



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-6890.0

ISSUER: Beth Kauffman, Associate Superintendent
Division of Special Education

DATE: August 7, 2017

ROUTING
 All Secondary Schools
 Local District Superintendents
 Instructional Directors
 Local District English Learner
 Program Coordinators
 Local District Counseling
 Coordinators
 Division of Special Education
 Staff
 EL Program Coordinators
 Special Education Teachers

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 Board of Education (CDE) and the California 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 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 against an empirically established range of performance in basic skills based on the performance of English proficient students of the same age.

POLICY: This Policy Bulletin outlines the guidelines for Individual Education Plan (IEP) teams to follow when making a recommendation for a Long Term English Learner (LTEL) who is eligible for special education services to be reclassified as Fluent English Proficient (FEP). 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 students with significant cognitive disabilities, with the process for reclassification that considers a student’s impact of disability on English Language Proficiency (ELP).



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MAJOR CHANGES: This is a new Policy Bulletin.

GUIDELINES: The following guidelines apply.

Students with disabilities, including those with severe cognitive disabilities, 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 Policy Bulletin which considers his/her impact of disability on ELP.

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

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

IEP teams are authorized to follow the process outlined in this Bulletin and complete the forms included in this Bulletin when the Long Term English Learner student meets all of the following criteria:

- Student has been enrolled in U.S. schools for a minimum of five (5) years
- 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

In accordance with federal and state law, the IEP team may address the individual needs of each English Learner with a disability using multiple criteria in concert with the four reclassification criteria in *EC* Section 313(f). 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.

Beginning with the 2016-17 school year, CDE provided recommendations for IEP teams in applying the four criteria for reclassification for students with disabilities, as documented in *2016-17 and 2017-18 CELDT Information Guide* (CDE, 2016).



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**GUIDELINES
(Continued):**

For more information on data and information that IEP teams will be required to consider during this process, see Attachment A: *Reclassification Process for Long Term English Learners with Disabilities and an Active IEP* and Attachment D: *Checklist for Teams Considering Reclassification of Long Term English Learners with Disabilities and an Active IEP*.

Criterion 1: Assessment of English Language Proficiency

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

<ul style="list-style-type: none"> • Listening score is at the mid-range of the Intermediate level or higher 	<ul style="list-style-type: none"> • Speaking score is at the mid-range of the Intermediate level or higher
<ul style="list-style-type: none"> • Reading score is at the mid-range of the Intermediate level or higher 	<ul style="list-style-type: none"> • Writing score is at the mid-range of the Intermediate level or higher
<ul style="list-style-type: none"> • Overall Performance Level is in the upper end of Intermediate or higher, if additional measures determine the likelihood that a student is proficient in English when compared with native English-speaking peers with similar disabilities 	

For students participating in CELDT with modifications or those participating in an alternate ELD assessment, the Ventura County Comprehensive Alternate Language Proficiency Survey (VCCALPS), the scores obtained on those assessments are not comparable with scores on CELDT. The IEP team, however, may use results from the CELDT with modifications or VCCALPS in conjunction with the three other required criteria.

Criterion 2: Teacher Evaluation

The IEP team must use the student’s classroom performance information 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 IEP goals and grade-level expectations, and compare the student’s progress to native English-speaking peers with similar disabilities.



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GUIDELINES (Continued):

Criterion 3: Student's Score on an Assessment of 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.

For students who did not reach the established cut score or for students with disabilities who could not participate in a valid administration of the Reading Inventory, such as students with low incidence disabilities or significant cognitive disabilities, the IEP team can use results from another valid and reliable assessment that can compare the basic skills of English Learners with disabilities to native speakers of English with similar disabilities of the same grade level to determine sufficient mastery of the basic skills for reclassification. Assessments should be administered by appropriate certificated LAUSD personnel.

