

NEWINGTON COMMUNITY TELEVISION, INC.

131 CEDAR STREET, NEWINGTON, CT 06111

POLITICAL PROGRAMMING ACCESS RULES

AUGUST 31, 2017

This information sheet is designed to explain the policies adopted by NCTV that apply to Political Programming. These policies provide for:

- A. Channel access time to all candidates and their supporters on a first-come, first-served basis, and
- B. Advanced notice to current Producers and Providers of non-political programming that there may be pre-emption of "regularly-scheduled" programming to accommodate such political programming.

1. DEFINITIONS.

- a. "Political Programming" is any programming in which a legally qualified candidate for public office appears, or whose name, image, slogan, or other identifiable mark associated with the candidate is broadcast.
- b. "Legally Qualified Candidate" is any person who has publicly announced his or her intention to run for nomination or office; is qualified under applicable local, State or Federal law to hold the office for which he or she is a candidate; and for whom voters in the Town of Newington are entitled to cast ballots at a regular or special election.
- c. "Producer" is someone who creates one or more programs using NCTV equipment or facilities as defined in Compliance Agreement Form 101.
- d. "Provider" is someone who provides pre-recorded programming not created using NCTV equipment or facilities.
- e. "Staff" are the officers, members and volunteers of NCTV.
- f. "Users" are the individuals and Producer or Provider in providing Political Programming.

2. RESPONSIBILITY. Every program must have a Producer or Provider responsible for the program content. The Producer or Provider must sign the Compliance Agreement Form 101 and other forms, as appropriate, prior to the broadcast of the Political Programming.

3. PRIORITY. NCTV's programming hours are limited by Staff availability. NCTV's primary mission is to provide public access opportunities to local residents. NCTV gives preference to locally-produced programming. NCTV broadcast outside-produced political programming only if time permits. Even then, such programming will be broadcast only if such programming is provided by a person who has

agreed to assume responsibility for its content by signing the Compliance Agreement Form 101 and other forms as may be required.

4. ADVANCE REQUESTS. It is strongly recommended that requests for scheduling Political Programming be made at least two weeks in advance. Failure to schedule two weeks in advance may prevent NCTV from broadcasting the desired programming.

5. SCHEDULING. Scheduling of Political Programming time slots will be determined by the Programming Vice-President. Scheduling decisions will be based on the following considerations:

Non-Political Programming

- a. Time slots with duplicative programming, not produced locally, will be preempted first; and time slots with duplicative programming produced locally will be preempted second;
- b. Time slots with non-duplicative programming not produced locally will be pre-empted third; and time slots with non-duplicative programming produced locally will be pre-empted fourth;

Political Programming

- c. Non-duplicative, locally-produced Political Programming shall be given first consideration; and non-duplicative, non-locally-produced Political Programming shall be given second consideration;
- d. Duplicative, locally produced Political Programming shall be given third consideration, and duplicative, non-locally-produced Political Programming shall be given fourth consideration.
- e. All Political Programming will stop being aired at midnight the day before an election. (for clarification, this means NCTV will stop airing the show(s) at midnight on Monday prior to a Tuesday election.)
- f. NCTV will provide a separate, on-demand viewer for Political Programming relating to each regular and special election on the NCTV website.

6. EQUIPMENT & STUDIO. There shall be the following rules for scheduling equipment and/or studio time for Political Programming production:

- a. An eligible Producer must take responsibility for use of any NCTV- or Cox-owned equipment or for scheduling studio time for production.
- b. All Users must be pre-qualified to use the equipment and facilities through one or more of the following methods:
 - (1) Successful completion of a training course sponsored by NCTV or Cox Cable,
 - (2) Verification by the NCTV Technical Vice President of outside training or prior skills, or
 - (3) Successful completion of a competency examination administered by the NCTV Technical Vice President.

7. FORMS & QUALIFICATIONS. All Users must complete all forms and sign all statements and agreements pertaining to equipment check-out, rules compliance and legal responsibility and accountability. Equipment users may, in addition to being pre-qualified as referenced above, be required to periodically demonstrate their knowledge of the equipment operation to retain their privileges.

