Chapter 354

1967 REPLACEMENT PART
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CROSS REFERENCES

Educational Coordinating Council, 351.270

STATE RADIO STATIONS

354.010 Management of state radio station at Oregon State University. The State Board of Higher Education is declared the managing agency of the state-owned radio station KOAC, licensed to Oregon State University, and as such shall prescribe rules and regulations in conformity with the regulations and laws of the United States Government relating to radio stations generally, governing the use, operation and control of the facilities of such radio station. By such rules and regulations the board shall make the facilities of such radio station available to all departments and agencies of the State of Oregon, but may require any state department or agency so making use of the facilities of the radio station to pay therefor a reasonable charge. The money derived therefrom shall be used for the general operating and maintenance expense of the radio station.

354.020 Use by state agencies. Every department or agency of the State of Oregon may make such use of the facilities of radio station KOAC as it may deem conducive to the best interests of the State of Oregon, and may pay to the State Board of Higher Education, in consideration for the use of the facilities of such radio station, such reasonable charge as may be required, all subject, however, to such rules, regulations or orders as the State Board of Higher Education may make regarding such use.

354.090 Management of state radio station at Oregon Technical Institute. The State Board of Higher Education is declared the managing agency of the FM radio station KTEC, licensed to the Oregon Technical Institute, and as such shall prescribe rules and regulations in conformity with the regulations and laws of the United States Government relating to educational FM radio stations. By such rules and regulations the State Board of Higher Education shall make the facilities of the radio station available in the training programs of the Oregon Technical Institute.
[1957 c.389 §16; 1961 c.126 §1]

STATE TELEVISION STATIONS

354.210 Management of educational television facilities of State Board of Higher Education. The State Board of Higher Education hereby is declared to be the managing agency of educational television facilities for which it is the licensee of the Federal Communications Commission, and shall prescribe rules and regulations, in conformity with the laws and regulations of the United States Government applying to noncommercial educational television stations, to govern the use, operation and control of the facilities. The rules and regulations shall be made in accordance with the determination of what is in the best interest of the people of Oregon to meet their educational and cultural needs.
[1957 c.694 §1]

354.220 Use by state agencies and public and private organizations. (1) Subject to the provisions of subsection (2) of this section, the State Board of Higher Education shall make the facilities of any educational television station, for which it is licensee, available to all departments and agencies of the State of Oregon and to any private or public corporation, firm, organization or association for cultural or educational purposes.

(2) No department, agency, corporation, firm, organization or association shall be allowed to use the facilities of any educational television station for which the State Board of Higher Education is the licensee, unless:

(a) The department, agency, corporation, firm, organization or association agrees to conform in its use of the facilities to the rules and regulations issued by the State Board of Higher Education.

(b) The department, agency, corporation, firm, organization or association agrees to pay reasonable charges fixed by the rules and regulations of the State Board of Higher Education based on the operating expenses of the television facilities used. The amounts received under the provisions of this paragraph hereby are appropriated for the purpose of paying the operating expenses of any educational television station for which the State Board of Higher Education is the licensee. No charges under the provisions of this paragraph shall be, or be considered to be, charges based on the amount of television time given to the payer. As used in this paragraph, "operating expenses" means technical, programming, administrative and maintenance expenses, including reasonable building and equipment reserves, but does not include capital outlay for the initial plant and equipment.
[1957 c.694 §3]

354.230 Acceptance and use of gifts. The State Board of Higher Education may encourage and accept gifts for the development of the facilities of educational television stations for which it is licensee. All gifts to the State Board of Higher Education for such purposes shall be used subject to the terms of the gift. Subject to such terms, the gifts may be invested by the State Board of Higher Education.
[1957 c.694 §4]

354.290 Application of state or nonprofit corporation for FCC license. The State Board of Higher Education or any nonprofit corporation organized under the laws of Oregon for educational television purposes may apply to the Federal Communications Commission for permits to construct noncommercial educational television stations in Oregon to utilize any channel allocated for that purpose by the Federal Communications Commission and may apply for licenses to operate such stations.
[1957 c.694 §2]

