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NOTICE OF PROPOSED RULEMAKING

INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 581
OREGON DEPARTMENT OF EDUCATION

FILED: 10/20/2026 10:56 AM
ARCHIVES DIVISION SECRETARY OF STATE

FILING CAPTION: Early Literacy Success Initiative Rules Revision

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 12/10/2026 9:00 AM
The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

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Filed By:
Haedon Brunelle
Rules Coordinator

HEARING(S)
Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 11/17/2026
TIME: 3:00 PM - 3:30 PM
OFFICER: Haedon Brunelle

REMOTE HEARING DETAILS
MEETING URL: Click here to join the meeting
PHONE NUMBER: 669-254-5252
CONFERENCE ID: 1653682773

NEED FOR THE RULE(S):

The proposed changes to OAR 581-017-0808 for the Grant Administration would remove the option tied to the Targeted and Comprehensive support (or TSI and CSI) designations as well as the option to prioritize schools who have not recovered to pre-pandemic achievement levels. The rationale and need is that these indicators are not always specific to early literacy needs and may no longer be the most effective way to identify schools that could benefit from early literacy supports. Additionally, statewide most schools have not yet returned to pre-pandemic achievement levels and so using pre-pandemic performance as an indicator no longer effectively distinguishes which schools have the

greatest early literacy needs.

The intent of this change is to focus funding decisions on indicators that are more directly connected to schools and the students most in need. In the OARs you'll see the indicators that remain prioritizing schools have the lowest rates of proficiency in literacy in the district; and/or have a higher portion of student groups that have historically experienced academic disparities compared to other elementary schools in the district.

The proposed changes to OAR 581-017-0811 would replace the specific reference to a Request for Information, or RFI, with a more general procurement process. The rational here is for ODE to be able to use the procurement process most appropriate to evaluate providers. Second, providers would move from submitting an information form to a renewal form. This better aligns to the intended ongoing review process and creates an opportunity for providers to demonstrate alignment with program requirements and high-quality implementation supports. Finally, the proposed language adds that providers must remain in good standing. This would give ODE the ability to remove providers from the approved list if they are not meeting expectations or are no longer demonstrating effectiveness. These changes allow ODE to more effectively monitor and track the ODE-Approved providers to help ensure quality and effectiveness to ultimately improve student outcomes.

The proposed changes to OAR 581-017-0801 clarify key definitions used in the Early Literacy Success Community Grants program. The changes remove the phrase 'outside of the school day' from the definition of High-Dosage Tutoring, allowing the program to establish parameters for HDT delivered during the school day while maintaining requirements for high-dosage tutoring. The changes also add definitions for Family Engagement, Literacy-focused Learning Activities, and Targeted Literacy Instruction to provide greater clarity and consistency regarding Community Grant programming and implementation.

The proposed change OAR 581-017-0803 establishes an eligibility requirement that applicants and grantees demonstrate a substantial operational presence and direct service capacity within the state of Oregon. This change is intended to strengthen implementation capacity, accountability, and the program's investment in Oregon communities.

The proposed changes to OAR 581-017-080 clarify expectations for Community Grant-funded programming and implementation by establishing consistent terminology for family engagement and literacy-focused activities and distinguishing targeted literacy instruction from High-Dosage Tutoring. These changes are intended to support consistent application review, implementation, and monitoring for the 2027–29 grant cycle.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

HB 3198 (2023) can be found on the Oregon Legislative Information System. You will also find written materials, public comment, and a recorded presentation on this rulemaking topic on the State Board of Education's Boardbook website. Learn more about the State Board of Education on the Oregon Department of Education's website. For this rule filing, there was a 1st read presentation on October 15, 2026.

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE:

For school district grants the proposed revisions Better aligns district funding decisions and helps ensure literacy resources reach schools with greatest literacy needs. Continues to prioritize schools serving student groups that have historically experienced academic disparities. Helps ensure approved providers are effective in impacting educator professional learning and student achievement. For community Grants The proposed revisions maintain ODE's commitment to: Improving early literacy outcomes for Oregon students Equity and culturally responsive practices in literacy programming Community-based programming that responds to local needs and strengths Evidence-based

literacy instruction and targeted supports Partnerships among families, schools, and communities

FISCAL AND ECONOMIC IMPACT:

There are no fiscal impacts to overall Early Literacy Success School District grant funding levels or ODE operational budgets. Changes could affect funding prioritization at the district level (districts may need to re-prioritize funding to the schools with highest need).

