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**SENATE BILL No. 78**

AM007811 has been incorporated into January 14, 2026 printing.

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**Synopsis:** Wireless communication device policy.

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SB 78—LS 6411/DI 152



**DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY**

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, which may**  
 3 **include guidance for how existing lockers and resources can be**  
 4 **used to comply with this section.**

5           **(g) A school corporation, a school maintained by a school**  
 6 **corporation, a charter school, and personnel of a school**  
 7 **corporation, a school maintained by a school corporation, or a**  
 8 **charter school, are immune from civil liability for any actions**  
 9 **taken in good faith to comply with this section. The civil immunity**  
 10 **under this subsection does not apply to an act or omission that**  
 11 **constitutes gross negligence or willful, wanton, or intentional**  
 12 **misconduct.**

13           **SECTION 2. IC 34-30-2.1-271.5 IS ADDED TO THE INDIANA**  
 14 **CODE AS A NEW SECTION TO READ AS FOLLOWS**  
 15 **[EFFECTIVE JULY 1, 2026]: Sec. 271.5. IC 20-26-5-40.7**  
 16 **(Concerning school corporations, schools maintained by school**  
 17 **corporations, charter schools, school personnel, and compliance**  
 18 **with a school's wireless communication device policy).**

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