INSTRUCTIONS FOR FCC 398

CHILDREN'S TELEVISION PROGRAMMING REPORT

GENERAL INSTRUCTIONS

Introduction.

This FCC Form is to be used to provide information on the efforts of commercial television broadcast stations, including Class A television stations, to provide children's educational television programming as required by the Children's Television Act of 1990, Pub. L. No. 101-437, 104 Stat. 996-1000, codified at 47 U.S.C. §§ 303a, 303b, 394, and the Commission's regulations implementing that statute. See Report and Order in MM Docket No. 93-48, 11 FCC Rcd 10660 (1996); Report and Order and FNPRM in MM Docket No. 00-167, 19 FCC Rcd (2004).

Applicable Rules and Regulations.

Before this form is prepared, the licensee should review the relevant portions of Sections 73.671, 73.673. 73.3526(e)(11)(iii) in Title 47 of the Code of Federal Regulations (C.F.R.). Copies of Title 47 may be purchased from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. You may telephone the GPO Customer Service Desk at (202) 512-1800 for current prices. Licensees should make every effort to file complete forms in compliance with the rules. Replies to questions on this form and the licensee's statements constitute representations on which the FCC will rely in considering the renewal of the licensee's television broadcast authorization. Thus, time and care should be devoted to all replies, which should reflect accurately the licensee's efforts to provide children's educational television programming as required by the Children's Television Act of 1990 and the Commission's rules.

Preparation and Retention of Reports.

Pursuant to 47 C.F.R. Section 73.3526(e)(11)(iii), each commercial television broadcast licensee must prepare a Children's Television Programming Report for each calendar quarter reflecting efforts made by the licensee during the quarter, as well as efforts planned for the next quarter, to serve the educational and informational needs of children. The licensee must place a copy of each quarterly report in its station's public inspection file by the tenth day of the succeeding calendar quarter (i.e., by April 10 for the first quarterly report; by July 10 for the second quarterly report; by October 10 for the third quarterly report; and by January 10 for the fourth quarterly report). All entries on the report must be typed or legibly printed in ink. The signed original of each report should be retained in the station's non-public files, and a copy placed in

the public inspection file. The reports must be separated from other material in the public inspection file, and the licensee must publicize in an appropriate manner the existence and location of these reports.

Filing Reports with the Commission.

FCC Form 398 must be filed electronically with the Commission on a **quarterly** basis on the following dates: April 10 for the first quarter report; July 10 for the second quarter report; October 10 for the third quarter report; and January 10 of the succeeding year for the last quarter report.

FCC Form 398 can be file electronically over the Internet by accessing the FCC Web site at http://www.fcc.gov, selecting Electronic filing from the menu (above the Headlines banner), then selecting the Children's Television Programming Report (FCC Form 398). Follow the instructions on that page for the electronic preparation and filing of the FCC 398 report.

No fee is required to file this report.

Incorporation by Reference.

Licensees may <u>NOT</u> incorporate by reference data, documents, exhibits, or other showings already on file with the FCC. All applicable items on this form must be answered without reference to a previous filing.

Children's Television Act Program Requirements.

Pursuant to the Children's Television Act and 47 C.F.R. Section 73.671(a), each television broadcast station licensee has an obligation to serve, over the term of its license, the educational and informational needs of children through both the licensee's overall programming and programming specifically designed to serve such needs. Licensees are required to publicize the availability of their programming specifically designed to educate and inform children in accord with 47 C.F.R. Section 73.673 and to report on these programs and related matters in accord with 47 C.F.R. Section 73.3526 (e)(11)(iii).

Educational and informational television programming is defined in 47 C.F.R. Section 73.671(c) as programming that furthers the educational and informational needs of children 16 years of age and under in any respect, including the child's intellectual/cognitive or social/emotional needs. **Core Programming** is defined as educational and informational programming that is specifically designed to serve the educational and informational needs of children and that also

satisfies the following criteria:

- (1) the program has serving the educational and informational needs of children ages 16 and under as a significant purpose;
- (2) the program is aired between the hours of 7:00 a.m. and 10:00 p.m.;
- (3) the program is a regularly scheduled weekly program;
- (4) the program is at least 30 minutes in length;
- (5) the program is identified as specially designed to educate and inform children by the display on the television screen throughout the program of the E/I symbol;
- (6) the educational and informational objective of the program and the target child audience are specified in writing in the licensee's Children's Television Programming Report, as described in 47 C.F.R. Section 73.3526(e)(11)(iii); and
- (7) instructions for listing the program as educational/ informational, including an indication of the age group for which the program is intended, are provided to publishers of program guides.

