

## SB 1552 -1, -2 STAFF MEASURE SUMMARY

### Senate Committee On Education

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**Prepared By:** Lisa Gezelter, LPRO Analyst

**Sub-Referral To:** Joint Committee On Ways and Means

**Meeting Dates:** 2/8, 2/13

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#### WHAT THE MEASURE DOES:

The measure makes changes to several K-12 and higher education programs and laws and adds new programs.

#### Detailed Summary:

##### **Youth Advisory Council (Sections 1-8)**

- Section 1 requires the Oregon Department of Education (ODE) to establish a work group to develop standards for selection of youth advisory council members. Establishes work group membership requirements. Establishes work group responsibilities.
- Section 2 requires the work group to begin meeting by October 31, 2024.
- Section 3 repeals the work group on August 30, 2025.
- Section 4 establishes a youth advisory council. Requires Governor to appoint members for one-year terms of office. Requires that a majority of members must be between the ages of 14 and 18 and that membership includes two individuals from each education service district. Establishes considerations for gubernatorial appointments. Requires ODE to ensure that council members receive support. Requires adult members of council to ensure that youth members have access to an adult mentor and an opportunity to provide peer support or be a youth mentor. Requires council to consider racial equity and justice when performing its duties. Establishes council duties. Requires council to meet at least six times each year. Requires ODE to provide staff support and support youth council members.
- Section 5 requires the Governor to appoint council members by February 15, 2025.
- Section 6 amends section 4 to remove references to the work group established in section 1.
- Section 7 establishes an operative date for Section 6 of August 30, 2025.
- Section 8 appropriates an unspecified amount of General Fund to ODE for the Youth Advisory Council.

##### **Student Information (Sections 9-12)**

- Section 9 makes section 10 part of ORS chapter 329.
- Section 10 requires ODE to collect course-level completion and grade data from school districts. Requires ODE to use the data to gather information for specified purposes. Requires ODE to collaborate with Higher Education Coordinating Commission to allow for information sharing in order to establish a direct admissions program. Allows State Board of Education to adopt related rules.
- Section 11 establishes that section 10 applies to the 2024-2025 school year.
- Section 12 adds establishment of a direct admissions program to the duties of the Higher Education Coordinating Commission.

##### **State Funding of Education (Sections 13-15)**

- Section 13 directs the Legislative Policy and Research Office (LPRO) to conduct a study of the Quality Education Model and the state's system of financing public education from kindergarten through grade 12. Establishes parameters for the study. Allows LPRO to contract with a public, private, or nonprofit research entity for the study. Directs LPRO to give preference to a research entity that has conducted similar studies for other states. Requires all agencies of state government to assist LPRO in conducting the study and furnish information to the extent permitted by law. Requires LPRO to submit report by January 31, 2025.
- Section 14 repeals section 13 on June 30, 2025.

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- Section 15 modifies state laws related to the Joint Public Education Appropriations Committee by allowing the committee and not the full legislature to determine whether or not the biennial report of the Quality Education Commission should not be used as the basis for carrying out the reporting requirements of section 8, Article VIII of the Oregon Constitution.

### **Financial Aid Distributions (Sections 16-18)**

- Section 16 transfers responsibility for implementing the Oregon Opportunity Grant (OOG) program from the Office of Student Access and Completion (OSAC) to the Higher Education Coordinating Commission (HECC). Requires any determination regarding the calculation of a grant under the OOG program to be made by the commission in rule. Requires changes to the OOG program to receive a public hearing on the rule change and be reported to the Legislative Assembly or the Emergency Board.
- Section 17 transfers responsibility from OSAC to HECC for calculating the state share of a student's cost of education for purposes of the OOG program.
- Section 18 removes requirement that the director of OSAC report proposed changes to the OOG award amount to HECC and the Legislative Assembly.

