

SUMMARY

Campaign for a Commercial-Free Childhood (“CCFC”) respectfully submits these comments in response to the Federal Communications Commission’s (“FCC” or “Commission”) request for comment regarding “commercial proposals for broadcasting radio or television programs for reception onboard specially-equipped school buses operated by, or under contract with, local public educational agencies.”¹ CCFC is a national coalition of healthcare professionals, educators, advocacy groups, parents and individuals concerned with the effects of commercialism on children. CCFC urges the Commission to report to Congress that commercial radio and television programming designed specifically for students who ride bus to school each day is not in the public interest.

Specially designed commercial programming for school buses is problematic for several reasons. For one, commercial programming on a school bus exploits a captive audience unable to turn off programming or advertising; for students who take the bus, listening to student-targeted advertising becomes a compulsory part of the school day. Advertising on school buses also undermines parental authority. Parents who monitor their children’s media use and exposure to advertising are unable to shield their children from content played on a bus. Specially designed programming on school buses also comes with the school’s implicit endorsement, thus making the playing field between advertisers and students even more uneven.

To date, the only company producing programming specifically for school buses is BusRadio, Inc. of Needham, Massachusetts. BusRadio, which once openly spoke of its plans to “take targeted student marketing to the next level”,² has been operating on school buses since 2006. Despite pitching itself to school-districts as an age-appropriate alternative to local

¹ Explanatory Statement, Omnibus Appropriations Act, 2009, Pub. L. No. 111-8, Division D (2009).

² Mayer, C. (2006, June 4). The Next Niche: School Bus Ads. *The Washington Post*. Retrieved June 7, 2009 from <http://www.washingtonpost.com/wp-dyn/content/article/2006/06/03/AR2006060300150.html>.

commercial stations, BusRadio routinely plays artists and music that many parents would find objectionable. Many parents are unaware that BusRadio is played on their children's buses, and those parents who do know find it incredibly difficult to monitor BusRadio's programming and advertising.

Even more concerning, BusRadio's broadcasts are highly commercialized. In addition to traditional radio advertisements, BusRadio regularly broadcasts sponsored contests and promotes its own commercial website. BusRadio regularly violates the FCC's and the Children's Advertising Review Unit's rules that dictate clear separation between editorial and advertising content in children's broadcasting, including the long-standing prohibition of host selling. By exploiting the relationship between its on-air personalities and its young listeners, BusRadio is able to produce advertising that is even more powerful than traditional commercials for children. Many of the products advertised on BusRadio and its affiliated website undermine children's wellbeing; others undermine education.

Given that advertising is a factor in many of the key problems facing children today, no child should be compelled to listen to student-targeted marketing on their way to and from school. Similarly, no parent should be powerless to limit their child's exposure to media or marketing messages they find inappropriate. We urge the Commission to report to Congress that commercial broadcasts designed for school buses are not in the public interest.

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)
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Commercial Programming Services Targeted) MB Docket No. 09-68
To Children Onboard School Buses)
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COMMENTS OF CAMPAIGN FOR A COMMERCIAL-FREE CHILDHOOD

The Campaign for a Commercial-Free Childhood respectfully submits these comments in response to the Federal Communication Commission’s (“FCC” or “Commission”) request for comment on commercial programming services targeted to children onboard school buses”³ The Campaign for a Commercial-Free Childhood (“CCFC”) is a national coalition of healthcare professionals, educators, advocacy groups, parents and individuals concerned about the effects of commercialism on children. CCFC works with legislators and regulators to promote the rights of children to grow up – and the freedom for parents to raise them – without being undermined by commercial interests.

There is increasing concern among parents, public health advocates and legislators about the impact of advertising on children’s wellbeing. For this reason, as part of the Omnibus Appropriations Act of 2009, Congress directed the Commission to issue a report regarding “commercial proposals for broadcasting radio or television programs for reception onboard specially-equipped school buses operated by, or under contract with, local public educational

³ *Commercial Programming Services Targeted to Children Onboard School Buses*, Notice of Inquiry and Notice of Proposed Rulemaking, MB Docket 09-68 (rel. May 20, 2009) (“Notice”). Explanatory Statement, Omnibus Appropriations Act, 2009, Pub. L. No. 111-8, Division D (2009).

agencies.”⁴ The FCC has long-standing rules to ensure a healthy media environment for children – including policies to limit their exposure to harmful commercialism. By virtue of its expertise in this area, the Commission is uniquely qualified to undertake this report.

CCFC welcomes this opportunity to offer its perspective on commercial broadcasts targeted to schoolchildren on school buses. CCFC is particularly concerned about commercialism in schools and on school grounds, as in-school marketing makes exposure to advertising compulsory for students and undermines parents’ ability to limit their children’s exposure to marketing. For these reasons, CCFC has monitored BusRadio, Inc. – currently the only company offering commercial programming targeted to children onboard school buses – since becoming aware of the company in 2006. CCFC has also sought to educate the public about BusRadio’s plans to “take targeted student marketing to the next level”⁵ and encouraged its more than 30,000 members to urge their local school districts not to contract with BusRadio.

I. Advertising To Children Is Pervasive And Harmful

Children in the United States are targeted more with more commercial messages than ever before. The current convergence of ubiquitous, miniaturized, and increasingly sophisticated media technology with unfettered commercialism gives marketers unprecedented access to children, and often bypasses parents completely. In addition to traditional 30-second television and radio commercials, marketers reach children on the Internet, on cell phones, mp3 players, videogames, and through techniques such as brand licensing, product placement, and viral marketing. About \$17 billion annually is spent on marketing to children in the United States today, a huge increase over the \$100 million that was spent in 1983.

⁴ Explanatory Statement, Omnibus Appropriations Act, 2009, Pub. L. No. 111-8, Division D (2009).

⁵ Mayer, C. (2006, June 4). The Next Niche: School Bus Ads. *The Washington Post*. Retrieved June 7, 2009 from <http://www.washingtonpost.com/wp-dyn/content/article/2006/06/03/AR2006060300150.html>.

Research shows that the influence of commercialism on American childhood is not benign. Marketing is a factor in many of the public health and social problems facing children today.⁶ Childhood obesity,⁷ discontent about body image⁸ and eating disorders,⁹ sexualization,¹⁰ youth violence,¹¹ family stress,¹² underage drinking¹³ and underage tobacco¹⁴ use are all linked to advertising and marketing. So is the erosion of creative play¹⁵—the foundation of learning, creativity, and the capacity to make meaning of life.¹⁶ And the underlying message of commercial marketing—that the things we buy will make us happy, is a major factor in the acquisition of materialistic values which have found to be linked to depression and low self esteem in children.¹⁷

One common and particularly troubling means for marketers to bypass parents and target children directly without parental consent or even knowledge is by targeting them in school. Parents may be completely unaware, for instance, that teachers are handing out corporate sponsored teaching materials. Parents in a school district that has embraced Channel One,

⁶ Linn, S. (2004) *Consuming Kids: The Hostile Takeover of Childhood*. New York: The New Press.

⁷ Institute of Medicine of the National Academies. (2006). *Food Marketing to Children and Youth: Threat or Opportunity?*, Washington, D.C.: The National Academies Press. p. 2.

⁸ Hargreaves, D & Tiggemann, M. (2002). The Effect of Television Commercials on Mood and Body Dissatisfaction: The Role of Appearance-Schema Activation. *Journal of Social and Clinical Psychology*, 287-308.

⁹ Becker, A.E. et al. (2002). Eating Behaviors and Attitudes Following Prolonged Exposure to Television Among Ethnic Fijian Adolescent Girls. *British Journal of Psychiatry*, 180, 509-514.

¹⁰ American Psychological Association, Task Force on the Sexualization of Girls. (2007). *Report of the APA Task Force on the Sexualization of Girls*. Washington, DC: American Psychological Association. Retrieved March 25, 2008, from <http://www.apa.org/pi/wpo/sexualizationrep.pdf>, p. 3.

¹¹ American Academy of Pediatrics (2000, July 26). Joint Statement on the Impact of Entertainment Violence on Children. *Congressional Public Health Summit*. Retrieved February 9, 2008 from <http://www.aap.org/advocacy/releases/jstmtevc.htm>.

¹² Buijzen, M. & Valkenburg, P.M. (2003). The Effects of Television Advertising on Materialism, Parent-Child Conflict, and Unhappiness: A Review of Research. *Applied Developmental Psychology* 24, 437-456.

¹³ Federal Trade Commission. (1999). *Self-Regulation in the Alcohol Industry: A Review of Industry Efforts to Avoid Promoting Alcohol to Underage Consumers*. Washington, DC: Federal Trade Commission, 4.

¹⁴ National Cancer Institute (2001, November). *Changing Adolescent Smoking Prevalence*. Smoking and Tobacco Control Monograph, No.14, NH Pub. # 02-5086.

¹⁵ Greenfield, P.M. et al. (1993). The Program-Length Commercial. *Children and Television: Images in a Changing Sociocultural World*, eds. Gordon Berry and Joy Keiko Asamen. Newbury Park, CA, p. 53-72.

¹⁶ See also Linn, S. (2008). *The Case for Make Believe: Saving Play in a Commercialized World*. New York: The New Press.

¹⁷ Schor, J. (2004). *Born to Buy*, New York: Scribner, p.167.

naming rights, soda contracts, sponsored textbook covers, or reading incentive programs sponsored by fast food companies would have to keep their children out of school completely in order to protect them from marketing.

In addition to bypassing parents, targeting children in schools is attractive to marketers because students are a captive audience for advertising. As one marketer said, “The advertiser gets kids who cannot go to the bathroom, cannot change the station, who cannot listen to their mother yell in the background, who cannot be playing Nintendo.”¹⁸

School based marketing is also effective because of the special weight that school carries in the lives of children. Everything marketed under the auspices of a school implicitly carries that school’s endorsement. Even children who don’t like school know that it is supposed to be good for them. By extension, that means that school endorsed products must be good for them as well.

In addition to marketing that takes place within schools and during the school day, student-targeted marketing now extends to advertising on school grounds, in stadiums, and, increasingly, on school buses.

II. Student-Targeted Commercial Broadcasts – Including Those Offered By Busradio – Are Not In The Public Interest

To date, the only radio or television broadcasts specifically designed for school buses are produced by BusRadio, Inc, a for-profit company based in Needham, Massachusetts. The company, which began broadcasting in 2006, claims to reach over one million students in twenty-four states every day.¹⁹ BusRadio installs special radio equipment designed to download and broadcast its programming each school day. The equipment is given free to school districts. BusRadio’s income is derived from selling advertising on its school bus broadcasts and websites.

¹⁸ Joel Babbit quoted in: Nader, R. (1996). *Children First: A Parent’s Guide to Fighting Corporate Predators*. Washington, D.C.: Children First, p. 64.

¹⁹ Accessed June 2, 2009 from <http://www.busradio.net/>.

Because BusRadio, Inc. is the only producer of specially designed broadcasts for school buses, comments about the student-targeted programming and advertising currently being broadcast on school buses will be limited to an examination of BusRadio. ***It is important to note at the outset, however, that any and all television or radio broadcasts on school buses that include student-targeted advertising are not in the public interest.***

Until fairly recently, it was rare to find any type of advertising in the interior of school buses. Over the past few years, school districts have increasingly begun to explore school bus advertising as a means of raising needed funds.²⁰ Not surprisingly, marketers are eager to exploit school districts' financial situation to reach a largely untapped student audience. Approximately 23,500,000 U.S. children (fifty-five percent of the K-12 population) ride school buses²¹ and these students are on the bus for an average of 90 minutes a day.²² A commercial radio service that was able to reach just one-quarter of the student school bus population would have a significantly larger youth audience than top-rated television programs like *American Idol*.

Advertising on school buses is also attractive to marketers because it allows them to bypass parents and target a captive audience of schoolchildren, while associating their brands with a powerful symbol of education. Given the harms to children that are linked to advertising, it is precisely for these reasons that student-targeted commercial broadcasts on school buses are not in the public interest.

A. Student Targeted-Marketing On School Buses Exploits A Captive Audience

It is well documented that children are particularly vulnerable to advertising. For example, most children under the age of eight believe that commercials are designed solely to

²⁰ York, E. (2008, September 15). Strapped for Cash, Schools Eye Bus Ads. *Advertising Age*. Retrieved June 9, 2009 from <http://www.commercialalert.org/issues/education/school-buses/strapped-for-cash-schools-eye-bus-ads>.

²¹ Accessed June 9, 2009 from <http://www.stnonline.com/stn/faq/aboutpupiltrans.htm#children>.

²² Retrieved June 9, 2009 from <http://www.epa.gov/cleanschoolbus/>.

help them with their purchasing decisions and do not comprehend that commercials intend to persuade them or that advertisements are primarily motivated by monetary interests.²³ Older children (who are more likely to understand that advertising's persuasive intent.) tend not to employ these defenses against commercials on their own or without external cues.²⁴ Even children with a healthy dose of skepticism about advertising are vulnerable to its effects.²⁵ It is hardly surprising that marketers with large advertising budgets, access to new and powerful technologies, and knowledge of children's developmental vulnerabilities (e.g. the natural tendency to emulate older children), are able to affect children's attitudes and behaviors.

Reducing children's exposure to advertising is the most effective way of limiting the negative impact of commercialism. Yet for children who ride school buses in districts that contract with commercial broadcasting services, exposure to advertising is compulsory. They cannot change the station or leave the bus when advertising comes on.

Broadcasters and marketers often point to an implied contract wherein viewing or listening to advertising is price that consumers pay for broadcasting content. But such a contract relies on two free participants who willingly enter into an arrangement because both parties are getting something they want. On school buses, children are a captive audience for whatever messages marketers want to impart to them. In addition, the advertising they are forced to listen to is paying for programming they did not even choose.

²³ Calvert, S. L. (2008). Children as Consumers: Advertising and Marketing, *The Future of Children*. V. 18, p. 205.

