

# ACCESS CHANNEL POLICY

NORTH SUBURBAN COMMUNICATIONS COMMISSION

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## 1. BACKGROUND

The North Suburban Communications Commission (the “Commission” or “NSCC”) is a joint powers commission consisting of the cities of Arden Hills, Falcon Heights, Lauderdale, Little Canada, Mounds View, New Brighton, North Oaks, Roseville, and St. Anthony (herein individually referred to as a “member city” or collectively as “the member cities”). The North Suburban Communications Commission receives cable television channels from its non-exclusive cable franchise agreements with Comcast and CenturyLink. Through each of these cable franchise agreements, the Commission is able to operate, administer, promote, and manage public, educational, and governmental programming on these channels. The Commission, in its sole discretion, has the right to rename, reprogram, or otherwise change the use of these channels at any time, provided these channels remain noncommercial in nature.

From its cable franchise agreement with Comcast, the Commission receives 8 channels. Two of these channels are cablecast in high definition (“HD”), and the remaining six channels are cablecast in standard definition (“SD”). Both HD channels are designated as government access channels. Two of the SD channels are designated as educational access channels, one of the SD channels is designated as a public access channel, and the remaining three SD channels are designated as government access channels. One of the Commission’s educational access channels is managed and programmed by Independent School District 621 (Mounds View School District) and the other is managed and programmed by Independent School District 623 (Roseville Area Schools).

From its cable franchise agreement with CenturyLink, the Commission receives 16 channels. Three of these channels are cablecast in HD, and the remaining thirteen channels are cablecast in SD. All three HD channels and nine of the SD channels are designated as government access channels. Two of the SD channels are designated as educational access channels with one channel being managed and programmed by Independent School District 621 (Mounds View School District) and the other being managed and programmed by Independent School District 623 (Roseville Area Schools). One of the SD channels is designated as a public access channel. The Commission’s remaining SD channels is currently unused.<sup>1</sup>

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<sup>1</sup>The access channel designations, channel numbers and descriptions set forth in this Policy, including the number of access channels provided by each cable franchisee, are as of the date of the Policy and are subject to change with or without revision and re-issuance of the Policy.

## 2. PURPOSE, OBJECTIVES, AND POLICY

### A. PURPOSE

The purpose of this Channel Policy is to provide the public with an understanding of the Commission's access channel operations, procedures, and programming policies.

### B. OBJECTIVES

The Commission's primary objectives for its government access channels are:

- to provide public service information to citizens and residents of each member city;
- to widely distribute information regarding the activities of each member city's legislative and advisory bodies;
- to afford the public an understanding of the various functions performed by their local government;
- to increase accessibility to local governments;
- to show community events of local interest, such as parades and sporting events; and
- to disseminate information of local interest from regional and national governmental agencies.

### C. GENERAL POLICY

It is the Commission's policy to provide direct, non-editorial information concerning local, state and federal mandates, programs, services, and deliberations of local interest to the citizens and residents of each member city. The Commission's video programming shall be cablecast on the Commission's access channels and web streamed on the Commission's website or made available on a video distribution platform using the Commission's name and brand.

The Commission's government access channels are not intended to serve as a political forum and are not intended for public use. Rather, the Commission's government access channels are limited to use by the Commission and its member cities.

The Commission's Administrator is responsible for ensuring the Commission complies with this policy.

## 3. ACCESS CHANNEL DESIGNATIONS

A public access channel is an access channel that features programming produced by members of the public. An educational access channel is an access channel that features educational programming. A government access channel is an access channel that features programming

produced by a governmental entity, such as the Commission and its member cities. The Commission’s access channels are each designated as a public access channel, an educational access channel, or a governmental access channel. The Commission reserves its right to rename, reprogram, or otherwise change the use and/or designation of any of the access channels as a public, educational or governmental access channel or any combination thereof at any time, provided the use of the channel remains noncommercial in nature.

**A. PUBLIC ACCESS CHANNEL**

The Commission’s public access channel features programming produced by citizens and residents of the member cities. This channel is a standard definition channel. The Commission only accepts programming for the channel from citizens and residents from member cities. Programming submitted by citizens and residents from non-member cities will not be accepted or cablecast by the Commission over the channel. The Commission further reserves its right to reject any programming it finds not to be in compliance with this Channel Policy.