### **Funding for Youth Education Programs (Sections 19-25)**

- Section 19 requires ODE to administer Youth Corrections Education Program (YCEP) and Juvenile Detention Education Program (JDEP) in order to provide youth in those programs with a quality education. Moves provisions in ORS 326.712 allowing Superintendent of Public Instruction to contract with education service districts or school districts for provision of educational services to ORS 326.925. Establishes contract parameters. Requires ODE to consider enrollment, facility characteristics, population diversity, special education, and transition supports when determining contract amounts. Requires ODE to use moneys in the Juvenile Justice Education Fund to pay contracts. Requires State Board to adopt related rules.
- Section 20 makes sections 21 and 22 part of ORS chapter 327.
- Section 21 establishes the Juvenile Justice Education Fund.
- Section 22 Requires ODE to prepare a target funding level for the Juvenile Justice Education Fund. Establishes requirements for the target funding level. Requires ODE to estimate the expected difference between the target funding level and the amount anticipated to be made available to the Juvenile Justice Education Fund. Allows ODE to transfer moneys from the Statewide Education Initiatives Account if necessary. Requires ODE to seek funding from the Legislative Assembly if shortfalls are identified. Requires ODE to submit a report by August 31 of each even-numbered year explaining the target funding level.
- Section 23 adds the Juvenile Justice Education Fund to ORS 327.026.
- Section 24 adds YCEP and JDEP to the allowable uses for the Statewide Education Initiatives Account.
- Section 25 repeals ORS 326.700 and ORS 326.712.

### **Oregon's Open Educational Resources Program (Section 26)**

- Section 26 extends HECC's authority to contract out the administration of Oregon's Open Educational Resources (OER) program to all statutes relevant to the program.

### **Short-Acting Opioid Antagonist School Policies (Section 27)**

- Section 27 changes ORS 339.869 to require school districts to adopt policies and requires those policies to identify whether the school district will provide short-acting opioid antagonists at its schools. The measure also requires school districts to ensure availability in all its schools encompassing grades 6 through 12 if short-acting opioid antagonists are available in any schools and allows school districts to ensure availability in elementary schools. The measure requires school districts to provide information to parents about whether the district makes short-acting opioid antagonists available in its schools and requires the State Board of Education to adopt rules relating to short-acting opioid antagonists.

### **Educator Advancement Council (Sections 28-29)**

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- Section 28 changes the definition of educator as it applies to the work of the Educator Advancement Council (EAC) to include unlicensed individuals who are in the process of becoming licensed. Names the state agencies that must be parties to the intergovernmental agreement establishing the EAC.
- Section 29 allows mentorship grants awarded under ORS 329.805 during the 2023-2025 biennium to be awarded on a noncompetitive basis.

### Corequisite Student Support (Sections 30-31)

- Section 30 requires HECC to convene a workgroup to study corequisite student support models. Establishes work group membership requirements. Requires the executive director of HECC to appoint members. Requires workgroup to submit a report to HECC by December 15, 2024.
- Section 31 repeals section 30 on January 2, 2024.

### Applied Baccalaureate Programs (Sections 32-34)

- Section 32 requires HECC's plan for offering applied baccalaureate (AB) programs at community colleges and public universities to include the funding, in addition to the resources, required to implement the AB program.
- Section 33 requires HECC to establish a pilot program to encourage community colleges to offer programs for an AB degree. Permits HECC to select up to three community colleges to participate in the pilot program and requires a participating college to report on the costs of its AB degree program for the purposes of determining the funding required to implement such programs.
- Section 34 repeals section 33 on June 30, 2027.

### Faculty Health Care Benefits (Section 35)

- Section 35 expands the types and duration of work that a part-time faculty member may do at a public institution of higher education in order to select it as their home institution for purposes of receiving health care benefits.

### Forestry Workforce Study (Sections 36-38)

- Section 36 requires HECC to study the forestry workforce, including existing education, training, and workforce development programs as well as occupations, wages, demographics, and needs of the workforce. Permits HECC to enter into a contract to conduct the study. Requires HECC to submit a report to the Legislative Assembly by January 31, 2025.
- Section 37 repeals section 36 on June 30, 2025.
- Section 38 appropriates \$300,000 to HECC for the purpose of carrying out the study.

### Transfer Council Subcommittees (Section 39)

- Section 39 exempts subcommittees of the Transfer Council from public meeting requirements.

### Education for Occupational or Professional License (Section 40)

- Section 40 permits an individual to petition a licensing board, commission, or agency to learn whether a criminal conviction or juvenile adjudication will prevent them from receiving an occupational or professional license, prior to entering an education, training, or apprenticeship program.