8. PRODUCTION CREWS. NCTV depends on qualified Staff to produce the programming shown on the access channel. Because of the nature of public access and the limited resources available to it, NCTV's Staff are present only to advise and assist the Producer and their volunteers. NCTV does not have the resources to produce Political Programming. Furthermore, NCTV does not have the resources to "cover" political events with Staff. It is absolutely essential that the Producer recruit volunteers to assist in the production, whether the production is occurring in NCTV's studio or at an "offsite" event with NCTV equipment. NCTV will assist in recruiting volunteers for Political Programming to the extent that it is reasonable. However, ultimate responsibility for recruiting production volunteers rests with the Producer.

Meet the Candidates and Mayoral Debates, as well as election night coverage are considered NCTV-sponsored events.

9. AVAILABILITY OF STAFF. NCTV studio time and Staff shall be made available for production sessions on a first-come, first-served basis, if advanced request is made, and subject to existing production schedules. However, session times may be shifted by NCTV if needed to ensure the smooth operation of the station.

10. OFF-SITE PRODUCTIONS. Loan of NCTV equipment for off-site productions shall be under the same rules as for non-political off-site productions. These rules are as follows:

a. The Technical Vice President shall determine the availability of equipment for Users and Producers based on the following:

- (1) whether the equipment desired is in good working order;
- (2) the technical sophistication required, the technical knowledge of the potential User, and the Technical Vice President's judgment as to whether there is a need for a qualified Staff person to be available to offer technical and programming assistance, and the availability of such Staff person;
- (3) the Technical Vice President's judgment as to the amount of wear and tear each use of the equipment will cause, the projected technical life expectancy of the equipment and NCTV's timetable to replace the equipment;
- (4) whether the equipment desired has replacement or back-up equipment readily available;
- (5) the need for the equipment's availability to NCTV Staff to ensure proper, overall operation of the station; and
- (6) any other reasonably based technical considerations that, in the discretion of the Technical Vice President, are determined to be necessary for ensuring the smooth and reliable operation of the station in general.

- b. Once the Technical Vice President determines that equipment is available for certain periods of time, he or she will maintain a list of the equipment available and administer the loan of equipment to Users.
 - c. Producers and Users shall reserve desired equipment as far in advance as possible, but no reservation shall be made that is more than three weeks in advance unless special needs are demonstrated. The reservation procedure shall be as required by the Technical Vice President and must be entered by him or other staff in the scheduling calendar he or she maintains. Equipment availability is on a first-come, first-served basis. Only access programming production shall be permitted to Producers and Users.
- 11. QUALITY.** Any program requested to be aired either on NCTV Channel 14 or on www.NCTV.com may be rejected if, in the opinion of the Programming Vice President or the on-duty Staff, the program is of poor technical quality, or if it reasonably appears that the Producer or Provider is not in compliance with these rules. While an effort will be made to accommodate the Producer's or Provider's desires as to a particular time slot, the date and time of any cablecast is within the exclusive discretion of the Programming Vice President.
- 12. COPYRIGHTS.** The Producer shall own the copyright of any original work created in conjunction with NCTV's equipment, facilities or staff. However, the Producer agrees, in advance, to assign to NCTV, its successors and assigns, in perpetuity, the non-exclusive right to broadcast or rebroadcast, in whole or in part, the work over television and internet media, and to allow the work to be entered into contests or competitions for broadcasting, public service or other awards. Further, unless agreed to in writing to the contrary, NCTV shall own the master on which the work is recorded. If the Producer wishes to keep a copy of the work for archival purposes, it shall be the Producer's responsibility to obtain a copy the master video. If the Producer has had no part in the creation of a work, or if the copyright is owned by another person, the Producer must obtain the permission from the copyright holder allowing the cablecasting and presence on the NCTV website for on-demand viewing.
- 13. CONTENT.** No Producer or User of equipment may use the access channel or any of NCTV's equipment for the monetary gain of the Producer, User, or any other individual or entity, nor may the program content contain the following:
- a. a lottery or any advertisement or information concerning a lottery or game of chance,
 - b. any presentation of advertising material designed to promote the sale of commercial products or services, or
 - c. any obscene material.
- 14. APPEAL.** Any person who feels he or she has been unfairly denied channel time or use of equipment or facilities may appeal the decision of such denial by following the established appeal procedure.

Approved by the membership at a duly called meeting on August 31, 2017.