



Reprinted  
February 24, 2026

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## ENGROSSED SENATE BILL No. 78

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DIGEST OF SB 78 (Updated February 23, 2026 4:58 pm - DI 152)

**Citations Affected:** IC 20-26; IC 34-30.

**Synopsis:** Wireless communication device policy. Amends definitions, requirements, restrictions, and exceptions regarding wireless communication device policies adopted and implemented by school corporations and charter schools. Requires the department of education to publish model policy language and implementation guidance. Provides that, with exceptions, a school corporation, a school maintained by a school corporation, and a charter school, including school personnel, are immune from civil liability for any actions taken in good faith to comply with the school's wireless communication device policy.

**Effective:** July 1, 2026.

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**Raatz, Goode, Byrne, Rogers,  
Randolph Lonnie M**

(HOUSE SPONSORS — TESHKA, MCGUIRE, COMMONS)

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December 8, 2025, read first time and referred to Committee on Education and Career Development.

January 8, 2026, amended, reported favorably — Do Pass.

January 12, 2026, read second time, amended, ordered engrossed. Returned to second reading.

January 13, 2026, engrossed. Re-read second time, amended, ordered engrossed.

January 14, 2026, re-engrossed.

January 20, 2026, read third time, passed. Yeas 28, nays 19.

HOUSE ACTION

January 28, 2026, read first time and referred to Committee on Education.

February 12, 2026, amended, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 126.3.

February 18, 2026, amended, reported — Do Pass.

February 23, 2026, read second time, amended, ordered engrossed.

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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.

## ENGROSSED SENATE BILL No. 78

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, "**school sanctioned wireless**  
8 **communication device**" **means a wireless communication device**  
9 **that:**  
10 (1) **is owned by a student or a third party vendor;**  
11 (2) **is approved by the school for instructional use;**  
12 (3) **is required or permitted by the school for participation in**  
13 **classroom instruction;**  
14 (4) **is subject to school managed network controls, filtering, or**  
15 **monitoring that restrict access to noninstructional content**  
16 **during the school day; and**  
17 (5) **is not a cellular telephone, gaming device, or smartwatch**

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1 **described in subsection (c)(5).**

2 **This subsection expires July 1, 2028.**

3 ~~(b)~~ **(c)** As used in this section, "wireless communication device"  
4 means any portable wireless device that has the capability to provide  
5 voice, messaging, or other data communication between two (2) or  
6 more parties, including a:

7 (1) cellular telephone;

8 (2) tablet computer;

9 (3) laptop computer; ~~or~~

10 (4) gaming device; ~~or~~

11 **(5) smartwatch that is connected to a cellular telephone, a cell  
12 tower, or the Internet.**

13 **The term does not include a device described in subsection (i).**

14 ~~(c)~~ **(d)** Except as provided in subsection (e), each school  
15 corporation and charter school shall adopt and implement a wireless  
16 communication device policy that **does the following:**

17 (1) Except as provided in ~~subdivisions (2) and (3);~~ **subdivision  
18 (2), and subsection (d);** prohibits a student from using a wireless  
19 communication device during ~~instructional time; the school day.~~

20 ~~(2) authorizes a teacher to allow a student to use a wireless  
21 communication device for educational purposes during  
22 instructional time; and~~

23 ~~(3) permits a student to use a wireless communication device in  
24 the event of an emergency or to manage the student's health care.~~

25 **(2) Requires teacher directed use of a wireless communication  
26 device for educational purposes during the school day to  
27 occur only on the following:**

28 **(A) Before July 1, 2028, on:**

29 **(i) a school supplied wireless communication device; or**

30 **(ii) if the school corporation or charter school does not  
31 provide a school supplied wireless communication  
32 device, a school sanctioned wireless communication  
33 device.**

34 **This clause expires July 1, 2028.**

35 **(B) After June 30, 2028, a school supplied wireless  
36 communication device.**

