

New Paltz Public Access Television
Program and Bulletin Board Policies

Revised May 6, 2009

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1. INTRODUCTION

This document covers policies for submitting programs for broadcast and bulletin board listings on New Paltz PATV.

Definitions:

“Channel User” – a person who assumes responsibility as the producer, originator, author or distributor of programming to be aired on NP PATV.

“New Paltz Public Access TV” (NP PATV) –refers to the New Paltz public access channel that currently offers public, educational and governmental programming on Channel 23.

“New Paltz Public Access TV Committee” (NP PATV Committee) - refers to the joint New Paltz Town and Village Public Access Television Committee, appointed by the Town and Village Boards and in cooperation with Time Warner Cable, that is currently operating Channel 23. The policies in this document can be adopted and/or transferred to any future committee, board or organization, and their officers, employees, agents and representatives who operate any of the access channels provided for by Municipal Cable Television Franchise Agreements with the Town and Village of New Paltz.

“Person” – shall include an individual, corporation, society, association, organization, partnership, trust or other entity, public or private

“Program Coordinator” – a person responsible for coordinating programming scheduled for broadcast on NP PATV. Tasks include but are not limited to accepting, scheduling and broadcasting programming, maintaining bulletin board and program guide, collecting and distributing forms, archiving documents and media, and offering outreach to producers. These duties are carried out in accordance with NP PATV policy guidelines and reports to the NP PATV Committee, and the Town and Village Boards.

“Public Access Television Channel” – refers to any New Paltz access channel that offers public, educational or governmental programming as provided for by Municipal Cable Television Franchise Agreements with the Town and the Village of New Paltz.

Included are:

- A mission statement for the New Paltz PATV Committee
- A section on General Policies, which are common to program submission and bulletin board submission
- Policies unique to program submission
- Policies unique to bulletin board submission
- Information about where to obtain an up-to-date Channel Time Request Form (required with each submitted program)

- Information about the Program Agreement Form (which must be signed by each producer, and on file with NP PATV)

The NP PATV committee will revise this document as needed.

2. MISSION STATEMENT

The New Paltz Public Access Television Committee recognizes that public access television is an independent, non-commercial, community resource available to local cable subscribers.

Our Mission is to:

- Ensure the ability of New Paltz residents to exercise their rights under the First Amendment of the US Constitution through the medium of cable television.
- Create opportunities for mutual communication, education, artistic expression and other noncommercial uses of video facilities on an open, uncensored and equitable basis.
- Advise the Town and Village Boards on issues regarding Public Access Television.

In providing services, we seek to involve the diverse communities of New Paltz in the electronic communication of their varied interests, needs, concerns and identities. Public Access Television is supported by Time Warner Cable, under franchise agreements with the Town and Village of New Paltz. NP PATV is made possible by the work and support of individuals and groups in both the Town and Village of New Paltz.

3. GENERAL POLICIES

3.1 Responsibility for Submissions

Submission of programs and bulletin board announcements for public access broadcasting is free of charge, and free of content control subject to the policies herein. Responsibility for the content of these submissions rests with the individuals and organizations submitting the programs.

Persons submitting content must live, work or be a student within the New Paltz viewing area, unless criteria set forth in Section 3.5 is applicable.

Minors submitting programs or announcements will be required to have a parent or guardian sign the Program Agreement Form and to make the contact (by letter or email) regarding the bulletin board announcements. For program submissions, the minor will be requested to sign the Channel Time Request Form as well.

Further details regarding responsibility for content, particular to programs or bulletin board announcements being submitted are covered under "Programs" and "Bulletin Board" below.

3.2 Content Restrictions

Public access television should be maintained in a manner free of censorship except as necessary to comply with legal constraints. Channel users assume responsibility for the content of their programming.

The following 15-second wording will be added to the beginning of all public programming:

"NPPA TV is a Public Access station serving the New Paltz area. All shows are independently produced and the producers are solely responsible for the contents of their programs."

