

IC 20-33

ARTICLE 33. STUDENTS: GENERAL PROVISIONS

IC 20-33-1

Chapter 1. Equal Educational Opportunity

IC 20-33-1-1

Policy

Sec. 1. The following is the public policy of the state:

(1) To provide:

- (A) equal;
- (B) nonsegregated; and
- (C) nondiscriminatory;

educational opportunities and facilities for all, regardless of race, creed, national origin, color, or sex.

(2) To provide and furnish public schools open equally to all, and prohibited and denied to none because of race, creed, color, or national origin.

(3) To reaffirm the principles of:

- (A) the Bill of Rights;
- (B) civil rights; and
- (C) the Constitution of the State of Indiana.

(4) To provide a uniform democratic system of public school education to the state and the citizens of Indiana.

(5) To:

- (A) abolish;
- (B) eliminate; and
- (C) prohibit;

segregated and separate schools or school districts on the basis of race, creed, or color.

(6) To eliminate and prohibit:

- (A) segregation;
- (B) separation; and
- (C) discrimination;

on the basis of race, creed, or color in public schools.

As added by P.L.1-2005, SEC.17. Amended by P.L.2-2007, SEC.225; P.L.234-2007, SEC.117; P.L.3-2008, SEC.118.

IC 20-33-1-2

Schools open to all

Sec. 2. The public schools of Indiana are open to all children until the children complete their courses of study, subject to the authority vested in school officials by law.

As added by P.L.1-2005, SEC.17.

IC 20-33-1-3

Segregation prohibited; student tracking practices review

Sec. 3. (a) The governing body of a school corporation and the board of trustees of a state educational institution may not build or erect, establish, maintain, continue, or permit any segregated or

separate public schools, including any public school departments or divisions on the basis of race, color, creed, or national origin of pupils or students.

(b) The officials described in subsection (a) may take any affirmative actions that are reasonable, feasible, and practical to effect greater integration and to reduce or prevent segregation or separation of races in public schools for whatever cause, including:

- (1) site selection; or
- (2) revision of:
 - (A) school districts;
 - (B) curricula; or
 - (C) enrollment policies;

to implement equalization of educational opportunity for all.

(c) A school corporation shall review the school corporation's programs to determine if the school corporation's practices of:

- (1) separating students by ability;
- (2) placing students into educational tracks; or
- (3) using test results to screen students;

have the effect of systematically separating students by race, color, creed, national origin, or socioeconomic class.

As added by P.L.1-2005, SEC.17. Amended by P.L.2-2007, SEC.226.

IC 20-33-1-4

Segregation prohibited; pupils

Sec. 4. (a) A student is entitled to be admitted and enrolled in a public school in the school corporation in which the student resides without regard to race, creed, color, socioeconomic class, or national origin.

(b) A student may not be prohibited, segregated, or denied attendance or enrollment in a public school in the student's school corporation because of the student's race, creed, color, or national origin.

(c) Every student is free to attend a public school, including a department or division of a public school within the laws applicable alike to noncitizen and nonresident students.

As added by P.L.1-2005, SEC.17. Amended by P.L.2-2007, SEC.227.

IC 20-33-1-5

Segregation prohibited; schools

Sec. 5. (a) A public school may not segregate, separate, or discriminate against any of its students on the basis of race, creed, or color.

(b) Admission to a public school may not be approved or denied on the basis of race, creed, or color.

As added by P.L.1-2005, SEC.17. Amended by P.L.2-2007, SEC.228.

IC 20-33-1-6

Segregation prohibited; teachers

Sec. 6. A public school may not discriminate in any way in the hiring, upgrading, tenure, or placement of a teacher on the basis of

race, creed, color, or national origin.

As added by P.L.1-2005, SEC.17. Amended by P.L.2-2007, SEC.229.

IC 20-33-1-7

Supplementary nature of chapter

Sec. 7. This chapter is supplemental to:

- (1) all common law, statutory law, and civil rights applicable to the public schools; and
- (2) the rights and remedies arising from these laws of Indiana and to Indiana's citizens.

As added by P.L.1-2005, SEC.17. Amended by P.L.2-2007, SEC.230.