

HB 3040-1
(LC 535)
3/14/25 (HRS/ps)

Requested by Representative KROPF

**PROPOSED AMENDMENTS TO
HOUSE BILL 3040**

1 In line 2 of the printed bill, after “literacy” insert “; creating new pro-
2 visions; and amending ORS 327.254, 327.829, 327.831, 327.835, 327.837 and
3 327.843”.

4 Delete lines 4 through 8 and insert:

5 **“SECTION 1.** ORS 327.829 is amended to read:

6 “327.829. (1) As part of the Early Literacy Success Initiative, the Depart-
7 ment of Education shall establish and administer the Early Literacy Success
8 School Grant program.

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

13 “(a) The provision of professional development and coaching in research-
14 aligned literacy strategies [*to teachers and administrators in early elementary*
15 *grades to improve*] **for the purpose of improving** early literacy instruction.
16 **Grants must be used to provide professional development and coaching**
17 **to teachers, administrators and instructional assistants in early ele-**
18 **mentary grades and to any other staff identified by the State Board**
19 **of Education by rule.**

20 “(b) The provision of extended learning programs that use research-
21 aligned literacy strategies and that are made available to students in early

1 elementary grades by licensed teachers or by qualified tutors. The extended
2 learning programs may include:

3 “(A) Home-based summer reading activities for students who need addi-
4 tional support and enrichment; and

5 “(B) An intensive summer school program for students who need the most
6 additional support and who receive at least 60 hours of direct literacy in-
7 struction by an instructional assistant or a licensed teacher trained in
8 research-aligned literacy strategies.

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

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

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

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

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

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

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

28 “(4) The State Board of Education may adopt any rules necessary for the
29 administration of grants under ORS 327.829 to 327.837. Rules shall, to the
30 greatest extent practicable, prioritize schools with the lowest rates of profi-

1 ciency in literacy and assist in the operational alignment of grant programs
2 and improvement strategies administered by the Department of Education,
3 including:

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

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

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

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

10 “327.831. (1) Any school district or public charter school that is an ele-
11 mentary school may apply for a noncompetitive grant under the Early Lit-
12 eracy Success School Grant program as provided by ORS 327.829 to 327.837.

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

17 “(3) To be eligible for a grant under ORS 327.833, a school district or
18 public charter school must submit to the Department of Education an appli-
19 cation that includes:

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

25 “(A) A review of the early literacy program, including the English lan-
26 guage arts curricula used by elementary schools of the school district or by
27 the public charter school, using criteria established by the department;

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

30 “(C) A description of how the school district or the public charter school

1 will provide:

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

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

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

6 “(b) An accurate, up-to-date inventory of literacy assessments, tools, cur-
7ricula and digital resources used by the school district or public charter
8 school to support literacy in early elementary grades. The school district or
9 public charter school must:

10 “(A) Ensure that the literacy assessments, tools, curricula and digital re-
11sources of the inventory are based on research-aligned literacy strategies and
12 are formative, diagnostic and culturally responsive; and

13 “(B) Include in the inventory the date of adoption of the literacy assess-
14ment, tool, curriculum or digital resource.

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

16 “[*(A) School districts;*]

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

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

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

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

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

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

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

29 “(5) To the greatest extent practicable, a school district or public charter
30 school shall align an early literacy success plan developed under this section

1 with the plan developed for distributions from the Student Investment Ac-
2 count as provided by ORS 327.185 (7).

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

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

6 “(b) Evaluate applications before awarding grant funds;

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

9 “(d) Provide technical assistance to school districts and public charter
10 schools in developing and implementing the early literacy success plan re-
11 quired for the application.

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

13 “327.835. (1) Each recipient of an Early Literacy Success School Grant
14 under ORS 327.833 must submit an annual report to the Department of Edu-
15 cation.

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

17 “(a) The school district’s or public charter school’s progress toward
18 achieving the goals established in the early literacy success plan, as de-
19 scribed in ORS 327.831 (3);

20 “(b) An inventory of literacy assessments, tools, curricula and digital re-
21 sources used by the school district or the public charter school to support
22 literacy;

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

26 “(d) Evidence that teachers, *[and]* administrators, **instructional assist-**
27 **ants and other staff identified by the State Board of Education by rule**
28 are provided with professional development *[plans]* for using and imple-
29 menting, with fidelity to research-aligned literacy strategies, the literacy
30 assessments, tools, curricula and digital resources in the inventory described

1 in paragraph (b) of this subsection;

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

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

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

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

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

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

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

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

26 “327.837. (1) Based on the reports submitted under ORS 327.835, the De-
27 partment of Education shall monitor a school district’s or a public charter
28 school’s progress toward achieving the goals established in the early literacy
29 success plan, as described in ORS 327.831 (3).

