

## LINCS 2008 GUIDELINES

**Deadline: May 30, 2008**

### **Linking Independents and Co-producing Stations (LINCS)**

LINCS gives independent producers and public television stations an opportunity to form full production and presentation partnerships. By providing matching funds of up to \$100,000 to partnerships, LINCS acts as a catalyst, helping independent producers leverage the support of stations and helping stations access the talent of independent producers. The goal of LINCS is to create programs that speak to local and regional viewers while reaching a national public television audience. While LINCS does not match stations and independents you can find a list of public television stations on the PBS website.

### **Applying to LINCS**

Please read the following guidelines carefully. Complete the **Online Application** and submit it along with the materials outlined in the **How To Apply** section. We require a written proposal, a work-in-progress reel and a copy of a previously completed work in its entirety, including credits. No demo reels, or clip reels of your previous work, will be accepted. Incomplete proposals will not be processed. Producers may submit only one application to the LINCS initiative per year. A producer cannot apply as a Primary Applicant and a Co-Applicant for two separate projects.

### **What LINCS Is Looking For**

- Programs that stimulate civic discourse and find innovative ways to explore regional, cultural, political, social or economic issues.
- Programs that will engage national as well as regional audiences, revealing universal themes through the lens of local perspectives and realities.
- Projects that speak to the ITVS mission to serve underserved audiences with programs that take creative risks, explore complex issues and express points of view seldom seen on commercial or public television.
- A Station Designated Contact that commits to working closely with the independent producer from start to finish on the project.
- Projects that have begun production as evidenced by a work-in-progress tape.
- Single documentaries and innovative genre combinations of standard broadcast length and (26:40 or 56:40).

### **LINCS Is Not Looking For**

- Projects that are completed and only seeking distribution.
- Series proposals.
- Projects intended solely for theatrical release.

### **Independent Producer Eligibility**

- Applicants must be "independent producers." This means that individual applicants a) own the copyright of their production; b) have artistic, budgetary and editorial control of their project. Note: the copyright may also be shared with the station partner.
- The independent producer must be at least 18 years old and a citizen or legal resident of the United States or its external territories.

- Applicant or co-applicant must have some previous film or television production experience in a principal role (producer, co-producer, director or co-director) as demonstrated by a sample tape of previously completed work.

### **Independent Producer Ineligibility**

- Students are not eligible.
- Producers regularly employed by a public or commercial broadcast entity or film studio are not eligible.
- Organizations such as universities, foundations, and nonprofit media organizations are not eligible.
- Producers representing foreign-based production entities are not eligible.
- Independent producers who are current signatories of an ITVS contract may not apply until final delivery is completed.
- Independent producers may only have one proposal under consideration at ITVS at any time. If the applicant has submitted a proposal for one funding initiative, he/she will need to contact ITVS programming staff to determine whether or not the project is still under consideration before applying to another funding initiative.

### **Station Eligibility**

- Station partners must be affiliated with the PBS system and/or receive monies from the Corporation for Public Broadcasting (CPB).
- Stations may partner on more than one proposal per year, but are limited to one project per independent producer.
- Stations with LINCS shows currently in production are eligible to apply with additional projects.

### **Station Ineligibility**

- Cable/public/community access stations are not eligible partners for LINCS funding.

### **How the Matching Funds Work**

LINCS provides production funding of up to \$100,000. Funds are paid directly to the independent producer. Requested funding must be matched by a combination of secured cash and the station's in-kind support and/or cash contributions. LINCS funding will not match pending funds and will not match in-kind contributions that do not come from the public television station. A project may apply with station in-kind support and/or cash from more than one PTV station. LINCS will consider this contribution toward the match.

If there is a production budget gap at the time an ITVS contract is signed, projects will have up to 12 months to secure the balance of funding. ITVS production funds will not be released until all funds are in place. Programs must be completed within one year of securing the balance of funding.

### **The Station Producer Partnership**

In a LINCS partnership, the station and independent producer collaborate in the production and presentation of the program. Stations and independents may build on existing relationships that they have with one another, or approach each other with new program ideas. The independent maintains creative, editorial and financial control over the project. In some cases the station may share copyright. The station provides creative and editorial input as well as cash and/or in-kind services. Some examples of station in-kind include: use of cameras and/or crew, editing equipment and editors, dubs, temporary office space, production management services and coverage for the project under the station's production and/or Errors and Omissions insurance policy. Presentation, outreach, publicity, website and station relations services should be included in the value of the station's in-kind contribution. These may be responsibilities that are shared with the independent producer.

Producers may pay cash to the Station out of the production budget. However, LINCS limits ITVS funds going to Stations. ITVS funds may not be paid out to the Station for overhead or indirect costs. Allowed costs include: fees and rates for equipment, office space, edit suites, and professional services, preferably at a discount to Station's rate card. Disallowed costs are: non-production items, overhead, salaries or salary percentages. Budget approvals are made on a case-by-case basis prior to contracting the final budget.