For Assistance.

For assistance with FCC Form 398, contact the Video Division of the Media Bureau at the FCC, Washington, D.C. 20554, Telephone Number (202) 418-1600.

INSTRUCTIONS FOR SPECIFIC ITEMS ON FCC FORM 398

Question 1: The licensee should provide its current call sign, analog and digital channel numbers, and community of license, including city, state, county, and zip code, as set forth in its license authorization. The licensee should also provide its licensee name, indicate the station's license renewal expiration date, indicate the call sign used on the preceding Children's Television Programming Report prepared for the station (if different from the current call sign), check the appropriate box indicating whether it is a network affiliate (if so, identify the affiliated network) or an independent station, and indicate the name of the Nielsen DMA in which the station is located. In addition, if the licensee has a World Wide Web home page, it should provide the address. The licensee should also provide the station's facility ID number.

Question 2: Indicate the average number of hours per week of core programming broadcast by the station over the past calendar quarter. Generally, in assessing whether a commercial television broadcast licensee has complied with its programming obligations under the Children's Television Act of 1990 (CTA), the Commission employs a processing guideline. For analog

stations, a licensee that has aired at least three hours per week of **Core Programming**, as averaged over a six-month period, shall be deemed to have satisfied it's obligation to serve the educational and informational needs of children and shall have the CTA portion of its license renewal application approved by the Commission's staff.

Question 3: Indicate whether the licensee provides information identifying each core program and its target child audience to publishers of program guides and, if so, list those program guide publishers.

Question 4: For each core program aired by the station during the calendar quarter for which this report is being prepared, set forth in Question 4 the following information: the title of the program; whether the program is originated by the station or its affiliated network, or is syndicated; the days and times the station regularly schedules the program; the program length (in minutes); the total number of times the program aired at its regularly scheduled time during the quarter; and the number of times the program was preempted during the quarter. If the program was preempted during the quarter, the station should complete a "Preemption Report," included in this form, for each preempted core program. The licensee should also indicate the ages of the target child audience; and include a description of the educational and informational objective of the program, as well as a discussion of how the program meets the definition of core programming set forth in 47 C.F.R. Section 73.671(c). For a qualifying regular series a general description of the series should be sufficient so long as the description is adequate to provide the public with enough information about how the series is specifically designed to meet the educational and informational needs of children.

Question 5: For each core program aired by the station during the preceding calendar quarter that is specifically designed to meet the educational and informational needs of children ages 16 and under, but does not meet one or more elements of the definition of Core Programming, set forth in Form Question 5 the following information: the title of the program; whether the program is originated by the station, its affiliated network, or is syndicated; the days and times the program aired during the quarter; the program length (in minutes); the total number of times the program aired during the quarter; if preempted and rescheduled during the quarter, the date and time the program aired; the ages of the target child audience (if applicable); a description of the program; and an indication of whether the program has educating and informing children ages 16 and under as a significant purpose. For any such program, state whether the licensee identifies the program with the symbol E/I and whether information is provided to publishers of program guides consistent with 47 C. F.R. Section 73.673.

Question 6: Pursuant to 47 C.F.R. Section 73.671(b), in addition to airing core and non-core educational and informational children's programming a licensee may contribute

to satisfying its obligation under the Children's Television Act by engaging in special efforts to produce and support educational and informational television programming aired by another station in the licensee's marketplace. List the name(s) of any core program(s) aired by other stations that are sponsored by the licensee, and identify the call letters and channel number of the station(s) airing the sponsored core program(s). Indicate whether the amount of total core programming aired on the other station(s) has increased as a result of the sponsored programming. A licensee will receive credit for special sponsorship efforts only if it can demonstrate that its production or support of such core programming aired on another station in its market increased the amount of core programming on the other station. In addition, for each core program sponsored by the licensee, set forth in Question 6 the following information: the title of the program; whether the program is originated by the station for which this report is filed or its affiliated network, or is syndicated; the days and times the program was regularly scheduled; the program length (in minutes); the total number of times the program aired during the quarter; the number of times the program was preempted during the quarter; if the program was preempted and rescheduled during the quarter, the dates and times the program aired; the ages of the target child audience; and a description of the educational and informational objective of the program, as well as a discussion of how the program meets the definition of core programming in 47 C.F.R. Section 73.671(c).