The Commission’s public access channel is located on channel 19 for Comcast subscribers and channel 8019 for CenturyLink subscribers.

**B. EDUCATIONAL ACCESS CHANNEL**

The Commission’s educational access channels feature programming produced by Independent School District 621 (Mounds View School District) and Independent School District 623 (Roseville Area Schools). Independent School District 621 programming is located on channel 20 for Comcast subscribers and channel 8020 for CenturyLink subscribers. Independent School District 623 programming is located on channel 18 for Comcast subscribers and channel 8018 for CenturyLink subscribers. Both of these channels are standard definition channels.

**C. GOVERNMENT ACCESS CHANNELS**

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**COMMUNITY PROGRAMMING: CHANNEL 8010/8510 (CENTURYLINK)**

Channel 8010/8510 shall be a government access channel that features programming produced by the Commission’s professional production staff to inform residents of community events throughout the member cities. This channel is simulcast in both high definition and standard definition to CenturyLink subscribers. Programming of this channel shall be in the sole discretion of the Commission. The Commission shall not accept or cablecast programming from the general public on this channel.

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SPORTS PROGRAMMING: CHANNEL 14/799 (COMCAST)/CHANNEL 8014/8514  
(CENTURYLINK)

Channel 14/799 (Comcast)/Channel 8014/8514 (CenturyLink), which is expected to be delivered in the Spring of 2019, shall be a government access channel that features professionally produced local and regional sporting programming of local interest to the member cities. This channel is simulcast in both standard and high definition to both Comcast and CenturyLink subscribers. Programming of these channels shall be in the sole discretion of the Commission. The Commission shall not accept or cablecast programming from the general public on these channels.

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COMMUNITY PROGRAMMING: CHANNEL 15/859 (COMCAST)/CHANNEL 8515/8015  
(CENTURYLINK)

Channel 15/859 (Comcast)/Channel 8015 (CenturyLink) shall be a government access channel that features programming produced by the Commission's professional production staff to inform residents of community events throughout the member cities. This channel is simulcast in both high definition and standard definition to Comcast and CenturyLink subscribers. Programming of this channel shall be in the sole discretion of the Commission. The Commission shall not accept or cablecast programming from the general public on this channel.

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GOVERNMENT MEETING PROGRAMMING: CHANNEL 16 (COMCAST)/CHANNELS 8011,  
8012, 8013, 8016, 8017, 8022, 8023, 8024, 8025, 8512, 8516, 8517, 8526 (CENTURYLINK)

Channel 16 (Comcast)/Channels 8011, 8012, 8013, 8016, 8017, 8022, 8023, 8024, 8025, 8512, 8516, 8517, 8526 (CenturyLink) shall be a government access channel or channels that feature live and recorded local government meetings of interest to the member cities. Channel 16 is narrowcast to Comcast subscribers, meaning that each member city will receive different programming on the same channel number. Conversely, CenturyLink has assigned each member city its own channel number. Each member city and its CenturyLink channel number are shown below.

- Channel 8011: Arden Hills
- Channel 8012: Falcon Heights
- Channel 8013: Lauderdale
- Channel 8016: Roseville
- Channel 8017: Little Canada
- Channel 8022: Mounds View

- Channel 8023: New Brighton
- Channel 8024: North Oaks
- Channel 8025: St. Anthony

These channels are cablecast in standard definition to Comcast and CenturyLink subscribers. In addition, the CenturyLink has assigned the following high definition channels to the following member cities:

- Channel 8512: Falcon Heights
- Channel 8516: Roseville
- Channel 8517: Little Canada
- Channel 8526: St. Anthony

(Note: St. Anthony’s Comcast Ch 16 & Century Link Ch 8025/8526, through a partnership with District 282-St. Anthony-New Brighton Schools, will play city approved educational content.)

These high definition channels feature simulcast programming as their standard definition counterparts, except that the programming is transmitted in high definition on the high definition channels. Programming of these high definition and standard definition channels shall be in the sole discretion of the Commission. The Commission shall not accept or cablecast programming from the general public on this channel.

