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## SENATE BILL No. 78

AM007804 has been incorporated into introduced printing.

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**Synopsis:** Wireless communication device policy.

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2026

IN 78—LS 6411/DI 152



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Introduced

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.

## 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, "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**

2026

IN 78—LS 6411/DI 152



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cell tower, or the Internet.

(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 (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 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 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;**

**(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**



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**communication devices or applications where available.**

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

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

(g) A school corporation, a school maintained by a school corporation, and 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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