



Official Policies and Procedures Document

Standard and Practices

All programming must be in accordance with the APTV Mission Statement as excerpted below:

“APTV will provide an outlet to broadcast programs created and presented by Asbury Park’s Public, Governmental, Business, Cultural, Educational and non-profit organizations. APTV will provide broadcasts that respond to the interests and concerns of the community and presents programming that highlights issues and showcases matters relating to Asbury Park. Such programming will be designed to Inform, Educate and Entertain.”

PROGRAM CONTENT: Each Producer has complete creative control of the content of each program. It is the policy of APTV not to preview such material for the purpose of censorship. APTV will however check the programming submission for technical compliance.

General Restrictions

As public access channels are required to serve the best interests of their communities, producers are restricted from including any of the following in their programs:

- a. Any advertising material designed to promote the sale of commercial products or services.(for more details see “Commercial Programming” section below)
- b. Any obscene or indecent material. The United States Supreme Court’s “Miller test” defines acceptable contemporary community standards. If a program contains depictions of real or simulated sexual acts or sexual organs or representations or descriptions of excretory functions in a patently offensive manner appealing to prurient interests and without artistic, social or literary merit, it may be considered obscene and unacceptable for cablecasting.
- c. Any use of unauthorized copyrighted material. It is the sole responsibility of producers to abide by all applicable state and federal policies regarding copyright law for both visual and audible programming. APTV Television assumes no liability relative to copyright clearance or expense.
- d. Any material that defames any racial, ethnic, sexual, age or religious group etc.
- e. Any slanderous or libelous materials. If a program is editorial, investigative or political in nature, it is strongly recommended that the producer is thoroughly familiar with standard journalistic practices in this regard. APTV Television assumes no liability relative to slanderous or libelous issues.
- f. Any material advocating of violence or “fighting words” which are designed to invoke violence.
- g. Any deliberate misinformation.
- h. Any material soliciting or promoting unlawful conduct.



- i. Any programming that overtly advocates a particular religious belief. Religious organizations or ideals may be mentioned or discussed as incidental information as part of a program. This will not preclude the appearance of a clergy member or individual representing a particular religion as part of a program providing general information.
- j. Any advertisement of or information concerning any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part on chance.
- k. Any material not in compliance with applicable Federal, State and local laws and FCC regulations

ADULT AND POTENTIALLY OFFENSIVE PROGRAMMING

GUIDELINES: The following guidelines are provided to assist APTV producers and staff in determining what may be ADULT and POTENTIALLY OFFENSIVE program content or subject matter. They are subject to re-evaluation and the dynamic nature of community standards. Examples of objectionable material include (but are not limited to) excessive violence, adult language and situations, nudity, sexual explicit materials, graphic medical procedures, misogyny, the promotion of racism, bigotry, homophobia or other hate related biases. These guidelines are not intended to limit or discourage free expression. They are, in fact, intended to create a balance between the PRODUCER'S right to free speech and the VIEWER'S right to make informed decisions about appropriate cable television programming within their own home or business.

Producers are expected to alert the APTV staff to programming that may be inappropriate for younger viewers or objectionable to some others, via the check off box on the APTV Program Submission Request Form. Failure to report such material prior to cablecasting may lead to the suspension of APTV privileges.

Safe Haven Hours:

In keeping with standards and appropriate time, place and manner, all Adult and Offensive programming premiers and playbacks will be scheduled to be cablecast in late nighttime slots as determined by APTV staff. Late nighttime slots are known as "Safe Haven Hours" and defined as: after 10:00 p.m. in the evening and before 5:00 a.m. in the morning.

VIEWER WARNING: The PRODUCER who's program must be cablecast during the Safe Haven Hours must include the following on screen text, with an accompanying voice over for a minimum of 15 seconds at the beginning of the program (if the program is longer than 30 minutes the same Viewer Warning must be shown for a minimum of 15 seconds within the 30 minute of program content):

"THE FOLLOWING PROGRAM CONTAINS MATERIAL WHICH MAY BE OFFENSIVE TO SOME VIEWERS OR INAPPROPRIATE FOR VIEWING BY CHILDREN AND YOUNG PEOPLE. VIEWER DISCRETION IS ADVISED. THE CONTENT OF THIS PROGRAM IS SOLELY THE RESPONSIBILITY OF (INSERT PRODUCER NAME) AND NOT THAT OF APTV.."



