

# **AFS PRODUCER PROGRAM**

## **POLICIES AND PROCEDURES**

### **PART 1: PURPOSE**

*Mission: The Austin Film Society empowers our community to make, watch and love film and creative media.*

In partnership with the City of Austin, The Austin Film Society (AFS) provides:

- The management of Austin Public (AP), AP facilities, AP production equipment, and public access cable channels
- Promotion of the public access channels, programs, training and services to individuals and organizations
- Training for individuals and organizations in the use of public access channels, facilities, and equipment, including multi-media applications
- Quality customer service to individuals and organizations

### **PART 2: PRODUCER RIGHTS**

#### *PRODUCER RIGHTS & RESPONSIBILITIES:*

- Create content for the public access cable channels and online streaming
- Maintain certifications, in order to use resources and facilities at no charge
- Complete Media Policy and maintain signature on file with current Universal Representations and Warranties Agreement document
- Maintain current username & password to the Producer Portal
- Provide up to date required documentation and contact info including driver's license #, email address, phone, and physical address
- Follow these policies and procedures while using AP resources and facilities
- Behave and communicate in a professional, courteous manner when using AP resources, whether it be verbal, through email, or other communications
- Respect AFS staff, trainers, producers, and guests and abide by our posted Code of Conduct. Respect the facilities, studios, equipment, and grounds

#### *PRODUCER PRIVILEGES:*

- Utilize available equipment and resources on a fair and equitable, first-come, first-served, non-discriminatory, content-neutral, non-commercial basis
- To participate in Austin Public's certification training
- To own the creative content of their programs after it has aired

## **PART3: PRODUCER PROGRAM ACCESS**

### *PRODUCER PROGRAM PARTICIPATION:*

The City of Austin “Service Area” includes Bastrop, Caldwell, Hays, Travis and Williamson Counties. Anyone age 15 and above residing in the City of Austin Service Area is eligible to become a Producer and must complete the following to be active:

- **Attend a free Orientation** (attendance is valid for 60 days).
- **Complete the Media Policy class** (70% or greater test score, signed Warranties and Representations Agreement and a completed class survey)
- **Provide a scan of a photo ID** (an official, current government issued photo ID like a driver’s license, passport or ID card)
- **Provide a 2<sup>nd</sup> proof of Austin area residency** (an official, current state, city, government or utility document that proves residency in our Service Area)
- **Fill out the Producer Survey** (this will provide your valid, working email address, phone number and demographic information)
- **Signed waiver if under age 18** (a parent or guardian is required to fill out our Producer Program waiver for anyone under the age of 18. Age limit is 15).
- **Pay a Producer Program subscription fee** (listed below)

Austin Public provides the following subscription levels and Benefits:

Yearly Subscription = \$120/year

Monthly Subscription = \$12/month

- All training is A La Carte and at the member discounted cost
- Subscriptions can be cancelled before renewal. Please provide us 72 hours notice to process a cancellation
- Refunds will be provided after renewal on a case-by-case basis and can either be sent via check or refunded to the card used to pay. A check can be mailed to the address on file or picked up onsite.

### *SCHOLARSHIP PROGRAM PARTICIPATION:*

Austin Public offers scholarships to eligible individuals regardless of financial situation with training and access to resources. This program supports current and ongoing Producer community that experience changes to financial resources. This program encourages individuals from underrepresented communities to become active at Austin Public and to expand the Producer community in order to offer a diverse content for the channels.

### *ELIGIBILITY:*

Must reside within Austin City limits, must be 18 years or older, individuals adjusted gross income is 80% or less of Area Median Family Income (AMFI).

### *SCHOLARSHIP BENEFITS:*

Individuals who are new or expiring Producers are eligible for no-cost or sliding scale access to Producer certification, producer annual fee, and BASIC level courses such as intro camera, audio, lighting, editing and studio classes for a period of one year.

Producers on scholarship can request no cost or sliding scale access to higher-level class offerings (e.g. intermediate classes and special workshops) within their scholarship year. These are approved on a case-by-case basis depending on space and frequency of producer engagement.

### *SCHOLARSHIP SCALE:*

- Partial Scholarship - Individuals who make 50%-80% of AMFI are eligible to receive 80% support of fees and classes
- Full Scholarship - Individuals who make less than 50% of AMFI are eligible for full support of fees and classes

Scholarships are offered on a year-round basis and applications are accepting on a rolling basis. Applications will be provided on a first come, first served basis for those that qualify based on availability.

### *SCHOLARSHIP EXPECTATIONS:*

- Applicants must provide proof of residency and income as specified in the application
- Scholarship period lasts one year from date of approval
- Producers must reapply when their yearly subscription expires to continue to receive benefits
- Recipients are expected to become certified producers if they are not already and as Producers, must abide by all producer policies and conduct
- Before scholarship is approved, applicant must attend an Orientation class. Producers must provide content for distribution on AP Channels throughout the scholarship year

### *CLASS POLICY:*

There will be one scholarship spot available in each eligible class.

