



Reprinted
January 13, 2026

SENATE BILL No. 78

DIGEST OF SB 78 (Updated January 12, 2026 2:59 pm - DI 143)

Citations Affected: IC 20-26; IC 34-30.

Synopsis: Wireless communication device policy. Amends the definition of "wireless communication device". Requires each school corporation and charter school to adopt and implement a wireless communication device policy that: (1) prohibits a student from using a wireless communication device during the school day; (2) requires teacher directed use of a wireless communication device for educational purposes during the school day; and (3) mandates the use of a no device policy or a secure storage policy. Creates certain exceptions to a wireless communication device policy. Requires the department of education to publish model policy language and implementation guidance. Provides that a school corporation, a school maintained by a school corporation, and a charter school (school), including school personnel, are immune from civil liability for any actions taken in good faith to comply with the school's wireless communication device policy, with exceptions.

Effective: July 1, 2026.

Raatz, Goode, Byrne, Rogers

December 8, 2025, read first time and referred to Committee on Education and Career Development.
January 8, 2026, amended, reported favorably — Do Pass.
January 12, 2026, read second time, amended, ordered engrossed.

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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" means
8 any portable wireless device that has the capability to provide voice,
9 messaging, or other data communication between two (2) or more
10 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 cell**
16 **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), ~~and subsection~~
4 ~~(4)~~, prohibits a student from using a wireless communication
5 device during ~~instructional time~~; **the school day**;

6 (2) ~~authorizes a teacher to allow a student to use a wireless~~
7 ~~communication device for educational purposes during~~
8 ~~instructional time~~; and

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

11 **(2) requires teacher directed use of a wireless communication**
12 **device for educational purposes during the school day; and**

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

14 **(A) A no device policy under which students are not**
15 **permitted to bring wireless communication devices to**
16 **school.**

17 **(B) A secure storage policy under which wireless**
18 **communication devices may be brought to school, but must**
19 **be stored away and inaccessible to a student throughout**
20 **the school day.**

21 **(C) A secure storage policy under which wireless**
22 **communication devices may be brought to school, but must**
23 **be stored in the student's locker or backpack throughout**
24 **the school day and may, at the school's discretion, be used:**

25 **(i) for academic purposes in the classroom as directed by**
26 **a teacher; or**

27 **(ii) during passing periods.**

28 (d) The policy adopted and implemented under subsection (c) may
29 not prohibit a student from using a wireless communication device
30 during ~~instructional time~~ **the school day** if the use of the wireless
31 communication device is: ~~included in the student's~~

32 **(1) included in the student's individualized education program;**
33 **or**

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

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

39 **(4) authorized by the superintendent, or the superintendent's**
40 **designee, during an emergency; or**

41 **(5) necessary for language translation to ensure access for**
42 **multi-lingual learners, prioritizing school-managed wireless**



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



COMMITTEE REPORT

Mr. President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 78, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 21, after "must" insert **"be stored away and inaccessible to a student throughout the school day."**

Page 2, delete lines 22 through 26.

Page 2, line 36, delete "a physician's directive;" and insert **"an order provided by a health care provider who is licensed in Indiana;"**.

and when so amended that said bill do pass.

(Reference is to SB 78 as introduced.)

RAATZ, Chairperson

Committee Vote: Yeas 12, Nays 1.

SENATE MOTION

Mr. President: I move that Senate Bill 78 be amended to read as follows:

Page 3, after line 2, begin a new paragraph and insert:

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

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

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(Reference is to SB 78 as printed January 9, 2026.)

JOHNSON T

SENATE MOTION

Mr. President: I move that Senate Bill 78 be amended to read as follows:

Page 2, line 33, after "by a" insert "**licensed**".

Page 2, line 34, delete "provider who is licensed in Indiana;" and insert "**provider;**".

(Reference is to SB 78 as printed January 9, 2026.)

ROGERS

SENATE MOTION

Mr. President: I move that Senate Bill 78 be amended to read as follows:

Page 2, line 3, reset in roman "subdivisions (2) and (3)".

Page 2, line 3, after "(3)" insert ",".

Page 2, line 4, delete "subdivision (2),".

Page 2, line 4, delete "or possessing".

Page 2, line 13, delete "day to" and insert "**day; and**".

Page 2, delete lines 14 through 15.

Page 2, between lines 23 and 24, begin a new line double block indented and insert:

"(C) A secure storage policy under which wireless communication devices may be brought to school, but must be stored in the student's locker or backpack throughout the school day and may, at the school's discretion, be used:

(i) for academic purposes in the classroom as directed by a teacher; or

(ii) during passing periods."

(Reference is to SB 78 as printed January 9, 2026.)

QADDOURA

