

## HOUSE AMENDMENTS TO HOUSE BILL 3198

By COMMITTEE ON EDUCATION

April 7

1 On page 1 of the printed bill, line 2, delete “327.254 and”.

2 Delete lines 5 through 28 and delete pages 2 through 8 and insert:

### “EARLY LITERACY SUCCESS INITIATIVE

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5  
6 **“SECTION 1. Definitions. As used in sections 1 to 14 of this 2023 Act:**

7 **“(1) ‘Early elementary grades’ means any grade from prekindergarten through grade**  
8 **three.**

9 **“(2) ‘Elementary school’ means a school of a school district, or a public charter school,**  
10 **with students in early elementary grades.**

11 **“(3) ‘High-dosage tutoring’ means one-on-one tutoring or tutoring in small groups, as**  
12 **determined by rule of the State Board of Education, that:**

13 **“(a) Is provided in addition to daily instruction;**

14 **“(b) Is provided two or more times each week over at least a 10-week period; and**

15 **“(c) Uses a research-aligned tutoring model that is administered in a culturally respon-**  
16 **sive manner and that is combined with the training necessary for tutors to implement the**  
17 **model effectively.**

18 **“(4) ‘Prekindergarten’ means a preschool or prekindergarten program that is:**

19 **“(a) Provided by a school district or public charter school; or**

20 **“(b) Delivered in partnership between a school district and another organization.**

21 **“(5) ‘Preschool’ means a high-quality program that serves children at least three years**  
22 **of age but not older than five years of age.**

23 **“(6) ‘Public charter school’ means a public charter school that:**

24 **“(a) Is established under ORS chapter 338; and**

25 **“(b) Is not a virtual public charter school, as defined in ORS 338.005.**

26 **“(7) ‘Qualified tutor’ means an individual who is trained to implement a program pro-**  
27 **viding high-dosage tutoring.**

28 **“(8) ‘Research-aligned literacy strategies’ means strategies that:**

29 **“(a) Are literacy focused;**

30 **“(b) Are culturally responsive and relevant to diverse learners;**

31 **“(c) Are based on long-term research derived from the science of reading and writing;**  
32 **and**

33 **“(d) Apply instructional practices that are developmentally appropriate and specifically**  
34 **designed for students with disabilities and students who are English language learners.**

35 **“(9) ‘Science of reading and writing’ means:**

1 “(a) The convergence of findings from research on reading and writing processes, devel-  
2 opment and instruction; and

3 “(b) The teaching of phonemic awareness, phonics, fluency, vocabulary and comprehen-  
4 sion through explicit and systematic instruction that can be differentiated to meet the needs  
5 of individual learners through developmentally appropriate practices.

6 “(10) ‘Student groups that have historically experienced academic disparities’ means:

7 “(a) Economically disadvantaged students, as determined under rules adopted by the  
8 State Board of Education;

9 “(b) Students from racial or ethnic groups that have historically experienced academic  
10 disparities, as determined under rules adopted by the State Board of Education;

11 “(c) Students with disabilities;

12 “(d) Students who are English language learners;

13 “(e) Students who are foster children, as defined in ORS 30.297;

14 “(f) Students who are homeless, as determined under rules adopted by the State Board  
15 of Education;

16 “(g) Students who attend an elementary school that:

17 “(A) Is identified for comprehensive support and improvement or for targeted support  
18 and improvement under the federal Every Student Succeeds Act (P.L. 114-95, 129 Stat. 1802);  
19 or

20 “(B) Qualifies for assistance under Title I of the federal Elementary and Secondary Ed-  
21 ucation Act of 1965; or

22 “(h) Any other student groups that have historically experienced academic disparities,  
23 as determined under rules adopted by the State Board of Education by rule.

24 “SECTION 2. Early Literacy Success Initiative. (1) The Early Literacy Success Initiative  
25 is established by sections 1 to 14 of this 2023 Act.

26 “(2) The purposes of the initiative are to:

27 “(a) Increase early literacy for children from birth to grade three;

28 “(b) Reduce early literacy academic disparities for student groups that have historically  
29 experienced academic disparities;

30 “(c) Increase support to parents and guardians to enable them to be partners in the de-  
31 velopment of their children’s literacy skills and knowledge; and

32 “(d) Increase access to early literacy support that is research-aligned, culturally re-  
33 sponsive, student-centered and family-centered.

