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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 250\*  
135<sup>th</sup> General Assembly

## Bill Analysis

[Click here for H.B. 250's Fiscal Note](#)

**Version:** Reported by Senate Education

**Primary Sponsors:** Reps. Miranda and Richardson

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## SUMMARY

### Military seal

- Renames the “Military Enlistment Seal” to the “Military Seal.”
- Establishes new pathways for a high school student to earn the seal.

### Cellular telephone policy

- Requires each public school to adopt a policy governing the use of cellular telephones by students during school hours.
- Requires the Department of Education and Workforce to adopt a model policy governing the use of cellular telephones by students during school hours that public schools may utilize.

### Educator Licenses

- Permits a licensed educator with a grade band specification under former law to renew the license in accordance with former law or the law in effect on the license’s renewal date.
- Specifies that a licensed teacher employed by a district or school to teach two grade levels outside of the designated grade band on the teacher’s license is a “properly certified or licensed teacher.”

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\* This analysis was prepared before the report of the Senate Education Committee appeared in the Senate Journal. Note that the legislative history may be incomplete.

## **Pupil Transportation Pilot Programs**

- Divides the Pupil Transportation Pilot Program into two distinct programs with different requirements.
- Requires an educational service center (ESC) in the Franklin County program to identify students who are struggling with transportation issues as determined by their resident districts, instead of identifying districts, to participate in the program.
- Qualifies students transported by an ESC in the Montgomery County program who are struggling with transportation issues who do not attend their resident school or are students with disabilities.
- Requires the ESCs of both programs to report students transported under the program to the Department of Education and Workforce.
- Permits participating ESCs to use other approved vehicles for student transportation, rather than only school busses, and permits ESCs to use other authorized individuals in other approved vehicles, rather than only bus drivers.

## **High school financial literacy fund**

- Transfers administrative authority over the High School Financial Literacy Fund from the Superintendent of Public Instruction to the Director of Education and Workforce.

## **Corrective change to State Board of Education reference**

- Changes an incorrect reference from “the State Board of Education” to “the Director of Education and Workforce” in the school psychologist law.

## **Standards and model curriculum for financial literacy**

- Requires the Department of Education and Workforce, instead of the State Board, to incorporate academic concepts of free market capitalism into the standards and model curriculum for high school financial literacy.

## **Programs for parents of blind or visually impaired children**

- Requires Ohio Deaf and Blind Education Services to consult with the Department of Children and Youth in carrying out its educational program for parents of blind or visually impaired children.

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# **DETAILED ANALYSIS**

## **Military seal**

The bill renames the “Military Enlistment diploma seal” to the “Military diploma seal.” It permits a school district that purchased state diploma seals that include the text “Military Enlistment Seal” prior to the bill’s effective date to continue to attach or affix those seals to high school diplomas after that date.

The bill also establishes new pathways for a high school student to earn the Military diploma seal. The student may use that diploma seal to help qualify for a high school diploma (see “**Background**” below).

Under the bill, a student may earn a Military diploma seal by providing evidence that the student has either accepted a scholarship to enter the Reserve Officer Training Corps (ROTC) or been appointed to a United States military service academy. Otherwise, continuing law requires a student to provide evidence the student has enlisted in the U.S. armed services or participates in a Junior Reserve Officer Corps (JROTC) program.<sup>1</sup>

## **Background**

In addition to meeting the state’s minimum curriculum requirements, continuing law generally requires high school students to demonstrate competency in math and English language arts and earn at least two diploma seals to qualify for a high school diploma.

Continuing law prescribes a system of 12 diploma seals, divided among two categories: state-defined diploma seals and locally defined diploma seals. Both types of diploma seals have requirements prescribed in statute, but a state actor, usually the Department of Education and Workforce, is often involved in implementing the requirements for state-defined seals. For locally defined seals, the requirements are implemented by the student’s school. There are nine state-defined seals and three locally defined seals; a district or school must adopt guidelines for at least one locally defined seal. At least one of the diploma seals a student earns must be state-defined.

The currently entitled Military Enlistment diploma seal is a state-defined seal.<sup>2</sup>

## **Cellular telephone policy**

### **Policy requirements**

The bill requires school districts, community schools, STEM schools, and college-preparatory boarding schools to adopt a policy governing the use of cellular telephones by students during school hours.<sup>3</sup> The board of education or respective governing authority of each public school must adopt the policy by the first day of July immediately following the bill’s effective date.

