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Rules for Educational and Informational Children's Programming

Since January 2, 1997 all commercial television licensees have been required to: (1) provide on-air identifications of programs that are "specifically designed" to educate and inform children; (2) provide information on such children's programming to publishers of television program guides; (3) prepare quarterly Children's Television Programming Reports on new FCC Form 398; (4) publicize the existence and location of these Reports; and (5) identify a children's television programming liaison. Each of these obligations is detailed below.

- Provide On-Air Identifications of Core Programming

Licensees must provide an on-air identification of each television program that is "specifically designed" to educate and inform children, at the beginning of that program. As of September 1, 1997, licensees were required to begin airing educational and informational children's programs that meet the FCC's definition of "core" programming; since that time, the on-air identification requirement has applied to any "core" programs aired by the licensee. A "core" program is a program "specifically designed" to serve children's educational and informational needs that also: (1) has serving the educational and informational needs of children ages 16 and under as a significant purpose; (2) is aired between the hours of 7:00 a.m. and 10:00 p.m.; (3) is a regularly scheduled weekly program; (4) is at least 30 minutes in length; (5) has its educational and informational objective and target child audience specified in writing in the licensee's Children's Television Programming Report; and (6) is identified to publishers of programming guides as educational and informational for a particular age group. Stations that broadcast at least three hours per week of core programming earn an automatic "pass" on their children's educational programming performance when their license renewal applications are reviewed.

Licensees have the sole discretion to determine the manner and form of the on-air identification of each program (i.e., an audio identification, video identification, or both). Although some of the television networks,

the NAB, and the Association of Local Television Stations ("ALTV") have announced agreement on use of the symbol "E/I" to identify educational and informational children's programs, and syndicators of children's educational programming should be in the process of placing educational identifiers at the beginning of their programs. Licensees should not assume that the required identification will be consistently in place for all network and syndicated program product. For example, pre-recorded syndicated programming may not have been altered to identify the program as "specifically designed" to educate and inform children. Therefore, licensees should contact their program suppliers to confirm that each is inserting the requisite identification at the beginning of all programs specifically designed to educate children, and to inform them that in the event such identification is missing from a particular program, the licensee intends to alter the program by inserting the required identification itself. In addition, licensees should pre-screen all network and syndicated children's educational programming to ensure that the requisite identification is in place.

In the event that any network or syndicated children's programming is not properly identified, licensees must be prepared to insert their own slide, audio announcement, or "crawl," and/or superimpose their own symbol, to designate relevant programs as "specifically designed" to educate and inform children. To facilitate this process, licensees may want to designate such programs with an "E/I" or other symbol in their daily program schedules, to alert the master control operator on duty to insert the station's educational identifier if one is missing. The station's own identifier should also be used to identify any in-house programs that are "specifically designed" to educate and inform children.

If a licensee elects to insert a slide or "crawl" before children's programs that are missing the requisite identification, it might read as follows: "The following program is specifically designed to meet the educational and informational needs of children."² Licensees also may include the target age group for which each program is intended in the on-air identification, but such information is not required by the Commission's Rules. If a superimposed symbol is used, viewers must be informed of the symbol's meaning.

- Submit Programming Information to Television Program Guides

Licensees must provide publishers of television program guides and program listings with information identifying programming that is "specifically designed" to educate and inform children, as well as the age group for which, in the opinion of the licensee, each such program is intended.

Licensees should contact the publishers of local program guides and listings to determine the most appropriate format for these notifications. We recommend that licensees designate such programs with the symbol selected by the networks, "E/I," followed by numbers indicating the target age group (e.g., "E/I (2-5)", "E/I (6-11)," with a notation to the effect that the program is specifically designed to meet the educational and informational needs of children in the indicated age range.

- Prepare Quarterly Children's Television Programming Reports

All television licensors must complete FCC Form 398 -- Children's Television Programming Report -- on a quarterly basis to document their past and expected future children's educational and informational programming. A copy of the FCC Form 398 (Adobe .PDF) and the instructions for completing that form are available on the FCC Web Site -- www.fcc.gov. Licensees must place a copy of the completed Children's Television Programming Report for the first quarter of each year in their public inspection files by the tenth day of the succeeding calendar quarter (e.g., the first quarter 2000 report must be placed in the file by April 10, 2000).

The Children's Television Programming Reports must be maintained separately from other portions of the station's public inspection file.

Currently, all Children's Television Programming Reports must be filed on an annual basis with the FCC. The filing deadline is January 10. Thus, for example, a station's 1999 reports had to be filed by January 10, 2000. This filing must be made electronically. Although not required, licensees may electronically file their reports every quarter when they are prepared. An electronic version of FCC Form 398 is available on the FCC's web page -- www.fcc.gov.

- Publicize the Existence of the Children's Television Programming Reports

Licensees must make the public aware of the existence and location of their Children's Television Programming Reports. This is best accomplished through periodic on-air announcements, either in isolation or in conjunction with the station's promotional

or community outreach efforts, such as any "bulletin board" of community events that may be broadcast. Although the FCC has not specified any timetable for such announcements, we recommend that they be made not less than once per month, at times when parents are likely to be watching. A record of these broadcasts, and of any other means utilized to publicize the existence of the Children's Television Programming Reports, should be maintained in the station's non-public files.

- Identify a Children's Television Programming Liaison

Licensees must designate an individual based at the station to serve as its Children's Television Programming Liaison. This person will be responsible for collecting comments on the station's compliance with the Children's Television Act and the Commission's implementing rules, and should have authority to speak for the station with respect to its children's programming. In addition, the name of the Children's Television Programming Liaison, and the method for contacting that individual, must be included on the station's Children's Television Programming Report.