- This spot will be first come, first served
- Other scholarship recipients requesting to take a class at no cost (with the scholarship spot already filled) can be put on a waitlist
- If a class does not sell out then those individual scholarship recipients on the waitlist will be given spots at no cost (in order of waitlist sign up) within 48 hours of the class date and time

### *SCHOLARSHIP TERMINATION:*

Scholarship term can be terminated early if:

- Individual does not get producer certification within first 6 months of scholarship
- Individual is a “no show” for two registered classes
- Individual violates AP Producer policies

## **PART 4: TRAINING**

Producers who complete certification courses gain access at no charge to production and post-production resources to create content that cablecasts on Austin’s cable channels 10, 11 and 16.

### *CERTIFICATION:*

The Austin Film Society’s contract with the City of Austin states that the use of resources or facilities at no charge requires training and certification. Proficiency tests may be taken in lieu of some training. Certifications must be kept up-to-date and as the equipment is replaced and/or upgraded, updated certification is required.

Certification Courses are designed to ensure that Producers:

- Have the skills to properly use, operate, and care for the resources
- Know how to correctly format, tag, time and submit content to air content on cable channels 10, 11 and/or 16 according to the minimum technical requirements

In order to use any resource a Producer must:

- Pay the applicable fee for certification course or proficiency test
- Attend the full course (if not testing out)
- Pass written test where applicable
- Pass hands-on test where applicable
- Continue to demonstrate proficiency and confidence with the resource

If there has been a lapse of 2 years or more since using the resource or facility the Producer must pay the cost to retake the course or take a proficiency test to become re-certified.

Austin Public will make all reasonable accommodations for people with disabilities, barring undue hardship. Anyone who wishes to claim a disability must provide documentation from a medical professional.

### *PROFICIENCY TRAINING:*

A Producer may opt-out of the course and pay half the price of the course to demonstrate proficiency of certain field equipment. Producer will be required to complete and pass the written test and do a demonstration of proper set up and/or operation of the equipment. Producers may NOT test out of RED, Studios, Camera Rig & Stabilizers and Multi-Cam.

Email the Station Manager who will arrange an appointment with the trainer. Once the proficiency test is scheduled, payment must be made online. Once payment has been confirmed, a trainer or staff member will administer the proficiency test.

If a Producer does not pass a proficiency test, the payment will be credited to the total cost of the course. Fees for proficiency tests are non-refundable and non-transferable.

### *ADDITIONAL INFO:*

- Training certifications are non-transferable
- Trainers reserve the right to dismiss any student from a course if student exhibits behavior that interferes with the class
- The dismissed student will not be allowed to retake the course. Trainers will reschedule and/or accommodate students who are affected by a disruptive student
- Payments are non-refundable, except in cases of emergency, and cannot be transferred to another person.
- Fees can only be for a specified course. *For example, if a Producer paid for a camera course, the fee can only be used to reschedule the same course. Any other outcome is based on a case-by-case basis*
- If a payment is made with insufficient funds then the Producer will lose Access to the resources taught in the course

## ***ALL CLASSES AND CERTIFICATION COURSES:***

Class schedules and registration information are available on the [austinfilm.org](http://austinfilm.org). There is a 15-minute grace period for all training classes. In order to be admitted to the class, students need to arrive within 15 minutes of the class start time.

Sign up requirements:

- Completion of any prerequisites before payment and registration
- Payment and registration for the chosen class

## ***YOUTH ATTENDING CLASSES:***

- A parent is welcome to register to take the same class as their child. This only applies if the parent has not taken the class before and has met the prerequisites for that class
- However, if the parent has already taken that class, passed the test and become certified to use that resource, the parent may only “sit in” the class at AP with their child

*Please note: To "sit in" means that a parent is welcome to attend the class, but not actively participate in that class -- such as asking questions, joining in the discussion or taking the test. The parent does not need to register for the class, but should ask the Station Manager for permission prior to sitting in the class. Permission to attend will be granted pending space availability.*

## ***CREW VOLUNTEER CERTIFICATIONS:***

All crew working with certified Producers in any AP studio or on a multi-camera shoot will need to be crew certified, free of charge. Crew certification is available to anyone over the age of 15. Crews are not required to attend the Orientation or to pay for the Producer Program. Crew Certification classes will either be taught once or twice a month by AP equipment staff or can be requested.

## ***TRAINER CANCELLATIONS:***

Classes are subject to cancellation 24 hours before the first day class at the discretion of the Station Manager. If a class is cancelled, the Station Manager will contact registered students to reschedule. Studio and multi-camera classes will be cancelled 48 hours in advance to allow for reallocation of resources to Producers who may have been pre-empted.

### *STUDENT CANCELLATIONS, PARTIAL & FAILURE TO COMPLETE:*

If a student wishes to cancel a class, contact the Station Manager. At the Station Manager's discretion, if a registered student cancels a class, the student has one opportunity to reschedule at no additional cost. If the student does not attend the rescheduled class, payment will be forfeited. If the class was by "appointment only" then the rescheduled class will be at the Station Manager's discretion based on the availability of those involved.