37 **(3) Mandates one (1) of the following policies:**

38 **(A) A no device policy under which students are not  
39 permitted to bring wireless communication devices to  
40 school.**

41 **(B) A storage policy under which wireless communication  
42 devices may be brought to school, but must be stored away,**



- 1                   **powered off, and inaccessible to a student throughout the**  
 2                   **school day.**
- 3           ~~(d)~~ **(e)** The policy adopted and implemented under subsection ~~(e)~~  
 4 **(d)** may not prohibit a student from using a wireless communication  
 5 device during ~~instructional time~~ **the school day** if the use of the  
 6 wireless communication device is: ~~included in the student's~~  
 7           **(1) included in the student's** individualized education program;  
 8           **or**  
 9           **(2) included in the student's** plan developed under Section 504  
 10 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794;  
 11           **(3) necessary for the management of a documented medical**  
 12 **condition pursuant to an order provided by a licensed health**  
 13 **care provider;**  
 14           **(4) authorized by the superintendent or the superintendent's**  
 15 **designee at the appropriate time during an emergency, as**  
 16 **determined by the superintendent or designee; or**  
 17           **(5) necessary for language translation to ensure access for**  
 18 **multi-lingual learners, prioritizing school-managed wireless**  
 19 **communication devices or applications where available.**
- 20           ~~(e)~~ **(f)** Each school corporation and charter school shall publish on  
 21 its website the wireless communication device policy established under  
 22 subsection ~~(e)~~: **(d)**.
- 23           **(g) The department shall publish model policy language and**  
 24 **implementation guidance consistent with this section, which may**  
 25 **include guidance for how existing lockers and resources can be**  
 26 **used to comply with this section.**
- 27           **(h) A school corporation, a school maintained by a school**  
 28 **corporation, a charter school, and personnel of a school**  
 29 **corporation, a school maintained by a school corporation, or a**  
 30 **charter school, are immune from civil liability for any actions**  
 31 **taken in good faith to comply with this section. The civil immunity**  
 32 **under this subsection does not apply to an act or omission that**  
 33 **constitutes gross negligence or willful, wanton, or intentional**  
 34 **misconduct.**
- 35           **(i) Notwithstanding subsections (a) through (g), a student may**  
 36 **possess and use an unobtrusive audio recording device solely for**  
 37 **the student's individual educational notetaking or personal**  
 38 **learning assistance if the device:**  
 39           **(1) is designed principally to capture spoken word audio for**  
 40 **the purpose described in this subsection, including through**  
 41 **recording, transcription, summarization, or other personal**  
 42 **assistant functionality;**



- 1           (2) does not capture, store, or transmit images or video;  
 2           (3) is visible to the classroom teacher or other appropriate  
 3           school personnel at all times while in use;  
 4           (4) is provided to the school for inspection upon request; and  
 5           (5) is used in a manner consistent with applicable state and  
 6           federal law governing consent to audio recording.

7           (j) Except as provided in subsection (e), nothing in the  
 8           exemption under subsection (i) shall be interpreted to limit a  
 9           school's authority to adopt and enforce policies to control or  
 10          restrict the possession or use of audio recording devices described  
 11          in subsection (i), including policies that:

- 12           (1) restrict where and when such devices may be used while at  
 13           school;  
 14           (2) prohibit the use of the devices during an assessment or  
 15           other activity designated by the school;  
 16           (3) prohibit the real time transmission, broadcasting, or live  
 17           streaming of audio recorded by the devices;  
 18           (4) require advance notification to either a classroom teacher  
 19           or building administrator as may be applicable in the school's  
 20           policy before use;  
 21           (5) require that recorded material be stored, retained, or  
 22           deleted in a manner consistent with school policy; and  
 23           (6) require consent requirements consistent with applicable  
 24           law for the recording of another student or school employee.

