
ENGROSSED
SENATE BILL No. 78

AM007814 has been incorporated into February 12, 2026 printing.

Synopsis: Wireless communication device policy.

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February 12, 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.

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ENGROSSED 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 10-21-1-2, AS AMENDED BY THE
2 TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL
3 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2026]: Sec. 2. (a) The Indiana secured school fund is
5 established to provide:
6 (1) matching grants to school corporations, charter schools, and
7 accredited nonpublic schools, where the matching grants may be
8 used to:
9 (A) employ a school resource officer, employ a law
10 enforcement officer, or enter into a contract or a
11 memorandum of understanding with a:
12 (i) local law enforcement agency;
13 (ii) private entity; or
14 (iii) nonprofit corporation;
15 to employ a school resource officer or a law enforcement
16 officer;
17 (B) conduct:

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- 1 (i) a site vulnerability assessment of the buildings
 2 within a school corporation or the buildings that are
 3 operated by a charter school or accredited nonpublic
 4 school; or
 5 (ii) critical incident digital mapping of the buildings
 6 within a school corporation or the buildings that are
 7 operated by a charter school or accredited nonpublic
 8 school;
- 9 (C) purchase equipment, hardware, materials, and
 10 technology to:
- 11 (i) restrict access to school property and classrooms;
 12 (ii) assist with visitor management on school property;
 13 (iii) expedite notification of first responders;
 14 (iv) expedite access to school property for first
 15 responders;
 16 (v) provide school staff with information about the
 17 open or closed status of interior and exterior doors;
 18 (vi) detect fire, chemical, visual, or audible threats;
 19 (vii) enhance emergency communications inside the
 20 building; or
 21 (viii) assist with emergency medical response on
 22 school property;
- 23 (D) implement a student and parent support services plan as
 24 described in IC 20-34-9;
- 25 (E) purchase or provide training for a canine trained to
 26 detect drugs and illegal substances, explosives, or firearms,
 27 or to otherwise provide protection for students and school
 28 employees and the canine shall:
- 29 (i) be primarily assigned to a school corporation,
 30 charter school, or accredited nonpublic school;
 31 (ii) be primarily assigned to a school resource officer
 32 or law enforcement officer described in clause (A) who
 33 has received appropriate training for handling a canine
 34 trained to detect drugs and illegal substances,
 35 explosives, or firearms, or to otherwise provide
 36 protection for students and school employees,
 37 including training regarding handling a canine in a
 38 school setting; and
 39 (iii) receive continuous training as appropriate;
- 40 (F) provide funding for school employees to receive
 41 training, including expenses for per diem, travel, and
 42 lodging, related to:

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- 1 (i) site vulnerability assessments;
 2 (ii) mental health or behavioral health threat
 3 assessments;
 4 (iii) multi-disciplinary threat assessment teams; or
 5 (iv) emergency preparedness or response activities;
 6 (G) provide funding for school resource officers or law
 7 enforcement officers described in clause (A) to receive
 8 training, including expenses for per diem, travel, and
 9 lodging, related to handling a canine trained to detect drugs
 10 and illegal substances, explosives, or firearms, or to
 11 otherwise provide protection for students and school
 12 employees;
 13 (H) purchase student safety management technology;
 14 (I) design and construct additions or renovations on school
 15 property if the primary purpose of the construction project
 16 is to enhance the physical security of the school building; **or**
 17 (J) implement a bullying prevention program; **or and**
 18 ~~(K) develop, implement, and carry out a Stop the Bleed~~
 19 ~~program required by IC 20-34-3-24, including for the~~
 20 ~~purchase of bleeding control kits; and~~
 21 (2) one (1) time grants to enable school corporations, charter
 22 schools, and accredited nonpublic schools with the sheriff for the
 23 county in which the school corporation, charter school, or
 24 accredited nonpublic school is located, to provide the initial set
 25 up costs for an active event warning system.
 26 (b) A school corporation or charter school may use money
 27 received under a matching grant for a purpose listed in subsection (a)
 28 to provide a response to a threat in a manner that the school corporation
 29 or charter school sees fit, including firearms training or other
 30 self-defense training.
 31 (c) The fund shall be administered by the department of homeland
 32 security.
 33 (d) The fund consists of:
 34 (1) appropriations from the general assembly;
 35 (2) federal grants;
 36 (3) amounts deposited from any other public or private source;
 37 and
 38 (4) amounts deposited under IC 33-37-9-4.
 39 (e) The expenses of administering the fund shall be paid from
 40 money in the fund.
 41 (f) The treasurer of state shall invest the money in the fund not
 42 currently needed to meet the obligations of the fund in the same

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1 manner as other public money may be invested. Interest that accrues
2 from these investments shall be deposited in the fund.

3 (g) Money in the fund at the end of a state fiscal year does not
4 revert to the state general fund.

5 SECTION 2. IC 20-26-5-40.7, AS ADDED BY P.L.24-2024,
6 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2026]: Sec. 40.7. (a) As used in this section, "~~instructional~~
8 ~~time~~" has the meaning set forth in ~~IC 20-30-2-1~~. "**school day**" means
9 **the entirety of the time a student is present on school property for**
10 **a student instructional day (as defined in IC 20-30-2-2).**

11 (b) As used in this section, "**school sanctioned wireless**
12 **communication device**" means a wireless communication device
13 that:

- 14 (1) is owned by a student or a third party vendor;
- 15 (2) is approved by the school for instructional use;
- 16 (3) is required or permitted by the school for participation in
17 classroom instruction;
- 18 (4) is subject to school managed network controls, filtering,
19 or monitoring that restrict access to noninstructional content
20 during the school day; and
- 21 (5) is not a cellular telephone, gaming device, or smartwatch
22 described in subsection (c)(5).

