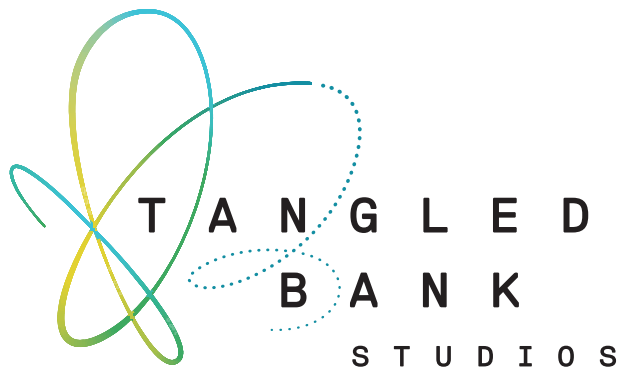


**TANGLED BANK STUDIOS**  
**GUIDE TO STANDARDS AND PRACTICES**  
June 1, 2012



A Production Company of HHMI

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## **INTRODUCTION**

Tangled Bank Studios, LLC, is a production company established and funded by the Science Education Department of the Howard Hughes Medical Institute (HHMI), a renowned scientific and educational organization. Tangled Bank is dedicated to the creation of original, visually inventive science documentaries for broadcast, theatrical, and digital distribution. The unit aims to produce 6 to 8 hours of programming per year that feature compelling stories of discovery across a variety of scientific areas. Headquartered in Chevy Chase, Maryland, Tangled Bank Studios partners with producers, broadcasters, and distributors around the world.

This guide is intended to describe the standards and practices that Tangled Bank Studios follows, and expects producers with which it works to follow, in the creation of its documentaries. No guide can anticipate every issue that Tangled Bank or its producers may face in the course of producing a film. This is intended as a general guide; producers are urged to seek guidance from Tangled Bank management for issues not addressed in this document.

### **Our Role**

Tangled Bank Studios strives to create science content of exceptional quality for worldwide distribution in order to foster the public understanding of science. We develop ideas internally and also receive them from outside producers, broadcasters, and scientists. Once we agree to pursue a project, we provide funding and editorial expertise, with the goal of achieving critical, journalistic and broadcast success. In addition to long-form productions, the films we produce are often versioned to create educational videos for the classroom, allowing us to reach students in high school and beyond.

### **Programming Vision**

Science stories are unfolding all around us. Major discoveries take place with breathtaking frequency in fields from biomedicine to cosmology, discoveries that have the potential to change our lives and transform the way we understand our place in the universe.

With the frontiers of knowledge moving forward every day, there has never been a more important time to bring smart science stories to a global audience. That is why we have launched this initiative. Our goal: To reach a worldwide audience with sophisticated science content that entertains and enlightens. We intend to reach those who are already interested in science as well as those who are not as knowledgeable but are interested in learning more.

Tangled Bank Studios partners with producers, broadcasters and distributors to produce ground-breaking specials, series, films and new media content. For us, the ideal production is one that:

- *Tackles new and important science.* We're looking for films that break new ground, provide a new perspective and help viewers make sense of what's going on in the world of science.
- *Is highly entertaining,* with a premium on immersive, compelling and dramatic storytelling.
- *Brings science to life* by capturing the adventure and excitement scientists experience as they solve the most elusive mysteries. We believe that the process of discovery is inherently compelling, and our goal is to capture that drama.
- *Is visually inventive.* We're looking for stories that can be told in new ways, and we aim to support the pioneering use of imaging technologies to bring hidden worlds to life.
- *Has lasting impact* through a powerful initial broadcast or theatrical release and effective outreach.
- *Inspires a sense of amazement and wonder.*

### **What We Cover**

Tangled Bank Studios is an initiative of the HHMI Science Education Department, whose mission is to enhance education about all fields of science. As a result, Tangled Bank Studios covers the broad spectrum of science, from biology to paleontology, from cosmology to archeology, from physics to earth science. Where important discoveries are unfolding, that's where we intend to be.

