

Public Television's Approach to New Media

SUMMARY

From February to July 2006, the Corporation for Public Broadcasting convened a Digital Rights Working Group to explore the public television industry's digital rights strategies. Although the initial charge of this group was quite specific – to evaluate digital rights acquisition models – we realized that we could not identify a meaningful approach to rights acquisition without considering the broader topic of public television's digital rights strategy.

The Digital Rights Working Group therefore devised two framing questions, one strategic and one tactical, and formulated guiding principles to address them. These questions and principles are outlined briefly below. It is the hope of the Digital Rights Working Group that these questions and proposed courses of action will stimulate debate in the broader public television community and that they will continue to be challenged and refined as our industry embraces the opportunities that new media technologies provide.

The Strategic Question

How should public television's core mission translate onto new media platforms?

Our view:

- We serve the American public. We engage the new medium of the Internet to extend our traditional mission of education, civic engagement, cultural enrichment, and reflecting the diverse perspectives of the American public in ways not otherwise met.
- We offer the broadest free access sustainable. We serve the American public partly by offering content to the widest possible audience on the widest variety of platforms for the longest period of time at the lowest cost. We engage in innovative revenue models to sustain this ideal.

The Tactical Question

What combinations of new media activities sustain Public Television's mission long term?

Our view:

- We assess programs individually. Financial and legal constraints preclude acquiring all rights to all content in perpetuity. We must therefore weigh each activity's costs against the activity's benefit to the public, short and long term. We use a common language for this purpose.
- We benefit the entire system on balance. In formulating strategies, we embrace the viewpoint of the system as a whole. We evaluate new media business models on their contribution to a portfolio of programs that, on balance, benefit the entire Public Broadcasting system.
- We engage in small experiments now. We take advantage of our close relationship to our audience to engage in small experiments tailored to suit their needs. We use our relationships within the industry to learn from each other and thus benefit from rapid rounds of innovation.

WHY DEVELOP A NEW MEDIA APPROACH FOR PUBLIC TELEVISION?

While the term “new media” has increasingly been associated with a variety of technologies and business models, it actually refers to nothing more or less intimidating than its literal meaning: the new medium known as the Internet.

Public Broadcasting approached the previous new mediums of radio and television by determining what aspects of the public good were not likely to be served adequately by other entities and then developed services to address those needs. Because the costs to access audiences through those previous mediums limited use to mostly commercial entities – whose motivations are not automatically congruent with public service – Public Broadcasting’s mission as a quality non-commercial content provider was clearly delineated.

The new medium of the Internet is revolutionary, in part, because it reduces production and distribution costs to within the reach of the private individual, thus potentially changing one of Public Broadcasting’s primary roles: America’s main non-commercial content provider. In our new media world, the audience is learning to create and distribute their own content, using online versions of newspapers (such as blogs), online versions of radio shows (such as podcasts), and, increasingly, online versions of television shows (such as vodcasts and uploaded videos). In addition, new commercial players are entering the media production and distribution landscape, allowing users to access increasing amounts of content from a wide variety of sources and therefore increasing the number of providers in the marketplace.

In the coming years, the Public Television system must adapt to the challenges and opportunities the digital age brings.

The Internet presents an opportunity.

The Internet offers new venues and potential new roles for public television.

The Internet now means video.

Until recently, this wealth of online material has been in a print or audio format. However, due to increased broadband adoption usage – 42% of all American adults now have broadband Internet access at home¹ – users can download more content faster and the Internet is becoming an increasingly productive distributor of video content. While traditional television viewing will likely be the dominant way to access video content in the foreseeable future, the ubiquity of broadband creates the potential for significant new kinds of services.

The Internet changes the historic producer to audience relationship.

The Internet allows commercial entities, non-commercial entities, and private individuals equal ability to reach a wide audience with content on every conceivable topic, personal and civic. Some of the content being created today addresses cultural, public service, and educational topics that have been addressed by Public Broadcasting, and this content is becoming increasingly popular.

