

File: K7

CABLECASTING ON THE EDUCATIONAL ACCESS CHANNEL

Definition:

The Educational Access Channel is Cable Channel 5, commonly referred to as Chicopee Schools Community Television, and any additional education access channel. This channel is defined on page 21, Section 6.2 of the current cable television contract and any subsequent amendment between the City of Chicopee, MA, and Greater Media Cable.

Programming Content:

Programs to be telecast by Chicopee Schools Community Television, Cable Channel 5, and any additional education access channel, are governmental meetings (School Committee, Board of Aldermen, public hearings, etc.); educational programming, civic, and community events (i.e., Chicopee Colleen Pageant, concerts, festivals, etc.); sporting events and general entertainment type programming of public interest.

Group or Organizational Events:

1. All local origination programming should take place during the normal school day of 8:30 A.M. to 3:30 P.M. except for special events (e.g., Chicopee Colleen Pageant, concerts, festivals, etc.).
2. Applications for local origination programming will be received from groups, organizations and/or individuals.
3. Applications should be submitted one month prior to the production date.
4. School Department events will take precedence in case of a scheduling conflict.
5. No political candidate running for municipal, state, county, or federal office will be given air time on the local organization channel during or before the preliminary election except for regularly scheduled programming. All candidates running in the final election for state or municipal positions may be given an equal amount of free air time. All presentations will be on videotape. Scheduling of taping sessions and prior notification to all candidates shall be the responsibility of the Director of Telecommunications.
6. Procedures for submitting applications to the School Department:
 - a. Applications for local origination programming may be procured at the Chicopee Public Schools Administration Office at 180 Broadway, the Chicopee Schools Telecommunications Center on 617 Montgomery Street, and the City of Chicopee Clerk's Office in Chicopee City Hall.
 - b. Organizations, group or individuals should complete the application form and send it to the Director of Telecommunications, Telecommunications Department, 816 James Street, Chicopee, MA 01022
 - c. The Director of Telecommunications will either recommend or reject the proposed program. He, in turn, will send the application to the Secretary of the School Committee.
 - d. The Secretary of the School Committee will then submit the application to the entire Committee for approval at the next regularly scheduled meeting.

- e. The School Committee will either approve or reject the application and notify the organization or individual making application and the Assistant to the Superintendent for Telecommunications/Technology Services of its decision.

Public, Educational and Governmental Access Facilities and Support:

Section 1 Public Access Facilities and Support

- (a) The Licensee shall provide the following services to Public Access Users:
 - (1) Schedule, operate and maintain the Public Access Channel(s) provided in accordance with the provisions herein;
 - (2) Manage the annual Public Access funding, pursuant to the provisions herein;
 - (3) Plan for and oversee the development and purchase of Public Access equipment with the funds allocated for such purposes herein;
 - (4) Provide technical assistance and operational advice to Public Access Users;
 - (5) Establish rules, procedures and guidelines for use of the Public Access Channel (s);
 - (6) Work with the Advisory Committee to further the purposes herein;
 - (7) Accomplish such other tasks relating to the operation, scheduling and/or management of Public Access Channel (s), facilities and equipment as appropriate and necessary.
- (b) The Licensee shall make available, on an annual basis, the amount of five thousand dollars (\$5,000.00) for the operation and support of Public Access use in the City, including, but not limited to, purchase of tapes, maintenance and equipment repair. At the annual performance evaluation hearing, the Licensee shall provide a written accounting of the funds spent on Public Access. Any amounts of said annual \$5,000.00 not spent on Public Access in any one year shall be reserved exclusively for Public Access use and added to the next year's \$5,000.00 funding.
- (c) No later than one (1) year from the Effective Date, the Licensee shall purchase and make available Public Access equipment at its Chicopee facility. Said access equipment shall substantially conform with the Public Access Equipment list. The Licensee may make changes in said equipment purchases with the advance approval of the Advisory Committee, which approval shall not be unreasonably denied. The Licensee shall make available the amount of twenty-five thousand dollars (\$25,000.00) for the purchase of the Public Access equipment. The Licensee shall provide the Advisory Committee with copies of all invoices for such equipment. Any unused amounts from said \$25,000.00 shall be reserved exclusively for the future purchase of such Public Access equipment.
- (d) The Licensee shall maintain, repair, or, if impossible to repair, replace the Public Access equipment as necessary to ensure that Public Access Users in the City have access to reliable and effective equipment. The Licensee and the Issuing Authority shall work together in good faith to resolve any disputes regarding the repair or replacement of such Public Access equipment.
- (e) The Licensee shall make available to Public Access Users a 10' by 14' room in its Chicopee facility, on a non-exclusive basis, for the indoor production of Public Access programs.

- (f) At the fourth performance evaluation session, the Issuing Authority and the Licensee shall review the status of Public Access in the City. To this end, the Licensee shall prepare a written report detailing the status of Public Access including, but not limited to, the status of Public Access equipment, the number of Public Access producers, the amount of Public Access programming cablecast on the Public Access Channel, the Licensee's annual budget for Public Access, etc. The goal of said review shall be to determine the need, if any, to upgrade Public Access in Chicopee including facilities, equipment and funding.
- (g) The Licensee shall develop rules and procedures for the use of the Public Access equipment and facilities.