NP PATV wants to provide a means of notifying parents or guardians when programming may be inappropriate for children. NP PATV also wants to assist people in making informed viewing decisions while providing an opportunity for all forms of expression without censorship and in accordance with existing laws. For programs that contain vulgar language, nudity, extreme physical violence, extreme degradation, graphic depiction of invasive medical procedures or indecent material, producers must include a legible disclaimer appearing at the beginning of each program for 15 seconds advising viewers as follows:

" Warning: Due to the graphic nature of this program, contents are suitable only for adults. It is not recommended that children under the age of 18 view this program without supervision of a parent or legal guardian. Viewer discretion is advised."

All such programs will be scheduled between the hours of 1:00 AM and 5:00 AM. Indecent material is defined as material that describes or depicts sexual or excretory activities or organs in a patently offensive manner as measured by contemporary community standards. Program producers shall be responsible for notifying NP PATV if their program contains material requires an advisory message.

It is a violation of NP PATV policy to broadcast programming that is obscene or otherwise unlawful.

The following restrictions apply to all public access programming and bulletin board announcements. They may not contain:

- Solicitation, advertising, bartering or promotion of commercial products, services or transactions;
- Material that is slanderous, libelous, an invasion of privacy or made unlawfully;
- Material that promotes any illegal activities;
- Material that depicts cruelty to animals;
- Material that is obscene; (Obscenity is defined as material that the average person, applying contemporary community standards, would find that considered as a whole, its predominant appeal is to the prurient interest in sex and it depicts or describes in a patently offensive manner, actual or simulated: sexual intercourse, sodomy, sexual bestiality, masturbation, sadism, masochism, excretion, or lewd exhibition of the genitals, and considered as a whole lacks serious literary, artistic, political, and scientific value.) Predominant appeal shall be judged with reference to ordinary adults unless it appears from the character of the material or the circumstances of its dissemination to be designed for children or other especially susceptible audience.
- Material concerning lottery information, gift enterprise, or similar schemes;
- Unlawful use of material requiring union residual or other payment including but not limited to talent and crew;
- Unlawful use of material that is copyrighted or subject to ownership or royalty rights, right of publicity, or other payment. Legal and fiscal responsibility for use of any such submitted material rests solely with the Channel User and not the NP Public Access TV committee or the Village or Town Boards they represent.

3.3 Commercial Restriction

Commercial programming and commercial bulletin board announcements are strictly prohibited on NP PATV. As noted above, programs and bulletin board announcements may not contain solicitation, advertising, bartering or promotion of commercial products, services or transactions. Neither programs nor bulletin board

submissions may contain commercial telephone numbers except as noted below under "Program Credits for Contribution of Goods and Services," nor may programs or announcements contain information about purchasing a product or service. This restriction does not apply to the studio telephone numbers displayed for the sole purpose of facilitating non-commercial call-in programs. NP PATV recognizes the commercial nature of non-original record and film company produced programming, including music videos and film trailers.

Note that this does not restrict Town and Village government-sponsored or not-for-profit (e.g. Chamber of Commerce) sponsored programs that cover local businesses, to encourage awareness of local merchants and/or to encourage a "shop local" theme. Such programming should demonstrate a reasonable effort to be equitable in the topics/merchants who are covered. Programs such as these government-sponsored or not-for-profit-sponsored programs may inform the public about what the businesses are and what they offer in the way of products and/or services, but they should be produced without pricing information and without qualitatively comparing businesses or services.

3.4 Disclosure of Information Regarding Individuals Submitting Material

NP PATV shall maintain a record of the use of the public access channels, which shall include the names, and addresses of all persons using or requesting time on the channels. These records shall be available for public inspection in the Town Clerk's office for a minimum of two years.

3.5 Submissions from Outside the NP PATV Viewing Area

NPPATV may receive programs or bulletin board announcements that would benefit viewers of New Paltz, but which come from outside the New Paltz viewing area. Examples of such programs or bulletin board submissions would be from the Ulster County Health Department or programming about events in neighboring towns that may be of interest to New Paltz residents. If the NP PATV Program Coordinator or any committee member deems that material submitted from outside the New Paltz viewing area is of general interest to the New Paltz viewing audience, NP PATV can and will schedule the program or list the item on the bulletin board. This in no way requires NP PATV to schedule such submissions. Decisions made by the Program Coordinator and/or the PATV Committee may be appealed to the Village or Town Boards in accordance with grievance procedures detailed in Section 4.15.

