



**LOS ANGELES UNIFIED SCHOOL DISTRICT
POLICY BULLETIN**

TITLE: Guidelines for IEP Teams on the
Reclassification Procedures for Secondary
Long-Term English Learners with
Disabilities in Grades 6-12

NUMBER: BUL-6890.2

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ROUTING
All Secondary Schools
Elementary Schools with 6th
Grade
Local District Superintendents
Instructional Directors
Local District English Learner
Program Coordinators
Local District Counseling
Coordinators
Division of Special Education
Staff
EL Designees
TSP Advisors
Special Education Teachers

POLICY: This bulletin provides guidelines for Individualized Education Program (IEP) teams to follow when recommending reclassification as Fluent English Proficient (RFEP) for a Long-Term English Learner (LTEL) eligible for Special Education services. California Education Code Section 313.1 (a) (b) defines a Long-Term English Learner as “an English learner who is enrolled in any of grades 6 to 12, inclusive, has been enrolled in schools in the United States six years or more, has remained at the same English language proficiency level for two or more consecutive years” as determined by the state’s annual English language proficiency assessment. These procedures are only authorized for eligible LTEL students with disabilities (LTEL SWDs) in grades 6-12 with an active IEP who meet the criteria outlined in this bulletin. This bulletin provides IEP teams, including those for students on the alternate curriculum, with the process for reclassification of LTELs that considers the impact of the student’s disability on English Language Proficiency (ELP).

MAJOR CHANGES: This bulletin replaces BUL-6890.1 of the same title dated September 28, 2018 and incorporates the following changes:

- Overall score level on the English Language Proficiency Assessments for California (ELPAC) is to be considered rather than the scores for Oral Language and Written Language
- Attachment C, Criterion 1 Part A, has been updated to reflect Overall Performance Level only
- Attachment C, Criterion 4, Part A allows for teams to list the most recent CAA for students on the alternate curriculum



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BACKGROUND: Reclassification is the process by which school districts determine if English Learners (ELs) have acquired sufficient proficiency in English to perform successfully in core academic subjects without English Language Development (ELD) support. The reclassification 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 test of English Language Development)
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)

GUIDELINES: The following guidelines apply.

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

When students who have had the benefit of six or more years of ELD support do not meet the four criteria for reclassification as established by the school district, it is possible for the IEP team to consider reclassification based upon the process outlined in this bulletin which considers the impact of his/her disability on ELP.

Note: If the IEP team believes that a student may still benefit from ELD support because he/she has not fully developed English language proficiency, reclassification may not be appropriate.

Applying the Reclassification Criteria for Long-Term English Learners with Disabilities with an IEP

IEP teams are authorized to follow the process outlined in this bulletin and



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complete the required forms included in this bulletin when the LTEL SWD meets all of the following criteria:

- Student has completed six (6) full years in U.S. schools.
- Student has had the benefit of six (6) or more years of ELD support.
- Student is at least in Grade 6 and is attending school regularly.
- Student has an active IEP and is eligible for special education services at the time this reclassification process is enacted. The IEP in which the reclassification is determined must be in at least *Pending* status.

Note: Reclassification may not take place during an initial IEP meeting. In addition, it is recommended that IEP teams wait at least 1 year following a student's initial IEP team meeting and implementation of special education services to consider reclassification in an IEP team meeting so as to ensure that they have 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 LEAs must include in their local reclassification policy. Other criteria may be used to supplement the four required criteria to ensure the most appropriate 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 alternate criteria. The IEP team may use this comprehensive approach to make decisions regarding program supports and reclassification that will allow the student to make maximum progress, given the student's capacities.

For additional guidance on the steps to follow during the IEP team reclassification process, see Attachment A: *Checklist*.

Criterion 1: Assessment of English Language Proficiency (ELP) Using an Objective Assessment Instrument

The IEP team will use the most recent administration of the ELPAC Summative Assessment as the primary evidence that a student has met the criteria demonstrating English language proficiency. Consider for reclassification those students who score as follows:

Overall Proficiency Level of 4



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If the student does not meet the above measures, the IEP team may use an alternate assessment to measure the student's English Language Proficiency (ELP) on any or all four domains in which the student cannot be assessed using the ELPAC. Although the alternate assessment tests the student's ELP in accordance with the student's IEP, the alternate assessment results are not comparable to ELPAC results, in general. They can be used, however, for reclassification consideration, as outlined in this policy bulletin. Performance on the alternate assessment measure should demonstrate performance that would be equivalent to an English proficient peer with similar disabilities. For students on the alternate curriculum, the available alternate assessment is the Ventura County Comprehensive Alternate Language Proficiency Survey (VCCALPS).

Criterion 2: Teacher Evaluation of Student Academic Performance

The IEP team will use grades from the most recent reporting period as the primary measure for Criterion 2. A grade of C or better in a grade level English course or LTEL course can be used to fulfill this criterion. If a student does not have a grade of C or better, the IEP team may use the alternate measure of the student's classroom performance based on his/her IEP goals for ELD and all literacy domains (reading, writing, listening/receptive language, speaking/expressive language).