For Community Grants, there is no fiscal impact anticipated. The proposed revisions do not change the overall funding available or increase administrative burden. Changes primarily clarify program definitions, eligibility, and implementation requirements. Implementation of the revised requirements will occur within existing program resources.

COST OF COMPLIANCE:
(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

There are no fiscal impacts to overall Early Literacy Success School District grant funding levels or ODE operational budgets. Changes could affect funding prioritization at the district level (districts may need to re-prioritize funding to the schools with highest need).

For Community Grants, there is no fiscal impact anticipated. The proposed revisions do not change the overall funding available or increase administrative burden. Changes primarily clarify program definitions, eligibility, and implementation requirements. Implementation of the revised requirements will occur within existing program resources.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Small businesses were not involved in the development of these rules as this will not impact small businesses. These rules only directly impact school districts.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

An administrative rule advisory committee was not consulted. The Oregon Department of Education (ODE) identifies those who may be impacted by these rule updates and hosts direct engagements with them. In addition, ODE staff present their rule updates to a broader group of education partners ranging from non-profits, education service districts, school districts, student rule advisors, and more, prior to approaching the State Board of Education for further consideration and a vote. The State Board of Education holds public meetings and recordings for all rules. You can find the meeting recordings on the State Board of Education's Boardbook website. The State Board of Education has more information on the Oregon Department of Education website.

RULES PROPOSED:
581-017-0801, 581-017-0803, 581-017-0805, 581-017-0808, 581-017-0811

AMEND: 581-017-0801

RULE SUMMARY: OAR 581-017-0801 through OAR 581-017-0804 establish the Early Literacy Success Community Grants program, including definitions, program establishment, eligibility requirements, and application criteria. The proposed changes clarify requirements for Community Grant-funded programming and strengthen the rules for the 2027–29 grant cycle. The changes maintain High-Dosage Tutoring as a required component of Community Grants while removing the requirement that High-Dosage Tutoring occur outside of the school day. The proposed changes also

establish an Oregon operational presence requirement and add definitions for Family Engagement, Literacy-focused Learning Activities, and Targeted Literacy Instruction to clarify expectations for grant-funded programming.

CHANGES TO RULE:

581-017-0801
Early Literacy Grants: Definitions
The following definitions apply to OAR 581-017-0801 to 581-017-0811:¶
(1) For Early Literacy Success School District Grants, established in ORS 327.829, "additional staff" means individuals in a school, other than teachers, administrators, or instructional assistants, who are directly involved in delivering, supporting, or coordinating literacy instruction for students. ¶
(2) "ADMw" means the extended weighted average daily membership computed as provided in ORS 327.013(1)(c).¶
(3) "Coaching" means a structure that supports and develops educators through regular observation of their instruction, using a shared framework.¶
(4) "Community-Based Organizations" means an organization that is:¶
(a) Established as a nonprofit organization under the laws of this state;¶
(b) Qualifies as an exempt organization under section 501(c)(3) of the Internal Revenue Code, as described in ORS 314.011;¶
(c) Reflective of a community or significant segments of a community it seeks to serve; and¶
(d) Driven by and representative of a community or a significant segment of a community and works to meet community needs and amplify strengths.¶
(5) "Community Voice" means that members representing the community served by the project, including students, will be involved in co-constructing the project design, implementation, and/or providing strategic guidance in final decision-making.¶
(6) "Core (also known as basal') Instructional Materials" means any organized system, which constitutes the major instructional vehicle for a given course of study, or any part thereof. A major instructional vehicle may include such instructional materials as a hardbound or a softbound book or books, or sets or kits of print and non-print materials, including electronic and internet or web-based materials or media.¶
(7) "Culturally Responsive" means the implicit recognition and incorporation of the cultural knowledge, experience, and ways of being and knowing of students in teaching, learning, and assessment. This includes identifying, valuing, and maintaining a high commitment to students' cultural assets in instruction and assessment; diverse frames of reference that correspond to multifaceted cultural perspectives/ experiences; and behaviors in the classroom that can differ from White-centered cultural views of what qualifies as achievement or success.¶
(8) "Developmentally Appropriate" means designing and implementing learning environments to help all children achieve their full potential in literacy through:¶
(a) Building on each child's strengths;¶
(b) Taking care to not harm any aspect of each child's physical, cognitive, social, or emotional well-being; and¶
(c) Considering what is known about:¶
(A) Age-related characteristics that can inform what experiences are likely to best promote a student's learning and development;¶
(B) What is known about each child as an individual that has implications for how best to adapt learning experiences; and¶
(C) The social and cultural contexts in which a student lives in order to ensure that learning experiences are meaningful, relevant, and respectful for each child and family.¶
(9) "Diagnostic" means assessments to identify a student's specific strengths and needs in literacy in order to determine and plan the appropriate level of instruction, pacing and intervention support.¶
(10) "Direct Administrative Costs" means administrative functions readily allocable to and required for administering the grant program such as oversight, grant expenditure data collection, leadership that does not include direct service to teacher or students, management, and supervision. Direct administrative costs should be a smaller proportion of the overall grant amount in relation to direct service costs.¶
(11) "Early Learning Hub" means any entity designated by regional partners to coordinate early learning services, as determined by rules adopted by the Early Learning Council.¶
(12) "Early Literacy Program" means the entirety of the curriculum, assessments, instructional materials, practices, systems, staffing, and structures in place to support comprehensive early literacy across the district.¶
(13) "Early Literacy Success Plan" means the elements in the application, including but not limited to the responses to the application questions, program review, and inventory, as defined in ORS 327.831.¶
(14) "Early Literacy Success School Grant" means the program established in ORS 327.829 and may also be referred to as "Early Literacy Success School District Grants''.¶

(15) For Early Literacy Success School District Grants, established in ORS 327.829, "Eligible Applicant" means a school district or public charter school that serves students in grades prekindergarten/preschool through third grade. This can include districts and public charter schools that serve students in grades prekindergarten/preschool through eighth grade or prekindergarten/preschool through twelfth grade, given the application focuses on specific grade levels named in ORS 327.825. Per ORS 327.825 and ORS 327.831, virtual public charter schools are not eligible applicants for this grant.¶
(16) For Tribal Grants, established in ORS 327.843(2)(d), "Eligible Applicant" means:¶
(a) Burns Paiute Tribe;¶
(b) The Confederated Tribes of Coos, Lower Umpqua, and Siuslaw;¶
(c) Confederated Tribes of Cow Creek Band of Umpqua;¶
(d) Confederated Tribes of Grand Ronde;¶
(e) Confederated Tribes of Siletz;¶
(f) Confederated Tribes of Warm Spring Indian Reservation;¶
(g) Confederated Tribes of Umatilla Indian Reservation;¶
(h) Coquille Tribe; or¶
(i) Klamath Tribes.¶
(17) For Community Grants, established in ORS 327.843, "Evidence-Based" means practices with a proven record of success based on reliable, trustworthy, and valid evidence that when the practices are implemented with fidelity, students can be expected to make adequate gains in early literacy. Instructional practices, activities, strategies, or interventions that are "evidence-based" should not just privilege scientific evidence, but also be driven by evidence stemming from the perspectives of those affected by those practices, activities, strategies, or interventions such as:¶
(a) Tribal consultation, recommendations, and experiences of American Indian/ Alaska Native community members or Tribes.¶
(b) Community-driven, culturally-responsive/sustaining/specific, non-dominant and non-Western ways of knowing, being, and researching.¶
(18) "Extended Learning Program" means literacy programming which shall:¶
(a) Use "Research-aligned literacy strategies" as defined in ORS 327.825 and is based on "Science of reading and writing" as defined in ORS 327.825 and meets the criteria established by the Department in OAR 581-017-0811;¶
(b) Occur outside of the traditional school day, which could include, but is not limited to afterschool and summer; and¶
(c) Be administered either by a licensed teacher of any subject area or by a qualified tutor, which is defined for School District Grants as a person who has the training necessary to implement the research-aligned tutoring model effectively or a high-dosage tutoring provider from the Qualified List for High-Dosage Tutoring established in section 20.¶
(19) For Community Grants, established in ORS 327.843, "Family Engagement" means the implementation of intentional, culturally and linguistically responsive strategies that establish and sustain ongoing, two-way partnerships among program providers, families, and schools to support early literacy development.¶
(20) "Fidelity" means how closely prescribed procedures are followed and, in the context of schools, the degree to which educators implement programs, assessments, and implementation plans the way they were intended.¶
(2~~0~~1) "Formative" means a process of collecting and responding to evidence of student learning; the information gained about student learning is used in the course of instruction to respond to and adjust instruction.¶
(2~~1~~2) For Early Literacy Success School District Grants, established in ORS 327.829, "High-Dosage Tutoring'' is additionally defined as tutoring that:¶
(a) Is provided in addition to regular core instruction;¶
(b) Is provided during the school year, which may occur during the school day or before/after school, and may also be provided during school breaks, including summer;¶
(c) Uses a research-aligned tutoring model, which is defined for School District Grants as a tutoring model that uses "Research-aligned literacy strategies" as defined in ORS 327.825, is based on the "science of reading and writing" as defined in ORS 327.825, and meets the criteria established by the Department in section OAR 581-017-0811;¶
(d) Is administered by a qualified tutor which is defined for School District Grants as a person who has the training necessary to implement the research-aligned tutoring model effectively and criteria established by the Department in section OAR 581-017-0811;¶
(e) Is provided to four or fewer students; and¶
(f) Integrates reading and writing in a way that is aligned to Oregon's ELA Content Standards and to students' reading instructional needs, based on student assessment data and other evidence of student learning.¶
(2~~2~~3) For Early Literacy Success Community Grants, established in ORS 327.843, "High-Dosage Tutoring'' is additionally defined as tutoring that:¶
(a) ~~Is provided outside of the school day;¶~~