3.6 Program Credits for Contribution of Goods and Services

Programs may contain credit for individuals, businesses or other organizations that have contributed goods, services or funding used in the program production. Individual credits for such contributions are limited to fifteen seconds. Total credits for all contributions are limited to sixty seconds. Credits may include an acknowledgment of the contribution made. Credits may not contain any advertising information. The following guidelines apply to all credits for contributors:

- Credit must appear at either the beginning or end of the program (not both);
- Credit may be aural, visual or both;
- Credit may include a logo;
- Credit may include a name, address, phone number (max of one), website, and/or email address
- Credit may include a phrase describing the business of the contributor and the nature of the contribution;
- Credit may not contain any qualitative or promotional information.
- Credits may not contain qualitative statements (e.g. “fine furniture”, “excellent workmanship”) or statements that are comparative in nature (“best restaurant”, “largest distributor”) or calls to action (“call now for information”, “see us today”) or use of forms of the pronoun “you” that imply endorsement (“Your center for banking”) or statements or slogans that are commercial or promotional in nature (“We bring good things to life”).

Phone numbers and website addresses must be shown either at the beginning of programming or the end; they cannot be displayed throughout the duration of programming. This restriction does not apply to studio telephone numbers displayed for the sole purpose of facilitating non-commercial live call-in programs.

Bulletin board announcements often include the abbreviation “FMI”, meaning “for more information”. This is for phone numbers, Web page URLs and other contact information. This is acceptable as long as the announcements follow other regulations listed herein.

3.7 Charging for Time on NP PATV

Time on NP PATV is available free of charge.

Channel users may not require compensation from individuals in exchange for programs or bulletin board items appearing on NP PATV.

Neither the NP PATV Program Coordinator nor any committee members may receive any compensation in money, barter or trade for agreements that programs or bulletin board announcements will appear on NP PATV.

3.8 Solicitation by Non-Profits

Solicitation of funds during programs or as part of a bulletin board announcement is limited to non-profit organizations providing evidence of not-for-profit status. The not-for-profit organization must be a sponsor or co-sponsor of the program or announcement. Only Non-profit organizations physically located in New Paltz may fundraise.

Religious organizations (such as churches, synagogues, mosques, and other places or worship) may not fundraise on New Paltz PATV.

3.9 Limits of Liability

NP PATV is not liable for any mistakes, omissions or interruptions in the cablecast and any other means of distribution of programs. NP PATV is also not liable if the program or material submitted is damaged, lost or stolen while in its custody except in the case of gross negligence on the part of NP PATV resulting in damage or loss of any media that the programs are submitted on. In cases of gross negligence on the part of NP PATV, liability is limited to the cost of replacing a blank DVD in exchange for media submitted for cablecast. NP PATV strongly suggests not submitting master copies.

3.10 Government Officials and Political Use of NP PATV

NP PATV places no restrictions on the use of the Public Access channel and facility by political candidates or spokespersons from political parties or ballot/warrant issues, other than those applying to normal and equitable use of the Public Access equipment, facility, and channel and bulletin board scheduling as outlined in this policy document.

In that vein:

1. Regarding political programs, the following material is allowed/encouraged:
 - Candidates for public office and ballot/warrant issue forums and debates, sponsored by, produced and represented by a neutral party wherein it was understood that all candidates were given an opportunity to participate and where the debate or other structured presentation involves all parties equally and is not edited to focus more on one candidate than others or to exclusively focus on any candidate or subset of candidates.
 - Bulletin-board postings of regular party meetings. These postings cannot include fund raising, or promotions of candidates or candidates' positions. See list item 2 below for a full list of prohibitions.
 - Programs from members of government administration, in order that they may share information with NP PATV viewers. These programs are bound by the restrictions in list item 2 below, intended to prohibit political content or undue influence in the election process.
 - Elected officials will be considered to be acting as individual "Channel Users" with regard to election related content during the period between their submission of a petition for office and Election Day.
2. Regarding political programs, the following material is PROHIBITED:
 - Political postings on the NP PATV bulletin board, including but not limited to political fund raisers, announcements of candidacies, espousing of positions on issues, etc.

