

**As Reported by the Senate Education Committee**

**136th General Assembly**

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**Sub. S. B. No. 158**

**Senator Timken**

**Cosponsors: Senators Brenner, Koehler**

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To amend sections 3313.753 and 5502.262 of the 1  
Revised Code to generally prohibit student 2  
cellular telephone use in public schools. 3

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 3313.753 and 5502.262 of the 4  
Revised Code be amended to read as follows: 5

**Sec. 3313.753.** (A) As used in this section: 6

(1) "Electronic communications device" means any device 7  
that is powered by batteries or electricity and that is capable 8  
of receiving, transmitting, or receiving and transmitting 9  
communications between two or more persons or a communication 10  
from or to a person. 11

(2) "School" means any school that is operated by a board 12  
of education of a city, local, exempted village, or joint 13  
vocational school district. 14

(3) "School building" means any building in which any of 15  
the instruction, extracurricular activities, or training 16  
provided by a school is conducted. 17

(4) "School grounds or premises" means either of the 18

following: 19

(a) The parcel of real property on which any school 20  
building is situated; 21

(b) Any other parcel of real property that is owned or 22  
leased by a board of education and on which some of the 23  
instruction, extracurricular activities, or training of the 24  
school is conducted. 25

(B) The board of education of any city, exempted village, 26  
local, joint vocational, or cooperative education school 27  
district may adopt a policy prohibiting students from carrying 28  
an electronic communications device in any school building or on 29  
any school grounds or premises of the district. The policy may 30  
provide for exceptions to this prohibition as specified in the 31  
policy. The policy shall specify any disciplinary measures that 32  
will be taken for violation of this prohibition. 33

If a board of education adopts a policy under this 34  
division, the board shall post the policy in a central location 35  
in each school building and make it available to students and 36  
parents upon request. 37

~~(C) (C) (1) Not later than the first day of July that~~ 38  
~~immediately follows the effective date of this~~ 39  
~~amendment~~ September 1, 2025, each school district board of 40  
education shall adopt a policy governing the use of cellular 41  
telephones by students during school hours. The policy shall ~~do~~ 42  
~~all of the following:~~ 43

~~(1) Emphasize that student cellular telephone use be as~~ 44  
~~limited as possible during school hours;~~ 45

~~(2) Reduce cellular telephone-related distractions in~~ 46  
~~classroom settings;~~ 47

~~(3) prohibit all cellular telephone use by students during~~ 48  
~~the instructional day, except as described in division (C) (2) of~~ 49  
~~this section or if permitted under the building's comprehensive~~ 50  
~~emergency management plan adopted under section 5502.262 of the~~ 51  
~~Revised Code.~~ 52

(2) If determined appropriate by the district board, or if 53  
included in a student's individualized education program 54  
developed under Chapter 3323. of the Revised Code or plan 55  
developed under section 504 of the "Rehabilitation Act of 1973," 56  
29 U.S.C. 794, ~~permit~~ students ~~to~~ may use cellular telephones or 57  
other electronic communications devices for student learning or 58  
to monitor or address a health concern. 59

A district board shall permit a student to use a cellular 60  
telephone or other electronic communications device to monitor 61  
or address a health concern if the board receives a written 62  
statement from the student's physician requiring such use. 63

~~(D) Division (C) of this section shall not be construed to~~ 64  
~~require a district board to adopt a policy that prohibits all~~ 65  
~~cellular telephone use by students. Nonetheless, any~~ 66  
Any 67  
district board that adopts a policy that prohibits all cellular 68  
telephone use by students shall be considered to have met the 69  
requirements in division (C) of this section.

(E) Any district board that adopts a policy that meets the 70  
requirements prescribed in division (C) of this section prior to 71  
~~the effective date of this amendment~~ the effective date of this 72  
amendment, shall be considered to have met the requirement to 73  
adopt a policy under this section. 74

(F) Each district board that adopts a policy under this 75  
section after ~~the effective date of this amendment~~ the effective 76

date of this amendment, shall do so at a public meeting of the 77  
board. 78

(G) Each district board shall make any policy it adopts 79  
under this section publicly available and post it prominently on 80  
its publicly accessible web site, if it has one. 81

~~(H) Not later than sixty days after the effective date of 82  
this amendment, the department of education and workforce shall 83  
develop a model policy that meets the requirements prescribed in 84  
division (C) of this section. To the extent possible, the model 85  
policy shall take into account available research concerning the 86  
effect of the use of cellular telephones by students in school- 87  
settings. The model policy may be utilized by districts and- 88  
schools. 89~~