### Early Success Reading Initiative (Section 41)

- Section 41 repeals ORS 329.832 and 329.837.

### Miscellaneous (Sections 42-43)

- Section 42 states that unit captions will not become part of state law.
- Section 43 provides an effective date of July 1, 2024 for the bill.

### ISSUES DISCUSSED:

### EFFECT OF AMENDMENT:

*This Summary has not been adopted or officially endorsed by action of the committee.*

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-1 The amendment replaces the measure with language that is substantially similar. Adds new provisions relating to recovery schools and just cause protections for classified staff.

### Detailed Summary:

**Youth Advisory Council (Sections 1-8):** Changes the name from youth advisory council to youth advisory group and removes the Governor as appointing authority.

**Student Information (Sections 9-10):** Deletes language requiring ODE to collect and use course completion and grade data from school districts. Requires ODE to instead plan for the collection of this data and include those plans in its next biennial budget request.

**Direct Admissions (Section 11):** Requires HECC to establish a direct admissions program for community colleges and public universities in Oregon. Requires HECC to adopt rules necessary to implement the program.

**State Funding of Education (Section 12-14):** Changes the name of the office responsible for the study to the Legislative Policy and Research Director.

**Financial Aid Distributions (Sections 15-19):** Changes OSAC to HECC in additional sections of statute. Requires HECC to approve administrative rules on the method for determining the OOG award amount.

**Funding for Youth Education Programs (Sections 20-27):** Adds an operative date of July 1, 2024 for the changes related to the Youth Corrections and Juvenile Detention education programs.

**Oregon's Open Educational Resources Program (Section 28):** Makes no changes to provisions related to the OER program.

**Short-Acting Opioid Antagonist School Policies (Section 29-30):** Removes most provisions of the measure related to short-acting opioid antagonist school policies. Requires school districts to provide a statement to parents or legal guardians identifying which schools, if any, in the school district will have short-acting opioid antagonists on site. Requires State Board of Education to adopt rules. Indemnifies school districts from liability for failure to provide access to short-acting opioid antagonists.

**Educator Advancement Council (Sections 31-32):** Adds individuals who are enrolled in educator preparation programs to the definition of educators served by the Educator Advancement Council.

**Corequisite Student Support (Sections 33-34):** Requires the workgroup to identify steps and resources required to implement corequisite models for math courses. Adds three additional members to the workgroup.

**Applied Baccalaureate Programs (Sections 35-38):** Replaces provisions of the measure related to applied baccalaureate programs. Declares that applied baccalaureate (AB) programs and Bachelor of Science: Nursing (BSN) programs are eligible for funding from the Community College Support Fund (CCSF). Requires HECC to include a report on the estimated impact of this funding on the CCSF in its 2025 budget presentation to the Legislative Assembly.

**Faculty Health Care Benefits (Section 39):** Adds additional clarification that part-time faculty who work, not just teach, at an institution may be eligible for health care benefits.

**Forestry Workforce Study (Section 40-42):** Makes no changes to provisions related to forestry workforce study.

**Transfer Council Subcommittees (Section 43):** Makes no changes to provisions related to transfer council subcommittees.

**Education for Occupational or Professional License (Section 44):** Makes no changes to provisions related to education for occupational or professional licensure.

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**Recovery Schools (Section 45):** Repeals a reference to charter schools in the existing law about recovery schools and lists the laws recovery schools must follow.

**Employment of Classified School Employees (Section 46-47):** Modifies the definition of classified employee in just cause statute to include only those unlicensed employees who are part of a collective bargaining unit.

**Early Success Reading Initiative (Section 48):** Makes no changes to provisions related to the Early Success Reading Initiative.

**Miscellaneous (Sections 49-50):** Adds an emergency clause. Declares an emergency, effective on passage.

-2 The amendment replaces the measure with language that is substantially similar. In addition to changes made in the -1 amendment, the -2 adds new provisions relating to substitute teacher pay and makes modifications to provisions regarding youth advisory council; financial aid distributions; funding for youth education programs; forestry workforce study; and education for occupational or professional license.

### Detailed Summary:

**Youth Advisory Council (Sections 1-8):** Changes the name from youth advisory council to youth advisory group and names the Deputy Superintendent of Public Instruction as the appointing authority.

