



**CALVERT COUNTY GOVERNMENT
GUIDELINE/POLICY/PROCEDURE**

TITLE:	Calvert Broadcast Policies and Procedures		
ISSUED BY:	Board of County Commissioners		
RESPONSIBLE STAFF:	Department Heads		
ISSUE DATE:	10/19/21	REVISION DATE:	
PURPOSE:	Establish uniform guidelines for naming, renaming, or recognition within a County facility (see below).		
APPLICABLE TO:			
ATTACHMENTS:			

<input type="checkbox"/> GUIDELINE	<input checked="" type="checkbox"/> POLICY	<input checked="" type="checkbox"/> PROCEDURE
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This document needs to be reviewed/updated:

<input type="checkbox"/> Annually <input type="checkbox"/> (Fiscal Year) <input type="checkbox"/> (Calendar Year)	<input type="checkbox"/> Other Interval:		
	<input checked="" type="checkbox"/> As needed	Flag for review on:	

I. Purpose:

Pursuant to federal law, Calvert County requires cable operators operating in the county to set aside channel capacity for public, educational, or governmental access (“PEG Access”) use. As the county’s designated PEG Access channel, Calvert Broadcast offers community members a unique opportunity to access county and local government proceedings, to view community events, to create their own video programming relevant to the community and to engage in responsible dialogue. There are three types of programming that will appear on the Calvert Broadcast channel:

1. **Public Access** is time on the channel available for use by the general public and are administered by Calvert Broadcast’s video programming staff.
2. **Educational Access** is time on the channel used by Calvert County educational institutions for educational programming. Time on these channels is typically allocated among local schools, colleges and universities at the discretion of Calvert Broadcast.
3. **Governmental Access** is time on the channel used for programming by the County and other local governments.

II. Policy:

This policy applies to County employees and entities that contract with Calvert Broadcast.

III. General Use Rules

The following rules and guidelines apply to all programs airing on Calvert Broadcast:

- Programs will generally be local in focus, origin or perspective.
- With the approval of Calvert Broadcast staff, programs may also present issues or topics with a wider focus which have direct bearing on the lives of the citizens of Calvert County.
- In accordance with federal and state law, programs must not contain:
 - Obscene material, sexually explicit conduct, indecency, nudity, or material soliciting or promoting unlawful conduct.
 - Commercial content or solicitations that invite the viewers to send or pledge money through representations, promises or any other means.
 - Material which is intended to defraud the viewer or is designed to obtain money by false or fraudulent pretenses, representations or promises.
 - Content which is slanderous, libelous or defamatory.
 - Content which is disparaging of any racial, gender, ethnic or religious group.
 - Unauthorized copyrighted materials.
 - Any advertising on behalf of candidates for elective or appointed office, their political parties, or of election ballot issues. Similarly, individuals or political parties, groups, supporters or opponents of election ballot measures or candidates may not advertise their views except as may be part of an overall programming strategy with equal time provisions for all candidates for that measure or office which may include candidate forums, town hall meetings, or similar venues, from the time of declaration of ballot measure's initiation of petition to be included on the ballot until the close of the election for that particular measure or office.
 - Information concerning any lottery, raffle, gift, enterprise, or similar scheme not authorized by the state or local law, or the offering of prizes dependent in whole or in part, upon lot or chance, to persons who have paid or promise to pay any valuable consideration for the chance of winning the prize, or any of the list of the prizes drawn or awarded by means of such lottery, raffle, gift enterprise or scheme, whether said list contains any part of all of such prizes.
- Program lengths should be either 60 minutes, 30 minutes, 15 minutes or under 5 minutes.
- Programs must be submitted on either in a usable digital format, such as MPEG2 and others approved by Calvert Broadcast.
- Programs must be broadcast quality.
- Programs with poor audio, as determined by Calvert Broadcast, will not be aired.
- Priority is given to locally produced programming.
- Out-of-town produced programs should have a local presenter; therefore, a resident of Calvert County may be required to appear in person to sign for such a program.
- Programming may be interrupted at any time for the purpose of broadcasting emergency service bulletins, critical information to residents, or emergency and programs by government public service agencies and departments in the interest of public health and safety.

