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 (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. 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

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

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

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

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

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

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

[(3)(c)] Have disabilities;

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

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

(2) To comply with the prohibition on discrimination required by ORS 659.850, a district school board or a committee or officer responsible for the adoption of textbooks and other instructional materials for use in the public schools may not refuse to approve textbooks or other instructional materials on the basis that they include a study of the roles and contributions of any individual or group identified in subsection (1) of this section.

SECTION 2. ORS 337.120 is amended to read:

ORS 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.

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

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

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

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

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

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

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

SECTION 3. ORS 336.082 is amended to read:

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

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

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

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

[4] As used in this section, “discrimination” has the meaning given that term in ORS
659.850.

SECTION 4. To comply with the prohibition on discrimination required by ORS 659.850,
a district school board or any person responsible for the selection or retention of books in
the library of a public elementary or secondary school of this state may not prohibit the
selection or retention of, or refuse to select or retain, a library book on the basis that the
library book includes a study or story of any individual or group against whom discrimination
is prohibited under ORS 659.850.

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