YouTube.com and cultural programming. YouTube.com is one of several recently launched sites that allow users to upload and share video. The clips are divided into categories such as music, entertainment, travel, and science and technology. While many clips are of lower quality or extremely

¹ http://www.pewinternet.org/pdfs/PIP_Broadband_trends2006.pdf

*Public Television's Approach to New Media
September 2006*

specific subject matter, the sheer quantity of material available – the “Travel & Places” category alone offers 1500 new clips each day – can attract audiences that may begin to rival those of traditional television.

While the site is relatively new, it is rapidly entering the Internet mainstream. In August of 2006, YouTube.com was the 10th most popular site in the United States, ranking ahead of AOL.com and nytimes.com². According to the online ratings provided by Nielsen, it is the fastest growing of the top 25 web brands and has increased the number of unique visitors by 75% every week between January and June of 2006. The average time spent at the site has increased 64 % during the same period, from 17 minutes to 28 minutes, and it attracts 13 million unique visitors each week.

Digg.com and public service programming. Digg.com is one of the more popular news aggregators – sites that allow users to share, rank, and discuss news stories with other users – and its popularity has increased dramatically in recent months. In July of 2006, Digg.com had more page views than nytimes.com, the online version of the New York Times³, and four times as many page views as wsj.com, the online version of the Wall Street Journal⁴. In July of 2006, Kevin Rose, the founder of Digg.com, was featured on the cover of *BusinessWeek* magazine as one of a new crop of successful Internet entrepreneurs.

While Digg.com offers the same story as nytimes.com by simply linking to the New York Times site, it provides further service to the audience by indicating the story's relevance through various user ranking scenarios, linking to related articles from more specialized publications, and offering space for users to share reactions.

As Public Broadcasting explores its public service mandate in the new media space, we can look to aggregators, blogs, and other new media phenomenon to understand how audience behaviors and expectations are changing as they use the Internet to serve their own needs. For some kinds of content experiences, the Internet has broken down the unidirectional “producer/audience” relationship required by broadcast technology and replaced it with a conversation between creators, curators, critics, and spectators, all of whom may switch roles at will. Public Broadcasting must make strategic choices about which of those roles we best fulfill and which roles best fulfill our mission.

The Internet presents new choices for Public Television.

While the proliferation of content on the Internet raises new questions for Public Broadcasting, it also offers us an extraordinary opportunity to expand our brand, extend our reach, and deepen our impact with the American public.

The Internet enables our mission.

Just as the Internet enables other organizations and private individuals to serve the public, it equally enables us. In as much as we define “public service” to include public discourse, maximum access, and well curated content, the Internet offers new fertile ground in which to cultivate our mission beyond the traditional broadcast-based medium.

The Internet represents an opportunity for growth.

² http://www.alexa.com/site/ds/top_sites?cc=US&ts_mode=country&lang=none

³ http://www.alexa.com/data/details/traffic_details?compare_sites=nyt.com&range=6m&size=medium&y=r&url=digg.com

⁴ http://www.alexa.com/data/details/traffic_details?compare_sites=wsj.com&range=6m&size=medium&y=r&url=digg.com

Public Television's Approach to New Media
September 2006

The Internet opens up new audiences to Public Television and provides opportunities for us to interact with our audience in new ways. In addition to enabling us to further our mission, these new capabilities allow us to expand the breadth and depth of our services and ensure long-term financial sustainability. Not only can we strive to reach both existing audiences in new ways and entirely new audiences, but we can also look at new business models such as online underwriting or download-to-own opportunities.

The Digital Rights Working Group was very interested in identifying ways to capture these opportunities, and it was this interest in harnessing the potential of the new media environment that lies at the foundation of our recommendations.

WHAT STEPS HAVE WE TAKEN TO EXPLORE OUR APPROACH TO NEW MEDIA?

In light of the tremendous opportunities presented by the new medium of the Internet, the Public Television system has come together to articulate a role for ourselves in the digital age and learn from others.

We formed a Digital Rights Working Group.

During the Fall 2005 Round Robin meetings, CPB and PBS asked General Managers to identify the "critical few" short term issues facing the public television industry. Acquiring digital rights consistently appeared at the top of the lists. When this theme continued through the winter's PBS Board Meeting and PBS General Managers' Meeting, CPB convened a Digital Rights Working Group to begin to address the topic.

