

Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

## SENATE ENROLLED ACT No. 185

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AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 20-26-5-40.7 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: **Sec. 40.7. (a) As used in this section, "instructional time" has the meaning set forth in IC 20-30-2-1.**

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

- (1) cellular telephone;**
- (2) tablet computer;**
- (3) laptop computer; or**
- (4) gaming device.**

**(c) Each school corporation and charter school shall adopt and implement a wireless communication device policy that:**

- (1) except as provided in subdivisions (2) and (3) and subsection (d), prohibits a student from using a wireless communication device during instructional time;**
- (2) authorizes a teacher to allow a student to use a wireless communication device for educational purposes during instructional time; and**
- (3) permits a student to use a wireless communication device in the event of an emergency or to manage the student's**

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**health care.**

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

- (1) individualized education program; or**
- (2) plan developed under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794.**

**(e) Each school corporation and charter school shall publish on its website the wireless communication device policy established under subsection (c).**



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President of the Senate

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President Pro Tempore

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Speaker of the House of Representatives

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

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