

Public Testimony Opposing HB3198
April 3, 2023

Dear Education Committee,

Last week, Governor Kotek told The Oregonian/OregonLive that, "We are going to make sure that the science of reading, the research, guides what districts do. We are expecting movement by districts in the upcoming school year."

Expectations are not policy and this bill does nothing to require districts to teach children using proven curricula and instructional practices. I'm asking you to oppose HB3198 because it will not lead to the systemic changes necessary to ensure all children, and especially Oregon's most struggling ones, learn to read. I have included detailed concerns below.

Sincerely,
Jennifer Schuberth, Ph.D.

Why HB3198 will not move Oregon towards teaching all children to learn to read:

- a. Remains grant based with no targeted funding for those schools with the most struggling students. If a school chooses not to apply for funds, they do not have develop a literacy plan and can continue to use discredited materials and teaching methods.
- b. ODE does not require districts to use vetted assessments, curricula, or PD.
 - i. Unclear how ODE will have the capacity to ensure that these are all research-aligned. Without common assessments, impossible for ODE to track best practices.
 - ii. Why not have districts only use vetted materials, PD, tutor qualifications and PD.
- c. Bill does not prioritize high-dosage tutoring or PD of teachers. Districts can pick and choose how they use funds from a range of practices.

Concerns with details of HB3198:

1. Section 2. Metric: Earlier version had metric as "reading proficiency"; this version doesn't have any metric by which literacy would be measured.
 - d. Earlier version of bill: "increase early literacy for students in pre-kindergarten through grade threes so that *students achieve reading proficiency by the end of the third grade, or for students who are English language learners by the end of fourth grade.*"

- e. This comes up again in the literacy plan section: no state-approved assessment or metric. This is essential to measure progress and compare districts to see what's working and what's not.
2. Section 3. Uses of funds.
 - a. Language is unclear about which strategies MUST be adopted. Could read this as ALL of these, but that doesn't seem to be the intent.. Concern: PD and tutoring should be prioritized because, without them, other interventions won't be successful. We can't change curriculum and have no PD, or have only a home-based summer program and expect results.
 - b. Why not prioritize some practices, or set percentages that MUST be used. For instance: "At least 40% must be spent on PD and 30% on high-dosage tutoring. The remaining 30% is at the discretion of the district to choose amongst the other uses."
 - c. 4.C seems to imply that in the literacy plan, a school MUST engage in 3 practices: PD/coaching, extended learning, high-dosage tutoring. However, language is unclear. Would be good to clarify if these MUST be prioritized before any funds spent on interventionists, curricula, or other uses named in Section 3. However, without specific percentages, district not required to prioritize any practices.
 3. Curricula: Need to add "Core and Supplemental" in front of all "Curriculum and materials." All need to be research-aligned, not only Core.
 4. Section 4b:
 - a. Districts have to supply inventory of assessments, curricula, etc.
 - b. Recommendation: Add, "MUST be made public on ODE website."
 5. Section 4.3.b.A: ODE, not each school district, needs to ensure that materials are research-aligned. Without this oversight, the ODE's only intervention point is when a district isn't making progress—which is too late for students.
 - a. Currently reads: "The school district or public charter school must: (A) Ensure that the literacy assessments, tools, curricula and digital resources of the inventory are based on research-aligned literacy strategies and are formative, diagnostic and culturally responsive"
 - b. Why not have districts only use vetted materials/PD?
 6. Section 6. Reporting requirements.
 - a. ODE needs to have stronger oversight capabilities.
 - b. Districts themselves are supposed to provide "Evidence that the literacy assessments, tools, curricula and digital resources...are used with fidelity to research-aligned literacy strategies."
 - c. Why not have ODE oversee fidelity?
 - d. Does ODE have capacity to assess all the different districts if districts can choose whatever they want for PD, assessments, curricula? This is inefficient—why not use vetted materials only?
 7. Section 7. Monitoring and Support

- a. If a school fails to make progress (5), funds can be pulled. This is the opposite of equity. Why not have a provision that the state provides oversight until that school improves? Without this, students are left in failing schools.
 - b. SOS audit was in earlier version, important oversight that has been removed from this version.
 - i. Earlier version: “not less than every four years, the Secretary of State shall conduct an audit of the early literacy Initiatives to determine the effectiveness of the initiative in achieving the purpose of the initiative.”
8. In earlier version, under “literacy plan,” a district had to explain how it would address most struggling schools. This had been removed from this version. Need it to have any sense of equity.
- a. Earlier version: “biennial plan must include a plan for implementing literacy progress for: students enrolled in elementary schools that have the lowest reading scores for the school district or for public charter school, or for a school district that does not have multiple elementary school, students who have the lowest reading scores of the public charter school or school district.”
9. Section 8. Limits on funds
- a. Funds are limited to use for Prek-3rd graders, with some allowance for 4th and 5th graders for only next 2 years.
 - b. Bill should prioritize high-dosage tutoring for 4th and 5th graders, which is more important than PD for these students.
 - c. Bill requires matching to use these funds for 4/5th graders.
 - d. Recommend increasing the amount able to be spent on older students and removing the matching. Matching is a disincentive for districts to use the money for these students who are struggling the most.
10. Early Literacy Community Grant and Birth Through Five Literacy Plan
- a. Both provide for training and coaching for direct staff in early literacy, but unclear who will vet these training programs.