

Requested by Representative KROPF

**PROPOSED AMENDMENTS TO  
A-ENGROSSED HOUSE BILL 3198**

1 On page 1 of the printed A-engrossed bill, line 2, after the first “ORS”  
2 insert “327.254, 327.274 and”.

3 On page 3, line 43, after the comma insert “prioritize schools with the  
4 lowest rates of proficiency in literacy and”.

5 On page 7, delete lines 44 and 45.

6 On page 8, delete lines 1 and 2 and insert:

7 “**NOTE:** Section 12 was deleted by amendment. Subsequent sections were  
8 not renumbered.”.

9 Delete lines 42 through 45 and insert:

10 “**NOTE:** Section 15 was deleted by amendment. Subsequent sections were  
11 not renumbered.”.

12 On page 9, after line 38, insert:

13

14 **“FUNDING FOR EARLY LITERACY SUCCESS INITIATIVE**

15

16 **“SECTION 18.** ORS 327.254 is amended to read:

17 “327.254. (1) The Department of Education shall use moneys in the State-  
18 wide Education Initiatives Account to provide funding for statewide educa-  
19 tion initiatives, including:

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

- 1 “(b) Expanding school breakfast and lunch programs;
- 2 “(c) Operating youth reengagement programs or providing youth reen-  
3 gagement services;
- 4 “(d) Establishing and maintaining the Statewide School Safety and Pre-  
5 vention System under ORS 339.341;
- 6 “(e) Developing and providing statewide equity initiatives, including the  
7 Black or African-American education plan developed under ORS 329.841, the  
8 American Indian or Alaska Native education plan developed under ORS  
9 329.843, the Latino or Hispanic education plan developed under ORS 329.845  
10 or any similar education plan identified 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**  
29 **provided by section 5 of this 2023 Act;**
- 30 “(n) **Funding the Early Literacy Success Community Grant pro-**

1 **gram, as established by section 13 of this 2023 Act;**

2 “[*m*] (o) Funding education service districts, as described in subsection  
3 (2) of this section; and

4 “[*n*] (p) Funding costs incurred by the department in implementing this  
5 section and ORS 327.175 to 327.235 and 327.274.

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

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

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

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

20 “(c) For purposes of this subsection,  $ADMw$  equals the  $ADMw$  as calcu-  
21 lated under ORS 327.013, except that the additional amount allowed for stu-  
22 dents who are in poverty families, as determined under ORS 327.013  
23 (1)(c)(A)(v)(I), shall be 0.5.

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

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

1 “(A) Align with and support school districts in meeting the performance  
2 growth targets of the school districts developing the plan;

3 “(B) Include the provision of technical assistance to school districts in  
4 developing, implementing and reviewing a plan for receiving a grant from the  
5 Student Investment Account;

6 “(C) Provide for coordination with the department in administering and  
7 providing technical assistance to school districts, including coordinating any  
8 coaching programs established under ORS 327.214; and

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

11 “(f) Each education service district must submit an annual report to the  
12 department that:

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

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

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

20 “**SECTION 19.** ORS 327.274, as amended by section 29, chapter 27, Oregon  
21 Laws 2022, is amended to read:

22 “327.274. (1) The Department of Education and the Early Learning Divi-  
23 sion shall use moneys in the Early Learning Account to provide funding for  
24 early learning programs in a manner consistent with a statewide early  
25 learning system plan overseen by the Early Learning Council. Early learning  
26 programs that may receive moneys from the Early Learning Account include:

27 “**(a) The Birth Through Five Literacy Plan established by section 9**  
28 **of this 2023 Act;**

29 “[a] **(b)** Early childhood special education or early intervention services,  
30 as provided by ORS 343.475;

1 “[b] (c) Relief nurseries;  
2 “[c] (d) Programs funded by the Early Childhood Equity Fund;  
3 “[d] (e) The Oregon prekindergarten program and other public preschool  
4 programs established under ORS 329.170 to 329.200, by increasing:

5 “(A) The total number of spaces for children served by the programs; or

6 “(B) Existing spaces for full-day programs from half-day programs;

7 “[e] (f) Professional development for early childhood educators; and

8 “[f] (g) Early Head Start programs.

9 “(2) In addition to the uses identified in subsection (1) of this section,  
10 moneys in the Early Learning Account may be used for:

11 “(a) Staffing needs of the Early Learning Division for the purpose of im-  
12 plementing this section.

13 “(b) Costs incurred by the division in conducting the biennial evaluation  
14 of programs that receive grants under ORS 417.782.

15 “(3) The State Board of Education and the Early Learning Council shall  
16 adopt rules necessary for the distribution of moneys under this section.