25          (k) A school corporation or charter school that adopts a policy  
 26          under this section that permits the possession or use of an audio  
 27          recording device under subsection (i) shall include in the policy a  
 28          provision that a recording made under subsection (i) may not be  
 29          used for a disciplinary, evaluative, or supervisory purpose against  
 30          a:

- 31           (1) student; or  
 32           (2) school employee.

33          SECTION 2. IC 34-30-2.1-271.5 IS ADDED TO THE INDIANA  
 34          CODE AS A NEW SECTION TO READ AS FOLLOWS  
 35          [EFFECTIVE JULY 1, 2026]: **Sec. 271.5. IC 20-26-5-40.7**  
 36          **(Concerning school corporations, schools maintained by school**  
 37          **corporations, charter schools, school personnel, and compliance**  
 38          **with a school's wireless communication device policy).**



## COMMITTEE REPORT

Mr. President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 78, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 21, after "must" insert **"be stored away and inaccessible to a student throughout the school day."**

Page 2, delete lines 22 through 26.

Page 2, line 36, delete "a physician's directive;" and insert **"an order provided by a health care provider who is licensed in Indiana;"**.

and when so amended that said bill do pass.

(Reference is to SB 78 as introduced.)

RAATZ, Chairperson

Committee Vote: Yeas 12, Nays 1.

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 SENATE MOTION

Mr. President: I move that Senate Bill 78 be amended to read as follows:

Page 3, after line 2, begin a new paragraph and insert:

**"(g) A school corporation, a school maintained by a school corporation, a charter school, and personnel of a school corporation, a school maintained by a school corporation, or a charter school, are immune from civil liability for any actions taken in good faith to comply with this section. The civil immunity under this subsection does not apply to an act or omission that constitutes gross negligence or willful, wanton, or intentional misconduct.**

SECTION 2. IC 34-30-2.1-271.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 271.5. IC 20-26-5-40.7 (Concerning school corporations, schools maintained by school corporations, charter schools, school personnel, and compliance with a school's wireless communication device policy)."**

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(Reference is to SB 78 as printed January 9, 2026.)

JOHNSON T

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SENATE MOTION

Mr. President: I move that Senate Bill 78 be amended to read as follows:

Page 2, line 33, after "by a" insert "**licensed**".

Page 2, line 34, delete "provider who is licensed in Indiana;" and insert "**provider;**".

(Reference is to SB 78 as printed January 9, 2026.)

ROGERS

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SENATE MOTION

Mr. President: I move that Senate Bill 78 be amended to read as follows:

Page 2, line 3, reset in roman "subdivisions (2) and (3)".

Page 2, line 3, after "(3)" insert ",".

Page 2, line 4, delete "subdivision (2),".

Page 2, line 4, delete "or possessing".

Page 2, line 13, delete "day to" and insert "**day; and**".

Page 2, delete lines 14 through 15.

Page 2, between lines 23 and 24, begin a new line double block indented and insert:

**"(C) A secure storage policy under which wireless communication devices may be brought to school, but must be stored in the student's locker or backpack throughout the school day and may, at the school's discretion, be used:**

**(i) for academic purposes in the classroom as directed by a teacher; or**

**(ii) during passing periods."**

(Reference is to SB 78 as printed January 9, 2026.)

QADDOURA



## SENATE MOTION

Mr. President: I move that Engrossed Senate Bill 78, which is eligible for third reading, be returned to second reading for purposes of amendment.

RAATZ

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 SENATE MOTION

Mr. President: I move that Senate Bill 78 be amended to read as follows:

Page 2, line 3, strike "subdivisions (2) and (3)," and insert "**subdivision (2)**,".

Page 2, line 12, delete "day; and" and insert "**day to occur only on school supplied wireless communication devices; and**".

Page 2, delete lines 21 through 27.

(Reference is to SB 78 as reprinted January 13, 2026.)

