
SENATE BILL No. 78

AM007812 has been incorporated into January 14, 2026 printing.

Synopsis: Wireless communication device policy.

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SB 78—LS 6411/DI 152



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Reprinted
January 14, 2026

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**
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 storage policy under which wireless**
21 **communication devices may be brought to school, but**
22 **must be stored away, powered off, and inaccessible to a**
23 **student 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; 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 SECTION 2. IC 34-30-2.1-271.5 IS ADDED TO THE INDIANA
12 CODE AS A NEW SECTION TO READ AS FOLLOWS
13 [EFFECTIVE JULY 1, 2026]: Sec. 271.5. IC 20-26-5-40.7
14 (Concerning school corporations, schools maintained by school
15 corporations, charter schools, school personnel, and compliance
16 with a school's wireless communication device policy).

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