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In the Matter of
POLICIES AND REGULATIONS CONCERNING
CHILDREN'S TELEVISION PROGRAMMING

MM Docket No. 93-48

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The American Psychological Association (APA) is the largest professional and scientific organization of psychologists in the world. Many of the Association's members are actively involved in research, program development, and clinical practice aimed at fostering healthy educational and emotional development among children. Because of the expertise of our membership, and the APA's commitment to advancing psychology in the service of human needs, we are very concerned with the enforcement of the regulations associated with the Children's Television Act of 1990 (CTA).

The APA strongly supports the Federal Communication Commission's (FCC) efforts to improve broadcaster compliance with the spirit of the CTA. Specifically, the FCC's proposals to clarify vague definitions of what constitutes educational programming for children, improve broadcasters' communication to the public, and adapt quantitative standards for educational programming are all important and necessary steps toward correcting the broadcasters' history of insufficient efforts in children's programming. In addition, the APA endorses the comments of the Center for Media Education et al., especially with regard to criticisms of the recent National Association of Broadcasters (NAB) study.

Current Status of Children's Educational Programming

At best, the present situation in children's programming is only beginning to approach the level of service that existed back in the 1970s, prior to the deregulation of children's programming guidelines that occurred under the Fowler chairmanship. The current overall level of performance is not one of which the industry should be proud or the Commission should be tolerant.

As broadcasters were freed from the threat of regulation in the 1980s, even the

relatively small amount of educational programs that had been delivered previously on commercial television essentially disappeared. One study from Kansas (Kerkman, Kunkel, Huston, Wright, & Pinon, 1990) documented a significant decline in children's educational programs shortly after the Commission signaled its intention to deregulate. Another from Illinois (Wartella, Heintz, Aidman, & Mazzarella, 1990) reported that commercial broadcasters failed to provide a single educational program for children during a sample week in 1987. A third study (Waterman & Grant, 1987) produced the same finding in the much larger Los Angeles market. It was this situation that prompted the Congress to step in and enact the Children's Television Act of 1990.

This brief history, which is detailed at greater length elsewhere (Kunkel, 1990; 1991; 1993a), offers two clear, important lessons regarding children's television policy. One is that reliance on the unregulated marketplace produces virtually no educational children's programming on commercial broadcast television, the medium that is the lifeline for contemporary mass media services for many Americans.

The second lesson, and the one most pertinent to the Commission's present deliberations, is that the use of vague, amorphous, or imprecise criteria for implementing a children's programming obligation will not overcome the contradictory pull of a licensee's economic self-interest. So long as other forms of content are more profitable, children's educational programs will be avoided on commercial broadcast television in the absence of any firm regulatory intervention. In the face of generic calls for improvement, the response has typically been a modest effort at best. In the absence of any threat of regulation, children's educational programming essentially disappeared.

Current Research on Children's Programming

Currently, the best research indicates that broadcasters offer little educational programming of value to children, yet have managed to duck compliance with the CTA. Kunkel (1993b) found a number of shortcomings in licensee compliance with the CTA. According to these data, stations claimed an average of roughly 3.5 hours per week of educational programming specifically designed for children.

The educational value of much of the content claimed, however, appears highly suspect; among the titles of programs claimed to be "educational" were such examples as "G.I. Joe," "Teenage Mutant Ninja Turtles," and "The Jetsons." There was no clear educational goal or objective associated with most of the programs claimed by licensees. Indeed, this study attempted to catalog the nature of the educational goals or messages of the programming claimed, but this proved impossible because of the lack of any uniform reporting requirements. Under present policy, the licensee is merely required to submit records that indicate the date, time, duration, and "a brief description" of any programming claimed as educational. Surprisingly, the study found that more than a quarter of all stations failed to comply with even these modest reporting requirements. Many stations submitted only lists of their children's program titles, omitting all or parts of the related information such as days/times of broadcast or providing no content descriptions.

Roughly one-fifth (21%) of stations did not identify any of their claimed educational content as "specifically designed for children," failing to distinguish such material from their general audience or overall programming efforts that may have

educational value for children. The Act of course is specific in requiring both such types of service. Again in this area, questionable claims emerged. For example, such shows as "Full House," "Life Goes On," and "Small Wonder" were claimed as "specifically designed for children" when in fact they were seemingly produced for general audiences and originally aired during prime-time hours.

Industry leaders have acknowledged that early claims of compliance with the Act were inflated in a sort of "throw in the kitchen sink" effort to make the strongest possible case for compliance (see for example Comments of the National Association of Broadcasters, May 7, 1993). Yet even including the most questionable claims made by broadcasters, as the Kunkel study did, yielded a station average of only about 3.5 hours per week of educational programming specifically designed for children. This figure is only slightly above the level of educational programming the Commission found in the 1970s, which was 2.6 to 2.8 hours per week. That level of performance was judged by the FCC as clearly inadequate, and served as the basis for subsequent regulatory proposals.

Yet a crucial difference distinguishes the FCC's previous data from the Kunkel study: the FCC relied upon academic experts to classify the programs it counted as educational. In the Kunkel study, a much more generous criterion was employed: accepting at face value the claims of broadcasters about the educational nature of their children's programming. Were the FCC's previous approach applied to the present data, it is almost certain that the findings would shrink markedly from the norm of roughly three and one-half hours per week of children's educational programming. It seems

doubtful that even a majority of the programs listed by stations as educational would be rated as such by independent observers. Thus, in simple quantity terms, stations are doing little better at providing educational programming specifically designed for children in 1992 than they were doing 15-20 years ago, even conceding to the industry the entirety of its claims about the educational value of its shows.

APA Recommendations for Improving CTA

In order to accomplish meaningful improvements, the APA recommends that the Commission pursue two key principles with regard to CTA: clarity and accountability. Both of these principles underlie the following specific recommendations:

- The Commission should redefine its criteria for categorizing programming efforts as educational, adding requirements that licensees must stipulate the educational goal or "curriculum" of the content and must also target an age-specific segment of the child audience;
- The Commission should establish quantitative processing guidelines for children's educational programming to serve as minimum benchmarks for licensees;
- The Commission should require that stations identify their children's educational programming efforts to the public at the time such material is broadcast.

Pursuit of these goals should ensure sustained compliance by the broadcasters with CTA.

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