

Testimony of Ralph Nader
Before the United States Senate
Committee on Health, Education, Labor And Pensions
May 20, 1999

Thank you for inviting me to testify about Channel One before the Senate Committee on Health, Education, Labor and Pensions.

Channel One is a marketing company that uses the schools to deliver advertising to captive audiences of children. Each school day, in classrooms all over the nation, work comes to a halt, and the teacher turns on Channel One -- a TV show with two minutes of commercials and ten minutes of "news." Currently, the MTV-like show reaches about eight million middle, junior high and high school students in about 12,000 schools. In these schools, students spend the equivalent of about one class week each year watching Channel One, including one full school day just watching ads. According to *The New York Times*, Channel One sells a single 30 second commercial for \$200,000,¹ and appears to profit handsomely from ad revenues.² Channel One receives entry into schools in exchange for loaning each school two videocassette recorders, a satellite dish, and television monitors for each classroom. This is a disgracefully unbalanced and unnecessary exchange.

Channel One doesn't belong in schools because it conveys materialism and harmful messages to children, corrupts the integrity of schools and degrades the moral authority of schools and teachers, exploits schools and compulsory attendance laws to coerce schoolchildren to watch ads, and wastes school time and tax money.

A broad coalition of conservative and progressive groups opposes Channel One's presence in the schools. To safeguard its profits, Channel One has concocted an image of itself as "pro-family." Today we put this false image to rest, and show that Channel One harms children, schools, taxpayers and democracy.

Channel One wants Senators and parents to believe that it is "protecting our children,"³ and that it is "an old fashioned newscast that often reflects traditional values no longer seen on network news."⁴

Its defenders argue that Channel One protects children against drug use and claim that "Tragedies like Littleton, Colorado, show how vital it is to teach our children the values of faith and family. One bright spot is Channel One."¹

Even if you accept these arguments, that Channel One broadcasts anti-drug messages, and the occasional quality news program, such as a recent report on tobacco, these constructive messages and content can easily be delivered to children as part of a health or civics curriculum, and without the insipid programming or advertising which Channel One beams at captive audiences of schoolchildren.

The reality is that Channel One is a way for commercial advertisers to bypass parents and to promote products to a captive audience of schoolchildren. Its primary function is not to educate but to get children to spend money.² The "news" programming is merely the backdrop.

Channel One boasts of using the compulsory attendance laws to coerce children to watch ads in school. They trumpet this -- shamelessly -- to advertisers. In 1994, Joel Babbit, the former president of Channel One said:

The biggest selling point to advertisers [is]....we are forcing kids to watch two minutes of commercials....[T]he advertiser gets a group of kids who cannot go to the bathroom, who cannot change the station, who can not listen to their mother yell in the background, who cannot be playing Nintendo, who cannot have their headsets on.³

1. **Channel One conveys materialism and harmful messages to children.**

Channel One is a Trojan horse. Advertisers use it to sneak commercial messages past parents and to deliver them to children -- in public schools. Many parents haven't ever heard of Channel One, don't know what it is, or whether it is in their children's schools. *Kidscreen* used this analogy: "Like a stealth bomber, Channel One Network has locked onto its teen target audience, and with little notice from the adult world."¹

Channel One promotes low-grade sensuality. For example, Channel One plays a Winterfresh gum ad suggesting that if you chew Winterfresh gum you get to kiss the Winterfresh girl. Or shave with Schick razors and the Schick girl hugs you. An M&M's ad shows a sexy woman in a bikini frolicking in a swimming pool. Why are we showing such low-grade sensuality in schools?

Channel One's defenders claim that it shows "abstinence-based programming."² But how can "abstinence-based programming" contain so much low-grade sensuality?

Channel One's ads teach materialism to schoolchildren. It's clear that the ads work. Jeffrey Brand and Bradley Greenberg interviewed more than 800 students from four Michigan public high schools. They found that Channel One "viewers expressed stronger consumption-oriented values than non-viewers."³

Channel One promotes video games. Channel One has repeatedly shown a Blockbuster Video ad which portrays children playing video games non-stop for five days until they pass out from exhaustion. Why are we using school time to encourage children to play video games?

Channel One encourages children to behave irresponsibly. A Twix ad on Channel One shows children avoiding the consequences of their poor grades in school by sending their report cards to the Eskimos so their parents won't read them. Why would any school encourage students to avoid responsibility for a poor academic record? A Mountain Dew ad glorifies the irresponsibility of a teenager, who works in a parking garage, and does dangerous car stunts. Why are we showing such ads in school, given that thousands of lives are lost each year in America due to automobile crashes?

Channel One reinforces the obsession with thinness, looks and fashion. Some Channel One ads show model-like, skinny girls with perfect skin. Channel One also advertises *Seventeen*

Magazine. To its credit, Channel One has broadcast constructive programming on body image. But showing TV commercials with images of skinny models to teenagers in school can't help the body images of average-build teenagers. It is no surprise that Channel One would show teenagers such images. After all, Channel One is owned by Primedia, Inc., which also owns *Seventeen Magazine*, perhaps one of the worst offenders in encouraging the obsession with thinness, looks and fashion which is the cause of so much teen emotional pain.