Section 2 Peg Access Channels

- (a) The Licensee shall provide four (4) six megahertz (6 Mhz) channels for public, educational and governmental ("PEG") access programming use. Said Access Channels shall be made available upon System Activation.
- (b) The Licensee shall not move or otherwise relocate Channel 5, as an access channel, without the advance, written approval of the Issuing Authority.

Section 3 Educational and Governmental Access Equipment/Facilities Grant

- (a) The Licensee shall provide a one-time cash grant to the Telecommunications Department of the Chicopee Public Schools in the amount of two hundred and fifty thousand dollars (\$250,000.00). Said grant shall be used for purchase of educational and governmental access and local community equipment and supplies. The Licensee shall make said payment in full at any time following the effective date of this Renewal License, upon seven (7) days advance notice to the License Fee payment, or any other fees or payments required by applicable law.
- (b) The Licensee shall make an annual cash grant to the Telecommunications Department in the amount of fifteen thousand dollars (\$15,000.00) for the replacement of Educational and Governmental Access equipment and facilities. Said \$15,000.00 grant shall be paid to the Telecommunications Department at any time following the effective date of this Renewal License, upon seven (7) days advance notice to the Licensee, and on the same date every year thereafter for the term of this Renewal License. The total of such annual payments shall be one hundred and fifty thousand dollars (\$150,000.00).
- (c) In the event that the payment(s) required herein are not tendered on or before the dates fixed herein, interest due on such payment(s) shall accrue from the date due at the rate of three percent (3%) above the annual Prime Rate.

Section 4 Equipment Ownership and Maintenance

The City shall own and maintain all equipment purchased with the Educational-Government Access equipment funding pursuant to Section 3. The Licensee shall own and maintain the Public Access equipment pursuant to Section 1 (b).

Section 5 Access Channel(s) Maintenance

The Licensee shall monitor the PEG Access Channels for technical quality and shall ensure that they are maintained at standards commensurate with those which apply to the Cable System's commercial channels provided, however, that the Licensee is not responsible for the technical quality of PEG access programming. Upon request, the Licensee shall make available a copy of its most recent annual performance tests.

Section 6 Access Payments

The grants shall be made by the Licensee directly to the Telecommunications Department for the sole benefit of educational and governmental access and local community programming.

Section 7 Access Cablecasting

In order that the Telecommunications Department can cablecast its programming over its Downstream Channels, the Educational and Governmental Access programming shall be modulated, then transmitted from the Telecommunications Department studio to the Cable System headed on an Upstream Channel (s) made available, without charge, to the Telecommunications Department. The Licensee shall provide, at its sole cost and expense, four (4) modulators to the Telecommunications Department to ensure that such programming can be transmitted as required herein. Said modulators shall be provided to the Telecommunications Department within thirty (30) days of a request therefor. Nothing herein shall prevent the Telecommunications Department from using I-Net upstream capacity, with the approval of the City.

At the headend, said programming shall be retransmitted in the downstream direction on one of the three (3) downstream Educational and Governmental Access Channels. The Telecommunications Department shall have the responsibility of notifying the Licensee which downstream access channel should be used for each program transmitted to the headend. It shall be the Licensee's sole responsibility to ensure that said programming is properly switched, either manually or electronically, to a downstream access channel, in an efficient and timely manner. The Licensee shall not charge the Telecommunications Department or the City for such switching responsibility. The Licensee and the Issuing Authority shall negotiate in good faith any difficulties that arise regarding cablecasting of access programming.

Section 8 Censorship

The Licensee shall not engage in any program censorship or other editorial control of the content of the access programming on the Cable System. except as otherwise required or permitted by applicable law.

Guidelines for Candidates Appearing on CSC-TV, Cable Channel 5

1. Candidates whose names appear on the ballot in the final election for state or municipal offices may be given three (3) minutes of free air time on CSC-TV. If a candidate's remarks run over three (3) minutes, the presentation will be terminated. All presentations will be on videotape. Scheduling of taping sessions and prior notification to all candidates shall be the responsibility of the Director of Telecommunications.
2. Candidates should express their view on critical issues dealing with only their individual campaign or race.

3. Candidates should refrain from endorsing other candidates in other races.
4. Candidates should refrain from political attacks on their opponents which could be construed as slanderous in nature.
5. Candidates should refrain from the use of profane language.

Each candidate is provided with a copy of these written guidelines prior to taping of his/her appearance. During each subsequent broadcast of candidate's statements, these guidelines will appear on air at the commencement of the telecast along with the following disclaimer.

(Candidates are advised that the views expressed in each candidate's statement are the views of the candidate alone and not those of the Chicopee School Committee, nor its agents and, further, candidates are solely responsible for the content of their statements and each candidate assumes full risk and liability for the words expressed by the candidate.)

1st Reading: Reg SC Mtg 1/21/1998

2nd Reading: Reg SC Mtg 2/4/1998