354.300 [1957 c.694 §5; repealed by 1961 c.238 §1]

EDUCATIONAL TELEVISION AND RADIO

354.410 Definitions for ORS 354.410 to 354.440. As used in ORS 354.410 to 354.440, unless the context requires otherwise:

(1) "Educational television and radio" means programs for direct teaching, programs for instructional enrichment, and programs for in-service education of teachers which are transmitted for viewing or listening in connection with instruction in public elementary and secondary education by state-operated educational television and radio stations.

(2) "Direct teaching" means instruction primarily by educational television or radio in a subject or course of study which is a part of the public school curriculum as authorized by the State Board of Education.

(3) "Instructional enrichment" means instruction by means of educational television or radio which is designed to improve, supplement, complement, or strengthen instruction in a subject or course of study which is a part of the public school curriculum.

(4) "In-service programs for teachers" means programs which are designed to strengthen and improve the knowledge and understanding by teachers of subject matter content of courses taught in the public elementary and secondary schools; and programs designed to improve the understanding, knowledge, and skills of teachers relating to methods of teaching, the nature of the learning process, the nature of the learner and other matters connected with the instructional program of the public schools.
[1961 c.535 §2]

354.420 Purpose of ORS 354.410 to 354.440. (1) The purpose of ORS 354.410 to 354.440 is to encourage the development of and provide means for making educational television and radio programs of direct instruction and instructional enrichment for pupils and in-service education for teachers available to the public schools of the state, and to provide for the authorization and approval of such programs by the Department of Education.

(2) Educational television and radio are hereby declared to be and authorized as suitable means of instruction in the public schools of Oregon to the extent that may be approved by the Department of Education and accepted by local school district officials.
[1961 c.535 §§1, 3; 1965 c.100 §453]

354.430 Authority of Department of Education; disposition of sale proceeds. The Department of Education may utilize its appropriate personnel and facilities and any funds made available to it:

(1) To stimulate interest by school districts in the appropriate use of educational television and radio in the public schools.

(2) To plan and produce suitable educational television and radio programs of direct instruction, instructional enrichment for pupils and in-service programs for teachers in the public schools.

(3) To cooperate with officials of state-operated educational television and radio stations in planning and producing suitable programs of direct teaching and instructional enrichment, and in planning and producing in-service programs for teachers for the public schools.

(4) To assist local school districts in planning suitable programs of educational television and radio for the public schools, and to cooperate with officials of state-operated educational television and radio stations in producing such programs.

(5) To employ personnel and pay expenses for services, materials, equipment and supplies necessary for the administration of ORS 354.410 to 354.440.

(6) To contract for and pay for professional services utilized in the development and production of programs for educational television and radio.

(7) To purchase, rent, lease or contract for use of filmed, taped or otherwise recorded educational television and radio programs from available sources and to sell programs or to exchange them for others of a similar nature.

(8) All moneys received under subsection (7) of this section shall be deposited in the State Treasury to the credit of the Department of Education and shall be used exclusively for the purposes authorized by this section.

[1961 c.535 §5; 1965 c.100 §454; 1967 c.570 §1]

354.440 Board to approve certain educational television and radio programs; advisory committee. (1) All educational television and radio programs provided by state-operated educational television and radio stations for direct teaching, instructional enrichment, and in-service education of teachers as defined in ORS 354.410 shall be approved by the State Board of Education.

(2) The State Board of Education shall appoint an advisory committee of seven members to advise the Department of Education on the planning and preparation of in-school television programs.

[1961 c.535 §§4, 6; 1965 c.100 §455]

CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Robert W. Lundy, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law.

Done at Salem, Oregon,
on December 1, 1967.

Robert W. Lundy
Legislative Counsel

CHAPTERS 355 AND 356

[Reserved for expansion]