34 “(3) The purposes of the initiative shall be accomplished through:

35 “(a) The Early Literacy Success School Grant, as provided by sections 3 to 7 of this 2023  
36 Act;

37 “(b) The Birth Through Five Literacy Plan, as provided by sections 9 and 11 of this 2023  
38 Act; and

39 “(c) The Early Literacy Success Community Grant, as provided by sections 13 and 14 of  
40 this 2023 Act.

41  
42 “EARLY LITERACY SUCCESS SCHOOL GRANT  
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44 “SECTION 3. Uses of Early Literacy Success School Grants. (1) As part of the Early  
45 Literacy Success Initiative, the Department of Education shall establish and administer the

1 Early Literacy Success School Grant program.

2 “(2) Under the program, the department shall award annual grants to school districts and  
3 to public charter schools that are elementary schools. The grants must be used to implement  
4 the purposes of the Early Literacy Success Initiative, as identified in section 2 of this 2023  
5 Act, by funding the following:

6 “(a) The provision of professional development and coaching in research-aligned literacy  
7 strategies to teachers and administrators in early elementary grades to improve early liter-  
8 acy instruction.

9 “(b) The provision of extended learning programs that use research-aligned literacy  
10 strategies and that are made available to students in early elementary grades by licensed  
11 teachers or by qualified tutors. The extended learning programs may include:

12 “(A) Home-based summer reading activities for students who need additional support and  
13 enrichment; and

14 “(B) An intensive summer school program for students who need the most additional  
15 support and who receive at least 60 hours of direct literacy instruction by an instructional  
16 assistant or a licensed teacher trained in research-aligned literacy strategies.

17 “(c) The provision of high-dosage tutoring to students in early elementary grades that  
18 integrates reading and writing and that is delivered by a qualified tutor using develop-  
19 mentally appropriate practices.

20 “(d) The adoption of curricula that uses research-aligned literacy strategies and the im-  
21 plementation of that curricula. Funding under this paragraph may be used to:

22 “(A) Purchase curricula and materials that are culturally relevant; or

23 “(B) Provide professional development and time for teachers and administrators to at-  
24 tend training related to the curricula.

25 “(e) The employment of literacy specialists, coaches or interventionists.

26 “(3) A grant received under section 5 of this 2023 Act may be used only for purposes  
27 identified in subsection (2) of this section for the benefit of children and students in  
28 prekindergarten through grade three.

29 “(4) The State Board of Education may adopt any rules necessary for the administration  
30 of grants under sections 3 to 7 of this 2023 Act. Rules shall, to the greatest extent practica-  
31 ble, assist in the operational alignment of grant programs and improvement strategies ad-  
32 ministered by the Department of Education, including:

33 “(a) Grants distributed from the Student Investment Account, as provided by ORS 327.175  
34 to 327.235;

35 “(b) Apportionments made under the High School Graduation and College and Career  
36 Readiness Act, as provided by ORS 327.853 to 327.895;

37 “(c) District continuous improvement plans, as described in ORS 329.095.

38 “SECTION 4. Eligibility for grants. (1) Any school district or public charter school that  
39 is an elementary school may apply for a noncompetitive grant under the Early Literacy  
40 Success School Grant program as provided by sections 3 to 7 of this 2023 Act.

41 “(2) Grants awarded under section 5 of this 2023 Act are not competitive, but a school  
42 district or public charter school must comply with the requirements prescribed by sections  
43 3 to 7 of this 2023 Act and by rules adopted by the State Board of Education under sections  
44 3 to 7 of this 2023 Act.

45 “(3) To be eligible for a grant under section 5 of this 2023 Act, a school district or public

1 charter school must submit to the Department of Education an application that includes:

2 “(a) An early literacy success plan. The plan must be updated every two years and must  
3 establish four-year goals for the school district or public charter school to achieve for mak-  
4 ing progress in satisfying the purposes of the Early Literacy Success Initiative, as described  
5 in section 2 of this 2023 Act. The plan must include:

6 “(A) A review of the early literacy program, including the English language arts curricula  
7 used by elementary schools of the school district or by the public charter school, using cri-  
8 teria established by the department; and

9 “(B) A student growth assessment for all students and disaggregated by student groups  
10 that have historically experienced academic disparities.

