

House Bill 2180

Sponsored by Representatives SMITH DB, WRIGHT (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires public schools to take special care to ensure that instruction is provided in neutral manner that focuses on academic subject matter and does not advocate personal views of educator.

Prohibits State Board of Education from adopting rules that promote stance or otherwise show support for or against political movement or group that is attempting to change government policy or social values.

Requires faculty and other employees at community colleges and public universities who provide instruction to students to ensure that instruction is provided in neutral manner that focuses on academic subject matter and does not promote stance or otherwise show support for or against political movement or group that is attempting to change government policy or social values.

A BILL FOR AN ACT

1
2 Relating to the provision of politically neutral education; creating new provisions; and amending
3 ORS 326.051, 336.067 and 352.189.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 336.067 is amended to read:

6 336.067. (1) In public schools, special emphasis shall be given to instruction in:

7 (a) Honesty, morality, courtesy, obedience to law, respect for the national flag, the Constitution
8 of the United States and the Constitution of the State of Oregon, respect for parents and the home,
9 the dignity and necessity of honest labor and other lessons that tend to promote and develop an
10 upright and desirable citizenry.

11 (b) Respect for all humans, regardless of race, color, creed, national origin, religion, age, sex or
12 disability.

13 (c) Acknowledgment of the dignity and worth of individuals and groups and their participative
14 roles in society.

15 (d) Humane treatment of animals.

16 (e) The effects of tobacco, alcohol, drugs and controlled substances upon the human system.

17 **(2) In public schools, special care shall be given to ensure that instruction is provided in**
18 **a neutral manner that focuses on academic subject matter and does not advocate the per-**
19 **sonal views of an educator in relation to a political movement or group that is attempting**
20 **to change government policy or social values.**

21 [(2)] **(3)** The Superintendent of Public Instruction shall prepare an outline with suggestions that
22 will best accomplish the purpose of this section, and shall incorporate the outline in the courses of
23 study for all public schools.

24 **SECTION 2.** ORS 326.051 is amended to read:

25 326.051. Subject to ORS 417.300 and 417.305:

26 (1) In addition to such other duties as are prescribed by law and pursuant to the requirement
27 of ORS chapter 183, the State Board of Education shall:

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 (a) Establish state standards for public kindergartens and public elementary and secondary
2 schools consistent with the policies stated in ORS 326.011.

3 (b) Adopt rules for the general governance of public kindergartens and public elementary and
4 secondary schools.

5 (c) Prescribe required or minimum courses of study.

6 (d) Adopt rules for public kindergartens and public elementary and secondary schools consistent
7 with the policy stated in ORS 342.437.

8 (e) Adopt rules regarding school and interscholastic activities.

9 (f) Adopt rules that provide that no public elementary or secondary school shall discriminate in
10 determining participation in interscholastic activities. As used in this paragraph, “discrimination”
11 has the meaning given that term in ORS 659.850.

12 (g) Adopt rules that will eliminate the use and purchase of elemental mercury, mercury com-
13 pounds and mercury-added instructional materials by public elementary and secondary schools.

14 (2) The State Board of Education may:

15 (a) Consistent with the laws of this state, accept money or property not otherwise provided for
16 under paragraph (b) of this subsection, which is donated for the use or benefit of the public
17 kindergartens and public elementary and secondary schools and use such money or property for the
18 purpose for which it was donated. Until it is used, the board shall deposit any money received under
19 this paragraph in a special fund with the State Treasurer as provided in ORS 293.265 to 293.275.

20 (b) Apply for federal funds, accept and enter into any contracts or agreements on behalf of the
21 state for the receipt of funds from the federal government or its agencies and disburse or expend
22 the federal funds as provided by ORS 327.128. This paragraph applies to federal funds to be used for:

23 (A) Educational purposes, including but not limited to any funds available for the school lunch
24 program;

25 (B) Career and technical education programs in public elementary and secondary schools; and

26 (C) Any grants available to the state or its political subdivisions for general federal aid for
27 public kindergartens, public elementary schools and public secondary schools and their auxiliary
28 services, improvement of teacher preparation, teacher salaries, construction of school buildings, ad-
29 ministration of the Department of Education and any other educational activities under the juris-
30 diction of the State Board of Education.

31 (c) Adopt rules to administer the United States Department of Agriculture’s National School
32 Lunch Program and School Breakfast Program for public and private prekindergarten through grade
33 12 schools and residential child care facilities.

34 **(3) The State Board of Education may not adopt rules that promote a stance or otherwise**
35 **show support for or against a political movement or group that is attempting to change**
36 **government policy or social values.**

37 **SECTION 3. Section 4 of this 2023 Act is added to and made a part of ORS chapter 341.**

38 **SECTION 4. Faculty and other employees at a community college who provide instruction**
39 **to students shall ensure that instruction is provided in a neutral manner that focuses on**
40 **academic subject matter and does not promote a stance or otherwise show support for or**
41 **against a political movement or group that is attempting to change government policy or**
42 **social values.**

43 **SECTION 5. ORS 352.189 is amended to read:**

44 352.189. (1) A political or sectarian test may not be allowed or applied in the appointment of
45 faculty and other employees of a public university listed in ORS 352.002.

1 **(2) Faculty and other employees at a public university listed in ORS 352.002 who provide**
2 **instruction to students shall ensure that instruction is provided in a neutral manner that**
3 **focuses on academic subject matter and does not promote a stance or otherwise show sup-**
4 **port for or against a political movement or group that is attempting to change government**
5 **policy or social values.**

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