

# TOE-TV OPERATING POLICY

## TOWN OF ENFIELD TELEVISION POLICY FOR MUNICIPAL CHANNEL OPERATION

### I. Introduction

The purpose of this policy is to set forth the administration of the Town of Enfield's municipal channel as provided for in its renewed franchise agreement with COXCOM, INC., D/B/A Cox Communications New England/Enfield dated October 26, 2005 approved by the State of Connecticut Department of Public Utility Control. The Enfield Town Council authorizes the Town Manager to coordinate the administration of the Town of Enfield Television Channel in accordance with this policy.

Currently, there is one channel available for governmental use by the Town for its programming. This policy is intended to apply to the municipal channel made available to the Town of Enfield by Cox Communications New England/Enfield.

### II. Purpose, Scope and Goals

- A. Purpose: The purpose of the Town of Enfield cable television municipal channel (E-TV) is to provide governmental and educational programming that focuses on the needs and interests of the citizens of the Town of Enfield ("Town").
- B. Scope: In keeping with the purpose of the E-TV to provide public service and governmental programming sponsored fully or in part by the Town of Enfield municipal government and/or Enfield Public Schools.
- C. Goals: The goal of operating the E-TV municipal channel is to disseminate public service, governmental and community information and events to the citizens of Enfield, utilizing cable communications technology including, but not necessarily limited to, providing the following:
  1. Quality programming that will inform, educate, entertain, and enlighten the citizens of Enfield and keep them abreast of events and issues in the Town.
  2. Foster community spirit and identity by utilizing cable communications as a vehicle for sharing the skills, talents, and knowledge of the Enfield's citizens and those of its neighbors.

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3. Coordinate the production and dissemination of programming in cooperation with Enfield's community, governmental and public education entities.
4. Keep abreast of innovative applications and utilization of same pertaining to cable technologies in order to improve services and better meet the needs of the citizens of Enfield.
5. Provide community emergency information.

### III. General Policies

- A. General: The Town Council adopts this policy as a guideline to be used by Town staff under the direction of the Town Manager in the administration of its municipal channel. All programming and administration of E-TV should be in accordance with this policy unless expressly authorized by the Town Council.

The Town Council may from time to time appoint an advisory committee comprised of Town Council members, Town staff, and members of the community, or any combination thereof, to further ascertain and refine the effective administration of the E-TV.

- B. Cooperation with other telecommunications agencies/borrowing of media: E-TV will cooperate with other media, political subdivisions and telecommunications agencies to promote the development of a local information/programming exchange. Reciprocal service agreements (such as exchange of videotapes) with local educational, broadcast, cable and other production entities will be encouraged and developed in order to maximize the use of local resources.

### IV. Programming

- A. Responsibility for Programming: The Town retains the exclusive authority to determine the programming for the E-TV. It will be carried out in accordance with this Policy as determined by Town Council and implemented under the direction of the Town Manager.

The Town may, from time to time, conduct surveys and ascertainment studies for use in planning programming and services to reflect the changing needs of the community.

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The Town reserves the right to refuse production, operations, sponsorship, or use of facilities and equipment to those who interfere with the proper administration of the E-TV or who do not comply with this policy.

- B. Program Development and Scheduling: Program development and scheduling will be determined by the Town in accordance with this policy. Programming development and scheduling may, but will not necessarily, involve the cooperative endeavor of the Town with local educational, governmental, civic, and community organizations, independent community producers, and others at the direction of the Town.

Town staff will assist in the development of program proposals, when appropriate, which fall within the stated purposes of this Policy within the limitations of facilities, personnel, and other resources.

Town staff will coordinate all publicity and advertisement for E-TV programming.

- C. Broadcast Hours: Broadcast hours will be determined by the Town.
- D. Program Content: The primary focus of E-TV is the fulfillment of the purposes and goals stated above, including the creation of quality programming to the benefit of the citizens of Enfield.

