

2019 Annual Children's Television Programming Report Filing Due

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Stations must file their first Annual Children's Television Programming Report by **July 10, 2020**, reporting on educational and informational programming responsive to the needs of children that aired between September 16, 2019 and December 31, 2019. The FCC extended the previous filing deadline of March 30 to July 10 in light of the COVID-19 pandemic. This report represents the last time that full power and Class A television stations will file a report describing less than a full year of programming. Following rule changes made in 2019, such documentation will hereafter be submitted annually, with the next report due January 30, 2021 (addressing the programming aired in 2020). Note that because that deadline falls on a weekend, submissions will be permitted until February 1, 2021.

Overview

The Children's Television Act of 1990 requires full power and Class A television stations to: (1) limit the amount of commercial matter aired during programs originally produced and broadcast for an audience of children 12 years of age and under, and (2) air programming responsive to the educational and informational needs of children 16 years of age and under. In addition, stations must comply with paperwork requirements related to these obligations.

On July 12, 2019, the FCC adopted a number of changes to its children's television programming rules. Substantively, the new rules provide broadcasters with additional flexibility in scheduling educational children's television programming, and modify some aspects of the definition of "core" educational children's television programming. These portions of the revisions went into effect on September 16, 2019.

Procedurally, the new rules eliminate quarterly filing of the commercial limits certifications and the Children's Television Programming Report in favor of annual filings, and change other information collection and reporting provisions.

Filing the Children's Television Programming Report

Consistent with the above, the next Children's Television Programming Report must be filed electronically with the FCC by **July 10, 2020**. Broadcasters must file their Children's Television Programming Reports via the Licensing and Management System (LMS), accessible at <https://enterprise filing.fcc.gov/dataentry/login.html>. Once filed, the FCC's electronic filing system should automatically upload the Children's Television Programming Report to the station's Public Inspection File, but station personnel should confirm that has in fact occurred.

Preparation of the Programming Documentation

In preparing the necessary documentation to demonstrate compliance with the children's television rules, a station should keep the following in mind:

- The Children's Television Programming Report will be very important "evidence" of the station's compliance when the station's license renewal application is filed. Preparation of these documents should be done with care.
- Accurate and complete records of what programs were used to meet the educational and informational needs of children and what programs aired that were specifically designed for particular age groups should be preserved so that the job of completing the Children's Television Programming Report is made easier.
- A station should prepare all documentation sufficiently in advance to ensure timely filing. If the deadline is not met, the station should give the true date when the information was submitted and explain its lateness. A station should avoid creating the appearance that it was timely filed when it was not.

These are only a few ideas as to how stations can make complying with the children's television requirements easier. Please do not hesitate to contact the attorneys in the Communications Practice for specific advice on compliance with these rules or for assistance in preparing any of this documentation.

Noncommercial Educational Television Stations

While noncommercial stations are required to air programming responsive to the educational and informational needs of children 16 years of age and under, they do not need to complete Children's Television Programming Reports. They must, however, maintain records of their own in the event their performance is challenged at license renewal time. In the face of such a challenge, a noncommercial station will be required to have documentation that demonstrates its efforts to meet the needs of children.