

B-Engrossed House Bill 3040

Ordered by the House June 19
Including House Amendments dated April 16 and June 19

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Tina Kotek for Department of Education)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Changes the grant program for reading. (Flesch Readability Score: 73.8).

[Digest: Changes the grant program for reading and directs ODE to establish a coaching program for teaching how to read. (Flesch Readability Score: 62.8).]

Prescribes professional development and coaching requirements under the Early Literacy Success School Grant program. Expands the allowed uses of grants related to curricula.

Modifies the reporting date related to Early Literacy Success School Grants and the contents of the reports.

Expands allowed interventions for the Department of Education to take when a school district or public charter school does not meet the goals established in an early literacy success plan.

[Directs the department to establish an early literacy coaching program to support school districts, schools and educators for the purpose of improving early literacy instruction.]

A BILL FOR AN ACT

Relating to early literacy; amending ORS 327.829, 327.831, 327.835, 327.837 and 327.843.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 327.829 is amended to read:

327.829. (1) As part of the Early Literacy Success Initiative, the Department of Education shall establish and administer the Early Literacy Success School Grant program.

(2) Under the program, the department shall award annual grants to school districts and to public charter schools that are elementary schools. The grants must be used to implement the purposes of the Early Literacy Success Initiative, as identified in ORS 327.827, by funding the following:

(a) The provision of professional development and coaching in research-aligned literacy strategies *[to teachers and administrators in early elementary grades]* to improve early literacy instruction.

Professional development and coaching:

(A) Must be provided to teachers and administrators in early elementary grades; and

(B) May be provided to instructional assistants in early elementary grades and to any other staff identified by the State Board of Education by rule.

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

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

(B) An intensive summer school program for students who need the most additional support and who receive at least 60 hours of direct literacy instruction by an instructional assistant or a li-

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 censed teacher trained in research-aligned literacy strategies.

2 (c) The provision of high-dosage tutoring to students in early elementary grades that integrates
3 reading and writing and that is delivered by a qualified tutor using developmentally appropriate
4 practices.

5 *[(d) The adoption of curricula that uses research-aligned literacy strategies and the implementation
6 of that curricula. Funding under this paragraph may be used to:]*

7 **(d) The adoption and implementation of curricula that uses research-aligned literacy
8 strategies and that is applicable starting in any grade from prekindergarten through grade
9 five. Funding under this paragraph may be used to:**

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

11 (B) Provide professional development and time for teachers, *[and]* administrators **and instruc-**
12 **tional assistants in early elementary grades, and any other staff identified by the State Board**
13 **of Education by rule**, to attend training related to the curricula.

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

15 (3) A grant received under ORS 327.833 may be used only for purposes identified in subsection
16 (2) of this section for the benefit of children and students in prekindergarten through grade three.

17 (4) The State Board of Education may adopt any rules necessary for the administration of grants
18 under ORS 327.829 to 327.837. Rules shall, to the greatest extent practicable, prioritize schools with
19 the lowest rates of proficiency in literacy and assist in the operational alignment of grant programs
20 and improvement strategies administered by the Department of Education, including:

21 (a) Grants distributed from the Student Investment Account, as provided by ORS 327.175 to
22 327.235;

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

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

26 **SECTION 2.** ORS 327.831 is amended to read:

27 327.831. (1) Any school district or public charter school that is an elementary school may apply
28 for a noncompetitive grant under the Early Literacy Success School Grant program as provided by
29 ORS 327.829 to 327.837.

30 (2) Grants awarded under ORS 327.833 are not competitive, but a school district or public
31 charter school must comply with the requirements prescribed by ORS 327.829 to 327.837 and by rules
32 adopted by the State Board of Education under ORS 327.829 to 327.837.

33 (3) To be eligible for a grant under ORS 327.833, a school district or public charter school must
34 submit to the Department of Education an application that includes:

35 (a) An early literacy success plan. The plan must be updated every two years and must establish
36 four-year goals for the school district or public charter school to achieve for making progress in
37 satisfying the purposes of the Early Literacy Success Initiative, as described in ORS 327.827. The
38 plan must include:

39 (A) A review of the early literacy program, including the English language arts curricula used
40 by elementary schools of the school district or by the public charter school, using criteria estab-
41 lished by the department;

42 (B) A student growth assessment for all students and disaggregated by student groups that have
43 historically experienced academic disparities; and

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

45 (i) Professional development and coaching, as described in ORS 327.829 (2)(a);

1 (ii) Extended learning programs, as described in ORS 327.829 (2)(b); and

2 (iii) High-dosage tutoring, as described in ORS 327.829 (2)(c).

3 (b) An accurate, up-to-date inventory of literacy assessments, tools, curricula and digital re-
4 sources used by the school district or public charter school to support literacy in early elementary
5 grades. The school district or public charter school must:

6 (A) Ensure that the literacy assessments, tools, curricula and digital resources of the inventory
7 are based on research-aligned literacy strategies and are formative, diagnostic and culturally re-
8 sponsive; and

9 (B) Include in the inventory the date of adoption of the literacy assessment, tool, curriculum or
10 digital resource.