30 “(2) The department shall intervene when a school district or public

1 charter school does not meet the goals established in the early literacy suc-
2 cess plan.

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

5 “(a) Shall assist the school district or the public charter school in devel-
6 oping a corrective action plan; [*and*]

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

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

16 “(d) **May require the school district or the public charter school to**
17 **participate in school or school district training and improvement ac-**
18 **tivities, as identified by the department.**

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

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

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

30 “327.843. (1) As part of the Early Literacy Success Initiative, the Depart-

1 ment of Education shall establish and administer the Early Literacy Success
2 Community Grant program.

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

4 “(a) Expand culturally and linguistically responsive early literacy pro-
5 grams for children in early elementary grades by:

6 “(A) Encouraging family and caregiver engagement; and

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

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

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

15 “(d) Expand and develop language revitalization efforts by federally re-
16 cognized Indian tribes in this state.

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

21 “(a) Establish metrics of success;

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

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

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

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

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

30 **and**

1 “(c) For grants awarded for the purpose identified in subsection
2 (2)(d) of this section, be adopted in consultation with the federally re-
3 cognized tribes of this state.

4 “SECTION 6. Section 7 of this 2025 Act is added to and made a part
5 of ORS 327.829 to 327.837.

6 “SECTION 7. (1)(a) The Department of Education shall establish
7 and administer a program to support school districts, schools and ed-
8 ucators in selecting, adopting and effectively using evidence-based,
9 research-aligned textbooks and instructional materials for early liter-
10 acy instruction.

11 “(b) The department may enter into one or more contracts, part-
12 nerships or other agreements with other entities to administer any
13 parts of the program established by this section.

14 “(2) The program established and administered as provided by this
15 section shall include the following components:

16 “(a) Ongoing training, professional development or coaching pro-
17 vided or facilitated by the department to support the effective use of
18 textbooks and instructional materials for early literacy instruction.

19 The support may include:

20 “(A) Developing educators’ skills and knowledge in the context of
21 the specific textbooks and instructional materials being used;

22 “(B) Ensuring that educators can effectively use the textbooks and
23 instructional materials, including being able to adapt the use of the
24 materials to meet the diverse needs of students;

25 “(C) Providing coaching and onsite support to increase educators’
26 capacity in using the textbooks and instructional materials and im-
27 proving student learning outcomes; and

28 “(D) Providing technical assistance to support school districts with
29 curriculum alignment, differentiated instruction and strategies for
30 integrating textbooks and instructional materials into daily classroom

1 **practice.**

2 **“(b) The sharing of best practices and successful strategies across**
3 **school districts, as facilitated by the department. For the purpose of**
4 **this paragraph, the department may create networks for educators to**
5 **collaborate, share experiences and refine approaches for the effective**
6 **use of the textbooks and instructional materials.**

7 **“(3) Under the program established by this section, the department:**

8 **“(a) Shall ensure that resources and support are equitably allocated**
9 **to school districts of varying sizes and capacities; and**

10 **“(b) May prioritize the allocation of resources and support to the**
11 **highest need school districts, as determined by the department based**
12 **on rules of the State Board of Education.**

13 **“(4) No later than February 1 of each year, the department shall**
14 **submit to the Governor and to the committees or interim committees**
15 **of the Legislative Assembly related to education a summary of the**
16 **program established by this section. The report must include:**

17 **“(a) The number of school districts that participated in the pro-**
18 **gram;**

19 **“(b) The effectiveness of training, professional development or**
20 **coaching and of the allocation of resources; and**

21 **“(c) The impact of the program on statewide early literacy out-**
22 **comes.**

23 **“(5) The department shall conduct regular reviews of the program**
24 **established by this section and shall consult with educators, school**
25 **districts and other entities identified by the department to ensure that**
26 **the program meets the purposes of the program.**

27 **“SECTION 8. ORS 327.254, as amended by section 25, chapter 95, Oregon**
28 **Laws 2024, is amended to read:**

29 **“327.254. (1) The Department of Education shall use moneys in the State-**
30 **wide Education Initiatives Account to provide funding for statewide educa-**

1 tion initiatives, including:

2 “(a) Funding the High School Graduation and College and Career Read-
3 iness Act at the levels prescribed by ORS 327.856;

4 “(b) Expanding school breakfast and lunch programs;

5 “(c) Operating youth reengagement programs or providing youth reen-
6 gagement services;

7 “(d) Establishing and maintaining the Statewide School Safety and Pre-
8 vention System under ORS 339.341;

9 “(e) Developing and providing statewide equity initiatives, including any
10 statewide education plan developed and implemented by the department;