RAATZ

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 COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 78, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 10-21-1-2, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) The Indiana secured school fund is established to provide:

(1) matching grants to school corporations, charter schools, and accredited nonpublic schools, where the matching grants may be used to:

(A) employ a school resource officer, employ a law enforcement officer, or enter into a contract or a memorandum of understanding with a:

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- (i) local law enforcement agency;
  - (ii) private entity; or
  - (iii) nonprofit corporation;
- to employ a school resource officer or a law enforcement officer;
- (B) conduct:
- (i) a site vulnerability assessment of the buildings within a school corporation or the buildings that are operated by a charter school or accredited nonpublic school; or
  - (ii) critical incident digital mapping of the buildings within a school corporation or the buildings that are operated by a charter school or accredited nonpublic school;
- (C) purchase equipment, hardware, materials, and technology to:
- (i) restrict access to school property and classrooms;
  - (ii) assist with visitor management on school property;
  - (iii) expedite notification of first responders;
  - (iv) expedite access to school property for first responders;
  - (v) provide school staff with information about the open or closed status of interior and exterior doors;
  - (vi) detect fire, chemical, visual, or audible threats;
  - (vii) enhance emergency communications inside the building; or
  - (viii) assist with emergency medical response on school property;
- (D) implement a student and parent support services plan as described in IC 20-34-9;
- (E) purchase or provide training for a canine trained to detect drugs and illegal substances, explosives, or firearms, or to otherwise provide protection for students and school employees and the canine shall:
- (i) be primarily assigned to a school corporation, charter school, or accredited nonpublic school;
  - (ii) be primarily assigned to a school resource officer or law enforcement officer described in clause (A) who has received appropriate training for handling a canine trained to detect drugs and illegal substances, explosives, or firearms, or to otherwise provide protection for students and school employees, including training regarding handling a canine in a school setting; and
  - (iii) receive continuous training as appropriate;
- (F) provide funding for school employees to receive training,



including expenses for per diem, travel, and lodging, related to:

- (i) site vulnerability assessments;
- (ii) mental health or behavioral health threat assessments;
- (iii) multi-disciplinary threat assessment teams; or
- (iv) emergency preparedness or response activities;

(G) provide funding for school resource officers or law enforcement officers described in clause (A) to receive training, including expenses for per diem, travel, and lodging, related to handling a canine trained to detect drugs and illegal substances, explosives, or firearms, or to otherwise provide protection for students and school employees;

(H) purchase student safety management technology;

(I) design and construct additions or renovations on school property if the primary purpose of the construction project is to enhance the physical security of the school building;

(J) implement a bullying prevention program; or

~~(K) develop, implement, and carry out a Stop the Bleed program required by IC 20-34-3-24, including for the purchase of bleeding control kits; and~~

**(K) purchase a storage pouch for purposes described in IC 20-26-5-40.7(d)(3)(B); and**

(2) one (1) time grants to enable school corporations, charter schools, and accredited nonpublic schools with the sheriff for the county in which the school corporation, charter school, or accredited nonpublic school is located, to provide the initial set up costs for an active event warning system.

(b) A school corporation or charter school may use money received under a matching grant for a purpose listed in subsection (a) to provide a response to a threat in a manner that the school corporation or charter school sees fit, including firearms training or other self-defense training.

(c) The fund shall be administered by the department of homeland security.

(d) The fund consists of:

- (1) appropriations from the general assembly;
- (2) federal grants;
- (3) amounts deposited from any other public or private source; and
- (4) amounts deposited under IC 33-37-9-4.

(e) The expenses of administering the fund shall be paid from money in the fund.

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(f) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.