If the student completes a class but does not pass the certification test, the student may retake the class once at no cost. The class must be retaken at the next available opportunity.

If a student is unable to complete a class, and decides to test out, it is the student's responsibility to request the test from the Station Manager who will schedule the test. If the student attempting to test out of the remainder of the class does not pass the test, they will then reschedule and pay full price for the class.

## **PART 5: RESERVATIONS**

### *GENERAL:*

Austin Public's community media resources are available for current Producers in good standing. Certification is required to reserve and use the resources and equipment at no charge.

### *OUT-OF-AREA USE:*

Please note: *no equipment can be taken out of the state of Texas.*

The intention is to use the equipment in the City of Austin Service Area. The City of Austin Service Area includes Bastrop, Caldwell, Hays, Travis and Williamson Counties. If a production takes place outside the City of Austin Service Area, the Producer must fill out the Out of Service Area form, which the Facility Operator will supply. It is up to the Facility Operator to determine the amount and payment of a 10% deposit on the resources that must accompany the Out-Of-Area use.

### *RESERVATION PROCESS:*

Please allow 24 - 48 hours for a reservation to be verified and approved by the AP Facility Operator.

Reservations to use resources are made by the Producer and are only submitted online through the Producer Portal with the following guidelines:

- Reservations may be submitted for a pick up date between 24-hours and 30-days from the submission date
- Pick up and return day and times must be within the current operating hours

The following reservation lengths are allowed, which include pick up and return days:

- PRODUCTION GEAR (single cameras, lights, audio, grip, rigs and stabilizers) can be reserved for a period of 1 - 5 days.
- EDITING AND POST-PRODUCTION GEAR can be reserved for up to 10 days
- MULTI-CAMERA KITS can be reserved for up to 4 days.
- PRODUCTION / MEETING SPACES can be reserved for up to 4-hours at a time.
- EDIT BAYS may be reserved for an entire day, one edit bay per Producer.

The resources will be limited in the following manner, provided there is availability:

- CAMCORDERS and CINEMA STYLE CAMERAS (Sony FS5, Sony Z280, RED Komodo) are limited to one per Producer.
- DSLR and MIRRORLESS CAMERAS (Canon 5D Mark III, Sony A7sII) will be limited to two per Producer.
- DSLR / MIRRORLESS CAMERAS can be reserved as a second "B-Camera" along with a CAMRECORDER or CINEMA STYLE CAMERA.
- Doubling up on resource types: (1) field equipment (2) production space (3) editing can be done on a case-by-case basis with prior approval. If listed on the same reservation the resources must be returned at the same time.
- Extended reservations are available on a case-by-case basis but no production gear can be checked out for longer than 7-days. A Production Plan will be required for any reservation longer than 5-days.
- Cameras, studios or meeting spaces may not be reserved back-to-back. There must be 48 hours in between drop off and pick up for these resources.

The Facility Operator will grant special requests on a case-by-case basis using the following criteria:

- Impact on other Producers
- Amount of content to be produced
- Pattern of shows submitted in proportion to the amount of resources used
- Whether or not the Producer is in good standing



## *HOURS OF OPERATION:*

Reservations for equipment check out, Conference Room, Edit Lab and Studios are available during public hours. See hours of Operation on website and front door of AP.

## *FACILITIES:*

*Please Note: That the lobby, studios, edit lab, lounge are for Producer use. No Producers are allowed in the equipment room unsupervised. The Admin Area, Master Control, Telecommunications room and office space are off limits to Producers.*

Furniture in the building should not be moved from its original location for Producer use. Producer is responsible for set up and cleanup and must assure that all items are returned to their original location and order.

**Conference Room:** Any current Producer may reserve and use the Conference Room for meetings, small gatherings, or similar purposes. It is equipped with a 70" TV. The 100% capacity of the Conference Room is 20 people, however the tables seats 10 comfortably. The Conference Room needs to be cleaned before the reservation ends and may be reserved for up to 8 hours per week for up to 4-hour blocks at a time. Additional time will be given at the discretion of the Facility Operator.

**Edit Lab:** This space is open to all current Producers with Media Policy completion. No reservation is required during non-COVID operations. Check the studio calendar on the Portal for availability. Walk in use of edit suites is first come; first serve and Producers must sign the sign in sheet when they arrive. Please remember rendering and exporting content should be included in time available in the edit lab.

**Studio 1:** Studio 1 may be reserved for meetings, small gatherings, or similar purposes with a staff person present. The 100% capacity for Studio 1 is 50 and you have access to tables and chairs. Food and beverages require prior approval and must be cleaned up. Studio 1 doors need to be shut during rehearsal or production time. Studio 1 may be reserved for up to 8 hours per week for up to 4-hour blocks at a time. Additional time will be given at the discretion of the Facility Operator.

