



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-4892/1
ARG:cjs

2021 SENATE BILL 598

October 8, 2021 - Introduced by Senator JACQUE, cosponsored by Representatives CABRAL-GUEVARA, ROZAR, ARMSTRONG, BRANDTJEN, BROOKS, DITTRICH, HORLACHER, KNODL, MAGNAFICI, PENTERMAN, SORTWELL, ALLEN, WICHGERS and SCHRAA. Referred to Committee on Education.

1 **AN ACT to create** 118.018 of the statutes; **relating to:** gender identity and sexual
2 orientation programs in public schools.

Analysis by the Legislative Reference Bureau

This bill requires each school board of a school district and each operator of an independent charter school, before providing any program related to sexual orientation, gender, gender identity, or gender expression to a pupil in the school district or attending the charter school, to give notice of the program to the pupil's parents or guardians. This notice is required with respect to a pupil in any grade before such a program is provided to the pupil. A "program" is defined to include instruction and materials as well as any test, survey, questionnaire, or other activity. A pupil may not be required to participate in a program related to sexual orientation, gender, gender identity, or gender expression if the pupil's parent or guardian submits a written request to opt out of the program.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 118.018 of the statutes is created to read:
4 **118.018 Gender identity and sexual orientation programs.** (1) In this
5 section:

SENATE BILL 598**SECTION 1**

1 (a) "Gender" means either of the 2 sexes, male or female.

2 (b) "Gender expression" means how a person presents gender outwardly.

3 (c) "Gender identity" means personal conception of oneself as male or female.

4 (d) "Program" means any of the following, regardless of whether offered as part
5 of human growth and development instruction or as part of any other course or
6 activity:

7 1. Any instruction or materials provided to pupils or other curriculum intended
8 for pupils.

9 2. Any test, survey, questionnaire, or other activity provided to pupils or
10 intended for pupil participation.

11 (e) "Sexual orientation" means an individual's identity in relation to gender or
12 genders to which the individual is sexually attracted, such as heterosexual,
13 homosexual, or bisexual.

14 **(2)** (a) Subject to par. (d), each school board, before providing any program
15 related to sexual orientation, gender, gender identity, or gender expression to any
16 pupil enrolled in the school district, shall give notice of the program to the pupil's
17 parents or guardians.

18 (b) Subject to par. (d), the operator of each charter school established under s.
19 118.40 (2r) or (2x), before providing any program related to sexual orientation,
20 gender, gender identity, or gender expression to any pupil attending the charter
21 school, shall give notice of the program to the pupil's parents or guardians.

22 (c) The notice under pars. (a) and (b) shall include all of the following:

23 1. An outline of the program.

24 2. Information on how the parent or guardian may inspect all materials,
25 curriculum, and other components of the program.

