

## PBS Co-Production Guidelines

The Public Broadcasting Service (“PBS”) considers co-producers to be parties who share editorial influence over a program and generally share in funding and the risks of production. PBS sometimes receives proposals for programs in which a variety of organizations other than public television stations are co-producers. These proposals occasionally involve organizations that are not traditionally involved in the production of broadcast programs. PBS evaluates the acceptability of these proposed program co-producers based on the following broad principles:

1. To protect the integrity of public television programming, the content of such programming must be free from the control of parties with a vested self-interest in that content; and
2. Programming must be consistent with the non-commercial, non-governmental character of public television.

In applying these principles, PBS looks at a number of factors, including the prospective co-producer’s business and goals, as well as the nature of the program.

The key test in connection with the first principle is whether the proposed co-producer has a vested self-interest in the subject matter of the program. This test is of primary importance in connection with informational (rather than performance) programming, such as programs addressing news and public affairs. In such programming, PBS assumes, unless shown otherwise, that while a bona fide production entity (e.g., BBC, Sundance, etc.) may produce programming reflecting strong conclusions, it does not have a vested self-interest in the subject matter. Similarly, members of the established printed press, who are not traditionally program producers, would generally not raise concerns about a vested self-interest.

Broadly-based educational institutions such as universities would likely be acceptable co-producers, even though they are not traditionally in the business of producing programs or engaging in journalistic enterprises. Such institutions generally seek to convey a broad range of information and present diverse points of view. Unless the institution is producing a program about itself or some other subject in which it has a narrow or vested interest, a conflict is unlikely. However, a university may be unacceptable as a co-producer when the program would be essentially about its own activities. For example, PBS turned down a proposal for a program on a special telescope co-produced by a university licensee and the Smithsonian Institution. Both of these entities had a major and continuing role in development and use of the telescope.

“Think tanks” such as the American Enterprise Institute, the Brookings Institution, and other nonprofit organizations raise their own unique questions. While formed to analyze rather than to proselytize, the purpose of some of these organizations is less neutral and their standards less strictly defined than those of the typical journalist. Therefore, there



may be times when such institutions are ineligible to share editorial control on topics in which they have an interest.

Other questionable co-producers include business corporations and production companies owned by such corporations. Since a corporation typically exercises control over its subsidiary, subsidiary production arms should be treated the same as their parent corporations. If the corporation would be barred from editorial control because of a vested interest in some aspect of the program, so would its production subsidiary.

Any of the entities mentioned above might, of course, be barred from a co-production role in informational programs under the principle of noncommercialism if their association with a program would make the program appear to be part of a corporate or institutional promotional effort. A corporation making kitchen knives, for example, could not produce a cooking show.

In connection with performance programs (e.g., coverage of cultural events), questions of a producer bias are not likely to arise. Commercialism is the more likely concern. In evaluating the appropriateness of a co-producer for a performance program, PBS takes into consideration the commercial interest of the prospective co-producer in the event covered. Nonprofit groups such as the Metropolitan Opera or the Kennedy Center may be acceptable as co-producers of events they stage, while the commercial sponsor of an event would generally not be allowed to co-produce public television coverage of that event.

For reasons of both self-interest and promotionalism, and in the interest of maintaining the nongovernmental nature of public television, governmental agencies and departments are generally not acceptable as co-producers. Excerpts from governmentally-produced programs could, however, be used by other producers.

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