4. PROGRAM SUBMISSION POLICIES

4.1 Responsibility for Program Content

New Paltz public access channel requires producers and other individuals submitting programs to submit a signed and completed Channel Time Request Form (Appendix A) and Program Agreement (Appendix B) prior to the cablecast of any program. Forms shall be submitted to the Program Coordinator and kept on file with the Town Clerk.

Among other things, that Program Agreement provides for the program provider's indemnification of NP PATV for any violations of NP PATV policies or the law, and requires a certification that such programming in fact does comply. All program agreements must include the name and address of the channel user. If the individual submitting a program is not the program's producer, the individual must also submit the name and address of the program's producer. A parent or guardian is required to sign and accept responsibility for programming submitted by a minor.

4.2 Technical Standards

NP PATV accepts programs submitted on standard DVD's in DVD-R and DVD+R disc formats.

DVD's submitted to NP PATV must meet minimal technical standards in order for proper cablecast of your program.. NP PATV accepts only one program per DVD. DVD's will be converted to an MPG format for scheduling on the Nexus Leightronix broadcaster. DVD's will be converted into an MPG digital format for programming on the NP PATV broadcast server.

For more specific technical information refer to APPENDIX C. Technical Recommendations or contact the Program Coordinator.

4.3 Address Verification

First time program providers and submitters of bulletin board items will be required to submit the following as evidence of their residence address:

- Current Driver's license *or*
- New York State photo non-driver ID card showing age and address and a utility bill in the program provider's name along with an acceptable form of picture ID (Acceptable forms of picture ID include: U.S. Passport, Foreign Passport, Resident Alien Card, and U.S. Military ID card) *or*
- Current photo student identification card

Program providers are responsible for submitting changes of address in writing to NP PATV along with satisfactory evidence of the change of address.

4.4 Representation of Authorizations

Channel users must be able to represent that they have obtained any legal permission necessary for material and individuals appearing in their programs.

Channel users are required to provide satisfactory evidence, including but not limited to electronic evidence, of such permission upon request by NP PATV.

4.5 Program Scheduling

NP PATV will, to the best of its ability, provide channel time as requested on a first-come, first-served basis, subject to the policies and guidelines herein. NP PATV will schedule programs within the parameters of overall program composition and flow, taking into consideration audience building and the representative diversity of programming on the access channels. NP PATV will also exercise scheduling discretion to ensure access for new channel users, single programs, series of limited duration, and special events.

The Channel Time Request Form includes entries that ask for desired air dates and times. Refer to channel bulletin board and website listings for the current program schedule. Note that there are some days and times that are reserved for regular, weekly programs.

The default is for scheduling to provide one scheduled date/time. The maximum is 3 per submitted form. Special arrangements can be made for more than 3 showings, if prior agreement has been worked out with the NP PATV Committee.

While every attempt will be made to accommodate specific date and time requests, there are no guarantees that all requested dates and times can be fulfilled.

In order to have programs listed on the website program guide please:

Submit the program along with the Channel Time Request Form to the Program Coordinator at least 3 days ahead of the desired airdate. This form must include the program's title, duration, description and desired air date(s) and times.

The Program Coordinator and/or PATV Committee can be contacted by email at nppa23@townofnewpaltz.org.

For information on programs that are part of a series, refer to the section Series Programs in Section 4.8.

4.6 Program Priorities

New Paltz PATV prioritizes scheduling in the following order:

- 1) Live New Paltz municipal meetings and set scheduled times for rebroadcasts
- 2) New Paltz residents and New Paltz organizations submitting and producing their own programs
- 3) Municipal Meetings of Local Interest

4) New Paltz residents and New Paltz organizations submitting programs that contain fifty percent or more material produced by someone other than the individual or organization submitting the program

5) New Paltz program providers submitting series also appearing on another cable channel

4.7 Single Programs

A portion of the public access channels will be allocated for single programs. A single program or "special" is defined as a program that is scheduled for a single time slot rather than on a recurring basis. A portion of the public access channel will be allocated for single programs and series of limited duration (for example, a three-part special program). Channel users may request time for single programs at any time. **The media to be used to cablecast the program must accompany all single program requests.** Generally, single programs will be scheduled within two weeks after submission. NP PATV will schedule single programs as requests are received. NP PATV will schedule a half-hour special for three time slots. Programs that are an hour long will be scheduled for two time slots. A half-hour program and an hour program will be guaranteed to have one prime time air date and will be scheduled subject to available channel time. Programs longer than an hour will be guaranteed one time slot. Additional plays may be scheduled subject to available channel time and at the discretion of NP PATV.

