

**A-Engrossed**  
**Senate Bill 1583**

Ordered by the Senate February 19  
Including Senate Amendments dated February 19

Sponsored by Senator FREDERICK, Representative SANCHEZ, Senators STEINER, GELSER BLOUIN, JAMA, MANNING JR, Representative NELSON; Senators DEMBROW, LIEBER, PATTERSON, WOODS, Representatives BYNUM, GAMBA, PHAM H, RUIZ, VALDERRAMA (Pre-session 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. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: This Act does not allow a board or a person to choose or not choose materials that are used in a school when the choice is discrimination. (Flesch Readability Score: 66.5).

Prohibits discrimination when selecting textbooks, instructional materials, program materials or library books that are used in the public schools of this state.

Declares an emergency, effective on passage.

**A BILL FOR AN ACT**

1  
2 Relating to access to materials; creating new provisions; amending ORS 336.082, 337.120 and 337.260;  
3 and declaring an emergency.

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

5 **SECTION 1.** ORS 337.260, as amended by section 3, chapter 202, Oregon Laws 2019, and section  
6 2, chapter 328, Oregon Laws 2023, is amended to read:

7 337.260. (1) Every district school board, the State Board of Education and every committee or  
8 *officer* **administrator** responsible for the adoption of textbooks and other instructional materials  
9 for use in the public schools shall adopt textbooks and other instructional materials on American  
10 history and government that adequately stress the services rendered by those who achieved our  
11 national independence, who established our form of constitutional government and who preserved  
12 our federal union. Textbooks and other instructional materials shall adequately address the roles  
13 in and contributions to the economic, political and social development of Oregon and the United  
14 States by men and women who:

15 [(1)] (a) Are Native American;

16 [(2)] (b) Are of European, African, Asian, Pacific Island, Chicano, Latino, Middle Eastern or  
17 Jewish descent;

18 [(3)] (c) Have disabilities;

19 [(4)] (d) Are immigrants or refugees; or

20 [(5)] (e) Are lesbian, gay, bisexual or transgender.

21 (2) **To comply with the prohibition on discrimination required by ORS 659.850, a district**  
22 **school board or a committee or administrator responsible for the adoption of textbooks or**  
23 **other instructional materials under this section may not prohibit the use of, or refuse to**  
24 **approve the use of, textbooks or instructional materials on the basis that the textbooks or**  
25 **instructional materials include a perspective, study or story of, or are created by, any indi-**

**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 **vidual or group identified in subsection (1) of this section.**

2 **SECTION 2.** ORS 337.120 is amended to read:

3 337.120. (1)(a) A district school board, with the assistance of teachers and administrators of the  
4 district, shall adopt a list of textbooks and other instructional materials for each grade and subject  
5 for which instruction is provided by the school district.

6 (b) When adopting a list of textbooks and other instructional materials, the district school  
7 board:

8 (A) Shall consider whether the textbooks and other instructional materials are available  
9 through online resources that enable students with print disabilities to receive the textbooks and  
10 instructional materials free of charge[.]; **and**

11 (B) **To comply with the prohibition on discrimination required by ORS 659.850, may not**  
12 **prohibit the use of, or refuse to approve the use of, textbooks and instructional materials**  
13 **on the basis that the textbooks or instructional materials include a perspective, study or**  
14 **story of, or are created by, any individual or group against whom discrimination is prohibited**  
15 **under ORS 659.850.**

16 (c) The district school board shall adopt the list in compliance with ORS 337.141 and shall in-  
17 volve parents and citizens in the process.

18 (2) The district school board shall cause the textbooks or other instructional materials, accord-  
19 ing to titles, that are included on the list adopted under subsection (1) of this section to be used in  
20 its schools at the beginning of the next school year following the state adoption under ORS 337.141,  
21 except when, pursuant to rules of the State Board of Education, the district school board is au-  
22 thorized by the Superintendent of Public Instruction to postpone use for a reasonable period of time.

23 (3) District school boards shall establish a process and timeline for regularly determining  
24 whether textbooks and instructional materials on the list adopted under subsection (1) of this section  
25 are available through online resources that enable students with print disabilities to receive text-  
26 books and instructional materials free of charge.

27 **SECTION 3.** ORS 336.082 is amended to read:

28 336.082. (1) The State Board of Education shall encourage the development and implementation  
29 of curriculum for public elementary and secondary schools in Oregon that will improve instructional  
30 effectiveness or efficiency and that does not [*discriminate*] **include discrimination.**

31 (2) The State Board of Education shall stimulate the development of nondiscriminatory courses  
32 of study or parts of courses to improve instructional effectiveness or efficiency in public elementary  
33 and secondary schools in Oregon. The board may direct the Department of Education or contract  
34 with appropriate public educational agencies to develop program materials and to establish a  
35 mechanism for the purpose of introducing the materials and implementing the techniques.

36 [(3) *As used in subsection (1) of this section, “discriminate” has the meaning given*  
37 *“discrimination” in ORS 659.850.*]

38 (3) **To comply with the prohibition on discrimination required by ORS 659.850, a district**  
39 **school board, an administrator or any person responsible for the development or implemen-**  
40 **tation of curriculum in a public elementary or secondary school in Oregon may not prohibit**  
41 **the use of, or refuse to approve the use of, program materials on the basis that the program**  
42 **materials include a perspective, study or story of, or are created by, any individual or group**  
43 **against whom discrimination is prohibited.**

44 (4) **As used in this section, “discrimination” has the meaning given that term in ORS**  
45 **659.850.**

1        **SECTION 4.** To comply with the prohibition on discrimination required by ORS 659.850,  
2 a district school board, an administrator or any person responsible for the selection or re-  
3 tention of books, or other materials in a classroom library at a public elementary or sec-  
4 ondary school, in the library of a public elementary or secondary school, or for any other  
5 collection of library books or materials at a public elementary or secondary school, may not  
6 prohibit the selection or retention of, or refuse to select or retain, a book or material on the  
7 basis that the book or material includes a perspective, study or story of, or is created by,  
8 any individual or group against whom discrimination is prohibited under ORS 659.850.

9        **SECTION 5.** This 2024 Act being necessary for the immediate preservation of the public  
10 peace, health and safety, an emergency is declared to exist, and this 2024 Act takes effect  
11 on its passage.

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