The group included system leaders, thought leaders, representatives from PBS, representatives from producing stations, and representatives from public television organizations. The members were:

Jon Abbott, WGBH	Ted Krichels, WPSX
Malcolm Brett, WPT	Loren Mayor, CPB
Joe Bruns, WETA	Marc McDonald, CPB
Fred DeMarco, CPB	Tim Olson, KQED
Ken Devine, WNET	Debby Onslow, WMHT
Carmen DiRienzo, WNET	Jim Pagliarini, TPT
Andrea Downing, PBS	Al Pizzato, Alabama Public Television
Mark Erstling, APTS	Mel Rogers, KOCE
Pat Fitzgerald, WBGU	Andy Russell, CPB
Wayne Godwin, PBS	Rob Shuman, MPT
Dennis Haarsager, KWSU	Brian Sickora, CPB
Sue Kantrowitz, WGBH	John Wilson, PBS

We learned from other entities' new media approaches.

The Digital Rights Working Group looked to three categories of new media players that we believed would best inform our thinking: Internet-based organizations such as Google, Microsoft, and Open Media Network; major commercial networks; and other public broadcasting systems such as the BBC.

*Public Broadcasting's Approach to New Media
Summer 2006*

We learned through both research and open discussion that each of these groups offers a unique perspective of the new media proposition. However, all three recognize central implications:

- New media audiences expect “beyond broadcast” content. New media audiences view broadcast programming as an entrée into a larger set of offerings. They want to access episodes post-broadcast and then look for related non-broadcast content. Some media experts are examining the possibility that extra-broadcast content can be used to increase broadcast ratings.
- New media will be a dialogue. New media audiences view traditional media organizations as collaborators. They expect to be able to access, link to and aggregate broadcast content in ways that are relevant to their unique interests. Some audiences also increasingly want to be content creators and, in much the same way blogs are complementing print media, user generated content is increasingly desirable to radio and television audiences.
- New media is happening right now. Key components of a new media landscape, such as broadband Internet access, are rapidly proliferating. No single approach will soon, if ever, emerge to fully exploit these developments. Therefore, all three groups endorse rapid, small, and daring experiments in content delivery and monetization.

While all three groups accepted these central realities, they have each begun to position themselves in separate and somewhat complementary corners of the new media playing field.

HOW DO WE DEVELOP A NEW MEDIA APPROACH FOR PUBLIC BROADCASTING?

While the initial charge of the Digital Working Group was relatively narrow – to identify an approach for digital rights acquisition – it quickly became clear that this question could not be addressed in a vacuum. The question needed to be placed in the broader context of our overall digital strategy. To quote Sun Tzu, the 500 BC Chinese General, “Strategy without tactics is the slowest route to victory. Tactics without strategy is the noise before defeat.”

Informed by the work being done by commercial players, Internet players, and the BBC, we have therefore begun to frame both a strategic vision and tactical guidelines, both of which are outlined in detail below. As we formulate each new answer, we simultaneously generate a host of new questions. It is our hope that these questions spur a productive and on-going dialogue across the system.

We develop a strategic vision.

By articulating our strategic vision, we mark the philosophical boundaries within which our various new media initiatives will operate. We strive to answer the question: *How should public television's core mission translate onto new media platforms?*

Ultimately, the Working Group delineated two core principles.

1. We serve the American public.

Our first priority in devising any new media strategy is to extend our traditional mission of public service by engaging this new medium of the Internet to serve the American public. As in traditional

*Public Broadcasting's Approach to New Media
Summer 2006*

broadcast forms, we will continue to define “public service” to mean quality content not driven by commercial interests that serves the American public.

How do we know when we're effectively serving the public online? Our audiences have different expectations from television broadcasters and online content providers. These different expectations are fueled by the Internet's capacity to allow users to receive, reuse, and interact with content in ways impossible through the broadcast medium. As we provide both content and interactivity online, we notice new expectations from our audience and need to monitor our success in maintaining the public's trust accordingly, while simultaneously sustainably fulfilling our mission.

As an example, PBS launched a “download-to-own” pilot project to offer select programming for download at between \$1.99 and \$7.99 per episode, thus testing the hypothesis that users would view the ability to download archived programming as a premium worth paying for. While it is too early to conclude that the hypothesis is true or false, early feedback has been mixed.