## 4. PROGRAMMING

### A. GENERAL PROGRAMMING POLICY

The Commission’s general programming policy shall be to:

- make public proceedings and events more accessible to citizens and residents of the member cities by providing live and recorded, non-editorial coverage of member city government meetings;
- assist the public’s understanding of government by providing information about policies, procedures, resources, and member city-sponsored events, activities, and services;
- aid in each member city’s growth and economic development efforts by providing information on member city projects, goals, and services;
- provide more information on local topics and community events not fully covered by broadcast media;
- identify, explain, and promote action taken by any member city; and
- deny access to a government access channel for the purpose of advocating a personal viewpoint.



The Commission shall produce or engage a third party to produce programming that highlights events of local interest in the member cities, such as legislative updates, City Council updates, construction activity, parades, and sporting events.

**B. PROGRAM SPONSORSHIP/PARTNERSHIP**

The Commission will comply with the Public Broadcasting System’s (PBS) underwriting guidelines and the Federal Communication Commission’s regulations governing program sponsorships and partnerships. The NSCC’s Standards and Practices can be found in Appendix A.

- The Commission will not accept sponsor support from businesses retailing alcohol or tobacco products.
- The Commission will not refer to a sponsor’s personal hygiene products of a highly personal nature in sponsor credits.
- The Commission reserves the right to refuse sponsor support from entities that, in the Commission’s discretion, violates its Standards and Practices or the terms of this Policy, or that promotes any product or position that is contrary to the mission and goals of the Commission or a member city.
- No sponsor may exercise any editorial control over the Commission’s content.
- All sponsor credits must identify a sponsor by a name and/or logo. The Commission will not accept support without such identification.
- The Commission reserves the right to reject any sponsor and modify any sponsor or sponsor’s material for any reason.

**C. EDITING POLICY**

The Commission will not edit or subject to editorial comment any public meetings or programs produced by a member city department or agency. The Commission will only edit announcements programmed into a character generator to the extent necessary to provide clarity and maximize use of the character generator. Member cities are fully responsible for such content.

**D. POLITICAL PROGRAMMING**

The Commission may produce and cablecast political programming related to political candidate forums only if all candidates for a particular office have equal opportunity to participate. Candidates for elected office may not use the Commission’s government access channels as part of any political campaign. However, this exclusion does not apply to persons who receive air time as part of official public meeting coverage, candidate forums, special

election coverage, and coverage of incumbents performing official duties that warrant cablecasting.

The Commission's government access channels are not subject to the Federal Communications Commission's "equal time" rules for political candidates under 47 C.F.R. § 76.205.

#### E. PROGRAMMING PRIORITY FOR EMERGENCY MESSAGES

Emergency messages have absolute priority over all other programming. During emergencies or disasters, the government access channel shall be permitted to accept live, recorded, character-generated, or audio information from other governmental or non-governmental entities when such announcements are deemed necessary by a member city's Emergency Management Director to provide important public information pertaining to the emergency, disaster, or other conditions requiring protection of the public health, safety, and welfare.

#### F. PUBLIC SERVICE ANNOUNCEMENTS

Public service announcements may be cablecast on the government access channels and web streamed by the Commission provided the public service announcement:

- complies with this Channel Policy;
- when relevant, identifies the Commission or appropriate member city and department as a sponsor or producer; and
- is approved by the Commission's Administrator.

Public service announcements produced by government entities other than those affiliated with the Commission and the member cities but are appropriate for local use may be sought and used where appropriate to supplement local programming. Priority shall be given to public service announcements produced or provided by a member city.

#### G. CHARACTER GENERATION MESSAGES

The Commission shall accept and post community event and non-profit announcements through character generation messages on one or more of the Commission's government access channels provided such announcements comply with this Channel Policy. Any announcement submitted to the Commission is subject to editing and playback at the Commission's sole discretion.

Persons interested in submitted announcements to the Commission may contact the Commission's administrator.

## H. PROHIBITED CABLECASTING

The Commission will not cablecast programming that, in the Commission, in its discretion, determines to have any of the following characteristics:

- programming that, in the Commission's opinion, is indecent, obscene, or illegal;
- programming that is defamatory in nature;
- programming that constitutes commercial advertising or contains information that promotes that sale of any product or service, including, without limitation, any lottery, gift enterprise, or similar promotion;
- programming that contains unauthorized copyrighted material;
- programming that violates federal, state, or local law; and
- programming not otherwise in compliance with this Channel Policy.