(g) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 2. IC 10-21-1-4, AS AMENDED BY P.L.150-2023, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) The board may award a matching grant to enable a school corporation, charter school, or accredited nonpublic school (or a coalition of schools applying jointly) to:

(1) employ a school resource officer, employ a law enforcement officer, or enter into a contract or memorandum of understanding with a:

- (A) local law enforcement agency;
- (B) private entity; or
- (C) nonprofit corporation;

to employ a school resource officer or a law enforcement officer;

(2) conduct a site vulnerability assessment of the buildings within a school corporation or the buildings that are operated by a charter school or accredited nonpublic school;

(3) conduct critical incident digital mapping of the buildings within a school corporation or the buildings that are operated by a charter school or accredited nonpublic school;

(4) purchase equipment, hardware, materials, and technology to:

- (A) restrict access to school property and classrooms;
- (B) assist with visitor management on school property;
- (C) expedite notification of first responders;
- (D) expedite access to school property for first responders;
- (E) provide staff with information about open or closed status of interior and exterior doors;
- (F) detect fire, chemical, visual, or audible threats;
- (G) enhance emergency communications inside the school building; or
- (H) assist with emergency medical response on school property;

(5) implement a student and parent support services plan in the manner set forth in IC 20-34-9;

(6) purchase or provide training for a canine trained to detect drugs and illegal substances, explosives, or firearms, or to otherwise provide protection for students and school employees and the canine shall:



- (A) be primarily assigned to a school corporation, charter school, or accredited nonpublic school;
  - (B) be primarily assigned to a school resource officer or law enforcement officer described in subdivision (1)(A) who has received appropriate training for handling a canine trained to detect drugs and illegal substances, explosives, or firearms, or to otherwise provide protection for students and school employees, including training regarding handling a canine in a school setting; and
  - (C) receive continuous training as appropriate;
- (7) provide funding for:
- (A) school employees to receive training, including expenses for per diem, travel, and lodging, related to:
    - (i) site vulnerability assessments;
    - (ii) mental health or behavioral health threat assessments;
    - (iii) multi-disciplinary threat assessment teams; or
    - (iv) emergency preparedness or response activities; or
  - (B) school resource officers or law enforcement officers described in subdivision (1)(A) to receive training, including expenses for per diem, travel, and lodging, related to handling a canine trained to detect drugs and illegal substances, explosives, or firearms, or to otherwise provide protection for students and school employees;
- (8) design and construct additions or renovations on school property if the primary purpose of the construction project is to enhance the physical security of the school building;
- (9) provide one (1) time grants to enable school corporations, charter schools, and accredited nonpublic schools with the sheriff for the county in which the school corporation, charter school, or accredited nonpublic school is located to provide the initial set up costs for an active event warning system;
- (10) implement a bullying prevention program; ~~or~~
- (11) purchase student safety management technology; ~~or~~
- (12) purchase a storage pouch for purposes described in IC 20-26-5-40.7(d)(3)(B);**

in accordance with section 2(a) of this chapter.

(b) A matching grant awarded to a school corporation, charter school, or accredited nonpublic school (or a coalition of schools applying jointly) may not exceed the lesser of the following during a two (2) year period beginning on or after May 1, 2013:

- (1) The total cost of the program established by the school corporation, charter school, or accredited nonpublic school (or the



coalition of schools applying jointly).

(2) Except as provided in subsection (d), the following amounts:

(A) Thirty-five thousand dollars (\$35,000) per year, in the case of a school corporation, charter school, or accredited nonpublic school that:

(i) has an ADM of at least one (1) and less than one thousand one (1,001) students; and

(ii) is not applying jointly with any other school corporation, charter school, or accredited nonpublic school.

(B) Fifty thousand dollars (\$50,000) per year, in the case of a school corporation, charter school, or accredited nonpublic school that:

(i) has an ADM of more than one thousand (1,000) and less than five thousand one (5,001) students; and

(ii) is not applying jointly with any other school corporation, charter school, or accredited nonpublic school.

(C) Seventy-five thousand dollars (\$75,000) per year, in the case of a school corporation, charter school, or accredited nonpublic school that:

(i) has an ADM of more than five thousand (5,000) and less than fifteen thousand one (15,001) students; and

(ii) is not applying jointly with any other school corporation, charter school, or accredited nonpublic school.