**Sec. 5502.262.** (A) As used in this section: 90

(1) "Administrator" means the superintendent, principal, 91  
chief administrative officer, or other person having supervisory 92  
authority of any of the following: 93

(a) A city, exempted village, local, or joint vocational 94  
school district; 95

(b) A community school established under Chapter 3314. of 96  
the Revised Code, as required through reference in division (A) 97  
(11) (d) of section 3314.03 of the Revised Code; 98

(c) A STEM school established under Chapter 3326. of the 99  
Revised Code, as required through reference in section 3326.11 100  
of the Revised Code; 101

(d) A college-preparatory boarding school established 102  
under Chapter 3328. of the Revised Code; 103

(e) A district or school operating a career-technical 104

education program approved by the department of education and 105  
workforce under section 3317.161 of the Revised Code; 106

(f) A chartered nonpublic school; 107

(g) An educational service center; 108

(h) A preschool program or school-age child care program 109  
licensed by the department of education and workforce; 110

(i) Any other facility that primarily provides educational 111  
services to children subject to regulation by the department of 112  
education and workforce. 113

(2) "Emergency management test" means a regularly 114  
scheduled drill, exercise, or activity designed to assess and 115  
evaluate an emergency management plan under this section. 116

(3) "Building" means any school, school building, 117  
facility, program, or center. 118

(4) "Regional mobile training officer" means the regional 119  
mobile training officer appointed under section 5502.70 of the 120  
Revised Code for the region in which a district, school, center, 121  
program, or facility is located. 122

(B) (1) Each administrator shall develop and adopt a 123  
comprehensive emergency management plan, in accordance with 124  
rules adopted pursuant to division (F) of this section, for each 125  
building under the administrator's control. The administrator 126  
shall examine the environmental conditions and operations of 127  
each building to determine potential hazards to student and 128  
staff safety and shall propose operating changes to promote the 129  
prevention of potentially dangerous problems and circumstances. 130  
In developing the plan for each building, the administrator 131  
shall involve community law enforcement and safety officials, 132

parents of students who are assigned to the building, and 133  
teachers and nonteaching employees who are assigned to the 134  
building. The administrator may involve the regional mobile 135  
training officer in the development of the plan. The 136  
administrator shall incorporate remediation strategies into the 137  
plan for any building where documented safety problems have 138  
occurred. 139

(2) Each administrator shall also incorporate into the 140  
emergency management plan adopted under division (B)(1) of this 141  
section all of the following: 142

(a) A protocol for addressing serious threats to the 143  
safety of property, students, employees, or administrators; 144

(b) A protocol for responding to any emergency events that 145  
occur and compromise the safety of property, students, 146  
employees, or administrators. This protocol shall include, but 147  
not be limited to, all of the following: 148

(i) A floor plan that is unique to each floor of the 149  
building; 150

(ii) A site plan that includes all building property and 151  
surrounding property; 152

(iii) An emergency contact information sheet. 153

(c) A threat assessment plan developed as prescribed in 154  
section 5502.263 of the Revised Code. A building may use the 155  
model plan developed by the department of public safety under 156  
that section; 157

(d) A protocol for school threat assessment teams 158  
established under section 3313.669 of the Revised Code; 159

(e) A protocol that addresses student use of cellular 160

telephones during an active threat or emergency. 161

(3) Each protocol described in division (B) of this 162  
section shall include procedures determined to be appropriate by 163  
the administrator for responding to threats and emergency 164  
events, respectively, including such things as notification of 165  
appropriate law enforcement personnel, calling upon specified 166  
emergency response personnel for assistance, and informing 167  
parents of affected students. 168

Prior to the opening day of each school year, the 169  
administrator shall inform each student or child enrolled in the 170  
school and the student's or child's parent of the parental 171  
notification procedures included in the protocol. 172

(4) Each administrator shall keep a copy of the emergency 173  
management plan adopted pursuant to this section in a secure 174  
place. 175

(C) (1) The administrator shall submit to the director of 176  
public safety, in accordance with rules adopted pursuant to 177  
division (F) of this section, an electronic copy of the 178  
emergency management plan prescribed by division (B) of this 179  
section not less than once every three years, whenever a major 180  
modification to the building requires changes in the procedures 181  
outlined in the plan, and whenever information on the emergency 182  
contact information sheet changes. 183