Channel One encourages children to eat junk food. Channel One often advertises candy, junk foods and soda containing large quantities of sugar and caffeine. These products include Pepsi, Mountain Dew, Snickers, M&M's, Twix, Bubble Yum bubble gum, Extra bubble gum, and Fruit Loops. Why are we taking time out of the school day to teach children to eat junk food and drink soda? Some public health advocates are concerned about the effects of sugar upon the health of teenagers.⁴ Advertisements for junk food and soda simply do not belong in schools, especially with skyrocketing levels of childhood obesity in the United States.⁵ Schools ought to teach students to develop healthy eating habits. Furthermore, it makes no sense for the federal government to fund programs that encourage children to eat well, while at the same time public schools compel students to watch advertisements for junk food and soda.

To make matters worse, some schools actually sell the same junk food products that are advertised on Channel One. Roy Fox, author of *Harvesting Minds: How TV Commercials Control Kids*, noted that:

Many of these same products [snacks, fast foods and junk foods] are sold at the schools, right down the hall from where the students view the ads....Many of the kids told me that after watching Channel One, they head down to buy the snack that they just viewed a commercial for. I guess you could say that operant conditioning is alive and well.⁶

Channel One encourages defiant boorishness. Some of Channel One's ads encourage teenagers to channel their rebelliousness into boorish behavior. This is certainly true of the Twix ad that glorifies irresponsible driving. In his content analysis of Channel One, Mark Crispin Miller, professor of media ecology at New York University, found that:

...Channel One continually assures its audience, through the commercials, that it's really cool to be an idiot.

This is partly a result of the great corporate interest...in exploiting the inevitable rebelliousness of adolescent boys. Whether on Channel One or regular TV, the ads aimed at that uneasy group appeal to a defiant boorishness that, in the real world, routinely lands a lot of kids in jail, and that movie studios and video-game manufacturers endlessly glamorize in works like Happy Gilmore, Ace Ventura: When Nature Calls and Down Periscope ("See it and Win!"), Virtual Boy, Donkey Kong 2 and Killer Instinct ("PLAY IT LOUD!"), among many others advertised on Channel One. Since that loutish posture is as anti-intellectual as it is anti-social,

the celebration of stupidity in Channel One's commercials owes a lot to that particularly noxious form of target marketing.⁷

Channel One promotes lack of self-esteem in children. Some of Channel One's ads prey on the insecurities of adolescents -- by making them feel bad or stupid or ugly -- to manipulate them into purchasing products.⁸ For example, Channel One's Clearasil and Noxzema ads probably make many children with acne feel bad about the way they look. This is the last thing our children need. Children are inherently vulnerable. Many students feel insecure, inferior, ugly, and unloved. Why would any school want to exacerbate this problem?⁹

Few parents know how much influence Channel One has over our children. It is important to understand Channel One as a hidden curriculum -- and an influential one because it harnesses the suggestive power of television, and reaches so many vulnerable children. Channel One boasts of its influence over American children. Joel Babbit, Channel One's former president, explained:

The day that I really understood the magnitude of what we were doing was when I visited a Channel One school, and I happened to walk into the building at the moment the program was on, and you could hear the sound of the Channel One program reverberating through the hallways as every single classroom in this entire school was watching the program at the same time. And you begin to realize the power, the awesome power and the influence that Channel One has. Because that very same experience was happening in 12,000 places around the country.¹⁰

Some academics have been amazed by the influence that Channel One wields. For example, after studying the impact of Channel One's ads on schoolchildren, University of Missouri Professor Roy Fox said "I expected to see some effects when I went to the schools. But the commercials made more of an impact than I could have imagined."¹¹

Channel One's influence is magnified because of the enormous number of schoolchildren who watch it -- roughly 40 percent of teenagers aged 12-17, according to Channel One.¹² Martin Grant of Channel One said that "there are many advertisers who don't understand that we're 50 times as big as MTV for the teen audience."¹³ Channel One promotes itself as the "news show that delivers more tween viewers than any other programming that you can buy."¹⁴

1. **Channel One corrupts the integrity of public schools and degrades the moral authority of schools and teachers.**

Schools control a valuable "commercial" resource: students. The question is: is it right -- morally or ethically -- to sell schoolchildren to commercial advertisers? Can our schoolchildren be "saleable property"?¹⁵

The answer is no. Our children should not be for sale. Our children, our schools, and

their integrity are more important than any consideration Channel One may provide. Yes, Channel One loans technology to the schools. But these technologies are trinkets. They are worth little compared to the principle that we must not sell out our children and our schools to the highest bidder.

Schools that show Channel One implicitly endorse the products that Channel One advertises. In effect, Channel One appropriates the authority of the school and teacher and transfers it to the advertisers. This degrades the moral authority of teachers, schools and the state. Former California Superintendent of Public Instruction Bill Honig explained:

In the advertising industry, it is axiomatic that the easiest way for a product to win respect is to place it next to something which already commands respect. This is precisely what Channel One schools are, unwittingly, helping advertisers to do. (The schoolhouse is a powerful symbol for the adolescent mind.) In the process, schools are compromising the respect they deserve for being marketplaces of ideas, not marketplaces of sneakers and acne creams.¹⁶

Channel One's appropriation of the school's moral authority is wrong, but it is doubly harmful when the moral authority of the school is used to send destructive messages to schoolchildren, whether it is to purchase harmful products, or to develop materialistic values.

