

A-Engrossed Senate Bill 214

Ordered by the Senate June 1
Including Senate Amendments dated June 1

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor John A. Kitzhaber, M.D., 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.

[Makes calculation of aggregate days membership for kindergarten students contingent on early reading program.]

[Establishes Kindergarten Through Grade Three Reading Initiative Program to assist community-based organizations and tribes of this state with entering into partnerships with school districts to implement early reading programs in summer or before or after school.]

[Establishes Kindergarten Through Grade Three Reading Initiative Account.]

Establishes Age Three Through Grade Three Reading Initiative within Department of Education. Directs department to award extended learning grants and professional development grants as part of initiative. Directs department to ensure staff development is coordinated and to identify evidence-based early literacy curriculum.

Establishes Age Three Through Grade Three Reading Initiative Account.

Declares emergency, effective July 1, 2015.

A BILL FOR AN ACT

1
2 Relating to early reading programs; and declaring an emergency.

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

4 **SECTION 1. (1) The Age Three Through Grade Three Reading Initiative is established**
5 **within the Department of Education as provided by sections 1 to 6 of this 2015 Act. The**
6 **purpose of the initiative is to establish and support a coordinated system that ensures that**
7 **all students can read at grade level by the end of grade three.**

8 **(2) As part of the initiative, the department shall ensure that the following are provided:**

9 **(a) Literacy standards that are coordinated between early childhood service providers and**
10 **public providers of kindergarten through grade three;**

11 **(b) Systematic support for early reading programs, literacy instruction, assessments and**
12 **leadership;**

13 **(c) Additional time for learning through a summer program or a before-school or after-**
14 **school program;**

15 **(d) Methods to identify students in need of literacy instruction;**

16 **(e) High-quality, aligned professional development;**

17 **(f) Staff development that is coordinated between early childhood service providers and**
18 **public providers of kindergarten through grade three; and**

19 **(g) An evidence-based, effective and culturally responsive early literacy curriculum.**

20 **(3) To ensure that the supports identified in subsection (2) of this section are provided,**
21 **the department shall:**

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 (a) Award extended learning grants to school districts to implement early reading pro-
2 grams as provided by section 2 of this 2015 Act;

3 (b) Award professional development grants to school districts as provided by section 3
4 of this 2015 Act;

5 (c) Ensure that staff development is coordinated between early childhood service provid-
6 ers and public providers of kindergarten through grade three as provided by section 4 of this
7 2015 Act; and

8 (d) Identify an evidence-based early literacy curriculum as provided by section 5 of this
9 2015 Act.

10 **SECTION 2.** (1) As used in this section, “community-based organization” means any of
11 the following entities:

12 (a) A nonprofit organization that:

13 (A) May be located within or in close proximity to the community;

14 (B) Provides culturally specific services or support or early literacy services or support;
15 and

16 (C) Includes education or literacy instruction as part of the organization’s mission.

17 (b) A federally recognized tribe of this state or a nonprofit entity established by a feder-
18 ally recognized tribe of this state.

19 (c) An Early Learning Hub designated as provided by ORS 417.827.

20 (2) As part of the Age Three Through Grade Three Reading Initiative established by
21 sections 1 to 6 of this 2015 Act, the Department of Education shall award extended learning
22 grants each fiscal year to school districts to implement early reading programs.

23 (3) An early reading program that is eligible for an extended learning grant:

24 (a) May be provided:

25 (A) As a summer program or as a before-school or after-school program; or

26 (B) During the regular school day.

27 (b) Must serve public school students who:

28 (A) Are in kindergarten through grade three or who will be enrolled in kindergarten at
29 the beginning of the next school year; and

30 (B) Have been identified as needing literacy instruction.

31 (c) Must include support for the parents of the students.

32 (4)(a) To qualify for an extended learning grant, a school district must have:

33 (A) A memorandum of understanding with one or more community-based organizations;
34 and

35 (B) An early reading program that focuses on students who are expected to be a grade
36 level behind by the end of grade three or who are struggling to read.

37 (b) The department may grant a waiver to a school district from the requirement de-
38 scribed in paragraph (a)(A) of this subsection if the school district can demonstrate that:

39 (A) No community-based organizations are located within the district; or

40 (B) The school district has attempted to enter into a memorandum of understanding with
41 a community-based organization but has been unsuccessful with the attempt.

42 (5) A school district may apply to the department for an extended learning grant by
43 submitting an application to the department in a form prescribed by the State Board of Ed-
44 ucation by rule.

45 (6) The amount of each extended learning grant shall be determined based on:

1 (a) The average daily membership, as defined in ORS 327.006, for kindergarten through
2 grade three students in poverty families, as determined by the department for each school
3 district; and

4 (b) The amount of funds available for the grants, as determined by the department.

5 (7) Transportation costs incurred by school districts for transporting students to early
6 reading programs implemented under this section shall be considered approved transporta-
7 tion costs for purposes of ORS 327.013.