(2) The administrator also shall file a copy of the plan 184  
with each law enforcement agency that has jurisdiction over the 185  
school building and, upon request, to any of the following: 186

(a) The fire department that serves the political 187  
subdivision in which the building is located; 188

(b) The emergency medical service organization that serves 189

the political subdivision in which the building is located; 190

(c) The county emergency management agency for the county 191  
in which the building is located; 192

(d) The regional mobile training officer. 193

(3) Upon receipt of an emergency management plan, the 194  
director shall post the information on the contact and 195  
information management system and submit the information in 196  
accordance with rules adopted pursuant to division (F) of this 197  
section, to the attorney general, who shall post that 198  
information on the Ohio law enforcement gateway or its 199  
successor. 200

(4) Any department or entity to which copies of an 201  
emergency management plan are filed under this section shall 202  
keep the copies in a secure place. 203

(D) (1) Not later than the first day of September of each 204  
year, each administrator shall review the emergency management 205  
plan and certify to the director that the plan is current and 206  
accurate. 207

(2) Anytime that an administrator updates the emergency 208  
management plan pursuant to division (C) (1) of this section, the 209  
administrator shall file copies, not later than the tenth day 210  
after the revision is adopted and in accordance with rules 211  
adopted pursuant to division (F) of this section, to the 212  
director and to any entity with which the administrator filed a 213  
copy under division (C) (2) of this section. 214

(E) Each administrator shall do both of the following: 215

(1) Prepare and conduct at least one annual emergency 216  
management test, as defined in division (A) (2) of this section, 217



in accordance with rules adopted pursuant to division (F) of 218  
this section; 219

(2) Grant access to each building under the control of the 220  
administrator to law enforcement personnel and to entities 221  
described in division (C)(2) of this section, to enable the 222  
personnel and entities to hold training sessions for responding 223  
to threats and emergency events affecting the building, provided 224  
that the access occurs outside of student instructional hours 225  
and the administrator, or the administrator's designee, is 226  
present in the building during the training sessions. 227

(F) The director of public safety, in consultation with 228  
representatives from the education community and in accordance 229  
with Chapter 119. of the Revised Code, shall adopt rules 230  
regarding emergency management plans under this section, 231  
including the content of the plans and procedures for filing the 232  
plans. The rules shall specify that plans and information 233  
required under division (B) of this section be submitted on 234  
standardized forms developed by the director for such purpose. 235  
The rules shall also specify the requirements and procedures for 236  
emergency management tests conducted pursuant to division (E)(1) 237  
of this section. Failure to comply with the rules may result in 238  
discipline pursuant to section 3319.31 of the Revised Code or 239  
any other action against the administrator as prescribed by 240  
rule. 241

(G) Division (B) of section 3319.31 of the Revised Code 242  
applies to any administrator who is subject to the requirements 243  
of this section and is not exempt under division (H) of this 244  
section and who is an applicant for a license or holds a license 245  
from the state board of education pursuant to section 3319.22 of 246  
the Revised Code. 247

(H) (1) The director may exempt any administrator from the 248  
requirements of this section, if the director determines that 249  
the requirements do not otherwise apply to a building or 250  
buildings under the control of that administrator. 251

(2) The director shall exempt from the requirements of 252  
this section the administrator of an online learning school, 253  
established under section 3302.42 of the Revised Code, unless 254  
students of that school participate in in-person instruction or 255  
assessments at a location that is not covered by an existing 256  
emergency management plan, developed under this section as of 257  
December 14, 2021. 258

(I) Copies of the emergency management plan, including all 259  
records related to the plan, emergency management tests, and 260  
information required under division (B) of this section are 261  
security records and are not public records pursuant to section 262  
149.433 of the Revised Code. In addition, the information posted 263  
to the contact and information management system, pursuant to 264  
division (C) (3) (b) of this section, is exempt from public 265  
disclosure or release in accordance with sections 149.43, 266  
149.433, and 5502.03 of the Revised Code. 267

Notwithstanding section 149.433 of the Revised Code, a 268  
floor plan filed with the attorney general pursuant to this 269  
section is not a public record to the extent it is a record kept 270  
by the attorney general. 271

**Section 2.** That existing sections 3313.753 and 5502.262 of 272  
the Revised Code are hereby repealed. 273