**Studio 2:** Studio 2 may be reserved for meetings, small gatherings, or similar purposes, under the same conditions as Studio 1. 100% Capacity is 10 people. Studio 2 doors needs to be shut during rehearsal or production time. Studio 2 may be reserved for up to 8 hours per week for up to 4-hour blocks at a time. Additional time will be given at the discretion of the Facility Operator.

**Studio 3:** Studio 3 should only be used for production purposes. Studio 3's door needs to be shut during rehearsal or production time. Studio 3 may be reserved for up to 8 hours per week for up to 4-hour blocks at a time. Additional time will be given at the discretion of the Facility Operator.

**Lounge & Lobby:** These areas are to remain open for all Producers, guests and staff and are not to be used as demonstration areas or meetings rooms, other than informal gatherings. Public computers will be available to submit content and access the Internet. The Internet computer can only be used for online AFS programs accessibility in which the Producer Program takes priority over all other use.

#### *ADDITIONAL TAKE-HOME COMPUTER POLICIES:*

- Must be 24 hours between reservations
- No tech support will be available once the Producer leaves the building. If there are any issues with the system and it is not working properly, the Producer must bring the system back immediately.

#### *ALL EDITING COMPUTERS:*

The software installed on the editing computers is only for video editing, audio editing, graphic design, music and file creation. No installing software on the editing computers. Anything stored in these computers will be erased.

#### *STREAMING SERVICES:*

**Streamyard:** This service is open for use by any active Producer, as long the Producer has requested live airtime on the channels through a show form or series application. To initiate use of Streamyard a Producer will need to acquire a login code from [Austinpublic@austinfilm.org](mailto:Austinpublic@austinfilm.org) by requesting the code from [doug@austinfilm.org](mailto:doug@austinfilm.org) or [elias@austinfilm.org](mailto:elias@austinfilm.org).

**Restream:** This service requires a reservation through the Producer Portal. It is listed on the portal as a reservable asset under the "Streaming Services" section when making a reservation. Certification and login will be given upon requests sent to [doug@austinfilm.org](mailto:doug@austinfilm.org). You must make a reservation for a block of time each time you want to use Restream and they should be 1 - 3 hours in length.

Here are additional policies for Restream:

1. **Producers must use Restream to go live on Austin Public's channels** but they're welcome to simultaneously stream out to any other source(s).

2. Restream only allows one person to use their virtual "studio" at a time so Producers should not log in to Restream outside their approved blocks of time.
3. Producers are responsible for adding their own social media stream channels and need to avoid streaming to other Producer's channels when going live or creating their event.
4. The Custom RTMP feed in the "Destinations" section on Restream will send the feed to Austin Public's channels so Producers need to select this destination when going live or creating an event. Do not change the Custom RTMP info.
5. Non-series Producers are required to submit a separate Show Form through the portal to request a live time slot for a channel. Series Producers do not need to submit a Show Form but are required to add their Series name to the notes field of the Restream reservation.

The reservation for Restream and the Show Form for the live time will be processed by our Engineer, so reach out to [Charles@austinfilm.org](mailto:Charles@austinfilm.org) for questions. There are training videos on Streamyard and Restream here: [www.austinfilm.org/austin-public/training-videos](http://www.austinfilm.org/austin-public/training-videos)

### *CANCELLATIONS:*

Only the Producer who made the reservation may cancel the reservation. Two cancellations per month are allowed. Cancellations must be communicated to the equipment staff either through email or by phone within the following time frames:

- 24 hours advance notice for Studios
- 12 hours advance notice for all other reservations

Emergency situations may require someone besides the Producer to cancel a reservation. The Station Manager and/or Engineer will consider all circumstances on a case-by-case basis. For cancellations, a producer must call the equipment room -- 512.478.8600 ext. 25. If no answer, leave a message. The message must be complete with the producer name, date and time of call.

### *STUDIO RENTAL POLICY:*

Austin Public may offer for rent the use of studio space and/or the physical space. Such rentals shall be offered at competitive market rates. We have the authority to cancel any studio reservation or pre-empt any live show studio reservation by providing a written notice at least seven days before the reservation to be cancelled/pre-empted. However, we cannot pre-empt or cancel any live show or series more than four (4) times total, and no more than two (2) consecutive weeks in a given 4-month season series.

This provision takes precedence over all other language regarding Producers' access to or use of studios and equipment contained elsewhere in the contract (*referring to Austin Film Society contract with the City of Austin*).

A Producer will not lose series timeslot when a live series show is pre-empted due to a studio rental. The Producer's series backup show – or a new pre-recorded file – will air in place of the live show.

If a Producer will incur expenses or it's difficult to re-schedule a planned guest due to a studio rental, then Austin Public Access will:

- Work with the Producer to schedule possible studio time needed to record the show during daytime hours
- Schedule that new pre-recorded show during the Producers regular timeslot, even if it is less than the usual 5-day requirement.
- Approve these special circumstances on a case-by-case basis.

## **PART 6: EQUIPMENT**

### *GENERAL:*

Staff may take any equipment out-of-service for maintenance, training or outreach purposes. Staff will notify any affected Producer if equipment or resources are not available.