²⁴ Brucks, M., G. M. Armstrong & M. E. Goldberg, (1988). Children's Use of Cognitive Defenses Against Television Advertising: A Cognitive Response Approach. *Consumer Res*: 14 J, p. 471.

²⁵ Ross, R. et al. (1984). When Celebrities Talk, Children Listen: An Experimental Analysis of Children's Responses to TV Ads with Celebrity Endorsement," *Journal of Applied Developmental Psycholog*. V. 5, pp. 185-202.

This situation was best described by South Carolina State Senator Greg Ryberg when his state was considering both billboards on the interior of school buses and BusRadio. Senator Ryberg wrote in an editorial:

Proponents of the advertising scheme paint it as a public-private partnership whereby an injection of the free market supports the provision of government services without additional cost to the taxpayers. The problem with the analogy, however, lies in the definition of "free."

A free market marries a willing seller with a willing buyer, and the key to the efficient functioning of a free market is the ultimate ability for either party to walk away from the deal. The school bus ad proposal, however, pits willing sellers, the advertisers, against entrapped buyers, the school children (and by extension their parents). This deal, in other words, looks a lot like the prison cafeteria — you'll get what we serve, and you'll like it.²⁶

Six months later, the South Carolina State Board of Education voted to prohibit all school bus advertising.²⁷

The ability to target a captive audience is essential to BusRadio's business model. BusRadio used to maintain a website for potential advertisers where they openly discussed their plans to "take targeted student marketing to the next level."²⁸ After the *Washington Post* wrote about BusRadio's website for advertisers in June 2006,²⁹ BusRadio began requiring a registration and password to access the site. A short time later, they shut down the site completely. The brief period when that website was accessible to the public provided an invaluable opportunity to understand how BusRadio positioned itself for potential advertisers.

²⁶ Ryberg, G. (2008, March 5). It's Bad Policy to Make Kids Prisoners of School Bus Ads. *The Post and Courier*. Retrieved June 8, 2009 from

http://www.postandcourier.com/news/2008/mar/05/its_bad_policy_make_kids_prisoners_school_bus_ads/

²⁷ Associated Press. State Board Bans Ads on School Buses. *The Post and Courier*. Retrieved June 8, 2009 from http://www.postandcourier.com/news/2008/sep/11/state_board_bans_ads_on_school_buses54163/.

²⁸ Accessed May 30, 2006 from www.busradio.net.

²⁹ Maher, C. (2006, June, 4). The Next Niche: School Bus Ads. *The Washington Post*. Accessed June 8, 2009 from <http://www.washingtonpost.com/wp-dyn/content/article/2006/06/03/AR2006060300150.html>.

BusRadio promoted its ability to deliver busloads of students that would have no choice but to listen to their commercials, even referring to students listeners as a “captive audience”:
“BusRadio provided Virgin {Mobile} with a captive audience of kids ages 11-18. Virgin ran two ads during the ride to school and two ads during the ride home for six weeks.”³⁰ BusRadio also explained why its commercial radio station was a more effective way of advertising to children than other media:

The WB Network was looking for a way to targeting (sic) their youthful demographic. Print, while targeted, did not offer the flexibility to rotate their entire lineup of shows so they could get exposure on only the days they aired. Commercial radio offered this flexibility but was not an efficient media buy for the youngest of their viewers. Kids also tend to turn the station when ads begin.³¹

In other words, the main advantage of BusRadio for advertisers over other radio stations is that children on school buses cannot escape its commercials by changing to another station or turning the radio off. It is clearly not in the public interest to force-feed children advertising on school buses.

B. Student-Targeted Marketing On School Buses Undermines Parental Authority

Student-targeted commercial broadcasts on school buses also undermine parents’ ability to limit their children’s exposure to media and marketing. A 2007 survey found that parents were more worried about the amount of time their children spent engaged with media than about sex or alcohol abuse; fifty-seven parents surveyed were either very concerned or strongly concerned about children spending too much of their time with media.³² The media and marketing industries often argue that protecting children from harmful media and advertising is solely the

³⁰ Retrieved May 30, 2006 from <http://www.busradio.net/about/casestudies/>.

³¹ Retrieved May 30, 2006 from <http://www.busradio.net/about/casestudies/>.

³² Reuters. (2007, February 5). Parents See Media, Not Sex As Top Worry. Retrieved June 9, 2009 from <http://www.common sense media.org/about-us/news/press-coverage/media-top-worry>.

responsibility of parents. Even if one accepts that argument, compulsory student-targeted school bus commercial radio broadcasts must be considered unacceptable since they completely wrest control from parents who are not riding the buses with their children and therefore cannot limit exposure. Children who ride school buses with student-targeted commercial broadcasts are exposed to, on average, an additional seven and a half hours of media per school week, including ads for additional youth-oriented commercial media such as websites, television shows, videogames, and movies.

To mitigate the effects of commercial culture, many parents limit and monitor their children's media use. Children on buses with BusRadio are exposed to, on average, an additional ninety minutes of media per day, regardless of whether their parents want them to be or not. Not only are parents not asked for permission to subject their children to these broadcasts, but there is no way for parents to opt their children out if they don't want them to listen.

As will be discussed later in these comments, many parents might find some of the artists played on BusRadio objectionable or inappropriate for their children. In addition, parents might object to some of the media and products advertised on BusRadio and the BusRadio website for students, BusRadio.com.

C. Busradio's Lack Of Transparency Undermines Parents Who Monitor Their Children's Media Use

BusRadio refuses to provide playlists of its music and advertising to concerned parents. For their first two years of operation, there was no way for parents or other interested parties to monitor the content of BusRadio's broadcasts. In response to complaints about their lack of transparency, BusRadio launched a website for parents (<http://www.busradioparents.com/>). Here, parents who register for a BusRadio parents' account can listen to daily broadcasts of the BusRadio's morning and afternoon elementary, middle, and high school broadcasts from the

previous day. BusRadio does not make archives of past broadcasts available on its parents' site; parents can *only* listen to the broadcasts from the previous day. This is problematic for several reasons. Because each broadcast is approximately one hour long, a parent would have to spend two hours each day just to learn what was played on his or her child's bus. (A parent with children of different ages might have to listen to four or six hours per day). Even in the unlikely event that today's parents actually have that kind of time, they will always be one day behind—by the time they were able to discuss a broadcast with a child, that child would already have been exposed to a whole new broadcast, the content of which was unknown to the parent.

Christopher Shelton, a parent in Denver, found out that his 10-year-old daughter had BusRadio on his school bus by accident. When he looked up the number for his school's transportation department, he found a blurb about BusRadio on the department website. He never received any notice asking for comment before BusRadio was installed on his daughter's bus, nor was he informed that his daughter was now listening to BusRadio each day. Concerned, he began researching BusRadio, which he wrote in an email to CCFC's Associate Director Josh Golin, "can feel like a full-time job." He then tried to contact BusRadio:

I finally found a phone # on BusRadio's website. At first attempt, it wasn't a working number. I tried again recently and actually spoke with an employee there. I requested a complete artist song playlist to be sent to me, she said that I could go to their website to hear yesterday's music. I stated that it wasn't good enough and that I needed a list, she agreed to e-mail me it, but it was never sent. I will try again, their secrecy throughout their site is very frustrating.³³

Mr. Shelton spoke with a BusRadio employee in February, 2009. He still has not received a playlist.

Commercial radio on school buses bypasses parents, and targets children directly and without parental knowledge. It prevents parents from being able to limit and monitor their child's

³³ Christopher Shelton email to Josh Golin. Sent February 20, 2009.

media and marketing exposure. It's particularly concerning that Bus Radio not only makes it impossible for parents to screen content before it is played on school buses, it even makes it difficult for parents monitor that content after it has aired.

D. Student Targeted-Marketing On School Buses Is Especially Powerful Because It Carries Schools' Implicit Endorsement, But Products Advertised May Undermine Education

Advertising in schools or on school buses carries special weight because of the unique role that school plays in the lives of children. Everything marketed under the auspices of a school implicitly carries that school's endorsement. Children cannot be expected to separate the message from the messenger, so if students believe an advertised product is school-approved, they are likely to believe it is good for them.³⁴

Students are aware that BusRadio broadcasts are produced specifically for school buses and that Bus Radio has been approved by their school district. It would be reasonable for students to assume that their school approves of the content and advertising on BusRadio. The school's implied endorsement or "halo effect" is one reason that marketers find targeting children in school desirable.³⁵ It is also one reason that some school board members are reluctant to sign their districts up for BusRadio. "My major concern is we are being asked to provide a captive audience to a group of advertisers," Ginny Hovsepian, a member of the Clovis Unified School District Governing Board told the *Fresno Bee*. "By doing that, we would be putting our seal of approval on music and advertising."³⁶

³⁴ Linn, S. (2004). pp. 79-82

³⁵ Driscoll, J. (May 20, 2009). Reaching Moms Through School. MediaPost. Retrieved June 10, 2009 from http://www.mediapost.com/publications/?fa=Articles.showArticle&art_aid=106401&lfe=1.

³⁶ Ellis, A.D. (2007, November 1). Schools Tune Into Bbus Radio Network. *The Fresno Bee*. Retrieved June 10, 2009 from http://www.busradio.net/press_room.php?pr=20071101_schools_tune_in.html.

She is right to be concerned. It is likely that schools would not condone or endorse some of the products and services promoted on BusRadio. Consider how BusRadio described the effectiveness of its advertising for the WB Network:

BusRadio gave The WB Network the flexibility to run commercials for their shows the day they were to air. To take full advantage of the BusRadio network, The WB Ran more ads during student's (sic) ride home after school so they could reinforce the message to watch that night.

Each of the advertised WB TV shows received aided recall numbers of as much as 70%.

Research has linked weekday television viewing with poor school performance.³⁷ It is not in the best interest of students, schools, or parents, to have a school-based advertiser target students with ads designed to “reinforce the message to watch (the WB, or any television station) that night.” That this message is likely to be one of the last school-sanctioned a child hears before arriving home makes the push to watch television even more worrisome.

BusRadio also ran an ad on its elementary school broadcast that encouraged students to use an Internet service to look up the answers to their homework on the Internet. In the ad, one student teases another because she is carrying books:

Girl#1: Hey, what's in your backpack? It looks *soo* heavy.

Girl#2: These are my dictionaries, encyclopedias, and all the other books I need to carry to get my homework done. How come you don't have any books in your bag?

Girl#1: Because I use Answers.com. It's a free site with all the facts and explanations I need for my homework. I just type in a word that I want to know more about and I get the answers. Just like that. It has explanations and facts on everything we're learning.

Girl#2: Everything?

³⁷ Sharif, I. & Sargent, J.D.(2006). Association Between Television, Movie, and Video Game Exposure and School Performance. *Pediatrics*, 118;1061-1070.

Girl#1: Yeah, everything. It even has pictures of famous people, maps, country flags, animals, and everything else I need to get my homework done. Try it at home or at school. It's free. Answers.com.³⁸

It is not in the public interest to have an ad featured on a school bus that encourages children to take short cuts to complete their home work, particularly at a time when educators are increasingly concerned about Internet plagiarism.³⁹ Since one of the primary goals education is to promote literacy, it is also not in the public interest to have ads on school buses suggest it's uncool to carry books around.

E. Busradio Violates Both Commission Regulations And CARU Guidelines Because It Does Not Maintain Clear Separation Between Programming And Advertising.

Both Congress and the Commission have long recognized that children are particularly vulnerable to advertising. The FCC “has several longstanding policies that are designed to protect children from confusion that may result from the intermixture of program and commercial material in children’s television programming.”⁴⁰ These policies “directly addresses a fundamental regulatory concern, that children who have difficulty enough distinguishing program content from unrelated commercial matter, not be all the more confused by a show that interweaves program content and commercial matter.”⁴¹

Similarly, the Children’s Advertising Review Unit, CARU, instructs advertisers to “recognize that children may have difficulty distinguishing between program/editorial content and advertising, e.g., when program/editorial characters make advertising presentations or when an advertisement appears to be content to the intended audience.” CARU guidelines dictate that

³⁸ This ad was on a BusRadio promotional CD distributed at the Kid Power Marketing Conference in Orlando, Florida, May 19-22.

³⁹ Lipsett, A (2008, January 18). Internet Plagiarism Among Sixth-Formers is 'Rife'. *The Guardian*. Retrieved June 8, 2009 from <http://www.guardian.co.uk/education/2008/jan/18/schools.uk1>.

⁴⁰ **NOI and NPRM, 2008.** FIND COMPLETE CITE

⁴¹ *Policies and Rules Concerning Children’s Television Programming*, Report and Order, 6 FCC Rcd 2111, 2118 (1991), *recon. granted in part*, 6 FCC Rcd 5093 (1991) (“*Children’s Television Programming*”)

children’s advertising “should not be presented in a manner that blurs the distinction between advertising and program/editorial content in ways that would be misleading to children.”⁴²

It is not clear whether the Commission has regulatory authority over BusRadio and whether BusRadio is required to conform to FCC regulations. Nevertheless, one would expect that a company whose audience is made up entirely of children, and which markets its services to publicly funded schools, would follow established public regulations for children’s broadcasting. Clearly, CARU advertising guidelines, which apply to “(n)ational advertising primarily directed to children under 12 years of age in any medium”⁴³ would apply to BusRadio’s elementary and middle school broadcasts. BusRadio, however, routinely violates Commission regulations and CARU guidelines that require clear separation of programming and advertising.

BusRadio regularly intermixes programming and advertising by interjecting commercial content into its disc jockey banter. For example, in this exchange, DJ Mathew Blades turns a student request into promotion for *Excitebots Trick Racing* and the Nintendo Wii gaming system.

DJ Mathew Blades: Hey, it’s BusRadio. Let’s get another request on real quick. What you want to hear?

Caller: Can I hear “Halo” by Beyonce?

