



MANHATTAN NEIGHBORHOOD NETWORK PROGRAM POLICIES FOR PUBLIC ACCESS

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Mission Statement

Manhattan Neighborhood Network is responsible for administering the Public Access cable television services in Manhattan. Our purpose is to ensure the ability of Manhattan residents to exercise their First Amendment rights through the medium of cable television and to create opportunities for mutual communication, education, artistic expression and other noncommercial uses of video facilities on an open, uncensored and equitable basis. In providing services, we seek to involve the diverse racial, ethnic and geographic communities of Manhattan in the electronic communication of their varied interests, needs, concerns and identities.

Public Access Television is supported by Time Warner Cable and RCN Cable, under a franchise agreement with the City of New York. MNN is made possible by the work and support of thousands of individuals and groups in New York City.

Responsibility for Program Content

Submission of programs for the public access channels is, free of charge, and free of content control by Manhattan Neighborhood Network (MNN) subject to the policies herein. Responsibility for the content of programs rests with the individuals and organizations submitting the programs. MNN requires producers and other individuals submitting programs to submit a signed and completed program agreement prior to the cablecast of any program. That program agreement provides among other things for the program provider's indemnification of MNN for any violations of MNN 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.
(See enclosed Program Agreement.)

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Photo Identification and Address Verification

Series program providers *are* required to provide photo identification and evidence of their residence address. Satisfactory verification consists of *valid* photo identification and *current* proof of residency from the following groups:

Acceptable Forms of ID (must be valid and with photo):

- a. State-issued Driver's License
- b. State-issued Photo ID card
- c. U.S. or Foreign passport
- d. Military ID w/photo
- e. Green card/Residency card w/photo
- f. City/State-issued Welfare, Medicaid, or Benefit Assistance card w/photo

Acceptable Forms of Residency Proof (must be recent with applicant's name, as reflected on the above). Select one group below and provide the items required for the group:

Group I: Land Connected services (1 form of proof).

- a. Cable bill
- b. Gas bill
- c. Electric bill
- d. Telephone bill (Land line)

Group II: Monthly billing statements (2 forms of proof)

- a. Monthly Bank Statement
- b. Cell phone monthly billing statement
- c. Credit card monthly billing statement
- d. Health insurance monthly billing statement
- e. Student loan monthly billing statement
- f. Employment/unemployment pay stub
- g. Medicare/Social Security Monthly Statement

Group III: Alternate Proof (2 forms of proof + 1 form of proof from Group II)

- a. Rent billing statement
- b. Tax return – current year only
- c. Retirement plan statement

Program providers are responsible for submitting changes in address in writing to Manhattan Neighborhood Network, along with satisfactory evidence.

Organizations Submitting Programs

Individuals submitting programs on behalf of organizations must submit a letter from the chief operating officer of the organization on company letterhead. The letter must indicate who within

the organization will take responsibility for submitting programs. Any changes in this designation must be submitted in writing by the organization's chief operating officer.

Minors Submitting Programs

Minors submitting programs will be required to have a parent or guardian sign a program agreement. MNN recognizes the Youth Channel Programming Policies. Programs intended to air on the Youth Channel will be required to abide by the Youth Channel Programming Policies. The Youth Channel reserves the right to reject any program that is inconsistent with the Youth Channel's mission statement. The Youth Channel reserves the right to reject any programs that violate these policies or that violate any other MNN policies.

Disclosure of Information Regarding Individuals Submitting Programs

MNN 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 for a minimum of two years.

Program Content Restrictions

The following restrictions apply to all public access programming. Programs 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 unlawful;

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 specially susceptible audience. *Current enforcement policy identifies as obscene any video which includes genital contact in any sexual content as well as **any** sexual oriented situations involving minors, or humans and animals. Sexuality involving human excretory products is also not allowed. These rules do not apply to simulated sexuality between adults or any legal activity between adults which does not show the genitals.*

Material concerning lottery information, gift enterprise, or similar scheme;

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.

Commercial Programming Restriction

Commercial Programming is strictly prohibited on the public access channels. As noted above, programs may not contain solicitation, advertising, bartering or promotion of commercial products, services or transactions. Programs may not contain commercial telephone numbers **or websites** anywhere within the program except as noted below under "Program Credits for Contribution of Goods and Services," nor may programs contain information about purchasing a product or service.

MNN recognizes the commercial nature of non-original record and Film Company produced programming, including music videos and film trailers. In order to prevent the promotion of commercial products on the public access channel, programs containing more than 50% of such material are prohibited.

