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SENATE BILL No. 78

Proposed Changes to January 14, 2026 printing by AM007813

DIGEST OF PROPOSED AMENDMENT

School sanctioned wireless communication devices. Provides for the use of school sanctioned wireless communication devices regarding teacher directed use for educational purposes in the policy.

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
 18 described in subsection (c)(5).
 19 [(b) (c)] As used in this section, "wireless communication
 20 device" means any portable wireless device that has the capability to

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1 provide voice, messaging, or other data communication between two
2 (2) or more parties, including a:

- 3 (1) cellular telephone;
- 4 (2) tablet computer;
- 5 (3) laptop computer; or
- 6 (4) gaming device; or
- 7 **(5) smartwatch that is connected to a cellular telephone, a**
- 8 **cell tower, or the Internet.**

9 ~~[(c)]~~ **(d)** Except as provided in subsection ~~(c)]~~ **(e)**, each
10 school corporation and charter school shall adopt and implement a
11 wireless communication device policy that:

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

16 (2) authorizes a teacher to allow a student to use a wireless
17 communication device for educational purposes during
18 instructional time; and

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

21 **(2) requires teacher directed use of a wireless communication**
22 **device for educational purposes during the school day to**
23 **occur only on school supplied or school sanctioned wireless**
24 **communication devices; and**

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

26 (A) **A no device policy under which students are not**
27 **permitted to bring wireless communication devices to**
28 **school.**

29 (B) **A secure storage policy under which wireless**
30 **communication devices may be brought to school, but**
31 **must be stored away and inaccessible to a student**
32 **throughout the school day.**

33 ~~[(d)]~~ **(e)** The policy adopted and implemented under subsection
34 ~~[(c)]~~ **(d)** may not prohibit a student from using a wireless
35 communication device during ~~instructional time~~ **the school day** if the
36 use of the wireless communication device is: ~~included in the student's~~:

37 (1) **included in the student's** individualized education
38 program; ~~or~~

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

41 (3) **necessary for the management of a documented medical**
42 **condition pursuant to an order provided by a licensed health**

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