### **EDITORIAL STANDARDS**

Tangled Bank Studios upholds journalistic excellence, with particular emphasis on independent editorial judgment, depth of coverage, and factual accuracy.

### **Standards of Excellence**

Our goal is to produce science journalism of the highest caliber. This means that we aspire to excellence in the following ways:

- Excellence in explanatory journalism. We aim to help audiences grasp even the most difficult scientific concepts by explaining them in clear, accessible and accurate terms.
- Excellence in journalistic practice. We adhere to the highest principles of journalism and journalistic ethics, including the need for fairness, accuracy, balance, honesty in dealing with sources and the avoidance of conflicts of interest.
- Excellence in the craft of filmmaking. Working with producers, broadcasters and distributors, we seek to inspire the creation of beautifully crafted films, and the use of innovative visual and storytelling techniques.

## **Editorial Independence**

Tangled Bank is an initiative of and funded by the HHMI Department of Science Education. The objective of the initiative is to advance HHMI's mission of fostering understanding of science, not to promote any of HHMI's other activities. To advance science understanding, Tangled Bank practices objective and accurate science journalism about a broad range of topics, in a way that is editorially independent of other HHMI divisions (including Science, Janelia Farm, and Communications). Its management and staff are given the freedom to pursue topics that meet the programming vision described above, without regard to other HHMI programs or initiatives. Tangled Bank Studios is a limited liability company under the laws of the state of Delaware.

## **Inclusion of Scientists and Other Experts in Tangled Bank Films**

Scientists and other experts are chosen for inclusion in the productions of Tangled Bank Studios based on the quality of their work, the relevance of their work to the topic of the film, and their communication skills on camera. No scientist or other expert is chosen for inclusion in a film merely because of his or her status as an HHMI scientist or recipient of support under other HHMI programs. In every case, the producers choose those who can best contribute to the particular film. Where an HHMI scientist or other person who has received HHMI support is featured in a film, he or she will be identified as such in a way that is clear to viewers.

## **Balanced Coverage of Science and Scientists**

It is inherent in the process of scientific discovery that different scientists may have different points of view. Tangled Bank Studios covers these legitimate differences in a fair, evenhanded and balanced way.

- Where different theories or potential explanations for a scientific question exist, our coverage will make that clear.
- One particular point of view may be given more weight in a film for reasons dictated by story or editorial judgment, but no such view will be presented without adequate context to explain that other viewpoints exist.
- Marginal or widely discredited views outside the scientific mainstream will not be used to "balance" mainstream views.

## **Advisory Boards**

To serve as a resource for our editorial team and ensure the integrity of commissioning and editorial decisions, Tangled Bank Studios establishes an advisory board for each of its productions. Each advisory board consists of at minimum three experts who are either prominent scientists with relevant subject matter expertise or prominent science journalists, all of them independent of HHMI and Tangled Bank Studios. This advisory board will:

- Advise on a project's approach and editorial focus in order to help achieve depth and accuracy in coverage,
- Advise on which key scientists to feature, with emphasis on ensuring that choices are appropriate and free of conflict of interest concerns, and
- Advise on questions of editorial balance to ensure that scientific work and viewpoints are appropriately contextualized.

### **Program Advisors**

In addition to the advisory board, for some productions Tangled Bank Studios may identify a group of program advisors with subject matter expertise in the topics being covered by the production. These program advisors serve as an additional resource to guide the coverage of specific areas in which they are expert, especially during final fact-checking.

### **Conflicts of Interest**

Producers and Tangled Bank Studios staff will at all times guard against conflicts of interest that could undermine the credibility of our films.