11 “(C) A description of how the school district or the public charter school will provide:

12 “(i) Professional development and coaching, as described in section 3 (2)(a) of this 2023  
13 Act;

14 “(ii) Extended learning programs, as described in section 3 (2)(b) of this 2023 Act; and

15 “(iii) High-dosage tutoring, as described in section 3 (2)(c) of this 2023 Act.

16 “(b) An accurate, up-to-date inventory of literacy assessments, tools, curricula and dig-  
17 ital resources used by the school district or public charter school to support literacy in early  
18 elementary grades. The school district or public charter school must:

19 “(A) Ensure that the literacy assessments, tools, curricula and digital resources of the  
20 inventory are based on research-aligned literacy strategies and are formative, diagnostic and  
21 culturally responsive; and

22 “(B) Include in the inventory the date of adoption of the literacy assessment, tool, cur-  
23 riculum or digital resource.

24 “(c) A plan for communication efforts to support engagement between:

25 “(A) School districts;

26 “(B) Elementary schools of the school district;

27 “(C) Families of the school district; and

28 “(D) Members of the school district community.

29 “(4) An application described in subsection (3) of this section must be presented and ap-  
30 proved by the school district board or the governing body of the public charter school at an  
31 open meeting following:

32 “(a) Oral presentation of the application by an administrator of the school district or  
33 public charter school to the school district board or the governing body of the public charter  
34 school; and

35 “(b) Opportunity for the public to comment on the application.

36 “(5) To the greatest extent practicable, a school district or public charter school shall  
37 align an early literacy success plan developed under this section with the plan developed for  
38 distributions from the Student Investment Account as provided by ORS 327.185 (7).

39 “(6) For the purposes of this section, the department shall:

40 “(a) Establish timelines and forms for applications submitted under this section;

41 “(b) Evaluate applications before awarding grant funds;

42 “(c) Assist school districts and public charter schools in prioritizing early literacy in-  
43 vestments with funds received under this section; and

44 “(d) Provide technical assistance to school districts and public charter schools in devel-  
45 oping and implementing the early literacy success plan required for the application.

1       **“SECTION 5. Grant awards.** (1) The Department of Education shall award an Early Lit-  
2       eracy Success School Grant to an eligible school district or public charter school that applies  
3       for a grant as provided by section 4 of this 2023 Act. Moneys received under this section must  
4       be used as described in section 3 (2) of this 2023 Act.

5       “(2) A school district with an average daily membership, as defined in ORS 327.006, of 50  
6       or less shall receive a minimum grant award under this section.

7       “(3) The State Board of Education shall adopt any rules necessary for the distribution  
8       of grants under this section.

9       **“SECTION 6. Reporting requirements.** (1) Each recipient of a Early Literacy Success  
10       School Grant under section 5 of this 2023 Act must submit an annual report to the Depart-  
11       ment of Education.

12       “(2) The report required under this section must include:

13       “(a) The school district’s or public charter school’s progress toward achieving the goals  
14       established in the early literacy success plan, as described in section 4 (3) of this 2023 Act;

15       “(b) An inventory of literacy assessments, tools, curricula and digital resources used by  
16       the school district or the public charter school to support literacy;

17       “(c) Evidence that the literacy assessments, tools, curricula and digital resources in the  
18       inventory described in paragraph (b) of this subsection are used with fidelity to research-  
19       aligned literacy strategies;

20       “(d) Evidence that teachers and administrators are provided with professional develop-  
21       ment plans for using and implementing, with fidelity to research-aligned literacy strategies,  
22       the literacy assessments, tools, curricula and digital resources in the inventory described in  
23       paragraph (b) of this subsection;

24       “(e) The number and percentage of teachers for early elementary grades receiving pro-  
25       fessional development and coaching as described in section 3 (2)(a) of this 2023 Act, disag-  
26       gregated by grade level;

27       “(f) The number and percentage of students participating in early literacy extended  
28       learning programs, as described in section 3 (2)(b) of this 2023 Act, at the school and the  
29       school district level and their outcomes disaggregated by student group and by grade level;

30       “(g) The number and percentage of students participating in high-dosage tutoring, as  
31       described in section 3 (2)(c) of this 2023 Act, and their outcomes disaggregated by student  
32       group and by grade level; and

33       “(h) The curricula being used by the school district or public charter school.

34       “(3) Prior to December 31 of each year, the department shall:

35       “(a) Submit to the interim committees of the Legislative Assembly related to education  
36       a summary of the Early Literacy Success School Grant program, which must take into con-  
37       sideration the reports submitted under subsection (1) of this section; and

38       “(b) Publish an online, easily accessible inventory of literacy assessments, tools, curric-  
39       ula and digital resources being used to support early literacy in early elementary grades.

