

February 12, 2024

Dear Chair Dembrow, Vice-Chair Weber, and Esteemed Members of the Oregon Senate Committee on Education,

I write to express my deep appreciation for the committee's commitment to creating an inclusive and equitable educational environment in Oregon. The initiative to address discrimination in the selection of educational materials through Senate Bill 1583 (SB 1583) reflects a shared value that is crucial for the development of well-rounded and empathetic citizens.

However, after a thorough review of SB 1583 and existing school board policies, such as the comprehensive non-discrimination measures already in place within most, if not all, school districts in Oregon (as exemplified in the submitted testimony of Emily McIntire regarding Eagle Point School District 9's policy IIA), I wish to highlight several considerations:

1. **Existing Non-Discrimination Policies:** School districts like Eagle Point have implemented robust policies that ensure the selection of instructional materials is free from discrimination, emphasizing fairness, diversity, and inclusivity. These local policies are in harmony with the objectives of SB 1583, demonstrating a proactive commitment to these values at the district level.
2. **Potential for Redundancy:** The provisions of SB 1583, while noble in intent, may inadvertently duplicate the efforts and frameworks already established by local school districts. This redundancy could lead to unnecessary complications and bureaucratic challenges, detracting from the primary educational mission.
3. **Challenges and Burdens on School Districts:** The enactment of SB 1583, alongside existing policies, might pose additional challenges for school districts, potentially leading to increased legal scrutiny and challenges against professional decisions made in good faith by educators and administrators.
4. **Local Autonomy and Professional Judgment:** It is crucial to uphold the autonomy of local school districts and the professional judgment of educators in the selection of instructional materials. Policies like those of Eagle Point School District 9 are developed with significant community involvement, ensuring they are carefully developed to be well-suited to the local context and community values.
5. **Recommendations for Amendment or Clarification:** To enhance the efficacy of SB 1583, I recommend considering amendments or clarifications that recognize and support the existing policies of local school districts. Such amendments could ensure that state-level mandates complement rather than supersede the diligent efforts already undertaken at the local level.

Importantly, I propose the introduction of a 'safe harbor' provision for local districts that have demonstrably adhered to both the spirit and letter of existing non-discrimination laws and policies. This would provide reassurance and legal clarity to districts, affirming that their conscientious efforts to follow established guidelines will be recognized and protected.

6. **Constructive Dialogue and Collaboration:** I advocate for ongoing dialogue and collaboration between state legislators, school districts, educators, and our citizens. This collaborative approach can ensure that legislative actions bolster local efforts to provide an inclusive, diverse, and equitable educational experience.

Each of you brings a rich tapestry of advocacy, personal experiences, and a deep-seated belief in the transformative power of education to this esteemed committee. Your individual journeys and shared commitment to combating discrimination through education underscore the importance of approaching this legislation with sensitivity and depth. By building on the existing foundations laid by local school districts and ensuring that new legislative efforts harmonize with these efforts, we can truly make a lasting impact on Oregon's educational landscape.

Thank you for considering these points. I am hopeful that together, we can craft legislation that supports our shared goals of inclusivity, diversity, and equity in education, without imposing undue burdens on our school districts.

With respect and hope for productive collaboration,

Gary Richardson

Oregon School Board Member