### **The Letter of Agreement**

A Letter of Agreement between the independent and the station must be negotiated prior to the submission deadline and must be included with proposal materials. Independents and stations are encouraged to approach each other as early as possible to begin the process. Negotiating a Letter of Agreement may take months, and some stations have internal deadlines for consideration of LINCS proposals several months in advance of the LINCS deadline.

The Letter of Agreement must describe the basic terms of the working relationship between the station and independent producer, and commit the station to the basic presentation of the program to the national public television system.

**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 and/or cash contributions as documented the LINCS 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 Producer Agreement if program is offered an ITVS Production Agreement through LINCS.

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.
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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 journalistic, underwriting, technical and credit guidelines;
- Adhere to approved budget, production schedule and delivery dates;
- Credit the station in the program and on promotional materials.

With LINCS programs, the station, not ITVS, presents the finished show to PBS and other public television distributors, and makes the show available to the national public television system.

LINCS is open to matching in-kind from more than one station and it is also agreeable to projects applying with more than one station involved as a co-producing partner. Agreements with each station must be included with the application materials.

If your program is selected for LINCS funding, ITVS will give you feedback on your Letter of Agreement and an opportunity to revise it into a formal Station Producer Agreement. However, please note that a well thought out Letter of Agreement reflects positively on the proposal and on the project's viability. Before composing your Letter of Agreement, please read **Building a LINCS Partnership**.

### **ITVS Funding Is Not A Grant**

Accepted applicants will receive funding in the form of a Production Agreement that assigns ITVS certain important rights over the production. The independent producer will maintain creative, and financial control and own all or partial copyright to the Program; License to ITVS and the public TV Station the exclusive broadcast rights and the Public Television Rights for the Program, including video-on-demand, in the U.S. Territory for a minimum of four years; Observe the ITVS technical, editorial and journalistic standards and requirements; Retain the right to distribute in ancillary markets not administered by ITVS, subject to ITVS regulations; and retain a percentage of net revenues from subsidiary and ancillary distribution, and share with ITVS an amount prorated to the percentage of funding that ITVS invests in the production.

### **Timeline**

**Internal Review:** After the submission deadline programming staff review all applications for eligibility. If there are eligibility issues applicants will be notified within a week of the deadline.

**Reader Review:** Eligible applications will be forwarded to external readers consisting of public television staff and independent filmmakers. A group of finalists will be recommended for the panel review. This pool of applicants will be notified of their status within six to eight weeks of the submission deadline.

**Panel Review:**

A peer panel consisting of public television staff and independent filmmakers is convened to recommend projects for funding. Applicants in this phase will be allowed to submit a new work-in-progress tape. Applicants who have advanced to the Panel Phase will be notified of their funding status within six to eight weeks.

Note: The entire proposal review process takes up to five months. Station representatives and producers of projects selected for funding will be required to attend an orientation in San Francisco.

**The Decision to Fund**

ITVS's main aim is to develop long-term relationships with filmmakers. The detailed guidelines for ITVS funding explain the process and criteria for program funding. There is no automatic right to ITVS funding. Decisions as to the creative merits of an application are entirely at the discretion of ITVS's Director of Programming. Applications will be judged and may be turned down on creative merit or on other subjective grounds, such as the program's ability to fulfill ITVS's mission. The most common reason for not selecting a project is that the creative quality of the proposal is not strong enough to support funding in the opinion of the Director of Programming who may act on the advice of ITVS staff. All decisions regarding funding are made solely by ITVS, which is an independent nonprofit corporation, and are not within the control of any other public or private entity.

ITVS's decision regarding funding is final. ITVS has no obligation to the applicant to release any details of ITVS's decision-making process or internal discussions regarding the application, all of which are confidential and cannot be provided to the applicant except that, at ITVS's sole discretion, ITVS may choose to discuss with applicants aspects of rejected submissions in an effort to improve the application for a future submission to the same or a different ITVS funding initiative. Material submitted to ITVS may be disclosed by ITVS to its employees and possibly to people outside ITVS and, therefore, ITVS cannot promise to keep confidential submitted materials.

Inevitably, many applications will have to be turned down and some applicants may be disappointed at this result. Formal appeals against the final decision cannot be considered, except that ITVS may, at its own discretion, review a claim that ITVS's procedure for processing the application was not adhered to or was misapplied. In this case, if ITVS and the applicant cannot resolve the claim, the applicant may submit a written notice of protest to the Director of Programming within five business days of the event giving rise to the complaint. The notice shall state with particularity the basis of the protest, the facts upon which the protest is based, and include copies of any documents relevant to the claim. The Director shall review the written notice and may issue a written decision determining the validity of the protest which shall be final. All decisions by ITVS, whether regarding the choice to fund a program or regarding the application process, are final and not subject to appeal within ITVS or in any court or administrative agency.