~~(b) Is provided by a qualified and trained tutor which is defined for Community Grants as a person who has the training necessary to implement the research-aligned tutoring model effectively;¶~~
~~(c)~~ Uses a research-aligned tutoring model that employs evidence-based strategies and is administered in a culturally responsive manner and that is combined with the training necessary for tutors to implement the model effectively;¶
(~~d~~b) Is provided to four or fewer students;¶
(~~e~~c) Uses materials that integrates reading and writing that is aligned to Oregon's ELA Content Standards and to students' reading instructional needs [are aligned to the program]; and¶
(~~f~~d) Uses student assessment data and other evidence of student learning to inform tutoring sessions and adjust to student needs.¶
(2~~3~~4) For Tribal Grants, established in ORS 327.843(2)(d), "High-Dosage Tutoring" is additionally defined and determined by each of Oregon's nine sovereign nations and the work plans developed by each nation.¶
(2~~4~~5) For Early Literacy Success Community Grants: "Indirect costs" means costs not readily identifiable with the activities of the grant but incurred for the joint benefit of those activities and other activities of the organization.¶
(2~~5~~6) "Literacy coaches" means a licensed educator who:¶
(a) Has advanced training or certification in "research-aligned literacy strategies" and "the science of reading and writing" as defined in ORS 327.825 that was either:¶
(A) Included as a course(s) in an educator preparation program;¶
(B) Included as a course(s) in a post-graduate degree program in teaching reading or literacy;¶
(C) Provided by ODE or included on the ODE list of professional development providers; or¶
(D) Provided by a school district or ESD;¶
(b) Has a literacy-focused licensure endorsement;¶
(c) Whose primary role and responsibilities include direct support of students and/or educators; and¶
(d) Are additionally defined in OAR 584-210-0170.¶
(2~~6~~7) For Community Grants, established in ORS 327.843, "Literacy-focused Learning Activities" means structured, intentional experiences designed to support literacy development for children, families, caregivers, or participating adults through evidence-based literacy practices, literacy skill-building, literacy access, or literacy-focused educational engagement.¶
(28) "Literacy specialists or interventionists" means a licensed educator who:¶
(a) Has advanced training or certification in "research-aligned literacy strategies" and "the science of reading and writing" as defined in ORS 327.829 that was either:¶
(A) Included as a course(s) in an educator preparation program;¶
(B) Included as a course(s) in a post-graduate degree program in teaching reading or literacy;¶
(C) Provided by ODE or included on the ODE list of professional development providers; or¶
(D) Provided by a school district or ESD;¶
(b) Has a literacy-focused licensure endorsement; and¶
(c) Whose primary role and responsibilities include direct support of students and/or educators.¶
(2~~7~~9) For Early Literacy Success School District Grants, established in ORS 327.829, "Outcomes'' is defined as literacy achievement as measured by the student growth assessment and other sources of evidence related to literacy achievement.¶
(~~28~~30) "Partnership" means a group of organizations, Tribal governments, districts or individuals who agree to work together with a common interest and shared vision. In a partnership, there is a high level of trust and communication, and differences in power and privilege are addressed. Roles and responsibilities on all sides are well-defined and developed with shared authority in decision making. There might be shared space and staff, with expectations and agreements in writing.¶
(~~29~~31) "Professional Development" means learning that is systemic, job-embedded, and aligned to current research, training, and practices that support educator and student learning.¶
(3~~0~~2) "Provider of Early Learning Services" means a public or non-profit entity that provides education and learning opportunities for children in grades pre-Kindergarten to third grade through the provision of services that:¶
(a) Supports families, caregivers, and community members to incorporate research-aligned early learning practices [outside of the school day]; or¶
(b) A program that directly provides research-aligned early learning services [outside of the school day].¶
(3~~1~~3) "Public Library" means a public agency that provides to all residents of a local government unit free and equal access to library and information services that are suitable for persons of all ages.¶
(3~~2~~4) "Regular Core Instruction" means instruction in the general education setting as part of every student's regular schedule that is aligned to grade-level standards and inclusive of every student in the classroom.¶
(3~~3~~5) "Statewide Education Initiatives Account" means the account as established in ORS 327.250.¶
(3~~4~~6) "Student Growth Assessment" means a process of evidence collection and review, which includes tests (for