- Neither producers nor staff of Tangled Bank Studios may accept for themselves anything of value in return for inclusion of any material in a production. Tangled Bank Studios management must be notified and approve, in advance and in writing, of any exception.
- Potential conflicts of interest involving producers or the people being portrayed in a film must be identified and brought to the attention of Tangled Bank Studios management. This includes spousal, family or business relationships between the producer(s) and someone appearing in a film.
- Potential conflicts of interest involving HHMI or its scientists or grantees may also exist. Producers should keep Tangled Bank Studios informed of their plans to feature HHMI scientists or others who have received HHMI funding so that any potential conflicts of interest may be addressed appropriately.

### **Legal Review**

Producers are required to engage their own counsel to provide guidance on any legal concerns or issues that may arise during production, including:

- Privacy concerns, especially as it relates to minors or medical information,
- Any concerns relating to potential libel or defamation, and
- If filming is to take place outside the United States, any concerns or issues raised under local law.

Prior to commencement of production and during post-production, there will be a legal review involving counsel to Tangled Bank Studios to consider legal issues and

risks associated with the production. The purpose of this review will be to identify and discuss how the producer intends to address these matters and to allow Tangled Bank and its counsel to provide perspective and guidance to the producer and its counsel.

### **Standards of Accuracy**

The standard for all Tangled Bank Studios productions requires that every assertion of fact be confirmed with a minimum of two authoritative sources.

Tangled Bank Studios' senior researcher oversees this process. Each production is required to provide annotated scripts, which indicate the sources for each assertion of fact. The research review is completed prior to narration record.

An assertion of fact is defined as a piece of information presented as having objective reality. In addition to assertions of fact in voice-over narration, maps or other graphics, verification is required for assertions of fact in interviews or character voice-overs, unless the statement in question is clearly expressing an opinion.

All annotations should come from authoritative sources. These include:

- A publication seen as a standard reference work in the field (including journals, textbooks and other peer-reviewed science),
- A consultant regarded as expert in the subject, and/or
- A website produced by a recognized authority or organization.

When in doubt, consult the senior researcher for advice on which sources are authoritative.

### **Vetting Films for Fairness and Balance:**

It is possible for a film to contain only accurate facts and yet be wrong in its overall presentation. This can happen if only one point of view is presented or if too much weight is given to one side of a debate. For this reason the Tangled Bank Studios research process includes careful review of overall editorial balance.

### **PRODUCTION PRACTICES**

It is impossible to anticipate every situation that may arise during production in the field. These guidelines are intended to cover some of the issues that may arise. For others not described below, producers should consult the Tangled Bank Studios staff for guidance.

### **Working with Scientists**

We believe that scientists and producers share some key qualities. Both must be creative in order to succeed, and both share an interest in excellent science communication. We therefore believe that the best science films are made when

scientists and producers work together in a way that is clear, collaborative and based on mutual respect. We encourage producers to understand the concerns of the scientists they are portraying, and scientists to understand that final editorial control must rest with Tangled Bank Studios.

- It is the producer's job to understand the scientific work being explored and to present that work in a way that is clear, fair and balanced.
- Where the producer is being given access to confidential or unpublished work, the producer must inform Tangled Bank Studios of any restrictions. Unpublished work must not be included in a production without the explicit approval of the scientists responsible for it.
- Collaboration between producer and scientists includes the discussion of ideas and how they should be covered in the production. We welcome creative ideas from the scientists whose work we cover.
- At the same time, we must be careful not to blur the line between the producer and the people whose work they are covering. Producers should not screen versions of the production for the people who appear in them, or send them copies, without the express permission of Tangled Bank Studios management.
- An exception to this rule may be made for productions that are substantially based on a book or in which the scientist is the screenwriter, host or presenter. In that case, the scientist is legitimately part of the production process and may see works in progress.
- Once a production is finished, copies may not be provided to scientists, other producers, critics, broadcasters or other interested parties without the express written approval of Tangled Bank Studios.

### **Interviews**

Producers working with Tangled Bank Studios will not permit an interviewee or a representative to participate in editing an interview. Nor will the producer submit an interview to an interviewee or an interviewee representative for approval. All editorial decisions regarding editing interviews will be made by Tangled Bank Studios or the producer, as appropriate.