Channel One further erodes the integrity of schools by turning teachers and school principals into the handmaidens of commerce. *The Wall Street Journal* reported that:

With little public notice, school teachers and administrators are being enlisted in marketing campaigns aimed at teenagers via Channel One. Teachers have helped students write commercials for Snapple juice drinks and design Pepsi-Cola vending machines. Students have gone to the principal's office to pick up coupons for Subway sandwiches or sign petitions for Reebok.

* * * * *

Channel One executives are particularly proud of the network's campaigns that get students to take action -- often aided by teachers or administrators. "Advertisers can really hit a home run by involving our audience," says Mr. Grant [Channel One's former president of sales and marketing.]

For the J.C. Penney promotion last year, for example, Channel One sent "student passes" (good for free t-shirts and 25% off jeans) directly to the principals' offices. "Channel One was a great partner," says Lynn Greiner, Penney's national media manager. "They sent out a letter to principals telling them when they could expect the passes to arrive and they sent out a letter with the passes." The promotion was a success, she adds. "We saw the

[sales] needle move a little bit because we could drive people into the stores.”¹⁷

Schools do not exist to help J.C. Penney to sell clothes or PepsiCo to sell soda. They should not allow themselves to be co-opted into Channel One’s merchandising ploys.

Taxpayers fund public schools to educate future citizens, to teach them to read, write, add, and think critically. This civic function of the public schools in developing the critical reasoning skills of its students is of central importance.

The civic mission of the public schools is incompatible with commercial advertising. Most commercial advertising is a form of propaganda. Corporations produce it to recruit new consumers by subverting reasoning. Commercial advertising and civic education clash. When unfettered advertising is deployed in schools, it erodes precisely the values of learning and critical reasoning that we are trying to instill in our children.

Some have argued that children are already buried under a huge quantity of commercial advertising, and that little harm could accrue from two additional minutes of ads each day. Quite the opposite is true. When corporations bombard our children with so much commercial advertising, the importance of schools as sanctuaries from commercial culture becomes more important. Our children need refuges where they are safe from the commercial culture.

Mark Crispin Miller explains why showing schoolchildren Channel One’s commercial propaganda undercuts the educational mission of the public schools:

Every pleasure, the commercials say, must be a major kick such as you’ve never felt in all your life (and such, of course, as you can only get from PepsiCo or Mars or Reebok or Nintendo). Thus that propaganda makes it ever harder to recall what actual pleasures should be like; and so it’s only natural that the kids bombarded by those ads would come to feel ever more jaded, ever more blase -- numb enough, perhaps, to need those still more dangerous stimulants that Channel One so piously deplures.

To recognize the falseness of that propaganda, to learn to read its images, and also to read widely and discerningly enough to start to understand the all-important differences between a good life and a bad one: such are the proper aims of school -- which is why Channel One should not be there.¹⁸

Lastly, when school boards allow Channel One into the classroom, they surrender control over that class time to an unaccountable corporation that is interested primarily in generating profits, not in education. Public schools should not abdicate control of class time to commercial interests. Neither parents or school boards have any control over the programming that Channel One delivers to school children. Even worse, it is hard for parents and others to review Channel One’s programming, because Channel One is reluctant to release videotaped copies of its

programming. Despite the promises of Channel One President and Chief Executive Officer Kevin McAiley and other corporate officials to provide Channel One tapes to those who want them, Channel One has repeatedly denied requests from Commercial Alert to provide copies of its programming. If Channel One is so proud of its programming, then why won't it release its programming to the public? What is Channel One hiding?

1. **Channel One exploits compulsory attendance laws to coerce children to watch ads in school.**

Every state has compulsory attendance laws requiring children, typically those under sixteen years of age, to attend school. State power to enact compulsory education laws is in the tradition of the common law doctrine of *parens patriae*, which literally means "parent of the country," and refers to the role of the state as guardian, in protecting those who cannot fend for themselves, such as orphans.¹⁹ This doctrine arose from the responsibility of the English sovereign to protect children within their sovereignty.

When states require the attendance of children in schools, they bear a moral responsibility and a duty to care for the children, and to act in their best interests. This is a serious responsibility. The duty is a public trust. School boards, school administrators and teachers are public trustees.

School boards violate this public trust when they coerce children to watch Channel One's ads in school -- particularly ads that show destructive influences and commercial messages. When schools show Channel One, they are harming children by renting their minds to advertisers. They are treating our children like a commercial resource to be exploited. This act of renting out our schoolchildren is plainly in contradiction to the benevolent role contemplated by the state under the *parens patriae* doctrine, and the compulsory attendance laws. As former California State Superintendent of Public Instruction Bill Honig explained:

Stripped of its pious rhetoric, Whittle Communications [Channel One] is offering a simple barter deal to schools: We provide TV sets and other equipment, you pay for the lease, not with cash, but with a guaranteed number of students for a fixed number of minutes per year....