DJ Mathew Blades: Absolutely. And don’t forget, if want to win a Wii , call us up at 877-my-bus-dj and you say, “I’m excited about Excitebots.” That phrase alone gets you in the running to win a brand new Wii and maybe a copy of *Trick Racing*. So let’s get to that Beyonce now.⁴⁴

The most common way that BusRadio blurs programming and advertising content is by using its disc jockeys to promote products to students. The Commission has a long standing policy prohibiting host selling, “the use of program characters or show hosts to sell products in

⁴² Children’s Advertising Review Unit. (2009). *Self-Regulatory Program for Children’s Advertising*. New York, p. 9. “CARU”.

⁴³ CARU, p. 4.

⁴⁴ From BusRadio’s May 4, 2009 elementary school broadcast. Retrieved June 8, 2009 from <http://www.obligation.org/brelemexcitbot2am050409.mp3>.

commercials during or adjacent to shows in which the character or host appears.”⁴⁵ CARU’s radio advertising guidelines state, “A character or personality associated with the editorial/content of the media should not be used to sell products, premiums or services in close proximity to the program/editorial content, unless the advertiser makes it clear, in a manner that will be easily understood by the intended audience, that it is an advertisement.”⁴⁶

Yet the shows hosts, disc jockeys Matthew Blades and Lucia Navarro, as well as on-air side kick “DJ Chickenwing” regularly deliver many of BusRadio’s advertisements.⁴⁷ Ads delivered by the disc jockeys not only violate the FCC’s prohibition on host selling in broadcasting for children, but also fail to meet the lower CARU standard of making it clear for the intended audience that commercials involving a program’s host are, in fact, commercials. A typical advertisement on BusRadio involves one of the disc jockeys reading advertising copy in the same persona and manner that is used during the banter between songs. Here is DJ Mathew Blades promoting the Tamagotchi Music Star:

You want to be a rock star? Yeah. You want to be a music star? Yeah. Then check this out. The Tamagotchi Music Star is the only portable virtual pet that you raise to be a rock star. Name it. Feed it. Shop for it. Give it some love. And take it with you everywhere. Once it grows up and forms a band, you get to name the band. Plus, go to music city on tamagotchi.com and watch your character come to life. Create your own tunes, decorate your virtual room and even form a band with your friends. When the new school year starts everyone will have stories about boring summer vacations with the family. Spend your summer being a pop star with the Tamagotchi Music Star.⁴⁸

This advertisement even violates CARU’s standard because no indication is given that the disc jockey is now playing a different role as pitchperson rather than entertainer.

⁴⁵ *Children’s Television Report and Policy Statement*, 50 FCC 2d 1, 13-14 (1974).

⁴⁶ CARU, page 9.

⁴⁷ Ms. Navarro stopped appearing on broadcasts in December, 2008.

⁴⁸ The commercial for the Tamagotchi Music Star was on accessed from the morning elementary broadcast on <http://www.busradioparents.com/listen-now> on May 25, 2009. Also available at <http://www.obligation.org/brtamagotchiadelempm051509.mp3>.

The commercial is delivered by the disc jockey using the same intonation as the editorial parts of the show. Commercials that feature the BusRadio hosts may be particularly confusing to young listeners because the types of products advertised (websites, movies, videogames) are the same things the hosts discuss during their DJ banter. For example, this exchange, took place between BusRadio DJ Matthew Blades and another BusRadio on-air personality on the same elementary school broadcast as the Tamagotchi Music Star advertisement described above:

DJ Matt Blades: It's BusRadio and Ellen's out in LA and we're going up, up, up, up.

Ellen: And away, I think that you're talking about the brand new, 10th Pixar animation movie, the tenth one.

DJ Matt Blades: I'm so excited. It's in 3-D in select theaters. It's called *Up*.

Ellen: Yes, and just, you know last year, when *Wall-E* came out, and I thought they could never top *Wall-E*, *Wall-E's* so awesome, uhm, I think they did it.

DJ Matt Blades: Really?

Ellen: *Up* is all about this old man, he's 78 years old and he lived his whole life and he always wanted to have adventure and his wife dies and he never thinks he's going to have one. So you know what he decides to do? He decides to fly to South America using 10,000 balloons.

DJ Matt Blades: I want to do that. I'd bring my dog with me.

Ellen: He connects them to his house and his house just goes up.

DJ Matt Blades: So cool, so you would definitely recommend checking this in the theater?

Ellen: I would definitely recommend it. It's so funny, the old man Carl has this friendship with this little boy and they have all these adventures and make their way to South America. They have quite a time.

DJ Matt Blades: Gamers, look out there's a video game for *Up*, too. That's Ellen. She's out in L.A. Have an awesome weekend.⁴⁹

Since both this discussion of *Up* and the Tamagotchi Music Star commercial involve ringing endorsements of a product by BusRadio on-air personalities, elementary school aged children are likely to consider both the discussion and the advertisement to be the same type of information. It is unlikely they will understand the discussion of *Up* as editorial content and the Tamagotchi ad as persuasion. It is precisely to guard against these types of misunderstandings that the Commission regulations dictate clear separation of program content and advertising.

BusRadio also exploits the relationship that its disc jockeys have established with students to advertise products. One commercial that played during BusRadio's elementary school broadcast enticed children by offering them the opportunity to hang out online with BusRadio's DJ Matt Blades:

Hey guys it's Lucia! What are you guys doing tonight? I mean besides homework, of course. Why not come and join me online for an audition dance party. Audition from Nexon games is the coolest place to hang out with all your friends online and check out some hot music from artists like Natasha Beddingfield. I'll be hanging out on Audition tonight and hope you guys will come hang out with me. If you don't have Nexon, don't worry. The games are free. Just go to Nexon.net. That's N-E-X-O-N dot net. And I'll see you tonight.⁵⁰

Young students listening to Lucia on their school bus are likely to look up to Lucia as a celebratory and/or a role model. Lucia's line, "I'll be hanging out on Audition tonight and hope you guys will come hang out with me," may lead some of them to believe that if they go to Nexon.com they will actually be able to play games with her.

As noted earlier, it is not clear whether BusRadio is legally bound to abide by the Commission's prohibition on host selling. But if the purpose of this Notice and the

⁴⁹ Accessed from the morning elementary broadcast on <http://www.busradioparents.com/listen-now> on May 25, 2009.

⁵⁰ Accessed June 10, 2009 from http://www.youtube.com/watch?v=cCaHK-w-agw&feature=channel_page (Nexon.net ad begins at :32).

Commission's report to Congress is to establish whether commercial broadcasts on school buses are in the public interest, it is noteworthy that BusRadio regularly flaunts one of the FCC's longest-standing and most fundamental rules about children's broadcasting.

F. Busradio's Student-Targeted Advertising Is Likely To Be More Powerful For Students Than Regular AM/FM Advertising

An essential part of BusRadio's sales pitch to school districts is that it plays less commercials than standard AM or FM radio. BusRadio claims to play a maximum of eight minutes of paid sponsorships per hour, less than one-third of standard drive-time FM radio. BusRadio also promotes its advertising as more age-appropriate than advertising on standard commercial radio stations. BusRadio's employees have been quoted in the media stating, for instance, that students will not hear Budweiser or Viagra commercials during their broadcasts.⁵¹

It is important to note at the outset that by comparing itself to commercial radio, BusRadio sets up a false dichotomy. School buses do not need to play the radio at all. According to BusRadio's own figures, nearly half of school buses do not even have the capability to play AM/FM radio.⁵² If school districts or parents are concerned that students on buses that do have AM/FM radios are hearing Viagra or Budweiser commercials, they can mandate that drivers do not play radios on school buses. The more germane comparison is not between BusRadio and conventional advertising, but between BusRadio and no radio. Clearly, students will be exposed to more advertising with the former.

If, however, comparisons are to be made to AM/FM radio, there is every to believe that the commercials on BusRadio will have more of an impact on students. Advertisements on AM/FM radio are usually directed to an adult audience and many them (e.g. car or insurance ads)

⁵¹ See, for example, Ellis, A.D. (2007, November 1). Schools Tune Into Bus Radio Network. *The Fresno Bee*. Retrieved June 10, 2009 from http://www.busradio.net/press_room.php?pr=20071101_schools_tune_in.html.

⁵² Retrieve June 10, 2009 from <http://www.busradio.net/faq.html>.

are likely to be of little interest to kids. By contrast, every single advertisement played on BusRadio is designed to grab students' attention and market products that are of interest to them. In addition, as noted earlier, students are aware that, unlike advertisements on conventional AM/FM radio, advertisements on BusRadio come with the school's implicit endorsement and therefore are likely to be even more powerful.

In addition, BusRadio's reliance on host selling is also likely to make its advertising more powerful for students than commercials played on conventional AM/FM radio. On the course of a school-year, BusRadio's on-air personalities establish a relationship with the students that listen to their broadcasts. A six- or eight- or ten-year-old is likely to look up to the disc jockeys and put extra stock in their opinions. So when BusRadio's DJ Chicken Wing tells children that *Excitebots Trick Racing* (a videogame and BusRadio sponsor) is "the coolest thing out there,"⁵³ children are more likely to find this pitch compelling than an advertisement read by a disc jockey or actor with whom they have no relationship.

CCFC does not endorse the use of conventional AM/FM radio on school buses and believes that the interests of schools, students, and parents would be better served by having no commercial radio on school buses. For the reasons stated above, however, we also believe that BusRadio's school bus advertising is likely to have more of an impact on students than the commercial played on AM/FM radio.

G. Busradio Understates The Amount Of Its Commercial Content

On the Frequently Asked Questions section of its Parents website, BusRadio states, "Each hour contains an average of four minutes of paid sponsorships. BusRadio limits paid

⁵³ Accessed June 10, 2009 from <http://www.obligation.org/busradioarticle.php?recordID=1105>. To listen, click on "[1st commercial for ExciteBots](#)".

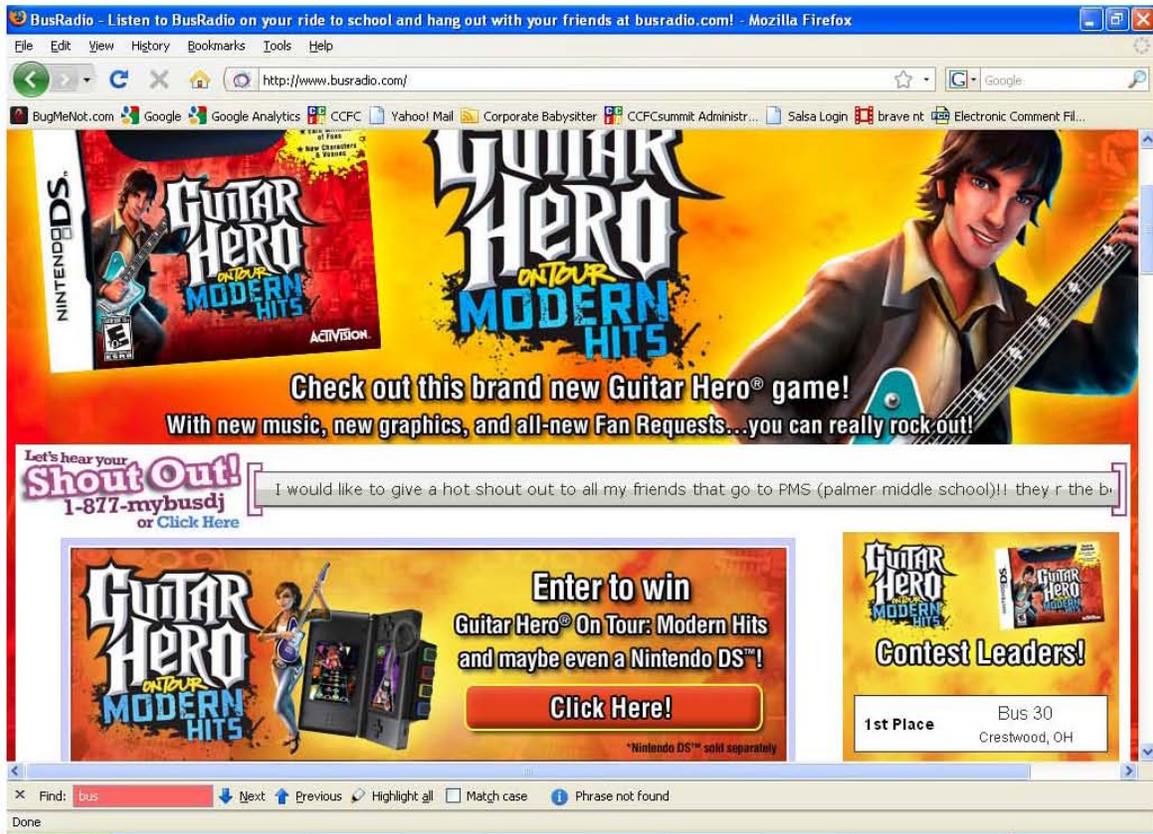
sponsorships to a maximum of eight minutes.”⁵⁴ There are a number of reasons, however, to believe that this figure does not capture all of the commercial content on BusRadio.

BusRadio does not count contests as paid sponsorship time.⁵⁵ In the middle school broadcast posted on the BusRadio parent website on May 28, 2009, a contest to win a copy of Nintendo’s *Guitar Hero* is mentioned five different times.

Below is a screenshot of BusRadio’s website for students that demonstrates that the *Guitar Hero* contest is clearly part of Nintendo’s promotional arrangement with BusRadio. It features a prominent ad for *Guitar Hero* in addition to information about the contest.

⁵⁴ Retrieved June 10, 2009 from <http://www.busradioparents.com/q-and-a>.

⁵⁵ <http://www.busradio.net/>: states music and original programming accounts for an average of 52 minutes/hour on BusRadio. Included in this category are “on-air personalities, contests, listener shout-outs, etc.”



Screenshot A: BusRadio.com, June 11, 2009.

On the same broadcast, a contest for another BusRadio sponsor, the Vocalcornerstore.com, was promoted twice. It is disingenuous for BusRadio not to count these contests as paid sponsorships.