17 **“SECTION 20.** ORS 327.274, as amended by section 21, chapter 631,  
18 Oregon Laws 2021, and section 30, chapter 27, Oregon Laws 2022, is amended  
19 to read:

20 “327.274. (1) The Department of Early Learning and Care shall use moneys  
21 in the Early Learning Account to provide funding for early learning pro-  
22 grams in a manner consistent with a statewide early learning system plan  
23 overseen by the Early Learning Council. Early learning programs that may  
24 receive moneys from the Early Learning Account include:

25 **“(a) The Birth Through Five Literacy Plan established by section 9**  
26 **of this 2023 Act;**

27 “[a] (b) Early childhood special education or early intervention services,  
28 as provided by ORS 343.475;

29 “[b] (c) Relief nurseries;

30 “[c] (d) Programs funded by the Early Childhood Equity Fund;

1 “[d)] (e) The Oregon prekindergarten program and other public preschool  
2 programs established under ORS 329.170 to 329.200, by increasing:

3 “(A) The total number of spaces for children served by the programs; or

4 “(B) Existing spaces for full-day programs from half-day programs;

5 “[e)] (f) Professional development for early childhood educators; and

6 “[f)] (g) Early Head Start programs.

7 “(2) In addition to the uses identified in subsection (1) of this section,  
8 moneys in the Early Learning Account may be used for:

9 “(a) Staffing needs of the Department of Early Learning and Care for the  
10 purpose of implementing this section.

11 “(b) Costs incurred by the department in conducting the biennial evalu-  
12 ation of programs that receive grants under ORS 417.782.

13 “(3) The Early Learning Council shall adopt rules necessary for the dis-  
14 tribution of moneys under this section.

15 **“SECTION 21. Notwithstanding any other law limiting expenditures,**  
16 **the amount of \$90,000,000 is established for the biennium beginning**  
17 **July 1, 2023, as the maximum limit for payments of grants-in-aid,**  
18 **program costs and purchased services by the Department of Education**  
19 **from the Statewide Education Initiatives Account established under**  
20 **ORS 327.250 for Early Literacy Success School Grants.**

21 **“SECTION 22. Notwithstanding any other law limiting expenditures,**  
22 **the amount of \$1 is established for the biennium beginning July 1, 2023,**  
23 **as the maximum limit for payment of expenses for operations,**  
24 **grants-in-aid, program costs and purchased services by the Depart-**  
25 **ment of Early Learning and Care from corporate activity tax funds**  
26 **transferred from the Early Learning Account by the Department of**  
27 **Education for Birth Through Five Literacy Plan grants.**

28 **“SECTION 23. Notwithstanding any other law limiting expenditures,**  
29 **the limitation on expenditures established by section 4 (1), chapter \_\_,**  
30 **Oregon Laws 2023 (Enrolled House Bill 5013), for the biennium begin-**

1 ning July 1, 2023, as the maximum limit for payment of expenses for  
2 operations, grants-in-aid, program costs and purchased services by the  
3 Department of Early Learning and Care from corporate activity tax  
4 funds transferred from the Early Learning Account by the Department  
5 of Education, for operations, is increased by \$567,592, for adminis-  
6 tration of the Birth Through Five Literacy Plan.

7 **“SECTION 24.** Notwithstanding any other law limiting expenditures,  
8 the limitation on expenditures established by section 12, chapter \_\_,  
9 Oregon Laws 2023 (Enrolled House Bill 5014), for the biennium begin-  
10 ning July 1, 2023, as the maximum limit for payment of expenses by  
11 the Department of Education for a transfer of corporate activities tax  
12 funds from the Early Learning Account established under ORS 327.269  
13 to the Department of Early Learning and Care, is increased by \$567,593,  
14 for administration of the Birth Through Five Literacy Plan.

15 **“SECTION 25.** Notwithstanding any other law limiting expenditures,  
16 the amount of \$1 is established for the biennium beginning July 1, 2023,  
17 as the maximum limit for payments of grants-in-aid, program costs  
18 and purchased services by the Department of Education from the  
19 Statewide Education Initiatives Account established under ORS 327.250  
20 for Early Literacy Success Community Grants.

21 **“SECTION 26.** Notwithstanding any other law limiting expenditures,  
22 the limitation on expenditures established by section 14, chapter \_\_,  
23 Oregon Laws 2023 (Enrolled House Bill 5014), for the biennium begin-  
24 ning July 1, 2023, as the maximum limit for payment of expenses by  
25 the Department of Education from the Statewide Education Initiatives  
26 Account established under ORS 327.250, for operations, is increased by  
27 \$4,328,241, for administration of the Early Literacy Success School  
28 Grant program and the Early Literacy Success Community Grant  
29 program.”.

30 In line 42, delete “18” and insert “27”.

1 In line 45, delete “19” and insert “28”.

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