

SB 1583 A STAFF MEASURE SUMMARY

Senate Committee On Rules

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Meeting Dates: 2/22

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.

Detailed Summary:

Prohibits a district school board, committee, or administrator from denying the use of textbooks, instructional materials, program materials, or library books in public elementary and secondary schools 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.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

ORS 337.141 instructs the State Board of Education to adopt a list of textbooks and other instructional materials that may be used by a school district, as well as guidelines and criteria for a school board to select textbooks and instructional materials not included on the Board's list. The Board guidelines for independent adoption of materials are outlined in [OAR 581-022-2350](#). The Oregon Department of Education (ODE) also publishes [criteria for the selection](#) of textbooks and instructional materials organized by subject matter.

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 public libraries and school libraries. The process for reporting challenges to the OIFC is voluntary, and the accuracy of the report depends 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 percent 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.

The enforcement of discrimination statutes in Oregon's education is a complaint and appeals based process, and determinations by ODE regarding discrimination in selecting materials would only occur after the complaints process was exhausted at the local level. The process for the appeals process at the state level for complaints related to discrimination is outlined in [OAR 581-002-0001](#) thru [OAR 581-002-0023](#) and presented on the [ODE](#)

[website.](#)

PRELIMINARY