On one popular news aggregation site, comments were nearly evenly divided between euphoria with the unprecedented access to content and anger at being asked to pay for programming that is publicly funded. Many contributors pointed out that all download-to-own episodes were also available in the streaming format free of charge, while others demanded that all Public Television content be free in all formats at all times. Others requested access, fee or free, to otherwise unavailable vintage programs such as the Electric Company. While purely anecdotal, these responses reflect the public's varied definitions of public service coupled with their intense interest in Public Television programming.

How do we serve a public who has new opportunities to serve itself? As described in the section above, the Internet differs from broadcast mediums largely because it can blur the line between producer and audience. Increasingly, Internet users are creating their own cultural and public affairs programming and involving established media organizations as merely sources of raw content, if they are included at all.

In a new media world, where the audience can serve itself in many ways, how do we provide distinct value online? We are just beginning to explore possible responses to this question. Early answers include providing access to our wealth of quality, meaningful programming. We are also beginning to identify ways to extend our role as a quality curator on the Internet where, as the available content proliferates exponentially, the need for a trusted filter becomes exponentially urgent. Additionally, in the near future, we may enable our audience by releasing some kinds of content for use in their own work.

2. We offer the broadest free access sustainable.

In developing a consensus around our new media strategy, no principle is more emphatically agreed upon by the system than “maximum access.” We believe that a fundamental tenant of public service is providing the maximum sustainable access to the myriad of programming already available. On air, this means universal service. In a new media environment, this means seeking to place our content on as many platforms, for as many audiences, in as many formats or devices for as long as possible.

Providing access beyond broadcast, however, requires additional resources. Digital rights acquisition, format conversion, server space, site maintenance, and Internet bandwidth are unavoidable costs. The natural tension between service and sustainability forces a framing question:

**Public Broadcasting's Approach to New Media
Summer 2006**

How do we manage tradeoffs between access and sustainability? As a hypothetical example, assume that, due to rights acquisition costs, a station could afford to supply either the entire 2006 catalog of *NewsHour* programming for five years or a single *Nova* episode indefinitely. Which better serves the public good? How might the station modify the rights agreement for one in order to offer both for a shorter period of time or on fewer platforms?

A preliminary answer is to first offer all content free on all possible platforms for an initial period of time. Then, where sustainable, maintain free access to content or, where appropriate, generate revenue. This effectively creates three windows of content offerings

While this approach takes our strategic thinking one step further, it too generates a host of questions, including “How do we determine when it is appropriate to generate revenue from programming”? In other words, how do we develop new media programs that, on balance, result in a sustainable public service?

We develop a tactical vision.

While strategic principles are necessary to help define who we want to be in a digital age, they are not sufficient. If we want to provide practical guidance for stations, rights negotiators and producers today, we must explore the specific questions of what we want to offer, for how long, and in what capacity. Ultimately, these issues can all be addressed by the following question: *What combinations of new media activities sustain Public Television's mission long term?*

To answer this, the Working Group identified three guiding principles.

