

House Bill 3440

Sponsored by Representative MCINTIRE

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 **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Prohibits a student in third grade from going into the next grade if the student does not meet language arts standards. (Flesch Readability Score: 72.7).

Prohibits a school district from promoting a student in the third grade to the next grade level if the student does not demonstrate grade-level proficiency on a statewide assessment in language arts. Provides exceptions.

A BILL FOR AN ACT

1
2 Relating to student proficiency in language arts.

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

4 **SECTION 1. (1) Except as provided by subsection (2) of this section, a school district may**
5 **not allow for the promotion of a student in the third grade to the next grade level if the**
6 **student does not demonstrate grade-level proficiency on a statewide assessment in language**
7 **arts.**

8 **(2) A student in the third grade who does not demonstrate grade-level proficiency on a**
9 **statewide assessment in language arts may be promoted to the next grade level if the stu-**
10 **dent:**

11 **(a) Demonstrates proficiency on an alternative assessment administered to students who**
12 **have an individualized education program or an education plan developed in accordance with**
13 **section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, when the program or plan ad-**
14 **dresses a condition that impacts the student's ability to demonstrate proficiency on a**
15 **statewide assessment in language arts;**

16 **(b) Has an individualized education program and the student's individualized education**
17 **program team determines that retention in the third grade is not appropriate for the stu-**
18 **dent;**

19 **(c) Is an English language learner and has received less than three years of instruction**
20 **in the English language;**

21 **(d) Has been retained previously for any grade from kindergarten through grade three;**
22 **or**

23 **(e) Demonstrates grade-level proficiency on a statewide assessment in language arts ad-**
24 **ministered:**

25 **(A) Before the beginning of the school year for which the student is not allowed to be**
26 **promoted; or**

27 **(B) Before the middle of the school year for which the student is not allowed to be pro-**
28 **moted.**

29 **(3) A school district must administer a statewide assessment in language arts, at a**

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 **minimum:**

2 (a) **At the end of the school year for all students in the third grade; and**

3 (b) **For a student who does not demonstrate grade-level proficiency on a statewide as-**
4 **essment in language arts at the end of the school year in which the student is in the third**
5 **grade:**

6 (A) **Before the beginning of the school year for which the student is not allowed to be**
7 **promoted; and**

8 (B) **Before the middle of the school year for which the student is not allowed to be pro-**
9 **moted.**

10 **SECTION 2. Section 1 of this 2025 Act first applies to student promotion decisions for the**
11 **2026-2027 school year.**

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