- The program producer, whether an individual or organization, assumes full legal responsibility and liability for the content of programs produced for and cablecast on Calvert Broadcast. The producing entity must agree in writing to indemnify, defend and hold harmless the County, Calvert Broadcast as well as its officials, agents, representatives, principals, employees, officers and directors from and against any and all liability, loss, damage, cost and expense, including reasonable attorney's fees, incurred, suffered by, or threatened against County or any of the foregoing in connection with or as result of any claim for personal injury, bodily injury or property damage or otherwise brought by or on behalf of any third party person, firm or corporation as a result of or in connection with production or cablecast, which claim does not result from the active negligence of the County.

IV. Public Access Rules:

Public access is designed to provide an opportunity for members of the Calvert County community to use the medium of television to present programs which are relevant to local community interests, affairs or concerns. Calvert Broadcast seeks to encourage use of public access by the greatest number of users, and to promote diversity of program content.

- Calvert Broadcast will provide public access to all persons, organizations, or groups residing, working or located within Calvert County.
- Calvert Broadcast will provide public access without regard to race, ethnic origin, religion, creed, sex, sexual orientation, handicap, age, level of creativity or socioeconomic status.
- Users of public access under the age of eighteen (18) must be supervised by an adult access producer or an adult who agrees to assume liability and financial responsibility.
- Interested persons may submit programming they believe may be appropriate for cablecast by Calvert Broadcast. All such requests shall be subject to review by Calvert Broadcast staff for its appropriateness and technical aspects.
- Programs which are found to be consistent with the overall operating policy of public access shall be cablecast provided the programming is consistent with all laws, including but not limited to those related to homeland security, intellectual property and County policies and rules.
- Written permission for the use of copyrighted material must be obtained by the user and submitted to Calvert Broadcast prior to the scheduling of a program for cablecast.
- All public access programs broadcast or cablecast at Calvert Broadcast must carry the following content disclaimer at both the beginning and the end of the show: "Views and opinions expressed in the following/preceding show do not necessarily reflect those of Calvert County, its officials, management and staff or local cable operators. The producer(s) of the program is (are) solely responsible for its content."

V. Educational Access Rules:

Educational access is designed to provide a wide variety of programming to support and promote the continuing education and general learning of the community's students and cable television viewers, to further the educational missions of the Calvert County school district and other educational institutions within the County, to provide Calvert County public and private schools an opportunity to inform, highlight, and educate citizens about local school programs, events and goals, as well as to provide educational opportunities for students interested in communications careers.

- Submission of general interest educational programming (single subject and/or series) can be made by any person, organization, or group residing or located within Calvert County or any educational institution wishing to do so.
- Examples of qualifying educational access programs include but are not limited to: programs designed to showcase student work, creative student programming, multimedia projects, student news & sporting broadcasts, artistic endeavors, concerts and special events, school plays, musicals, and talent shows, programs designed to build school and community spirit. Broadcast of school sports schedules, broadcast of school events schedules, broadcast of sporting events, broadcast of special school events, programs that share the classroom, distance learning, videos of classroom activities that are approved by the school authorities, programs that convey philosophy, vision, and actions of educational leaders, school board and budget committee meetings, adult education programs, and programs contributed by private and public educational agencies.
- Educational programming not produced by schools or school districts may be aired at the sole and absolute discretion of Calvert Broadcast.
- Participating schools may apply school rules and standards to the programming they produce.
- Contributing schools may act as producers and are only responsible for programming/content that they produce.
- Districts and schools may assign liability to individual student users and their parents.

VI. Government Access Rules:

Governmental access is designed to provide direct, non-editorial information to the citizens of Calvert County concerning the operations and deliberation of County and local government, the various services and functions performed by the various agencies, divisions, and departments of County government, and the public safety activities of the Fire, Rescue, EMS, and Sheriff's departments, as well as to provide a forum for thoughtful public discussion on government related issues. Government access is not intended as a mechanism for building support for a particular candidate, or candidates, for political office.

- With respect to any program concerning subjects which may be interpreted to be materially controversial, Calvert Broadcast will maintain a position of neutrality, providing a fair opportunity for the presentation of opposing views.
- Calvert Broadcast will air all regular County Commissioner meetings.

- Meetings related to other governmental committees, board and commissions may be cablecast at the request of, or by permission of, the presiding officer.
- Public meetings cablecast on Calvert Broadcast will be aired in their entirety, gavel to gavel, excluding “closed sessions,” and will not be edited or subjected to editorial comment. However, editing may occur to edit out recesses or technical limitations that restrict production procedures or such edits.
- Promotional announcements for County programmed events or activities are, generally, acceptable for cablecast on Calvert Broadcast.
- Public Service Announcements for agencies outside of municipal government are subject to the review of the Calvert Broadcast staff.