Under the bill, a cellular telephone policy must emphasize that student cellular telephone use be as limited as possible during school hours and reduce cellular telephone-related distractions in classroom settings. The policy must also, if determined appropriate by a district board or school governing authority, or if included in a student’s individualized education program (IEP) or section 504 plan, permit students to use cellular telephones or other electronic

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<sup>1</sup> R.C. 3313.6114(C)(3).

<sup>2</sup> For more information, the Department of Education’s guidance about graduation requirements is available [here](#).

<sup>3</sup> R.C. 3313.753(C), 3314.03(A)(11)(d), 3326.11, and 3328.24.

communications devices for student learning or to monitor or address a health concern.<sup>4</sup> Under continuing law, “electronic communications device” includes any device powered by batteries or electricity that is capable of receiving, transmitting, or receiving and transmitting communications between two or more persons or a communication from or to a person.<sup>5</sup>

The bill does not require a district board or school governing authority to adopt a policy that prohibits all cellular telephone use by students. However, any policy adopted by a district board that does so is considered to meet the bill’s requirements for a cellular telephone policy.<sup>6</sup>

The bill requires district boards and school governing authorities adopting a cellular telephone policy after the bill’s effective date to adopt the policy at a public board meeting.<sup>7</sup> If a district board adopts a policy that includes the content required by the bill prior to the bill’s effective date, the district or school is considered to have met the requirement to adopt a policy.<sup>8</sup> Each district board or school governing authority must make any cellular telephone policy or policy prohibiting students from carrying electronic communications devices on school grounds (see “**Background**” below) publicly available and post each policy prominently on the board’s website, if the board or authority has one.<sup>9</sup>

### **Model policy**

The bill requires the Department of Education and Workforce to adopt a model cellular telephone policy that meets the bill’s requirements within 60 days after the bill’s effective date. To the extent possible, the model policy must take into account available research concerning the effect of the use of cellular telephones by students in school settings. The bill permits districts and schools to use the Department’s model policy.<sup>10</sup>

### **Background**

Law unchanged by the bill permits school districts to adopt a policy prohibiting students from carrying an electronic communications device in any school building or on any school grounds or premises of the district. This policy may include exceptions and must include any disciplinary measures to be taken for violations of the policy. Any policies adopted pursuant to

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<sup>4</sup> R.C. 3313.753(C); see also R.C. Chapter 3323 and Section 504 of the federal Rehabilitation Act of 1973, 29 United States Code 794, not in bill.

<sup>5</sup> R.C. 3313.753(A)(1).

<sup>6</sup> R.C. 3313.753(D).

<sup>7</sup> R.C. 3313.753(F).

<sup>8</sup> R.C. 3313.753(E).

<sup>9</sup> R.C. 3313.753(G).

<sup>10</sup> R.C. 3313.753(H).

this authority must be posted in a central location of each school building and made available to students and parents upon request.<sup>11</sup>

## **Educator licensure**

### **Educator license renewal**

The bill permits a valid educator license holder with a grade band specification under former law to renew that license either with a grade band specification in accordance with the law that was in effect prior to October 3, 2023, or with the law in effect on the license's renewal date. Upon renewal, the license must include one or more of the grades the holder was authorized to teach under the previous license.<sup>12</sup>

### **Properly certified or licensed teacher**

The bill specifies that any licensed teacher employed by a school district or community school to teach outside of the designated grade band on the teacher's license by not more than two grade levels and for not more than two school years at a time is considered a "properly certified or licensed teacher." Continuing law requires that only a properly certified or licensed teacher provide instruction in a core subject area.<sup>13</sup>

## **Pupil Transportation Pilot Program**

The bill divides the existing Pupil Transportation Pilot Program enacted under H.B. 33 of the 135<sup>th</sup> General Assembly into two separate programs – one for Franklin county and one for Montgomery county, rather than just one program in which both counties participate. Under the program, the Department of Education and Workforce must select an educational service center (ESC) in each of those counties to provide transportation to students in the 2023-2024 school year, in lieu of the students receiving transportation from their resident school district.