Channel One represents the first attempt to divert a fixed amount of time, day after day, away from an educational purpose to a commercial one -- all this while the mandatory attendance laws are in effect.

A major debate has begun because this scheme offends educators (and parents) ethically and calls into question the very reason our society made a massive investment in public education. If a school sells portions of its day to Nike, Mars candy or Burger King (as it does with Channel One), what is to prevent schools from interrupting classes for other commercials in different formats?²⁰

Many schools are now met with fiscal emergencies, and educate children with crumbling infrastructure, old texts, and beleaguered teachers. This is a national tragedy. Public schools deserve adequate funding. But using the compulsory attendance laws to sell children to Channel One's advertisers is not a responsible answer to the problem of tight school budgets. A child's school time should not be for sale. It is not a commercial resource to be rented to advertisers or to the highest bidder. Nor should children be required to subsidize their own education by being forced to watch advertisements. They are, after all, only children. Their childhood deserves better than this.

Recently, Channel One has taken out ads boasting of its ability to reach "tweens" -- children aged 9-14. For example, one Channel One ad boasted that: "Channel One is watched by more image-conscious tweens than any other television network."²¹

New York State has been exemplary in its refusal to rent its schoolchildren to Channel One's advertisers. On June 16, 1989, the New York State Board of Regents voted unanimously to ban Channel One from New York State's public schools.²² Regent Shirley C. Brown explained, regarding Channel One's two minutes of commercials, that "the insidious destruction of the lives and values of kids that those two minutes a day can accomplish means to me that we've got to say here: 'Absolutely no. At least for that time that those kids are under our care you will not do this.'"²³

The New York State Board of Regents reaffirmed their ban on Channel One in 1993, stating that the program treats schoolchildren as "commodities to be exploited." "We have absolutely no right to sell our children like this," said Regent Shirley C. Brown.²⁴

Former New York State Commissioner of Education Thomas Sobol made a similar point "What message would we send to students," he asked, "if we removed the ban? That we value you as consumers more than we value you as students."²⁵

Former California Superintendent of Public Instruction Bill Hoenig expressed the same sentiments: "even if it [Channel One] were legal, [it] should be resisted for ethical and educational reasons. Parents entrust their children to our public schools. We have no right legally or morally to sell access to our students even if schools receive some benefit in return."²⁶

1. Channel One wastes school time and tax money.

Channel One's commercials are not educational. Children are in school to learn, not to waste time. But Channel One wastes class time not only because it contains advertising, but also because much of its programming has limited or no educational value.

Channel One wastes tax money because it is shown in public schools, which are funded by the taxpayers. In effect, it is taxpayer subsidized advertising to children, which uses up school time that ought to be devoted to real teaching and learning.

In 1998, Max Sawicky and Professor Alex Molnar released a study, "The Hidden Costs of Channel One," to estimate the total cost to taxpayers from Channel One. They concluded that Channel One costs the states approximately \$1.8 billion per year.²⁷

Channel One is a taxpayer rip-off. Taxpayers are paying for the class time that Channel One uses to pitch advertising to children. Time is money. This waste of class time is a misuse of tax money. Any school administrator or school board official concerned about waste of tax money should work diligently to remove Channel One from their local public schools. Taxpayers should not subsidize such commercial activities.

Even holding aside the moral, ethical and educational arguments against Channel One, the television sets, two VCR's and a satellite dish that Channel One loans to schools does not even remotely compare to the enormous benefits that Channel One receives from selling the attentions of students to advertisers. The *Riverside Press-Enterprise* put it well: "The old axiom goes that you can't get something for nothing and that remains the case here: Channel One gets all these kids and the schools get the video equipment. That is far from a fair trade for schools, students or parents."²⁸

Schools ought to be devoted, in large part, to developing students' literacy skills and capacity to think critically. They ought to encourage students to read, and to develop the habits of readers and thinkers. Channel One does almost nothing to develop students literacy skills. It forces children, who already watch too much television at home, to watch television while in school and takes up school time that could be used for reading or classroom discussions.

In 1997, William Hoynes, associate professor of sociology at Vassar College, studied the content of 36 Channel One programs broadcast in 1995 and 1996. He found that Channel One trivializes the news:

The anchors are cast as adventurers who travel the world for a good story....The journalist-as-adventurer may make the news exciting, but, at the same time, it focuses the news (and the drama) on the individual personalities instead of the issues and the events. The result is that news is recast as drama, with the major actors being the Channel One staff.

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Channel One news serves as a promotional vehicle for itself and for youth culture and style, and provides a friendly environment for the explicit advertisements that have been the principal source of controversy. This may be the kind of news that sells advertising time, yields a high return in school T-shirts, and helps to promote a consciousness of Channel One as a youth-oriented brand name. However, it is dubious whether such news provides educational or civic benefits to either students or educators at schools that receive Channel One.²⁹

Drawing on the studies by Mark Crispin Miller and William Hoynes, the *New York Daily News* proclaimed that “Channel One is Channel Dumb.”