**Student Information (Sections 9-10):** Deletes language requiring ODE to collect and use course completion and grade data from school districts. Requires ODE to instead plan for the collection of this data and include those plans in its next biennial budget request. Contains no changes from the -1 amendment.

**Direct Admissions (Section 11):** Requires HECC to establish a direct admissions program for community colleges and public universities in Oregon. Requires HECC to adopt rules necessary to implement the program. Contains no changes from the -1 amendment.

**State Funding of Education (Section 12-14):** Changes the name of the office responsible for the study to the Legislative Policy and Research Director. Contains no changes from the -1 amendment.

**Financial Aid Distributions (Sections 15-19):** Changes OSAC to HECC in additional sections of statute. Requires HECC to approve administrative rules on the method for determining the OOG award amount. In addition to changes made in the -1 amendments, requires HECC to approve the new administrative rules for the 2025-2026 academic year.

**Funding for Youth Education Programs (Sections 20-27):** Adds an operative date of July 1, 2024 for the changes related to the Youth Corrections and Juvenile Detention education programs. Contains no changes from the -1 amendment.

**Oregon's Open Educational Resources Program (Section 28):** Makes no changes to provisions related to the OER program.

**Short-Acting Opioid Antagonist School Policies (Section 29-30):** Removes most provisions of the measure related to short-acting opioid antagonist school policies. Requires school districts to provide a statement to parents or legal guardians identifying which schools, if any, in the school district will have short-acting opioid antagonists on site. Requires State Board of Education to adopt rules. Indemnifies school districts from liability for failure to provide access to short-acting opioid antagonists. In addition to changes made in the -1 amendment, removes the sunset on indemnity provisions.

**Educator Advancement Council (Sections 31-32):** Adds individuals who are enrolled in educator preparation programs to the definition of educators served by the Educator Advancement Council. Contains no changes from the -1 amendment.

**Corequisite Student Support (Sections 33-34):** Requires the workgroup to identify steps and resources required to implement corequisite models for math courses. Adds three additional members to the workgroup. Contains no changes from the -1 amendment.

**Applied Baccalaureate Programs (Sections 35-38):** Replaces provisions of the measure related to applied baccalaureate programs. Declares that applied baccalaureate (AB) programs and Bachelor of Science: Nursing (BSN) programs are eligible for funding from the Community College Support Fund (CCSF). Requires HECC to include a report on the estimated impact of this funding on the CCSF in its 2025 budget presentation to the Legislative Assembly. Contains no changes from the -1 amendment.

**Faculty Health Care Benefits (Section 39):** Adds additional clarification that part-time faculty who work, not just teach, at an institution may be eligible for health care benefits. Contains no changes from the -1 amendment.

**Forestry Workforce Study (Section 40-42):** Defines "forestry sector" and "forestry workforce." Requires HECC to submit its report to the interim committees on natural resources and education in addition to higher education.

**Transfer Council Subcommittees (Section 43):** Makes no changes to provisions related to transfer council subcommittees.

**Education for Occupational or Professional License (Section 44):** Removes definition of and references to qualifying juvenile adjudications from the -1 amendment.

**Recovery Schools (Section 45):** Repeals a reference to charter schools in the existing law about recovery schools and lists the laws recovery schools must follow. Contains no changes from the -1 amendment.

**Employment of Classified School Employees (Section 46-47):** Modifies the definition of classified employee in just cause statute to include only those unlicensed employees who are part of a collective bargaining unit. Contains no changes from the -1 amendment.

**Substitute Teacher Pay (Sections 48-49) (new):** Modifies the pay rates for substitute teachers to revert to pay rates that were in place prior to passage of SB 283 in 2023. Takes effect July 1, 2024 for the 2024-2025 school year.

**Early Success Reading Initiative (Section 50):** Makes no changes to provisions related to the Early Success Reading Initiative. Contains no changes from the -1 amendment.

**Miscellaneous (Sections 51-52):** Adds an emergency clause. Declares an emergency, effective on passage. Contains no changes from the -1 amendment.

