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## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

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**2005 Wisconsin Act 346**  
[2005 Assembly Bill 114]

**Single-Sex Schools and Courses**

Prior law provided that no person could be denied admission to any public school or charter school or be denied participation or discriminated against in any school program or activity on the basis of the person's sex.

**2005 Wisconsin Act 346** creates an exception to this general prohibition. Specifically, the Act does the following:

1. Authorizes a school board to operate one or more public schools, other than charter schools (see item 2., below, regarding charter schools), that enroll only one sex or provide one or more courses that enroll only one sex *if* the school board makes available to the opposite sex under the same policies and criteria of admission, schools or courses that are **comparable** to each such single-sex school or course.

2. Authorizes a school board to enter into a contract for and authorizes an entity under s. 118.40 (2r), Stats. (that is, the University of Wisconsin (UW)-Milwaukee, Milwaukee Area Technical College, City of Milwaukee, and the UW-Parkside\* (referred to as "(2r) chartering entities")), to establish, or enter into a contract for the establishment of, a charter school that enrolls only one sex or provides one or more courses that enroll only one sex *if* the school board or (2r) chartering entity makes available to the opposite sex, under the same policies and criteria of admission, schools or courses that are **comparable** to each such single-sex school or course.

**Effective Date:** The Act takes effect on April 29, 2006.

**Prepared by:** Joyce L. Kiel, Senior Staff Attorney

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\*Because the UW-Parkside is restricted under s. 118.40 (2r) (cm), Stats., to establishing or contracting for the establishment of **only one** charter school, the Act's provision allowing a single-sex school would not apply to the UW-Parkside as it would not be able to establish a comparable school for the opposite sex. However, the UW-Parkside would be permitted to have a single-sex course at its charter school if it made a comparable course available to the opposite sex.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.