Channel One is little more than junk news in an MTV-style wrapper...It doesn't seem like much, but two minutes of junk a day on top of what kids may be getting at home (think "Beavis and Butt-head") is enough to ruin a young mind. Two minutes a day equals one full school day a year. And that's one day too many to waste on junk, especially junk that pretends it's not.³⁰

Newsday got it right when it titled its editorial on Channel One “Just Junk Food for Kids’ Brains; Don’t Let Channel One into Schools.”³¹ In another editorial, *Newsday* asked

Does anyone really believe kids need more time watching commercial TV, especially during school hours? Kids need to read, write and think in school - not watch warmed-over news and compulsory commercials.³²

Similarly, *The Houston Chronicle* wrote that:

Television in the classroom, on balance, impedes the education process. The 12 minutes allotted to Channel One should be spent instructing students in fundamental subjects. Since Channel One doesn't seem to work, it behooves parents to ask that it be removed. It is their children who will have to pay the price if they don't.³³

WHAT TO DO ABOUT CHANNEL ONE

There are at least two things that Senators can and should do about Channel One.

First, Senators should stop all federal funds from being used to advertise on Channel One. The Federal government should extract itself from complicity in forcing children to watch advertising in public schools. The federal government should not be supporting a corporation that harms children, schools and taxpayers. Currently, the Office of National Drug Control Policy (ONDCP), the U.S. Army and the U.S. Marines advertise on Channel One. ONDCP will spend \$8.2 million in taxpayer dollars for advertisements on Channel One during the period August 1998-June 1999.³⁴ How can ONDCP associate itself with Channel One and its parent, KKR, whose former subsidiary, R.J. Reynolds Tobacco, did so much through its Joe Camel ads to seduce children into a life of tobacco addiction, and its attendant health risks? ONDCP should under no circumstances be involved with KKR. The U.S. Army spent over \$1 million to advertise on Channel One during fiscal year 1998.³⁵ The Marine Corps will spend \$1.6 million during fiscal year 1999 on Channel One ads.³⁶ We strongly urge Senators to include provisions in the relevant appropriations bills prohibiting ONDCP and the Army and Marines from advertising on Channel One.

In addition, Senators ought to use their power creatively to encourage children to eat healthy diets, and to protect children from commercial messages that encourage them to do otherwise. On May 11, Chairman Jeffords, along with Senators Leahy, Feingold, Kohl and Harkin introduced legislation, titled the Better Nutrition for School Children Act of 1999 (S. 998), to prohibit schools from giving away soda in lunchrooms as part of the school breakfast and school lunch programs. This legislation makes good sense. Chairman Jeffords explained that:

A well nourished child is a child more healthy, energized, focused and able to learn.

When school children receive a large amount of their daily caloric intake from sugary soft drinks, they are not receiving the fruits, vegetables, vitamins, minerals, and perhaps most importantly--calcium that they need.

Soda and other sugary junk foods squeeze more nutritious foods out of their diet. Since many school children may consume between one-third and one-half of their daily intake at school, it is important that we do not allow them to substitute good nutrition with empty calories.

Mr. President, teens, in particular, should be drinking milk instead of soft drinks. Twenty years ago, teens drank twice as much milk as soda . Today, the average teenager drinks twice as much soda as milk.³⁷

Chairman Jeffords and his Senate colleagues ought to follow this reasoning to its logical conclusion, and encourage schools to reject Channel One, which promotes many of the high-sugar products that they say that they deplore.

But there are other things that can and should be done.

Local school boards can and should approve policies against Channel One and commercialism in their schools. It is very important for local school boards to take their responsibility and public trust seriously, and to make sure that Channel One is kept out of their school. This is an excellent education reform that protects children, schools and taxpayers, yet costs nothing. Attached to this testimony is a model school board resolution about keeping Channel One and other commercialism out of the schools.

States ought to follow the lead of New York State, and ban Channel One from their school systems. Included in the this testimony is model state legislation to keep Channel One and other commercial advertising out of the public schools.

Non-profit organizations should cut their ties with Channel One. Channel One claims to be “partners” with a number of organizations, including the Partnership for a Drug-Free America, the National Center for Missing and Exploited Children, and the Campaign for Tobacco-Free Kids. Channel One uses these organizations as fig leaves camouflaging its commercial pursuits of these youngsters. These organizations ought to immediately disengage from any “partnership” with Channel One. The absurdities of these organizations partnering with Channel One are obvious. How can the Partnership for a Drug-Free America and the Campaign for Tobacco-Free Kids work in partnership with Channel One, when its corporate parent, KKR, and KKR’s former subsidiary, R.J. Reynolds Tobacco, used the lethal Joe Camel ads to hook children into smoking? And how can the National Center for Missing and Exploited Children partner with Channel One, which exploits children in schools.

Finally, we ought to use our power as consumers to convince advertisers to pull their commercials from Channel One. The CEO’s of these companies need to take personal responsibility for their actions in support of Channel One. In January, a broad coalition of conservative, progressive and pro-family organizations sent letters to 16 companies that have advertised on Channel One.³⁸ They were met with a nearly complete wall of silence. Only Nabisco issued a written response to the letter, but they declined to pull their ads from Channel One.

