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ENGROSSED SENATE BILL No. 78

Proposed Changes to February 12, 2026 printing by AM007815

DIGEST OF PROPOSED AMENDMENT

Charge of fees. Provides that, if a school corporation or charter school stores a student's wireless communication device, the school corporation or charter school may charge a fee for costs associated with the storage.

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:
- 18 (i) a site vulnerability assessment of the buildings

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

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- 1 (ii) mental health or behavioral health threat
- 2 assessments;
- 3 (iii) multi-disciplinary threat assessment teams; or
- 4 (iv) emergency preparedness or response activities;
- 5 (G) provide funding for school resource officers or law
- 6 enforcement officers described in clause (A) to receive
- 7 training, including expenses for per diem, travel, and
- 8 lodging, related to handling a canine trained to detect drugs
- 9 and illegal substances, explosives, or firearms, or to
- 10 otherwise provide protection for students and school
- 11 employees;
- 12 (H) purchase student safety management technology;
- 13 (I) design and construct additions or renovations on school
- 14 property if the primary purpose of the construction project
- 15 is to enhance the physical security of the school building;
- 16 (J) implement a bullying prevention program; or
- 17 ~~(K) develop, implement, and carry out a Stop the Bleed~~
- 18 ~~program required by IC 20-34-3-24, including for the~~
- 19 ~~purchase of bleeding control kits; and~~
- 20 **(K) purchase a storage pouch for purposes described in**
- 21 **IC 20-26-5-40.7(d)(3)(B); and**
- 22 (2) one (1) time grants to enable school corporations, charter
- 23 schools, and accredited nonpublic schools with the sheriff for the
- 24 county in which the school corporation, charter school, or
- 25 accredited nonpublic school is located, to provide the initial set
- 26 up costs for an active event warning system.
- 27 (b) A school corporation or charter school may use money
- 28 received under a matching grant for a purpose listed in subsection (a)
- 29 to provide a response to a threat in a manner that the school corporation
- 30 or charter school sees fit, including firearms training or other
- 31 self-defense training.
- 32 (c) The fund shall be administered by the department of homeland
- 33 security.
- 34 (d) The fund consists of:
- 35 (1) appropriations from the general assembly;
- 36 (2) federal grants;
- 37 (3) amounts deposited from any other public or private source;
- 38 and
- 39 (4) amounts deposited under IC 33-37-9-4.
- 40 (e) The expenses of administering the fund shall be paid from
- 41 money in the fund.
- 42 (f) The treasurer of state shall invest the money in the fund not

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1 currently needed to meet the obligations of the fund in the same
2 manner as other public money may be invested. Interest that accrues
3 from these investments shall be deposited in the fund.

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

6 SECTION 2. IC 10-21-1-4, AS AMENDED BY P.L.150-2023,
7 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2026]: Sec. 4. (a) The board may award a matching grant to
9 enable a school corporation, charter school, or accredited nonpublic
10 school (or a coalition of schools applying jointly) to:

11 (1) employ a school resource officer, employ a law enforcement
12 officer, or enter into a contract or memorandum of understanding
13 with a:

14 (A) local law enforcement agency;

15 (B) private entity; or

16 (C) nonprofit corporation;

17 to employ a school resource officer or a law enforcement officer;

18 (2) conduct a site vulnerability assessment of the buildings
19 within a school corporation or the buildings that are operated by
20 a charter school or accredited nonpublic school;

21 (3) conduct critical incident digital mapping of the buildings
22 within a school corporation or the buildings that are operated by
23 a charter school or accredited nonpublic school;

24 (4) purchase equipment, hardware, materials, and technology to:

25 (A) restrict access to school property and classrooms;

26 (B) assist with visitor management on school property;

27 (C) expedite notification of first responders;

28 (D) expedite access to school property for first responders;

29 (E) provide staff with information about open or closed
30 status of interior and exterior doors;

31 (F) detect fire, chemical, visual, or audible threats;

32 (G) enhance emergency communications inside the school
33 building; or

34 (H) assist with emergency medical response on school
35 property;

36 (5) implement a student and parent support services plan in the
37 manner set forth in IC 20-34-9;

38 (6) purchase or provide training for a canine trained to detect
39 drugs and illegal substances, explosives, or firearms, or to
40 otherwise provide protection for students and school employees
41 and the canine shall:

