

Background

Recent data indicates that children in the United States on average spend approximately three hours a day watching television. This invited “guest” into our homes has the potential to significantly shape our children’s development. In view of this, Congress determined that broadcast television stations – both commercial and non-commercial – have an obligation to offer educational and informational children’s programming. In addition, television licensees, cable operators and satellite providers must limit the amount of commercials aired during children’s programs.

In 1990, Congress enacted the Children’s Television Act (CTA) thomas.loc.gov/cgi-bin/bdquery/z?d101:HR01677:@@L&summ2=m& to increase the amount of educational and informational programming for children available on television. The CTA requires each broadcast television station in the United States to serve the educational and informational needs of children through its overall programming, including programming specifically designed to serve these needs (“core programming”). It also limits the amount of time broadcasters and cable operators can devote to advertisements during children’s programs.

The Federal Communications Commission (FCC) has adopted rules and guidelines to carry out the CTA’s educational programming mandate. Under the FCC’s rules and guidelines, television stations must:

- air at least three hours per week of core programs;
- identify core programs by displaying the symbol E/I throughout the program; and
- provide parents and consumers with advance information about core programs and when they are being aired.

Core Programming

“Core programming” is programming specifically designed to serve the educational and informational needs of children ages 16 and under. Core programming must be:

- at least 30 minutes in length;
- aired between the hours of 7:00 a.m. and 10:00 p.m.; and
- a regularly scheduled weekly program.

Getting Information About Children’s Programming

A central goal of the FCC’s rules is to provide parents and other members of the public with more information about educational television programming. This information helps parents guide their children’s television viewing and also encourages an ongoing dialogue between the public and TV stations about TV station performance under CTA.

To help accomplish this, the FCC’s rules require commercial television stations to identify a core educational program by displaying throughout the program the “E/I” symbol denoting that the program is a core

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Getting Information About Children's Programming (cont'd.)

educational and/or informational program. Commercial television stations must also provide information identifying these programs to publishers of program guides and TV listings.

The rules also require commercial TV stations to complete and file with the FCC quarterly reports regarding their educational programming and to make these reports available to the public. These reports - Children's Television Programming Reports (FCC Form 398) - identify the station's core programs and other efforts to comply with their educational programming obligations. The reports can be obtained from the station's public inspection file and can also be viewed on the FCC's website at www.fcc.gov/parents/.

Commercial Time Limitations

The FCC's rules limit the amount of commercial matter that may be aired in certain children's television programming to 10.5 minutes per hour on weekends and 12 minutes per hour on weekdays. These requirements apply to television broadcasters, cable operators, and satellite providers. These limitations are prorated for programs that are shorter than one hour in duration. The programming at issue for the commercial time limits is programming originally produced and aired primarily for an audience of children 12 years old and younger.

Commercial television broadcasters are required to place in their local public inspection files certifications that they have complied with the commercial time limits. Alternatively, they must identify any overages. At the time the station files an application to renew its FCC license, it must certify that no commercial overages occurred during the license term, or it must explain any overages.

Commercial Time Limitations (cont'd.)

The commercial time limits do not apply to non-commercial educational television stations because these stations are generally prohibited from airing commercials. Cable operators and satellite providers must also maintain records to verify compliance and make these records available for public inspection.

The FCC also requires that, in television programs directed to children ages 12 and under, program material be separated from commercials by intervening and unrelated program material. The purpose of this separation policy is to protect young children who have difficulty distinguishing between commercial and program material and are therefore more vulnerable to commercial messages. If a program fails to adequately separate program and commercial material, the entire duration of the program may be counted as commercial material (a "program-length commercial").

Additional Children's Programming Obligations

Since adopting its initial children's programming rules, the FCC has extended its children's educational and informational programming obligations to digital broadcasters and has restricted the display of commercial website addresses during children's programming. Digital broadcasters must air at least three hours per week of core programming on the station's main programming stream. In addition, for digital broadcasters that choose to multicast more than one stream of video programming, the minimum amount of core programming the station must air increases in proportion to the amount of free video programming offered by the broadcaster on multicast channels.

In addition, the FCC's limit on the amount of commercial matter (10.5 minutes per hour on

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Additional Children’s Programming Obligations (cont’d.)

weekends and 12 minutes per hour on weekdays) applies to all digital video programming, free or pay, directed to children 12 years old and under.

Finally, the display of Internet website addresses during programs directed to children ages 12 and under is permitted only if the website meets the following criteria:

- it offers a substantial amount of bona fide program-related or other non-commercial content;
- it is not primarily intended for commercial purposes, including either e-commerce or advertising;
- the website’s home page and other menu pages are clearly labeled to distinguish the non-commercial from the commercial sections; and
- the page of the website to which viewers are directed is not used for e-commerce, advertising or other commercial purposes (for example, contains no links labeled “store” and no links to another page with commercial material).

Television broadcasters and cable operators may not display Web site addresses during or adjacent to a children’s program if, on website pages with non-commercial content regarding that program or a program character, products are sold featuring a character in the program, or a program character is used to sell products.

These website requirements apply to both analog and digital programming.

Additional Children’s Programming Obligations (cont’d.)

The display prohibition applies only when website addresses are displayed during program or promotional material not counted as commercial time. It does not apply to certain public service announcements, station identifications and emergency announcements.

What Is “Host Selling?”

The Commission’s “host-selling policy” prohibits the use of “program talent or other identifiable program characteristics to deliver commercials” during or adjacent to children’s programming featuring that character. The FCC also restricts host selling in websites where the website address is displayed in a children’s program.

For more information on children’s television issues, please visit the FCC’s Parents’ Place website at www.fcc.gov/parents/.

Filing a Complaint with the FCC

If you believe that any of these rules have been violated, you can file a complaint with the FCC. There is no charge for filing a complaint. You can file your complaint using an online complaint form found at www.fcc.gov/complaints. You can also file your complaint with the FCC’s Consumer Center by calling 1-888-CALL-FCC (888-225-5322) voice or 1-888-TELL-FCC (1-888-835-5322) TTY; faxing 1-866-418-0232; or writing to:

Federal Communications Commission
Consumer & Governmental Affairs Bureau
Consumer Inquiries and Complaints Division
445 12th Street, SW
Washington, DC 20554

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What to Include in Your Complaint

The best way to provide all the information the FCC needs to process your complaint is to fully complete the online complaint form. When you open the online complaint form, you will be asked a series of questions that will take you to the particular section of the form you need to complete. If you do not use the online complaint form, at a minimum your complaint should indicate:

- your name, address, email address and phone number where you can be reached;
- name and phone number of the company that you are complaining about and location (city and state) if the company is a cable or satellite operator;
- station call sign (KDIU-FM or WZUE TV), radio station frequency (1020 or 88.5) or TV channel (13), and station location (city and state);
- network, program name and date and time of program if you are complaining about a particular program; and
- any additional details of your complaint, including time, date and nature of the conduct or activity you are complaining about and identifying information for any companies, organizations or individuals involved.

For More Information

For information about other telecommunications issues, visit the FCC's Consumer & Governmental Affairs Bureau website at www.fcc.gov/consumer-governmental-affairs-bureau, or contact the FCC's Consumer Center using the information provided for filing a complaint.

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