

TITLE: Reclassification Procedures for English Learners with Disabilities

NUMBER: BUL-6890.5

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POLICY: This bulletin provides the guidelines and the process for Individualized Education Program (IEP) teams to follow when making the recommendation to be reclassified as Fluent English Proficient (RFEP) for an English Learner (EL) who has completed four or more years of English Language Development (ELD) services and is eligible for Special Education services. This policy is inclusive of students on the alternate curriculum and considers the impact of the student’s disability on English Language Proficiency (ELP).

MAJOR

CHANGES: This bulletin replaces BUL-6890.4 of the same title dated May 8, 2023, and incorporates the following changes:

- Includes elementary students who are in the 3rd grade or above and have received and completed four (4) years of (ELD) services.
- Removes the use of DIBELs as a basic skills assessment.
- Updates secondary ELD course names.

GUIDELINES: Process and criteria are based upon guidelines approved by the California Department of Education (CDE) and the State Board of Education (SBE). California Education Code Section 313(f) identifies four required criteria for reclassification, but also allows for other measures to be included.

The four required criteria are:

1. Assessment of English language proficiency (using an objective assessment instrument, including but not limited to the state ELP assessment).

ROUTING
All Schools
Region Superintendents
Administrators of Instruction
Regional Directors
Special Education Service Center Administrators
School Site Administrators
Multilingual Multicultural Academic Language Team Region Coordinators
EL Designees/TSP Advisors Teachers

2. Teacher evaluation (including but not limited to, a review of the student's curriculum mastery).
3. Parent opinion and consultation.
4. Comparison of student performance in basic skills (compared against an empirically established range of performance in basic skills based on the performance of English proficient students of the same age).

I. Guidelines for the reclassification of Students with Disabilities

EL Students with disabilities (SWD), including those on the alternate curriculum, are to be provided the same opportunities to be reclassified as EL students without disabilities. Therefore, IEP teams may use appropriate measures of ELP and performance in basic skills, and minimum levels of proficiency on these measures that would be commensurate to a native English-speaking peer with similar disabilities in the same grade level.

When students in 3rd grade or above do not meet the four criteria for reclassification as established by the school district, it is recommended for the IEP team to consider reclassification based upon the process outlined in this bulletin. In this process, the IEP team considers how the student's disability impacts the student's ELP.

Note: If the IEP team determines that a student still benefits from ELD services because they have not fully developed English language proficiency, reclassification may not be appropriate.

When considering the reclassification eligibility for English Learners with disabilities, IEP teams are authorized to follow the guidelines outlined in this bulletin when English Learners with disabilities meet all the following criteria:

- Student has completed four (4) full years of U.S. schooling.
- Student is in the 3rd grade or above.
- Student has had the benefit of and completed four (4) or more years of ELD services.
- Student has an active IEP and is eligible for special education services at the time the reclassification process is initiated. The IEP in which the reclassification is determined must be in at least pending status.

Reclassification may not take place during an initial IEP meeting. Additionally, it is recommended that IEP teams wait at least 1 year to

consider reclassification after a student's initial IEP team meeting and implementation of special education services. This is to ensure that the student has been provided full access to the ELD and ELA curriculum. All accommodations, services and supports provided to the student should be documented in Attachment B of this bulletin.

In accordance with federal and state laws, the IEP team may address the individual needs of each EL with a disability using multiple criteria in concert with the four reclassification criteria in *EC* Section 313(f). These four criteria are the minimum required components that Districts must include in their local reclassification policy. Other criteria may be used to supplement the four required criteria to ensure an informed decision is made for each student. However, at no time does the IEP team have the authority to omit any of the four required criteria or substitute them with alternative criteria. The IEP team may use this comprehensive approach to make decisions regarding program supports and reclassification that will allow the student access and academic progress.

The following questions will support IEP teams in filling out Attachment C. For additional guidance on the steps to follow during the IEP team reclassification process, see Attachment A, *The School Checklist* and Attachment D, *Reclassification Documentation Process*.

Criterion 1: Assessment of English Language Proficiency (ELP)

Did the student attain an overall ELPAC 4 or overall Alternate ELPAC 3? Fill out the appropriate information on Attachment C.

Note: In order to ensure students meet criteria for reclassification, students must take the Summative ELPAC (or Summative Alternate ELPAC) if the IEP team's recommendation for reclassification has not been processed prior to the close of the ELPAC testing window. Once the recommendation for reclassification is processed, the EL Designee is then responsible for completing a Security and Test Administration Incident Reporting System (STAIRS) report to delete that ELPAC score in the state score file.

Criterion 2: Teacher Evaluation of Student Academic Performance

Did the student attain a composite mark of 3 for English Language Arts (elementary) or a grade 'C' or better in either their grade-level English or ELD course (secondary)? Fill out the appropriate information on Attachment C.