BusRadio's original website for advertisers noted that marketers would have the opportunity to sponsor an entire broadcast or supply a celebrity DJ.⁵⁶ Celebrities appear frequently on BusRadio to promote their CD's or music.⁵⁷ While there is no evidence to suggest that BusRadio is actually getting paid for these appearances, it is disconcerting that the company does not disclose that it solicits these types of sponsorships in any of its promotional material for parents or school districts.

⁵⁶ Mayer, C. (2006, June 4). The Next Niche: School Bus Ads. *The Washington Post*. Retrieved June 7, 2009 from <http://www.washingtonpost.com/wp-dyn/content/article/2006/06/03/AR2006060300150.html>.

⁵⁷ For example, Ashley Tisdale appeared on BusRadio to promote her upcoming album *Guilty Pleasure* on the AM elementary school broadcast available from <http://www.busradioparents.com/listen-now> on May 25, 2009

BusRadio has also begun promoting its own exclusive music artists such as Bryant James and Lauren De Miranda. These artists are played repeatedly on BusRadio and promoted by the disc jockeys.⁵⁸ Mr. James' currently has two songs for sale at Amazon.com and iTunes which list BusRadio as his record label.⁵⁹ Once again, BusRadio does not disclose that it promotes musicians in which it has a financial stake in its information for parents or schools. The company also does not count the promotion of its own artists as commercial content.

BusRadio's broadcasts promote BusRadio as a brand and entertainment destination for children and drive students to its commercial website. When the *Nashua Telegraph* reviewed a demo provided by BusRadio to the Nashua school board, they found "the phrase 'BusRadio' or references to its web site were mentioned 30 times; in the middle school and high school version, they were mentioned 43 times."⁶⁰

According to the Commission's rules for children's broadcasting, any promotion of a website should count as commercial-time if the page that viewers are directed to is used for e-commerce, advertising, or other commercial purposes.⁶¹ Because BusRadio's on-air promotion directs children to the busradio.com homepage which contains advertising,⁶² BusRadio's promotion should also be considered commercial content. In addition, it is disconcerting that BusRadio does not make clear to schools and parents that it hopes, through its website for students, to keep kids engaged with BusRadio and its advertisers even after the bus has dropped them off for the day.

⁵⁸ See, for example, this summary of the January 31, 2009 afternoon high school show: <http://www.obligation.org/printerfriendlyarticle.php?id=1060>.

⁵⁹ http://www.amazon.com/Cruisin-With-My-Lady/dp/B001QT4L0Y/ref=dm_ap_alb1 and http://www.amazon.com/Cruisin-With-My-Lady/dp/B001QT4L0Y/ref=dm_ap_alb1

⁶⁰ Editorial (2008, September 16). BusRadio proposal should be silenced. Retrieved June 5, 2009 from <http://www.nashuatelegraph.com/apps/pbcs.dll/article?AID=/20080916/OPINION01/309169986&SearchID=73330182974822>.

⁶¹ *Children's Television Obligations of Digital Television Broadcasters: Second Order on Reconsideration and Second Report and Order*. FCC, (2006), ¶ 29-31.

⁶² See, for example, Screenshots A, B, and C in this document.

H. Other Concerns About BusRadio's Advertisers

BusRadio claims that all of its sponsorships are “age-appropriate.”⁶³ It is difficult to evaluate this claim because BusRadio refuses to disclose its advertisers.⁶⁴ As noted earlier, it would take approximately six hours per weekday to listen to all of BusRadio's broadcasts on its website and broadcasts are not archived so there is only a one-day window to listen to each one. Nevertheless, by monitoring some of BusRadio's broadcasts through its parents website, media accounts of the broadcasts, and BusRadio's promotional materials, CCFC has been able to establish the identity a number of BusRadio's advertisers. CCFC has significant concerns about a number of these advertisers, in addition to those detailed earlier.

BusRadio advertised the *Bratz Fashion Pixie* DVD during its elementary school broadcasts.⁶⁵ The highly-sexualized Bratz dolls are very controversial with many parents and were singled out by the American Psychological Association for contributing to the sexualization of young girls.⁶⁶ While it is true that the Bratz brand is advertised on children's television stations such as Nickelodeon, parents who wish to limit their children's exposure to advertising for sexualized dolls can prevent their children from watching channels where these advertisements run. No such option exists for parents when exposure to advertising is compulsory.

⁶³ Retrieved June 9, 2009 from <http://www.busradioparents.com/q-and-a>.

⁶⁴ Illescas, C. (2009, March 5). School BusRadio Gets Mixed Signals. *The Denver Post*. Retrieved June 4, 2009 from http://www.denverpost.com/headlines/ci_11837038.

⁶⁵ Brindley, M. (2007, September 9). Nashua May Tune into Bus Radio. *The Nashua Telegraph*. Retrieved May 23, 2009 from <http://www.nashuatelegraph.com/apps/pbcs.dll/article?AID=/20070909/NEWS01/209090401/-1/STYLE>.

⁶⁶ American Psychological Association, Task Force on the Sexualization of Girls. (2007). *Report of the APA Task Force on the Sexualization of Girls*. Washington, DC: American Psychological Association. Retrieved March 25, 2008, from <http://www.apa.org/pi/wpo/sexualizationrep.pdf>, p14.

Another elementary school advertiser, Tales Runner, tries to lure students to its online gaming site (<http://talesrunner.gpotato.com/>) with the promise that its games are “totally free.”⁶⁷ Yet once there, students are encouraged to spend money to buy extras for their online character.⁶⁸ It is hardly “totally free.” The Children’s Advertising Review Unit’s self-regulator guidelines state that “(a)dvertising should be neither deceptive nor unfair.”⁶⁹

Another elementary school advertiser is the Vocal Corner Store, a Los-Angeles based talent agency:

Do you want to be a star? What if I told you, you could learn to sing from the coach to the stars? Well, you can at The Vocal Corner store in LA. At the Vocal Corner Store, you’ll learn to be a star and you might be able to hang out at the world famous West Lake Studios and who knows what stars you could run into there. So, tell your parents to check out thevocalcornerstore.com with you tonight and before you know it, you could be headed to LA this summer to start your singing career. That website again is thevocalcornerstore.com or log onto busradio.com for more information. Brought to you by The Vocal Corner Store, plant a dream, watch it grow.⁷⁰

The Children’s Advertising Review Unit Guidelines state: “Advertising should not stimulate children’s unreasonable expectations about product quality or performance.”⁷¹ Because children are unlikely to understand that the odds are overwhelmingly against them become successful in the music industry, it is unfair to target an advertisement to children that exploits their natural desire to be stars..

III. Busradio Plays Musical Artists That Are Not Age-Appropriate For Schoolchildren

⁶⁷ April 3, 2009 elementary school show. Accessed June 10, 2009 from <http://www.obligation.org/brtalesrunneradelempm040309.mp3>.

⁶⁸ For a more complete description of Tale Runner, see <http://www.obligation.org/busradioarticle.php?recordID=1091>. Retrieved June 14, 2009.

⁶⁹ CARU, p. 5.

⁷⁰ Accessed from the morning elementary broadcast on <http://www.busradioparents.com/listen-now> on May 25, 2009.

⁷¹ CARU, p. 5.

One of BusRadio main selling points is that it “provides parents with the peace of mind that their children are not being exposed to the inappropriate content of commercial FM radio.”⁷² Once again, CCFC would like to point out that BusRadio establishes a false choice between FM radio and BusRadio. The best way to ensure that children are not opposed to inappropriate content on school bus radios is to keep school bus radios off. But it is also important to note that BusRadio’s claim to only play age-appropriate music is misleading and many parents would, and do, object to the music played on BusRadio.

A. Busradio Plays Artists Whose Albums Come With Parental Warnings

“We don't play any music that comes with a parental advisory on it,” BusRadio Inc., President Steve Shulman told *The Louisville Courier-Journal*.⁷³ Yet while BusRadio may not play actual songs that have a parental advisory, they have a long history of playing musical artists whose albums come with warnings for explicit content, including Seether,⁷⁴ Akon,⁷⁵ Lil’ Jon,⁷⁶ Fergie,⁷⁷ and Kevin Rudolf.⁷⁸

Because each song is, in effect, a promotion for the album it is on, many parents do not want their children being forced to listen to songs from albums that have explicit content even if the particular song being played is “clean”. When Seminole County, Florida signed up for a trial run of BusRadio, a committee of parents and school officials was formed to evaluate BusRadio’s programming. When the committee asked BusRadio

⁷²Retrieved June 14, 2009 from <http://www.busradio.net/faq.html>.

⁷³ Konz, A. (2007, May 21). Louisville Schools May Add Music, Ads on Buses. *The Louisville Courier-Journal*, p. A1.

⁷⁴Retrieved June 10, 2009 from <http://www.obligation.org/busradioarticle.php?recordID=1051>. In addition to the articles cited in this document, Obligation, Inc. – a nonprofit advocacy group that monitors BusRadio – has a series of articles detailing BusRadio’s musical content and advertising at <http://www.obligation.org/busradioallarticles.php>.

⁷⁵ Retrieved June 10, 2009 from <http://www.obligation.org/busradioarticle.php?recordID=829>.

⁷⁶ Retrieved June 10, 2009 from <http://www.obligation.org/busradioarticle.php?recordID=837>.

⁷⁷ Retrieved June 10, 2009 from <http://www.obligation.org/busradioarticle.php?recordID=875>.

⁷⁸ Retrieved June 10, 2009 from <http://www.obligation.org/busradioarticle.php?recordID=1052>.

to agree not to play any songs from albums with parental warnings, BusRadio refused. That, according to parent and committee member Amy Lockhart, was “pretty much a deal breaker” and the committee recommended to the Seminole County Board of Education that they end their trial run of BusRadio.⁷⁹ BusRadio’s refusal is even more notable because Seminole County has the 55th largest school bus fleet in the United States and would have significantly expanded BusRadio’s reach.

B. Busradio’s “Clean” Versions Of Songs Are Not Appropriate For School Buses.

Despite its claims to be an age-appropriate alternative to commercial FM radio, BusRadio plays many of the same songs, but edits the music before it is played on school buses. Here’s how BusRadio describes its editing process:

BusRadio content is edited according to standards that far exceed those of commercial FM radio. All questionable subject matter is removed by our own editing team. Quite simply, the commonly heard commercial radio versions of popular songs are not played on BusRadio.⁸⁰

If a song needs to be edited, it shouldn’t be played on a school bus. It is troubling that BusRadio introduces students to music that the company itself has deemed inappropriate. If students like the songs they hear on BusRadio, they may try to listen or purchase those songs elsewhere. When they do so, they will be exposed to the content that was edited out by BusRadio.

In addition, even though the songs are edited, students may still be exposed to the objectionable content on the bus. Here’s how one parent described her children’s experience with BusRadio in Montgomery County, Maryland.

⁷⁹ Weber, D. (2008, May 8). Show Could be Over for Bus Radio on Seminole County School Buses. *Orlando Sentinel*. Retrieved June 3, 2009 from <http://www.commercialalert.org/issues/education/busradio/show-could-be-over-for-bus-radio-on-seminole-county-school-buses>.

⁸⁰ Retrieved May 31 from <http://www.busradioparents.com/myth-vs-reality>.

When Bus Radio was first introduced (without notification to parents or PTAs) my girls started coming home saying that the kids on their buses were singing "inappropriate" songs (including the words that are bleeped out on Bus Radio). The kids who know these songs from home and friends make sure that the kids who don't learn ALL the words (although, honestly, kids are smart enough to figure out what they are saying).⁸¹

IV. Busradio Heavily Promotes Its Website For Children, Which Includes More Inappropriate Advertising And Content For Children

BusRadio heavily promotes BusRadio.com, its website for children, during its elementary, middle, and high school broadcasts.⁸² As noted earlier, BusRadio promotional materials for parents and schools do not make clear that BusRadio hopes to keep kids engaged with BusRadio and its advertisers after their bus ride is over. Like BusRadio's school bus broadcasts, BusRadio.com fails to make clear distinctions between its advertising and editorial content and promotes inappropriate media to children.

A. Busradio.Com Promotes Inappropriate Media To Children

During the 2006-2007 school year, BusRadio maintained two separate websites for "twens" (ages 6-12) and "teens" (ages 13-17).⁸³ Musicians with explicit music were featured regularly on this iteration of BusRadio.com, even on the tween site. For example, in an article on both the tween and teen sites on January 27, 2007, Mandy Smyth's "Music Quick Hits" began: "Wu! Tang! Wu! Tang! Yes sir, they are back! After making a bajillion solo albums, the group is back and are set to release their next album."⁸⁴ All reference to the Wu Tang Clan were linked to Yahoo! Music where visitors could listen to and purchase Wu Tang's music. All of the Wu Tang Clan's albums come with parental warnings for explicit lyrics. Wu Tang's songs include graphic descriptions of violence and sex, including humiliation of, and violence against, women.

⁸¹ *Comment of Jodi Bierlair*, filed MB Docket 09-68 (June 10, 2009)

⁸² Brindley, M. (2007, September 9). Nashua May Tune into Bus Radio. *The Nashua Telegraph*. Retrieved May 23, 2009 from <http://www.nashuatelegraph.com/apps/pbcs.dll/article?AID=/20070909/NEWS01/209090401/1/STYLE>.

⁸³ <http://www.obligation.org/busradioarticle.php?recordID=802>.

⁸⁴ <http://www.obligation.org/busradioarticle.php?recordID=803>.

The tween website also had profiles of popular musicians. Six of the artists profiled – the Black Eye Peas (described by BusRadio.com “the epitome of coolness),⁸⁵ Gwen Steafani,⁸⁶ Justin Timberlake,⁸⁷ Madonna,⁸⁸ Omarion,⁸⁹ and Pink⁹⁰ – have several albums with parental advisories for explicit lyrics.

