

OFFICE OF THE SECRETARY OF STATE  
TOBIAS READ  
SECRETARY OF STATE  
  
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## NOTICE OF PROPOSED RULEMAKING INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 414  
**DEPARTMENT OF EARLY LEARNING AND CARE**

**FILED**

09/29/2025 10:47 AM  
ARCHIVES DIVISION  
SECRETARY OF STATE

FILING CAPTION: Clarifies how the Birth Through Five Literacy fund will be administered.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 10/30/2025 5:00 PM

*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.*

CONTACT: Kathy Wai  
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700 Summer St. NE.#350  
Salem,OR 97301

Filed By:  
Kathy Wai  
Rules Coordinator

### HEARING(S)

*Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.*

DATE: 10/27/2025

TIME: 5:00 PM - 6:00 PM

OFFICER: Kathy Wai

### REMOTE HEARING DETAILS

MEETING URL: [Click here to join the meeting](#)

PHONE NUMBER: 1-669-254-5252

CONFERENCE ID: 1603062370

#### SPECIAL INSTRUCTIONS:

Meeting ID: 160 306 2370

Passcode: 502309

Special Instructions: The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Kathy

Wai: [Kathy.wai@delc.oregon.gov](mailto:Kathy.wai@delc.oregon.gov)

### NEED FOR THE RULE(S)

To establish a single, comprehensive ruleset to clarify the purpose of the literacy plan and outline how funding will be administered across grants and contracts, streamlining guidance across programs.

### DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

Birth Through Five Literacy Plan; Early Childhood Equity Fund ruleset. Documents available through the agency.

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

One of three purposes of the BT5 Literacy Plan laid out in HB 3198 is to “expand and develop language revitalization efforts by federally recognized Indian tribes in this state” which Tribes have expertise in. Due to the explicit statutory requirement to expand/develop Tribal language revitalization, these rules will have an impact on Tribal Nations.

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**FISCAL AND ECONOMIC IMPACT:**

These rules do not create a fiscal impact. Any impact would be associated with the statute.

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**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).*

These rules do not create a cost of compliance.

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

They were not involved in the development of these rules; the agency is administering funds according to the statute.

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

A RAC will be convened on October 9th.

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**RULES PROPOSED:**

414-576-0000, 414-576-0010, 414-576-0020, 414-576-0030, 414-576-0040

ADOPT: 414-576-0000

**RULE SUMMARY:** Establishes a process for administering grant funds from the Birth Through Five Literacy Fund.

**CHANGES TO RULE:**

414-576-0000

Purpose

The purpose of this division is to establish a process for administering grant funds from the Birth Through Five Literacy Fund for the following purposes: ¶

(1) Expanding culturally specific early literacy programs for children from birth through five years of age by: ¶

(a) Encouraging family and caregiver engagement in their child's early literacy development; and ¶

(b) Providing research-aligned, developmentally appropriate professional training and coaching for direct service staff in early literacy. ¶

(2) Strengthening the capacity of programs that engage parents and children from birth through five years of age in early literacy and that are available equitably and statewide. ¶

(3) Expand and develop language revitalization and language preservation efforts by federally recognized Indian tribes in this state.

Statutory/Other Authority: ORS 327.839 -327.841<sup>2</sup>

Statutes/Other Implemented: ORS 327.839 -327.841<sup>2</sup>

ADOPT: 414-576-0010

RULE SUMMARY: Defines terms for the purposes of program implementation.

CHANGES TO RULE:

#### 414-576-0010

##### Definitions for Birth Through Five Literacy Fund

As used in this section, unless the context requires otherwise. ¶

(1) "Early literacy" means the skills and knowledge that children develop in the years before they learn to read and write formally. This includes foundational skills such as speaking and listening, recognizing sounds in words, knowing letters and how they work, and narrative skills. Early literacy provides the building blocks for later reading and writing proficiency. ¶

(2) "Native American Language revitalization" means the intentional efforts, policies, and community-led movements aimed at preserving, revitalizing, and promoting the daily use, teaching, and intergenerational transmission of Indigenous languages spoken by Native peoples in the United States. This work is focused on halting or reversing language decline; restoring, reviving and maintaining Indigenous languages endangered or lost due to historical suppression, colonization, and cultural assimilation; supporting intergenerational education programs and language fluency among younger generations; strengthening cultural identity; and promoting community cohesion. ¶

(3) "Research-aligned, developmentally appropriate professional training and coaching" means learning aligned with current research and practices that are culturally responsive and relevant to diverse learners and adult learning needs, which builds on each learner's individual strengths and considers social cultural contexts.

Statutory/Other Authority: ORS 327.839 -327.841?

Statutes/Other Implemented: ORS 327.839 -327.841?

ADOPT: 414-576-0020

RULE SUMMARY: Lists the organizational criteria to be considered for funding.

CHANGES TO RULE:

414-576-0020

Eligibility Criteria

(1) To be eligible for a grant, the organization must: ¶

(a) Serve children ages birth through five and / or their families in support of early literacy development; ¶

(b) Serve communities in Oregon or Tribal members affiliated with the federally recognized Tribes in Oregon; and ¶

(c) Be a current grantee of the Department of Early Learning and Care. ¶

(2) The following types of organizations may be considered for funding: ¶

(a) Community-based organizations; ¶

(b) Culturally specific organizations as defined in OAR 414-575-0005; ¶

(c) Education service districts as defined in ORS 334.003; ¶

(d) Early Learning Hubs as defined in ORS 417.827; ¶

(e) Federally Recognized Indian Tribes in Oregon; ¶

(f) Healthy Families Oregon programs as described in ORS 417.795; ¶

(g) Non-profit organizations; ¶

(h) Oregon Parenting Education Collaborative Hubs; ¶

(i) Oregon Prenatal to Kindergarten programs as defined in ORS 329.175; ¶

(j) Public libraries; ¶

(k) Public schools or school districts; ¶

(l) Relief Nurseries as defined in ORS 417.786. ¶

(3) Grantees found to be out of compliance with the terms of an existing Department of Early Learning and Care program grant agreement, as determined by the Department, will no longer be eligible to receive funds under the Birth Through Five Literacy Plan.

Statutory/Other Authority: ORS 327.839 -327.841?

Statutes/Other Implemented: ORS 327.839 -327.841?

ADOPT: 414-576-0030

RULE SUMMARY: Outlines how funding will be administered across grants and contracts.

CHANGES TO RULE:

414-576-0030

Administration

(1) The Department will administer grant agreements with the grant recipients and provide program guidelines. ¶

(2) Grant recipients must comply with the terms and conditions of the agreement including, but not limited to, cooperating with the Department's program monitoring, technical assistance, program evaluations, and reporting requirements.

Statutory/Other Authority: ORS 327.839 -327.841<sup>?</sup>

Statutes/Other Implemented: ORS 327.839 -327.841<sup>?</sup>

ADOPT: 414-576-0040

RULE SUMMARY: Provides an update to the Legislature as directed by statute.

CHANGES TO RULE:

414-576-0040

Evaluation

The Department will submit a progress report on the Birth Through Five Literacy Plan to the interim committees of the Legislative Assembly related to early childhood no later than December 31 of each year.

Statutory/Other Authority: ORS 327.839 -327.841?

Statutes/Other Implemented: ORS 327.839 -327.841?