

Senate Bill 1583

Sponsored by Senator FREDERICK, Representative SANCHEZ, Senators STEINER, GELSER BLOUIN, JAMA, 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 **as introduced**. 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 responsible for the adoption of textbooks and other instructional materials for use in the
9 public schools shall adopt textbooks and other instructional materials on American history and
10 government that adequately stress the services rendered by those who achieved our national inde-
11 pendence, who established our form of constitutional government and who preserved our federal
12 union. Textbooks and other instructional materials shall adequately address the roles in and con-
13 tributions to the economic, political and social development of Oregon and the United States by men
14 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 officer responsible for the adoption of textbooks or other**
23 **instructional materials under this section may not prohibit the use of, or refuse to approve**
24 **the use of, textbooks and instructional materials on the basis that the textbooks or in-**
25 **structional materials include a study of the roles and contributions of any individual or group**
26 **identified in subsection (1) of this section.**

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

28 337.120. (1)(a) A district school board, with the assistance of teachers and administrators of the

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 district, shall adopt a list of textbooks and other instructional materials for each grade and subject
2 for which instruction is provided by the school district.

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

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

8 (B) **To comply with the prohibition on discrimination required by ORS 659.850, may not**
9 **prohibit the use of, or refuse to approve the use of, textbooks and instructional materials**
10 **on the basis that the textbooks or instructional materials include a study of the roles and**
11 **contributions of any individual or group against whom discrimination is prohibited under**
12 **ORS 659.850.**

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

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

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

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

25 336.082. (1) The State Board of Education shall encourage the development and implementation
26 of curriculum for public elementary and secondary schools in Oregon that will improve instructional
27 effectiveness or efficiency and that does not [*discriminate*] **include discrimination.**

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

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

35 (3) **To comply with the prohibition on discrimination required by ORS 659.850, a district**
36 **school board or any person responsible for the development or implementation of curriculum**
37 **in a public elementary or secondary school in Oregon may not prohibit the use of, or refuse**
38 **to approve the use of, program materials on the basis that the program materials include a**
39 **study of the roles and contributions of any individual or group against whom discrimination**
40 **is prohibited.**

41 (4) **As used in this section, “discrimination” has the meaning given that term in ORS**
42 **659.850.**

43 **SECTION 4.** **To comply with the prohibition on discrimination required by ORS 659.850,**
44 **a district school board or any person responsible for the selection or retention of books in**
45 **the library of a public elementary or secondary school of this state may not prohibit the**

1 **selection or retention of, or refuse to select or retain, a library book on the basis that the**
2 **library book includes a study or story of any individual or group against whom discrimination**
3 **is prohibited under ORS 659.850.**

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

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