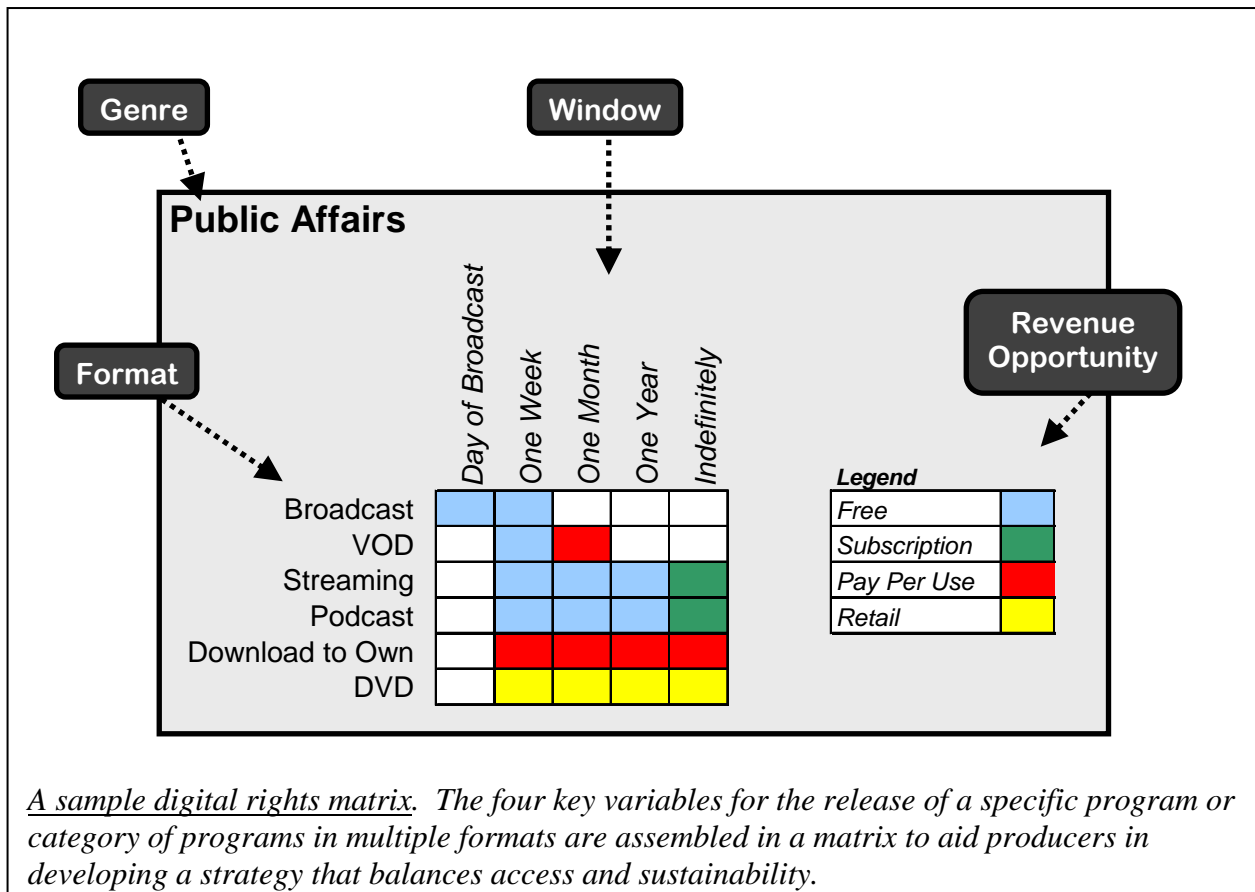
1. We assess programs individually. It is inaccurate to consider digital rights to a given program as a single set of rights. In reality, any individual program could include content from dozens of sources who have agreed to a variety of uses of that content on different platforms for different time periods. Even in situations where it might be possible to acquire rights to all types of use on all types of platforms for indefinite periods of time, the cost of such a large package of rights would not make the most effective use of our resources. Instead, the tradeoffs inherent in any economic system will force us to balance the usefulness of any given right with its cost.

How do we frame the assessment? In order to assess a specific new media initiative, we benefit from a shared vocabulary that defines the necessary variables and indicates their relationship to each other. In order to build that vocabulary, we have delineated four critical variables. Those variables, along with examples and key issues to consider, are outlined below:

Variable	Example	Possible Considerations
Genre	Public affairs, history, local, science	<ul style="list-style-type: none"> • Is the content timely or timeless? • How large is the potential audience?
Format	Download-to-own, stream, podcast, VOD	<ul style="list-style-type: none"> • What is the image quality? • Can the user download the content? • Can it be transferred to another device? • What are the risks of piracy?
Window	One day, two weeks, one year, indefinitely	<ul style="list-style-type: none"> • How soon after broadcast should the content appear? • Can the content appear before broadcast? • For how long should the content be available?

Revenue opportunity	Free, pay per use, member premium, sponsorship	<ul style="list-style-type: none"> • Should users pay for each download or access programming as a membership premium? • Should sponsorships be sold? • Should programming simply be free?
---------------------	--	---

The digital rights strategy for any program or genre of programs require us to make specific choices about each of these variables. To visualize a rights strategy, these variables can be combined into a matrix such as the example below:



How do we evaluate the accuracy of our assessments? We must continue to monitor and learn from our experience in this new medium. Many open questions remain: How do we track the impact of spent resources on our public service goals? How do we share lessons learned with each other? We must work to develop networks of communication in order to accelerate our learning.