Following is an incomplete list of corporations that have advertised on Channel One during the months of April and May: M&M/Mars (M&M’s, Snickers); PepsiCo, Inc. (Pepsi, Mountain Dew); Gatorade; Twentieth Century Fox Film (“Never Been Kissed”); RJR Nabisco Inc. (Bubble Yum bubble gum); Wm. Wrigley Jr. Company (Juicy Fruit gum, Extra bubble gum); Procter & Gamble (Clearasil, Noxzema, Old Spice); Kellogg Company (Corn Pops); Reebok International Ltd. (Reebok sneakers); and Foot Locker. We strongly urge parents to complain to these companies. Tell the companies that they should not be supporting Channel One. Eventually, if these companies do not remove their ads from Channel One, opponents may have to launch boycotts against some of their products.

CONCLUSION

It’s time for parents, school board members and state legislators, and Members of Congress to oppose Channel One. Channel One is harmful to children, schools, taxpayers and democracy. Students’ minds should not be for sale or rent. And it is not the function of the public schools to deliver a captive audience of impressionable children to multinational corporations. Keep the moral authority of teachers and schools intact. The public schools are supposed to be a refuge, a sanctuary from commercial interests – not yet another place for corporations to peddle their products, largely low-grade products.

Thank you.

DRAFT MODEL SCHOOL BOARD POLICY³⁹

WHEREAS, commercial involvement in the schools should not require or pressure students to observe, listen to, or read commercial advertising, and,

WHEREAS, taxpayers should not subsidize the delivery of commercial advertising to schoolchildren, and,

WHEREAS, students should not be required to subsidize their own education by being pressured to watch advertising in school, or be subjected to commercial pressures in school to purchase products, and,

WHEREAS, selling access to a captive audience of schoolchildren for commercial purposes is exploitation and a violation of the public trust, and,

WHEREAS, the _____ school board finds that commercial advertising and market research in the public schools of this school district constitutes a growing and significant threat to the integrity of public education.

THEREFORE,

Except as permitted in subsection (d), it shall be unlawful for any public school in this district, or any other entity or person acting on behalf of any public school in this district to:

- (a) Enter into a contract that grants exclusive advertising of any product or service throughout the district to a person, business, or corporation.
- (b) Enter into a contract that prohibits a school district employee from criticizing or commenting on the goods or services of the party or parties contracting with the school board.
- (c) Enter into a contract or permit a school within the district to enter into a contract for products or services that requires the dissemination of advertising to pupils, or allows any person, corporation or business to gather or obtain information from students for the purposes of market research.

- (1) Contracts entered into prior to the operative date of this policy may not be renewed if they are in conflict with this policy.

- (d) Nothing in this policy shall affect the ability of any public school in this district, or any other entity or person acting on behalf of any public school in this district to:

- (1) publish advertising in any school newspaper, other school periodical, web pages, or yearbook;
 - (2) distribute advertising or market research as a part of curriculum on

advertising, marketing or media literacy; or,

(3) post signs indicating the public's appreciation for financial or other support from any person or business or corporation for the educational program in any school in the district.

(e) The term "advertising" means the commercial use, by any person, company, business or corporation, of any media including, but not limited to, newspaper or other printed material or flyer or circular, radio, television or video or any other electronic technology, outdoor sign, or billboard in order to transmit a message with information:

(1) offering any good or service for sale, or

(2) for the purpose of causing or inducing any other person to purchase any good or service, or,

(3) that is directed toward increasing the general demand for any good or service.

DRAFT MODEL STATE LEGISLATION⁴⁰

THE PUBLIC EDUCATION PROTECTION ACT OF 1999

WHEREAS, corporate involvement in the schools should not require or pressure students to observe, listen to, or read commercial advertising, and,

WHEREAS, taxpayers should not subsidize the delivery of commercial advertising to schoolchildren, and,

WHEREAS, students should not be required to subsidize their own education by being pressured to watch advertising in school, or being subjected to commercial pressures to purchase products, and,

WHEREAS, selling access to a captive audience of schoolchildren for commercial purposes is exploitation and a violation of the public trust, and,

WHEREAS, it is the duty of the legislature to ensure that public education in the State of _____ remains free and independent, and,

WHEREAS, the Legislature finds that commercial advertising and market research in the public schools of this State constitute a growing and significant threat to the integrity of public education.

THEREFORE,

THE PEOPLE OF THE STATE OF _____ DO ENACT AS FOLLOWS:

SECTION 1. PROHIBITION AGAINST COMMERCIAL ADVERTISING IN THE PUBLIC SCHOOLS. Section _____ is added to the Education Code, to read:

(a) In this section, the term “advertising” means the commercial use, by any person, company, business or corporation, of any media including, but not limited to, newspaper or other printed material or flyer or circular, radio, television or video or any other electronic technology, outdoor sign, or billboard in order to transmit a message with information:

- (1) offering any good or service for sale, or
- (2) for the purpose of causing or inducing any other person to purchase any good or service, or,
- (3) that is directed toward increasing the general demand for any good or service.