Question 7: Commercial television broadcast station licensees providing digital programming are required to serve the educational and informational needs of children. On their main program stream, digital broadcasters are subject to the same three hours per week core programming processing guideline as applies to analog broadcasters. See Question 2.

Question 8: In addition to the core programming processing guideline that applies to the main program stream, DTV broadcasters that provide additional streams or channels of free video programming, beyond that provided on their main program stream, also have the following guideline applied to their additional programming: one-half hour per week of additional **Core Programming** for every increment of 1 to 28 hours of free video programming provided in addition to the main program stream.

Question 9: See Question 3.

Question 10: See Question 4. In addition, for purposes of the CTA processing guideline for digital stations, at least 50% of Core Programming counted toward meeting the additional programming guideline (applied to free video programming aired on other than the main program stream) cannot consist of program episodes that have already aired within the previous seven days either on the station's main program stream or on another of the station's free digital program streams. Any program stream that merely time shifts the entire Core

Programming line-up of another program stream is exempt from this requirement. In addition, during the digital transition, **Core Programs** that are aired on both the analog station and a digital program stream are not considered repeated programs.

Question 11: See Question 5.

Question 12: See Question 6.

Question 13: For each analog and digital program the station plans to air during the next calendar quarter that meets the definition of core programming, set forth in Form Question 13 the following information: the title of the program; whether the program will be originated by the station or its affiliated network, or will be syndicated; the days and times the program will be regularly scheduled; the program length (in minutes); the total number of times the program will be aired during the quarter; the ages of the target child audience; and a description of the educational and informational objective of the program, as well as a discussion of how it meets the definition of core programming set forth in 47 C.F.R. Section 73.671(c).

Question 14: Indicate whether the licensee publicizes the existence and location of the station's Children's Television Programming Reports as required by 47 C.F.R. Section 73.3526(e)(11)(iii).

Question 15: Pursuant to 47 C.F.R. Section 73.3526(e) (11)(iii), licensees must identify the individual at the station responsible for collecting comments on the station's compliance with the Children's Television Act. Provide the name, address, telephone number, and the internet mail address (if available) of this individual.

Question 16: Provide any other comments or information you wish the Commission to consider in evaluating whether the licensee has met its obligations under the Children's Television Act and the Commission's rules. This may include, but is not limited to, information on any non-core educational and informational programming that the station plans to air during the next calendar quarter, as well as information on any existing or proposed non-broadcast activities that the licensee believes enhance the educational and informational value to children of the licensee's educational programming.

Preemption Reports. As indicated in Questions 4 and 9, if a core program was preempted during the quarter for any reason, the licensee should complete a Preemption Report for each preempted core program. The Report should include the following information: the title of the program; the total number of times the program was aired during the quarter (including the number of times the program aired at its regularly scheduled date and time and the number of times any rescheduled programs aired); the number of preemptions during the quarter; and the number of preemptions rescheduled during the quarter. The Report should also indicate, for each

preempted episode of the core program: the date the episode was preempted; if rescheduled, the date and time the episode was rescheduled; if rescheduled, whether promotional efforts were made to notify the public of the rescheduled date and time; and whether the rescheduled date is the program's "second home" as described in letters, dated July 11, 1997, from Roy J. Stewart, Chief, Mass Media Bureau, to: Martin D. Franks, Senior Vice President, Washington, CBS, Inc.; Alan Braverman, Senior Vice President and General Counsel, ABC, Inc.; Rick Cotton and Diane Zipurky, NBC, Inc. The Report should also indicate for each preempted episode the reason for the preemption.

FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT

We have estimated that each response to this collection of information will take 12 hours. Our estimate includes the time to read the instructions, look through existing records, gather and maintain the required data, and actually complete and review the form or response. If you have any comments on this burden estimate, or on how we can improve the collection and reduce the burden it causes you, please e-mail them to pra@fcc.gov or send to the Federal Communications Commission, AMD-PERM, Paperwork Reduction Project (3060-0754), Washington, DC 20554. Please DO NOT SEND COMPLETED APPLICATIONS TO THIS ADDRESS. Remember - you are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number of if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0754.

THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, P.L. 104-13, OCTOBER 1, 1995, 44 U.S.C. 3507.

