

# House Bill 3211

Sponsored by Representative NELSON; Representatives FLORES, OLSON

## 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**.

Requires inmates at Department of Corrections facilities to participate in functional literacy program until reaching designated level of reading proficiency.

## A BILL FOR AN ACT

1  
2 Relating to corrections; amending ORS 421.084.

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

4 **SECTION 1.** ORS 421.084 is amended to read:

5 421.084. (1) The Corrections Education Advisory Committee shall assist in the development, and  
6 the Administrator of Correctional Education shall design a functional literacy program for all indi-  
7 viduals in the custody of the Department of Corrections. The program shall:

8 (a) Test individuals for functional literacy level. Testing for basic intelligence, learning disabil-  
9 ities, developmental disabilities and adaptive behavior skills shall be administered as needed except  
10 that the administrator may accept equivalent test results from other sources;

11 (b) Except as provided in subsection [(2)] **(3)** of this section, be mandatory for all individuals  
12 testing below a functional literacy level which is defined as a score of 230 on the Oregon Basic  
13 Adult Skills Inventory System functional literacy test or [a] **an** 8.0 grade equivalency on other  
14 standardized tests;

15 (c) Consist of a minimum of 90 days of instruction in functional literacy consisting of one and  
16 one-half hours of instruction **in functional literacy** per day for five days per week, provide progress  
17 testing and certification and provide for voluntary attendance beyond the 90-day minimum program;

18 (d) Provide strong incentives for entering and successfully completing the literacy program and  
19 for continuing in the program beyond the 90-day minimum period; and

20 (e) Maintain records of an individual's achievement in the program and make those records  
21 available to the State Board of Parole and Post-Prison Supervision.

22 **(2) Notwithstanding the 90-day mandatory attendance period specified in subsection (1)(c)**  
23 **of this section, an individual is required to continue in the program until the individual is**  
24 **able to read at a minimum at an 8.0 grade equivalency as indicated by the progress testing**  
25 **conducted as part of the program.**

26 [(2)] **(3)** Testing for functional literacy level and participation in the functional literacy program  
27 are not required for inmates:

28 [(a) *Sentenced to less than one year;*]

29 [(b) **(a)** Sentenced to life imprisonment without parole;

30 [(c) **(b)** Sentenced to death; or

31 [(d) **(c)** Who are developmentally disabled.

**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        [3] (4) For the purposes of this section, “functional literacy” means those educational skills  
2        necessary to function independently in society, including but not limited to, reading, writing, com-  
3        prehension and arithmetic computation.

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