New expendable batteries and gaffer's tape will not be provided to Producers. We suggest Producers buy their own batteries and gaffer's tape.

### *TECH SUPPORT:*

Certain AFS staff members will provide tech support under these conditions:

- Only provided by our Community Media staff (Station Manager, Facility Operator, Equipment Specialist, and Station Engineer)
- Only during specific hours
  - 10am-6pm, Monday - Friday during a COVID-19 suspension of operations
  - Public Hours when open to the public
- Only on AP equipment and resources
- Only on resources the Producer has a certification to operate
- To a crew member only after they've first discussed the issue with the Producer using the resource and a resolution cannot be made

We have online and paper training resources available, and if you need additional assistance please schedule an appointment with our Station Manager or Station Engineer.

### *CHECKOUT PROCEDURES:*

- Only the Producer who made the reservation is permitted to checkout the equipment unless pre-approved for someone else to return
- Before leaving the Equipment Room the Producer must verify that the contract is accurate and check in time is correct
- Producers are responsible for inspecting, testing, and verifying that the equipment works properly
- If a Producer discovers defective or inoperable equipment during checkout, staff will find a replacement if possible, you must submit a Trouble Report
- If a Producer discovers defective or inoperable equipment during a production, they are responsible to call 512.478.8600 ext. 25 to report the problem and leave a message with their name, date and time of the call, and phone number
- Adding major equipment during checkout is not allowed and up to the Facility Operator's discretion (Camera, light kit, microphone, iMac, audio board, etc)
- For the Studios, a studio check-in and out sheet must be completed to ensure everything is in working order. This sheet must be brought back to the equipment staff after your reservation has ended.

### *CHECK-IN PROCEDURES:*

- All equipment is due on the check in time listed in the contract
- Only Producer who checked out equipment is permitted to check in the equipment unless given prior approval by Facility Operator
- While staff verifies that all the equipment has been returned and is in working order, Producers need to wait in the Equipment Room
- Equipment must be returned in the following condition:
  1. Wrapped and tied properly
  2. Packed properly in the bag, box, case, or container in which it was checked out
  3. Batteries removed from microphones and from cameras.
- If a Producer fails to fill out the Trouble Report section of the Studio Check-in and out Sheet at time of checkout, and any of the equipment is found to be damaged or inoperable, that is not due to normal wear and tear, the Producer will take responsibility for the damage or loss. It is a General Violation to fill out the Trouble Report section of the studio sheet when there is a problem.

NEVER troubleshoot or attempt to repair malfunctioning equipment. Please call the equipment room at (512) 478.8600 Ext. 25 immediately if equipment malfunctions in the field.

In cases of repeated or continued trouble or abuse to equipment, the Producer will be required to attend a refresher course in use of that resource before being eligible to make any further reservations.

For the Studios, a checkout form must be completed and reviewed by equipment staff to ensure all equipment is in working order. The checkout form must be completed before the reservation is concluded.

### *LATE ARRIVALS & CHECK-OUT:*

Producers who are more than 15 minutes late for a checkout are considered “late arrivals” and must call and leave a message with their name and time of their reservation. The number to call is (512) 478.8600 Extension 25. Four late arrivals (15- 60 minutes late) with a call will equal a GENERAL VIOLATION. One late arrival without a call will be a GENERAL VIOLATION.

Producers who arrive for checkout more than 1-hour after the designated checkout time without a call are considered a no show and your reservation could be cancelled.

### *LATE ARRIVALS & CHECK-INS:*

Producers are required to call ahead if they are running late to return equipment.

A return after 30 minutes (calling ahead or not) results in SEVERE VIOLATION.

Late returns greatly affect other Producers and those want to check out equipment. If you affect another Producer’s check out time then there could be additional consequences. If a Producer does not check in their equipment by the end of the day then the equipment could be considered stolen and the authorities could be contacted.

### *LOST, STOLEN, DAMAGED EQUIPMENT:*

- Producers are not responsible for damage resulting from normal wear and tear
- Producers are responsible for payment for the repair or replacement of any damages or loss of equipment that occurs while in their possession or under their charge. This payment is non-refundable
- When equipment is returned damaged, Producer privileges will be immediately suspended. A determination will be made within two weeks depending on circumstances

- Once the cost is determined, the Producer will be placed on a payment plan and is responsible to make regular and timely payments. Please note the repair estimate may take some time
- Staff and/or an equipment repair facility will determine whether an equipment malfunction is the result of normal wear and tear or operator error
- Producers who disagree with the assessment may appeal the decision to the Programs Director through the established Grievance Process

### *PAYMENT PLANS:*

Once a repair estimate has been established and fault has been determined, a Producer is required to pay for any resource that is lost, stolen, or damaged. A mutually agreed upon Payment Plan will be arranged with the Producer and Facility Operator. Once the Payment Plan Letter of Agreement has been signed, a 50% down payment has been made and the Producer demonstrates intent to rectify the situation, all benefits will be restored.