Tangled Bank Studios and its producers will not make commitments that:

- A recorded interview will be broadcast
- A recorded interview will not be broadcast;
- A recorded interview will be unedited, or
- A recorded interview will be of any specific length.

Paying for an interview can jeopardize objectivity and credibility and can create the appearance of a conflict of interest. Accordingly, neither Tangled Bank Studios nor



its producers pay for interviews. Only Tangled Bank Studios management may grant an exception, which must be in writing.

Interviews should always be unrehearsed and unscripted. Producers working with Tangled Bank Studios will not submit specific questions to an interviewee in advance of any interview unless doing so is approved in advance by Tangled Bank Studios management.

Tangled Bank Studios may, on occasion, pay for the actual, reasonable travel and living expenses of interviewees. Additional payments (*i.e.*, consultant fees, expedition costs, exclusivity arrangements) to participants in a production require the prior written approval of Tangled Bank Studios management. Nominal payments can be made for reimbursement of time lost. Honoraria to academic consultants may also be paid, but only with the prior written approval of Tangled Bank Studios.

### **Releases and Privacy**

Tangled Bank Studios respects privacy and works hard to balance the privacy concerns of individuals with the journalistic demands of producing films.

#### *Releases*

Producers should obtain the necessary releases from individuals and entities involved with a production. Standard release forms to be used by producers working with Tangled Bank may be found on the Tangled Bank Studios web site. See Tangled Bank Studios production guide for additional guidance.

#### *Appearance Releases:*

- Producers should always obtain a signed appearance release from individuals participating in a film.
- When filming openly in public places, producers do not normally need to obtain a signed personal release from individuals who are incidentally caught on camera as part of the general scene, unless they are engaged in an activity where they have a legitimate expectation of privacy.

#### *Location Releases:*

Tangled Bank Studios normally obtains written consent before recording on private property. Producers should always obtain a signed location release in these situations before filming begins.

- Production personnel must leave private property when asked to do so by the legal occupier, and should be aware of the law of trespass. Accessing private property without consent can constitute a civil wrong or a violation of the law.

- Location releases are not required for public spaces (streets or parks, for example). In these cases, filming permits may be required and it is the producer's responsibility to obtain them.

#### *HIPAA Releases.*

In productions where medical information will be obtained or where filming of patients will occur at locations such as hospitals, ambulances, doctors' offices and other medical sites, producers may need to use a specific form of release that meets requirements imposed by the United States Health Insurance Portability and Accountability Act (HIPAA). These HIPAA release forms may be required from both the patient and institution at which the filming occurs. Producers should consult with their production attorney and Tangled Bank Studios management to ensure that the appropriate releases are obtained prior to filming any patient or obtaining any medical information.

#### *Privacy and Consent to be Filmed*

When participants give informed consent to take part in one of our productions, they can be assumed to have waived their expectations of privacy in relation to their contribution, subject to any agreed conditions placed on their participation.

Tangled Bank Studios' producers should operate openly wherever they are unless secret recording has been approved by Tangled Bank Studios' management. This is particularly important when audio-visual equipment is not very obvious as in the case of small video cameras, mobile phone cameras or fixed webcams. Producers may need to use notices to make people aware that they are being recorded and to allow them knowingly to choose whether to be filmed.

If an individual or organization asks that filming or recording be stopped because of a concern about privacy, the request should be honored. However, if filming is taking place in a public space and the activities being filmed do not raise personal privacy concerns, the producer may use his or her independent judgment about whether to continue filming.

#### *Special Privacy Considerations*

Producers should pay particular attention to the expectations of privacy of minor children (under the age of 18 years) and those who are vulnerable. When minor children are to be featured or included in a production, Tangled Bank Studios will require their informed consent (wherever possible) and the informed consent of a parent, legal guardian or other person age 18 or over acting *in loco parentis* for the child. Featuring vulnerable people may also require the informed consent of a responsible person of 18 or over. Producers must always comply with laws applicable to engaging children or other vulnerable people in a production. See Tangled Bank Studios production guide for additional guidance.