Program providers are limited to scheduling one single program per month. Single programs will not be scheduled while the same program is scheduled as a series.

4.8 Series Programs

A program series is defined as a number of episodes, under one single title, scheduled at regular times (for example, weekly, biweekly, or monthly). NP PATV divides the calendar year into four thirteen-week quarters for scheduling purposes.. An "original episode" is defined as a program that, in whole or in substantial part, has not previously appeared on cable television in New Paltz, at any time, regardless of the channel:

A weekly series requires eight original episodes per quarter;

A bi-weekly series requires five original episodes per quarter;

A monthly series requires two original episodes per quarter.

Series program providers are required to submit an episode for each week their program is scheduled.

Channel users will forfeit their series time slot for failing to provide the requisite number of original episodes within a quarter. Program providers are required to identify which of their episodes are "original" upon submission. False identification of an episode as "original" will result in cancellation of the series time slot.

4.9 New Series

NP PATV will schedule all eligible series submitted by New Paltz residents and organizations on a quarterly basis. **All series requests must be accompanied by the DVD that will be scheduled as the first episode of the series.** *Series program providers seeking a time slot will be required to submit proof of residency, as outlined in the **Address Verification** section. Series applications will not be considered completed until this information is provided.* All requests received and verified by the designated submission deadline from first-time series program providers and program providers who have not had a series scheduled for one year or more will be scheduled for the proceeding quarter. New Paltz public access channel will attempt to contact program providers in the order in which the requests are received. Program providers should check with NP PATV 45 days prior to the beginning of the quarter, if they have not been contacted.

New series providers will be asked to provide three alternative time slot choices. NP PATV will schedule the series as close as possible to one of the requested time slots. New series may remain in their allocated time slot for an additional quarter for a total of 26 weeks.

Program providers are limited to scheduling one series at a time. Two or more series regularly featuring the same host or guest will be treated as the same series regardless of the program provider. NP PATV will make a limited number of fifty-nine minute series slots available; the remaining series slots will be twenty-nine minutes.

4.10 Continuing Series

Program series providers may request renewal of their programs for additional thirteen-week periods beyond the first six months. However, continuing series are subject to scheduling changes, reduction in series frequency or length, or cancellation depending upon the number of requests received from new series providers. If a scheduling change is necessary to accommodate a new series request, NP PATV will be guided by the program priorities listed above.

Continuing series program providers may request a change in their existing time slot. Program changes will be scheduled in accordance with the above program priorities and after all new series request have been scheduled.

4.11 Fill Programs

In our continuing effort to provide diverse programming to our viewers, NP PATV may request fill programs or “fillers” from our program providers who have demonstrated their commitment to the New Paltz community. The NP PATV committee reserves the right to determine if said program(s) clearly identifies with NP PATV’s mission statement. Fill programs are those that are scheduled to air in a vacant time slot. These programs are scheduled at will, and producers are not obligated to be informed when fill programs will air.

4.12 Preemption of Programming

If NP PATV receives requests from channel users seeking airtime for unique, timely programming that may be deemed beneficial to NP PATV viewers, programs may be preempted. The following guidelines will apply:

1. The Channel User shall provide an explanation or description of an overwhelming public interest not served by another outlet and/or
2. Emergency, and/or life-saving information would be provided by the preemption and/or
3. NP PATV makes an early request to the producer holding the slot and permission is granted.
4. Permission to preempt must be granted by the Program Coordinator, who should consult with the NP PATV Committee Chairperson or in his or her absence, another committee member.

In the event of a rescheduling of programming, the updated schedule will be shown on NP PATV.

4.13 Transferring Time Slots and Program Substitution

Time slots may not be transferred to another program provider. Program providers may not substitute other programs in their allocated time slots.