Assessments considered valid and reliable to measure basic skills for reclassification purposes include the following:

- Woodcock-Johnson Tests of Achievement, Fourth Edition (WJ-IV),
- Kaufman Test of Educational Achievement, Third Edition (KTEA-III),
- Brigance Comprehensive Inventory of Basic Skills (CIBS II)
- Measures of Academic Progress (MAP)
- Other assessments that provide a valid and reliable score, such as the Language Reading Scale (LRS), Progress Assessment in Reading (PAR), Gates-MacGinitie Reading Test (GMRT), Gray Oral Reading Test (GORT), Test of Silent Contextual Reading Fluency (TOSCRF)

Criterion 4: Parent/Guardian Opinion and Consultation

The parent/guardian must participate in the IEP team meeting where the student's progress toward the criteria for reclassification is discussed. The IEP team should obtain parent/guardian opinion throughout the discussion. If the District and parent/guardian determine that the student has demonstrated an appropriate level of ELP 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.



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

I. Review of Records

Prior to initiating the reclassification process as outlined in this Policy 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, and any accommodations and/or modifications provided during instruction in ELD.

II. Documentation of Intervention:

The IEP team should complete Attachment B, *Documentation of Interventions Provided*, to document instructional interventions have been provided to the student prior to recommending the student for reclassification. 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, *Documentation of Interventions Provided*, the team concludes that there has been insufficient opportunity for implementation of the interventions, the team should formulate a plan to further support the student using the data gathered. A recommendation to reclassify the student is not appropriate at this time.

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 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 Active IEPs in Grades 6-12*. Attachment C can be found in Welligent.

III. Completing *IEP Team Worksheet to Determine Reclassification of English Learners with Active IEPs in Grades 6-12, Attachment C*

After it has been determined that a student may be fluent English proficient compared with peers who are native English speakers 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 Active IEPs in Grades 6-12*. Prior to the IEP, the IEP case manager shall gather the following information for entry onto Attachment C (*Worksheet*):



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INSTRUCTIONS (Continued):

- Name, date of birth, student ID, school, grade, IEP Case Manager
- Current English Learner services
- How disability affects language (impact of disability on language acquisition)
- Performance on English language proficiency assessments (CELDT, alternate assessment, i.e. Ventura County Comprehensive Alternate Language Proficiency Survey-VCCALPS)

The following areas of Attachment C (*Worksheet*) should be completed by the IEP team during the IEP meeting to allow for discussion and parent input:

1. English Language Proficiency Assessment: This section considers performance on the CELDT or alternate form of English language proficiency assessment (Ventura County Comprehensive Alternate Language Proficiency Survey - VCCALPS). The Ed Code requires that a student may be reclassified only if he/she has achieved an overall proficiency level of Early Advanced or higher on the CELDT. The student must also achieve at Intermediate or higher in listening, speaking, reading and writing. If the student met these criteria, check “Yes” and move to question #2.

If the student *did not meet* the required overall level of proficiency on the CELDT and required levels in each of the tests, consider the next two questions on Attachment C. To assist in making a decision, fill out the data for the previous year’s English language proficiency assessment as well as the primary language assessment data for the current year for students who took an alternate English language proficiency assessment, such as the VCCALPS.

- a. If the student’s overall proficiency is in the upper end of Intermediate, the team may review other informal measures of proficiency such as teacher and parent reports. Check “Yes” if it is likely the student is proficient in English.
- b. If the IEP team determines that the student’s disability impacts his or her ability to demonstrate English proficiency, check “Yes” and write an explanation. Possible indicators include the following:
 - The student demonstrates similar academic deficits in English as well as the primary language
 - The student’s language development is low in both languages
 - Error patterns in speaking, reading, and writing are typical of other



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INSTRUCTIONS (Continued):

non-ELs with similar disabilities

If either of the questions above are checked “Yes,” the team may check “Yes” to “The IEP team has determined the student has demonstrated an appropriate level of English Language Proficiency commensurate with his/her abilities” and proceed to Section #2.

If “No,” the IEP team should determine appropriate ELD supports. Reclassification is no longer considered at this time.

