

BUILDING A LINC'S PARTNERSHIP

WHY LINC'S?

LINC'S (Linking Independents and Co-producing Stations) helps stations and independent producers enter into mutually beneficial production partnerships by providing matching funds of up to \$100,000. LINC'S partnerships provide an opportunity for independents to interact directly with stations, gaining much-needed production support and an advocate for their project within the public television system.

Stations benefit too. Most often, LINC'S programs are on topics of particular interest to local or regional audiences, helping stations to provide their viewers with relevant programming. Shows are made available to the entire PBS system and have been featured on PBS's National Program Service, as well as on series such as P.O.V and Independent Lens. LINC'S programs have also received numerous awards and accolades, including an Academy Award nomination. All of these opportunities help to raise a station's profile within the PTV system and within their community.

WRITING THE LETTER OF AGREEMENT

As part of the application, the independent producer and the station must prepare a Letter of Agreement that outlines the responsibilities and expectations of each party. If your program is selected for LINC'S funding, ITVS will give you feedback on the Letter of Agreement and require that you use it to develop a more formal Station Producer Agreement. The Letter of Agreement does not have to be a long formal contract (it can be 1-2 pages). However, the following points should be incorporated in your document.

Stations are required to perform the following duties and accept the following obligations:

- Provide a specific staff person as the contact person for the project, the "Station Designated Contact". This person should be named in the Agreement;
- Contribute in-kind support or cash contributions as documented the LINC'S Line-Item Budget;
- Provide PBS system communications and presentation to the PBS system, including all PBS paperwork, and work with ITVS on submission to PBS and strands;
- Broadcast the program locally;
- Serve in an advisory capacity on program content including providing feedback on rough and fine cuts and advisement on technical requirements that are necessary for completion of the project for public television;
- Agree to negotiate a formal Station Partner Agreement if program is offered an ITVS Production Agreement through LINC'S.

We request that stations:

- Provide creative, editorial and financial input;
- Provide appropriate packaging and promotional support for the public television broadcast of the program (this should be included in the matching funds or in-kind services);

- Retain exclusive local broadcast rights for a certain term, and share co-exclusive national broadcast rights with ITVS for (at minimum) the standard public television term, 4 years;
- Retain appropriate promotional rights.

In addition, **independents** are required to perform the following duties:

- Maintain creative, editorial and financial controls, and majority control of the copyright. In some cases the copyright may be shared with the station;
- Observe current PBS Production and Program Standards, including journalism, underwriting, technical and credit guidelines;
- Adhere to approved budget, production schedule and delivery dates;
- Credit the station in the program and on promotional materials.

ADDITIONAL POINTS TO BE CONSIDERED

In addition to these required points, you may also want to consider the following for inclusion in your letter of agreement:

How will the independent producer access in-kind services or facilities? How far in advance do they need to be scheduled?

How often will the partners check in? What will be the turnaround time for station feedback?

How will the producer, station and station personnel be credited on the finished program (titles and order)?

Will the producer retain sole ownership of the copyright? If not, how will copyright be shared given that the independent producer should retain majority control?

How will the partners share in ancillary sales revenue?

Can the project be added to the station's current policies for liability and/or Errors and Omissions (E&O) insurance? This is not always possible, but can be more cost effective than purchasing individual policies.

Will the station participate in or lead outreach activities such as coordinating a local screening?

Does the station partner have the right to air the program above and beyond the standard public television rights period?

May the station use the program as a pledge show and offer cassettes of the program as pledge premiums?

IN-KIND CONTRIBUTIONS

Stations can make in-kind contributions in a number of areas including development, production, insurance, post-production, presentation, publicity, outreach, website, and station relations. Below is a list of suggestions for station in-kind support.

Keep in mind that every LINCS partnership will be different depending on the needs of the project and the resources of the station. Think of this as a checklist but bear in mind that any services the station is not providing may need to be accounted for by the independent. The finalized Station Producer Agreement should clearly state who is doing what.

Development

- Fundraising and underwriting support
- Ensuring underwriters meet PBS guidelines

Production

- Equipment
- Crew
- Facilities (including office space, studio rental)
- Station-owned archival footage
- Content advisor, screening and feedback

Insurance

- Production Liability
- Videotape/Negative
- Worker's Compensation
- Errors & Omissions

Post-Production

- Off-line edit facilities
- On-line edit facilities
- Editor
- Editorial consultation
- Closed captioning, SAP channel
- Video Technical Evaluation
- Tape Dubs

Presentation, Publicity & Station Relations

- Promos (if required of your program, PBS requires 0:20 and 0:30 promos)
- Publicity (writing a press release, making press release and photos available on the station or show website)
- Outreach activities (hosting local screenings, publicizing the program to interested community groups, locally or nationally)
- Outreach or educational materials
- Creating, hosting and/or maintaining a show website

In addition to your Station Producer Agreement, it is always helpful to have a statement from the Station partner about why they are behind this project, and what the station and its viewers have to gain if the project goes forward.

IF YOU ARE FUNDED

Projects that receive LINCS funding must comply with standard broadcast requirements as found in the PBS Red Book.

If funded, ITVS requires that the producer and/or station will:

- License the program, without an additional license fee, for exclusive domestic distribution to public broadcasting for the standard PTV release pattern;
- Retain the right to distribute the program in other markets, subject to limitations outlined in the LINCS production agreement;
- Provide annual ancillary activity reports for as long as the program is available for distribution;
- Share any revenue generated by the program with ITVS based on ITVS's percentage of funding;
- Include appropriate credits for the independent producer(s), the station, CPB and ITVS on all distributed versions of the program, all advertising and promotional material, as well as any ancillary publications related to the project.
- Provide liability and Errors and Omissions insurance coverage for the project.

Over the course of the production, the producer and/or station is also required to deliver to ITVS the deliverables listed below:

- Regular progress reports
- Rough cut of the program
- Fine cut of the program
- One closed-captioned (CC) master of the program (acceptable formats: 1", Beta SP, Digital Beta or D2)
- One Beta SP copy
- Three VHS cassettes
- Publicity photographs
- A copy of the press release and/or press kit (when available)
- A final narrative report
- A final financial report
- A transcript of the final program
- Proof of errors and omissions insurance and rights clearances

A Note on Ancillary Distribution

Producers are encouraged to clear as many ancillary rights as possible to facilitate ancillary sales of the completed project. However, in no instance will the exercise of ancillary rights interfere with the public broadcasting rights. A portion of net proceeds will be disbursed to ITVS based on ITVS's percentage of funding.