Medical privacy is another area of sensitivity. It is the producer's job to reach a clear understanding with people whose medical conditions are being portrayed as to any limitations the participant wishes to place on the information conveyed.

Written medical records obtained as part of the production process must be kept confidential and shared only where essential (for example, with the senior researcher for purposes of fact checking). HIPAA, discussed above, and the terms of any release provided in connection with receipt of medical records, must also be considered.

### **Confidential Sources:**

Tangled Bank Studios does not promise any form of confidentiality unless there is a compelling reason for the source to remain anonymous. Before a promise of confidentiality is made, the Head of Television and Film at Tangled Bank Studios must be informed and approve making the promise.

Tangled Bank Studios does not, as a matter of general practice, report information provided from a source that demands confidentiality unless we independently verify that information from another source.

### **Hidden Cameras and Eavesdropping**

The laws governing hidden cameras and eavesdropping are complex, and Tangled Bank Studios and its attorneys must be consulted before any activity in these areas is undertaken.

Any of the following are considered to be eavesdropping: listening to or taping, without the prior consent of all involved, conversations or communications in which the person taping was not a participant; this includes conversations or communications over any medium, such as computers, telephones (fixed, cellular, or portable), answering machines and satellite transmissions. In some jurisdictions, it is unlawful to tape conversations or communications in which one is a participant without the consent of the others involved. It may not be permissible even to use tapes made by others if they were made in violation of the above stipulations.

As stated above, any proposed eavesdropping or use of a hidden camera requires advance approval of Tangled Bank Studios and its counsel, even if the proposed action would be permitted under applicable law.

### **Staging and Reenactments**

Producers should never stage an event that did not happen. Staging may also be defined as requesting people to act in ways that they would not normally act. It is acceptable, however, to ask them to do something for the camera that they would ordinarily do, such as scientists at work in a laboratory.

Circumstances may require that some natural history filming use sets and habituated animals. In these instances, all behaviors filmed must be real.

A reenactment, also known as a re-creation or a dramatization, is the depiction of an actual event that has occurred in the past. Reenactment is an accepted tool of non-fiction program making.

### *Identifying the Reenactment*

Tangled Bank Studios requires that all reenactments be identified as such for the viewers. This may be accomplished by labeling the sequence with a caption, by stylizing the sequence with color or speed effects, or by the use of verbal or visual disclaimers.

### *Historical Reenactments*

In accordance with our research standards, historical reenactments should reflect the best scholarship available regarding the historical events depicted.

### *Stock Footage*

Some historical documentaries may require the use of stock footage. Tangled Bank Studios will accept the use of footage that is generically accurate to represent events for which no footage exists or is unavailable. To ensure that this substitution is accurate, we subject the entire production to shot by shot review by appropriate experts. The ruling principle is that the historical or scientific record dictates what footage may be used in the production. The production must conform to all known facts and circumstances. Care must be taken not to create or perpetuate misconceptions.

### *Footage Disclaimers*

If stock footage is used in a historical documentary, the following disclaimer may be used:

- “Certain sequences have been illustrated with generic historical footage. However, all such scenes accurately represent real events.”

In other types of productions, a variation on these standard disclaimers, depending on the content of the generic footage, may be used, as appropriate.

### **Wildlife Filmmaking**

For the filming of wildlife, Tangle Bank Studios abides by the Filmmakers for Conservation Code of Ethics, which can be found at: <http://www.filmakersforconservation.org/conservation-filmmaking/code-of-ethics.html>. Our core objectives are to film wildlife and wild places without disturbing them, and to be transparent with our audience about the techniques being used.

Wildlife films or sequences should represent the current scientific understanding on animal behavior and ecology. All behavior depicted should be natural. Our productions should never depict behavior by wildlife that does not occur in the wild.