Criterion 3: Parent/Guardian Opinion and Consultation

Did the parent/guardian participate in the IEP and agree with the recommendation for reclassification? Fill out the appropriate information on Attachment C.

Criterion 4: Comparison of Performance in Basic Skills

Did the student meet the basic skills criteria using the acceptable assessments? Fill out the appropriate information on Attachment C.

II. Submission of Attachments B and C and Timelines (3-4 weeks)

The submission of reclassification documents to the Region Multilingual Multicultural Academic Language Team (MMALT) must be done in a timely fashion (within 5 days). For detailed guidance reference Attachment D, section 5.

Note: Once the reclassification recommendation has been made, the process must be completed, even if the student has left the school or District.

III. Monitoring EL Students with Disabilities

Principal, EL Designee, teachers and Special Education teams must monitor the linguistic and academic progress of ELs, throughout the academic year, utilizing the processes and procedures delineated REF-070901.2: *ETK-12 English Learners Academic Progress Monitoring and Supports*, dated October 24, 2022. EL Designees at the school site should be present as consultants to ensure that students receive appropriate Designated and Integrated ELD instructional services. It is critical that schools employ a variety of measures to identify, target, support, and monitor EL students' progress during the IEP and Student Support and Progress Team (SSPT) meetings. For additional guidance on monitoring ELs refer to the above-referenced REF-070901.2 and BUL 6730.1: *A Multi-Tiered System of Support Framework for the Student Support and Progress Team*.

Failure to implement the District's policy and notification procedures in this area could subject the school to complaints under the District's Uniform Complaint Procedures and/or findings of non-compliance by the District, State, or Title III reviewers/auditors.

AUTHORITY: This is a policy of the Los Angeles Unified School District in alignment with the guidelines outlined by the California Department of Education.

RELATED RESOURCES:

- [*BUL-5619.12: Reclassification of English Learners, October 23, 2023.*](#)
- [*REF-070901.2: ETK-12 English Learners Academic Progress Monitoring and Supports, October 24, 2022*](#)
- [*BUL 6730.1: A Multi-Tiered System of Support Framework for the Student Support and Progress Team, July 13, 2017.*](#)
- [*BUL-4926.2: Attendance Manual: Policy and Procedures for Elementary, Secondary and Option Schools, March 1, 2013*](#)
- [*BUL-5159.12: Uniform Complaint Procedures \(UCP\), August 28, 2023.*](#)
- [*California Practitioners' Guide for Educating English Learners with Disabilities.*](#)

ATTACHMENTS:

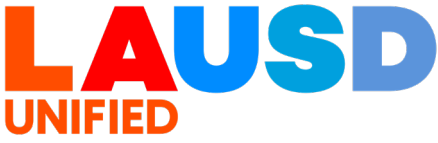
Attachment A - School Checklist
Attachment B - Records Review
Attachment C - IEP Team Worksheet to Determine Reclassification
Attachment D - Documentation Process

ASSISTANCE:

For assistance or further information please contact your Regional Special Education Support Provider, Regional Multilingual Multicultural Academic Language staff or the Multilingual Multicultural Education Department at (213) 241-5582.

SCHOOL CHECKLIST

ELD Representative Checklist:	Special Education Representative Checklist:
<ul style="list-style-type: none"> <input type="checkbox"/> Attachment B is complete <input type="checkbox"/> Attachment C student demographic information is complete and accurate <input type="checkbox"/> The IEP Date is listed on page 1 <input type="checkbox"/> IEP Determination signatures are evident <input type="checkbox"/> Attachment C is complete <input type="checkbox"/> Notes: 	<ul style="list-style-type: none"> <input type="checkbox"/> Attachment B is completed and uploaded <input type="checkbox"/> Attachment C uploaded <input type="checkbox"/> FAPE 2 Part 4 has a reclassification statement and IEP team’s determination (e.g. <i>“A discussion was held regarding reclassification and the IEP team determined that the student no longer needs ELD services and can reclassify. See Attachment C in IEP Management section.”</i>) <input type="checkbox"/> ELD Goal page includes a reclassification statement in the text section, rather than a goal (e.g. <i>“Student has reclassified per BUL-6890.5: Reclassification Procedures for English Learners with Disabilities.”</i>) <input type="checkbox"/> Notes:

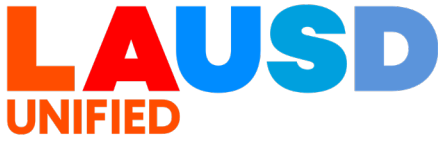


RECORDS REVIEW

Student Name _____ Student ID _____

Name(s) of EL Representative(s) completing this section: _____	Name(s) of SPED Representative(s) completing this section: _____
ELD course student is currently taking:	Student's primary eligibility:
ELD curriculum used:	How does the disability impact the student's language acquisition? (be specific):
Instructional strategies used in ELD class:	Most recent ELD goal:
Observations on overall student performance in ELD class:	Instructional accommodations and/or modifications used in ELD class:
ASSESSMENTS/MEASURE USED	ASSESSMENTS/MEASURE USED
ELPAC:	Alternate Assessment (Alternate ELPAC):
Basic Skills:	KTEA-3 Reading Composite:
SBA ELA:	WJ-IV Broad Reading:
ELA/ELD/LTEL Course Grade:	Other measure:
Other measure:	Other measure:

Note: Submit completed document with Attachment C to the Region Multilingual Multicultural Academic Language staff and file a copy in the cumulative folder.



IEP TEAM WORKSHEET TO DETERMINE RECLASSIFICATION

Student Name: _____ Student ID#: _____
School: _____ Location Code: _____
Date of IEP Meeting: _____ Grade: _____ Years in EL Program: _____
Current Master Plan Program: _____ IEP Case Manager: _____

Consideration of the four criteria for reclassification [EC 313(F)]:

Criterion 1: Assessment of English Language Proficiency Using an Objective Assessment Instrument	
A. Current School Year Data (must be the most recent results; Spring of the previous or current year)	
Assessment Date: _____ Choose Assessment Provided: <input type="checkbox"/> ELPAC or <input type="checkbox"/> Alternate ELPAC	
Overall ELPAC/ Alternate ELPAC Performance Level: _____	
<i>Alt. Curriculum check 'No' below and complete determination</i>	
B. Did the student meet ELPAC Overall performance level of 4, or Alternate Summative ELPAC level 3 (check applicable boxes below)?	
<input type="checkbox"/> Yes (If yes, proceed to Criterion 2)	<input type="checkbox"/> No (If no, complete the determination below) <input type="checkbox"/> The IEP has determined the student has demonstrated an appropriate level of <u>English Language Proficiency</u> commensurate with their abilities when compared to English proficient students with similar disabilities; therefore, proficiency was determined using other indicators as follows (check one or more): <input type="checkbox"/> Analysis of growth in ELD areas (listening, speaking, reading and/or writing) from one year to the next per student's IEP. (Present Level of Performance and Goal/Objectives Achievement). <input type="checkbox"/> Comparison of student's formative assessment data with that of native English-speaking peers with similar disabilities in the same grade level.

Criterion 2: Teacher Evaluation of Student Academic Performance	
A. Grades (must be the most recent results and must be within 12 months prior to the IEP meeting)	
Last Reporting Period: _____ English/ELA Course Grade*: _____ ELD Course Grade: _____	
Alternate Curriculum ELD A/B Course Grade**: _____	
<i>*Note: Students must earn a 3 (elementary)/ C or better (secondary) in grade-level English or ELD course.</i>	
<i>**Note: Alternate Curriculum passing grade will not meet Criterion 2; check "No" below and continue to Part B.</i>	
B. Did the student attain overall grade of 3 for English Language Arts (elementary) or a 'C' or better in either their grade-level English or ELD course (secondary)?	
<input type="checkbox"/> Yes (If yes, proceed to Criterion 3)	<input type="checkbox"/> No (If no, complete the determination below) <input type="checkbox"/> The IEP team has determined the student has demonstrated an appropriate level of <u>academic performance</u> commensurate with their abilities when compared to English proficient students with similar disabilities in the same grade level; therefore, proficiency was determined using other indicators as follows (check one or more): <input type="checkbox"/> Progress towards meeting ELA/ELD goals as determined in the student's IEP. <input type="checkbox"/> Progress on curriculum-based measures or formative assessments. <input type="checkbox"/> Student artifacts/work samples.



Criterion 3: Parent/Guardian Opinion and Consultation (Check one box only.)

- The parent/guardian participated in this discussion.
- Student is 18+ years old, has educational rights and participated in this discussion.

Parent/Student comments (if applicable): _____

Criterion 4: Comparison of Performance in Basic Skills

A. Assessment: (Complete all that apply below. At least one row below must be fully complete. Must be the most recent results and must be within 12 months prior to the IEP meeting)

- Basic Skills Date: _____ Basic Skills Score/Level: _____
 - SBA ELA Date: _____ SBA Score/Level: _____
 - CAA Date: _____ CAA Score/Level: _____ Other Alternate Assessment: _____
- (Alternate curriculum only, use most recent CAA test data and/or basic skills assessment for alternate curriculum being used check "No" below + continue to Part B.)*

B. Student met academic performance indicators set by District (check applicable boxes below)?

- | | |
|---|--|
| <input type="checkbox"/> Yes

(If yes, proceed to final section) | <input type="checkbox"/> No (If no, complete the determination below)

<input type="checkbox"/> The IEP team has determined the student has received ELD services for more than four years and has demonstrated an appropriate level of performance in ELA basic skills commensurate with their abilities when compared to native English-speaking peers with similar disabilities in the same grade level. |
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IEP Team Determination (This section can only be completed at the IEP meeting.)