example, criterion referenced or developmental continuum) alongside other sources of evidence for the purpose of monitoring students' growth towards proficient reading and writing. Grant recipients shall avoid making determinations about student growth from a single source of evidence/test score.¶
(3~~5~~7) "Student Groups that have Historically Experienced Disparities" includes:¶
(a) "Students Experiencing Poverty," which means students who meet one or more of the following qualifications:¶
(A) Are participating in Supplemental Nutrition Assistance Program funded by the United States Department of Agriculture;¶
(B) Are participating in the Temporary Assistance for Needy Families program as defined in Title IV of the Social Security Act;¶
(C) Are foster students; or¶
(D) Are migrant students.¶
(b) "Students from Racial or Ethnic Groups that Have Historically Experienced Academic Disparities," which includes, but is not limited to American Indian and Alaska Native students, Black and African American students, Hispanic and Latino students, Asian students, Native Hawaiian and Pacific Islander students, and multiracial students and any other racial or ethnic group identified by the eligible applicant as historically experienced academic disparities.¶
(c) "Students with Disabilities," which means a child with a disability as defined in ORS 343.035(1) and ORS 343.035(14)(b).¶
(d) "English Language Learners," which means or "English learners," which means a student who has limited English language proficiency because English is not the native language of the student or the student comes from an environment where a language other than English has had a significant impact on the student's level of English language proficiency.¶
(e) "Foster Students" as defined in ORS 30.297(5)(c).¶
(f) "Students who are Homeless" has the same meaning as in section 725 of the McKinney-Vento Act, 42 USC § 11434a (2).¶
(g) Students who attend an elementary school that:¶
(A) Is identified for comprehensive support and improvement or for targeted support and improvement under the federal Every Student Succeeds Act (P.L. 114-95, 129 Stat. 1802) regardless of whether the school is receiving funding; or¶
(B) Qualifies for assistance under Title I of the federal Elementary and Secondary Education Act of 1965; "whereas qualifying for assistance under Title I" means at least 35% of the school's students are experiencing poverty, or the school receives Title I-A funds as determined by the district.¶
(h) "LGBTQ2SIA+ Students," which means students who may have one or multiple gender identities and/or sexual orientations including lesbian, gay, bisexual, pansexual, transgender, nonbinary, queer, questioning, two-spirit, intersex, and asexual. The plus sign ("+") recognizes and includes the myriad ways to describe marginalized gender identities and sexual orientations.¶
(i) "Students Recently Arrived," which means a student who was NOT born in any state or US Territory and who has not been attending one or more schools in any one or more state for more than three full academic years.¶
(j) "Migratory Students," which means a student whose is a migratory worker or whose parent or guardian is a migratory worker in the agricultural, dairy, lumber, or fishing industries and who has moved due to economic necessity between school districts in the last thirty six months, and is eligible to be a part of the Title 1-C Migrant Education Program.¶
(k) "Justice involved youth" means a student who is pre or post adjudication, been or currently detained in a secure juvenile justice facility, and/or been or currently placed in a community juvenile justice program.¶
(38) For Community Grants, established in ORS 327.843, "Targeted Literacy Instruction" means structured, evidence-based literacy instruction designed to address identified student literacy needs through consistent, small-group or individualized literacy support aligned to research-aligned literacy strategies and the science of reading and writing.
Statutory/Other Authority: ORS 327.829
Statutes/Other Implemented: ORS 327.825 - 327.845