(Commercial program providers are encouraged to contact their local cable company regarding "leased access" and "commercial use" cable channels. In Manhattan, these channels are administered by Time Warner Cable and RCN Cable; these channels are not affiliated with MNN.)

Representation of Authorizations

Channel users must represent that they have obtained all necessary permission for material and individuals appearing in their programs. Channel users are required to provide satisfactory evidence of such permission upon request by MNN.

Adult, Violent, Medically Graphic Programming

MNN wants to provide a means of notifying parents or guardians when programming appears on the access channels that may be inappropriate for children. MNN 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 containing mature themes, mild profanity, or lifelike imagery of nudity for the purposes of artistic, literary, political, or scientific discourse will be scheduled after 9:00pm. Programs containing depictions or simulations of sexual intercourse will be scheduled after 11:00pm.

Programs containing and / or entitled with excessive 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 11:00 p.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.

Channel users shall be responsible for notifying MNN if their program contains material requiring an advisory message.

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

Charging for Time on the Access Channels

Time on the public access channels is available free of charge. Channel users may not require compensation from individuals in exchange for appearing on a public access channel. Furthermore, channel time may not be bartered or sold.

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;
- Credit may be aural, visual or both;
- Credit may include a logo;
- Credit may include a name, address, and phone number;
- 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.

Phone Numbers, Website Addresses and Other Contact Information

Only non-commercial phone numbers and website addresses can be displayed throughout the duration of programming. This does not apply to commercial phone numbers or websites, which can only be displayed as a credit for contribution of goods and services.

Solicitation by Non-Profits

Solicitation of funds during access programs is limited to non-profit organizations providing an IRS letter of determination indicating 501 (c) (3) status. Only Manhattan-based non-profit organizations may fundraise. The IRS letter of determination must be on file with MNN prior to any solicitation of funds. The 501 (c) 3 determination does NOT apply to political fund-raising, religious organizations (such as churches, synagogues, mosques, and other places of worship), and to certain types of foundations. The 501 (c) 3 is a federal designation, not a state or city designation.

Program Scheduling

MNN 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. MNN will schedule programs within the parameters of overall program composition and flow including themed channels and programming blocks, taking into consideration audience building and the representative diversity of programming on the access channels. MNN will also exercise scheduling discretion to ensure access for new channel users, single programs, series of limited duration, and special events. MNN will be guided in its scheduling decisions to ensure residents and organizations within Manhattan will have the highest priority in using the public access channels set aside for their benefit.

Limits of Liability

MNN is not liable for any mistakes, omissions or interruptions in the cablecast and any other means of distribution of programs. MNN 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 MNN resulting in damage or loss of submitted tapes. In cases of gross negligence on the part of MNN, liability is limited to the cost of replacing a blank videotape in exchange for tapes submitted for cablecast. MNN strongly suggests not submitting master tapes.

Program Priorities

Manhattan Neighborhood Network prioritizes scheduling in the following order:

- 1) Manhattan residents and Manhattan organizations submitting and producing their own programs.
- 2) Manhattan residents and Manhattan organizations submitting programs that contain fifty percent or more material produced by someone other than the individual or organization submitting the program.
- 3) Manhattan program providers submitting series also appearing on another cable channel within Manhattan.

- 4) New York City residents and organizations outside of Manhattan submitting and producing their own programs.
- 5) New York City residents and organizations submitting programs that contain fifty percent or more material produced by someone other than the individual or organization submitting the program.
- 6) Programs submitted from outside of New York City.

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 channels will be allocated for single programs and series of limited duration (i.e. a three-part special program). Channel users may request time for single programs at any time. **All single program requests must be accompanied by the videotape to be cablecast.** Generally, single programs will be scheduled within two weeks after submission. MNN will schedule single programs as requests are received. MNN will schedule a half-hour special for three timeslots. Programs that are an hour long will be scheduled for two timeslots. A half-hour program and an hour program will be guaranteed to have one prime time airdate and will be scheduled subject to available channel time. Programs longer than an hour will be guaranteed one timeslot. One additional play may be scheduled subject to available channel time and at the discretion of MNN.

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.

Series Programs

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

weekly series require eight original episodes per quarter;

bi-weekly series require five original episodes per quarter;

monthly series require 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.

New Series

MNN will schedule all eligible series submitted by Manhattan residents and organizations on a quarterly basis. **All series requests must be accompanied by a videotape which will be scheduled as the first episode of the series.** *Series program providers seeking a timeslot 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. MNN will attempt to contact program providers in the order that the requests are received. Program providers should check with MNN 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. MNN 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.