**BACKGROUND:**

- **Youth Advisory Council (Sections 1-8)**
  - In the summer of 2020, the Coalition of Oregon School Administrators (COSA) invited students of color to share their experiences of racism in Oregon schools with district and school administrators. During the open Zoom meeting, an intruder disrupted the event, using a red digital marker to cross out the photos of the student presenters. After this event, COSA, along with REAP, Inc., the Oregon Association of Student Councils, and the Oregon Association of Secondary School Administrators worked to address the students' concerns. These organizations worked with students and educators to draft [House Bill 3363 A in 2021](#), [House Bill 4099 in 2022](#), and [Senate Bill 421 in 2023](#), which would have established a Racial Equity and Justice Student Collaborative to help student leaders shape Oregon's education system, but neither bill was enacted. Senate Bill 1552 establishes a youth advisory council in Oregon.
- **Student Information (Sections 9-12)**
  - Several states have enacted direct admissions policies to lower the barriers for students to enter higher education. Direct admissions programs ensure admission to higher education institutions if students

achieve specified outcomes in high school, such as a certain grade point average. SB 1552 requires HECC to establish a direct admissions program and requires ODE to collect the necessary data and cooperate with HECC to administer the program.

- **State Funding of Education (Sections 13-15)**
  - During the 2023 legislative session, the Legislative Assembly appropriated \$10.2 billion to the State School Fund. Most of that money flows directly to school districts via the funding equalization formula, which assigns weighted membership numbers to each school district based on the characteristics of its students. In November 2023, teachers in Portland Public Schools went on strike during contract negotiations with the district. District and union leaders disagreed on the amount of funding available to the district for salaries and raises. After the resolution of the strike, [Governor Kotek issued a statement](#) that, in part, called for a review of Oregon's school funding methodology. Senate Bill 1552 requires the Legislative Policy and Research Director to undertake that review and makes technical changes to the statutes governing the biennial Joint Public Education Appropriations Committee.
- **Financial Aid Distributions (Sections 16-18)**
  - [House Bill 5025 \(2023\)](#) appropriated \$308.4 million to the Oregon Opportunity Grant program, a 50 percent increase from the 2021-2022 biennium. In June 2023, the Higher Education Coordinating Commission released the final award table for the OOG, which changed the basis of awards from cost of attendance to cost of tuition. During legislative days in [September](#) and [November 2023](#), the House Interim Committee on Higher Education heard presentations from the [Oregon Community College Association](#) (OCCA) about the potential impact of this change on community college students, as well as a presentation from [HECC](#) on the commission's awarding methodology.
- **Funding for Youth Education Programs (Sections 19-25)**
  - Oregon law establishes two educational programs for incarcerated youth: the Youth Corrections Education Program (YCEP) is responsible for students in the custody of the Oregon Youth Authority, and the Juvenile Detention Education Program (JDEP) is responsible for students in local detention facilities. Currently, these programs are funded via an average daily membership formula. However, due to declines over the last several decades in the number of incarcerated youth, this model of funding no longer provides sufficient resources for local sites to be able to staff their classrooms with adequate numbers of licensed educators. [House Bill 3595 A \(2023\)](#) would have required the Oregon Department of Education to establish a target funding amount for the YCEP and JDEP programs and allows the use of funds from the Statewide Education Initiatives Account to supplement funding from the State School Fund in order to meet that target. Senate Bill 1552 reintroduces the new means of funding these programs, originally introduced in 2023.
- **Oregon's Open Educational Resources Program (Section 26)**
  - Open educational resources (OERs) are freely accessible teaching, learning, and research resources such as textbooks, videos, and images, that can be legally adapted and redistributed for students' use at low or no cost. In 2015, the Oregon Legislative Assembly passed [House Bill 2871](#), which provided a \$700,000 appropriation to hire an OER specialist and establish a one-time grant program within the Higher Education Coordinating Commission (HECC). In 2017, [House Bill 2729](#) established Oregon's Open Educational Resources Program and required HECC to coordinate and report on the effectiveness of the program.
- **Short-Acting Opioid Antagonist School Policies (Section 27)**
  - [House Bill 2395 \(2023\)](#) enacted requirements for school district policies on short-acting opioid antagonists. This measure modifies those requirements.
- **Educator Advancement Council (Sections 28-29)**
  - In 2017, the Legislative Assembly enacted Senate Bill 182, establishing the Educator Advancement Council (EAC) under an intergovernmental agreement. The intergovernmental agreement was executed on March 20, 2018. Parties to the agreement were the Chief Education Office, ODE, Early Learning Division, TSPC, High Desert Education Service District, and Beaverton School District. Under the provisions of Senate Bill

182, parties to the agreement could appoint members to the Council. A majority of those Council members could then appoint others. Staff support was provided by the Chief Education Office until its sunset in 2019. Since that time, staff support has been provided by ODE. Senate Bill 1552 modifies the populations served by EAC and the provisions related to the intergovernmental agreement.