The IEP team must review the extent to which the student is mastering the content as evidenced by the progress on IEP goals and grade-level expectations, curriculum-based measures and/or formative assessments, and/or student work samples, and compare the student's progress to native English-speaking peers with similar disabilities in the same grade level.

Criterion 3: Parent/Guardian Opinion and Consultation

The parent/guardian must participate in the IEP team meeting (preferably in person, but via phone when necessary) where the student's progress toward the criteria for reclassification is discussed. The IEP team should obtain parent/guardian opinion throughout the discussion and document it in the ELD PLP section by adding a subsection titled "Parent Input". If the District and parent/guardian determine that the student has demonstrated an appropriate level of English Language Proficiency commensurate with his/her abilities and no longer needs ELD services, the student will be recommended for reclassification. If the District and/or parent/guardian cannot reach agreement on reclassification, then the student will continue ELD services and instruction. The decision to reclassify a student must be made by the IEP team at an IEP meeting with the parent/guardian or the student participating in the decision.



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Criterion 4: Comparison of Performance in Basic Skills

All LTEL SWDs on the general education curriculum will participate in the Reading Inventory (RI) as the District selected assessment of basic skills in English. The District has established cut scores for determining this criterion. This cut score must have been obtained without any accommodations or modifications, as these would render the score invalid. Students who achieve a score of Basic, Proficient, or Advanced on the RI assessment have demonstrated grade level skills in English.

In lieu of the RI score, teams may consider the ELA SBA of “Standard Met” or “Standard Exceeded” to meet Criterion 3 for reclassification.

If the student does not meet the cut scores of either of these two assessments, or does not take these assessments because they are on the alternate curriculum, the IEP team may use the alternate measure of determining that the student has demonstrated an appropriate level of performance in ELA Basic Skills that is commensurate with his/her abilities when compared to native speakers of English with similar disabilities. See BUL-5619.8: *Reclassification of English Learners*, for additional information on possible reclassification criteria.

The following outlines the process to be followed by IEP teams:

I. Preparatory Activities

Prior to initiating the reclassification process as outlined in this bulletin, IEP teams shall conduct a review of records to determine overall progress towards reclassification. The review should include specific instructional strategies used, targeted interventions implemented, formal and informal assessments, and any accommodations and/or modifications provided during instruction in ELD.

II. Documentation of Intervention

The IEP team should complete Attachment B, *Records Review*, to document instructional interventions have been provided to the student prior to recommending the student for reclassification. Attachment B can also be found in Welligent in the Communications Center under “Downloads”. Instructional interventions should reflect consideration of student’s individual needs, implementation of goals and objectives as stated in student’s IEP, and formal and informal assessment data.

If upon completion of Attachment B, *Records Review*, the team concludes that there has been insufficient opportunity for implementation of the Tier 1



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instruction and interventions, the team should formulate a plan to further support the student's ELD instruction using the data gathered. The team may reconvene at a later date to consider reclassification.

After completion of this review, if the IEP team concludes that the student's lack of progress towards reclassification is not due to a lack of access to intensive, individualized ELD instruction and that the student's proficiency in English may be impacted by his/her disability, the IEP team should proceed to complete Attachment C, *IEP Team Worksheet to Determine Reclassification of English Learners with IEPs in Grades 6-12*. Attachment C can also be found in Welligent in the Communications Center section under *Downloads*. All members of the IEP team should participate in completing Attachment C.

III. IEP Meeting

Participants

When a student's IEP team meeting is to include a consideration of reclassification, the following participants must be in attendance and signature is required on IEP Sec. R: Names and Signatures- Page 11 (Page 11), just as it is for all IEPs:

- Parent/guardian, or student if over 18 and not conserved (attendance via phone is permissible for parent only)
- Student, if appropriate
- EL representative – this may include, but are not limited to EL Designees, Targeted Student Population (TSP) Advisors, or EL Counselors. At continuation schools only, a teacher with a CLAD or BCLAD may serve as the EL representative but cannot serve in another role. (Must be same personnel who signs Attachment C, if decision to reclassify is determined during the IEP team meeting)
- Special education teacher
- General education teacher
- School administrator

Note: Each participant may only serve in one role during the IEP team meeting.

Required Documentation

- IEP **must be** in Active or Pending status (not In Process or Recessed)
- ELD Present Level of Performance (PLP) addresses all four language domains (listening, speaking, reading, and writing.)
- ELD Goal page should include a statement in the text section regarding



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reclassification rather than a goal.

Ex. "Student has reclassified per BUL-6890.2: Guidelines for IEP Teams on the Reclassification Procedures for Secondary Long-Term English Learners with Disabilities in Grades 6-12."

- Parent Participation must be indicated on Sec. Q: Parent Participation and Consent- Page 10 (Page 10).