## I. REQUESTS FOR CABLECAST AND USE OF FACILITIES

The Commission's studios and other facilities are available for use by the member cities, their employees, contractors, volunteers, and other designated representatives on a first come, first served basis. To request use of the Commission's studios, facilities, staff, or a government access channel, a written request must be submitted to the Commission's Administrator at least two weeks prior to the intended use. Exceptions to this two-week requirement will be considered when possible.

Besides coverage of a member city's City Council meetings, requests for live or delayed cablecast coverage of additional meetings will be submitted by the member city through the Commission Administrator. Coverage of other City Boards and Commissions will be provided when possible, following the written request of a member city.

When technically possible, all meeting coverage will be carried "live" on a government access channel. When "live" coverage is not possible, a delayed cablecast will begin as soon as possible following completion of the meeting. Factors affecting the availability of a delayed cablecast may include but are not limited to:

- adequate advance notice of the request for meeting coverage;
- the need for "post-production," namely adding on-screen graphics and the transfer of footage from an original tape to a "playback master;" and
- the availability of programming slots of the appropriate length.

## J. MEMBER CITY DEPARTMENTAL RESPONSIBILITIES

A member city Board or Department requesting program development must assist in writing and producing the program in its entirety. The requesting entity shall be responsible for content development and must identify a contact person to provide necessary information, including but not limited to research, data, persons, and props to be used for the production. The contact person must be available to be present on-site during production and post-production as needed.

## K. CLOSED CAPTIONING

The Commission strives to provide effective communication of its video programming to all persons. In accordance with the Americans with Disabilities Act, the Communications Act of 1934 (as amended), and any regulations promulgated thereof, the Commission will respond to accommodation requests from disabled persons by providing effective communication, provided the Commission is not caused an undue burden, or otherwise provide accessibility to the maximum extent possible.

## L. COPYRIGHT AND PUBLIC RELEASE

Unless otherwise specified, the Commission reserves all right, title, and interest, including, without limitation, copyrights, in all video programming produced by or on behalf of the Commission. The Commission's video programming may not be used for commercial purposes without the Commission's prior written consent.

Any third party engaged by the Commission to produce programming on the Commission's behalf will be responsible for obtaining any necessary copyrights or licenses thereof and will hold harmless the Commission, the member cities, and their successors, departments, officers, employees, servants, attorneys, and agents in any case of alleged copyright infringement.

## 5. OUTSIDE RESOURCES AND INTERAGENCY COOPERATION

### A. COMMISSION USE OF THIRD PARTIES

In order to maximize programming content and quality, the Commission may award contracts to third parties, such as local freelance production personnel, to perform production services for the Commission as needed. These services include, without limitation, voice talent and miscellaneous audio and video production services. In addition, outside vendors may be awarded contracts for equipment maintenance and engineering services. The Commission may also utilize the services of student interns and volunteers who can perform production services.

## B. THIRD PARTY USE OF COMMISSION RESOURCES

Because of cost, susceptibility to damage, and the heavy requirements of day-to-day programming, third-party use of Commission-owned video and audio equipment shall be limited as determined by the Commission. The Commission's Administrator shall be responsible for use of all equipment.

## C. INTERAGENCY COOPERATION

The Commission recognizes that there are many well-regarded government access television production facilities in the Twin Cities area. In order to maximize programming and Commission resources, the Commission's Administrator shall attempt to cooperate with other access television production facilities, where appropriate, to interconnect facilities, talent, and equipment, and obtain regional and national government access programming of local interest to further the production goals of the Commission.

# 6. OPERATIONS

## A. CHANNEL OPERATING HOURS

It shall be the Commission's general goal to provide programming on the government access channels continuously. The general approach will be to utilize "live" and recorded programming when available and to utilize continuous character-generated announcement services at all other times, 24 hours a day.

## B. COMMERCIAL USE FEES

Contact the Commission Administrator for any "Commercial Use" requests. A credit line may be required in the finished project.

## C. DATA PRACTICES REQUESTS

All requests for viewing programming or duplicating programming shall comply with the Minnesota Data Practices Act, Minnesota Statutes Chapter 13.