4.14 Failure to Comply with Stated Policies and Applicable Law

NP PATV will make every reasonable effort to inform individuals about program and bulletin board policies and prohibitions when a violation has occurred and to end those violations. NP PATV reserves the right to take any action with regard to program scheduling and transmission to comply with applicable law and to ensure compliance with these policies, including but not limited to immediately suspending access rights to offending individuals.

Submitting false information in connection with scheduling a program or bulletin board events will result in cancellation of use of NP PATV facilities and restrictions in future submissions.

Failure to provide programs according to a previously agreed-upon schedule will lead to program cancellation and restrictions in scheduling future programs.

4.15 Appeal

Individuals who feel they have been denied fair access to channel time for programs or bulletin board announcements as described in these policies may submit an appeal to the NP PATV Committee. Committee appeals should be in writing and mailed to the NP PATV Committee at Town Hall. The Committee will attempt to respond to the appeal within 60 days of receipt. Any cable casting restrictions will remain in effect pending the outcome of an appeal.

Committee decisions can be appealed to the appropriate municipal board depending on residence; residents of the Village of New Paltz can appeal to the Village Board

and residents of the Town of New Paltz living outside of the Village can appeal to the Town Board. Appeals to municipal boards shall be in writing and sent to the Town or Village Clerk, respectively. Municipal Boards shall attempt to discuss and respond to the appeal within 60 days of receipt. Decisions shall be made by majority vote at a public meeting and shall be recorded in official board meeting minutes.

4.16 Resubmission of Programs from Repeat Program Violators

There is a mandated waiting period of 6 (six) months for any program provider whose program has been cancelled due to programming violation(s). The program may be cancelled based on the following considerations:

- a) Prior violations(s)
- b) Severity of violation(s)

Prior to cancellation, the Channel User will be warned in writing. Copies of such warnings shall be kept on file with the Town or Village Clerk.

Any of the following constitutes a programming violation:

- a) obscenity
- b) solicitations
- c) sub-par technical standards
- d) commercialism
- e) failure to submit required episodes during a programming quarter
- f) failure to acquire permission to use copyrighted material
- g) any other violation of NP PATV's programming policies

5. BULLETIN BOARD SUBMISSION POLICIES

5.1 Responsibility for Bulletin Board Content

Responsibility for the content of bulletin board items rests solely with the individual or organization submitting the bulletin board item.

Announcements on the bulletin board are designed to publicize events, organizations or meetings of interest to the NP PATV viewing audience.

Any not-for-profit charitable organization or agency, government or quasi government agency, service organization, church or not-for-profit group or membership organization within our viewing area is invited to submit information on specific events under their sponsorship. Publicity chairpersons or other authorized representatives who wish to have a specific event or activity listed may email them to nppa23@townofnewpaltz.org.

Submissions from groups that are clearly discriminatory, editorial in nature, or intended to make controversial political, religious or other statements will not be aired. Greetings or congratulatory announcements are not appropriate for the bulletin board but can be included in individual programs. NP PATV bulletin board items are intended to be informative, but are not intended to evoke points of view,

either in word or in picture.

The NP PATV committee reserves the right to publicize its programs, schedule, and any other announcements on the bulletin board at its discretion. In the event of an emergency, messaging from the New Paltz Town Supervisor will take precedence, and follow procedures in accordance with the Emergency Preparedness procedure agreed to by elected officials.

If any submissions are questionable, according to those submitting the data, these announcements will be referred to the NP PATV committee for a determination about their suitability. The individual (group) submitting the announcement will be notified of this referral, so he/she/they can attend the committee meeting at which it will be discussed.

Committee decisions concerning submissions for the bulletin board are final, albeit subject to review by the Town and/or Village Boards, if appealed.

5.2 Bulletin Board Submission Requirements

Submissions are to be submitted by email and should include the following information:

1. Name of sponsoring organization
2. Nature or type of event
3. Day and Date of event. If this is for an ongoing event, the date the announcement will be terminated.
4. Time or times of event
5. Exact location where event is being held
6. Details as to costs of admission or donation, and, if tickets are necessary, where they may be obtained.
7. Telephone Number where viewers can get further information (an e-mail address can also be included, but does not replace the telephone number).
8. Any graphics or additional information or details that would help us publicize the event.