40       **“SECTION 7. Monitoring and support.** (1) Based on the reports submitted under section  
41       6 of this 2023 Act, the Department of Education shall monitor a school district’s or a public  
42       charter school’s progress toward achieving the goals established in the early literacy success  
43       plan, as described in section 4 (3) of this 2023 Act.

44       “(2) The department shall intervene when a school district or public charter school does  
45       not meet the goals established in the early literacy success plan.



1       **“SECTION 9. Birth Through Five Literacy Plan.** (1) As part of the Early Literacy Success  
2 Initiative, the Department of Early Learning and Care shall establish and implement the  
3 Birth Through Five Literacy Plan.

4       **“(2) The purposes of the plan are to:**

5       **“(a) Expand culturally specific early literacy programs for children from birth through**  
6 **five years of age by:**

7       **“(A) Encouraging family and caregiver engagement; and**

8       **“(B) Providing research-aligned, developmentally appropriate professional training and**  
9 **coaching for direct service staff in early literacy.**

10       **“(b) Promote the capacity of programs that engage parents and children from birth**  
11 **through five years of age in early literacy and that are available equitably and statewide.**

12       **“(c) Expand and develop language revitalization efforts by federally recognized Indian**  
13 **tribes in this state.**

14       **“(3) Under the plan, the department shall distribute grants from the Birth Through Five**  
15 **Literacy Fund that align to the outcomes and indicators that exist across kindergarten**  
16 **readiness and culturally-specific parent and child support programs.**

17       **“(4) No later than December 31 of each year, the department shall submit to the interim**  
18 **committees of the Legislative Assembly related to early childhood a progress report on the**  
19 **Birth Through Five Literacy Plan.**

20       **“SECTION 10. Notwithstanding section 9 (4) of this 2023 Act, the first report required to**  
21 **be submitted by the Department of Early Learning and Care under section 9 (4) of this 2023**  
22 **Act must be submitted no later than December 31, 2024.**

23       **“SECTION 11. Birth Through Five Literacy Fund.** (1) The Birth Through Five Literacy  
24 Fund is established in the State Treasury, separate and distinct from the General Fund.

25       **“(2) The Birth Through Five Literacy Fund shall consist of:**

26       **“(a) Moneys appropriated or otherwise transferred to the Birth Through Five Literacy**  
27 **Fund by the Legislative Assembly; and**

28       **“(b) Other amounts deposited in the fund from any source.**

29       **“(3) Moneys in the Birth Through Five Literacy Fund are continuously appropriated to**  
30 **the Department of Early Learning and Care for the Birth Through Five Literacy Plan es-**  
31 **tablished under section 9 of this 2023 Act.**

32       **“SECTION 12. In addition to and not in lieu of any other appropriation, there is appro-**  
33 **priated to the Department of Early Learning and Care, for the biennium beginning July 1,**  
34 **2023, out of the General Fund, the amount of \$\_\_\_\_\_ , which shall be deposited into the**  
35 **Birth Through Five Literacy Fund.**

36  
37                                   **“EARLY LITERACY SUCCESS COMMUNITY GRANT**  
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39       **“SECTION 13. Early Literacy Success Community Grant.** (1) As part of the Early Liter-  
40 acy Success Initiative, the Department of Education shall establish and administer the Early  
41 Literacy Success Community Grant program.

42       **“(2) The purposes of the grant program are to:**

43       **“(a) Expand culturally and linguistically responsive early literacy programs for children**  
44 **in early elementary grades by:**

45       **“(A) Encouraging family and caregiver engagement; and**

1           “(B) Providing research-aligned professional training and coaching for direct service staff  
2 in early literacy.

3           “(b) Develop and implement programs that engage parents and children in early elemen-  
4 tary grades in early literacy and that are available equitably and statewide.

5           “(c) Provide high-dosage tutoring programs and training to tutors to qualify the tutors  
6 for instruction in a manner consistent with research-aligned literacy strategies.

7           “(d) Expand and develop language revitalization efforts by federally recognized Indian  
8 tribes in this state.

