep archival copies of all material produced or aired. The NEWBURY MEDIA COMMITTEE reserves the right to cablecast that material as many times as it wishes in perpetuity. Any program, which is produced using The NEWBURY MEDIA COMMITTEE equipment, and/or facilities, which is sold, given, or extracted, shall not be excluded from cablecast. The NEWBURY MEDIA COMMITTEE will not release the rights of cablecast for any material for any reason.

Newbury Channel BULLETIN BOARD

Any Newbury resident or non profit organization who wishes to communicate with the cable subscribers on the electronic bulletin board for non commercial, non lottery purposes can do so by completing the Bulletin Board form on the TownofNewbury.org website and mailing, faxing or e-mailing their typed information to:

Newbury Media Committee, 25 High Road, Newbury. MA 01951

Fax number: (978) 465-0862 Email: newburytv@gmail.com

All messages will run for a maximum of 4 weeks as time permits. Notices must be received 14 days prior to event(s).