The following additional information is required so that we may verify details of information submitted, but will NOT be cablecast:

1. Name of authorized representative submitting information
2. Mailing address for sponsoring organization
3. Daytime and evening telephone numbers where information may be verified

Proof of non-profit status or charitable nature of the organization may be requested prior to publication of the information.

5.3 Suggested Format

Submissions should be as brief as possible so they can be read by the viewer during the time the announcement is displayed on the screen (usually about 12 seconds). Announcements that include 30 words or less are ideal. The maximum number of words used should be 50.

Bulletin board items should be written in a way to try to give the most important information first. It is suggested the name of the sponsoring organization appear first, followed by the event name, then the place, date and time of the event. Each listing should devote at least one line to "FMI" (for more information).

Event Examples:

United Methodist Church
YARD SALE
10 AM – 5 PM on Saturday, June 99th
Make-believe Road
To Benefit the Church School
FMI: call Fred at 246-0000

5.4 NP PATV Rights to Edit Bulletin Board Items

NP PATV reserves the right to edit any and all submitted bulletin board items, for clarity, brevity and design purposes. Every effort will be made to get across all essential information from each original submission.

5.5 Duration of Announcements

NP PATV distinguishes between two main types of announcement:

- Static event announcements . . . these typically announce an upcoming event and therefore have a natural end date associated with them.
- Organization or service announcements and/or repeating event announcements . . . these announce an organization or service, and may include a regular, ongoing (weekly, monthly) schedule of meetings. An example of an organizational announcement is the Democratic Committee announcement. An example of a service announcement is the SPCA announcement. The former includes an ongoing meeting (4th Tuesday of each month). The latter just provides contact info.

The Program Coordinator is responsible for ensuring static event announcements appear only when they are relevant.

For organization or service announcements and/or repeating event announcements, the person or organization submitting the announcement must renew them each year, during the month of January. This is to ensure the information being displayed is still relevant. NP PATV will do its best to contact each owner of an organization, service, or repeating event announcement at the beginning of each year, to determine if the announcement is still relevant. But it is ultimately the responsibility of each person submitting an announcement to renew the announcement as soon after January 1st as possible.

5.6 Advance Notice in Bulletin Board Announcements

We will restrict typical advance notice of an event in a bulletin board item to 1 month. In most cases, this should provide adequate advance notice for all events that bulletin board submissions are intended to address.

Without this restriction, we unnecessarily increase the number of bulletin board items shown, and thus the length of time it takes to view all bulletin board items.

The NP PATV committee will determine exceptions to the above rule, based on its regular review cycles. The usual appeals process (NP PATV committee and then the Town and Village Boards) applies.

6. Use of Public Space and Equipment

Channel user is subject to municipal regulations governing use of public space and equipment in Town and Village Halls and the New Paltz Community Center. Live broadcasts over public access channels are subject to prior scheduling as per programming policies. Broadcasts are not to begin before or extend beyond scheduled air time.

APPENDIX A. CHANNEL TIME REQUEST FORM

To be added when finalized.