Programming produced for and/or broadcast on E-TV should promote community identity, pride, and creativity. E-TV programming should reflect the needs and interests of Enfield. Representative E-TV programming may include the following:

1. Public Meetings: Public meetings of Town policymaking boards and commissions, such as Town Council meetings, Planning and Zoning Commission meetings, Board of Education meetings, etc. may be cablecast on E-TV, as well as other local meetings of general public interest, such as public hearings held in Enfield by State Agencies or regional organizations where a specific subject may impact the community. All taping or live cablecasting should be coordinated in advance.

A videotape of a public meeting is not intended to serve as the meeting's official minutes or transcript.

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2. Special Programming: for children, senior citizens, and other interest groups.
  3. Programming other sources: which may produce or make available programming which is appropriate for E-TV consistent with this Policy as determined by Town Council.
  4. Community-Wide Civic Events: Town sponsored or school events such as school athletic games and/or meets, graduation ceremonies.
  5. Public Service Announcements: Includes information of interest provided by municipal, school, and State, Federal or quasi-government agencies to E-TV.
- E. Programming Restrictions: Incorporated into this Policy is the franchise agreement with Cox Communications New England/Enfield, and to which the programming guidelines and restrictions set forth therein shall be adhered. Also, the Town recognizes the jurisdiction of the Federal Communications Commission (FCC) and shall administer E-TV in a manner that is within the FCC guidelines and regulations, including the administration of a public, educational, and governmental channel.

In addition, the following restrictions shall apply:

1. Programs containing obscene, offensive, or defamatory material will not be cablecast on E-TV.
2. Programs containing copyrighted materials should not be cablecast without proper copyright authorization. Any non-Town Staff personnel who produces or is responsible for some programming for E-TV shall be responsible for obtaining all necessary copyright clearance with respect to such production or programming and shall hold the Town of Enfield harmless in any case of copyright and/or trademark infringement, allegations of plagiarism or theft of intellectual property of any kind.
3. Programs which have the sole purpose to promote commercial/profit-making services, products, trade, or business will not be cablecast on E-TV.

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4. Discussion of partisan issues will not be cablecast except as part of a forum or a meeting of candidates, without the express authorization of Town Council.
- F. Program Rights/Copyright Accrual: The master videotape of all programming produced using E-TV equipment and/or personnel and/or agents of the Town performing at the specific request of the Town shall be the property of E-TV for such use as administratively deemed appropriate (e.g. submission in award competitions). Copyright for creative properties (original scripts, music, artwork, etc.) shall accrue to the owner/creator of said property. Agreement between the Town and creator/owners should contain the following assurances:
1. Owner/creator shall grant E-TV copyright clearance for the use of the property in an agreed-upon manner.
  2. Each party agrees to notify the other of any distribution of the program.
  3. Programs will not be sold or commercially distributed without express authorization of the Town.
- G. Editing Policy: The following Policy will apply to editing of programming cablecast on E-TV:
1. General: Town staff, under the direction of the Town Manager, shall approve all programs according to the guidelines set forth in this document. The Town reserves the right to exercise editorial discretion with regard to E-TV programming, according to this Policy. Any programming prepared by or provided by a community agency or from some other outside non-Town source, may be modified or edited as appropriate and as dictated by scheduling and availability. Programming submitted by outside sources may be edited to provide clarity and to provide compatibility with the necessary format or to adhere to accepted standards.
  2. Public Meetings: Notwithstanding the foregoing, typically editing of public meetings cablecast should be minimal and void of editorial comment. Editing of technical difficulties is permitted.
  3. Liability for Error: Should human error result in the cablecast of incorrect information over E-TV, the Town shall not be liable for the inaccuracy of the information.

