

Minority Report
A-Engrossed
Senate Bill 1098

Ordered by the Senate March 26
Including Senate Minority Report Amendments dated March 26

Sponsored by nonconcurring members of the Senate Committee on Education: Senators ROBINSON, WEBER

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: Tells school district boards to have a policy about books in a school library. (Flesch Readability Score: 71.7).

[Digest: Prohibits the exclusion of certain school books based on the topic or author of the book. (Flesch Readability Score: 68.9).]

[Prohibits discrimination when selecting or retaining school library materials, textbooks or instructional materials or when developing and implementing a curriculum.]

[Prescribes requirements for the removal of library materials, textbooks and instructional materials. Directs the Department of Education to provide technical assistance for school library programs.]

Directs each school district board to adopt a policy related to the selection and removal of materials available at a school library. Prescribes requirements of the policy.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to access to materials in schools; and declaring an emergency.

3 Whereas the Legislative Assembly finds that access to educational and library materials in
4 Oregon schools has a direct and long-lasting generational impact that requires in-depth study and
5 broad understanding; and

6 Whereas the Legislative Assembly finds that the fundamental right to freedom of speech is a
7 cornerstone of a healthy society and state; and

8 Whereas Oregon appropriated \$10.2 billion for distribution through the State School Fund for
9 the 2023-2025 biennium, and the average operating expenditure in the 2021-2022 school year was
10 \$16,574 per student; and

11 Whereas 75 percent of eighth graders in Oregon could not reach reading proficiency targets in
12 2022; and

13 Whereas the Legislative Assembly finds that no one has a more vested interest in the quality
14 of their youth's education and curriculum than the parents within each local community where they
15 live; and

16 Whereas the United States Supreme Court has recognized the importance of balancing free
17 speech and the rights of parents and students regarding the curriculum within students' classrooms;
18 and

19 Whereas the Director of the Department of Education has publicly stated a desire to issue
20 "sanctions" against local school districts and a willingness to "take over school districts" if neces-
21 sary; and

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 Whereas the community of Canby, Oregon, exhibited the best of Oregon by engaging local
2 community stakeholders throughout the review process of educational materials and empowering
3 students, parents, teachers, librarians, community leaders and others in balancing their students'
4 rights to both free speech and their adolescence; and

5 Whereas the Legislative Assembly finds that books do exist that are inappropriate and that
6 should not be in our schools because they contain graphic violence, are sexually explicit, contain
7 vulgar language, lack literary merit or educational value or are not age appropriate; and

8 Whereas Senate Bill 1098 has enormous unknown impacts and implications that demand
9 thoughtful and complete consideration from a wide variety of diverse viewpoints and expert opinions
10 before embarking on a course potentially riddled with negative consequences; and

11 Whereas the curricula and libraries of the public schools of this state should be as diverse as
12 the people who make up the State of Oregon and should be filled with age-appropriate materials;
13 and

14 Whereas local school districts and school district boards are best suited to evaluate materials
15 for their appropriateness; now, therefore,

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

17 **SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS 337.030 to**
18 **337.260.**

19 **SECTION 2. (1) As used in this section, “school library” means any collection of educa-**
20 **tional or literary materials that are:**

21 **(a) Nonfiction or fiction;**

22 **(b) Available in print or an electronic format; and**

23 **(c) Made available to students at a public school of this state at a central location of the**
24 **school or at a common area for one or more grades of the school.**

25 **(2) Each school district board shall adopt a policy related to the selection and removal**
26 **of materials available at a school library. The policy must provide that:**

27 **(a) The school district is responsible for the acquisition and removal of materials avail-**
28 **able at the school library; and**

29 **(b) Individuals may recommend the acquisition or the removal of materials available at**
30 **the school library, but decisions shall be made by the school district.**

31 **SECTION 3. This 2025 Act being necessary for the immediate preservation of the public**
32 **peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect**
33 **on its passage.**

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