2. We benefit the entire system on balance.

All Public Television entities coexist in a complex and inter-related economy – including local stations, government entities, and content distributors such as PBS – but all ultimately rely on the relationship between the general public, members and stations. Today, the general public and members primarily identify with their local station and give their support at the local level.

The Internet, however, enables producers to interact with our audience directly. When managed properly, these relationships can enhance the users' perceptions of Public Television. They may be highly cost efficient, and they may create new revenue opportunities. They may not always, however,

*Public Broadcasting's Approach to New Media
Summer 2006*

include the local station. In light of our system's reliance on the public-to-station relationship, it is critical that we evaluate new initiatives for their ability to support, on balance, the entire system.

How do we benefit the entire system on balance in practice, as well as in theory?

It is impossible for every new media initiative to benefit every local station equally. Instead, we will benefit the system on balance through a variety of projects that benefit different groups in different ways. Additionally, we will benefit the entire system by sharing the lessons learned from our new media initiatives with each other.

Two examples of projects that benefited a subgroup of Public Broadcasting directly through revenues and indirectly through shared learning were the NPR Podcast pilot and the PBS download-to-own pilot project.

The NPR Podcast pilot, begun in September of 2005, was a collaborative effort between NPR and a coalition of public radio producers to offer 17 podcasts for download via npr.org and the Apple Music Store. The members of the pilot program believed that, by pooling their resources, the producers would create a "larger pie" of audience exposure and underwriting revenue than they might have through individual efforts. The program extended exclusive underwriting privileges to Acura, and then shared revenues among producers according to their relative download volume. The program was quite successful, enjoying 5 million downloads in less than two months. As a result, NPR is expanding the program to other stations.

Within the public television community, PBS, WGBH, and WNET have launched a download-to-own pilot to better engage with our Internet audience through online entities Google and Amazon. The explicit goal of this effort is not to raise significant additional revenues in the short term, but rather to become more effective partners in the new media environment. While both of these projects involved only a handful of stations, they have also generated new ideas and offered answers to key questions asked by the entire system.

Although it may be impossible for every initiative to benefit every station equally, some projects may offer all stations an equal opportunity to participate. For example, PBS is exploring different revenue generating strategies that strengthen the role of the local stations. One strategy involves providing Internet access to certain types of premium content as a perk of membership. Whether members access this content through their home station's website or by receiving a password from their station and accessing the content through a central website, it would elegantly fulfill our principle of benefiting the entire system.

How can local stations embrace the Internet to benefit themselves? In the broadcast medium, only a small percentage of Public Television stations can afford to produce and distribute highest quality television programming with appeal beyond their local audience. Therefore, fewer than a dozen local stations create most of the content distributed by PBS. However, the costs to produce and distribute content over the Internet can be much lower than those of traditional television programming.

By leveraging the lower costs of providing content online, local stations can offer more programs with more specialized appeal than they could afford to provide via broadcast. KQED, for example, produces the "hyper-local" program *Gallery Crawl* to showcase artists in the San Francisco Bay Area. Because KQED has chosen to distribute *Gallery Crawl* on the Web, they can use a lower resolution with a smaller image height and width, and the producers can save some money on production values.

*Public Broadcasting's Approach to New Media
Summer 2006*

More importantly, unlike distributing via broadcast, offering *Gallery Crawl* online doesn't force KQED to remove another program with a potentially broader audience. The Internet allows KQED to distribute as many programs as they can produce.

Alternatively, stations can use the Internet as a tool to pool their resources and expand their reach. For example, the *American Field Guide*, hosted by PBS and produced by Oregon Public Radio, aggregates science and nature video content from more than 50 stations. Users can search through episode transcripts for keywords and will be directed to the segment of a particular episode relating to their query. The site consistently ranks among the top 100 of 1800 PBS-hosted sites.

Finally, a new media program doesn't need to consist entirely of delivering video – stations can engage their local audiences through any number of ways. Some stations, for example, offer online print and audio content to connect the themes of a nationally distributed PBS program to their local community. Such offerings can increase a station's contribution and significance in their community, ultimately enriching the system as a whole.

