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SENATE BILL No. 78

Proposed Changes to introduced printing by AM007802

DIGEST OF PROPOSED AMENDMENT

Provides that a student's wireless communication device must be stored in the student's locker or backpack throughout the school day, and may, at the school's discretion, be used during passing periods only.

_____

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"
8 means any portable wireless device that has the capability to provide
9 voice, messaging, or other data communication between two (2) or
10 more 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**
16   **cell tower, or the Internet.**
17   (c) **Except as provided in subsection (d),** each school corporation
18 and charter school shall adopt and implement a wireless
19 communication device policy that:

DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

(1) except as provided in <subdivisions <(2) <and <(3)[,]
and subsection (d), **subdivision (2),** prohibits a student from
using **or possessing** a wireless communication device during
instructional time; **the school day;**
(2) authorizes a teacher to allow a student to use a wireless
communication device for educational purposes during
instructional time; and
(3) permits a student to use a wireless communication device in
the event of an emergency or to manage the student's health care.
(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 one (1) of the following policies:
    (A) A no device policy under which students are not
    permitted to bring>[(3) provides that a student's]
wireless communication <devices to school.
    (B) A secure storage policy under which wireless
    communication devices may be brought to school, but
    must be:
      (i) stored and inaccessible>[device:
    (A) must be stored in the student's locker or backpack]
throughout the school day; and
< >(**<ii>[B]**) **<returned to the student upon**
dismissal>[may,] at< **the end of**> **the school**<
day>['s discretion, be used during passing periods
only].
(d) The policy adopted and implemented under subsection (c) may
not prohibit a student from using a wireless communication device
during instructional time **the school day** if the use of the wireless
communication device is: included in the student's:
(1) **included in the student's** individualized education
program;[-]or
(2) **included in the student's** plan developed under Section 504
of the federal Rehabilitation Act of 1973, 29 U.S.C. 794;
(3) necessary for the management of a documented medical
condition pursuant to a physician's directive;
(4) authorized by the superintendent, or the superintendent's
designee, during an emergency; or
(5) necessary for language translation to ensure access for
multi-lingual learners, prioritizing school-managed wireless
communication devices or applications where available.

Markup

1   (e) Each school corporation and charter school shall publish on its
2   website the wireless communication device policy established under
3   subsection (c).
4   **(f) The department shall publish model policy language and**
5   **implementation guidance consistent with this section.**[
6   ]

Markup

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