That version of BusRadio.com also featured a regular a column on videogames. On March 29, 2007, BusRadio’s videogame columnist – featured on both the Teen and Tween website – urged children to “Check out ign's Top Ten Most Popular list. This is a pretty good indicator of games that are either a solid rental or a solid purchase. It never fails me.”⁹¹

Here’s the list of videogames that BusRadio recommended to children as young as six with their ratings and a description of their content by the Entertainment Software Ratings Board. Titles rated Teen by have been determined by the video game industry to be inappropriate for children under thirteen. Titles rated Mature are unsuitable for children under seventeen and “may contain intense violence, blood and gore, sexual content and/or strong language.”

Game	Rating	Content
Command and Conquer 3	Teen	Animated Blood, Mild Language, Violence
The Elder Scrolls: Oblivion	Mature	Language, Sexual Themes, Use of Alcohol, Violence, Blood and Gore
Elder Scrolls IV: Shivering Isles	Mature	Language, Sexual Themes, Use of Alcohol, Violence, Blood and Gore
Medal of Honor Vanguard	Teen	Blood, Language, Violence
Halo 3	Mature	Blood and Gore, Mild

⁸⁵Retrieved April 4, 2007 from <http://tween.busradio.com/index.php/music/MusicianProfile/1>. (All Tween music profiles accessed on April 4, 2007.)

⁸⁶Retrieved April 4, 2007 from <http://tween.busradio.com/index.php/music/MusicianProfile/20>.

⁸⁷ Retrieved April 4, 2007 from <http://tween.busradio.com/index.php/music/MusicianProfile/21>.

⁸⁸Retrieved April 4, 2007 from <http://tween.busradio.com/index.php/music/MusicianProfile/16>.

⁸⁹Retrieved April 4, 2007 from <http://tween.busradio.com/index.php/music/MusicianProfile/99>.

⁹⁰Retrieved April 4, 2007 from <http://tween.busradio.com/index.php/music/MusicianProfile/67>.

⁹¹ <http://tween.busradio.com/index.php/news/News/986>.

		Language, Violence
Elder Scrolls IV: Shivering Isles (listed twice in BusRadio.com's list)	Mature	Language, Sexual Themes, Use of Alcohol, Violence, Blood and Gore
God of War 2	Mature	Blood and Gore, Intense Violence, Nudity, Sexual Themes, Strong Language
Halo Wars	Mature	Blood and Gore, Violence
Mass Effect	Mature	Blood, Language, Partial Nudity, Sexual Themes, Violence
WWE SmackDown! vs. Raw 2008	Teen	Blood, Mild Language, Suggestive Themes, Violence

In 2007, BusRadio launched a new version of its website for students and dispensed with the separate versions for younger and older students.⁹² From a developmental perspective, it is difficult to understand how BusRadio believes it can create content that will be both interesting to seventeen-year-olds and appropriate for six-year-olds. Regardless, BusRadio continues to promote inappropriate media on the website that it promotes to children as young as six on school buses.

Most notably, in September of 2008, BusRadio heavily promoted the premiere of the new version of *90210*, a television show that glamorizes teen sex and drinking. Advocacy groups had already expressed concern about the content of *90210* when the advertisement began running on BusRadio.com.⁹³ Nevertheless, BusRadio chose to make *90210* its “featured” television show. Screenshots B and C shows BusRadio.com’s promotion of *90210*, including an article an article, a banner ad, and the show’s very racy trailer.⁹⁴

⁹² <http://www.obligation.org/busradioarticle.php?recordID=864>.

⁹³ Parents Television Council. (2008, August 25). PTC Slams CW, Puts ‘90210’ Advertisers on Notice. Press Release. Retrieved June 4, 2009 from <http://www.parentstv.org/PTC/news/release/2008/0825.asp>.

⁹⁴ The trailer can be viewed at http://www.youtube.com/watch?v=-veNQ9cnosM&feature=PlayList&p=11067B91DA8ECF0E&playnext=1&playnext_from=PL&index=18.

BusRadio - Listen to BusRadio on your ride to school and hang out with your friends at busradio.com! - Mozilla Firefox

File Edit View History Bookmarks Tools Help

http://www.busradio.com/movies

Most Visited BugMeNot.com Google Headquarters Google Analytics CCFC Yahoo! Mail GamePolitics.com Corporate Babysitter CCFCsummit Administr...

BusRadio - Listen to BusRadio on your ... BusRadio - Listen to BusRadio on...

busradio
Let's hear it!

Now Playing:
Find Yourself In You
Miley Cyrus
Listen Now Request A Song

PARENTS DRIVERS SCHOOLS

login

Home Music BusRadioTV Contests Quizzes **TV/Movies** Talk Back My Profile

TV & Movies

Featured!
90210



Annie and Dixon are the new kids at their school in Beverly Hills, California... and it's nothing like what they're used to. Watch as they try to figure out their new lives and the cliques and culture in Beverly Hills! Just how much will their lives change?

HOT NOT



Watch the Trailer!

90210
TUES 8/7c CW

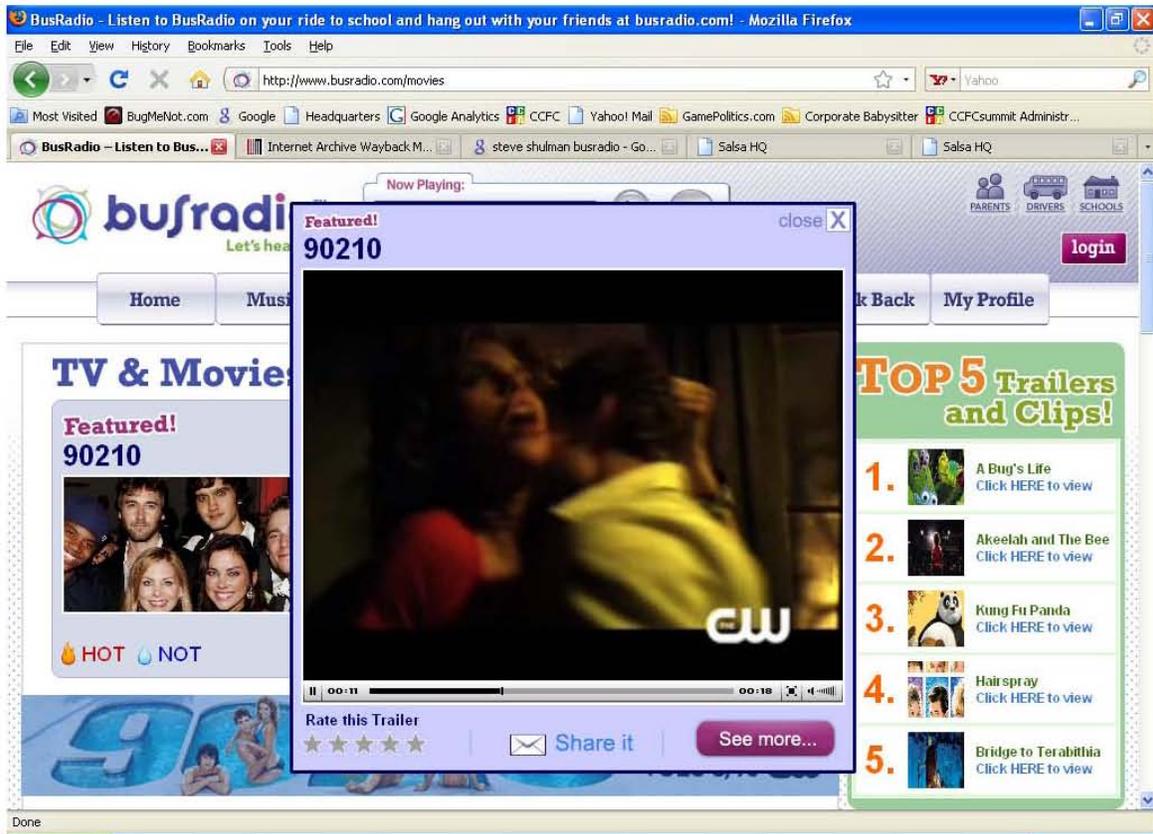
TOP 5 Trailers and Clips!

-  **A Bug's Life**
Click HERE to view
-  **Akeelah and The Bee**
Click HERE to view
-  **Hairspray**
Click HERE to view
-  **Kung Fu Panda**
Click HERE to view
-  **Bridge to Terabithia**
Click HERE to view

Find: t Next Previous Highlight all Match case

Done

Screenshot B: www.busradio.com/movies, September 1, 2008



Screenshot C: www.busradio.com/movies (with trailer running), September 1, 2008

The promotion of sexualized and violent media to children as young as six on the website that BusRadio promotes throughout its school bus broadcasts undermines the company’s claim that’s its programming is “age-appropriate”.

B. Busradio.Com Does Not Maintain A Clear Distinction Between Editorial Content And Advertising.

The Children’s Advertising Online Review Unit advertising guidelines state:

On Websites directed to children, if an advertiser integrates an advertisement into the content of a game or activity, then the advertiser should make clear, in a manner that will be easily understood by the intended audience, that it is an advertisement.⁹⁵

BusRadio does not label its advertising on its website in any way. More troubling, the web advertising also appears adjacent to editorial content about the subject of the advertisement

⁹⁵ CARU, p. 9.

so it is difficult to tell which is which. In Screenshot B, above, even adults might have difficulty determining where editorial content ends and advertising begins. Similarly, when BusRadio was “taken over” by *Star Wars: The Clone Wars* on October 3, 2008, there was no indication of that it was a paid take over. In addition, as Screenshot D below indicates, BusRadio’s editorial content (Lucia’s interviews with Jedi Knight Ashoka), is subsumed into it’s advertising content.



Screenshot D: BusRadio.com, October 3, 2008⁹⁶

CCFC believes that it is noteworthy that BusRadio – on both its broadcasts and website for students – does not help children understand when, where, and how they are being advertised to. To the contrary, BusRadio regularly intermingles its advertising and editorial content a manner that undermines children’s already limited defenses against advertising.

⁹⁶ From <http://www.obligation.org/busradioarticle.php?recordID=1016>.

V. Busradio's Market Research On School Buses Is Not In The Public Interest

BusRadio's now-defunct website for advertisers noted that BusRadio planned to use its unique access to students to conduct market research.⁹⁷ This screenshot, taken April 27, 2009 a website soliciting freelancers, demonstrates that BusRadio remains interested in obtaining (and presumably selling) the information they can glean from students.

The screenshot shows a project page for 'Focus Group Facilitation' on the BusRadio website. The page is titled 'Project Focus Group Facilitation' and includes navigation tabs for 'Plan', 'Bid', 'Award', 'Work', and 'Review'. Below the title, there are tabs for 'Detail', 'Bids', 'Discussion', 'Reviews', and 'Stats'. The 'Detail' tab is active, showing a 'submit bid' button and a 'General Information' section. The 'General Information' section includes the following details:

- Project Number: 37550
- Category: Marketing / Advertising / Sales
- Subcategory: Market Research
- Title: Focus Group Facilitation
- Description: We need a SEASONED PROFESSIONAL who is comfortable working with kids, is able to dig deep into their hearts and minds and can then come up with a detailed report on the findings. We have a set of questions we want kids to tell us the answers to.

Below the description, there is a note: 'We are a full service kids media company and have access to schools and therefore the pool of kids. The groups will be conducted in major markets around the country and you will travel to them. The suggested fee bracket below does not include travel, which we will take care of.' Another note says: 'Please, please don't bid unless you are fully set up as an independent facilitator and have experience with kids, and can travel to/live near Boston so we can meet you in person.'

Other details include:

- Estimated Budget: Between \$5,000 and \$9,999
- Expected Delivery: Within 12 weeks of project award
- Bidder Location: United States
- Work Location: Offsite
- Project Phase: Bidding
- Last Modified: 04/24/2009 01:31 AM PDT

At the bottom left, there is a 'BusRadio' logo and a 'Review Rating' section showing 'not yet rated', 'Project History: 1 (1+0+0)', and 'Location: Massachusetts, United States'. On the right side, there is a 'Bidding Details' box with the following information:

- Begins: 04/23/2009 08:33 AM PDT
- Ends: 05/07/2009 08:24 AM PDT
- Duration: 13d, 23h, 50m
- Remaining: 11d, 12h, 58m
- Sealed: Yes
- Bids: 2
- Awards: None Issued

Screenshot E: BusRadio Solicits Market Research Professionals⁹⁸

BusRadio does not disclose its market research plans in its promotional materials for school or parents. On neither BusRadio's website for parents nor its website for schools is there any mention that BusRadio plans to use its "access to schools and therefore the pool of kids" to "dig deep into their hearts and minds."

⁹⁷ Mayer, C. (2006, June 4). The Next Niche: School Bus Ads. *The Washington Post*. Retrieved June 7, 2009 from <http://www.washingtonpost.com/wp-dyn/content/article/2006/06/03/AR2006060300150.html>.

⁹⁸ Captured April 24, 2009 from <http://www.ifreelance.com/project/detail.aspx?projectid=37550>.

There is no way to determine how often BusRadio uses its access to school to conduct market research. But a parent of two who lives in Denver, a BusRadio district, posted the following on the Parents Against BusRadio group on Facebook:

Last week, my daughters' school bus driver asked my girls to fill out a survey for Bus Radio. These are questions from that survey.

So not only are they advertising to my children, they're asking my kids (6 and 8 years old) to help them sell kids their crap.

Oh, and the bus driver said that whoever returned the survey would get a treat.⁹⁹

Questions on the BusRadio market research survey included “Which commercials do you remember hearing on Bus Radio? Please write down the companies, services, or products you remember hearing about on Bus Radio.”; “What is your favorite time to watch TV?”; and “What do you do when you’re online on the computer?”¹⁰⁰

BusRadio’s market research conducted on school buses may provide the company with valuable information about children’s media habits. It may also allow the company to demonstrate to potential advertisers that its advertisements have a rate of recall among students. But it is not in the interest of schools or parents to have school employees pass out surveys on school buses – and promise treats for completion – to help BusRadio advertise more effectively.