Overall, we must avoid enforcing coalitions that either limit stations' autonomy or benefit one station at another station's expense without a net positive to the overall system. As with each solution, however, a new host of questions are raised: "How will we know if a program will result in a net system benefit?" While we may never know with certainty, we must devote our energies to evaluating programs with this criterion in mind.

3. We engage in small experiments now.

At this early state in our culture's engagement with the Internet, there are too many unknowns to risk large investments. Instead, smaller scale experimentation is a more effective approach. We are a decentralized system and close to our audience, therefore well suited to experimentation. Moreover, because the new media space is rapidly evolving, swift action is necessary to maintain our relevance. While research is helpful in providing us with a general direction, the better way to measure results is to develop short-term new media experiments.

Action needs to be taken now. Other new media providers - both commercial broadcasters and grassroots entities – recognize that Internet users are still developing their habits. As a result, they are acting quickly in order simultaneously meet and form consumers' expectations. If we want to help shape our audience expectations, we must be a part of this new media experimental environment. For these reasons, our mantra is "small experiments now."

How do we encourage experimentation? As discussed above, outstanding experimentation is already underway. *Frontline*, *NOVA*, *The News Hour with Jim Lehrer* and a variety of other Public Broadcasting titles are available online. Users can download programs on Google and OMN. Local stations such as San Francisco's KQED and Cincinnati's CET provide locally generated video on their web sites. PBS offers innovative Web-only companion sites to some of their programming, including *P.O.V.*'s award winning site, *Borders*.

While these initiatives are an excellent start, we must continue to innovate. The risk of failure can discourage us from trying new things. Sometimes all that is necessary to mitigate that risk is a few extra resources – the right piece of equipment or the right volunteer with the right skill set. Often what is needed is shared information. As we learn to share the results of our experiments with each other,

we will shorten our cycles of innovation and, ultimately, improve our ability to serve the public in a sustainable manner.

How do we decide what experiments to undertake? While we encourage stations to engage in experimentation, we believe the results of those experiments will be more fruitful if they fulfill the previously outlined principles of maintaining the public trust and benefiting, on balance, the system as a whole. In addition, we have outlined two principles by which experiments can be evaluated before being undertaken:

1. Short term. Projects should include, if not exclusively focus on, short term goals.
2. Non-exclusive. In general, long-term exclusivity with one particular partner/distributor should be avoided.

These guidelines will provide public television stations with enough flexibility to test new ideas over the Internet while ensuring the initiatives maintain the core non-commercial principles inherent in broadcast content. While understanding that new media offers revenue opportunity for stations, we must maintain the core value that differentiate us from commercial media providers.

WHAT STEPS WILL WE TAKE TO EXPLORE OUR APPROACH TO NEW MEDIA?

As one Digital Rights Working Group participant quipped, “we are building the plane and flying the plane at the same time.” The analogy speaks both to the urgency with which we must address this new medium and to the creativity and experimentation this new challenge will require.

We will refine these principles as we engage in future new media initiatives.

The core principles outlined above are intended to provide a framework to both inspire and evaluate new media initiatives. However, our initial answers to both the strategic and the tactical questions themselves generate questions, many of which we have highlighted throughout this paper. As we apply these principles to upcoming new media initiatives, we will revisit our core questions and challenge the assumptions used to formulate them. We believe that, in continually reexamining our framework, we will improve the quality and effectiveness of our new media initiatives.

In particular, there are three broad new media initiatives that will help us refine our principles.

Educational initiatives will help us refine our principle of public service.

Public Television has long supported formal educational institutions in learning programs by freely distributing copyrighted content for specific uses. When the Internet is introduced as a new method of distribution, more types of copyrighted content may be distributed and used in more ways than previously possible.

This presents our system with both a new opportunity to fulfill our principle of public service through education and a specific challenge to develop digital rights strategies that are fair to all stakeholders.

There are several considerations:

- Who is using the content (e.g., K-12, higher education, distance learning)?
- How is the content being used (e.g., viewed, incorporated into student-produced multimedia)?
- What is the technical capacity of the school or other institution?

*Public Broadcasting's Approach to New Media
Summer 2006*

- What is the imperative for home access (i.e., students working on projects at home, teachers doing lesson planning)?
- What does educational research tell us about the best-practice usage of digital media in classroom instruction?