Note: Parent/Guardian participation via phone is acceptable but should be marked as "parent/student has participated in the IEP meeting" in the upper left box on Page 10 of the IEP.

- FAPE 2, Section 4 (Additional Discussion) must include a statement regarding reclassification and the IEP team's determination.

Ex. "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."

- Page 11, Meeting Sign-In, must reflect EL Representative participation in IEP meeting.

Upload scanned copy of Attachment C in the *Attached Documents* section of the IEP Management screen in Welligent.

IV. Completing Attachment C: IEP Team Worksheet to Determine Reclassification of English Learners with IEPs in Grades 6-12

After it has been determined that a student may be fluent English proficient compared with peers who are native speakers of English with similar disabilities, the IEP team shall meet to discuss the completion of Attachment C: *IEP Team Worksheet to Determine Reclassification of English Learners with IEPs in Grades 6-12*. Prior to the IEP team meeting, the IEP case manager shall gather and have available the following information:

- Name, date of birth, student ID, school, location code, grade, IEP case manager
- Years in EL Program
- Performance on English language proficiency assessments (ELPAC, alternate assessment, i.e. Ventura County Comprehensive Alternate Language Proficiency Survey-VCCALPS)
- Most recent ELA/English or LTEL course grades
- Performance on Basic Skills assessments (RI, SBA)

Attachment C is available as a fillable PDF (portable document format) in Welligent in the Communications Center under "Downloads" for ease of completion. School sites will need to have a copy of Adobe Acrobat Reader installed on computers to access the fillable file (Adobe Acrobat Reader is available for free download at <https://get.adobe.com/reader/>).



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Attachment C must be completed by the IEP team during the IEP team meeting to allow for discussion and parent or guardian input (student input if student is over 18 and not conserved).

V. Submission of Attachment C, IEP Team Worksheet to Determine Reclassification of English Learners with IEPs in Grades 6-12

The submission of reclassification documents to the Local District EL Programs Coordinator must be done in a timely fashion, immediately after the IEP is completed, so that reclassification can be processed before the end of the academic year. Please note that a student cannot reclassify if they are not currently in-seat (e.g. over the summer), so it is important to have reclassification documents completed and dated prior to the end of the academic year.

- Ensure that the parent/guardian or student signature is obtained (page 2 of the worksheet.) If parent, guardian, or student refuses to sign the form, the student will not be recommended for reclassification and will continue to receive ELD services. **Note: The parent may disagree with the IEP and still sign the worksheet to start the reclassification process.**
- Provide the name of the supporting EL representative.
- Upload scanned copy of signed Attachment C in the Attached Documents section of the IEP Management screen in Welligent.
- Submit copy of signed Attachment C form along with Attachment B, *Records Review* and supporting documentation in school mail to the Local District (LD) EL Programs Coordinator.
- File original Attachment B and Attachment C in student's blue Master Plan folder in their cumulative record.

Upon receiving the IEP reclassification documentation, the LD EL Programs Coordinator will collaborate with Special Education Local District staff to review the IEP reclassification documentation and supporting documentation for accuracy and completeness. Then the LD EL Programs Coordinator will:

- Add student's information to the reclassification spreadsheet
- Send spreadsheet to Multilingual and Multicultural Education Department (MMED) and State Reporting Services Branch.

The process will take approximately four weeks from the date the LD EL Programs Coordinator receives the completed IEP documentation from the school site.



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- Note: In the event that the IEP documentation is incomplete and/or supporting documents are not attached, the documentation will be returned to the school site via school mail for resolution. There may be instances where an amendment IEP is necessary to revise documentation to reclassify, including Attachment C. In such instances, the revised documents will need to be resubmitted to the LD EL Programs Coordinator.

Upon notification that the student has been reclassified, the EL Designee will complete the following steps in a timely manner:

- Generate and print the *Notification of Reclassification* letter and label in MiSiS
- Principal signs the *Notification of Reclassification* letter
- Copy the letter and send it to the parent/guardian for signature to acknowledge the change in the child's language classification to Reclassified Fluent English Proficient (RFEP)
- File the signed letter permanently in the blue Master Plan folder located in the student's cumulative record
- File an additional copy of the *Notification of Reclassification* letter permanently in a separate file at the school site
- Upload the *Notification of Reclassification* letter into Welligent in the *Attached Document* section of the IEP which includes the record of the reclassification discussion.
- Affix the reclassification label to the appropriate section of the cumulative record.
- Enter the parent notification date (the date the notification was sent to the parent/guardian) on the MiSiS Parent Notification Dates screen

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-5619.8, "Reclassification of English Learners," August 27, 2018
BUL-048496.0, "Annual Alternate Assessment of the English Language Proficiency Levels of Students with Disabilities on the Alternate Curriculum," April 9, 2018

ASSISTANCE: For assistance or further information please contact Lela Rondeau, Coordinator, K-12 Instruction, lela.rondeau@lausd.net or (213) 241-8133.