If there is a difference between the estimate and the actual cost of repair, the Producer is responsible for the actual cost of repair.

If a Producer defaults on the Letter of Agreement, the balance must be paid in full before any benefits are restored.

## **PART 7: CONTENT**

### *GENERAL:*

A Producer (using Austin Public resources) is responsible for submitted at least a portion of their content to air on Austin Public's channels each time they have a finished video product before they distribute that video on their own distribution platforms.

Producers own the original content they create (original content defined below). We will have the right to continue to distribute the content unless otherwise stated by the Producer.

Original content is defined as content that has never been aired and consists of the premiere airing and 2 encore presentations. At least 20% of a Producer's live or pre-recorded show must be entirely new content for it to be considered non-repeat, original or unique.

### *UNIVERSAL REPRESENTATIONS AND WARRANTIES AGREEMENT:*

The Producer submitting the content, going live and/or applying for the Series understands, warrants, and represents to Austin Public that the program being submitted or aired live contains none of the following:

- Any material that is defamatory, unlawfully disparaging or that constitutes invasion or violation of any person's right to privacy.
- Any material, which is in violation of Subchapter B: Obscenity, of Chapter 43 of the Texas Penal Code.
- Any material, which violates any local, state, or federal laws, rules, or regulations throughout the world.
- Any advertising or material that promotes any commercial product or service.
- Any solicitation or appeal for funds.
- Any unlawful use of copyrighted material or any other proprietary property.
- Any material that has a reasonable probability of creating an immediate danger or damage to property, creating an injury to person(s), or creating public nuisance.

You will have to take our Media Policy class on the above. You must sign a contract to agree to this before you can submit content to air, go live, apply for a series and/or reserve the resources.

### *NON-CENSORSHIP POLICY:*

AFS exercises no prior restraint of content and does not review or censor programs before airing. However, AFS is contractually obligated to not knowingly permit any facility it manages or the cable channels under its management to be used for the production or dissemination of any material that violates Chapter 43, Subchapter B of the Texas Penal Code ("Obscenity") and shall immediately suspend any Obscene programming, including while in progress, if and when AFS receives actual knowledge of the content and character of Obscene programming.

### *DIGITAL FILE REQUIREMENTS:*

Shows may be produced using any resources provided by Austin Public and must meet the minimum Digital File Requirements to air. The Digital File Requirements are available online.

An identification tag must be placed at the end of the program that lasts at least 10 seconds and includes:

- The Producer's name or pseudonym
- Contact Phone Number, email or physical Address, which can be a P.O. Box
- Website is optional



### *CHANNEL IDENTIFICATION:*

Austin Public Access reserves the right to include character-generated text and/or graphics as channel identifiers and other promotional announcements during the cablecast of Producers' shows.

## **PART 8: PROGRAMMING**

### *GENERAL:*

For a file to air a Producer must upload the file on one of the AP upload stations or through TelVue Connect and submit a show form through the Portal. This form is for independent, series, and live-time shows. There is a five-day processing period for files so make sure to plan accordingly.

### *INDEPENDENT SHOWS:*

When a non-series live or pre-recorded show is submitted to the Program Department, it will be scheduled to play at a requested time, whenever possible, or when it best fits into the schedule. There is no cost for airing independent shows and they can be any length beyond 15-seconds.

### *SERIES SHOWS:*

Live or Pre-recorded Series must be turned in at least 5 business days before cablecast. The Station Engineer may change air times for individual Series shows up to 1 week before the scheduled cablecast at the request of the Producer.

### *SHOWCASES:*

Showcases are encouraged with advance planning, approval and scheduling. A Showcase features a compilation of a Producer's best work or features a compilation of work corresponding to a specific theme. Showcases can be scheduled on a specific day, week or month to focus on a thematic event such as Black History Month or Breast Cancer Awareness Month. Must comply with all applicable policies. The Station Engineer will determine schedule time and length of Showcase.

### *SPECIAL EVENTS:*

Consideration will be given on a case-by-case basis to scheduling shows in more than 30 business days, including plans for live studio productions.

### *SCHEDULING:*

The Station Engineer schedules pre-recorded shows for cablecast based on the following priorities:

1. Local content, produced within the City of Austin Service Area
2. New Producers who have never submitted any shows, must be local content
3. Original Shows that have not previously aired

The Station Engineer will grant requests for air time whenever possible. There is space available on the Show form through the Portal for Producers to write notes and requests.

### *PROGRAM DESIGNATIONS:*

- Programs with sexually suggestive content, profanity and adult situations will be scheduled between 10:00 PM and 5:00 AM
- Gore, nudity and/or sexually explicit programs, but not obscene as defined by the Texas Penal Code, will be scheduled between 1:00 AM and 5:00 AM

If programs containing adult or sexually explicit content are aired at an inappropriate time of day and was not properly marked on the show form and brought to the attention of staff will result in a SEVERE VIOLATION. A meeting will be held to determine the next course of action.

### *CHANNEL DESIGNATIONS:*

Producers may request to air their programs on any of the three channels. Generally, Channel 10 airs news and public affairs, Channel 11 airs inspirational shows and Channel 16 airs entertainment and cultural content.