(D) One hundred thousand dollars (\$100,000) per year, in the case of a school corporation, charter school, or accredited nonpublic school that:

(i) has an ADM of more than fifteen thousand (15,000); and

(ii) is not applying jointly with any other school corporation, charter school, or accredited nonpublic school.

(E) One hundred thousand dollars (\$100,000) per year, in the case of a coalition of schools applying jointly.

(c) Except as provided in subsection (d), the match requirement for a grant under this chapter is based on the ADM for the school corporation, charter school, or accredited nonpublic school (or coalition of schools applying jointly) that is the subject of the grant as follows:

(1) For a school corporation, charter school, or accredited nonpublic school with an ADM of less than five hundred one (501) students, the grant match must be twenty-five percent (25%) of the grant amount described in subsection (b).

(2) For a school corporation, charter school, or accredited nonpublic school with an ADM of more than five hundred (500) and less than one thousand one (1,001) students, the grant match



must be fifty percent (50%) of the grant amount described in subsection (b).

(3) For a school corporation, charter school, or accredited nonpublic school with an ADM of more than one thousand (1,000) students or a coalition of schools applying jointly, the grant match must be one hundred percent (100%) of the grant amount described in subsection (b).

(d) A school corporation, charter school, or accredited nonpublic school may be eligible to receive a grant of up to:

(1) one hundred thousand dollars (\$100,000) if:

(A) the school corporation, charter school, or accredited nonpublic school receives a grant match of one hundred percent (100%) of the requested grant amount; and

(B) the board approves the grant request; or

(2) for a school corporation, charter school, or accredited nonpublic school described in subsection (c)(1) or (c)(2), a grant of up to fifty thousand dollars (\$50,000) if:

(A) the school corporation, charter school, or accredited nonpublic school receives a grant match of fifty percent (50%) of the requested grant amount; and

(B) the board approves the grant request.

(e) A school corporation, charter school, or accredited nonpublic school may receive only one (1) matching grant under this section each year.

(f) The board may not award a grant to a school corporation, charter school, or accredited nonpublic school under this section unless the school corporation, charter school, or accredited nonpublic school is in a county that has a county school safety commission, as described in section 12 of this chapter."

Page 1, between lines 6 and 7, begin a new paragraph and insert:

**"(b) As used in this section, "school sanctioned wireless communication device" means a wireless communication device that:**

**(1) is owned by a student or a third party vendor;**

**(2) is approved by the school for instructional use;**

**(3) is required or permitted by the school for participation in classroom instruction;**

**(4) is subject to school managed network controls, filtering, or monitoring that restrict access to noninstructional content during the school day; and**

**(5) is not a cellular telephone, gaming device, or smartwatch described in subsection (c)(5)."**



Page 1, line 7, strike "(b)" and insert "(c)".

Page 1, between lines 16 and 17, begin a new line blocked left and insert:

**"The term does not include a device described in subsection (i)."**

Page 1, line 17, strike "(c)" and insert "(d)".

Page 1, line 17, delete "subsection (d)," and insert "**subsection (e),"**

Page 2, line 13, after "supplied" insert "**or school sanctioned"**.

Page 2, delete lines 19 through 22, begin a new line double block indented and insert:

**"(B) A storage policy under which wireless communication devices may be brought to school, but must be stored away, powered off, and inaccessible to a student throughout the school day."**

Page 2, line 23, strike "(d)" and insert "(e)".

Page 2, line 23, strike "(c)" and insert "(d)".

Page 2, line 34, after "superintendent's" insert "**designee; or"**.

Page 2, delete line 35.

Page 2, line 39, strike "(e)" and insert "(f)".

Page 2, line 41, strike "(c)." and insert "(d)".

Page 2, line 42, delete "(f)" and insert "(g)".

