

SB 1098: Freedom to Read



As of February 25, 2025

Protects students' right to read, learn and share ideas free from discriminatory censorship.

The health of our democracy depends on an educated public and a state where ideas are openly disseminated, discussed and debated. All people, including youth, have the right to access information and make up their own minds.

WHY IS SB 1098 NECESSARY?

BOOK BANS ON THE RISE: Even though the majority of voters and parents oppose them, book ban efforts have rapidly increased.¹ In recent years, Oregon has faced the most challenges to school and library books in state history.²

DISCRIMINATORY IMPACT: Consistent with national trends, the books under attack in Oregon are often by or about people of color, women, and LGBTQ+ people. When books and materials are banned or censored, this erases the history and lived experiences of marginalized groups and silences important learnings and discussions about race, sex, sexual orientation and gender identity.

OREGON STUDENTS ALREADY FACE INTOLERANCE: A 2022 student survey found that 49% of Oregon 8th graders experienced discrimination at least weekly; this percentage jumps to 66% for Indigenous students.³ According to the Trevor Project, during 2022, only 47% of LGBTQ+ students in Oregon felt welcome at school.⁴

CURRENT LAWS ARE NOT ENOUGH: Although existing laws require an inclusive selection of instructional materials and generally prohibit discrimination in education, no current law explicitly prohibits the censorship of materials based on the protected identities involved in the material's content or creation.

WHAT DOES SB 1098 DO?

SB 1098: Freedom to Read prohibits book bans and other forms of censorship in Oregon public schools if the ban or censorship constitutes discrimination based on race, national origin, color, sex, gender identity, sexual orientation, age, religion, physical or mental disability, military status or marital or family status. Specifically, this bill prohibits discrimination as defined by ORS 659.850 when government authority figures make decisions about the textbooks, instructional or program materials, and library books used in Oregon public schools.

THE PASSAGE OF FREEDOM TO READ WILL STRENGTHEN OREGON'S ANTI-DISCRIMINATION LAWS BY PROTECTING OREGON'S PUBLIC SCHOOL STUDENTS FROM DISCRIMINATORY BOOK BANS AND CENSORSHIP.

THE FREEDOM TO READ COALITION:



WHAT DOES SB 1098 PROTECT?

FIRST AMENDMENT RIGHTS:

The U.S. Supreme Court ruled that students' First Amendment rights include the freedom to access information in their school libraries.⁵ SB 1098 would protect students' constitutional right to read and learn about the history, experiences and viewpoints of all communities — including that related to their own identities.

FOUNDATIONS OF DEMOCRACY:

Democracy is undermined when a minority forces their own preferences and judgments on the rest of us by pressuring government authorities to take books off library shelves and ideas out of public classrooms — simply because the minority doesn't agree with the content. It further undercuts our democracy when government authorities censor the stories of people and communities who have been historically disenfranchised and marginalized.

SCHOOL EXPERTISE AND RESOURCES:

SB 1098 aligns with this fact: most parents and guardians trust teachers and librarians to make decisions about age-appropriate materials for students.⁶ Also, this bill will help Oregon school districts avoid wasting their limited funds on litigating censorship actions — which schools are likely to lose in court due to settled law about students' constitutional rights to read and learn.

STUDENT WELLBEING AND ACADEMIC SUCCESS:

Research shows that students who receive a culturally responsive and racially inclusive education are more academically engaged, perform better in school, have enhanced self-perception and graduate at higher rates.⁷

Accordingly, educators across the state are urging lawmakers to support students and SB 1098.

DID YOU KNOW?

Most voters and parents disagree with book bans and censorship. In fact, a small minority of people push the majority of censorship efforts; during the 2021-2022 school year, 60% of all attempted book bans in the U.S. were initiated by the same 11 people.⁸

With SB 1098, parents and guardians can still request to remove books, and school administrators are free to consider those requests. This bill will not prevent school boards and staff from considering age, obscenity, and educational value in selection decisions.

¹https://libguides.osl.state.or.us/ld.php?content_id=73171120

²<https://www.opb.org/article/2023/09/18/oregon-library-lgbtq-queer-book-ban-gay-transgender-youth-intellectual-freedom/>

³<https://ourchildrenoregon.org/publications/oregon-kids-count/>

⁴<https://www.thetrevorproject.org/wp-content/uploads/2022/12/The-Trevor-Project-2022-National-Survey-on-LGBTQ-Youth-Mental-Health-by-State-Oregon.pdf>

⁵Island Trees Union Free School Dist. No. 26 v. Pico, 457 U.S. 853 (1982). <https://supreme.justia.com/cases/federal/us/457/853/>

⁶<https://www.ipsos.com/en-us/americans-trust-teachers-some-still-want-parents-be-primary-voices-whats-taught>

⁷<https://www.nea.org/resource-library/legal-and-pedagogical-case-culturally-responsive-and-racially-inclusive-public-education-all>

⁸<https://www.washingtonpost.com/education/2023/09/28/virginia-frequent-school-book-challenger-spotsylvania/>