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- H. Retention of Videotapes: Governing this policy will be the provision of the Connecticut General Statutes which are applicable to the retention of public records. The following policy should apply with respect to retention of videotapes:
1. Public Meetings: Videotapes of public meetings do not constitute the meeting's official minutes and/or transcripts. They may be available for public inspection in accordance with the Connecticut Freedom Of Information Law.
  2. Town-produced Programming: Town-produced programming may be retained for repeat cablecasting at the discretion of Town staff in accordance with this policy, except for public meetings which shall be handled as outlined above.
  3. Programming From Other sources: Programming accepted for cablecast from other sources may be retained for repeat cablecasting at the discretion of the Town. Upon request, videotapes will be returned to the owner/producer after final cablecast, if permitted by Connecticut General Statutes.
  4. Public Service Announcements: Typically, public service announcements will be retained and cablecast on E-TV for as long as the subject matter is timely. For videotapes of public service announcements submitted by outside sources, such tapes should be made available to the owner/producer after final cablecast, if permitted by Connecticut General Statutes.
- I. Program Logs: A daily log should be kept of all programming cablecast during each day. Log information will include program title, airtime, length of program, etc.
- J. Political Programming: Candidates for political office or their representatives are not permitted to make partisan political statements on E-TV except as part of a forum or a meeting of candidates. Typically, E-TV coverage of governmental affairs will be of the public affairs or documentary-style format.
- K. Live Broadcast: Typically, programs cablecast on E-TV will be taped-delayed and may be repeated on a re-determined basis as appropriate. Certain programming may be cablecast live and may be cablecast on subsequent

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occasions as tape-delayed programming as appropriate. Live televised coverage may include the live-cablecasting of Town Council meetings and other selected public meetings and events of general community interest.

L. Program Selection Criteria: Videotapes submitted for cablecasting by a non-Town producer, agency, or company may be previewed by Town staff and forwarded to the Town Manager for final approval when appropriate. The following criteria for cablecasting will apply:

1. Scheduling: Selection of programming will be dependent upon time allotment availability, personnel, financial resources, and similar practical considerations consistent with this policy.
2. Technical Quality: Video and audio quality must be of acceptable levels as determined by the Town.
3. Appeal and Interest to Enfield Community: Program must be of interest to the needs and interests of the Enfield community.
4. Relevance of Subject Matter or Content: Subject Matter must be relevant to the Town's audience.
5. Absence of Defamatory Material: Programs that are defamatory, libelous or slanderous in nature are inappropriate.
6. Absence of Obscene or Offensive Material: Programs of an obscene or offensive nature are inappropriate.

V. **Program of Channel Sponsorship**:

The Town may accept sponsorship of the programs it cablecasts. Sponsorship may be in the form of monetary assistance, technical assistance, equipment, or in any other form acceptable to the Town. Any program sponsored in full or in part by a commercial, civic or private entity may carry a brief sponsorship statement such as "this program is made possible through a grant from (sponsor's name)." Video footage may include a logo, name, address, and telephone number, free of promotional announcements of product and/or services. This information may be cablecast before and after the sponsored programs.

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### VI. Sources for Programming, Producing, and Performing Miscellaneous cablecasting services:

- A. General: The Town may utilize its staff to produce program, cablecast and perform other cablecasting services as it determines appropriate, or it may choose to contract with an outside source to perform one or more aspects of the administration of its municipal channel. Such "outsourcing" shall be approved by Town Council.
- B. Volunteers: Additionally, the Town may develop a volunteer program, such as the formation of a local video club, which assists in the production or administration of community programming. Also, in conjunction with this or as a separate matter, the Town may choose to develop a training program and qualifications for participation in same to enhance the services provided to the community by the Town. Such training program may also be in the form of a cooperative effort with one or more educational institutions.

Whenever appropriate, the Town should recognize the valuable contribution of such volunteers or students in the programming effort and will endeavor to coordinate programs which may provide for the acknowledgement of these efforts.

- C. Enfield Public Schools: Efforts will be made to develop a working partnership with Enfield Public Schools to support the operation of E-TV. Examples of this partnership could be, but are not limited to, broadcasting of school sporting activities, programming of school activities, developing a training program with student audio visual classes and clubs, etc.
- D. Submittals: The Town will consider unsolicited submittals for programming on its municipal channel, and may, at its option, choose to cablecast same in accordance with this policy. Furthermore, Town staff may make available technical criteria which must be met before the Town may consider a submittal for broadcasting. Such technical criteria may include tape size, and other relevant "cablecast-ready" criteria.
- E. Fees for Service: The Town may, from time to time, as it determines is appropriate, offer technical or other type of assistance to various civic, community, or commercial groups that may request assistance to produce programming for cablecasting on E-TV. The Town may elect to charge a reasonable fee for such services in accordance with a schedule of fees approved by Town Council.

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