## D. DUPLICATION SERVICES FOR THE PUBLIC

Duplication of Commission and member city council meetings and all other programming produced by the Commission may be made available to the public for a fee. Members of the public must request duplication of such programming pursuant to the Commission's Duplication Policy.

#### E. RECORD CLASSIFICATION

The Commission's videotapes and/or digital copies are not an official record, and the Commission shall have no liability for erasure or omission.

#### F. RETENTION SCHEDULE

Videotapes and/or digital copies of a member city's Council Meetings, Study Sessions, and other live or "live-on-tape" public meetings shall be retained for a one-year period unless otherwise requested by a member city. It is the policy of the Commission to provide each member city a digital copy of each of its public meetings cablecast by the Commission within a reasonable time following the meeting.

#### G. USE OF VIDEO FOOTAGE

Video footage may be made available to other government entities for their use in the discretion of the Commission. In addition, stock video footage may be provided to professional news organizations, educational entities, and non-profit organizations for public service work, in the Commission's discretion. This video footage may not be used for commercial purposes. A credit line must be given in the finished project, in graphic form that states "Video Courtesy of the North Suburban Communications Commission." Requests for the Commission's video footage may be directed to the Commission's Administrator.

#### H. USE OF COMMISSION EQUIPMENT

Use of Commission-owned video and related production equipment shall be restricted to Commission activities and by Commission personnel. Loaning of equipment for personal or any other non-Commission use shall not be permitted.

## APPENDIX A. NORTH SUBURBAN COMMUNICATIONS COMMISSION STANDARDS AND PRACTICES

### North Suburban Communications Commission

#### PROGRAM SPONSORSHIP – PARTNERSHIP STANDARDS AND PRACTICES

The North Suburban Communications Commission (the “Commission”) has established the following standards and practices for developing and accepting sponsorships and partnerships for its government access channels as a whole, as a well as for individual programs or time periods.

Questions regarding this policy should be directed to:

The North Suburban Communications Commission  
2670 Arthur Street  
Roseville, MN 55113  
(651) 792-7515  
[www.ninenorth.org](http://www.ninenorth.org)

#### WHO MAY BE IDENTIFIED AS A SPONSOR

- Corporations (or divisions or subsidiaries of a corporation)
- Endowments and Foundations
- Small Businesses
- Individuals

#### SPECIAL RESTRICTIONS

- The Commission does not accept sponsor support from businesses retailing alcohol or tobacco products.
- Sponsors that sell personal hygiene products or similar products of a highly personal nature may not refer to those products in sponsor credits.
- The Commission reserves the right to refuse sponsor support from entities that, in its discretion, may be viewed as controversial in a way that violates these Standards and Practices, or that promotes any product or position that is, in its discretion, contrary to the mission and goals of the Commission.

## **GENERAL PRINCIPLES DETERMINING ACCEPTABILITY**

- The sponsor may not exercise editorial control over the content of any portion of the Commission's programming or shows.
- The public must not perceive that the sponsor has editorial control over the Commission's programming or shows.
- The public must not conclude that any the Commission program promotes sponsors' products, services or other business interests.

## **GUIDELINES**

1. Identification: All sponsor credits must identify the sponsor by name and/or logo. The Commission will not accept support or sponsorship without such identification.
2. Sponsor credits may not include:
  - Any solicitation to purchase a product (Examples prohibited: any use of "you" or "your"; slogans such as "Get Met. It Pays")
  - Superlatives (Example: ". . . the most intelligent car ever built.")
  - Direct comparisons (Example: ". . . when a Cadillac just isn't good enough.")
  - Price or value information (Example: ". . . for only \$100 down and \$100 per month.")
  - Inducements to buy (Example: "six months free service when you buy.")
3. Toll-free numbers or web site addresses are acceptable in sponsor credits if their purpose is for the viewer to obtain more information. If their purpose is to solicit sales, however, the information is prohibited.
4. Children's Programming: Sponsor credits may not exploit or take unfair advantage of the child audience.
5. Sponsor credits may not create the perception that there is a connection between the program content and the sponsor's products or services.

**The Commission reserves the right to reject any sponsor or modify any sponsor's credit or other material for any reason.**