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**SENATE BILL No. 78**

AM007813 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, "**school sanctioned wireless**  
8 **communication device**" means a wireless communication device  
9 that:  
10 (1) is owned by a student or a third party vendor;  
11 (2) is approved by the school for instructional use;  
12 (3) is required or permitted by the school for participation in  
13 classroom instruction;  
14 (4) is subject to school managed network controls, filtering,  
15 or monitoring that restrict access to noninstructional content  
16 during the school day; and  
17 (5) is not a cellular telephone, gaming device, or smartwatch

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- 1 **described in subsection (c)(5).**  
 2 ~~(b)~~ **(c)** As used in this section, "wireless communication device"  
 3 means any portable wireless device that has the capability to provide  
 4 voice, messaging, or other data communication between two (2) or  
 5 more parties, including a:  
 6 (1) cellular telephone;  
 7 (2) tablet computer;  
 8 (3) laptop computer; ~~or~~  
 9 (4) gaming device; ~~or~~  
 10 **(5) smartwatch that is connected to a cellular telephone, a**  
 11 **cell tower, or the Internet.**  
 12 ~~(c)~~ **(d)** ~~Except as provided in subsection (e),~~ each school  
 13 corporation and charter school shall adopt and implement a wireless  
 14 communication device policy that:  
 15 (1) ~~except as provided in subdivisions (2) and (3); subdivision~~  
 16 **(2), and subsection (d);** prohibits a student from using a wireless  
 17 communication device during ~~instructional time; the school~~  
 18 **day;**  
 19 ~~(2) authorizes a teacher to allow a student to use a wireless~~  
 20 ~~communication device for educational purposes during~~  
 21 ~~instructional time; and~~  
 22 ~~(3) permits a student to use a wireless communication device in~~  
 23 ~~the event of an emergency or to manage the student's health care.~~  
 24 **(2) requires teacher directed use of a wireless communication**  
 25 **device for educational purposes during the school day to**  
 26 **occur only on school supplied or school sanctioned wireless**  
 27 **communication devices; and**  
 28 **(3) mandates one (1) of the following policies:**  
 29 **(A) A no device policy under which students are not**  
 30 **permitted to bring wireless communication devices to**  
 31 **school.**  
 32 **(B) A secure storage policy under which wireless**  
 33 **communication devices may be brought to school, but**  
 34 **must be stored away and inaccessible to a student**  
 35 **throughout the school day.**  
 36 ~~(d)~~ **(e)** The policy adopted and implemented under subsection ~~(c)~~  
 37 **(d)** may not prohibit a student from using a wireless communication  
 38 device during ~~instructional time the school day~~ if the use of the  
 39 wireless communication device is: ~~included in the student's:~~  
 40 **(1) included in the student's** individualized education program;  
 41 ~~or~~  
 42 **(2) included in the student's** plan developed under Section 504

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1 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794;  
 2 **(3) necessary for the management of a documented medical**  
 3 **condition pursuant to an order provided by a licensed health**  
 4 **care provider;**  
 5 **(4) authorized by the superintendent, or the superintendent's**  
 6 **designee, during an emergency; or**  
 7 **(5) necessary for language translation to ensure access for**  
 8 **multi-lingual learners, prioritizing school-managed wireless**  
 9 **communication devices or applications where available.**  
 10 ~~(e)~~ **(f)** Each school corporation and charter school shall publish on  
 11 its website the wireless communication device policy established under  
 12 subsection ~~(e)~~: **(d)**.  
 13 **(g) The department shall publish model policy language and**  
 14 **implementation guidance consistent with this section.**  
 15 **(h) A school corporation, a school maintained by a school**  
 16 **corporation, a charter school, and personnel of a school**  
 17 **corporation, a school maintained by a school corporation, or a**  
 18 **charter school, are immune from civil liability for any actions**  
 19 **taken in good faith to comply with this section. The civil immunity**  
 20 **under this subsection does not apply to an act or omission that**  
 21 **constitutes gross negligence or willful, wanton, or intentional**  
 22 **misconduct.**  
 23 SECTION 2. IC 34-30-2.1-271.5 IS ADDED TO THE INDIANA  
 24 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 25 [EFFECTIVE JULY 1, 2026]: **Sec. 271.5. IC 20-26-5-40.7**  
 26 **(Concerning school corporations, schools maintained by school**  
 27 **corporations, charter schools, school personnel, and compliance**  
 28 **with a school's wireless communication device policy).**

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