### *PRE-EMPTIONS:*

The Station Manager has the discretion to pre-empt shows and live series with 7-days written notice to:

1. Accommodate time-sensitive community programming
2. Accommodate training courses, workshops, rentals and special events

Please note: *Maintenances needs may result in a pre-emption within the 7-day notification time period if the studios are deemed to be unusable or need to be repaired as soon as possible.*

### *LIVE STUDIO CABLECASTS:*

During a Live Studio cablecast, a Producer and certified crew must be on the premises at all times. Failure to do so is a GENERAL VIOLATION and problem persists action will be taken. It is your responsibility to start your programming on time. If your production is not ready then you are responsible for providing content to air and that there is not dead airtime.

### *LIVE REMOTE CABLECASTS:*

It is the responsibility of the Producer that applied for the Live Remote Series to make sure the stream starts on time and that there is no dead airtime. It is also this Producer's responsibility to make sure the host and guests are abiding by the warranties and representations taught in the Media Policy class as listed in "PART 7: CONTENT".

### *LIVE PROGRAM CANCELLATION:*

To cancel a live program the Producer must email the Station Engineer at least 24 hours before a scheduled airdate. Please email [charles@austinfilm.org](mailto:charles@austinfilm.org). When we are open to the public you may also call 512-478-8600 X25.

## **PART 9: SERIES**

### *GENERAL:*

A Series is defined as a show (with at least 20% original content) that is cablecast weekly on the same day, time and channel during a 4-month season with a total running time of 28:30, 58:30, 1:28:30 or 1:58:30. All current Producers, who have completed Media Policy, are eligible to apply for a Series. A small application fee is required to secure your series time slot.

Producers are limited to 1 Live Studio Series application during the priority application period; however, there are currently no limitations on pre-recorded or Live Remote Series applications. A Producer may apply for additional series after the priority application period ends based on availability. The same application fees will still apply. A Series is a privilege, not a right.

### The 3 Series Seasons:

- Summer Season runs June – September
- Fall Season runs October– January
- Spring Season runs February – May

## *SERIES APPLICATION PROCESS:*

The priority application process for a new season will occur during the month prior to the Series start date. The Application form, payment form and current season updates can be found here: <https://www.austinfilm.org/austin-public/series/>

The allocation of Series time slots are based on a first come first served application process with consideration for studio space requirements, studio availability, channel availability and TRT (Total Running Time) priority.

Any scheduling conflicts will be made known to the Producers shortly after the priority application period ends and resolved based on the discretion of the Station Manager and the Station Engineer. Once a Producer is approved for a time slot, they'll be required to submit their first week's file and make a payment. The payment link will be emailed out with your series approval notification.

A Series will be scheduled when the Producer completes the following:

- Completes the Media Policy class
- Creates a Project online through the Portal
- Submits a Series Application online through Austinfilm.org
- Upload a new, original digital file as either a "back-up" show for a Live Series or as the 1st show for Pre-recorded Series. The digital file must meet the minimum Technical Requirements
- Submits a Show form through the Portal for the digital file
- Makes payment for the Series online through Austinfilm.org

There must be no outstanding violations or defaults on payments and all certifications must be current and/or complete.

After a Series title has been chosen, the title must remain the same for the duration of the Season.

If a Series request cannot be granted, submitted digital files can be aired as independent shows. If these shows are aired, they cannot be used as part of the next Season's Series.

## *LIVE STUDIO SERIES:*

Live Studio Series will only be available during specified time slots on Sunday, Monday & Tuesday. These slots will be listed in the Live Time options on the series application, when made available for that season. A live series show must justify the space requirement for Studio 1. Series allocations will be made with respect to those space requirements. Live Series are limited to 1 application during the priority application process.

### *CHANGING THE TIME SLOT:*

When determining the Series Schedule, the Station Manager has the discretion to assign another channel, day and/or time slot, other than one of the three requested in the Series Application to more effectively schedule the Series Season.

### *ADDITIONAL AIRTIME REQUESTS:*

Pre-recorded programs will be guaranteed two additional encore presentations.

*Please Note: You may request airtimes for the additional airings. A show form will be required for each additional airing. These extra airtime requests are not guaranteed.*

### *SERIES CANCELLATIONS:*

A Pre-recorded or Live Series will be cancelled if the Producer does the following in the 4-month season:

- Misses 3 shows in a row, and/or
- Misses 5 shows total during the Season

Shows submitted less than 5 business days before their scheduled airtime will not air on the requested airdate and will count towards the series cancellation policy.

### *SERIES REFUNDS:*

A Series payment refund, when requested, will be given on a case-by-case basis based on the reason for the request and will be provided by check. A credit can be made to the original payment method or a check can either be mailed to your address on file or picked up onsite.

### *CALL IN SHOW RE-AIRS:*

Digital files of previous live call-in shows displaying the studio's phone on the screen must have the original airdate on the screen at all times to re-air.