Depending on the answers, our rights position might change. For example, is a university professor allowed to use a PBS program in a lecture and then post the lecture along with the program online for students to view? While this might be considered a mission driven use of the content, does the professor need to license the content separately for online streaming? In a revenue focused scenario, a for-profit distance learning class might stream a PBS program in one of its online modules. We would then need to consider what type of licensing fee the for-profit education entity should pay.

Further, how do we distinguish between educational uses and personal uses of content? For example, many teachers come to PBS.org for information to reinforce their own understanding of a topic without specifically using that content in the classroom. Which package of negotiated rights would apply to that scenario?

The recommendation of the Digital Working Group is that, at a baseline, the current level of rights offered to education organizations should be maintained in a digital broadcast environment (e.g. analog off-air record rights for digital broadcasters). To more fully consider the issues in this arena, however, and to develop a comprehensive approach forward, we feel that a separate group – including organizations beyond public television – should convene to develop a thorough digital rights strategy for education.

The creation of a Digital Archive could help us refine our principle of maximum access.

The BBC has recently developed an online library called the Creative Archive filled with content from the BBC and several other major UK video producers. The archive is a resource for British citizens to download quality video content and incorporate it into their own work. The Working Group is interested in examining the steps required to create a comparable American Archive, perhaps acting in partnership with significant cultural institutions such as the Library of Congress.

Like the BBC's Creative Archive, the concept of an American Archive is created out of a basic, yet powerful theme: the American people provide substantial funding for public television (through federal, state, local government funding and through membership support) and should have a privileged position for access and use of public broadcasting's content. In addition to supporting this core rationale, long-term access to content can help advance public broadcasting's mission. Finally, it would fill a need voiced by a variety of constituents (students and educators primarily) who are looking for a trusted source for media.

In concept, the Working Group felt that this was an important avenue for public television to explore. How such an archive might be designed, however, remained an open question. Unanswered questions include the following:

- How much content would it contain?
- Who would be the intended end user?
- How much control over the content would users be given?
- Who, if anyone, would be an appropriate partner in this enterprise?
- What rights would be needed and how could we afford to pay for them?
- What implications would this have for producers and other underlying rights holders?

Given the potential public service value of such an effort, and the possible opportunity for additional public funding to support this initiative, the Working Group also felt that further research and refinement was needed on this idea.

Local Initiatives will help us refine our principle of experimentation.

While efforts are underway today at major producing stations and at PBS to take advantage of new media opportunities and to explore new business models, there is more limited experimentation occurring at local stations. Given the unlimited shelf space that the Internet provides and the lower cost of production, the Internet can be an ideal venue for local stations to expand their local reach. Several stations are taking steps in this direction by creating lower cost, web only programming or by allowing local users to participate in online dialogues. Other stations are also looking for new ways to localize the national content by creating supplemental, locally relevant material that is available online.

The Digital Rights Working Group believes that more work should be done to build local relevance in new media platforms. While new technologies challenge the local broadcast model, they also provide an opportunity to further democratize our system and extend the reach and impact of local stations.

We will learn from each others' experiments.

Experimentation is of little value if the results of the experiment are not recorded and shared. As individual stations and other Public Broadcasting organizations engage in programs that involve the Internet, we need to develop ways to articulate the lessons learned and share them with the larger system.

The Public Broadcasting system has organically developed a variety of intra-system communication networks through which ideas are informally communicated. We will make the best use of these informal networks to share the results of our experiments and consider if new tools, from wikis to blogs by industry thought leaders, can help us achieve this goal.

CONCLUSION

The Digital Rights Working Group believes that through cooperation, shared information, and experimentation, we can come together as a system to serve the public's educational and cultural needs via Internet with the same quality and reliability the American people have come to expect from us via more traditional mediums.

We encourage all members of the Public Television community to embrace this new medium and the new capabilities it offers with the same spirit of public service that has always guided us. While each new experiment may involve risk and will no doubt generate as many new questions as it answers, the moment to begin those experiments is now. In light of the new capabilities of the Internet, Public Television has a tremendous opportunity to extend its mission and value to this new medium.