

**SB 1583 B STAFF MEASURE SUMMARY****Carrier:** Sen. Knopp**Senate Committee On Rules****Minority Report****Action Date:** 02/22/24**Action:** Do pass with amendments to the A-Eng bill. (Printed B-Eng.) Minority**Fiscal:** Fiscal impact issued**Revenue:** No revenue impact**Report Signers:** Sen. Hansell, Sen. Knopp**Prepared By:** Taylor Bickel**Meeting Dates:** 2/22**WHAT THE MEASURE DOES:**

The measure establishes the Task Force on Accessibility to Public School Materials. The measure directs the task force to study issues related to the regulation of curricula and library books in public schools and requires the task force to submit a report to the Legislature that may include recommendations for legislation. The measure declares an emergency and is effective on passage.

Detailed Summary:

Outlines legislative findings. Establishes The Task Force on Accessibility to Public School Materials. Establishes membership of the task force. Directs the task force to review the provisions of SB 1583 A; identify recommendations for potential legislation; study legal barriers, litigation, and constitutional issues related to the regulation of curricula and library books in public schools; and identify methods to establish standards for age-appropriate curriculum. Requires the task force to invite public testimony. Outlines requirements for the operation of the task force. Requires the task force to submit a report to an interim committee of the Legislative Assembly related to education by December 31, 2024. Declares an emergency, effective on passage.

**ISSUES DISCUSSED:**

- Provisions of the measure

**EFFECT OF AMENDMENT:**

Replaces the measure.

**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.

## **SB 1583 B STAFF MEASURE SUMMARY**

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.

ORS 659.850 prohibits discrimination in public education. The enforcement of discrimination statutes related to education is a complaint and appeals based process. After the complaints process is exhausted at the local level, an appeal may be made at the state level. The process for complaints related to discrimination in education is outlined in [OAR 581-002-0001](#) thru [OAR 581-002-0023](#) and presented on the [ODE website](#).