AMEND: 581-017-0803

RULE SUMMARY: OAR 581-017-0801 through OAR 581-017-0804 establish the Early Literacy Success Community Grants program, including definitions, program establishment, eligibility requirements, and application criteria. The proposed changes clarify requirements for Community Grant-funded programming and strengthen the rules for the 2027–29 grant cycle. The changes maintain High-Dosage Tutoring as a required component of Community Grants while removing the requirement that High-Dosage Tutoring occur outside of the school day. The proposed changes also establish an Oregon operational presence requirement and add definitions for Family Engagement, Literacy-focused Learning Activities, and Targeted Literacy Instruction to clarify expectations for grant-funded programming.

CHANGES TO RULE:

581-017-0803
Early Literacy Community Grants Program: Eligibility
(1) The Department will establish a process for eligible entities to apply for Early Literacy Community Grants.¶
(2) To be eligible to receive a Grant, an applicant must:¶
(a) ~~b~~Be a community-based organization, early learning hub, provider of early learning services, post-secondary institution of education, public library, or a consortium of these entities~~; and~~ ¶
(b) ~~d~~Demonstrate infrastructure and systems necessary to provide early literacy high-dosage tutoring, family engagement to support early literacy success, and training for the provision of high-dosage tutoring; and¶
(c) Demonstrate substantial operational presence and direct service capacity within the state of Oregon.
Statutory/Other Authority: ORS 327.829
Statutes/Other Implemented: ORS 327.825 ~~to~~ - 327.827, ORS 327.843 ~~to~~ - 327.845

AMEND: 581-017-0805

RULE SUMMARY: OAR 581-017-0801 through OAR 581-017-0805 establish the Early Literacy Success Community Grants program, including definitions, program establishment, eligibility requirements, and application criteria. The proposed changes clarify requirements for Community Grant-funded programming and strengthen the rules for the 2027–29 grant cycle. The changes maintain High-Dosage Tutoring as a required component of Community Grants while removing the requirement that High-Dosage Tutoring occur outside of the school day. The proposed changes also establish an Oregon operational presence requirement and add definitions for Family Engagement, Literacy-focused Learning Activities, and Targeted Literacy Instruction to clarify expectations for grant-funded programming.

CHANGES TO RULE:

581-017-0805
Early Literacy Community Grants Program: Funding
(1) Applicants must submit a detailed budget that explains how Grant funds will be used. Expenditures for community grants must be approved prior to being incurred and align with agency policy.¶
(2) Indirect costs will be allowed as a percentage of the direct costs of the Grant award disbursed as follows:¶
(a) Up to five percent for school districts, education service districts, public charter schools, early learning hubs, or postsecondary institutions of education;¶
(b) Up to fifteen percent for community-based organizations, public libraries, or providers of early learning services; and¶
(c) Indirect costs for partnerships or consortiums will be allowed based on the lead entity's organization type~~;¶~~
~~(d) For Tribes, up to fifteen percent or the Tribe's federally recognized indirect rate, as provided in the grant agreement~~.¶
(3) Applicants may use Grant funds only for authorized purposes.
Statutory/Other Authority: ORS 327.254, ORS 327.274, ORS 327.800, ORS 327.843, HB 3198 (2023)
Statutes/Other Implemented: HB 3198 (2023)

AMEND: 581-017-0808

RULE SUMMARY: OAR 581-017-0808 establishes how Early Literacy Success School District Grant funds are administered and how districts with multiple elementary schools must prioritize funding and resources across schools.