(b) Except as permitted in subsection (c), it shall be unlawful for any public school, public school district or any other entity or person acting on behalf of any public school or school district of the State of _____ to:

(1) Enter into a contract that grants exclusive advertising of any product or service throughout any public school or school district to a person, business, or corporation.

(2) Enter into a contract that prohibits a school district employee from criticizing or commenting on the goods or services of the party or parties contracting with the school board.

(3) Enter into a contract for products or services that requires the dissemination of advertising to pupils obligated to attend school, or allows any person, corporation or business to gather or obtain information from students for the purposes of market research.

(c) The provisions of this section notwithstanding,

(1) The governing board of a school district may post public signs indicating the district's appreciation for the support of a person or business or corporation for the district's education program.

(2) Any school in the state of _____ may publish advertising in any school newspaper, other school periodical or yearbook;

(3) Any school in the state of _____ may distribute advertising or market research as a part of curriculum on advertising, marketing or media literacy.

(4) Contracts entered into prior to the operative date of this section may not be renewed, if they conflict with any part or parts of this section.

SECTION 2. REMEDIES.

(a) Private right of action. -- any resident taxpayer may bring a civil action for declaratory, injunctive or mandatory relief in a court of competent jurisdiction to enforce the provisions of this Act.

(b) Any plaintiff who prevails under this section shall be entitled to court costs and reasonable attorneys fees.

(c) Jurisdiction. -- The attorney general of the state of ----- shall also have jurisdiction and authority to bring civil actions for declaratory, injunctive or mandatory relief in a court of competent jurisdiction to enforce the provisions of this Act.

(d) Severability. -- If any provision of this Act or the applicability thereof to any person or school or corporation or circumstances is held invalid, the remainder of this Act and the application of such provision to other persons, schools,

corporations or circumstances shall not be affected thereby.

¹ Lawrie Mifflin, "Media Talk; Nielsen to Research Channel One's Audience." *The New York Times*, December 28, 1998.

² "Channel One last year earned \$30 million on revenues of \$70 million." Joshua Levine, "TV in the Classroom." *Forbes Magazine*, January 27, 1997.

³ Postcard from The Coalition to Protect Our Children, P.O. Box 5196, Montgomery, Alabama 36103-5196.

⁴ Grover Norquist, "Tuning Into Channel One." *The Washington Times*, January 30, 1999.

¹ Radio advertisement from The Coalition to Protect Our Children, P.O. Box 5196, Montgomery, Alabama 36103.

² This stirs deep dismay among some clergy. For example, last year, the Rev. Anthony Campolo, a professor at Eastern College and minister to President Clinton, said that it is "evil to take a generation and convince it to buy goods for fun and love. This kind of manipulation is evil." Isadore Barmash, "Teens Pressured by Advertising, Panel Finds." *Reuters*, December 4, 1998.

³ Joel Babbit, "Channel One Vision," paper presented at the On the Youth Market Conference, Boston, May 5-6 1994. Quoted in *Children First: A Parents's Guide to Corporate Predators*, Corporate Accountability Research Group, 1996, p.64.

¹ Ed Kirchdoerffer, "Special Report: Teens: Channel One." *Kidscreen*. September 1, 1996.

² Postcard from The Coalition to Protect Our Children, P.O. Box 5196, Montgomery, Alabama 36103-5196.

³ Jeffrey E. Brand and Bradley S. Greenberg. "Commercials in the Classroom: The Impact of Channel One Advertising." *Journal of Advertising Research*, January, 1994.

⁴ See, for example, Michael F. Jacobson, Ph.D. "Liquid Candy: How Soft Drinks are Harming Americans' Health." Center for Science in the Public Interest, October 21, 1998
<http://www.cspinet.org/sodapop/liquid_candy.htm>.

⁵ Rebecca Moran, M.D. "Evaluation and Treatment of Childhood Obesity." *American Family Physician*, February 15, 1999. "Since the 1960s, several large, nationally representative surveys have assessed the prevalence of obesity in children. These include the National Health Examination Survey Cycles I to III and the National Health and Nutrition Examination Surveys I to III. From these surveys, the prevalence of childhood obesity is estimated to be 25 to 30 percent. Furthermore, over the years encompassed by these surveys, the prevalence of obesity has increased by 54 percent in children six to 11 years of age and by 39 percent in adolescents 12 to 17 years of age. The prevalence of severe obesity jumped 98 percent and 64 percent within these groups, respectively."

⁶ Jeff Daniel, "Pulp Culture." *St. Louis Post Dispatch*, February 6, 1997.

⁷ Mark Crispin Miller, "How to Be Stupid: The Teachings of Channel One." January, 1997.

⁸ Mark Crispin Miller, "How to Be Stupid: The Teachings of Channel One." January, 1997.

⁹ It is a hallmark of Channel One's corporate callousness that it even brags in an advertisement to potential advertisers that it "is watched by more image-conscious tweens than any other television network," implicitly encouraging potential advertisers to take advantage of their captive audience of vulnerable children.

