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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

## Final Analysis

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

**Effective date:** August 14, 2024; appropriations effective May 15, 2024; conforming amendments effective January 1, 2025.

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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 for use by public schools.

### Educator licenses

- Permits a licensed educator with a grade band specification given under former law to renew the license in accordance with that 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 outside of the designated grade band on the teacher’s license in accordance with continuing law is a “properly certified or licensed teacher.”

### Pupil Transportation Pilot Program

- 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 for the program.
- 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 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 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, 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.

### **Adoption Grant Program**

- Increases the FY 2024 and FY 2025 appropriations for the Adoption Grant Program by \$19 million each year, and reappropriates the program’s unexpended, unencumbered balance at the end of FY 2024 to FY 2025.

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## **DETAILED ANALYSIS**

### **Military seal**

The act renames the “Military Enlistment diploma seal” as the “Military diploma seal.” It permits a school district that purchased state diploma seals that include the text “Military Enlistment Seal” prior to August 14, 2024, to continue to attach or affix those seals to high school diplomas after that date.

The act also establishes new pathways for a high school student to earn the Military diploma seal. A student may earn that 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 U.S. 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> The student may use that diploma seal to help qualify for a high school diploma.

## **Cellular telephone policy**

### **Policy requirements**

The act requires public schools (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>2</sup> Each district board of education or school governing authority must adopt the policy by July 1, 2025.

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 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 communications devices for student learning or to monitor or address a health concern.<sup>3</sup>

The act does not require a district board or governing authority to adopt a policy that prohibits all cellular telephone use by students. However, any policy that does so meets the act's requirements for a cellular telephone policy.<sup>4</sup>

The act requires district boards and governing authorities adopting a cellular telephone policy after August 14, 2024, to adopt it at a public meeting. If a district board or governing authority adopts a policy that includes the content required by the act prior to that date, the district or school is considered to have met the requirement to adopt a policy. Each district board or governing authority must make publicly available its cellular telephone policy or its policy established under continuing law prohibiting students from carrying electronic communications devices on school grounds. Each policy must be posted prominently on the district board's or governing authority's website, if the board or authority has one.<sup>5</sup>

### **Model policy**

The act requires the Department of Education and Workforce to adopt a model cellular telephone policy that meets the act's requirements by October 15, 2024. To the extent possible,

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<sup>1</sup> R.C. 3313.6114(C)(3) and Section 8.

<sup>2</sup> R.C. 3313.753(C), 3314.03(A)(11)(d), 3326.11, and 3328.24.

<sup>3</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 act.

<sup>4</sup> R.C. 3313.753(D).

<sup>5</sup> R.C. 3313.753(E), (F), and (G).

the model policy must take into account available research concerning the effect of cellular telephones use by students in school settings. The act permits districts and schools to use the Department’s model policy.<sup>6</sup>

## **Educator licensure**

### **Educator license renewal**

The act permits a valid educator license holder with a grade band specification given under law in effect prior to October 3, 2023, to renew that license with a specification in accordance with either that law or 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>7</sup>

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

The act 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 in accordance with continuing law 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>8</sup>

## **Pupil Transportation Pilot Program**

The act divides the existing Pupil Transportation Pilot Program enacted in 2023 under H.B. 33 of the 135<sup>th</sup> General Assembly into two separate programs – one for an educational service center (ESC) based in Franklin County and one for an ESC based in Montgomery County, rather than just one program in which ESCs in both counties participate. Under the program, the Department of Education and Workforce must select an ESC in each of those counties to provide transportation to students in the 2024-2025 school year, in lieu of the students receiving transportation from their resident school district.

The act 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>9</sup>

### **Franklin County program**

Under the act, the Franklin County program generally functions as established in H.B. 33. The ESC must transport students in community schools and chartered nonpublic schools, except

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

<sup>7</sup> R.C. 3319.079.

<sup>8</sup> R.C. 3319.22; R.C. 3319.074, not in the act.

<sup>9</sup> Section 265.550(A) and (C)(1) of H.B. 33 of the 135<sup>th</sup> General Assembly.

that the ESC must identify students who are struggling with transportation issues as determined by their resident districts, instead of identifying districts, to participate in the program.<sup>10</sup>

### **Montgomery County program**

The act expands the qualifications of the students the ESC may transport under the Montgomery County program. Under the act, the selected ESC must transport 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>11</sup>

### **Payment**

Under the act, 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. 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 act requires the Department to make a payment to the ESC in accordance with continuing law regarding transportation funding for such students.<sup>12</sup>

### **Reporting**

The act requires that participating ESCs report to the Department students who are transported by the ESC.<sup>13</sup>

### **Modes of transportation**

The act permits participating ESCs to use other approved vehicles for student transportation, rather than only school busses as in H.B. 33. It also 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>14</sup>

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

The act transfers administrative authority over the High School Financial Literacy Fund from the Superintendent of Public Instruction to the Director of Education and Workforce.<sup>15</sup>

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<sup>10</sup> Section 265.550(B)(1) of H.B. 33 of the 135<sup>th</sup> General Assembly.

<sup>11</sup> Section 265.550(B)(2) of H.B. 33 of the 135<sup>th</sup> General Assembly.

<sup>12</sup> Section 265.550(E) of H.B. 33 of the 135<sup>th</sup> General Assembly.

<sup>13</sup> Section 265.550(B)(3) of H.B. 33 of the 135<sup>th</sup> General Assembly.

<sup>14</sup> Section 265.550(D)(1) of H.B. 33 of the 135<sup>th</sup> General Assembly.

<sup>15</sup> R.C. 121.086.

## Corrective change to State Board reference

The act changes an incorrect reference to the State Board of Education in the law regarding the definition of school psychologists. The act changes that reference to the Director of Education and Workforce.<sup>16</sup>

## Standards and model curriculum for financial literacy

The act 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>17</sup>

## Programs for parents of blind or visually impaired children

The act 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>18</sup>

## Adoption Grant Program

The act increases the appropriation for the Adoption Grant Program from \$15 million to \$34 million in each of FY 2024 and FY 2025. It also reappropriates the unexpended, unencumbered balance at the end of FY 2024 to FY 2025.<sup>19</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	04-24-24
Passed Senate (32-0)	04-24-24
House concurred in Senate amendments (89-0)	05-08-24

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<sup>16</sup> R.C. 4732.01(D)(1)(a).

<sup>17</sup> R.C. 3301.079(A)(2)(b).

<sup>18</sup> R.C. 3325.071.

<sup>19</sup> Section 307.10 of H.B. 33 of the 135<sup>th</sup> General Assembly.