

TOWN OF GORHAM CABLE TV POLICY

Section 1. Purpose

- 1.1 The Town of Gorham operates two cable tv community broadcast channels pursuant to Federal and State Law and has a cable franchise agreement with a service provider. It provides a wonderful opportunity for citizens to obtain information about the community, see local government at work, view community events, and receive information not otherwise available on commercial channels. This policy is intended to refine and clarify the roles and responsibilities regarding the operation of this valuable resource.

Section 2. Definitions

- 2.1 **Educational Access Programming**
Refers to programming that is produced by or sponsored by the Gorham School Department, primarily on Channel 2. These programs are regulated by the Gorham School Department.
- 2.2 **Government Access Programming**
Refers to programs that are produced by or sponsored by the Town of Gorham. Such programs are regulated by municipal officials.
- 2.3 **Public Access Programming**
Programming of community interest that may be produced by, or sponsored by, a Gorham resident or non-profit organization.
- 2.4 **Producer/Sponsor**
Refers to a resident of Gorham, or a person designated by an eligible non-profit organization, that assumes responsibility for the content of the program that they supply to GOCAT. Sponsored programs should provide a local phone number at the end of the program that residents may contact FMI.

Section 3. Roles and Responsibilities

- 3.1 Town Council
The Town Council is responsible for establishing policies, setting priorities and approving the annual budget regarding the operation of the local cable broadcast system.
- 3.2 Cable TV Committee
The Cable TV Committee shall consist of seven people appointed by the Town Council for three year terms.
The Committee shall monitor the Franchise Agreement between the Town and cable provider for compliance and assist the Town, as requested, with any future negotiations regarding the franchise agreement. The Committee is responsible for evaluating changes in technology and making recommendations to the Recreation Director and Town Manager regarding technology improvement to the system and making recommendations concerning changes to policy. The Committee shall monitor progress on implementing policies after approval by the Town Council. The Cable TV Committee may act as a mediator regarding complaints from citizens relative to the cable tv station, franchise agreement, or service provider.
- 3.3 Station Manager
The Station Manager shall be responsible for ensuring the day to day operation of the cable tv system and maintaining the quality of the broadcast consistent with policy and priorities established by the Town Council. The Station Manager supervises the other cable tv system employees pursuant to the Town of Gorham Personnel Policy and carries out other duties as described in the job description for this position which may be changed from time to time. The Station Manager reports to the Recreation Director.

Section 4. Operational Use: Channels 2 and 3

- 4.1 Channel 2 shall be designated for programming sponsored by the Gorham School System for educational broadcasting. This channel will also broadcast

school athletic events or cultural events, community events, or public access, consistent with the priorities established by the Town Council.

- 4.2 Chanel 3 shall be designated for programming showing local government at work and providing information about local issues not otherwise available on commercial broadcast. This channel shall primarily broadcast governmental meetings multiple times in order to provide maximum opportunities for citizens to view meetings. The channel will also broadcast programs that are intended to inform the public about local issues or State issues not otherwise available on commercial television. Examples of informative programs include news programs with Gorham's local or state elected officials and Candidates Night for local or State office elections.

Section 5. Cable System Priorities

- 5.1 The Town of Gorham has limited resources and is not able to provide all services all the time. In order to maximize our available but limited resources, the Town Council establishes the following priorities for utilizing the resources available to the cable tv system.

1st priority: Ensuring that all equipment is maintained and operating properly and the broadcasting of all Council Meetings including workshops, Planning Board Meetings, School Board Meetings and Board of Appeal Meetings, unless the responsible board or committee specifically asks that the meeting not be broadcast. This priority could also include other Committee meetings when the subject matter warrants their broadcast.

2nd priority: Provide training to assist volunteers in carrying out tasks consistent with Priorities 1 – 7 as set out in Section 4.1.

3^d priority: Broadcasting educational, athletic or cultural events emanating from the Gorham School System such as school plays, musical events, football, basketball, soccer, field hockey, ice hockey games or similar events.

4th priority: Other community events that show local government at work or are recognized community activities such as the recent New Years Eve Celebration, the Town Clock dedication ceremony, Gorham Family Fair, the Gorham Bypass ribbon cutting ceremony, the annual Gorham Marketplace and similar events.

5th priority: Other programs that inform the public about local government or the local education system that staff wish to have produced with the intent of informing the community about some health or safety issue, or useful information beneficial to the community.

6th priority: Programs produced by the State of Maine, Portland Water District, Ecomaine, or similar governmental or quasi-governmental agency intended to inform the community about an important public issue or programs produced by the Town involving the Town's State legislative delegation, personnel from the State or Federal or local Town Government that are intended to inform the public about current issues and is not available on commercial stations.

7th priority: Loan equipment to members of the Gorham community, who have appropriate training, and who wish to use the Town's equipment to produce programs.

Section 6. Responsibilities: Producer/Sponsor

- 6.1 Responsibility for the content of programs submitted to GOCAT for broadcast rests solely with the individual and/or the organization that requests it. A "User Application, Compliance, and Certification" form must be completed and on file at GOCAT. The producer must adhere to the program content guidelines stated in this policy guide.

Section 7. Community Announcements

- 7.1 Messages of community interest from non profit organizations will be aired on Channel 2. Official announcements from the Town and School Department will

be aired on Channel 3. Please see the form "Guidelines for Submitting Announcements" in the back of this policy guide.

Section 8. Archival Policy

8.1 Recorded meetings of the Gorham Town Council, School Board, Board of Appeals, and Gorham Planning Board will be retained at the Gorham Municipal Center for a period of two years. This policy is under the discretion of the Gorham Town Clerk. It is noted that media recordings are not considered the official minutes of such meetings.

