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## SENATE BILL No. 78

Proposed Changes to introduced printing by AM007805

### 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. Permits a secure storage policy under which wireless communication devices may be brought to school, but must be stored away and inaccessible to a student throughout the school day, except for passing periods. 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.

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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).

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

- (1) cellular telephone;
- (2) tablet computer;
- (3) laptop computer; ~~or~~
- (4) gaming device; ~~or~~
- (5) smartwatch that is connected to a cellular telephone, a 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 [s] (2) and (3)(C)], prohibits a student from using or possessing [a] 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.~~

~~>].~~

**(C) A secure storage policy under which wireless communication devices may be brought to school, but must be stored away and inaccessible to a student throughout the school day, except for passing periods.]**



(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; ~~for~~

(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 multi-lingual learners, prioritizing school-managed wireless 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.** [

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