APPENDIX B. PROGRAM AGREEMENT FORM

New Paltz Public Access Program Agreement

1. Channel User (hereafter referred to as "User") assumes all responsibility as producer, originator, author, or distributor of any of the User's programming carried **New Paltz NP PATV**, the public access channel of New Paltz, NY (hereafter **NP PATV**). User agrees to indemnify, hold harmless, and defend NP PATV and each of its officers, employees, agents and representatives (the "Indemnified Persons") from any claim, liability, loss or damage of any nature whatsoever including, without limitation, reasonable attorney's fees and court costs arising out of, or otherwise in connection with any material supplied by the User in connection with their utilization of NP PATV.
2. Without limiting the generality of the foregoing, User further agrees to indemnify, hold harmless, and defend the Indemnified Persons from any claims, liability, loss or damage of any nature whatsoever, including reasonable attorney's fees and court costs, arising out of or in connection with any material carried on, transmitted or disseminated by the User on the public access channel in violation of or infringement upon the rights, trade names, or the right of privacy of any other owner, licensor, copyright holder, writer, composer, person, corporation, partnership or legal entity, or by reason that said material constitutes libel or slander.
3. User agrees to defend all actions to which any indemnity stated herein applies and to conduct defense thereof at its own expense and by its own counsel. NP PATV shall have the right but not the obligation to participate in such defense with counsel selected by it.
4. User hereby releases NP PATV, their successors and assigns from any action, claim, and demand whatsoever which the User or its organization ever had, has, and may have against NP PATV, their successors and assigns, in connection with material carried on the public access channel including without limiting the generality of the foregoing any mistakes, omissions, or interruptions in the cablecast of User's material, any changes in scheduling User's material or failure to cablecast such material.
5. User releases NP PATV, agents, employees, and representatives and their respective successors and assigns from all liability if the program or material submitted is lost, stolen, destroyed or damaged while in their custody except in the case of gross negligence on the part of NP PATV resulting in damage or loss of submitted media. In such cases of gross negligence, liability will be limited to the cost of replacing a blank DVD in exchange for DVDs submitted for cablecast. NP PATV will not be liable for and will be held harmless with respect to any and all damages, consequential or otherwise, including without limitation the cost of producing the DVD as well as any other related expenses.
6. User warrants and represents that the program(s) that User will be submitting was lawfully made and does not contain:
 - a) solicitation, advertising, bartering, or promotion of commercial products, services or transactions;

- b) material that is slanderous, libelous, an invasion of privacy or made unlawfully;
 - c) material that is obscene; (Obscenity is defined as material that the average person, applying contemporary community standards, would find that, considered as a whole, its predominant appeal is to the prurient interest in sex and it depicts or describes in a patently offensive manner, actual or simulated: sexual intercourse, sodomy, sexual bestiality, masturbation, sadism, masochism, excretion, or lewd exhibition of the genitals, and considered as a whole lacks serious literary, artistic, political, and scientific value. Predominate appeal shall be judged with reference to ordinary adults unless it appears from the character of the material or the circumstances of its dissemination to be designed for children or other especially susceptible audience.)
 - d) material concerning lottery information, gift enterprise, or similar scheme;
 - e) unlawful use of material requiring union residual, or other payment including but not limited to the talent and crew;
 - f) unlawful use of material that is copyrighted or subject to ownership or royalty rights, right of publicity, or other payment.
 - g) political content in violation of the NP PATV policies document.
7. User further warrants and represents that submitted material does not violate the provisions or rules and prohibitions set forth by the FCC, the Town or Village of New Paltz, NY, or any public regulatory agency established by statute, administrative rule or other agreement.
8. NP PATV wants to provide a means of notifying parents or guardians when programming appears on the access channel that may be inappropriate for children. NP PATV also wants to assist people in making informed viewing decisions while providing an opportunity for all forms of expression without censorship and in accord with existing laws. Programs that are not obscene, but do contain repeated vulgar language, nudity, extreme physical violence, extreme degradation, graphic depiction of invasive medical procedures or indecent material will be preceded by a message advising viewer discretion and will be scheduled between the hours of 1:00 a.m. and 5:00 a.m. Indecent material is defined as material that describes or depicts sexual or excretory activities or organs in a patently offensive manner as measured by contemporary community standards. User shall be responsible for notifying NP PATV if their program contains material requiring an advisory message.
9. This agreement shall be binding upon the user and user's agents, servants, employees, successors, heirs, personal representatives and assigns.

It is a violation of NP PATV policy to submit for cablecast programming that is obscene or otherwise unlawful.

A signed Program Agreement form must be on file at Town Hall and dated for a given calendar year for any program submissions to be accepted from that producer in that given calendar year.



I hereby certify that I have read this service agreement and the NP PATV Policies Document and that any and all programs that I will submit comply with the guidelines stated above.

Applicant's Printed Name* Signature of Applicant Date

Organization / Entity Represented (if applicable)

**If applicant is under 18 years of age, the following must be filed out and signed:*

I certify that I am the parent or guardian of the above Applicant, _____, a minor under the age of eighteen years. I hereby agree to assume legal responsibility for his/her activities referred to in the Program Agreement.

Printed Name of Parent/Guardian Signature of Parent or Guardian Date

APPENDIX C. TECHNICAL RECOMMENDATIONS

To be added when finalized.

APPENDIX D. EMERGENCY USE OF PUBLIC ACCESS TELEVISION

To be added when finalized.