When it is impossible to capture certain behaviors on film as it occurs in the wild, the use of sets is permitted. These sets must accurately depict the natural habitat of a species and their relationships with other species. Always ensure accuracy of habitat and behavior.

There may also be times when library footage is used to fill in the gaps of a sequence shot in the wild. This is permissible so long as the behavior depicted is accurate.

In cases where captive animals are used, filming takes place on sets or library footage is combined with new material, a disclaimer should appear in the credits. Appropriate language may be: "Certain wildlife scenes were illustrated with library footage / filmed on sets / filmed with captive animals. All behavior depicted is accurate and known to take place in the wild."

## **EDITING AND POST-PRODUCTION**

Editing must never alter the spirit, tone or context of the full interview or event depicted. The edited product must represent the interview fairly.

Disclaimers may be added to the production where specific scenes have been illustrated with generic footage or are re-created.

Narration should not distort the truth of the picture being presented.

Misleading an audience about the chronology of events is unacceptable.

Sound effects may be added, but should always be true and accurate to the scene as it was shot. Scrupulous attention should be paid to using correct sounds (especially those related to scientific processes or nature, such as bird calls).

## **Graphics and Special Effects**

Images used within the production should not be technically altered (e.g. digitally manipulated) in a manner that would deceive or confuse a viewer. It is permissible to enhance the technical quality of an image, but the meaning or the context of the image may not ever be changed.

Graphics (maps, computer-generated images, etc.) must reflect the latest scholarship available on the subject and conform to the same standards of research and accuracy as other elements of the production.

## **Archival Footage or Segments**

Archival footage or segments obtained from outside sources may be included in productions subject to these conditions:

- If there are any doubts about the authenticity of the footage, it may not be used in any production unless submitted to Tangled Bank Studios for prior written approval with a full explanation of those doubts;
- If footage is obtained from unusual sources, or under unusual circumstances, that information should be included in any production that uses the footage; and
- Written permission for use must be obtained from the owner or the copyright holder of any such footage.

## **OTHER MATTERS**

### **Foreign Corrupt Practices Act and Similar Laws**

Tangled Bank Studios is committed to operating in accordance with the highest ethical and legal standards. The integrity of our staff, and those with whom we do business, is critical to our success. Tangled Bank Studios takes a zero-tolerance approach to bribery and corruption and is committed to acting professionally, fairly and in compliance with the Foreign Corrupt Practices Act and similar non-U.S. laws, in all its business dealings and relationships wherever it operates.

A bribe is an inducement or reward offered, promised or provided in order to gain any commercial, contractual, regulatory or personal advantage. No staff or contractor of Tangled Bank Studios or any producer may offer or receive a bribe.

Tangled Bank Studios does not prohibit normal and appropriate hospitality (given and received) to or from third parties, under certain circumstances. However, it would not be acceptable to do any of the following:

- give, promise to give, or offer, a payment, gift or hospitality with the expectation or hope that a business advantage will be received, or to reward a business advantage already given;
- give, promise to give, or offer, a payment, gift or hospitality to a government official, agent or representative to "facilitate" or expedite a routine procedure;
- accept payment from a third party that you know or suspect is offered with the expectation that it will obtain a business advantage for them;
- accept a gift or hospitality from a third party if you know or suspect that it is offered or provided with an expectation that a business advantage will be provided in return; or
- threaten or retaliate against another worker who has refused to commit a bribery offence or who has raised concerns under this policy.

### **Matters Not Addressed in This Guide**

This guide is intended to describe the standards and practices that Tangled Bank Studios follows, and expects producers with which it works to follow, in the creation of its documentaries. No guide can anticipate every issue that Tangled Bank or its producers may face in the course of producing a film. This is intended as a general guide; producers are urged to seek guidance from Tangled Bank management if they have any doubt about how to deal with a particular situation or for issues not covered by this document.

**Additional Information**

Additional information relevant to producers, broadcasters, distributors, or others interested in the activities of Tangled Bank Studios is available on the web at:

<http://www.hhmi.org/grants/films/>.

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