11 “(f) Providing summer learning programs at schools that are considered
12 high poverty under Title I of the federal Elementary and Secondary Educa-
13 tion Act of 1965;

14 “(g) Funding early warning systems to assist students in graduating from
15 high school, as described in ORS 327.367;

16 “(h) Developing and implementing professional development programs and
17 training programs, including programs that increase educator diversity and
18 retain diverse educators;

19 “(i) Planning for increased transparency and accountability in the public
20 education system of this state;

21 “(j) Providing additional funding to school districts participating in the
22 intensive program under ORS 327.222;

23 “(k) Providing technical assistance, including costs incurred for:

24 “(A) The coaching program described in ORS 327.214; and

25 “(B) The intensive program described in ORS 327.222, including costs for
26 student success teams;

27 “(L) Funding public charter schools, as described in ORS 327.362;

28 “(m) Funding the Early Literacy Success School Grant program, as pro-
29 vided by ORS 327.833, **and the program for textbooks and instructional**
30 **materials for early literacy instruction, as provided by section 7 of this**

1 **2025 Act;**

2 “(n) Funding the Early Literacy Success Community Grant program, as
3 established by ORS 327.843;

4 “(o) Funding any additional amounts for approved recovery schools, as
5 provided by rules of the State Board of Education adopted under ORS
6 327.029;

7 “(p) Funding education service districts, as described in subsection (2) of
8 this section;

9 “(q) Funding the Youth Corrections Education Program and the Juvenile
10 Detention Education Program through the Juvenile Justice Education Fund
11 established under section 22, chapter 95, Oregon Laws 2024, when necessary
12 as provided by section 23, chapter 95, Oregon Laws 2024; and

13 “(r) Funding costs incurred by the department in implementing this sec-
14 tion and ORS 327.175 to 327.235 and 327.274.

15 “(2)(a) The amount of a distribution to an education service district under
16 this section shall be made as provided by paragraph (b) of this subsection
17 after calculating the following for each education service district:

18 “(A) One percent of the total amount available for distribution to educa-
19 tion service districts in each biennium.

20 “(B) The education service district’s $ADMw \times$ (the total amount avail-
21 able for distribution to education service districts in each biennium \div the
22 total $ADMw$ of all education service districts that receive a distribution).

23 “(b) The amount of the distribution to an education service district shall
24 be the greater of the amounts calculated under paragraph (a) of this sub-
25 section, except that, for distributions made as provided by paragraph (a)(B)
26 of this subsection, the total amount available for distribution to education
27 service districts shall be the amount remaining after any distributions re-
28 quired under paragraph (a)(A) of this subsection have been made.

29 “(c) For purposes of this subsection, $ADMw$ equals the $ADMw$ as calcu-
30 lated under ORS 327.013, except that the additional amount allowed for stu-

1 dents who are in poverty families, as determined under ORS 327.013
2 (1)(c)(A)(v)(I), shall be 0.5.

3 “(d) An education service district shall use moneys received under this
4 section as provided by a plan developed by the school districts located within
5 the education service district. A school district that declines to participate
6 in the development of the plan or that has withdrawn from an education
7 service district as provided by ORS 334.015 is not entitled to any moneys
8 distributed to the education service district under this subsection.

9 “(e) A plan developed under this subsection must:

10 “(A) Align with and support the meeting of performance growth targets
11 established for recipients of moneys under ORS 327.195 that are located
12 within the education service district;

13 “(B) Include the provision, to recipients of moneys under ORS 327.195 that
14 are located within the education service district, of technical assistance in
15 developing, implementing and reviewing a plan for receiving a grant from the
16 Student Investment Account;

17 “(C) Provide for coordination with the department in administering and
18 providing technical assistance to recipients of moneys under ORS 327.195
19 that are located within the education service district, including coordinating
20 any coaching programs established under ORS 327.214; and

21 “(D) Be adopted and amended as provided for local service plans under
22 ORS 334.175 and approved by the department.

23 “(f) For the purposes of paragraph (e) of this subsection, recipients of
24 moneys under ORS 327.195 that are located within the education service
25 district include, as applicable:

26 “(A) Common school districts and union high school districts;

27 “(B) Any charter school that is an eligible applicant, as defined in ORS
28 327.185; and

29 “(C) The Youth Corrections Education Program or the Juvenile Detention
30 Education Program.

1 “(g) Each education service district must submit an annual report to the
2 department that:

3 “(A) Describes how the education service district spent moneys received
4 under this subsection; and

5 “(B) Includes an evaluation of the education service district’s compliance
6 with the plan from the superintendent of each school district that partic-
7 ipated in the development of the plan.

8 “(3) The State Board of Education shall adopt rules necessary for the
9 distribution of moneys under this section.”.

10