VIEWER COMPLAINTS: APTV staff will notify Producers of all complaints. Viewers wishing to file a formal complaint may do so in writing. Programs receiving formal written complaints will be pulled pending a formal review by APTV unless a resolution of the complaint can be accomplished to the satisfaction of all parties. APTV has the final say on the acceptability of the program to air.

Commercial Programming

Public access channels have been designated for non-commercial use only.

Commercial content is defined as any display, announcement, and/or references designed to promote the sale of any products, services, enterprises, or commercial events. Commercial promotion is any direct or indirect call to action (for example, language that invites the viewer to take action, such as "buy this _____ at _____", or "this _____ is available at _____ .com"). At the end of the program a screen text and voice over stating a contact number, email or web site address viewers can use "for more information" is acceptable.

The qualities of products and services may be discussed in a non-commercial manner (e.g. as part of a review or consumer advocacy), as long as such discussion does not become a call to action to purchase a given product or service. For example, a food critic may visit a local restaurant to review food prepared at the restaurant. Or, one can interview an author of a book, to discuss the book's contents. In neither case should any references be made to the viewer to purchase the items and services being discussed. Programs cannot become "infomercials" -- that is, information provided with the underlying purpose to promote the sale of the item or service.

Producers are restricted from including any of the following in their programs:

- a) Advertising material designed to promote the sale of products or services.
- b) Material for which the primary purpose is promotion of products, services, trades, businesses or persons.
- c) Material which identifies any product, service, brand name or trademark in a manner which is not reasonably related to the non-commercial use of such product, service, brand name or trademark.
- d) Material which is intended to defraud the viewer or designed to obtain funds by false or fraudulent pretense.
- e) Direct solicitation of funds for any purpose. .

It is noted, that donations to APTV from business sponsors - whether in funding or in kind - may be acknowledged under specific guidelines of the Federal Communications Commission.

Non-profit Solicitations:

- i) A solicitation is a request for funds not in exchange for products or services.



- ii) A solicitation is not considered commercial content by APTV when the solicitation comes from an IRS designated non-profit or government agency, or by political candidates registered for election. Solicitations for funds are not permitted by individuals (other than by registered political candidates), by for-profit businesses, or by any other groups that do not have IRS non-profit status.
- iii) Non-profits and government agencies may make on-going appeals for direct financial support in the concluding credits of any episodes or programs (verbally and/or visually) not to exceed 30 seconds in length (e.g. "please send your financial contribution in support of our organization to [address]"). Solicitations may not occur, directly or indirectly, within the content of the program.
- iv) A non-profit group making on-air solicitations must submit a copy of their IRS letter of tax exemption with their cablecast request form prior to program cablecast.

Public service Programs

The same rules regarding commercial content apply to public service programs or announcement messages that apply to all other programming on the channel. No direct calls to action (no mention of ticket/event/entrance fee pricing, where to go to buy tickets, etc.) or direct solicitations of funds will be displayed. A contact number or web site address "for more information" is acceptable

Political Programming

What IS PERMITTED are candidate or issue forums to which all parties concerned have been invited, or public meetings open to any and all candidates.

Political candidates registered for election may solicit funds to be sent to a campaign office, but producers must first submit a copy of proof of the candidate's election registration prior to program cablecast.

APTIV provides to all Asbury Park residents, including those residents who are "certified candidates on a ballot" running for local, state or national public office or those supporting a ballot issue, equal opportunities for airtime, on a first-come, first-served, non-discriminatory basis. Any candidate for public office for whom Asbury Park residents may vote shall be afforded the same rights as a resident of Asbury Park with regard to channel time.

In order to ensure equal opportunities for programming time on APTV channels, the following rules apply:

- (a) APTV maintains the right to limit length and frequency of programming. Such limits when imposed shall apply equally to all programs on the channel and to all program producers. Currently the time limit is 15 minutes per candidate.



(b) APTV retains the right to preempt programming at any time in order to provide timely local programming, such as live or taped special municipal events, important local debates/forums, election-related programming, satellite downlinking, etc.

(c) A sufficient block of time will be reserved during each political season to enable a wide selection of political programs to be cablecast.