2. Teacher’s Evaluation of Student Academic Performance: Check the sources of data used by the teacher to evaluate academic performance. If the student met the academic performance indicators set by the District, check “Yes” and proceed to Section #3.

If the student *did not meet* the performance indicators set by the District, the team should consider whether it believes that the deficit in academic performance is due to the disability, unrelated to English language proficiency. Indicators would be similar to those for Question #1; for example, the student demonstrates similar deficits as other students at the same grade level with similar disabilities, or student shows similar performance errors in primary language as well as English. If the team feels that the causative factor is the disability rather than acquisition of English, check “Yes.”

If the team checks “Yes” to the above question, the team will also check “Yes” to the statement “The IEP team has determined the student has demonstrated an appropriate level of academic performance commensurate with his/her abilities” and proceed to Section #3.

If “No,” the IEP team should determine appropriate academic supports. Reclassification is no longer considered at this time.

3. Comparison of Performance in Basic Skills: Indicate the Basic Skills assessment(s) the student has taken and date(s). All LTEL SWDs on the general education curriculum will participate in the RI as the District selected assessment of basic skills in English. Teams should indicate scores of the RI for these students. If the student has met the cut score/range in English Language Arts/ Literacy (ELA), check “Yes” and proceed to question #4.

If the student *did not meet* the cut point/range for ELA, check all of the following boxes that apply.



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INSTRUCTIONS (Continued):

If any of those boxes are checked “Yes,” the team may also check “Yes” to the statement “The IEP team has determined that the student has reached an appropriate level of performance in ELA Basic Skills commensurate with his/her abilities” and proceed to Section #4.

If any boxes are checked “No,” the IEP team should determine appropriate academic supports. Reclassification is no longer considered at this time.

4. Parent Opinion and Consultation: Check “Yes” if the parent or guardian participated in the discussion, and note their comments, if any. There must be evidence that the parent participated in the discussion and if applicable, is in agreement with the determination that the student is ready to reclassify.
5. Team determination regarding language proficiency: If all criteria are met, the team can check the “Yes” box in the summary statement “The members of the IEP team determines that the primary reason the student does not meet reclassification criteria is due to the disability rather than limited English proficiency and the student no longer needs English Language Development services.”

If the box is checked “Yes”, the IEP team has determined that the student is eligible for reclassification. Parent signature is required.

If the student did not meet all of the above criteria, the box is checked “No.” The IEP team can consider reclassification again at another time.

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

- Ensure that the parent’s signature is obtained (page 2 of the form). If parent refuses to sign the form, the student will not be recommended for reclassification and will continue to receive ELD services.
- Provide the name of the supporting ELD representative. EL staff may include, but are not limited to, Title III Coaches, EL Designees, Targeted Student Population (TSP) Advisors, or EL Counselors.
- Upon completion of Attachment C, the IEP team shall submit the signed form along with Attachment B, *Documentation of Interventions Provided* in school mail to the Local District EL Programs Coordinator.
- Upload scanned copy of signed Attachment C to the IEP held in Welligent in the Attached Documents section of the IEP Management screen.



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**INSTRUCTIONS
(Continued):**

- Original copy of Attachment C is to be filed in the blue Master Plan folder in the student's cumulative record.

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:**

California Department of Education, *2016-17 and 2017-18 CELDT Information Guide*, April 2016.

United States Department of Education, "Questions and Answers Regarding Inclusion of English Learners with Disabilities in English Language Proficiency Assessments and Title III Annual Measurable Achievement Objectives," accessed February 27, 2017 at <https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/q-and-a-on-elp-swd.pdf>.

BUL-5619.5, "Reclassification of English Learners," dated February 22, 2017.

ASSISTANCE:

For assistance or further information please contact Diana Inouye, Coordinator, K-12 Instruction, diana.inouye@lausd.net, or 213-241-8175.

