

Received March 3, 2004  
Town Clerk's Office

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ATTACHMENT 1

AGENDA #3a(5)

Original Message -----  
From: dianebloom@mindspring.com  
Reply-To: dianebloom@mindspring.com  
Date: Fri, 27 Feb 2004 19:11:36 -0500 (GMT-05:00)

Dear Mayor Foy and the Town Council of Chapel Hill,

I am a documentary filmmaker who has lived in Chapel Hill for 21 years and has served several years on the Chapel Hill Planning Board. I'm writing this petition to see if the Town would be interested in an opportunity that would give it national visibility on PBS. My documentary, *An Unlikely Friendship*, will air nationally on PBS next fall. Up to 250 stations nationwide could air the program, reaching millions of viewers.

The documentary tells the story of the totally unexpected friendship which developed between the exalted grand cyclops of the Durham KKK and a very vocal black civil rights woman activist in 1971. It has played in 26 film festivals and has won 4 national awards. It has already aired on PBS in North Carolina and in Chicago, but will air in NC at least four more times. Its themes are racial justice and overcoming stereotypes and group hatred. It's an inspiring story about transformation and change. In fact, Studs Terkel called it the most hopeful and important documentary he has seen.

The executive producer at UNC-TV just informed me that I could put underwriter credits at the end of the show. Underwriters would pay \$5,000 each, and receive a credit on the screen at the end of the program. For example, it could say, "Underwritten in part by the Town of Chapel Hill which has a strong commitment to racial diversity" (or whatever you would want written).

So far UNC is an underwriter, and Duke will likely be another one.

The money will be used to cover the costs of the production which are still outstanding. Although the decision to be an underwriter would need to be made in time to put the information on the film (before April 1), the money would not have to be paid until September, or later if necessary.

I am attaching the underwriting information UNC-TV sent to me. Please feel free to e-mail me (I'm in Chile until April 5) with any questions you might have.

Diane Bloom

Emily M. Dickens, Esq.  
Mayoral Aide  
Town of Chapel Hill  
919-968-2888 ext. 225



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**UNDERWRITING CREDIT APPROVAL FORM**

Date: \_\_\_\_\_

PROGRAM TITLE: An Unlikely Friendship

UNDERWRITER: Carolina Center for Public Service, the University of North Carolina at Chapel Hill

(Please submit a separate Underwriting Credit Approval Form for each underwriter credit. Use additional sheets if necessary.)

**CREDIT (Use additional sheets, if necessary):**

Describe video elements and furnish the text of the credit.

VIDEO

AUDIO

A special thanks to Carolina Center for Pulic Service, a part of the University of North Carolina at Chapel Hill for its strong commitment to improving race relations.

**NOTE: American Public Television must approve all underwriter credits for programs it distributes, in both script and video. This approval form must be submitted to APT no later than 12 weeks prior to release date of the program/series. Please see APT's Guidelines for Underwriting Credits, available in the Producers' Handbook at our Web site: [www.aptonline.org](http://www.aptonline.org).**

Scott Davis  
Name

WUNC TV  
Station/Organization

PLEASE RETURN TO: Reina Aktay  
American Public Television  
55 Summer Street  
Boston, MA 02110  
FAX: 617-338-5369

## APT GUIDELINES FOR UNDERWRITING CREDITS

The FCC requires that all funders of programs be identified by on-air credits. As stated by the FCC, the purpose served by underwriting credits is to identify the funder in the interests of full disclosure, not to promote the funder or its products and services. All underwriting credits must be in keeping with the non-commercial nature of public television.

Program suppliers are required to fully disclose all funders of a program to American Public Television. The underwriting credits must be approved by APT prior to the program release, in accordance with the attached policies regarding underwriting credits.

These guidelines may not cover every possible creative element in an underwriting credit, and therefore APT reserves the right to change policy or implement new guidelines as necessary.

### I. Length of Credits

- A. The standard public television underwriting pod may contain up to four credits at :15 seconds each.
- B. APT requires that underwriting credits be delivered in the standard length of up to :15 per credit.
- C. Total length for all underwriting credits may not exceed :60 at the beginning and :60 at the end of the program.
- D. There is no limit as to the number of underwriters allowed; however, all must be identified within the time allowed for underwriting credits.

### II. Frequency

- A. Underwriters must be identified at the end of the program, and may also be credited at the beginning of the program.
- B. Public affairs, news and programs with controversial content must have underwriter identification at both the beginning and the end of the program.
- C. All funding credits must always appear together. An individual underwriter may not be credited with greater frequency than the other underwriters, regardless of the amount of funding contributed.
- D. When an underwriter funds a series after it has been released, the underwriter may be credited on some episodes instead of all the episodes, at the program supplier's discretion, so long as the underwriter is identified in accordance with APT guidelines. This does not apply to public affairs and series with controversial content, which must identify funders on all episodes.

- E. Underwriting for select episodes in a series will be evaluated on a case by case basis. See APT National Program Funding Guidelines for more on this subject.