VI. Busradio’s Unit-Based Advertising Interrupts Other Stations’ Broadcasts And Is Not In The Public Interest

The radio units that BusRadio installs on school buses have the capability to play AM and FM stations. A bus driver from Douglas County School District in Colorado who does not play BusRadio on his school bus reported to CCFC that FM broadcasts were being interrupted approximately every ten minutes to play an advertisement for BusRadio (AM did not work on

⁹⁹ <http://www.facebook.com/photo.php?pid=181314&op=1&o=all&view=all&subj=49701271001&aid=-1&oid=49701271001&id=1089518752#/photo.php?pid=181312&o=all&op=1&view=all&subj=49701271001&aid=-1&id=1089518752&oid=49701271001>.

¹⁰⁰ The survey can also be viewed at <http://www.youtube.com/watch?v=cCaHK-w-agw>.

his school bus).¹⁰¹ The driver reported that even when he changed the station, the BusRadio promotion continued to play. The driver also reported that the interruptions continued at regular intervals for approximately two weeks in March and April, 2009.

There are several reasons to be concerned about BusRadio interrupting other broadcasts to play promotions for itself. For one, the promotions could have interrupted important information such as a weather alert or an announcement from the Emergency Broadcast System. In addition, there is nothing to stop BusRadio from promoting not only itself, but its advertisers, over other stations' broadcasts. BusRadio's interruption of FM broadcasting sets a dangerous precedent and opens the door for other manufacturers of broadcasting equipment to interject their own advertising onto other station's programming.

VII. There Is Widespread Opposition To Busradio

Since its inception, there has been wide-ranging opposition to concept of BusRadio. At the national level, leading advocacy organizations and religious organizations have voiced their opposition to the idea of making listening to student-targeted advertisements on school buses compulsory. At the local level, parents in school districts around the country have organized to stop BusRadio from operating on their children's school buses.

A. Broad Coalition Asked Advertisers Not To Advertise On Busradio

On September 14, 2006, more than thirty leading advocacy and religious organizations from across the political spectrum sent a letter to the 100 leading national advertisers and the top 50 advertising agencies urging them not to advertise on BusRadio or the in-school news network, Channel One. The letter read in part:

¹⁰¹ Les Lilly phone call to CCFC's Josh Golin, April 14, 2009. Mr. Lilly played one of the BusRadio interruptions for Mr. Golin over the phone. Mr. Lilly has a recording of the interruptions

Whatever BusRadio advertises, children as young as six will have no choice as to whether to listen or not. Nor will their parents be able to exercise any control over their children's exposure. The sales pitches will fill the bus and interfere with those children who want to read, study, talk, pray, or do almost anything else other than listen to the programming. According to a Harris poll, 69% of youth advertising and marketing professionals believe that "advertising on school buses" is "inappropriate."

We agree with these professionals. We believe it is wrong for a company to use compulsory school attendance laws to force a captive audience of children to listen to advertising. As most practitioners in the field recognize, successful advertising depends on the willing participation of both advertiser and consumer. BusRadio and Channel One violate this fundamental principle.¹⁰²

The letter was signed by some of the country's leading advocates for children including, most notably, the National Parent Teacher Association. Other signatories included the Center for Science in the Public Interest, Children Now, Parents Action for Children, the American Family Association, The Presbyterian Church (USA) Office of Child Advocacy, Consumers Union and the Eagle Forum.

B. Parent Opposition To BusRadio

A 2008 survey commissioned by the Parents Teacher Organization asked mothers whether they approved of certain forms of advertising in schools. One question asked specifically about BusRadio, describing it as "an ad supported satellite radio program with age-appropriate content/lyrics as well as safety messages." Only 16% of the mothers surveyed said that they approved.

Many parents have been outspoken in their opposition to BusRadio and have urged their school districts not to sign up with BusRadio or to get rid of the service if an agreement was already entered into. This opposition is particularly notable because many parents are unaware that their school district is using BusRadio. For example, parents in Denver report that they were

¹⁰² See Attachment A.

not given an opportunity to comment before their school district signed up for BusRadio or informed after the service was installed.¹⁰³ Examples of parent opposition to BusRadio include:

- The Parents Coalition of Montgomery County (“PCMC”), a very active parent advocacy group and educational watchdog,¹⁰⁴ was unaware for several months that BusRadio had been installed on a trial basis in fifty buses in Montgomery County. Incredibly, even Montgomery County Superintendent Dr. Jerry Weast was unaware of his district’s arrangement with BusRadio.¹⁰⁵ When PCMC members and other parents learned that BusRadio was being used in Montgomery County, they flooded the school board and superintendent with calls and letters and the service was ended within days.¹⁰⁶
- When Louisville, Kentucky, was considering BusRadio, many parents attended a school board meeting to voice their opposition to the service and the Board decided not to proceed with a contract with BusRadio.¹⁰⁷
- When Seminole County schools installed BusRadio on a trial run, concerned parents and educators formed a committee to evaluate the service. When the committee recommended that the County end its relationship with BusRadio, the Seminole County School Board agreed.¹⁰⁸

¹⁰³ Illescas, C. (2009, March 5). School BusRadio Gets Mixed Signals. *The Denver Post*. Retrieved June 4, 2009 from http://www.denverpost.com/headlines/ci_11837038; Christopher Shelton email to CCFC’s Josh Golin.

¹⁰⁴ de Vise, D. (2009, June 4). Attacks Against Parent Group In Online Posts Spark Debate. *The Washington Post*. Retrieved June 12, 2009 from <http://www.washingtonpost.com/wp-dyn/content/article/2009/06/03/AR2009060302072.html>.

¹⁰⁵ WTOP (2008, December 11). School System Pulls The Plug On BusRadio. Retrieved June 15, 2009 from <http://www.wtopnews.com/?sid=1546906&nid=93>.

¹⁰⁶ de Vise, D. (2009, June 12). Montgomery Schools Cancel Service. Retrieved June 12 from <http://www.washingtonpost.com/wp-dyn/content/article/2008/12/11/AR2008121101904.html>.

¹⁰⁷ Konz, A. (2007, May 21). School Board Shelves Decision on Bus Radios, Ads. Retrieved June 11, 2009 from <http://www.obligation.org/busradioarticle.php?recordID=828>.

¹⁰⁸ Weber, D. (2008, May 8). Show Could be Over for Bus Radio on Seminole County School Buses. *Orlando Sentinel*. Retrieved June 3, 2009 from <http://www.commercialalert.org/issues/education/busradio/show-could-be-over-for-bus-radio-on-seminole-county-school-buses>.

CCFC has also heard from parents who successfully opposed the installation of BusRadio in several towns in Massachusetts and the Pajaro Unified School District in California. Unfortunately, most parents do not become aware of BusRadio until after it has been installed in their district (and sometimes not even then). CCFC does not know of a single instance where a school board received significant feedback from parents before entering into agreement with BusRadio.

C. State Agency Opposition To Busradio

Two states have prohibited the use of BusRadio on school buses. In New York, the State Board of Regents adopted rules prohibiting commercial activity on school grounds, including school buses in 1990.¹⁰⁹

In South Carolina, concerns about school bus advertising – both interior billboards and BusRadio – led the South Carolina Board of Education to prohibit all school bus ads. The decisive 13-2 vote in favor of banning school bus advertising was even more impressive given the fact that BusRadio hired some of the state’s most powerful lobbyists to oppose it.¹¹⁰

D. Editorials Opposing BusRadio

A wide-range of newspapers from across the United States have run editorials or opinion pieces urging their local school districts not to contract with BusRadio or to end an existing agreement. Columns or editorials opposing BusRadio have appeared in the *Nashua Telegraph*, the *Marietta Daily Journal*, the *Boston Globe*, the *Orlando Sentinel*, the *Jonesboro Sun*, the *Denver Post* and the (South Carolina) *Post and Courier*.¹¹¹ CCFC is unaware of any editorial that urged school districts to sign up for BusRadio.

¹⁰⁹ Retrieved June 1, 2009 from <http://www.commercialalert.org/NYSEDMemoBusRadio.pdf>.

¹¹⁰ BusRadio Hired Kenneth Kinard, Jason Puhlasky, Graham Tew, and Warren Tompkins to lobby on their behalf in South Carolina. <http://www.scstatehouse.gov/reports/NonStateLobbNov132008.pdf>, lines 190, 276, 359, & 366.

¹¹¹ The full text of all of these editorials is included as Attachment B.

E. Only A Small Minority Of School Districts Have Signed Up For BusRadio

In addition to the active opposition to BusRadio detailed above, it is worth noting that an overwhelming majority of school districts have not contracted with BusRadio to date. The more than one million students that BusRadio claims to reach are a small fraction of the approximately 23,500,000 U.S. children who ride the bus to school each day. As far as CCFC has been able to ascertain, BusRadio is currently installed in only six of the 394 school districts in BusRadio, Inc's home state of Massachusetts.

This is not to suggest that the BusRadio is so insignificant that the Commission or Congress should not be concerned. Over one million students is a substantial number and BusRadio continues to court school districts. In addition, now that the business model has been established, it is possible that competitors will begin producing commercial broadcasts for school buses. But the fact that, to date, most school districts appear to be uninterested suggests that these districts, like CCFC, believe that forcing students to listen to advertising is not in the public interest.

CONCLUSION

For the reasons stated throughout this comment, CCFC urges the Commission to report to Congress that commercial programming services targeted to children onboard school buses are not in the public interest. It is not in children's interest to make exposure to advertising compulsory and parents are undermined when there is no way to prevent their children's exposure to harmful media or marketing messages. Moreover, CCFC's is extremely concerned about the business practices of BusRadio, Inc., which is currently the only service offering student-targeted commercial broadcasts on school buses. BusRadio uses inappropriate marketing

techniques to target children and promotes media and other products to young children that many parents would find objectionable.

Respectfully submitted,

Susan Linn, Director
Josh Golin, Associate Director

Campaign for a Commercial-Free Childhood
53 Parker Hill Ave
Boston, MA 02120
617.278.4172

June 15, 2009

Attachment A: Coalition Letter Sent to Advertisers about BusRadio and Channel One

Available at <http://www.commercialalert.org/news/news-releases/2006/09/childrens-advocates-ask-companies-not-to-advertise-on-busradio-and-channel-one>

News Release

For Immediate Release:
Thursday, September 14, 2006

For More Information Contact:
Gary Ruskin (503) 235-8012
Sarah Roberts (202) 255-8332

Children's Advocates Ask Companies Not to Advertise on BusRadio and Channel One

Children's advocates sent letters today to the 100 leading national advertisers and the top 50 advertising agencies, requesting that they pledge not to advertise on BusRadio and Channel One, two companies that compel school children to watch or listen to advertising.

The letters were endorsed by 40 organizations and 64 children's advocates. Endorsers include the American Family Association, Center for Science in the Public Interest, Consumers Union, Eagle Forum, Global Exchange and the National PTA, as well as the National Council of Churches Committee on Public Education and Literacy and the Presbyterian Church (USA) Office of Child Advocacy.

The letters are the first step in a new campaign to remove BusRadio and Channel One from every school in the United States. The campaign is organized by Commercial Alert, the Center for a New American Dream and Obligation, Inc.

Following is today's letter to the leading national advertisers and ad agencies.

Dear Corporate/Ad Agency Leader:

As you know, advertising is now commonplace in the public schools. Yet, many advertising and marketing professionals have deep misgivings about marketing to school children. According to a 2004 Harris poll of youth advertising and marketing professionals, only 45% "feel that today's young people can handle advertising in schools." Not surprisingly, 47% believe that "schools should be a protected area" and that "there should not be advertising to students on school grounds."

We are writing to ask for your help to turn your industry's conscience into a reality, and to protect our children and their education from aggressive marketers.

Channel One is a highly controversial in-school marketing company that delivers televised content to nearly 11,500 schools throughout the nation. In exchange for video equipment, these schools now spend one full school week each year watching television, including one full school day just for the ads. According to the Harris poll, 61% of youth marketing professionals believe that it is "inappropriate" for

companies like Channel One to “provid[e] instructional material that integrates brand names and products into the lessons.”

BusRadio is the newest foray of advertisers into public schools. It seeks to install special radio equipment into school buses that will carry that company’s offerings, including eight minutes of ads per hour. In its contract with school districts, BusRadio does not rule out advertising any particular type of products. If Channel One is any guide, we might expect BusRadio to advertise junk food, soda pop, violent and sexualized entertainment, and movies that encourage school children to smoke tobacco.

Whatever BusRadio advertises, children as young as six will have no choice as to whether to listen or not. Nor will their parents be able to exercise any control over their children’s exposure. The sales pitches will fill the bus and interfere with those children who want to read, study, talk, pray, or do almost anything else other than listen to the programming. According to the Harris poll, 69% of youth advertising and marketing professionals believe that “advertising on school buses” is “inappropriate.”

We agree with these professionals. We believe it is wrong for a company to use compulsory school attendance laws to force a captive audience of children to listen to advertising. As most practitioners in the field recognize, successful advertising depends on the willing participation of both advertiser and consumer. BusRadio and Channel One violate this fundamental principle.

We are asking your [company/agency] to pledge by October 15 not to buy advertising on BusRadio or Channel One. We hope you will join with us and affirm that school children should not be compelled to listen to or watch advertising.

We will follow up with you in the next two weeks about whether your [company/agency] will make this pledge. We would welcome the opportunity to discuss at your convenience the issues in this letter. Please feel free to call Jim Metrock of Obligation, Inc. at (205) 822-0080, Gary Ruskin of Commercial Alert at (503) 235-8012, or Monique Tilford of the Center for a New American Dream at (301) 891-3683. We look forward to your reply.

