

## Enrolled House Bill 3040

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

CHAPTER .....

AN ACT

Relating to early literacy; creating new provisions; and 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 licensed teacher trained in research-aligned literacy strategies.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) An accurate, up-to-date inventory of literacy assessments, tools, curricula and digital resources used by the school district or public charter school to support literacy in early elementary grades. 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; and

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

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

*[(A) School districts;]*

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

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

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

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

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

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

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

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

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

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

(b) Evaluate applications before awarding grant funds;

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

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

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

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

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

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

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

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

(d) Evidence that teachers, [and] administrators, **instructional assistants and other staff identified by the State Board of Education by rule** are provided with professional development [plans] for using and implementing, with fidelity to research-aligned literacy strategies, the literacy assessments, tools, curricula and digital resources in the inventory described in paragraph (b) of this subsection;

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

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

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

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

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

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

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

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

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

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

(3) When the department intervenes, as provided by subsection (2) of this section, the department:

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

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

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

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

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

(5) If a school district or public charter school continues to fail to make progress toward achieving the goals established in the early literacy success plan, the department may take additional action, including not allowing for the distribution to the school district or public charter school of any additional moneys under ORS 327.833.

**SECTION 4a. If Senate Bill 141 becomes law, section 4 of this 2025 Act (amending ORS 327.837) is repealed.**

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

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

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

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

(A) Encouraging family and caregiver engagement; and

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

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

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

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

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

(a) Establish metrics of success;

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

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

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

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

(C) Programs related to culturally specific parent and child support[.]; **and**  
(c) **For grants awarded for the purpose identified in subsection (2)(d) of this section, be adopted in consultation with the federally recognized tribes of this state.**

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**Passed by House June 23, 2025**

**Received by Governor:**

**Repassed by House June 27, 2025**

.....M.,....., 2025

**Approved:**

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Timothy G. Sekerak, Chief Clerk of House

.....M.,....., 2025

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Julie Fahey, Speaker of House

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Tina Kotek, Governor

**Passed by Senate June 25, 2025**

**Filed in Office of Secretary of State:**

.....M.,....., 2025

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Rob Wagner, President of Senate

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Tobias Read, Secretary of State