¹⁰ Joel Babbit, "Channel One Vision," paper presented at the On the Youth Market Conference, Boston, May 5-6 1994. Quoted in *Children First: A Parents's Guide to Corporate Predators*, Corporate Accountability Research Group, 1996.

¹¹ Jeff Daniel, "Pulp Culture." *St. Louis Post Dispatch*, February 6, 1997. See Roy F. Fox, *Harvesting Minds: How TV Commercials Control Kids*. Westport, CT: Praeger Publishers, 1996.

¹² "We reach about 40 percent of all teenagers and that is people between the ages of 12 and 17." Transcript of interview of Martin Grant, Channel One's former president of sales and marketing, on The Media Show, CNN, August 12, 1997.

¹³ Natalie Bortoli, "The Marketing 100: Channel One: Martin Grant." *Advertising Age*, June 30, 1997.

¹⁴ Channel One advertisement in *Advertising Age*, DATE HERE. Nick Cohen explained that "Channel One was the best way to catch the consumer society's truants." Nick Cohen, "Hold on a Minute..." *The Guardian*, April 5, 1998.

¹⁵ Dawson v. East Side Union High School District, 34 Cal. Rptr. 2d 108.

¹⁶ Bill Honig, "Counterpunch: the Case Against Channel One in the Classroom." *Los Angeles Times*, August 12, 1991.

¹⁷ William M. Bulkely, "Channel One Taps Principals as Promoters." *The Wall Street Journal*, September 15, 1997.

¹⁸ Mark Crispin Miller, "How to Be Stupid: The Teachings of Channel One." January, 1997.

¹⁹ "Parens patriae, literally 'parent of the country,' refers traditionally to the role of the state as sovereign and guardian of persons under a legal disability to act for themselves such as juveniles, the insane, or the unknown." *W. Va. v. Chas. Pfizer & Co.*, 440 F.2d 1079, 1089 (2d Cir. 1971).

²⁰ Bill Honig, "Counterpunch: The Case Against Channel One in the Classroom." *Los Angeles Times*, August 12, 1991.

²¹ Channel One advertisement in *Advertising Age*.

²² Sam Howe Verhovek, "New York Bans Sponsored TV From Its Schools." *The New York Times*, June 17, 1989. See also Lisa M. Spenny, "Commercialism in the Public Schools: State Versus Local Control." 5 *Albany Law Journal of Science and Technology* 339, 1996. Alex Molnar, *Giving Kids the Business: The Commercialization of America's Schools*. Westview Press, Boulder, CO, 1996.

²³ Sam Howe Verhovek, "New York Bans Sponsored TV From Its Schools." *The New York Times*, June 17, 1989.

²⁴ James Dao, "Regents Keep TV Program Out of Public Schools." *The New York Times*, June 26, 1993.

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- ²⁵ James Dao, "Regents Keep TV Program Out of Public Schools." *The New York Times*, June 26, 1993.
- ²⁶ Dawson v. East Side Union High School District, 34 Cal. Rpts.2d 108 (Cal. App. 6 Dist. 1994).
- ²⁷ Max B. Sawicky and Alex Molnar, "The Hidden Costs of Channel One." University of Milwaukee School of Education, Center for the Analysis of Commercialism in Education. April 1, 1998. <http://www.uwm.edu/Dept/CACE/hidden_costs2.html>. The study was commissioned by the Center for Commercial-Free Public Education <<http://www.commercialfree.org/>>.
- ²⁸ "Something for Nothing." *Riverside Press-Enterprise*, February 3, 1997.
- ²⁹ William Hoynes, "News for a Captive Audience: The Case of Channel One." January, 1997.
- ³⁰ "Channel Dumb." *The New York Daily News*, January 23, 1997.
- ³¹ "Just Junk Food for Kids' Brains; Don't Let Channel One into Schools." *Newsday*, May 26, 1995.
- ³² "Don't Plug Commercial TV into NY High Schools." *Newsday*, May 5, 1994.
- ³³ "Fade to Black: Cy-Fair Pulling Plug on Channel One Is a Good Move." *The Houston Chronicle*, May 18, 1994.
- ³⁴ Conversation with Jill Bartholomew, Office of National Drug Control Policy, 5/20/99.
- ³⁵ Conversation with Douglas Smith, Public Affairs Office, U.S. Army Recruiting Command, 5/14/99.
- ³⁶ Conversation with Master Sergeant Rick Ecker, Marine Corps Recruiting Command, 5/12/99.
- ³⁷ Senator James Jeffords, *Congressional Record*, May 11, 1999, p. S5039.
- ³⁸ The coalition included the American Family Association, Association of Black Psychologists, Center for a New American Dream, Center for Reclaiming America, Citizens' Campaign for Commercial-Free Schools, Commercial Alert, Eagle Forum, Family Research Council, Focus on the Family, National Institute on Media and the Family, New Mexico Media Literacy Project, Obligation Inc., Seeds of Simplicity, TV-Free America, and the Waldorf Early Childhood Association of North America.
- ³⁹ Prepared by Gary Ruskin and Jim Metrock.
- ⁴⁰ Prepared by Gary Ruskin and Jim Metrock.