- **Corequisite Student Support (Sections 30-31)**
  - Corequisite courses refers to an alternative to traditional developmental or remedial courses that places students who score low on placement tests in on-level courses alongside a corequisite course, which provides additional support and classroom time. On January 11, 2023, the House Interim Committee on Higher Education heard a [presentation](#) by the Oregon Community College Association (OCCA) on the concept of corequisite courses and 2022-23 outcomes at the nine Oregon community colleges that have implemented corequisite courses.
- **Applied Baccalaureate Programs (Sections 32-34)**
  - [Senate Bill 3 \(2019\)](#) authorized the Higher Education Coordinating Commission (HECC) to approve applications from community colleges to offer [applied baccalaureate \(AB\) programs](#). On [June 9, 2022](#), HECC approved the first two AB programs in Oregon: Chemeketa Community College's applied leadership and management program, and Mt. Hood Community College's cybersecurity program. An AB program in business is currently under development at Lane Community College.
  - [OAR 589-002-0110](#) governs HECC distributions to community college districts for funding educational programs. The [Community College Support Fund](#) (CCSF) is the funding received through the state's General Fund appropriation, and colleges are eligible to receive CCSF funds for each full-time equivalent (FTE) student in accordance with the CCSF Funding Distribution Model. OAR 589-002-0110 (26) excludes AB program enrollment from the CCSF formula, meaning that community colleges currently do not receive state funding for students enrolled in those courses.
- **Faculty Health Care Benefits (Section 35)**
  - Starting with the passage of House Bill 2557 (2009), part-time faculty at institutions of higher education were eligible for health care benefits if they were also eligible for membership in the Public Employees Retirement System (PERS). Senate Bill 551 (2021) and Senate Bill 1522 (2022) modified part-time faculty's access to employer-provided health care benefits. [House Bill 2611 \(2023\)](#) added dental and vision benefits to the health care benefits available to part-time faculty at public institutions of higher education, reinstated PERS eligibility as the eligibility criteria for health care benefits, and required colleges and universities to notify public employees of health care benefits and eligibility requirements. These provisions respond to issues in applying for health care benefits that part-time faculty have reported since the passage of House Bill 2611 (2023).
- **Forestry Workforce Study (Sections 36-38)**
  - These provisions were requested by the Associated Oregon Loggers to provide a review of the forestry sector workforce in Oregon.
- **Transfer Council Subcommittees (Section 39)**
  - [Senate Bill 233 \(2021\)](#) established the Transfer Council to develop major transfer maps and a common course numbering system for introductory and other lower division courses to ensure the transfer of credits between institutions of higher education in Oregon. The bill permitted the Transfer Council to form subcommittees to advise the council. As of 2023-2024, the council's subcommittees [included](#) Systems & Operations; Math; Writing; Psychology; Business; Assessment Outcomes; and English.
- **Education for Occupational or Professional License (Section 40)**
  - [Senate Bill 517 \(2023\)](#), which did not pass, included similar provisions that would have allowed individuals to apply for and receive a predetermination of their eligibility for an occupational or professional license.
- **Early Success Reading Initiative (Section 41)**
  - Debates over how to teach reading in the United States began in the 1840s and continued throughout the late 20th century, with the "balanced literacy" approach favored by Dr. Lucy Calkins at Columbia Teachers College influencing reading instruction throughout the United States. This approach arose as a

compromise between phonics and whole language. However, Dr. Calkins has recently changed her published reading curriculum to include structured phonics. To date, at least 30 states have adopted legislation relating to the science of reading. House Bill 3198 A (2023) established the Early Literacy Success Initiative, the Birth Through Five Literacy Plan, and the Early Literacy Success Community Grant Program to encourage science-based reading instruction in Oregon. Senate Bill 1552 repeals two sections that should have been repealed in House Bill 3198.