11 *[(c) A plan for communication efforts to support engagement between:]*

12 *[(A) School districts;]*

13 **(c) Strategies for communicating and engaging with the following regarding the plan:**

14 *[(B)] (A) Elementary schools of the school district;*

15 *[(C)] (B) Families of the school district; and*

16 *[(D)] (C) Members of the school district community.*

17 (4) An application described in subsection (3) of this section must be presented and approved
18 by the school district board or the governing body of the public charter school at an open meeting
19 following:

20 (a) Oral presentation of the application by an administrator of the school district or public
21 charter school to the school district board or the governing body of the public charter school; and

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

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

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

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

28 (b) Evaluate applications before awarding grant funds;

29 (c) Assist school districts and public charter schools in prioritizing early literacy investments
30 with funds received under this section; and

31 (d) Provide technical assistance to school districts and public charter schools in developing and
32 implementing the early literacy success plan required for the application.

33 **SECTION 3.** ORS 327.835 is amended to read:

34 327.835. (1) Each recipient of an Early Literacy Success School Grant under ORS 327.833 must
35 submit an annual report to the Department of Education.

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

37 (a) The school district's or public charter school's progress toward achieving the goals estab-
38 lished in the early literacy success plan, as described in ORS 327.831 (3);

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

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

44 (d) Evidence that teachers, *[and]* administrators, **instructional assistants and other staff**
45 **identified by the State Board of Education by rule** are provided with professional development

1 [plans] for using and implementing, with fidelity to research-aligned literacy strategies, the literacy
2 assessments, tools, curricula and digital resources in the inventory described in paragraph (b) of this
3 subsection;

4 (e) The number and percentage of **administrators, teachers and instructional assistants** for
5 early elementary grades **and the number and percentage of other staff identified by the State**
6 **Board of Education who are** receiving professional development and coaching as described in ORS
7 327.829 (2)(a), disaggregated by grade level;

8 (f) The number and percentage of students participating in early literacy extended learning
9 programs, as described in ORS 327.829 (2)(b), at the school and the school district level and their
10 outcomes disaggregated by student group and by grade level;

11 (g) The number and percentage of students participating in high-dosage tutoring, as described
12 in ORS 327.829 (2)(c), **at the school and the school district level** and their outcomes disaggregated
13 by student group and by grade level; and

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

15 (3) Prior to [December 31] **February 1** of each year, the department shall:

16 (a) Submit to the **committees or** interim committees of the Legislative Assembly related to
17 education a summary of the Early Literacy Success School Grant program, which must take into
18 consideration the reports submitted under subsection (1) of this section; and

19 (b) Publish an online, easily accessible inventory of literacy assessments, tools, curricula and
20 digital resources being used to support early literacy in early elementary grades.

21 **SECTION 4.** ORS 327.837 is amended to read:

22 327.837. (1) Based on the reports submitted under ORS 327.835, the Department of Education
23 shall monitor a school district's or a public charter school's progress toward achieving the goals
24 established in the early literacy success plan, as described in ORS 327.831 (3).

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

27 (3) When the department intervenes, as provided by subsection (2) of this section, the depart-
28 ment:

29 (a) Shall assist the school district or the public charter school in developing a corrective action
30 plan; [and]

31 (b) May retain any or all of the amount the school district or public charter school would have
32 received as a distribution under ORS 327.833 and may use a portion of the amount retained to pre-
33 pare and assist the school district or the public charter school in implementing the corrective action
34 plan[.];

35 (c) **May require the school district or the public charter school to adopt textbooks or**
36 **other instructional materials from the list of textbooks and other instructional materials**
37 **adopted by the State Board of Education under ORS 337.050 for early literacy; and**

38 (d) **May require the school district or the public charter school to participate in school**
39 **or school district training and improvement activities, as identified by the department.**

40 (4) An intervention and corrective action plan shall continue until the school district or public
41 charter school makes sufficient and sustained progress toward achieving the goals established in the
42 early literacy success plan. The department shall determine when sufficient and sustained progress
43 has been achieved.

44 (5) If a school district or public charter school continues to fail to make progress toward
45 achieving the goals established in the early literacy success plan, the department may take addi-

1 tional action, including not allowing for the distribution to the school district or public charter
2 school of any additional moneys under ORS 327.833.

3 **SECTION 5.** ORS 327.843 is amended to read:

4 327.843. (1) As part of the Early Literacy Success Initiative, the Department of Education shall
5 establish and administer the Early Literacy Success Community Grant program.

6 (2) The purposes of the grant program are to:

7 (a) Expand culturally and linguistically responsive early literacy programs for children in early
8 elementary grades by:

9 (A) Encouraging family and caregiver engagement; and

10 (B) Providing research-aligned professional training and coaching for direct service staff in early
11 literacy.

12 (b) Develop and implement programs that engage parents and children in early elementary
13 grades in early literacy and that are available equitably and statewide.

14 (c) Provide high-dosage tutoring programs and training to tutors to qualify the tutors for in-
15 struction in a manner consistent with research-aligned literacy strategies.

16 (d) Expand and develop language revitalization efforts by federally recognized Indian tribes in
17 this state.

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

21 (a) Establish metrics of success;

22 *[(b) Be adopted in consultation with the federally recognized Indian tribes of this state; and]*

23 *[(c)]* (b) Align, to the greatest extent practicable, with:

24 (A) The purposes of the Early Literacy Success School Grant program established by ORS
25 327.829 to 327.837;

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

27 (C) Programs related to culturally specific parent and child support[.]; **and**

28 (c) **For grants awarded for the purpose identified in subsection (2)(d) of this section, be**
29 **adopted in consultation with the federally recognized tribes of this state.**

30