CHANGES TO RULE:

581-017-0808
Early Literacy Success School District Grants: Grant Administration ¶

(1) Eligible applicants with more than one elementary school shall prioritize distribution of funding and resources to a school or schools based on the school(s) meeting one or more of the following characteristics:~~.~~¶
(a) have the lowest rates of proficiency in literacy of elementary schools in the district; or¶
(b~~) identified for comprehensive support and improvement or for targeted support and improvement under the federal Every Student Succeeds Act (P.L. 114-95, 129 Stat. 1802) based in part on literacy score;¶~~
~~(c) have literacy proficiency rates that have not recovered to pre-pandemic levels; or ¶~~
~~(d~~) have a higher portion of student groups that have historically experienced academic disparities compared to other elementary schools in the district.¶
(2) Rates of proficiency shall be determined using multiple sources of data which shall include state Language Arts summative assessment data and, for eligible applicants who serve English Language Learners, English Language Proficiency Assessment data and may include interim, benchmark, Language Arts proficiency and other early literacy assessments of student proficiency in literacy in any language.~~-~~¶
(3) The Oregon Department of Education shall verify that districts complied with sections (1)-(2) of this rule by requiring in the grant application an explanation of how funding and resources were distributed across schools within the district and how prioritization was determined. The Department shall evaluate this information within the application narrative and budget.¶
(4) The Department, informed by grantee applications and reporting, may identify specific interventions and technical assistance to be provided statewide or regionally through education service districts, where resources are available to do so.~~-~~¶
(5) Rules will be applied by ODE for grant administration of the Early Literacy Success Initiative beginning July 1, 2025.
Statutory/Other Authority: ORS 327.829, ORS 327.833
Statutes/Other Implemented: ORS 327.825 ~~to~~- 327.837

AMEND: 581-017-0811

RULE SUMMARY: OAR 581-017-0811 defines how Early Literacy Success School District Grant funds may be used and establishes requirements for key investments such as high-dosage tutoring, professional learning, and coaching. It also directs ODE to set qualifications and review processes for providers, maintain approved provider lists, and establish criteria to ensure funded services and programs are aligned with evidence-based early literacy practices

CHANGES TO RULE:

581-017-0811
Early Literacy Success School District Grants: Allowable Uses of Funding
(1) Allowable uses of the Early Literacy Success School Grant program are described in ORS 327.825 and ORS 327.829. The administrative rules that follow provide additional specificity or clarity and do not expand or replace what is in statute.¶
(2) Professional Development and Coaching may be provided to teachers, administrators, instructional assistants, and additional staff.¶
(3) Training for tutors to implement effectively the provision of high-dosage tutoring according to ORS 327.825 and ORS 327.829 shall be research-aligned and include the specific knowledge and skills relevant to the literacy concepts, skills, instructional practices of the tutoring program, and needs of students who it is serving, and effectively use data to ensure the methods used are responsive to student need. This may be specific to a particular program, or core set of knowledge, skills or instructional practices all of which must be based on the science of reading and writing.¶
(a) Grant recipients may use internal or external expertise for high dosage tutoring. At least once every two years the Oregon Department of Education shall develop and/or revisit qualifications for tutors. The qualifications shall be inclusive of the qualified tutors definition in these rules and may include additional qualifications, which shall be used by grant recipients to evaluate eligibility for those internal and external to the district to be a tutor for high-dosage tutoring programs. The Department may decide to make the qualifications different for those tutors internal and for those external to the district.¶
(b) At least once every two years the Oregon Department of Education shall develop or revisit criteria for high-dosage tutoring programs and extended learning. The criteria shall be used by grant recipients to evaluate eligibility for high-dosage tutoring and extended learning programs to be used for the purposes of this grant.¶
(c) The Oregon Department of Education shall, at least once every two years, develop or revisit a list of qualified high-dosage tutoring program providers, should grant recipients choose to use external providers. To be included on the list, the provider must meet the qualifications in section (a) and (b) of this rule if providing a program and tutors or just (b) if providing a program only and must include content to be determined by the Department.¶
(d) The Oregon Department of Education will independently review potential providers at least once every two years ~~by posting a Request for Information~~through a procurement process for providers to solicit information from interested vendors.¶
(A) ODE will publish the list no later than January 15th of odd numbered years, beginning in 2025. After the first publication, eligible applicants who use funding to pay for external high dosage tutoring services shall select from the list.¶
(B) Once a high-dosage tutoring program provider has been approved by the Department and placed on the list, to remain on the list the provider must every two years ~~provide an updated information form provided by the Department~~submit to the Department a renewal form containing information substantiating that the provider remains in good standing. The Department may remove a provider from the list at any time if the provider is not in good standing.¶
(4) Grant recipients may use internal or external expertise for professional development and coaching. At least once every two years, the Oregon Department of Education shall develop a list of qualifications for professional development and coaching providers. The list of qualifications shall be used by grant recipients to evaluate eligibility for those internal and external to the district to provide professional development and coaching. The Department may decide to make different qualifications for people who are internal to the district and for those external to the district.¶
(a) The Oregon Department of Education shall, at least once every two years, develop a list of qualified professional development providers and organizations that provide coaching related to early literacy should grant recipients choose to use external providers. To be included on the list of qualified professional development or coaching providers, the provider must meet the qualifications in section (3) of this rule and include content to be determined by the Department.¶
(b) The Oregon Department of Education will independently review potential providers at least once every two

years ~~post a Request for Information for provider~~through a procurement process to solicit information from interested vendors.¶
(A) ODE will publish the list no later than January 15th of odd numbered years, beginning in 2025. After the first publication, eligible applicants who use funding to pay for external professional development and coaching shall select from the list.¶
(B) Once a professional development or coaching provider has been approved by the Department and placed on the list, to remain on the list the provider must every two years ~~provide an updated information form provided by the Department~~submit to the Department a renewal form containing information substantiating that the provider remains in good standing. The Department may remove a provider from the list at any time if the provider is not in good standing.¶
(C) The Department will consult with the Teacher Standards and Practices Commission to ensure the approved providers also satisfy professional development requirements for teachers.¶
(5) The State Board adoption criteria for Language Arts basal instructional materials and the list of basal instructional materials adopted by the State Board of Education shall be the criteria for core instructional materials meeting the early literacy school grant requirements.¶
(a) The Oregon Department of Education shall establish research-aligned criteria for districts to use for all materials that are not core instructional materials. Districts shall use this criteria when purchasing and/or reviewing literacy assessments, tools, supplemental curricula, and digital resources annually.¶
(b) The Department shall review available criteria and resources from national and international organizations related to:¶
(A) Early literacy practices;¶
(B) Literacy assessment practices and tools, inclusive of both formative and diagnostic practices;¶
(C) Digital literacy practices, resources, and tools;¶
(D) Culturally responsive practices in literacy instruction;¶
(E) Biliteracy or literacy practices in multilingual instructional settings or dual language; and¶
(F) Supporting students who are experiencing disabilities.¶
(c) Effective January 1, 2025, funds from this grant used for the adoption and implementation of K-5 core instructional materials may only be used for materials from the State Board of Education adopted list for ELA. If core instructional materials are adopted from the State Board of Education list at the time of application, they meet the criteria for this grant.¶
(d) Effective January 1, 2025, funds from this grant used for the adoption and implementation of core instructional materials for prekindergarten may only be used for materials that meet criteria to be determined by the Department of Early Learning and Care by Jan 1, 2025.¶
(6) Rules will be applied by ODE for allowable uses of funding of the Early Literacy Success Initiative beginning July 1, 2025.
Statutory/Other Authority: ORS 327.829, ORS 327.833
Statutes/Other Implemented: ORS 327.825 - 327.837