42 (A) be primarily assigned to a school corporation, charter

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- 1 school, or accredited nonpublic school;
 2 (B) be primarily assigned to a school resource officer or law
 3 enforcement officer described in subdivision (1)(A) who
 4 has received appropriate training for handling a canine
 5 trained to detect drugs and illegal substances, explosives, or
 6 firearms, or to otherwise provide protection for students and
 7 school employees, including training regarding handling a
 8 canine in a school setting; and
 9 (C) receive continuous training as appropriate;
 10 (7) provide funding for:
 11 (A) school employees to receive training, including
 12 expenses for per diem, travel, and lodging, related to:
 13 (i) site vulnerability assessments;
 14 (ii) mental health or behavioral health threat
 15 assessments;
 16 (iii) multi-disciplinary threat assessment teams; or
 17 (iv) emergency preparedness or response activities; or
 18 (B) school resource officers or law enforcement officers
 19 described in subdivision (1)(A) to receive training,
 20 including expenses for per diem, travel, and lodging, related
 21 to handling a canine trained to detect drugs and illegal
 22 substances, explosives, or firearms, or to otherwise provide
 23 protection for students and school employees;
 24 (8) design and construct additions or renovations on school
 25 property if the primary purpose of the construction project is to
 26 enhance the physical security of the school building;
 27 (9) provide one (1) time grants to enable school corporations,
 28 charter schools, and accredited nonpublic schools with the
 29 sheriff for the county in which the school corporation, charter
 30 school, or accredited nonpublic school is located to provide the
 31 initial set up costs for an active event warning system;
 32 (10) implement a bullying prevention program; ~~or~~
 33 (11) purchase student safety management technology; ~~or~~
 34 **(12) purchase a storage pouch for purposes described in**
 35 **IC 20-26-5-40.7(d)(3)(B);**
 36 in accordance with section 2(a) of this chapter.
 37 (b) A matching grant awarded to a school corporation, charter
 38 school, or accredited nonpublic school (or a coalition of schools
 39 applying jointly) may not exceed the lesser of the following during a
 40 two (2) year period beginning on or after May 1, 2013:
 41 (1) The total cost of the program established by the school
 42 corporation, charter school, or accredited nonpublic school (or

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- 1 the coalition of schools applying jointly).
- 2 (2) Except as provided in subsection (d), the following amounts:
- 3 (A) Thirty-five thousand dollars (\$35,000) per year, in the
- 4 case of a school corporation, charter school, or accredited
- 5 nonpublic school that:
- 6 (i) has an ADM of at least one (1) and less than one
- 7 thousand one (1,001) students; and
- 8 (ii) is not applying jointly with any other school
- 9 corporation, charter school, or accredited nonpublic
- 10 school.
- 11 (B) Fifty thousand dollars (\$50,000) per year, in the case of
- 12 a school corporation, charter school, or accredited
- 13 nonpublic school that:
- 14 (i) has an ADM of more than one thousand (1,000) and
- 15 less than five thousand one (5,001) students; and
- 16 (ii) is not applying jointly with any other school
- 17 corporation, charter school, or accredited nonpublic
- 18 school.
- 19 (C) Seventy-five thousand dollars (\$75,000) per year, in the
- 20 case of a school corporation, charter school, or accredited
- 21 nonpublic school that:
- 22 (i) has an ADM of more than five thousand (5,000) and
- 23 less than fifteen thousand one (15,001) students; and
- 24 (ii) is not applying jointly with any other school
- 25 corporation, charter school, or accredited nonpublic
- 26 school.
- 27 (D) One hundred thousand dollars (\$100,000) per year, in
- 28 the case of a school corporation, charter school, or
- 29 accredited nonpublic school that:
- 30 (i) has an ADM of more than fifteen thousand
- 31 (15,000); and
- 32 (ii) is not applying jointly with any other school
- 33 corporation, charter school, or accredited nonpublic
- 34 school.
- 35 (E) One hundred thousand dollars (\$100,000) per year, in
- 36 the case of a coalition of schools applying jointly.
- 37 (c) Except as provided in subsection (d), the match requirement
- 38 for a grant under this chapter is based on the ADM for the school
- 39 corporation, charter school, or accredited nonpublic school (or coalition
- 40 of schools applying jointly) that is the subject of the grant as follows:
- 41 (1) For a school corporation, charter school, or accredited
- 42 nonpublic school with an ADM of less than five hundred one

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- 1 (501) students, the grant match must be twenty-five percent
 2 (25%) of the grant amount described in subsection (b).
- 3 (2) For a school corporation, charter school, or accredited
 4 nonpublic school with an ADM of more than five hundred (500)
 5 and less than one thousand one (1,001) students, the grant match
 6 must be fifty percent (50%) of the grant amount described in
 7 subsection (b).
- 8 (3) For a school corporation, charter school, or accredited
 9 nonpublic school with an ADM of more than one thousand
 10 (1,000) students or a coalition of schools applying jointly, the
 11 grant match must be one hundred percent (100%) of the grant
 12 amount described in subsection (b).
- 13 (d) A school corporation, charter school, or accredited nonpublic
 14 school may be eligible to receive a grant of up to:
- 15 (1) one hundred thousand dollars (\$100,000) if:
- 16 (A) the school corporation, charter school, or accredited
 17 nonpublic school receives a grant match of one hundred
 18 percent (100%) of the requested grant amount; and
 19 (B) the board approves the grant request; or
- 20 (2) for a school corporation, charter school, or accredited
 21 nonpublic school described in subsection (c)(1) or (c)(2), a grant
 22 of up to fifty thousand dollars (\$50,000) if:
- 23 (A) the school corporation, charter school, or accredited
 24 nonpublic school receives a grant match of fifty percent
 25 (50%) of the requested grant amount; and
 26 (B) the board approves the grant request.
- 27 (e) A school corporation, charter school, or accredited nonpublic
 28 school may receive only one (1) matching grant under this section each
 29 year.
- 30 (f) The board may not award a grant to a school corporation,
 31 charter school, or accredited nonpublic school under this section unless
 32 the school corporation, charter school, or accredited nonpublic school
 33 is in a county that has a county school safety commission, as described
 34 in section 12 of this chapter.
- 35 SECTION 3. IC 20-26-5-40.7, AS ADDED BY P.L.24-2024,
 36 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2026]: Sec. 40.7. (a) As used in this section, "~~instructional~~
 38 ~~time~~" has the meaning set forth in IC 20-30-2-1. "**school day**" means
 39 **the entirety of the time a student is present on school property for**
 40 **a student instructional day (as defined in IC 20-30-2-2).**
- 41 (b) As used in this section, "**school sanctioned wireless**
 42 **communication device**" means a wireless communication device