### III. Placement

- A. Credits given at the beginning of the program should occur no later than the first three minutes of the program.
- B. Closing credits may appear at any point after the program ends, but must appear before the APT logo.
- C. APT recommends that credits appear in the order of amount of funding provided, with the largest funder appearing first.
- D. Mid-break credits are permitted for programs longer than 75 minutes.

### IV. Subsidiaries and Divisions

- A. on a fide subsidiaries and divisions may be given a credit when funding comes from the subsidiary or, in the case of a division, from the parent company.
- B. there is no limit as to the number of subsidiaries or divisions that may receive a credit, provided funding comes from each subsidiary or, in the case of a division, from the parent company.
- C. In a subsidiary credit, the parent company may be identified, but is not required to be. In a division credit where the funding comes from the parent company, the parent company must be identified.

### V. Brand-Name Underwriting

- A. Brand names may be used to identify underwriters or their products. The corporate owner of the brand name must be identified in video for at least :03 in the lower 1/3 of the screen, or mentioned in audio, and must appear at the same time the brand name appears.
- B. Brand-name underwriting must not be product-specific, but must be the core name of the product (i.e. "Tylenol" is permissible, but not "Tylenol P.M.").

### VI. Producers, In-kind Contributors

- A. APT permits the on-air acknowledgment of substantial in-kind contributions. However it should be noted that acknowledgment of in-kind contributors is not required by the FCC.
- B. In-kind credits may only appear at the end of the program in the normal text of the production credit roll. In-kind contributions that are acknowledged in the form of an underwriting credit are granted in some cases, but are subject to APT approval.

- C. In-kind credits may identify the product or service provided. No slogans, logos, locations, telephone numbers or Web site addresses are permitted.
- D. Program producers do not receive an underwriting credit, even though they may have contributed to the cost of the production.

#### VII. Closed-Caption Credits

A. In order to encourage closed-caption funding, closed-caption funders are allowed a separate text card either within the production credit roll or at the program open, for a maximum of :05 seconds. Corporate logos and Web site addresses are permitted for closed-caption funding credits [video only]. The closed-caption contribution must be identified in audio or video: i.e., "Closed-caption funding provided by \_\_\_\_\_."

#### VIII. Restrictions on Underwriters

- A. Companies that are solely in the business of manufacturing or distributing any of the following products are not acceptable to APT as funders for public television programming: tobacco products, distilled spirits, firearms. 'Waist to knee' adult personal products may not be considered appropriate, but will be evaluated on a case-by-case basis.
- B. No underwriting credit may depict tobacco products, distilled spirits or firearms. Depictions of 'waist to knee' adult personal products may not be considered appropriate, but will be evaluated on a case-by-case basis.
- C. Other products may be inappropriate for certain types of programming and will be evaluated on a case by case basis.

#### IX. Logos

- A. Corporate logos are permissible, however logos containing product images, characters, product claims or slogans will be evaluated on a case by case basis, and may not be permissible.
- B. If a logo doesn't clearly identify an underwriter, the funder's name must be stated in video in the lower 1/3 of the credit, or by audio mention.

#### X. Slogans

- A. Slogans are permitted if they are part of an established corporate identity plan. However, slogans containing superlatives, comparisons, price or value information, inducements to buy or endorsements, or calls to action will be carefully evaluated and may not be acceptable.
- B. A slogan must be used in conjunction with the funder's name and must appear in video or text at the same time as the corporate name. A slogan cannot be used in text of the credit in

such a way that it is no longer a slogan but part of the copy when such use creates an impermissible statement. (i.e., “We make great meals easy” is acceptable as an established slogan, but the sentence “We bring you the ingredients to make great meals easy” is a qualitative promotional statement)

XI. Content

- A. All underwriting credits must contain funding identification language, i.e., “This program was funded in part by . . .”. In the case of multiple funders, the main funding identification can occur at the top of the underwriting pod, but each subsequent credit must be preceded by inclusive words, i.e., “and by . . .” or “additional funding provided by . . .”. Credits may not run back to back without funding identification language.
- B. Underwriters must comply with other agency requirements (e.g., FDA or FTC disclosures) within the time allowed. It is the program supplier’s responsibility to comply with any applicable agency requirements.
- C. When an underwriter is credited at the beginning and at the end of a program, the credit content may be different.
- D. The following are permitted in connection with products or services of underwriters\*:

- The length of time a funder has been in business
- Up to three product depictions in video
- Demonstration of a single product (out of packaging)
- People may be used to demonstrate a product in a value-neutral manner.
- Target populations may be depicted.
- People may generally be depicted in video only. Audio use must be approved by APT.
- Funder’s employees if they are not shown as consumers or demonstrating products
- Jingle music (without lyrics)
- Qualitative terms on packaging are permitted if in small type or unobtrusive
- The phrase “sponsorship” or “sponsored by”
- Corporate officials, spokespersons or celebrities may appear in video and be identified if giving a message of support for public television
- “PSA” type language if not pitching a non-profit organization

- E. The following are not permitted in connection with products or services of underwriters\*

- Gratuitous, overly promotional language
- Comparative or qualitative descriptions
- Superlatives or promotional features, even if true and substantiated
- Price information, sales language, discounts, savings or value claims
- Inducements to buy
- Calls to action
- Commercial-sounding, shrill v/o delivery
- Lengthy descriptions (e.g., longer than 20 words)

Sound effects

Lyrics to jingles

The phrases "presented by" or "presents"

Use of people is generally limited to video only. Audio use must be approved by APT.