FCC 398

Children's Television Programming Report

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	Analog	_											
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acility ID Nu	ımber	Previous Call Sign (if app	plicable)			Lice	nse R	enewa	l Expi	iration I	Date	(mn	n/dd/yy
requ	uired by 47 C.F.R. Sec	f the target child audience, to ction 73.673? were sent information in 3.a.		ers of	progra	m gui	ides a	S		Yes		ľ	No
-	•	ach program that you aired o	_	-			s that	meets					
Title of	Program:							Local		rigination Network		Syn	dicated
Days/Tir	mes Program Regularly	Scheduled:		l times a	aired at luled tin	ne		umber o emption		If preed Analog I			
Length	of Program:		(minut	es)									
Age of	Target Child Audienc	e from years to _		years.									
		informational objective of the		-	how i	it mee	ts the	defini	tion o	f Core I	rog	ramı	ning.
Does th	e Licensee identify th	e program by displaying thr	oughout	the pro	gram	the sy	mbol	E/I?		Yes	, [No

Non-Core Educational and Informational Programming

informational program.							ationa	l and
Title of Program:					Local	Origina Netw		Crandinat
					Local	Netw	OFK	Syndicat
Days/Times Program Reg	ularly Scheduled	Total times	Number of	If preempted	d and resch	neduled, list o	date and	d time aired.
<u>Buys</u> rimes rrogram reg	didity Scheduled.	aired	Preemptions		ates			imes
Length of Program:		(minut	tes)					
Age of Target Child Audio	ence from years	to	years.					
Describe the program.						•		
If Yes, does the program burpose?	nave educating and informi	ng chidren ag	ges 16 and u	nder as a si	gnifican	t	Yes	No
If Yes, does the Licensee ide	ntify each program by display	ing throughou	t the program	the symbol	E /I?		Yes	No
	information regarding the jublishers of program guide						Yes	No
List Core Programs, if any, n 47 C.F.R. Section 73.67	aired by other analog static		ponsored by	the Licens				
n 47 C.F.R. Section 73.671 ncreased.	aired by other analog static. Also indicate whether the	ons that are s	ponsored by total Core P	the Licensor rogramming	g broadc Station	ast by ano	ther s Did	tation total
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Digital Core Programming

7.	a.	State the average number of hours of Core Programm station on its main program stream.	ing per week broadcast by	the			
	b.	Did the Licensee broadcast on its main digital program Programming provided on its analog channel?	n stream the same Children	n's C	Core	Yes	No
	c.	If Yes to 7b, the Licensee certifies that the representation information provided with respect to its analog channel main digital program stream.			its	Yes	No
		If No to 7c, submit as an Exhibit a Statement of Expla	nation.			See explanation Exhibit No	
8.	a.	State the average number of hours per week of free over programming broadcast by the station on other than it	_				
	b.	State the average number of hours per week of Core F station on other than its main program stream. See 47		the			
9.	a.	Does the Licensee provide information identifying earlincluding an indication of the target child audience, to required by 47 C.F.R. Section 73.673?				Yes	No
	b.	Identify publishers who were sent information in 8.a.					
10.		mplete the following for each program that you aired dogramming. Complete chart below for each Core Programming.		s that	meets t	he definition of	Core
	Titl	le of Program:				Origination	
					Local	Network	Syndicated
	Day	ys/Times Program Regularly Scheduled:	Total times aired at regularly scheduled time	1	lumber of eemptions		ed, complete mption Report
	Ler	ngth of Program:	(minutes)	<u> </u>			
	Ag	e of Target Child Audience from years to	years.				
	Des	scribe the educational and informational objective of th	e program and how it mee	ts the	e definit	ion of Core Pro	gramming.
	Do	es the Licensee identify the program by displaying thro	ughout the program the sy	mbo	1 E/I?	Yes	No
	me aire tha	es the licensee certify that at least 50% of the Core Progeting the additional programming guideline (applied to ed on other than the main program stream) did not const had already aired within the previous seven days either ogram stream or on another of the station's free digital p	free video programming ist of program episodes or on the station's main			Yes	No No
	1					See explana	

Non-Core Educational and Informational Programming

					1				
Title of Program:					Local		rigination Network	Sy	yndi
								~ ,	,
Days/Times Program Regi	ılarly Scheduled:	Total times	Number of Preemptions	If preempted Da	and reso tes	heduled		nd time Times	e air
Length of Program:		(minut	tes)						
Age of Target Child Audie	ence from years	to	years.						
Describe the program.									
Does the program have ed purpose?	ucating and informing chic	lren ages 16	and under as	a significar	ıt		Yes		
	dentify each program by d	isplaying thr	oughout the	program the	symbo	ol _	Yes		
1					:				-
If Yes, does the Licensee pof the target child audience Section 73.673?	provide information regard e, to publishers of program			-	10П		Yes		
of the target child audience Section 73.673?	e, to publishers of program Sponso aired by other stations that	guides cons red Core l are sponsore	Programmed by the Lic	7 C.F.R. ning ensee and th	at mee		riteria set		in
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Other Matters

Complete the following for each analog and digital program that you plan to air for the next quarter that meets the definition of

13.