Non-Manhattan program providers, and providers who have had another series scheduled within the last year, will be scheduled at the discretion of Manhattan Neighborhood Network and subject to available channel time. Such series will be scheduled initially for thirteen weeks rather than 26 weeks.

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

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, MNN will be guided by the program priorities listed above. Continuing series from Manhattan providers will not be replaced with series from non-Manhattan providers.

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.

Programming Series Repeat Timeslots

Due to the increasing number of new producers requesting channel time, weekly series producers will not be given a repeat timeslot.

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)
- c) Prior to cancellation, the Channel User will be warned either verbally or in writing.
- d) Participation in harassment or aggravated threat toward staff or/and other producers.

The following constitutes a programming violation:

- a) obscenity
- b) solicitations
- c) sub-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 MNN's programming policies

Fill Tapes

In our continuing effort to provide diverse programming to our viewers, MNN may request fill tapes or "fillers" from our program providers who have demonstrated their commitment to the Manhattan community. MNN reserves the right to determine if said tape(s) clearly identifies with MNN's mission statement. Fill tapes are programs that are scheduled to air in a vacant timeslot. These tapes are scheduled at will, and staff is not obligated to inform producers when fill tapes will air.

Preemption of Programming

If MNN receives requests from channel users seeking airtime for unique, timely programming that may be deemed beneficial to MNN 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, life-saving information would be provided by the preemption and/or
3. MNN makes an early request to the producer holding the slot and permission is granted.
4. Permission to preempt must be granted by the executive director or in his or her absence, the programming director.

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.

Technical Standards

MNN accepts the following tape formats: VHS, S-VHS, Mini-DV, and DVCam. MNN accepts only one program per videotape. Tapes must begin with 60 seconds of uninterrupted video, prior to the start of the actual program (pre-roll). This video can be any combination of color bars, countdown or black. Tapes should also have 60 seconds of black following the end of the program (end roll). Manhattan Neighborhood Network has minimal technical standards which allow us to properly cablecast your videotapes. Submitted videotapes that have multiple control track breaks, noticeable video dropout, extremely low audio, no pre-roll and end-roll do not meet these standards. Tapes that are damaged and are hazardous to MNN playback equipment will not air. Any videotape that does not meet MNN's technical requirements will result in the producer receiving a warning letter. Any continual problem(s) will result in immediate program cancellation. VHS and S-VHS tapes must be recorded in the SP (two-hour) speed. Programs recorded in stereo will be played back in stereo.

Videotapes must be delivered during designated tape drop off hours and must be submitted a minimum of **four** days in advance of scheduled cablecast.

Failure to Comply with Stated Policies and Applicable Law

MNN is committed to providing video production facilities and workshop training at no cost for production of non-commercial Public Access programs. All users are welcomed to use the facilities in the manner described in existing policies. The Executive Director may impose, at his/her discretion, sanctions and penalties for failure to comply with MNN policies.

Facility users are responsible for their actions within the facility and the care of the equipment they use. Producers, facility users and their guests are to abide by MNN's Code of Conduct and Production Policies. MNN may require reimbursement for replacement or repair of property and equipment damaged by facility users. At the discretion of the Executive Director, persons who fail to pay for such reimbursements or whose behavior is not in accordance with MNN's Code of Conduct and Production Policies may be suspended or banned from use of the facilities.

MNN channels, equipment, and facilities may be used for *production of non-commercial Public Access programs only*. Commercial programming is strictly prohibited, and the facilities may only be used for Public Access programs intended to air on MNN channels. MNN may impose fees from persons found to be using MNN facilities, and/or equipment for non-Public Access purposes. At the discretion of the Executive Director, such persons may be suspended, banned, and/or charged a fee for such violations. They may also lose their channel time.

MNN will make every reasonable effort to inform individuals about programming policies and prohibitions when a violation has occurred and to cure those violations. MNN 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.

Submitting false information in connection with scheduling a program will result in program cancellation and restrictions in scheduling future programs.

Failure to provide programs as scheduled will lead to program cancellation and restrictions in scheduling future programs.

Accumulation of multiple programming suspensions may result in a permanent ban from the use of MNN's facility and/ or prohibition from scheduling future programs.

Appeal

Individuals who feel they have been denied fair access to channel time as described in these policies may submit an appeal to the Program Policy Committee of the Board of Directors. Appeals should be in writing. The Committee will attempt to respond to the appeal within 60 days. Any cablecasting restrictions will remain in effect pending the outcome of an appeal.