Section 9. Equipment Use

9.1 The Town has a limited amount of equipment available for use by citizens of Gorham. In order to ensure that the equipment is properly used and maintained, the following rules apply to its use:

- a. The borrower must be a citizen of Gorham and verification will be required, consisting of a valid drivers license or photo ID, and a utility bill or rental lease agreement with an invoice date within the previous 2 months.
- b. You must be 18 years of age or older or if a minor, have a legal guardian sign for responsibility and supervision, or be a member of an organized group working under the supervision of the Gorham School system or Cable TV Station staff.
- c. You must complete a training process to insure proper operation of the equipment.
- d. The primary use of access equipment is to generate programming consistent with the priorities established in Section 4 of this policy for replay on the station. Some equipment may be available for non related broadcast use depending on availability.
- e. Any individual who is a legal resident of the Town of Gorham and who complies with the conditions stated above, may request use of equipment and/or broadcast time. The proper forms, including but not limited to: User Application, Equipment Sign-Out, & Channel Time application, must be completed.

Section 10. Programming

10.1 Program Content Guidelines:

Program broadcast time is a privilege granted to the residents of the Town of Gorham and eligible non-profit organizations and all programming shall comply with the following:

- a. Solicitation, advertising, bartering or promotion of commercial products, services or transactions, is not permitted. However, informational, journalistic, or civic content programming is allowable.
- b. Material that is slanderous, libelous, or is an invasion of privacy, is not permitted;
- c. Material that is obscene based on the FCC definition (76.701 Subpart L) and applied with community standards is not permitted;
- d. Material concerning lottery information is not permitted;
- e. Implicit or explicit threats of violence against any person or group of people are forbidden and maybe subject to prosecution if in violation of federal or state law;
- f. Use of any copyrighted material is the sole responsibility of the producer of the programming. Obtaining proper permission is strongly recommended.
- g. Fundraising for nonprofit organizations is permissible.
- h. Fundraising for political candidates is not permissible.

- i. Any program ready for cablecast may be previewed for technical and content standards. All programs must comply with the standards put forth in this manual.

10.2 Programming Priorities:

Broadcasting of programs shall follow the priorities established in Section 4 of this policy.

Channel 2

- a. Local origination of prerecorded programs generated by the School System.
- b. Live broadcast for community events.
- c. Programming provided from the classrooms of Gorham schools.
- d. Local origination of pre-recorded programming from the community or GOCAT staff.
- e. Programming from other community sources that is not commercially distributed and is available to enhance broadcast hours.

Channel 3

- a. Live broadcast of official meetings of the Town of Gorham to include the Town Council, School Board, Gorham Planning Board, Gorham Zoning Board of Appeals, and any other special meetings as requested by the Town Manager.
- b. Local origination of pre-recorded programming generated by the Town or School System.

10.3 GOCAT staff reserves the right to schedule programs as they determine appropriate with preference being given to Government Access Programming and Educational Access Programming, as specified in Section 4, and then to locally produced programs.

10.4 Programs with mature (adult) content, including but not limited to, descriptive sexual behavior will be aired between 12pm and 5am Monday through Thursday only. This does not restrict the responsibility of the staff to schedule programs consistent with Section 4.

Section 11. Technical Standards

11.1 All media replay requests must meet the technical standards to play at the time of submission. The Technical Standards necessary for broadcast are available from the Station Manager.

NOTE: Programs recorded on some consumer or home video equipment can be played back on the access channel if the program meets the technical standards. Please contact the Cable TV staff for additional information.

Section 12. Volunteers

- 12.1 Volunteers are vital to the success of local Community Television. We provide local people with the opportunity to gain experience in a broad range of media skills. Our goal is to inspire participation of volunteers to further the purpose of providing information to the citizens of Gorham, through governmental, political, scholastic, academic, cultural, educational, informative and newsworthy programming.
- 12.2 Prospective volunteers should contact the Station Manager to schedule a meeting. Every attempt will be made to train the individual so that their project can take place.

Standard Training Outline:
Phase 1: Studio Camera & Audio
Phase 2: On Location Video & Audio
Phase 3: Directing & Producing
Phase 4: Editing

- 12.3 GOCAT will periodically use venues such as the Gorham Recreation Department and Gorham Adult Education to offer group instruction. Individual training will be available provided that staff time and workload can accommodate citizen interest.

Section 13. Failure to Comply

- 13.1 The failure to adhere to these policies may result in denial of access privileges.

Section 14. Grievance Procedure

- 14.1 The term "grievance" is defined as any dispute between a citizen and the Town of Gorham Television station. The Town of Gorham Cable Committee may act as the mediator, consistent with Section 13. Excluded from consideration of grievance are those matters pertaining to program scheduling. **Every attempt should be made to resolve any dispute, at the lowest possible level, as soon as possible.**

Steps in the grievance procedure shall be as follows:

- a. An attempt should be made for an oral agreement between the individual and the Station Manager.
- b. If an oral agreement is not reached, the aggrieved may file a written complaint to the Gorham Cable TV Committee. The committee will make a determination of the merits of the complaint and give a written reply within 30 days.
- c. If the individual is dissatisfied with the Gorham Cable TV Committee's written decision, the aggrieved may take a formal written appeal to the Town Manager. The Town Manager, upon receipt of the written appeal, will consult with the appropriate resources, including but not limited to the Town Attorney. A formal decision will be issued. In all cases, the decision of the Town Manager will be final and binding.

8/12/09

Adopted: September 1, 2009