



**Week of April 15, 2024**

**Judge issues temporary restraining order halting House Bill 68**

A Franklin County Common Pleas Court judge on April 16 temporarily blocked the implementation of a controversial bill that would prohibit gender transition services for minors and require same-sex sports teams for public and private K-12 schools and colleges and universities. Judge **Michael Holbrook** issued a two-week temporary restraining order halting [House Bill \(HB\) 68](#), which was set to take effect on April 24.

Meanwhile, Gov. **Mike DeWine's** proposed administrative rules that would ban transgender services for minors continue to advance on their own separate path as they cleared the Joint Committee on Agency Rule Review this week. DeWine proposed the rules after he vetoed HB 68, claiming his administrative rules proposal achieved many of the goals of the legislation but also provided options to minors to access those services in limited circumstances.

**Senate Select Committee on Housing releases report**

Jointed by Senate President **Matt Huffman** and a group of bipartisan senators, freshman Sen. **Michele Reynolds** unveiled the report of the Senate Select Committee on Housing. The 94-page report, [accessible here](#), is the result of 11 meetings held across the state for nearly a year. The report features 23 recommendations on addressing housing in Ohio, several of which have already been introduced in bill form this week. It also includes insightful memos from individual senators to Reynolds with their thoughts on housing, property taxes, school budgets, and other topics. The report does not include a once-rumored recommendation to create a 100% property tax abatement without school board approval. Other property tax-related recommendations include:

- submitting all testimony and items for review from the Select Committee on Housing to the Joint Committee on Property Tax Review and Reform including, owner-occupied property, residential rental properties, property tax relief programs, undeveloped subdivision corrections, and LIHTC;
- reviewing Ohio's housing tax incentives.

**Amendment for public school smartphone policy unveiled**

An amendment to [House Bill \(HB\) 250](#) will be adopted on April 23 next week in the Senate Education Committee and will include a required smartphone policy for public schools. Sen. **Andrew Brenner** is working to implement the policy in response to a request from Gov. **Mike DeWine** who last week called for such a proposal in his State of the State address. The smartphone policy amendment requires school districts to adopt a policy governing the use of cellular telephones by students during school hours that (1) emphasizes that student cellular telephone use be as limited as possible during school hours, (2) reduces cellular telephone-related distractions in classroom settings, and (3) if approved by the board of education, permits students to use cellular telephones or other technological devices for student learning or to monitor or address a health concern.

Other features of the amendment include:

- The amendment permits districts to outright prohibit all cellular telephone use by students in schools, which is considered to satisfy the policy adoption requirement under the amendment.
- Districts with a current policy that meets the amendment's requirements are not required to adopt a new policy or readopt their existing policy.
- The policy must be adopted at a public meeting of the board of education, and each district must

make the publicly available and posted prominently on its website.

- The Department of Education and Workforce must develop a model policy that meets the requirements of the amendment within 60 days of the bill's effective date for permissible use by districts.

### **Senate committee amends bills**

The committee amended [HB 250](#) this week with several policy changes and more on the way for next week, including the smartphone policy changes. The committee amended the bill to ensure teachers who teach outside their current licensure grade band by up to two grade levels – a recent flexibility from [HB 33](#) – are considered to be “properly certified or licensed” teachers. Currently, a notation is added to a district’s report card if they employ teachers in such a manner, and this change would remove that notation.

The bill was also amended specify that license holders who renew their license can have a license under the former three-grade-band system or the current two-grade band system, provided the new license includes at least one of the grades they were previously authorized to teach. The committee also accepted a corrective amendment specifying that the Department of Education and Workforce (DEW), and not the State Board of Education, will be responsible for adopting standards and curriculum to incorporate capitalism into the financial literacy standards, as recently enacted by [SB 17](#).

The committee also amended [Senate Bill \(SB\) 205](#), which requires annual drug prevention instruction and must include marijuana and other “illicit exogenous substances” in the instruction. The amendment allows districts to determine the manner in which the instruction will be provided and requires such instruction to (1) occur annually, (2) be developmentally appropriate, and (3) include information about “how the short-term or chronic use of illicit exogenous substances to alter one's mood is one of the most harmful things an individual can do for an individual's health.”

The committee amended [SB 112](#), which requires school buildings to evaluate and update their protective door assemblies. The amendment requires all protective door assemblies to comply with the standards required at the time of installation and requires that, if the inspector notes a serious safety hazard, the serious safety hazard must be addressed within 180 days before penalties are imposed.

[SB 219](#), which would restore the current two grade bands back to the previous three grade bands, received sponsor testimony from Sen. **Catherine Ingram**. The bill is not expected to advance in the committee.

Finally, the committee held third hearings on [SB 208](#), which mandates open enrollment policies for school districts when enrolling children from military families, and [HB 147](#), which would modify teacher licensure revocation provisions, teacher hiring practices, and classifications of conduct unbecoming to the teaching profession. There was no witness testimony for either bill.

### **Heard around the Statehouse**

“We've seen enough evidence that the kids are not learning, and learning disruption, especially social media and everything else going on in classrooms, has had a pretty big impact on student performance, and I think that's why we're seeing remediation rates are skyrocketing.” Sen. **Andrew Brenner**, speaking about the Senate’s forthcoming smartphone policy for public schools.

“Local governments/school system always have the option of not collecting the incremental property taxes from residents. There is also an offsetting option of reducing the outside millage on other taxes in

the county.” - Sen. **Jerry Cirino**, in a memo to Reynolds in the report from the Senate Select Committee on Housing. Cirino is expected to be the Senate Finance Committee Chairman in 2025.