Page 3, line 1, delete "section." and insert "**section, which may include guidance for how existing lockers and resources can be used to comply with this section."**

Page 3, line 2, delete "(g)" and insert "(h)".

Page 3, between lines 9 and 10, begin a new paragraph and insert:

**"(i) Notwithstanding subsections (a) through (g), a student may possess and use an unobtrusive audio recording device solely for the student's individual educational notetaking or personal learning assistance if the device:**

- (1) is designed principally to capture spoken word audio for the purpose described in this subsection, including through recording, transcription, summarization, or other personal assistant functionality;**
- (2) does not capture, store, or transmit images or video;**
- (3) is visible to the classroom teacher or other appropriate school personnel at all times while in use;**
- (4) is provided to the school for inspection upon request; and**
- (5) is used in a manner consistent with applicable state and federal law governing consent to audio recording.**

**(j) Except as provided in subsection (e), nothing in the exemption under subsection (i) shall be interpreted to limit a school's authority to adopt and enforce policies to control or**



**restrict the possession or use of audio recording devices described in subsection (i), including policies that:**

- (1) restrict where and when such devices may be used while at school;**
- (2) prohibit the use of the devices during an assessment or other activity designated by the school;**
- (3) prohibit the real time transmission, broadcasting, or live streaming of audio recorded by the devices;**
- (4) require advance notification to either a classroom teacher or building administrator as may be applicable in the school's policy before use;**
- (5) require that recorded material be stored, retained, or deleted in a manner consistent with school policy; and**
- (6) require consent requirements consistent with applicable law for the recording of another student or school employee.**

**(k) A school corporation or charter school that adopts a policy under this section that permits the possession or use of an audio recording device under subsection (i) shall include in the policy a provision that a recording made under subsection (i) may not be used for a disciplinary, evaluative, or supervisory purpose against a:**

- (1) student; or**
- (2) school employee."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 78 as reprinted January 14, 2026.)

BEHNING

Committee Vote: yeas 12, nays 0.

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#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Engrossed Senate Bill 78, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, line 9, after "building;" insert "**or**".

Page 3, line 10, strike "or" and insert "**and**".

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Page 3, delete lines 14 through 15.  
Page 3, delete line 42.  
Delete pages 4 through 6.  
Page 7, delete lines 1 through 22.  
Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to ESB 78 as printed February 12, 2026.)

THOMPSON

Committee Vote: yeas 21, nays 3.

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HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 78 be amended to read as follows:

Page 1, delete lines 1 through 17.

Delete page 2.

Page 3, delete lines 1 through 39.

Page 4, between lines 15 and 16, begin a new line blocked left and insert:

**"This subsection expires July 1, 2028."**

Page 4, line 29, delete ":" and insert **"does the following:"**.

Page 4, line 30, delete "except" and insert "Except".

Page 4, line 32, after "day" delete ";" and insert ".".

Page 4, delete lines 38 through 41, begin a new line block indented and insert:

**"(2) Requires teacher directed use of a wireless communication device for educational purposes during the school day to occur only on the following:**

**(A) Before July 1, 2028, on:**

- (i) a school supplied wireless communication device; or**
- (ii) if the school corporation or charter school does not provide a school supplied wireless communication device, a school sanctioned wireless communication device.**

**This clause expires July 1, 2028.**

**(B) After June 30, 2028, a school supplied wireless communication device."**

Page 4, line 42, delete "mandates" and insert **"Mandates"**.



Renumber all SECTIONS consecutively.

(Reference is to ESB 78 as printed February 18, 2026.)

TESHKA

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HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 78 be amended to read as follows:

Page 5, delete lines 19 through 20, begin a new line block indented and insert:

**"(4) authorized by the superintendent or the superintendent's designee at the appropriate time during an emergency, as determined by the superintendent or designee; or".**

(Reference is to ESB 78 as printed February 18, 2026.)

BEHNING