Sincerely,

Action Coalition for Media Education
Alliance for Childhood
American Family Association
California Center for Public Health Advocacy
Campaign for a Commercial-Free Childhood
Center for a New American Dream
Center for Community and Corporate Ethics
Center for Ecoliteracy
Center for Food & Justice, UEPI, Occidental College
Center for Science in the Public Interest
Center for Screen-Time Awareness
Children Now
Children’s Health Environmental Coalition
Coalition for Commercial-Free Schools

Concerned Women for America
Commercial Alert
Consumer Action
Consumers Union
Corporate Ethics International
Dads & Daughters
Eagle Forum
Essential Action
Global Citizen Center
Global Exchange
Massachusetts Action for Healthy Kids
Massachusetts Public Health Association
MomsRising
National Council of Churches Committee on Public Education and Literacy
National PTA
Obligation, Inc.
Organic Consumers Association
Parents' Action for Children
Simple Living Network
Sojourners
Teachers Resisting Unhealthy Children's Entertainment (TRUCE)
The Motherhood Project
The Presbyterian Church (USA) Office of Child Advocacy
The Simplicity Forum
Unitarian Universalist Association of Congregations
Vermont Earth Institute

Cecile Andrews, author, *The Circle of Simplicity*

Joan Blades, co-founder, MoveOn.org; co-author, *Motherhood Manifesto*

Dina Borzekowski, EdD, Assistant Professor, Department of Health, Behavior and Society, Johns Hopkins Bloomberg School of Public Health

David Bosworth, Associate Professor, Creative Writing Program, Department of English, University of Washington

T. Berry Brazelton, MD, Professor of Pediatrics, Emeritus, Harvard Medical School, Children's Hospital Boston; Founder, Brazelton Touchpoints Center; co-author, *Touchpoints 0-3* and *Touchpoints 3-6*

Brita Butler-Wall, PhD, Member, Seattle School Board; Executive Director, Citizens' Campaign for Commercial-Free Schools

Raffi Cavoukian, singer, author, founder of Child Honoring

Dimitri A. Christakis, MD, MPH, Associate Professor of Pediatrics and Director, Child Health Institute, University of Washington School of Medicine; co-author, *The Elephant in the Living Room: Make Television Work for Your Kids*

Thomas J. Cottle, PhD, Professor of Education, Boston University; author, *When the Music Stopped*, *Sense of Self* and *At Peril*

Donald R. Davis, PhD, Research Associate, Biochemical Institute, University of Texas at Austin

John De Graaf, co-author, *Affluenza: The All-Consuming Epidemic*

Nathan Dungan, President and Founder, Share, Save, Spend; author, *Prodigal Sons & Material Girls*

Teresa K. Duryea, MD, Associate Professor, Academic General Pediatrics, Baylor College of Medicine

The Rev. O. C. Edwards, Jr., Episcopal priest (retired); Co-chair, National Council of Churches Faith & Order Commission

Marjorie V. Fields, EdD, Professor Emeritus, Early Childhood Education, University of Alaska SE

Roy F. Fox, Professor and Chair, Department of Learning, Teaching, & Curriculum, University of Missouri-Columbia; author, *Harvesting Minds* and *MediaSpeak*

Henry A. Giroux, PhD, Global Television Network Chair Professor, English and Cultural Studies, McMaster University; author, *America on the Edge*, *The Abandoned Generation*, and *Teachers as Intellectuals*

Todd Gitlin, PhD, Professor of Journalism and Sociology, Columbia University; author, *The Intellectuals and the Flag*, *The Sixties*, and *Media Unlimited*

Joan Gussow, EdD, M. S. Rose Professor Emeritus, Nutrition and Education, Teachers College, Columbia University

Jon D. Hanson, Professor of Law, Harvard Law School

Hal Hamilton, Executive Director, Sustainability Institute

Jacqueline Hamilton, Executive Director, Educational Consortium of Central LA

Randy Hayes, Executive Director, International Forum on Globalization

Sut Jhally, PhD, Founder and Executive Director, The Media Education Foundation

Carden Johnston, MD, FAAP, FRCP, Past President, American Academy of Pediatrics

Tim Kasser, PhD, Associate Professor of Psychology, Knox College; author, *The High Price of Materialism*

Francine Kaufman, MD, Professor of Pediatrics, Keck School of Medicine, University of Southern California; author, *Diabetes: A Doctor and Her Patients on the Front Lines of the Obesity-Diabetes Epidemic*

Stephanie Kaza, Professor, Environmental Program, University of Vermont

Jean Kilbourne, author, *Can't Buy My Love: How Advertising Changes the Way We Think and Feel*

David C. Korten, author, *When Corporations Rule the World* and *The Great Turning: From Empire to Earth Community*

Velma LaPoint, PhD, Professor, Department of Human Development & Psychoeducational Studies, Howard University

Frances Moore Lappe, author, *Diet for a Small Planet* and *Democracy's Edge*; co-author, *Hope's Edge*

Diane E. Levin, PhD, Professor of Education, Wheelock College; author, *Remote Control Childhood*

David Marshak, PhD, Professor, College of Education, Seattle University

Robert McChesney, PhD, Research Professor, University of Illinois at Urbana-Champaign; author, *The Problem of the Media*

Bob McCannon, Founding Executive Director, The New Mexico Media Literacy Project

Bernard McGrane, PhD, Associate Professor of Sociology, Chapman University; author, *The Un-TV and the 10 Mph Car*

Bill McKibben, author, *The End of Nature*, *Enough*, *Wandering Home*, and *The Age of Missing Information*

Robert A. Mendelson MD, FAAP

Tom Meyer, PhD, Director, Hudson Valley Writing Project; Associate Professor of Secondary Education, SUNY New Paltz

Mark Crispin Miller, PhD, Professor of Professor of Culture and Communication, New York University; author of *Boxed In*, *The Bush Dyslexicon* and *Foiled Again*

Stephanie Mills, author, *Epicurean Simplicity*
Diane M. Morrison, PhD, Professor, University of Washington School of Social Work
Peggy O'Mara, editor and publisher, Mothering Magazine
Kathleen G. Nelson, MD, FAAP, Senior Associate Dean for Faculty Development and Professor of Pediatrics, University of Alabama School of Medicine
Marion Nestle, PhD, MPH, Paulette Goddard Professor of Nutrition, Food Studies, and Public Health, New York University; author, *Food Politics*, *Safe Food* and *What to Eat*
Terry Parsons, Staff Officer for Stewardship, the Episcopal Church in the United States of America
Mary Pipher, author, *Reviving Ophelia*, *Writing to Change the World* and *Letters to a Young Therapist*
Alvin F. Poussaint, MD, Professor of Psychiatry, Harvard Medical School; Director, Media Center, Judge Baker Children's Center
Vicki Robin, co-author, *Your Money or Your Life*
Jeanne and Dick Roy, Co-Founders, Northwest Earth Institute
John Ruby, DMD, PhD, Associate Professor of Pediatric Dentistry, School of Dentistry, University of Alabama at Birmingham
Susan Sarandon
Juliet Schor, PhD, Professor, Department of Sociology, Boston College; author, *Born to Buy*, *The Overspent American* and *The Overworked American*
Donald Shifrin, MD, FAAP, Clinical Professor of Pediatrics, University of Washington School of Medicine
Michele Simon, JD, MPH, Adjunct Professor, University of California, Hastings College of the Law; author, *Appetite for Profit*
Joshua Sparrow, MD, Assistant Professor of Psychiatry, Harvard Medical School; co-author, *Touchpoints 0-3* and *Touchpoints 3-6*
Inger L. Stole, Associate Professor, Institute of Communications Research, University of Illinois at Urbana-Champaign; author, *Advertising on Trial*
Vic Strasburger, MD, Professor of Pediatrics, University of New Mexico School of Medicine; co-author, *Children, Adolescents, & the Media*
Charles Terry, former President, The Philanthropic Collaborative
Julie Taylor, Children, Youth and Family Advocacy, Women's Division, United Methodist Church
Rev. Romal J. Tune, CEO Clergy Strategic Alliances, LLC
Jeff Weissglass, Board Chair, More Than Money Institute
Frederick J. Zimmerman, PhD, Associate Professor, Departments of Health Services & Pediatrics, University of Washington; co-author, *The Elephant in the Living Room: Make Television Work for Your Kids*

Attachment B: Editorials and Op-Eds Opposing BusRadio

Laura Armstrong: What's playing on your children's school bus radio?

Laura Armstrong
Marietta Daily Journal
May 27, 2009

Available at

<http://www.mdjonline.com/content/index/showcontentitem/area/1/section/21/item/132111.html>

Has your second-grader come home begging for a Cingular cell phone? Are the kids asking you to "check out" a racy new sitcom or Web site? Do they know the lyrics to rap songs, even when your family doesn't condone that music?

Well then, Cobb must have Bus Radio.

Surpriiiiise!

"Everybody knows about it," offered Skyler Hanson, my highly observant, eighth-grade niece.

Everybody, that is, except the parents.

Bus Radio, a controversial Massachusetts-based service that contracted with Cobb schools at some point after it debuted in 2006, targets children on school busses up to ninety minutes each day.

I found out about it for the first time last week from a children's advocate in Birmingham, Jim Metrock. His organization, Obligation, Inc., was founded in the 90s to remind area businesses they have a responsibility to children. Jim's memo, sounding the alarm on commercialism forced upon our children, reached me via a PTA member and immediately set off my mom-radar.

At the bus stop, I confirmed with our elementary driver that she has Bus Radio. She rolled her eyes and motioned, but despite my giving her a business card, a note and Metrock's memo, she didn't call me with input. My guess is she doesn't want to get in trouble, and I don't blame her, though wouldn't it be great to hear what Cobb's wonderful, caring drivers (many are moms) think about it?

I queried my first-grade neighbor, Meagan.

"What's playing on the bus, sweetie?"

She scrunched up her face, looked sheepishly at her mom and replied, "It's gangster music, Mommy. But it's inappropriate, I know."

"What else, Megan?" her mom asked.

"Commercials for Nintendo and stuff," she answered innocently, still worried about the gangster music.

This is not good.

Skyler, who's 13 going on 23, told me her bus doesn't play it, but most do, and she's heard it many times. The rap music, she says, has profanity bleeped, "but all the kids just sing the words anyway." And if the sixth-graders don't understand it, the older kids are happy to explain.

"Everyone talks about it. They prank call the DJs during school and on the bus," she added, astutely observing they have to get permission slips signed to watch a PG movie at school but the "suggestive" music plays on Bus Radio everyday, regardless.

Former school board member Lindsey Tippins told me he remembers Bus Radio being approved because it was "revenue-positive" but opined, "If questionable music is played, it should be gone." He doesn't recall any parent complaints.

Current board Chairman John Abraham, the only elected official to my knowledge who's taken time to ride a bus in mid-August heat, e-mailed that he plans to review the initial decision on Bus Radio and whether parents have complained about content. He also plans to ride again and hear for himself.

There is so much more to this issue. You must see www.obligation.org as well as www.busradio.com. Talk to your children. Are your family standards being undermined by Bus Radio?

The school board needs to hear from you.

BusRadio Service Warrants Debate

Roy Ockert Jr
Jonesboro Sun
May 27, 2009

Available at <http://www.jonesborosun.com/archivededitorials.php?ID=2058&Search=busradio>

Jonesboro school administrators and members of the Board of Directors should take a closer look at the BusRadio program, which has been allowed on district buses for some time. We hadn't heard anything about it until our school beat reporter was invited along Friday for a bus ride with a singer whose work is used on BusRadio and her publicist. But BusRadio has made quite a reputation for itself, and it's not all good. The first thing that concerns us is that Jonesboro is the only district in the state that subscribes. The service has been available for about three years so you'd think that more schools would have picked up on it — if the service were worthwhile.

BusRadio, a Massachusetts company, bills itself as “an innovative media company that reaches over 1 million students every day on their bus ride to and from school.” Its Web site says: “By offering a superior, age-appropriate alternative to AM-FM radio programming, students are engaged and entertained in the safest way possible. Exclusive agreements with school districts and school bus contractors in the top 40 markets mean 10,000 school buses nationwide are fitted with our customized digital radio units.”

The company offers an attractive deal to school districts, installing and maintaining radio equipment on each bus and providing its WiFi radio broadcasts free of charge. The equipment includes a PA system, a Global Positioning Unit and a “panic” button that allows bus drivers to alert authorities in case of an emergency. And the district gets a kickback of 5 percent on ad revenue from its broadcasts.

That's one of the reasons many people object to BusRadio. Each hour-long program includes eight minutes of commercial messages and two minutes of sponsored contests, plus frequent plugs of the BusRadio Web site. Advertisers can also purchase blocks of the program or provide a celebrity disc jockey, who can then promote a brand, movie or music at will. Because it is not subject to Federal Communications Commission regulations, BusRadio can accept fees to play certain music.

The idea, though, is that BusRadio provides only “age-appropriate content,” and it offers different programs for elementary, middle and high school levels. That's in line with the company's contention that most AM-FM programming is not appropriate for children.

“Today's AM-FM programming is not designed for kids. Inappropriate lyrics, adult-themed DJ banter and commercials for products such as alcohol and R-rated movies are pervasive on the AM-FM dial,” the BusRadio Web site claims. “BusRadio's programming gives kids more of the music they want minus the offensive lyrics, with one-third the sponsorships per hour of AM-FM and positive safety messages and PSAs.”

That's a matter of opinion, of course, but school leaders and patrons should listen to some of the commercial messages offered.

BusRadio gets rid of offensive song lyrics but often only by bleeping them. Playing sanitized versions of songs by raunchy artists only encourages young people to become fans of those artists and to seek more of their music elsewhere.

The company also contends that its programming improves behavior on the bus because students want to hear the music. But its proof is a survey of 10 bus drivers, conducted before advertising became part of the programs.

The National Parent-Teacher Association was one of the first voices raised against BusRadio. In its newsletter of Sept. 19, 2006, the National PTA urged leading national advertisers and ad agencies not to advertise on BusRadio or Channel One, which offers a similar deal in exchange for classroom television equipment. The PTA charged that both companies were exploiting children through commercial operations by giving schools financial incentives.