Titl	le of Program:				Origination	
				Local	Network	Syndicat
Day	ys/Times Program Regularly Scheduled:	Total times to be aired	Length of Progran	n	Age of Target C	hild Audience
			(minutes)		from years	s to yea
Des	scribe the educational and informational objectiv	e of the program and	d how it meets the	definiti	on of Core Pro	gramming.
	es the Licensee publicize the existence and location of the property (FCC 398) as required by 47			on	Yes	No
Naı	me of children's programming liaison:					
Naı	me		Telephone Num	ber (incl	ude area code)	
Adı	dress		Internet Mail Ad	ldress (it	f applicable)	
Cit	у		State	Zip Co	de	
Inc. Chi core	Plude any other comments or information you was ildren's Television Act (or use this space for supple educational and informational programming the sting or proposed non-broadcast efforts that will ldren. See 47 C.F.R. Section 73.671, NOTES 2.5	plemental explanation at you aired this quate enhance the educati	o consider in evalons). This may incurter or plan to air	uating y clude inf during t	our compliance formation on an he next quarter	y other no , or any
Chii core exist chill WII (U PEI	elude any other comments or information you was ildren's Television Act (or use this space for supple educational and informational programming the sting or proposed non-broadcast efforts that will ldren. See 47 C.F.R. Section 73.671, NOTES 2 statements. See 47 C.F.R. Section 73.671, NOTES 2 statements in this application are treating that the statements in this application are treating to the statements of the space of the statements in this application are treating to the statements in the statement in the stat	olemental explanation at you aired this quate enhance the education and 3. HIS FORM ARE PUR REVOCATION (2)(1)), AND/OR FOR	o consider in evaluons). This may incurter or plan to air onal and informat NISHABLE BY FOF ANY STATIORFEITURE (U.S.	uating you blude informational variational	our compliance formation on an he next quarter lue of such properties of the propert	y other no, or any gramming SONMEN' STRUCTION 50
Inc. Chircon exist child	clude any other comments or information you wan ildren's Television Act (or use this space for supple educational and informational programming the sting or proposed non-broadcast efforts that will ldren. See 47 C.F.R. Section 73.671, NOTES 2 statements. See 47 C.F.R. Section 74.671, NOTES 2 sta	olemental explanation at you aired this quate enhance the education and 3. HIS FORM ARE PUR REVOCATION (2)(1)), AND/OR FOR	o consider in evaluons). This may incurter or plan to air onal and informat NISHABLE BY FOF ANY STATIORFEITURE (U.S.	uating you blude informational variational	our compliance formation on an he next quarter lue of such properties of the propert	y other no , or any gramming SONMEN STRUCTI CTION 50

Analog Preemption Report

Complete the chart below for each Core Program listed in Question 4 of FCC 398 that was preempted during the last three months.

Title of Program:		
Total Times to be Aired	Number of Preemptions for other than Breaking News	Number of Preemptions Rescheduled
Date Preempted/Episode #	If rescheduled, date and time rescheduled	Is the rescheduled date the second home?
		Yes No
If rescheduled, were promotional	al efforts made to notify the public of rescheduled	d date and time? Yes No
Reason for Preemption:		
Public Interest	Sports Non-breaking	ng News Other

Digital Preemption Report

Complete the chart below for each Core Program listed in Question 9 of FCC 398 that was preempted during the last three months.

Title of Program:		
Total Times to be Aired	Number of Preemptions for other than Breaking News	Number of Preemptions Rescheduled
Date Preempted/Episode # home?	If rescheduled, date and time rescheduled	Is the rescheduled date the second Yes No
If rescheduled, were promotional	efforts made to notify the public of rescheduled of	date and time? Yes No
Reason for Preemption: Public Interest	Sports Non-breaking	News Other