**Please Note:** All of these updated series application and tech support policies are subject to change as our operations expand with additional public hours.

## **PART 10: VIOLATIONS**

### *ZERO TOLERANCE POLICY*

Respect, professional behavior, and courtesy for the equipment, the resources, the premises, and the people are the guiding principals of Austin Public.

Austin Film Society (AFS) will not tolerate abuse, whether of individuals or property. To underscore the importance of appropriate behavior to realizing our mission, AFS has approved a policy of zero tolerance of verbal or physical abuse, intentional disruption, discourteous behavior, harassment, intimidation, or threat of violence toward any AFS staff, Producers and guests.

A Producer who violates Austin Public's Zero Tolerance Policy risks immediate expulsion and termination of all benefits, notice of which shall be in an email. The Program Director and/or the AFS COO may initiate enforcement of this policy at any time. There is no appeal process or recourse to mediation. A Producer may still air content but must follow a different procedure.

### *GENERAL VIOLATIONS*

A General Violation is when:

1. Reserving or checking out equipment or studios with Inaccurate, outdated, or incomplete contact information in your account.
2. Underage children and/or guests are not supervised.
3. Anything other than bottled drinking water and/or pre-approved food is brought into the studios and the edit suites.
4. Any Staff areas are entered or office equipment is used without permission
5. A Producer has 4 late arrivals to checkout gear or arrives up to 1-hour late for a checkout without contacting the equipment staff.
6. A Trouble Report is not submitted for field or in-house equipment that is not functioning properly.
7. A Studio Checkout/Check-in Form is not completed with AP staff.
8. Any in-house reserved resource is left unattended by a Producer who leaves the premises.
9. Uncertified crew is used for any Studio productions.
10. If you exceed your reservation time in a studio or conference room.
11. Reservations are not cancelled at least 12 hours in advance.
12. Any reservable room or space is used for a meeting or gathering without a reservation.
13. Studio doors are not shut during rehearsal or production time.
14. A studio reservation is not canceled without 24 hours written notice online.
15. A streaming resource goes live on another Producers social media channels.

### *FIRST AND SECOND GENERAL VIOLATION:*

A Producer will receive a written warning from The Station Manager within 5 business days of the occurrence. The written warning will include the date, the specific General Violation and the cause for the warning.

### *THIRD GENERAL VIOLATION:*

A 3rd General Violation within a 12-month period will lead to 2-week suspension.

A suspension means loss of all benefits, including access to equipment, the building and airing content on the air or attendance at any AP event.

### *FOURTH GENERAL VIOLATION:*

A 4th General Violation within a 12-month period will result in a required face-to-face meeting with the station manager and a suspension based on a case-by-case basis.

### *SEVERE VIOLATIONS:*

A Severe Violation is when:

1. Any equipment, resources or facilities are abused and/or neglected.
2. Failure to remain current and in good standing with a Payment Plan for lost, stolen and/or damaged equipment.
3. Any Warranty on the Universal Representation and Warranties Agreement is violated.
4. A Live program does not begin at its scheduled time.
5. Equipment is checked in 30 minutes after return time with or without a call.
6. Attempts are made to repair and/or troubleshoot or rewire equipment
7. Equipment is operated or facilities are used in an unsafe, reckless, or inappropriate manner.
8. A producer disrupts an Austin Public training or events at the studios or disrupts any Austin Public Access day-to-day operations.
9. Someone other than the Producer returns equipment without prior approval from the Facility Operator.
10. Any City of Austin Ordinance is violated or any Local, State or Federal Law is broken
11. Equipment is transported outside the city of Austin Service area without prior approval and a 10% deposit

### *FIRST SEVERE VIOLATION*

When it is determined that a Severe Violation has occurred, the Producer will be notified within 5 business days and all benefits will be placed on hold.

Once the Producer has responded to the station Manager, the Station Manager will determine if a warning or suspension is required along with the length of suspension. Other penalties may apply and suspensions and penalties are decided on a case-by-case basis.

### *SECOND SEVERE VIOLATION*

The minimum consequence for a 2nd Severe Violation is a 90-day suspension.

### *THIRD SEVERE VIOLATION*

The minimum consequence for a 3rd Severe Violation is 180-days suspension and can lead to Expulsion.

### *APPEALS*

There is an appeal process for Violations. For General Violations, if the Producer can show that the violation was not warranted they could appeal to the Programs Director in writing within 5 business days of when the violation occurred.

The Programs Director has 5 business days to respond. The final determination will be made within 10 business days by a consensus of certain staff within the Filmmaker and Community Media Department.

For Severe Violations, if the Producer can show that the violation was not warranted the process is:

- 1) The Producer must submit in writing an appeal to the Programs Director within 5 business days of when the violation was determined and notification sent
- 2) The Programs Director has 5 business days to respond
- 3) If a resolution is not found, then the Producer may appeal to the AFS COO in writing within 10 business days of the Programs Director response.
- 4) The COO will review the case

The determination of the COO is final and there are no further appeals.