

NONCOMMERCIAL USE AND UNDERWRITING

Noncommercial use and underwriting is applied to the funding arrangements, on-air credits, and content of programs cablecast through the use of SACC facilities.

A program “funder”, “underwriter”, “grantor”, “sponsor” or “donor” is a third party who has voluntarily contributed cash or in-kind goods or services to finance, in whole or in part, the production acquisition of a program, and that may not, and has not, exercised inappropriate influence over the content of the program being funded.

SACC websites are not subject to the laws and regulations governing noncommercial use. Therefore, commercial telephone numbers, addresses, websites and other commercial information may be included on the SACC websites or posted in the discussion forums. Producers are encouraged to use the discussion forums at www.sacc.tv to post additional information about their shows.

Noncommercial Use

Public access channel means, a channel designated for noncommercial use by the public on a first come, first served, nondiscriminatory basis. The primary purpose of the regulation prohibiting commercial use is to prevent the cable casting of information for personal financial gain. There must be no attempt to provide commercial content. Commercial content includes, but is not limited to, product placement and advertisement and service descriptions provided in exchange for value of any kind or nature, but does not include appropriate recognition for underwriters and grant funders. Commercial content also includes the promotion of any product, service, individual business, partnership or corporation by direct or indirect reference or testimonial for the significant purpose of commercial exploitation.

Programs or segments cablecast using SACC facilities must comply with these guidelines.

1. The name of the company for which a host or guest works may appear under the name of the host or guest during the program.
2. Commercial phone numbers and residential phone numbers for at-home or other businesses may not appear on the screen. *
3. Commercial web addresses may appear only in the credits. *
4. Business hours of operation may not be mentioned or displayed.
5. Establishing the credentials of a guest by providing biographical information is permissible. It is acceptable, for instance to state where a guest works, where an author is published, or that a band has a record contract if the information is relevant to the non-commercial appearance of the guest.
6. Endorsements or promotions of a specific product or service are not permitted. No superlative descriptions, qualitative claims, or stated preferences for one product or service over another is permitted. Statements about who has used or uses the products or services are not permitted.
7. No price information or dates of sales may be included for the goods, services or events for-profit businesses.
8. Infomercials are not allowed on public access.

9. Give-aways or free seminars offered by businesses may not be mentioned unless they provide useful, noncommercial benefit or opportunity to the public, the give-away seminar itself is commercial free and the business does not initiate any inducements to buy, sell, barter, rent or lease when a person accepts the give-away or free seminar.
10. A person appearing on public access may offer a video tape, audio tape, transcript, DVD or CD for sale if its primary purpose is to disseminate more broadly or more permanently the message contained in the program. The price may cover the marginal costs for the sale and dissemination of the material, and must not exceed \$15, including shipping.
11. Information about non-commercial, philanthropic activities or promotions for the benefit of the public or not-for-profit organizations may be referred to provided the activities or promotions do not require participants to provide anything of value of any kind or nature to a for-profit business for the purpose of commercial exploitation.
12. On-location video clips of businesses are permitted only for non-commercial purposes, which must be stated before showing the clip on image. A disclaimer must state in substance that the showing of the clip or image does not constitute an endorsement of the business or its services or products.

For situations not explicitly covered under the guidelines above, SACC will evaluate both the program as a whole, and identifiable segments, to determine their overall character and nature, and may compare them to programming typically carried by commercial, public broadcast and public access stations.

Underwriting

SACC encourages local producers to solicit outside underwriting support to help create the highest quality programs possible. Underwriting credit may be given to an individual, company, or organization that underwrites any of the program's production costs. The on-air appearance and overall effect of each credit and credit sequence must be in keeping with the noncommercial nature of public access television and must comply with SACC's noncommercial policy above. Underwriting is allowed within the following guidelines.