9           “(3) Under the program, the department shall distribute grants from the Early Literacy  
10 Success Community Grant Fund in accordance with rules adopted by the State Board of  
11 Education. Rules adopted under this section must:

12           “(a) Establish metrics of success;

13           “(b) Be adopted in consultation with the federally recognized Indian tribes of this state;  
14 and

15           “(c) Align, to the greatest extent practicable, with:

16           “(A) The purposes of the Early Literacy Success School Grant program established by  
17 sections 3 to 7 of this 2023 Act;

18           “(B) District continuous improvement plans, as described in ORS 329.095; and

19           “(C) Programs related to culturally-specific parent and child support.

20           “SECTION 14. Early Literacy Success Community Grant Fund. (1) The Early Literacy  
21 Success Community Grant Fund is established in the State Treasury, separate and distinct  
22 from the General Fund.

23           “(2) The Early Literacy Success Community Grant Fund shall consist of:

24           “(a) Moneys appropriated or otherwise transferred to the Early Literacy Success Com-  
25 munity Grant Fund by the Legislative Assembly; and

26           “(b) Other amounts deposited in the fund from any source.

27           “(3) Moneys in the Early Literacy Success Community Grant Fund are continuously ap-  
28 propriated to the Department of Education for the Early Literacy Success Community Grant  
29 program established under section 13 of this 2023 Act.

30           “SECTION 15. In addition to and not in lieu of any other appropriation, there is appro-  
31 priated to the Department of Education, for the biennium beginning July 1, 2023, out of the  
32 General Fund, the amount of \$\_\_\_\_\_ , which shall be deposited into the Early Literacy  
33 Success Community Grant Fund.

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35

#### “CONFORMING AMENDMENTS

36

37           “SECTION 16. Repeals. ORS 327.810 and 329.834 are repealed.

38           “SECTION 17. ORS 327.800 is amended to read:

39           “327.800. (1) The State Board of Education shall identify and make recommendations to the  
40 Legislative Assembly about programs that make strategic investments to:

41           “(a) Advance the educational goals of this state, as described in ORS 350.014;

42           “(b) Improve the employability of graduates from Oregon public schools;

43           “(c) Close the achievement gap that exists between historically underserved student groups, as  
44 defined by the board by rule;

45           “(d) Assist public education in all regions of this state;



1 “(e) Promote collaboration and alignment among early childhood service providers, school dis-  
2 tricts, community colleges, public universities and employers;

3 “(f) Leverage private, public and community resources;

4 “(g) Engage parents and child care providers, support families and motivate students;

5 “(h) Develop and disseminate evidence-based models and best practices that are likely to im-  
6 prove student outcomes;

7 “(i) Collect data to monitor student progress; and

8 “(j) Establish networks that allow for the replication of successful practices across this state.

9 “(2) The Department of Education shall distribute any moneys received for strategic investments  
10 under this section. Distributions may be made to school districts, education service districts, post-  
11 secondary institutions of education, nonprofit organizations, providers of early childhood services,  
12 tribes of this state and other entities. Distributions of moneys must advance the purposes set forth  
13 in ORS [327.810,] 327.815 and 327.820 or other purposes that meet the goals specified in subsection  
14 (1) of this section.

15 “(3) Any recipient of moneys distributed as a strategic investment must provide separate ac-  
16 counting for the moneys and may use the moneys only for the purpose for which the moneys are  
17 provided.

18 “(4)(a) The State Board of Education shall establish requirements for the programs implemented  
19 under this section that are consistent with this section and with ORS [327.810,] 327.815 and 327.820.

20 “(b) The board shall develop timelines, performance measures and other requirements related to  
21 the accumulation and evaluation of data collected in relation to a program that receives moneys as  
22 a strategic investment. The performance measures shall include progress toward the goals estab-  
23 lished in ORS 350.014 and other key student education outcomes established by the board.

24 “(5) The State Board of Education and the Early Learning Council may adopt any rules neces-  
25 sary for the agencies they oversee to perform any of the duties assigned to them under this section.  
26 Any rules adopted by the Early Learning Council must be consistent with this section and actions  
27 taken by the State Board of Education to implement this section.

28  
29 **“MISCELLANEOUS**

30  
31 **“SECTION 18. The unit and section captions used in this 2023 Act are provided only for**  
32 **the convenience of the reader and do not become part of the statutory law of this state or**  
33 **express any legislative intent in the enactment of this 2023 Act.**

34 **“SECTION 19. This 2023 Act being necessary for the immediate preservation of the public**  
35 **peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect**  
36 **on its passage.”**