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Why Centers Abandon First-Come, First-Served
by Pat Garlinghouse

“First Come, First Served” (“FCFS”) is a management strategy with the goal of providing the opportunity for fair access, but “FCFS” may not necessarily be the best tool. Just because people have the proximity and leisure time to stand in line and fill up the queue doesn’t give them the right to monopolize the channel. Access managers may, and often do, find that the demographics of their users do not reflect the demographics of their service area -- an indicator that equal access does not exist. The desired result is equitable service. Logic supports an access manager’s need to engage in outreach to ensure that diverse communities gain access. Equal access exists only when everyone has an equal opportunity for access. “FCFS” just lets the first one who gets to the service use it. So much has been made of “FCFS” that it has taken on a divine connotation but the invariable issue is control of content not control of order.

PEG and the First Amendment

Public, Education and Government (PEG) Access struggles to gain identity throughout the country. Education access and generally government access get bandwidth; public access gets franchise funding in exchange for the use of public property. The first amendment guarantees that all speech will be heard on public access but the first amendment does not say anything about the order of that speech.

Valuable programming, programming that can capture the imagination and support for access from the public, requires that the public knows what kind of content to look for and to make decisions about what they want to watch. Gaining public support does not require content decisions but requires scheduling decisions. If managers want to give the public an inkling about the programming, then “FCFS” is not the preferred method. “FCFS” robs the public of choice -- the choice of knowing, for example, what to watch in advance or when to tape a program.

Someone must make decisions in order to give the public a choice.

Access managers have a responsibility to: users, viewers and the non-viewing public alike. Each constituent's needs should be met. Each participant's rights should hold the same relevant weight. No one group should be able to exert pressure on management for a particular programming philosophy. Making decisions is in the best interest of the users, viewers and the public. It's good management to let people know what's happening. Accordingly, the best way to protect and justify management decisions is to disseminate adequate and clear information about programming policies and procedures. People feel in control when they know the rules.

FCFS as a Management Tool

Traditionally "FCFS" was used by managers to avoid having to justify their programming decisions fearing criticism from the public. Deciding on a fair scheduling scheme is difficult but critical to serve the public. "FCFS" does not provide equitable access for those who cannot compete equally. "FCFS" provides a substitute for programming decisions.

Someone has to make decisions because events come up that can't be moved or changed: late breaking news and time sensitive programming, for example, so any manager will have to justify decisions that cannot be decided by lottery, the fastest or easiest method, or by the person with the most information or advantage. Good management decisions cannot be made if slots are given at random. Nor should management decisions be abdicated in deference to an imagined component of first amendment rights. "FCFS" does not enhance first amendment rights but it does take away choice from the viewers. Once the distinction is clear, any manager can schedule programming on the access channel in the best interest of the public. The general public needs to know that access is responsible and delivering the best possible service.

The Public Access Mission

Education and Government access have very distinct and limited missions. Public access does not. Public access is perceived as robbing valuable funding, for example, from the

libraries, recreation centers or the fire dept. Such an assumption forces criticism and scrutiny on public access funding that Education and Government access don't have. PEG access often appears as a threat to the local community, particularly Public access -- the most likely to engage in a form of "FCFS." In public access all speech can be heard as long as it is protected by the first amendment. Providing free speech need not be order-specific. Any number of operational scenarios make the management of video production on a strict "FCFS" basis difficult.

If one group of community organizations, for example, floods half of an operation with programs, is the access service still serving the entire public? Did all of the public have the same opportunity to produce an equal volume of shows for the channel? Is that service being delivered to the community in an equitable manner? How then does one allocate access to the channels in an equitable manner that also meets the needs of the general community? The examples below come from organizations throughout the country that face the "FCFS" dilemma head-on.

Special Insight

Take the case of a small public access operation with just one channel, less than a one million-dollar budget (no capital or facility support), and a public to serve of three million. Special interest groups discover this public access opportunity and promptly consume the resources to crank out vast numbers of programs.

Series renewal time arrives and "all-knowing" producers prepare to devour limited space on the channel. The doors open at 9:00 a.m. and fifty producers fall through the doors. Even a lottery couldn't solve this one. Series must be allocated by theme or block scheduling which falls outside the parameters of "FCFS." Access must deliver equitable services.

Scheduling Issues

Some centers want to showcase programming around holidays or specific themes like International Women's Day, or Black History Month. A producer might want to showcase some

of her work and show a “block” of several programs. This is often a great way to reward producers for the long process of production or a videographer who gains local notoriety. As long as all producers have the opportunity for program showcasing, treatment is equitable.

Another case of special scheduling concerns the programming of those who might test first amendment limits: violence, hate, sexually explicit material, etc. You know the story. Special time allocations to protect minors need to be in place.

Audience Identity

Producers, or users, aside, the public scrambles for some identification with their public access channel. They might want to know when they can see programs in their native language. Where are the programs for their children after school? They “never know when anything is on,” or they want to complain to city council that “nothing on the public access channel is worth watching.” A lack of concise information produces fragmented audiences. Viewers need program predictability and consistency. Thematic scheduling provides the public predictability and consistency while viewing the channel and provides equitable service delivery.

Forming Partnerships

In the recent “Audience” issue of the CMR, Barbara Popovic of “CAN TV” describes instances where community-based organizations form partnerships with access to build new audiences and new constituencies. This kind of relationship goes beyond the “FCFS” model. Partnerships bring groups of new audiences to the access channel.

If access centers must provide “everyone in the community” access to the channel, sometimes that means seeking out those who are not yet represented on the channel. Gaining viewers requires some initial assistance or collaboration with community groups and falls outside of the parameters of “FCFS” but consistent with equitable delivery of services.

Special Programs

Houston MediaSource provides an extensive apprenticeship program, funded by the *Texas Commission on the Arts*, that allows young videographers the opportunity to practice their video skills by teaching in local schools, assisting in ongoing programs that are short-staffed, or helping to develop new programs -- such as an intern who is deaf teaching classes in captioning to hearing producers. Some interns now teach video classes in Spanish and Chinese.

When centers become “production services,” often in search of needed funds, they should remain true to their access first amendment mission. Staff can give assistance but not priority treatment. All equipment, for example, should come from the same pool that individual producers use. Although a new producer receives production assistance, the submission of a program should be consistent with general programming policy across the board.

Content Neutral Programming Management

The real issue in examining the equitable delivery of programming is that of content-neutrality and not that of program management: *never abandon the concept of content-neutral programming*. Having the right to air your show without prior restraint is not the same thing as having the absolute right to put your show on the channel when you want or in a particular order. The courts, in essence, have often said that it’s not about what’s easy, it’s about what’s right. The abandonment of “FCFS” services, even partially, can easily be viewed in conflict with the first amendment. Any deviation should be carefully planned and monitored. The essence of one’s public access operation must remain steadfast to the first amendment. The day-to-day operation, in order for the service to remain relevant to community needs, may dictate that many services are not well served by strict “FCFS” management.

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