

## SB 1583 -1, -2, -3, -4 STAFF MEASURE SUMMARY

### Senate Committee On Education

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**Meeting Dates:** 2/13, 2/15

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#### **WHAT THE MEASURE DOES:**

The measure prohibits discrimination when selecting textbooks, instructional materials, program materials, or library books for public schools. The measure declares an emergency and is effective on passage.

*REVENUE: May have revenue impact, but no statement yet issued*

*FISCAL: May have fiscal impact, but no statement yet issued*

#### Detailed Summary:

Prohibits a district school board, committee, or officer from denying the use of textbooks, instructional materials, or program materials for use in public schools on the basis that the materials include a study of the roles or contributions of any group or individual against whom discrimination is prohibited. Prohibits the selection or retention of, or the refusal to select or retain, a library book for the use in a public school library on the basis that the book includes a story or study of any individual or group against whom discrimination is prohibited. Declares an emergency, effective on passage.

#### **ISSUES DISCUSSED:**

- Local control
- Number of challenges against library books in school libraries
- Percent of districts that employ teacher librarians and certified librarians
- Existing anti-discrimination protections
- Representation of all youth in library materials
- Rates of suicidal ideation among LGBTQ+ youth
- First-Amendment protections
- Concerns of parents
- Appropriateness of various materials for different grade levels
- Provisions of the amendments

#### **EFFECT OF AMENDMENT:**

-1 The amendment replaces the measure. The amendment prohibits discrimination when selecting textbooks, instructional materials, program materials, and library books for use within Oregon public schools. The amendment prohibits discrimination when selecting materials on the basis that the materials include a story, study, or perspective of, or are created by, and individual or group against whom discrimination is prohibited. The amendment declares an emergency and is effective upon passage.

#### Detailed Summary:

Prohibits a district school board, committee, or administrator from denying the use of textbooks, instructional materials, program materials, or library books on the basis that the materials include a perspective, study, or story of, or are created by, any individual or group against whom discrimination is prohibited. Declares an emergency, effective on passage.

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-2 The amendment replaces the measure. The amendment includes the provisions of the bill as introduced and adds provisions allowing districts or school boards not to approve the use of all materials that include a study of the roles and contributions of any individual or group against whom discrimination is prohibited, provided that the inclusion of the group was not the sole basis for a decision to prohibit or refuse to approve the material. The amendment declares an emergency and is effective upon passage.

### Detailed Summary:

Prohibits a district school board, committee, or officer from denying the use of textbooks, instructional materials, or program materials for use in public schools on the basis that the materials include a study of the roles or contributions of any group or individual against whom discrimination is prohibited. Prohibits the selection or retention of, or the refusal to select or retain, a library book for the use in a public school library on the basis that the book includes a story or study of any individual or group against whom discrimination is prohibited. States that nothing within the bill would require the adoption of materials that include a study or story of the roles and contributions of an individual or group against whom discrimination was prohibited, provided that the inclusion of the individual or group was not the sole basis of the decision to prohibit or refuse to approve the material. Declares an emergency, effective on passage.

-3 The amendment replaces the measure. The amendment contains the provisions of the bill as introduced and adds provisions stating that districts are not required to adopt materials that are not developmentally and age appropriate. The amendment declares an emergency and is effective upon passage.

### Detailed Summary:

Prohibits a district school board, committee, or officer from denying the use of textbooks, instructional materials, or program materials for use in public schools on the basis that the materials include a study of the roles or contributions of any group or individual against whom discrimination is prohibited. Prohibits the selection or retention of, or the refusal to select or retain, a library book for the use in a public school library on the basis that the book includes a story or study of any individual or group against whom discrimination is prohibited. States that nothing within the bill requires a district or school board to adopt materials that are not developmentally and age appropriate. Declares an emergency, effective on passage.

-4 The amendment replaces the measure. The amendment contains the provisions of the -1 amendment and clarifies that the provisions apply only to library materials in public elementary and secondary schools. The amendment declares an emergency and is effective upon passage.

### Detailed Summary:

Prohibits a district school board, committee, or administrator from denying the use of textbooks, instructional materials, program materials, or library books on the basis that the materials include a perspective, study, or story of, or are created by, any individual or group against whom discrimination is prohibited. Declares an emergency, effective on passage.

### **BACKGROUND:**

The Oregon Intellectual Freedom Clearinghouse (OIFC), established in 1987 by the State Library of Oregon, publishes an annual report on challenges to materials, services, and programs in Oregon libraries and schools. The

process for reporting challenges to the OIFC is voluntary, and the accuracy of the report is dependent on the number of institutions that choose to report challenges. Therefore, the report may not be exhaustive of all challenges against library materials in Oregon public schools.

[According to the 2023 report](#), there were 46 challenges made against materials in public libraries between July 1, 2022, and June 30, 2023, 18% of which occurred at school libraries. Several of these challenges included multiple titles. A total of 93 titles were challenged during this time period, the highest in a single year since the group began collecting data. Commonly cited reasons for challenges against materials were claims that the materials were sexually explicit and challenges due to LGBTQIA2S+ content in the materials.

Recent challenges to library materials in public schools have garnered public interest. In 2023, the [Canby School District removed 35 books](#) from school libraries pending a review process after two community members requested the books be removed. After completing the review process, the district continued to use all the books in question in the district libraries except for one.