23 ~~(b)~~ (c) As used in this section, "wireless communication device"
24 means any portable wireless device that has the capability to provide
25 voice, messaging, or other data communication between two (2) or
26 more parties, including a:

- 27 (1) cellular telephone;
- 28 (2) tablet computer;
- 29 (3) laptop computer; ~~or~~
- 30 (4) gaming device; ~~or~~
- 31 (5) smartwatch that is connected to a cellular telephone, a
32 cell tower, or the Internet.

33 The term does not include a device described in subsection (i).

34 ~~(c)~~ (d) Except as provided in subsection (e), each school
35 corporation and charter school shall adopt and implement a wireless
36 communication device policy that:

- 37 (1) except as provided in ~~subdivisions (2) and (3)~~, **subdivision**
38 **(2), and subsection (d)**; prohibits a student from using a wireless
39 communication device during ~~instructional time~~; **the school**
40 **day**;
- 41 ~~(2)~~ **(2)** authorizes a teacher to allow a student to use a wireless
42 ~~communication device for educational purposes during~~

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1 instructional time; and

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

4 **(2) requires teacher directed use of a wireless communication**
5 **device for educational purposes during the school day to**
6 **occur only on school supplied or school sanctioned wireless**
7 **communication devices; and**

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

9 **(A) A no device policy under which students are not**
10 **permitted to bring wireless communication devices to**
11 **school.**

12 **(B) A storage policy under which wireless**
13 **communication devices may be brought to school, but**
14 **must be stored away, powered off, and inaccessible to a**
15 **student throughout the school day.**

16 ~~(d)~~ **(e)** The policy adopted and implemented under subsection ~~(e)~~
17 **(d)** may not prohibit a student from using a wireless communication
18 device during ~~instructional time~~ **the school day** if the use of the
19 wireless communication device is: ~~included in the student's-~~

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

21 ~~or~~

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

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

27 **(4) authorized by the superintendent, or the superintendent's**
28 **designee; or**

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

32 ~~(e)~~ **(f)** Each school corporation and charter school shall publish on
33 its website the wireless communication device policy established under
34 subsection ~~(e)~~: **(d)**.

35 **(g) The department shall publish model policy language and**
36 **implementation guidance consistent with this section, which may**
37 **include guidance for how existing lockers and resources can be**
38 **used to comply with this section.**

39 **(h) A school corporation, a school maintained by a school**
40 **corporation, a charter school, and personnel of a school**
41 **corporation, a school maintained by a school corporation, or a**
42 **charter school, are immune from civil liability for any actions**

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1 taken in good faith to comply with this section. The civil immunity
 2 under this subsection does not apply to an act or omission that
 3 constitutes gross negligence or willful, wanton, or intentional
 4 misconduct.

5 (i) Notwithstanding subsections (a) through (g), a student may
 6 possess and use an unobtrusive audio recording device solely for
 7 the student's individual educational notetaking or personal
 8 learning assistance if the device:

9 (1) is designed principally to capture spoken word audio for
 10 the purpose described in this subsection, including through
 11 recording, transcription, summarization, or other personal
 12 assistant functionality;

13 (2) does not capture, store, or transmit images or video;

14 (3) is visible to the classroom teacher or other appropriate
 15 school personnel at all times while in use;

16 (4) is provided to the school for inspection upon request; and

17 (5) is used in a manner consistent with applicable state and
 18 federal law governing consent to audio recording.

19 (j) Except as provided in subsection (e), nothing in the
 20 exemption under subsection (i) shall be interpreted to limit a
 21 school's authority to adopt and enforce policies to control or
 22 restrict the possession or use of audio recording devices described
 23 in subsection (i), including policies that:

24 (1) restrict where and when such devices may be used while
 25 at school;

26 (2) prohibit the use of the devices during an assessment or
 27 other activity designated by the school;

28 (3) prohibit the real time transmission, broadcasting, or live
 29 streaming of audio recorded by the devices;

30 (4) require advance notification to either a classroom teacher
 31 or building administrator as may be applicable in the
 32 school's policy before use;

33 (5) require that recorded material be stored, retained, or
 34 deleted in a manner consistent with school policy; and

35 (6) require consent requirements consistent with applicable
 36 law for the recording of another student or school employee.

37 (k) A school corporation or charter school that adopts a policy
 38 under this section that permits the possession or use of an audio
 39 recording device under subsection (i) shall include in the policy a
 40 provision that a recording made under subsection (i) may not be
 41 used for a disciplinary, evaluative, or supervisory purpose against
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- 1 **(1) student; or**
- 2 **(2) school employee.**

3 SECTION 3. IC 34-30-2.1-271.5 IS ADDED TO THE INDIANA
4 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2026]: **Sec. 271.5. IC 20-26-5-40.7**
6 **(Concerning school corporations, schools maintained by school**
7 **corporations, charter schools, school personnel, and compliance**
8 **with a school's wireless communication device policy).**

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