
SENATE BILL No. 78

AM007810 has been incorporated into January 14, 2026 printing.

Synopsis: Wireless communication device policy.

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SB 78—LS 6411/DI 152



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.

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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**
- 16 **cell tower, or the Internet.**
- 17 (c) **Except as provided in subsection (d),** each school corporation

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1 and charter school shall adopt and implement a wireless
2 communication device policy that:

3 (1) except as provided in ~~subdivisions (2) and (3)~~, **subdivision**
4 **(2), and subsection (d)**; prohibits a student from using a wireless
5 communication device during ~~instructional time~~; **the school**
6 **day**;

7 ~~(2) authorizes a teacher to allow a student to use a wireless~~
8 ~~communication device for educational purposes during~~
9 ~~instructional time~~; and

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

12 **(2) requires teacher directed use of a wireless communication**
13 **device for educational purposes during the school day to**
14 **occur only on school supplied wireless communication**
15 **devices; and**

16 **(3) mandates one (1) of the following policies:**

17 **(A) A no device policy under which students are not**
18 **permitted to bring wireless communication devices to**
19 **school.**

20 **(B) A secure storage policy under which wireless**
21 **communication devices may be brought to school, but**
22 **must be stored away and inaccessible to a student**
23 **throughout the school day.**

24 (d) The policy adopted and implemented under subsection (c) may
25 not prohibit a student from using a wireless communication device
26 during ~~instructional time~~ **the school day** if the use of the wireless
27 communication device is: ~~included in the student's~~

28 **(1) included in the student's** individualized education program;

29 **or**

30 **(2) included in the student's** plan developed under Section 504
31 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794;

32 **(3) necessary for the management of a documented medical**
33 **condition pursuant to an order provided by a licensed health**
34 **care provider;**

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

37 **(5) necessary for language translation to ensure access for**
38 **multi-lingual learners, prioritizing school-managed wireless**
39 **communication devices or applications where available.**

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

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1 **(f) The department shall publish model policy language and**
 2 **implementation guidance consistent with this section.**
 3 **(g) A school corporation, a school maintained by a school**
 4 **corporation, a charter school, and personnel of a school**
 5 **corporation, a school maintained by a school corporation, or a**
 6 **charter school, are immune from civil liability for any actions**
 7 **taken in good faith to comply with this section. The civil immunity**
 8 **under this subsection does not apply to an act or omission that**
 9 **constitutes gross negligence or willful, wanton, or intentional**
 10 **misconduct.**
 11 **(h) If a school corporation or charter school stores a student's**
 12 **wireless communication device as provided under subsection**
 13 **(c)(3)(B), the school corporation or charter school shall charge the:**
 14 **(1) parent of a student if the student is an unemancipated**
 15 **minor; or**
 16 **(2) student if the student is an adult or emancipated minor;**
 17 **a fee in the amount of not less than twenty-five dollars (\$25) and**
 18 **not more than one hundred dollars (\$100), as determined by the**
 19 **school corporation or charter school, for costs associated with the**
 20 **storage of the student's wireless communication device.**
 21 **SECTION 2. IC 34-30-2.1-271.5 IS ADDED TO THE INDIANA**
 22 **CODE AS A NEW SECTION TO READ AS FOLLOWS**
 23 **[EFFECTIVE JULY 1, 2026]: Sec. 271.5. IC 20-26-5-40.7**
 24 **(Concerning school corporations, schools maintained by school**
 25 **corporations, charter schools, school personnel, and compliance**
 26 **with a school's wireless communication device policy).**

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