

# HOUSE BILL No. 1034

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-26-5-40.7.

**Synopsis:** Student cellular telephone use. Amends the definition of "wireless communication device." Requires each school corporation and charter school to adopt and implement a wireless communication device policy that: (1) prohibits a student from using or possessing a wireless communication device during the school day; (2) requires teacher directed use of a wireless communication device for educational purposes during the school day to occur only on school supplied wireless communication devices; and (3) mandates the use of a no device policy or a secure storage policy. Creates certain exceptions to a wireless communication device policy. Requires the department of education to publish model policy language and implementation guidance.

**Effective:** July 1, 2026.

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## Teshka, McGuire

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December 1, 2025, read first time and referred to Committee on Education.

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Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

## HOUSE BILL No. 1034

A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1       SECTION 1. IC 20-26-5-40.7, AS ADDED BY P.L.24-2024,  
2       SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3       JULY 1, 2026]: Sec. 40.7. (a) As used in this section, **"instructional**  
4       **time" has the meaning set forth in IC 20-30-2-1: "school day" means**  
5       **the entirety of the time a student is present on school property for**  
6       **a student instructional day (as defined in IC 20-30-2-2).**  
7       (b) As used in this section, "wireless communication device" means  
8       any portable wireless device that has the capability to provide voice,  
9       messaging, or other data communication between two (2) or more  
10      parties, including a:  
11          (1) cellular telephone;  
12          (2) tablet computer;  
13          (3) laptop computer; ~~or~~  
14          (4) gaming device; **or**  
15          **(5) smartwatch that is connected to a cellular telephone, a cell**  
16          **tower, or the Internet.**  
17      (c) **Except as provided in subsection (d),** each school corporation



1 and charter school shall adopt and implement a wireless  
2 communication device policy that:

3 (1) except as provided in ~~subdivisions (2) and (3) and subsection~~  
4 ~~(4)~~, **subdivision (2)**, prohibits a student from using **or possessing**  
5 a wireless communication device during ~~instructional time~~; **the**  
6 **school day**;

7 (2) ~~authorizes a teacher to allow a student to use a wireless~~  
8 ~~communication device for educational purposes during~~  
9 ~~instructional time~~; and

10 (3) ~~permits a student to use a wireless communication device in~~  
11 ~~the event of an emergency or to manage the student's health care~~.  
12 **(2) requires teacher directed use of a wireless communication**  
13 **device for educational purposes during the school day to**  
14 **occur only on school supplied wireless communication**  
15 **devices; and**

16 **(3) mandates one (1) of the following policies:**

17 **(A) A no device policy under which students are not**  
18 **permitted to bring wireless communication devices to**  
19 **school.**

20 **(B) A secure storage policy under which wireless**  
21 **communication devices may be brought to school, but must**  
22 **be:**

23 **(i) stored and inaccessible throughout the school day;**  
24 **and**

25 **(ii) returned to the student upon dismissal at the end of**  
26 **the school day.**

27 (d) The policy adopted and implemented under subsection (c) may  
28 not prohibit a student from using a wireless communication device  
29 during ~~instructional time~~ **the school day** if the use of the wireless  
30 communication device is: ~~included in the student's~~

31 **(1) included in the student's** individualized education program;

32 ~~or~~

33 **(2) included in the student's** plan developed under Section 504  
34 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794;

35 **(3) necessary for the management of a documented medical**  
36 **condition pursuant to a physician's directive;**

37 **(4) authorized by the superintendent, or the superintendent's**  
38 **designee, during an emergency; or**

39 **(5) necessary for language translation to ensure access for**  
40 **multi-lingual learners, prioritizing school-managed wireless**  
41 **communication devices or applications where available.**

42 (e) Each school corporation and charter school shall publish on its



1 website the wireless communication device policy established under  
2 subsection (c).

3 **(f) The department shall publish model policy language and**  
4 **implementation guidance consistent with this section.**

