
BROADCAST EDUCATIONAL MEDIA COMMISSION

- Renames and reconstitutes the former eTech Ohio Commission (eTech) as the Broadcast Educational Media Commission (BEMC) and transfers all of eTech's educational broadcasting services to BEMC.
- Of eTech's duties not transferred to BEMC, transfers some to the Chancellor of the Board of Regents and to the Department of Education, and eliminates others.
- Allows for the continuation of some former eTech employees with BEMC and the transfer of other eTech employees to the Department or the Chancellor.
- Terminates all terms of members of the former eTech Ohio Commission on June 30, 2013, and modifies the membership of, and the initial terms of office for, the newly constituted BEMC, whose members begin their terms of office on July 1, 2013.
- Eliminates the law requiring eTech state technology plan, the Interactive Distance Learning Pilot Project, the Education Technology Trust Fund, and the Information Technology Service Fund.

Reconstitution of eTech as the BEMC

(R.C. 3353.01 to 3353.04, 3353.06, and 3353.07; conforming changes in R.C. 125.05, 3313.603, 3314.074, 3317.06, 3317.50, 3317.51, 3319.22, 3319.235; Sections 263.470, 278.20, and 363.570; Section 4 of S.B. 171 of the 129th General Assembly, amended in Sections 610.20 and 610.21)

The act renames and reconstitutes the former eTech Ohio Commission as the Broadcast Educational Media Commission (BEMC), effective July 1, 2013. On that date, all duties and rules of eTech related to the state's educational broadcasting services, including educational television and radio and radio reading services, are transferred to the new BEMC. Duties not transferred to BEMC as a result of this reconstitution are either eliminated or transferred to the Chancellor of the Board of Regents or the Department of Education.

The act permits the Director of Budget and Management to implement budgetary changes made necessary by the reconstitution of the former eTech as BEMC and by the transfer of duties to the Chancellor or the Department.

Elimination of duties

(R.C. 3353.02(G), 3353.04(A), and 3353.06(B); Section 278.20)

Five specific duties of the former eTech are eliminated by the act and, therefore, do not continue as duties of the newly constituted BEMC. The eliminated duties include (1) making grants for technical assistance and professional development to enable schools, educational institutions, and affiliates to utilize educational technology, (2) establishing a reporting system for entities that receive the grants, (3) ensuring that products of an entity that receives financial assistance from the Commission that are intended for use in elementary and secondary schools are aligned with statewide academic standards, (4) using money accredited to the Affiliates Services Fund for professional development programs and services, and (5) establishing advisory committees regarding educational technology issues and needs.

In addition to the duties described above, the act specifies that any duties that are not related to the state's educational broadcasting services or are not specifically transferred to the Chancellor or the Department are eliminated.

Transfer of duties

(R.C. 125.05, 3314.074, 3317.50, 3317.51, and 3319.235; Sections 263.470 and 363.570)

The act transfers certain duties of the former eTech to either the Chancellor or to the Department of Education. The transferred duties relate mainly to professional development programs for educators on technology, the administration of funds used to make technology grants to schools, and hardware and software supplies for schools.

The act transfers specific duties to the Chancellor, including (1) in consultation with the Department, the establishment of professional development programs to assist educators in integrating technology in education and providing technical assistance to schools in order to establish such programs, (2) the administration of the Telecommunity Fund to finance technology grants to elementary and secondary schools, and (3) the administration of the Distance Learning Fund to finance technology grants to eligible school districts. (However, Section 363.570 of the act instructs the Director of Budget and Management to transfer the cash balance in the Telecommunity Fund to the Distance Learning Fund and abolishes the Telecommunity Fund.)

Additionally, duties specifically transferred to the Department include (1) the purchase of software supplies and services for specified school districts at a reduced price and (2) the redistribution of software and hardware supplies that were originally leased by the former Ohio SchoolNet Commission or the former eTech and are returned by a permanently closed community school.



Continuation and transfer of employees

(Sections 263.470, 278.20, and 363.570)

The act permits the newly constituted BEMC to retain, at its discretion, any employee of the former eTech who was previously assigned to activities related to the state's educational broadcasting services (including educational television, radio, or radio reading services). Employees who are retained continue with the newly constituted BEMC and retain their positions and benefits. In addition, some of the former eTech employees may be transferred to either the Department or the Chancellor in order to administer those activities transferred to the Department or the Chancellor.

The act specifies that all of the employee transfers and continuations described above are subject to the normal layoff provisions of state law. Furthermore, under continuing law, the act specifies that any employee who was included in a bargaining unit with one of the former eTech's predecessor agencies retains all previous collective bargaining rights.

Membership of the Commission

(R.C. 3353.02; Section 278.20)

The act terminates the terms of office of all members of the former eTech Ohio Commission on June 30, 2013, and specifies that members of the newly constituted BEMC begin their terms on July 1, 2013.

The act also modifies the membership structure of BEMC from that of the former eTech. First, it specifies that the Commission must consist of 15 (rather than 13) members, 11 (rather than nine) of whom are voting members. Of the 11 voting members, nine (rather than six) must be members of the public, who must be selected from among the leading citizens in the state who have an interest in educational broadcast media, demonstrated through service on boards or advisory councils of educational television stations, educational radio stations, educational technology agencies, or radio reading services. Additionally, of the nine public voting members, three (rather than four) must be appointed by the Governor with the advice and consent of the Senate, three (rather than one) must be appointed by the Speaker of the House, and three (rather than one) must be appointed by the President of the Senate. No more than two members appointed each by the Speaker and the President may be from the same political party.

As with prior law for the former eTech, the Superintendent of Public Instruction and the Chancellor, or other designees, are voting members of BEMC, and four legislative members remain as nonvoting members. But the act removes the State Chief



Information Officer as a member. Finally, the act requires that the Governor appoint a chairperson of the Commission from the Commission's *public* voting members, rather than from any of its voting members as in the case of prior law pertaining to eTech. (As a result, the Superintendent or Chancellor could not be appointed as chairperson.)

In order to provide for staggered terms of office, the act modifies the initial terms of office. One member each appointed by the Governor, the Speaker, and the President will initially serve one year. One member each appointed by the Governor, the Speaker, and the President will initially serve two years. Finally, one member each appointed by the Governor, the Speaker, and the President will initially serve three years. Thereafter, members serve four-year terms.

State technology plan

(Repealed R.C. 3353.09)

The former eTech was charged with developing, implementing, and updating a state technology plan "to create an aligned educational technology system" from preschool through higher education. The Commission was required to consult with the State Board of Education in the plan's development and modification.

The act eliminates the requirement for this plan.

Interactive Distance Learning Pilot Project

(Repealed R.C. 3353.20)

H.B. 1 of the 128th General Assembly, in 2009, required the former eTech, with assistance from the Department and the Chancellor, to establish an interactive distance learning pilot project to provide at least three courses free of charge to high schools.

The act eliminates this requirement.

Education Technology Trust Fund; Information Technology Service Fund

(Repealed R.C. 183.28 and 3353.15)

The act eliminates the Education Technology Trust Fund, which formerly held tobacco settlement moneys dedicated to educational technology. It also eliminates the Information Technology Service Fund. The latter fund was created in 2011 by H.B. 153 to hold money received by eTech from educational entities for the provision of information technology services.