The bill removes the requirement that an ESC also provide transportation equally to all students who are similarly situated if the ESC provides transportation to other students outside of the program. It also makes other changes to student eligibility to participate in the program.<sup>14</sup>

### **Franklin County program**

Under the bill, the Franklin County program generally functions as established in H.B. 33 with students in community schools and chartered nonpublic schools being transported by the ESC, except that the ESC must identify students who are struggling with transportation issues as

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<sup>11</sup> R.C. 3313.753(B).

<sup>12</sup> R.C. 3319.079.

<sup>13</sup> R.C. 3319.22; R.C. 3319.074, not in the bill.

<sup>14</sup> Section 265.550(A) of H.B. 33 of the 135<sup>th</sup> General Assembly.

determined by their resident districts, instead of identifying districts, to participate in the program.<sup>15</sup>

### **Montgomery County program**

The bill expands the qualifications of the students the ESC may transport under the Montgomery County program. Under the bill, the selected ESC must provide transportation to any student struggling with transportation issues who (1) attends a school different from the one to which the student would be assigned in the student's resident district or (2) is a student with disabilities who receives transportation as a related service.<sup>16</sup>

### **Payment**

Under the bill, the Department generally must deduct from the school district's transportation payment the statewide average cost per student for the qualifying ridership transported by the ESC, rather than deducting the amount the district would receive for each student transported as under current law. However, for a student with a disability for whom it is impossible or impractical to transport by regular school bus in the course of regular route transportation, the bill requires the Department to make a payment to the ESC in accordance with continuing law regarding transportation funding for such students.<sup>17</sup>

### **Reporting**

The bill requires that participating ESCs report to the Department students who are transported by the ESC.<sup>18</sup>

### **Modes of transportation**

The bill permits participating ESCs to use other approved vehicles for student transportation, rather than only school busses as in H.B. 33, and permits ESCs to use other individuals authorized to transport students in other approved vehicles, rather than only bus drivers to transport students under the program.<sup>19</sup>

### **High school financial literacy fund**

The bill transfers administrative authority over the High School Financial Literacy Fund from the Superintendent of Public Instruction to the Director of Education and Workforce.<sup>20</sup>

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<sup>15</sup> Section 265.550(B)(1) of H.B. 33 of the 135<sup>th</sup> General Assembly.

<sup>16</sup> Section 265.550(B)(2) of H.B. 33 of the 135<sup>th</sup> General Assembly.

<sup>17</sup> Section 265.550(E) of H.B. 33 of the 135<sup>th</sup> General Assembly.

<sup>18</sup> Section 265.550(B)(3) of H.B. 33 of the 135<sup>th</sup> General Assembly.

<sup>19</sup> Section 265.550(D)(1) of H.B. 33 of the 135<sup>th</sup> General Assembly.

<sup>20</sup> R.C. 121.086.

H.B. 33 of the 135<sup>th</sup> General Assembly transferred most of the powers and duties of the State Board of Education and the Superintendent of Public Instruction to the Director of the Department of Education and Workforce.

### **Corrective change to State Board of Education reference**

The bill changes an incorrect reference to the State Board of Education in the law regarding the definition of school psychologists. The bill changes that reference to the Director of Education and Workforce.<sup>21</sup>

### **Standards and model curriculum for financial literacy**

The bill requires the Department, instead of the State Board, to incorporate academic concepts of free market capitalism into the standards and model curriculum for financial literacy and entrepreneurship for grades 9 through 12.<sup>22</sup>

S.B. 17 of the 135<sup>th</sup> General Assembly, effective June 12, 2024, requires academic concepts of free market capitalism be incorporated into the state standards and model curriculum for financial literacy. However, S.B. 17 was introduced before the 2023 enactment of H.B. 33 of the 135<sup>th</sup> General Assembly, which transferred the power to adopt academic standards and model curricula from the State Board to the Department.

### **Programs for parents of blind or visually impaired children**

The bill requires Ohio Deaf and Blind Education Services to consult with the Department of Children and Youth in carrying out its educational program to train and assist the parents of preschool children who are blind or visually impaired.<sup>23</sup>

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## **HISTORY**

Action	Date
Introduced	08-01-23
Reported, H. Primary & Secondary Education	10-11-23
Passed House (94-0)	11-15-23
Reported, S. Education	---

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<sup>21</sup> R.C. 4732.01(D)(1)(a).

<sup>22</sup> R.C. 3301.079(A)(2)(b).

<sup>23</sup> R.C. 3325.071.