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1 **that:**
 2 **(1) is owned by a student or a third party vendor;**
 3 **(2) is approved by the school for instructional use;**
 4 **(3) is required or permitted by the school for participation in**
 5 **classroom instruction;**
 6 **(4) is subject to school managed network controls, filtering,**
 7 **or monitoring that restrict access to noninstructional content**
 8 **during the school day; and**
 9 **(5) is not a cellular telephone, gaming device, or smartwatch**
 10 **described in subsection (c)(5).**

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

15 (1) cellular telephone;
 16 (2) tablet computer;
 17 (3) laptop computer; ~~or~~
 18 (4) gaming device; ~~or~~
 19 **(5) smartwatch that is connected to a cellular telephone, a**
 20 **cell tower, or the Internet.**

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

22 ~~(e)~~ **(d)** ~~Except as provided in subsection (e),~~ each school
 23 corporation and charter school shall adopt and implement a wireless
 24 communication device policy that:

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

29 ~~(2) authorizes a teacher to allow a student to use a wireless~~
 30 communication device for educational purposes during
 31 ~~instructional time; and~~

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

34 **(2) requires teacher directed use of a wireless communication**
 35 **device for educational purposes during the school day to**
 36 **occur only on school supplied or school sanctioned wireless**
 37 **communication devices; and**

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

39 **(A) A no device policy under which students are not**
 40 **permitted to bring wireless communication devices to**
 41 **school.**

42 **(B) A storage policy under which wireless**

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1 **communication devices may be brought to school, but**
 2 **must be stored away, powered off, and inaccessible to a**
 3 **student throughout the school day.**

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

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

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

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

15 (4) **authorized by the superintendent, or the superintendent's**
 16 **designee; or**

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

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

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

27 **(h) A school corporation, a school maintained by a school**
 28 **corporation, a charter school, and personnel of a school**
 29 **corporation, a school maintained by a school corporation, or a**
 30 **charter school, are immune from civil liability for any actions**
 31 **taken in good faith to comply with this section. The civil immunity**
 32 **under this subsection does not apply to an act or omission that**
 33 **constitutes gross negligence or willful, wanton, or intentional**
 34 **misconduct.**

35 **(i) Notwithstanding subsections (a) through (g), a student may**
 36 **possess and use an unobtrusive audio recording device solely for**
 37 **the student's individual educational notetaking or personal**
 38 **learning assistance if the device:**

39 (1) **is designed principally to capture spoken word audio for**
 40 **the purpose described in this subsection, including through**
 41 **recording, transcription, summarization, or other personal**
 42 **assistant functionality;**

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- 1 (2) does not capture, store, or transmit images or video;
 2 (3) is visible to the classroom teacher or other appropriate
 3 school personnel at all times while in use;
 4 (4) is provided to the school for inspection upon request; and
 5 (5) is used in a manner consistent with applicable state and
 6 federal law governing consent to audio recording.

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

- 12 (1) restrict where and when such devices may be used while
 13 at school;
 14 (2) prohibit the use of the devices during an assessment or
 15 other activity designated by the school;
 16 (3) prohibit the real time transmission, broadcasting, or live
 17 streaming of audio recorded by the devices;
 18 (4) require advance notification to either a classroom teacher
 19 or building administrator as may be applicable in the
 20 school's policy before use;
 21 (5) require that recorded material be stored, retained, or
 22 deleted in a manner consistent with school policy; and
 23 (6) require consent requirements consistent with applicable
 24 law for the recording of another student or school employee.

25 (k) A school corporation or charter school that adopts a policy
 26 under this section that permits the possession or use of an audio
 27 recording device under subsection (i) shall include in the policy a
 28 provision that a recording made under subsection (i) may not be
 29 used for a disciplinary, evaluative, or supervisory purpose against
 30 a:

- 31 (1) student; or
 32 (2) school employee.

33 [(1) If a school corporation or charter school stores a student's
 34 wireless communication device as provided under subsection
 35 (d)(3)(B), the school corporation or charter school may charge the:

36 (1) parent of a student if the student is an unemancipated
 37 minor; or

38 (2) student if the student is an adult or emancipated minor;
 39 a fee in the amount of not more than twenty-five dollars (\$25), as
 40 determined by the school corporation or charter school, for costs
 41 associated with the storage of the student's wireless communication
 42 device.

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