8 (8) The department shall review and approve applications submitted under this section
9 based on criteria established by the State Board of Education by rule. In developing the cri-
10 teria, the board shall:

11 (a) Solicit recommendations from school districts and community-based organizations;
12 and

13 (b) Specify the minimum requirements to be provided in the memorandum of under-
14 standing between a school district and a community-based organization, including:

15 (A) Mutual accountability;

16 (B) The sharing of data and information;

17 (C) Collaboration; and

18 (D) Evaluation.

19 **SECTION 3.** (1) As part of the Age Three Through Grade Three Reading Initiative es-
20 tablished under sections 1 to 6 of this 2015 Act, the Department of Education shall award
21 professional development grants each fiscal year to school districts.

22 (2) The grants shall be used by school districts to provide:

23 (a) Literacy-specific professional development and staffing; and

24 (b) Literacy screening and devices to report student progress toward reading at grade
25 level by the end of grade three.

26 (3) To receive a grant under this section, a school district must have an early reading
27 program with the following elements:

28 (a) Implementation of full-day kindergarten, as provided by ORS 336.095, in all schools
29 operated by the school district that provide kindergarten unless the school district has re-
30 ceived a waiver from the State Board of Education for this grant requirement;

31 (b) Implementation of an evidence-based early reading program that is aligned to aca-
32 demic standards and that is tailored to the specific needs of the students served in the school
33 district;

34 (c) Goals and objectives that address the achievement gap between student groups iden-
35 tified by disability, poverty, language, race and other student groups, including the percent-
36 age of students reading at grade level, the percentage of kindergarten students who attend
37 at least 90 percent of the instructional days of the school year and the percentage of
38 kindergarten students enrolled on October 1 who remain enrolled by the end of the school
39 year;

40 (d) Implementation of evidence-based interventions;

41 (e) Coordination with an Early Learning Hub to:

42 (A) Identify students struggling to read; and

43 (B) Work to improve attendance and reduce absenteeism;

44 (f) At least 90 minutes per day of literacy instruction and at least an additional 30 min-
45 utes per day of intervention services provided to students in kindergarten through grade

1 **three;**

2 (g) A process to engage parents and community-based organizations;

3 (h) Use of data-driven instruction;

4 (i) Use of instructional coaches; and

5 (j) A professional development plan for staff.

6 (4) The amount of each grant under this section shall be determined based on:

7 (a) The average daily membership, as defined in ORS 327.006, for kindergarten through
8 grade three students;

9 (b) An additional weight that is added to the average daily membership, as determined
10 by the department, and that is the proportion of the total weights received by the school
11 district under ORS 327.013 attributable for kindergarten through grade three students; and

12 (c) The amount of funds available for the grants, as determined by the department.

13 (5) A school district that receives a grant under this section shall make grant moneys
14 available to any public charter school located in the school district that offers kindergarten
15 through grade three and that meets the early reading program requirements of subsection
16 (3) of this section.

17 (6)(a) The State Board of Education shall adopt by rule criteria for:

18 (A) Reviewing and approving applications for grants submitted under this section.

19 (B) Granting a waiver from the grant requirement for providing full-day kindergarten,
20 as described in subsection (3)(a) of this section.

21 (b) The department shall review and approve applications based on criteria established
22 by the State Board of Education by rule.

23 **SECTION 4.** As part of the Age Three Through Grade Three Reading Initiative estab-
24 lished under sections 1 to 6 of this 2015 Act, the Department of Education shall ensure that
25 staff development for early childhood service providers and public providers of kindergarten
26 through grade three is coordinated by providing:

27 (1) Professional learning communities related to literacy instruction for staffs of
28 community-based organizations and school districts; and

29 (2) Assistance with the development of early reading programs and professional develop-
30 ment programs and with staff development for early childhood service providers and public
31 providers of kindergarten through grade three.

32 **SECTION 5.** (1) As part of the Age Three Through Grade Three Reading Initiative es-
33 tablished under sections 1 to 6 of this 2015 Act, the Department of Education shall identify
34 an evidence-based early literacy curriculum. The curriculum must be effective and culturally
35 responsive.

36 (2) The department may provide funds to school districts for up to 25 percent of the total
37 amount necessary to purchase the early literacy curriculum identified by the department
38 under subsection (1) of this section.

39 **SECTION 6.** (1) The Age Three Through Grade Three Reading Initiative Account is es-
40 tablished in the State Treasury, separate and distinct from the General Fund. Interest
41 earned by the Age Three Through Grade Three Reading Initiative Account shall be credited
42 to the account.

43 (2) Moneys in the Age Three Through Grade Three Reading Initiative Account are con-
44 tinuously appropriated to the Department of Education for the purposes of sections 1 to 6
45 of this 2015 Act, including administrative costs incurred by the department and school dis-

1 **tricts.**

2 **SECTION 7. (1) Except as provided in subsection (2) of this section, extended learning**
3 **grants and professional development grants awarded under sections 2 and 3 of this 2015 Act**
4 **must first be available for use by school districts for the summer of 2016.**

5 **(2) The Department of Education may establish a pilot program and may award grants**
6 **as described in sections 2 and 3 of this 2015 Act to school districts during the 2015-2016 school**
7 **year.**

8 **SECTION 8. This 2015 Act being necessary for the immediate preservation of the public**
9 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**
10 **July 1, 2015.**

11
