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SENATE BILL No. 78

Proposed Changes to introduced printing by AM007803

DIGEST OF PROPOSED AMENDMENT

Wireless communication device policy. Removes a provision concerning the return of wireless communication devices upon a student's dismissal at the end of the school day. Provides that a wireless communication device policy implemented by each school corporation and charter school may not prohibit a student from using a wireless communication device during the school day if the use of the device is necessary for the management of a documented medical condition pursuant to an order provided by a health care provider who is licensed in Indiana.

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.

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(c) Except as provided in subsection (d), each school corporation and charter school shall adopt and implement a wireless communication device policy that:

(1) except as provided in subdivisions (2) and (3) and subsection (4), 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 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 away and inaccessible to a student throughout the school day ; and~~

~~(ii) returned to the student upon dismissal at the end of the school day .~~

> (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~~ an order provided by a health care provider who is licensed in Indiana;

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

(5) necessary for language translation to ensure access for



1 **multi-lingual learners, prioritizing school-managed wireless**
2 **communication devices or applications where available.**

3 (e) Each school corporation and charter school shall publish on its
4 website the wireless communication device policy established under
5 subsection (c).

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