People may not be used to promote products.

People may not show consumer satisfaction.

Most adverbs and adjectives should be avoided, as well as personalized terms such as "you" and "your."

Corporate officials, spokespersons and celebrities may only be used in voice-over and may not be identified in any way.

Talent who appear in the content of a program may not be used in either video or audio in the funding credits, whether they are identifiable or not.

## XII. Underwriter Web Sites/Toll free Numbers/Stock Symbols

- A. Underwriter Web site addresses, toll-free numbers and/or NYSE/NASDAQ Stock symbols, may appear in the funder's credit one time, in video only, for a duration of :05 in the lower 1/3 of the screen.
- B. There may be no calls to action in the presentation of the address or phone number.
- C. Web site addresses, toll-free numbers and stock symbols must appear with the funder's name or logo.
- D. A Web site, a toll-free number and stock symbol are permitted.
- E. Brand-specific keywords (i.e., "AOL Keyword") are not permitted.

## XIII. Children's Programs

APT adheres to the guidelines for underwriting credits on children's programs as stated in Rule 4 of the PBS National Program Funding Standards and Practices (summarized below).

Underwriting credits that are targeted at adults on children's programs must follow the policies as stated in the APT Guidelines for Underwriting Credits.

Underwriting credits designed to appeal to viewers under 12 years of age must also comply with the following policies:

- A. Underwriting credits on children's programs may not be longer than :15.
- B. A maximum of four credits are allowed at the beginning of the program and four credits at the end of the program. The funders must be the same at the beginning and the end, but the credit content may be different.



- C. Underwriters must be identified by name or logo. The credit may include a brief generic identification of the company's product or service to clearly identify the funder.
- D. It is not permissible to show brands, products or packaging. However, if the underwriter's name is a brand name only, the sponsoring corporation must be clearly identified in video in the lower 1/3 of the screen, or by audio mention.
- E. The remainder of the underwriting credit message must be a statement supporting public television, learning or education (calls to action are permitted here). E.g., "Exercise your Head. Read! Ghostwriter is brought to you in part by Nike." All other messages are strongly discouraged.
- F. Hosts, characters or mascots may not be used to endorse products or services.
- G. Hosts, characters, mascots, spokespersons, audio or visuals that evoke an underwriter's television or radio commercials may not be used in underwriting credits.
- H. Credits must avoid promotion of brand recognition, and must not encourage children to use or consume an underwriter's products.

\*EXAMPLES OF TERMS THAT ARE PERMISSIBLE

"Creative" to describe advertising services

"Fresh and original" to describe health food

"Timeless traditional truths" to describe an art gallery's works

"AT&T - the right choice" - established corporate slogan

"Dupont - makers of better things for better living"

"Movado Museum Watch, another famous Swiss-made product"

"The department store specializing in golf ... providing everything."

New York Gom Tang House specializing in ox-tail soup. "Through long experience and skill, we have made instant Ox-tail soup in a can."

"Gourmet" or "Distinctive" to describe food

"Comfortable like your own home. Korean Airlines will try its best. Our wings, Korean Air."

"Exclusive source" or "exclusive distributor" of a product

“A wide assortment” (this phrase is now in such common use, it has been approved)

“A true Italian product”

“100 years of innovation”

A recommended reading list [i.e. on children’s programs] is permissible, if there is no financial tie between producers and publishers of books on the list.

\*EXAMPLES OF TERMS THAT ARE NOT PERMISSIBLE

“. . . the most requested kitchenware and cooking tools of television viewing audiences” - endorsement, qualitative claim

“Where fine wines begin” - qualitative claim

“Easier to control” - qualitative claim

“The place to buy hardware” - qualitative claim

“This program is brought to you by your friends at \_\_\_\_\_” (or “by the experts at”) - commercial advertising technique

“It’s not too big, not too small, but just right” - qualitative, comparative

“There’s friendly faces in town ... the only Nissan dealer in town” - “friendly faces” infers qualitative statement about Nissan employees

“Rebuilt transmission work carries a one year warranty” - “warranty” contains prohibited price information and an inducement to buy.

“...the world’s largest manufacturer and servicer of elevators” - qualitative, even if true

The world’s leading supplier of software - qualitative, even if true

“98% of lead and chlorine is eliminated” - qualitative product claim, even if true

“...safe to use in the kitchen” - qualitative claim

“Want to clean the whole house fast?” - solicitation and qualitative