VII. Production Assistance:

Calvert Broadcast provides production assistance and studio access/equipment rental services to prospective programmers. While Calvert Broadcast does not take any responsibility for the factual accuracy of the information as submitted (including, without limitations, times, dates, specific locations, name spellings and phone numbers), it will endeavor to ensure that co-produced programming is transmitted accurately and in a timely manner.

The following co-production guidelines apply to co-production services.

- All projects are managed by a member of the Calvert Broadcast staff, who will serve as the project coordinator. It will be the coordinator’s job to schedule facilities and move the project from stage to stage until completed. This person will also track costs and ultimately, generate and present a final reimbursement invoice.
- All expendable supplies, including sets, will be the programmer’s responsibility and expense. It is also the responsibility of the programmer to remove all sets promptly from the TV studio each day immediately following the production. Programmers may use props already available to them, if so desired, but are responsible for lost/broken props.
- Calvert Broadcast may make special arrangements for storage, if deemed appropriate.
- The customer must secure all copyrights for airing, if applicable. All legal fees, searches, licensing, duplicating, mailing costs and phone charges associated with obtaining copyright permission will be the sole responsibility of the programmer. The programmer **MUST** show proof of secured copyrights.
- The programmer agrees that it will grant a license under its copyright to Calvert Broadcast to sub-license copies of all productions that include use of its equipment, personnel and funds to the public in an effort to recover its production costs.
- Calvert Broadcast staff reserves the right to determine whether program content complies with the restrictions, limitations and technical standards as stated in these guidelines. If a discrepancy is detected, Calvert Broadcast staff may withhold the cablecast of the program until said discrepancy has been corrected.

If program material is withheld, the program producer/provider will be notified in order to have the discrepancies corrected prior to any scheduled cablecast time.

Operating Rules Regarding Studio and Equipment Use:

The following rules apply to use of the Calvert Broadcast studio and equipment.

- The Studio and the equipment should be returned to the condition in which they were found. Users should allow for set-up and clean-up of the studio, at least one hour before, and 30 minutes after the time needed to tape the actual show and leave time before or during the scheduled studio time to brief the crew and talent on the planned production.
- No smoking, food, or beverages are allowed in the Studio at any time, unless part of the production.
- Anyone found to be under the influence of alcohol or drugs will be removed from the premises and may lose access privileges.
- Users are responsible for damage to facilities and/or loss of equipment due to negligence or abuse. This includes the actions of minors.
- Users will not change wiring, patch bays, or components without staff permission or supervision. No attempts should be made to work on or repair equipment. Any damage caused in this manner may be charged to the user. A loss of privileges may result from such equipment abuse.
- Users that are found to be misusing or abusing the studio or equipment may be asked to repeat training, testing and/or be subject to loss of privileges.

A. Eligibility to Use Studio and Production Equipment.

The use of Calvert Broadcast's studio and equipment will be exclusively for the creation of non-commercial programming for cablecast on the Calvert Broadcast channel.

- Subject to the discretion of Calvert Broadcast staff, the studio and production equipment for co-production purposes are available to qualified users on a first-come, first-served, nondiscriminatory basis.
- At the discretion of Calvert Broadcast staff, training may be required prior to use of the studio or the equipment. All users must be able to demonstrate the basic operation of the requested equipment through a proficiency test conducted at the discretion of Calvert Broadcast staff.
- Each user must sign a Public Access Channel Compliance Agreement before using the facilities. This document certifies that the Access user has read, understands, and will abide by the rules contained in this document, and agrees to be solely responsible for any damage to the studio or equipment, and that they are also solely responsible for the content of any programs produced or scheduled.
- Any minor must be accompanied by at least one non-student adult while in the Calvert Broadcast studio and while using any equipment. Minors must have written

permission from their parent or guardian to use the studio or production equipment, and the parent or guardian must co-sign the Public Access Channel Compliance Agreement and be responsible for all damage to the studio or equipment resulting from the use of equipment or an appearance by a minor.

B. Scheduling Studio and Equipment Use

- Requests to use the studio should be made at least two weeks in advance and will be subject to availability and staff discretion.
- Users must show up on time for scheduled studio productions and complete them within the scheduled time period.
- Scheduled studio productions may be cancelled if the producer and/or production crew does not show up within thirty (30) minutes after the start of the scheduled facility time. Additional restrictions may apply for ‘live’ productions.