- The members of the IEP team have determined that the student is proficient in English based upon review of reclassification criteria and other data sources. The student demonstrates skills commensurate with their abilities when compared to native English-speaking peers with similar**

Parent/Guardian/18+ Student Name		Signature	
School Team	Name	Signature	
IEP Case Manager			
EL Representative*			
Administrator			

*Must have provided input for this discussion at the IEP meeting.

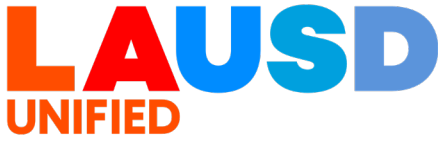
- I certify that the completed attachments B and C have been uploaded into Welligent and the appropriate reclassification statement has been added to FAPE Part 2 and the ELD Goal.**

Upload completed Attachment B and signed Attachment C into the Welligent Scanned Documents section. Submit completed Attachment B and Attachment C to the Regional Multilingual Multicultural Academic Language staff.

Note: Please ensure that all needed boxes are checked, prior to upload and submittal.

Definition of terms:

- ELPAC:** English Language Proficiency Assessments for California
- Alternate ELPAC:** Alternate English Language Proficiency Assessments for California
- SBA:** Smarter Balanced Assessment **CAA:** California Alternate Assessment



Reclassification Documentation Process

<p>Prior to Recommendation for Reclassification IEP teams review and Document:</p> <ul style="list-style-type: none"> • Specific instructional strategies used • Targeted instructional interventions • Formal and informal Assessments • ELD accommodations and/or modifications provided <p>* All required information is to be filled out in Attachment B</p>	<p>IEP Meeting Participants:</p> <ul style="list-style-type: none"> • Parent/ guardian • Student (optional) • EL Representative • Special Education Teacher • General Education Teacher • School Administrator <p>* Each participant may only serve in one role.</p>
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<p>Requirements:</p> <ul style="list-style-type: none"> • IEP must be in "Active" or "Pending" status (not In Process or Recessed) • ELD PLP addresses all 4 language domains • ELD Goal page includes statement regarding reclassification, rather than goal (ex: "<i>Student has reclassified per Bul. 6890.5 Reclassification Procedures for English Learners with Disabilities</i>"). • Parent participation must be indicated on Section Q of IEP. • FAPE 2, Part 4 (Additional Discussion) must include statement regarding reclassification and IEP team's determination (ex: "<i>A discussion was held regarding reclassification and the IEP team determined that the student no longer needs ELD services and is recommended for reclassification.</i>") • Page 11, meeting sign in reflects EL Representative's participation in IEP meeting. • Scanned copy of Attachment B and signed Attachment C are titled "Reclassification by IEP Attachments" and are uploaded into the Attached Documents section of the IEP Management screen in Welligent.
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Completing Attachment C: IEP Team Worksheet to Determine Reclassification
After it has been determined that a student may be fluent English proficient compared to peers who are native speakers of English with similar disabilities, the IEP team shall meet to discuss the completion of Attachment C

Demographic Information: Name, Student ID, School, Location Code, IEP Meeting Date, Grade, Years in EL Program, Master Plan Program, Case Manager	Criterion 1 Enter current ELPAC information. Mark box according to if student met Criteria 1. If "No" box is marked, complete information contained in that box.	Criterion 2 Enter current grades as indicated. Mark box according to if student met Criteria 2. If "No" box is marked, complete information contained in that box.	Criterion 3 Mark appropriate box to indicate if parent participated in meeting, or if student is over 18 and participated.	Criterion 4 Indicate and enter assessment used for Criterion 4. Then mark box according to if student met Criteria 4. If "No" box is marked, complete information contained in that box.
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IEP Team Determination
This entire section must be filled out during the IEP meeting. All sections and signatures are required.

Submission of Attachments B and C and Timelines (4 weeks)
Submit a signed copy of Attachments B and C via OneDrive or school mail to the Region Multilingual Multicultural Academic Language Coordinator within 5 days of IEP meeting to ensure reclassification can be processed within the academic year. Students cannot reclassify if they are not currently in-seat (e.g. over the summer). Therefore, documents must be completed and dated prior to the end of the academic year. Once the reclassification has been processed by the central office staff, the EL Designee will be responsible for printing the reclassification letter and completing the documentation process delimited in Bul. 5619.12, Reclassification of English Learners. The IEP reclassification will take approximately 4-6 weeks to be processed from the date it was submitted to the Regional Multilingual Multicultural Academic Language staff.