Since then a number of school districts across the country have pulled out of deals with BusRadio or rejected offers, many in response to complaints from parents.

In March the Denver Post urged several Colorado districts subscribing to the service to "pull the plug on BusRadio, or at least let parents decide if they want their kids to ride on a taxpayer-subsidized bus listening to commercial ads."

The Jonesboro district should debate whether this is a proper educational service to offer.

School Districts Should Pull Plug on BusRadio

The Denver Post

Editorial

03/08/2009

Available at http://www.denverpost.com/opinion/ci_11847869

Children are bombarded with enough advertising. They don't need to hear Hannah Montana and cellphone ads on the bus.

Many parents rightly wish to filter at least a fraction of the rampant commercialization that bombards their children.

Yet these days, even on the way to and from school on their yellow buses, children in several Colorado districts are listening to BusRadio.

The Internet-radio program purports to "calm" children with "age appropriate" programming, according to The Post's Carlos Illescas. What it actually does is subject its captive audiences to pop culture and advertisements for such things as toys, cable networks and cellphone service.

BusRadio is featured on several Colorado school-district buses, including in Aurora, Denver and Douglas County, and apparently was added with limited parent buy-in.

School districts should pull the plug on BusRadio, or at least let parents decide if they want their kids to ride on a taxpayer-subsidized bus listening to commercial ads.

We understand, and benefit from, advertising. We have nothing against toys and music and phones.

But children already are inundated with a bewildering mix of images and sounds that vie for their attention on a near-constant basis.

Denver Public Schools spokesman Alex Sanchez tells us that parents at one school in a pilot program last year "overwhelmingly" supported the "sanitized" BusRadio over the regular FM/AM broadcasts the district had been using.

We suggest another alternative: silence, or at least the natural noise of kids being kids.

We can think of a few things better to do on the bus than listen to commercial radio: Read, do homework, talk with friends, laugh, stare out the window, daydream — maybe

even use your imagination.

Children shouldn't be subjected to commercial broadcasting and advertising while they're on taxpayer-funded buses. We've put up with the soda-pop logos in schools as a way to make

money, but this just seems unnecessary.

The company's marketing schtick ought to have been as easy to see as the brightest of yellow buses.

BusRadio provides the service to school districts for free, but gives districts a piece of the action — 5 percent of profits from all those ads bombarding kids.

"For us, it's all about bus safety," Sanchez maintains. "We want to make sure that the kids can be in their seats listening to age-appropriate music that keeps them in their seats."

Then blast Mozart, not Hannah Montana. Has teeny-bopper rock ever calmed a child?

Meanwhile, DPS parents weren't told directly of the program, but had to learn about it online.

Parents should be consulted on the program if districts are going to continue it. But it would be much simpler to just tell BusRadio — or any other commercial radio programming — to get off the bus.

Our Position: It's Time Seminole's School Board Pulled the Plug on Bus Radio and its Ads

Orlando Sentinel

Editorial

May 11, 2008

Available at <http://www.commercialalert.org/issues/education/busradio/our-position-its-time-seminoles-school-board-pulled-the-plug-on-bus-radio-and-its-ads>

Seminole County School Board members ought to tune in to an advisory committee's recommendation to pull the plug on Bus Radio, the prerecorded music-and-advertising programming being broadcast to students.

Students are bombarded with enough advertising images each day without the school district blessing more ads on buses—where it would be impossible for kids to escape them.

The board approved this bad idea as a pilot project, but parents and consumer advocates immediately cried foul. It didn't help that some of the music accompanying the ads came from albums with parental advisory warnings.

Music could help control students on the bus. Seminole County schools ought to look for a better way for bus drivers to play some tunes—ad free.

It's bad policy to make kids prisoners of school bus ads

Sen. W. Greg Ryberg

The Post and Courier

March 5, 2008

Available at

http://www.postandcourier.com/news/2008/mar/05/its_bad_policy_make_kids_prisoners_school_bus_ads/

The State Department of Education recently announced plans to allow school districts to raise revenue by renting advertising space, visual and audio, on public school buses. My initial disbelief quickly gave way to my strong impetus to prohibit the commercialization of a space wherein children involuntarily spend sometimes up to three hours a day. Our children should not be the guinea pigs of Madison Avenue.

I filed legislation to prohibit the public school system from forcing children to hear or view advertising harmful to them or objectionable to their parents. Most parents steer their children away from destructive advertising. Parents, however, do not ride the bus to school with their children and could not prevent their children from being forced to view a cartoon character selling them donuts or a computer generated salesman pitching the latest version of a seek-and-kill game. Why should parental protection stop at the school bus door?

New revenue for school districts need not come off the backs of our children. As a member of a legislative committee investigating student transportation funding in 2004, I heard from private providers who offered solutions that cost less and increased service. I still have a letter from one such provider, dated September 2005, that offers South Carolina a fleet of new buses, their operation, maintenance and a seven-year replacement cycle for approximately \$70 million per year. This cost pales in comparison to the \$39 million we spent last year only to replace less than half the buses, but not to service them. Surely we would consider this before we start subjecting our kids to barkers for chewing gum.

Proponents of the advertising scheme paint it as a public-private partnership whereby an injection of the free market supports the provision of government services without additional cost to the taxpayers. The problem with the analogy, however, lies in the definition of "free."

A free market marries a willing seller with a willing buyer, and the key to the efficient functioning of a free market is the ultimate ability for either party to walk away from the deal. The school bus ad proposal, however, pits willing sellers, the advertisers, against entrapped buyers, the school children (and by extension their parents). This deal, in other words, looks a lot like the prison cafeteria — you'll get what we serve, and you'll like it. The extension of this logic leads to ads on the front of the teachers' desks, on the locker doors, and finally on the hallway walls. Perhaps the principals and teachers could wear patch-emblazoned uniforms like NASCAR drivers, and before they speak to a PTA meeting, they can thank all their corporate sponsors for their support.

The business model for companies that market to children relies upon a simple premise: children cannot discern as readily as adults. As a result, they fall prey more easily to smooth pitches and sparkling visuals.

Those business models reap a handsome reward. The Campaign for a Commercial-Free Childhood reports that, "From 1992 to 1997, the amount spent marketing to children rose from \$6.2 billion to \$12 billion. Today, marketers spend at least \$15 billion a year targeting children."

The results are clearly worth it:

-- Children ages 4-12 made \$30 billion in purchases in 2002, a remarkable increase from the \$6.1 billion they spent in 1989.

-- Children ages 12-19 spent \$170 billion in 2002 — a weekly average of \$101 per teenager.

-- Children under 12 influence \$500 billion of purchases a year.

The professional consensus on advertising to children also confirms that such advertising frequently exploits the desire of all children to establish their own unique identities, even to the point of self-destructive behavior. The hard-liquor industry broke a self-imposed ban on television advertising in 1996, and by 1999 eight of the 15 shows most popular with teens had alcohol advertising.

Many remember the eventual admission that Joe Camel really targeted children, not adults. A 2006 report by the American Association of Pediatrics summarized the pervasiveness of the problem by noting that, "Young people view more than 40,000 ads per year on television alone and increasingly are being exposed to advertising on the Internet, in magazines and in schools. This exposure may contribute significantly to childhood and adolescent obesity, poor nutrition, and cigarette and alcohol use."

South Carolina needs new buses for its schoolchildren. It need not, however, turn those buses into Orwellian internment camps wherein the children receive a daily force-feeding of the latest offerings of an industry seeking to hook clients at an early age and trap them for life into whatever profit center bids the highest for the school-bus platform. Surely our children are more valuable than that.

BusRadio Proposal Should be Silenced

Nashua Telegraph

Editorials

September 16, 2008

Available at

<http://www.nashuatelegraph.com/apps/pbcs.dll/article?AID=/20080916/OPINION01/309169986&SearchID=73330182974822>

One of the downsides of settling the contentious Nashua teachers contract earlier this year has finally reared its ugly head.

The administration now has enough time on its hands to once again consider installing BusRadio on some or all of the district's 86 school buses.

We thought that was a bad idea when it first came up in the spring of 2007, and we still believe it's a bad idea today.

BusRadio Inc., based in Needham, Mass., uses a Wi-Fi network to provide what it describes as "age-appropriate top-40 music" to school districts across the United States.

In a typical hour, students would hear 52 minutes of carefully screened music, four minutes of advertising and four minutes of public safety announcements – all if it packaged for three different audiences: elementary, middle and high-school students.

Not only does the company install the necessary technology on school buses at no cost to school districts, but it also cuts them in for a small slice – estimated for Nashua at \$10,000 – of the advertising revenue.

Currently, more than a million students in 24 states listen to BusRadio on a daily basis, according to the company's Web site (busradio.net).

Among the school districts that recently agreed to contract with BusRadio are the Rio Rancho Public Schools in New Mexico, Davidson County Public Schools in North Carolina and the Kenton and Boone county school districts in Kentucky.

In Nashua, the board of education actually voted to authorize the administration to enter into a contract with BusRadio in September of 2007.

But nothing ever materialized, transportation director David Rauseo told the school board last Monday night, in part because of more pressing district priorities, such as negotiating a new contract with the city's teachers.

"It gives us control of what's being played," he said. "There's really very little risk involved. And if we don't like it, we don't have to use it."

Rauseo told the board he would like to install the system on the district's school buses during the

current school year.

So what would students hear?

Based on an hour-long demo provided to the school board two years ago, the elementary school version consisted of songs by artists such as Smashmouth, Tiffany and Hillary Duff, as well as a few tracks from "High School Musical."

During that 60-minute period, the phrase "BusRadio" or references to its Web site were mentioned 30 times; in the middle school and high school version, they were mentioned 43 times.

At the risk of oversimplifying, the debate comes down to providing children with an appropriate alternative to your typical AM/FM programming vs. exposing a captive audience to eight minutes of national sales pitches for their products.

A few states have outright bans against any commercial activity directed at students – either on school property or while being transported to and from school.

The most recent was South Carolina, where the state board of education voted just last week to ban all advertising on school buses.

Now, to be clear, we don't believe for a moment that school administrators are looking to exploit the city's schoolchildren in return for a \$10,000 annual payday. That would be silly.

We just disagree that the desire for more age-appropriate radio content trumps exposing the district's 8,500 bus-bound students to what amounts to district-sanctioned advertising.

As we wrote back in April 2007: "If bad morning radio is a problem on our school buses, then simply turn the music off, permanently. Subjecting our students to predatory and needless marketing at the hands of their educational system is not the answer."

Besides, don't most kids have iPods these days, anyway?

Listen Up: No Radio

Boston Globe

Derrick Z. Jackson

June 10, 2006

Available at:

http://www.boston.com/news/globe/editorial_opinion/oped/articles/2006/06/10/listen_up_no_radio/

HERE IS another shallow idea that reveals the depth of commercial predation on children. A start-up company in Needham called BusRadio wants to put commercial radio on school buses. Its scam runs similar to soda sponsorships of scoreboards and fast-food restaurants' sponsorships of food courts in high schools around the country. You hand us the children for our advertisers, we hand you the money.

Like junk-food companies that claim to be saviors by plugging holes in poverty-stricken school budgets, BusRadio says it will be the great pacifier that bus drivers can use to calm children. It proudly displays on its website a survey of 10 bus drivers who use the programming in Woburn, Arlington, and Wakefield. The drivers say the student noise level was slashed by more than half and their good-behavior ratings more than doubled.

BusRadio claims it is a "behavioral tool" that "is designed specifically to improve bus safety while providing the students with both age appropriate content and an entertaining ride to and from school."

Translated, that means narcotizing children for the commercials. BusRadio says that in a typical hour, it will have 44 minutes of music and news and only 8 minutes of advertising. Marketeers know that is all the time they need.

A study published this spring in the medical journal Pediatrics found that seventh- and eighth-graders who watched Channel One in their schools recalled a greater number of advertisements than news stories even though Channel One says it provides 10 minutes of news and only 2 minutes of advertising. The researchers from Washington State University and the University of Illinois-Urbana found that students who liked Channel One purchased more of the products advertised on it. Students more likely than not assumed that teachers had approved of the commercials.

In a related study also published this spring in the Archives of Pediatric and Adolescent Medicine, researchers at Stanford University found that the more children watched television, the more requests they made of parents for advertised toys and junk food. Other studies have been proving aspects of that point for the last 30 years.

A message left on the voice mail of BusRadio co-founder Michael Yanoff was not returned. Its website is not shy. It said it "will take targeted student marketing to the next level. Every morning and every afternoon on their way to and from school, children across the country will be listening to the dynamic programming of BusRadio, providing advertisers with a unique and effective way to reach the highly sought after teen and tween

market."

Yanoff and BusRadio co founder Steven Shulman are known for injecting advertising into school time. For the last decade and a half, they have given millions of book covers free to schools. The covers are full of ads for junk food, soda, and expensive fashions. The ads are in students' faces every time they open their books. They have added to the daily advertising assault on our youth. On television alone, the Kaiser Family Foundation estimates that youths see 40,000 ads a year.

Even though there is some rebellion against this around the country, such as school systems kicking out soda machines, Yanoff and Shulman obviously figure that the school bus is no longer sacred. Their website says it is going to try to increase its current audience of about 100,000 students to 1 million by September 2007.

Some big systems are not buying, including the biggest one in BusRadio's home state. "We don't want to blindly follow any kind of message we don't control," said Boston Public Schools spokesman Jonathan Palumbo. "Our feeling is that radio could also be one more thing that incites kids and distracts the drivers." Wakefield, one of the systems quoted in BusRadio's good-behavior survey, told the Globe earlier this week that it is discontinuing the program.

We should discontinue this assault on youths. Whatever students currently do on school buses, whether that is talking, cramming for a test, or listening privately to music on headphones, let them do it. The last thing they or their parents need, in this era of obesity and materialism, is yet another ad for clothes or greasy burgers. BusRadio is advertised as the next pacifier. It is meant to paralyze children so that Madison Avenue can prey on them one more time.