C. Scheduling Air Time

- Because the Calvert Broadcast channel is shared resource, specific channel time requests cannot always be guaranteed. Requests for channel time are subject to the availability of cablecasting equipment and Calvert Broadcast staff.
- Air time priority will be given to government and educational users, subject to the discretion of Calvert Broadcast staff.
- Air time for public users is generally provided on a first-come, first-served basis, subject to the discretion of Calvert Broadcast staff.
- If scheduling and equipment allows, programming may be repeated. First-run programs have priority.
- Requests for consistent time slots: Program series will be allocated at the discretion of Calvert Broadcast staff and may receive priority scheduling over programs airing one time.
- If a series user regularly fails to have a program ready for the scheduled cablecast, Calvert Broadcast staff may assign the time slot to other users.
- Except for live and series programming, channel time will generally not be scheduled until a program is complete and all the information pertaining to the program is supplied to the staff for scheduling.

D. Disclaimers/Labeling of Sensitive Material

- Calvert Broadcasting reserves the right to include the following notice before and/or after any program it cablecasts: “The views expressed on the following [or “preceding”] program are those of the individual producer and do not necessarily reflect those of Calvert Broadcast. Calvert Broadcast is not responsible for the production or content of the program being cablecast.”
- If requested by Calvert Broadcast the following shall be added to any programming before airing: “The preceding program was made possible through the television facilities of Calvert Broadcast.”
- If Calvert Broadcast makes a good-faith determination that the subject material in a program may offend some viewers and/or may not be appropriate for children, Calvert Broadcast may require that the following announcement be added to the beginning of the program: “The following program may contain sensitive material. Viewer discretion is advised.”
- Calvert Broadcast reserves the right to run potentially offensive programming at later time periods.
- Failure to notify Calvert Broadcast of potentially offensive material prior to a program or episode airing may result in loss of privileges.

VIII. Rates: The following co-production fees are to be paid partially in advance with a deposit, as described below:

- **Talent/Labor**

- Producer: \$50/hr. or any part thereof
- Director: \$50/hr. or any part thereof
- Editor: \$40/hr. or any part thereof
- Technical Director: \$35/hr. or any part thereof
- Audio Engineer: \$30/hr. or any part thereof
- Camera Operator: \$30/hr. or any part thereof
- Production Assistant: \$15/hr. or any part thereof
- Announcer/On-Camera Talent: Negotiated Rate – at cost to programmer
- Writer: Negotiated Rate – at cost to programmer
- Scenic Craftsman: Negotiated Rate – at cost to programmer
- Actor/Actress: Going Rate – at cost to programmer
- If professional talent is required, Calvert Broadcast will recommend approaches to the acquisition and management of talent to fulfill the needs of the customer. The customer is responsible for all costs and arrangements for such talent, including but not limited to: transportation, wardrobe, make-up, hair styling, meals and entertainment.
- Labor rates are subject to increase after 4:30 pm and for any required weekend or holiday production unless otherwise stated by the Calvert Broadcast.

- **Travel for Remote Productions (Out-of-County)**

- Mileage charges door to door: IRS Standard Rate
- Housing and meals: Actual cost
- Travel time is chargeable labor: See above

- **Studio Rental**

- The Calvert Broadcast studio is available for rent only for regional productions, at the rate of \$300 per day (7 hours maximum, during normal business hours) when not in use by Calvert Broadcast staff. This includes studio space, house power, lighting grid and one (1) Calvert Broadcast staff member.
- Note that the additional use of Calvert Broadcast studio equipment and control room requires additional staffing, available at the rates listed above. Calvert Broadcast will help determine the staff needed, based on production needs. All such costs are the responsibility of the customer.

- **Equipment Rental**

- Designated equipment of the Calvert Broadcast Professional Studio is available to rent for regional co-productions. Rates are available on the Calvert Broadcast Sharegrid Page: <https://www.sharegrid.com/p/calvert-broadcast>

Calvert Broadcast reserves the right to recover any additional costs and direct and indirect expenses not described herein once they have been identified and discussed with the programmer.

Payment: Once projects are submitted and a commitment is made to complete them, the rates, as indicated above, will apply and the resulting charges will be the responsibility of the programmer. Fifty percent (50%) of the cost must be paid in advance with the other fifty percent (50%) due upon completion, before airing. Special financial considerations can only be made at the discretion of the Calvert Broadcast director. Non-payments will be turned over to the Calvert County Attorney's Office for collection.