1. The name of the program underwriter may be displayed as text and/or logogram on plain background.
2. No person, mascot or product may appear.
3. A street address, internet address or telephone number (just one of these) may be displayed for no more than 6 seconds.
4. No slogans may be used.
5. Each underwriter may be acknowledged for no longer than 15 seconds each time at the beginning and/or end of the program. Programs of more than 90 minutes duration may run underwriter credits during the program not to exceed one run per hour. Total underwriting credits may be up to one minute per half-hour of programming, not to exceed three minutes. Programming less than 30 minutes in length is limited to 30 seconds of underwriting credits.
6. Underwriting acknowledgments may be cablecast in both audio and video. Sample underwriting acknowledgments include:
 - a. "This program has been underwritten (in part) by _____".
 - b. "We acknowledge _____ for providing support for this program".
 - c. "This program was made possible by a grant from _____".
 - d. "Local presentation of _____ was made possible by _____".

- e. “This program has been brought to you by _____”.
 - f. “We’d like to thank _____ for their contribution making this program possible”.
 - g. “Major funding for _____ has been provided by _____. Additional funding has been provided by _____”.
7. Music or sound effects may be played during acknowledgements provided it is consistent with the overall tone of the program and is not identifiable as being commercially associated with any of the underwriters.
 8. The name of a program underwriter may be mentioned by on-air host, narrator, announcer, and/or commentator “minimally” during broadcast.
 9. Names of underwriters may not appear on the set or on any goods or materials donated.
 10. Underwriters or agents or representatives may not appear on any program for which they have provided material support unless approved by SACC Executive Director or designee.
 11. The program must not refer to any special sales, promotions, benefits or other activities engaged in by the underwriter for commercial purposes.
 12. The program may refer to noncommercial, philanthropic activities or promotions for the community engaged in by the underwriter.
 13. The business hours of operation for underwriters may not be mentioned.
 14. The number of years in business may not be mentioned or included in a logogram.
 15. When there is more than one underwriter for a program, underwriters should be credited in descending order of the amount of their funding.
 16. In-kind credits may appear as text in video only and must appear within the normal production credits. *
 17. Production assistance credits may identify the actual product or service provided. The text of the video-only credit will generally incorporate one of the following phrases: “Production assistance provided by _____”; “(Item/service) provided by _____” or “Special thanks to _____”.

Not-For-Profit Underwriters

Nonprofit underwriters are subject to the same guidelines as stated above except:

1. The telephone number, street address and internet address may all be included in underwriting acknowledgements for up to 15 seconds.
2. The programs contents may be about an organization underwriting the program.
3. Agents and representative for an underwriting organization may appear on the program.
4. Hours of operation may be mentioned either on-air or in the credits.

* Credits must be used of the same style, font, font size, color and background as all other production credits.

Any producer, or his or her representative, who obtains underwriting support of any kind for a public access program must provide the underwriter with a copy of an underwriter agreement form. See page _____ for forms.

SACC recognizes that some underwriters may be reluctant to provide program funding unless a nonprofit corporation administers the funds. As a service to private Producers, SACC will administer and pass through underwriting funds for a 15% administrative fee for all monies received.

Before soliciting funds using SACC's 501 (c) (3) status, the Producer must meet with the Executive Director, who must give written approval for the proposed program and for the use of SACC's nonprofit status. The Producer must provide written description of the proposed program, which must include an apparent educational or cultural purpose.

Upon receiving written approval, Producers must use SACC's "Underwriting Form For SACC Productions" (located on page ____) in soliciting and receiving underwriter sponsors. The Producer must explicitly inform all prospective underwriters that he/she is a community Producer acting on his/her own behalf – not as a SACC official, and that SACC does not assume any responsibility for the Producer's actions or program(s).

All funding and in-kind contributions made in connection with SACC's nonprofit status must be made directly to SACC. SACC will issue the appropriate paperwork to underwriters for tax deductions.

Every additional source of funding obtained afterward for a program approved for use of SACC's nonprofit status must be reported to the Executive Director and a donation of 10% of all funds raised outside SACC's nonprofit status must be made before any further use of SACC facilities or equipment.