ATTACHMENTS:

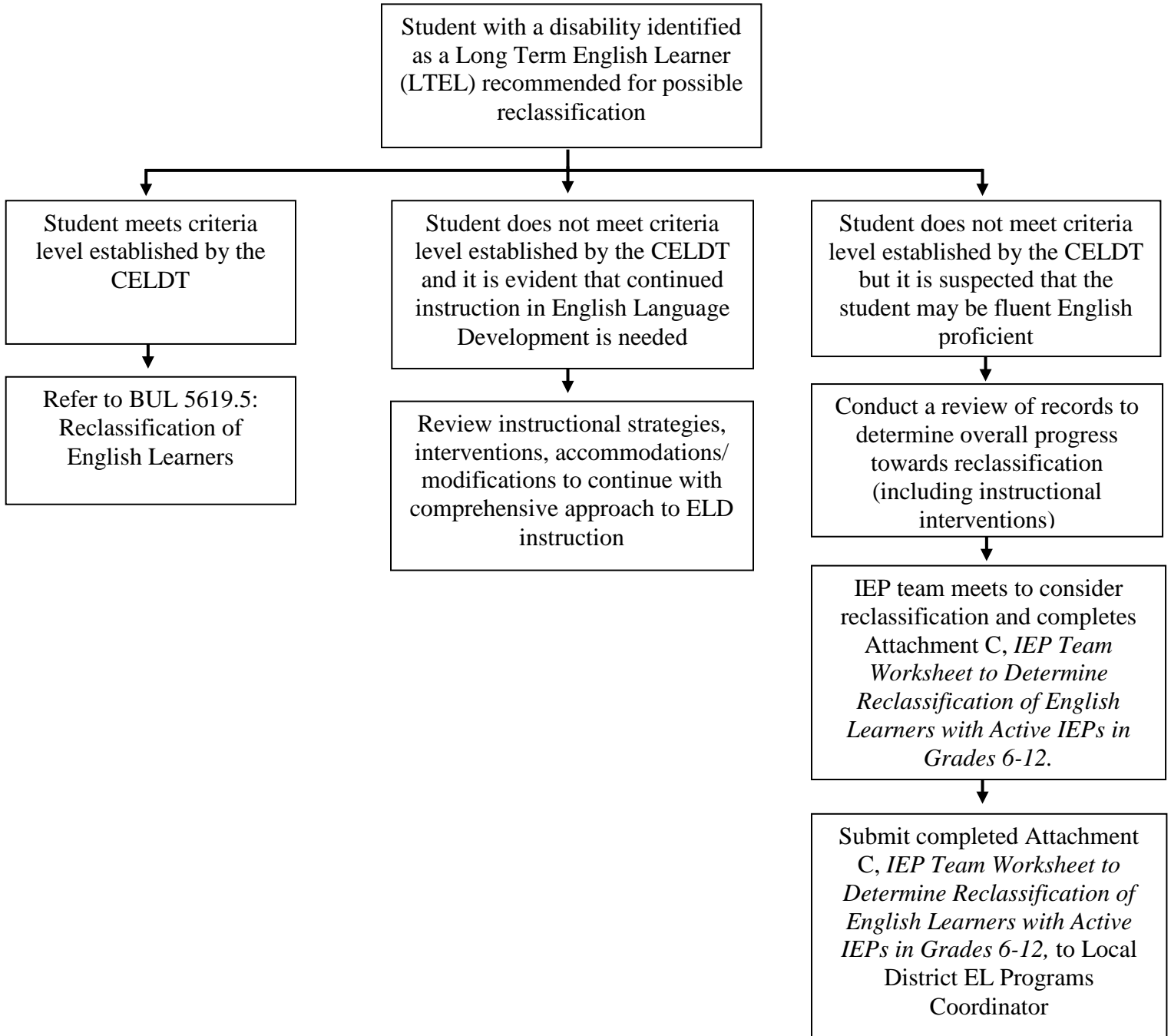
Attachment A: Reclassification Process for Long Term English Learners with Disabilities and an Active IEP

Attachment B: Documentation of Interventions Provided

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

Attachment D: Checklist for Teams Considering Reclassification of Long Term English Learners with Disabilities and an Active IEP

RECLASSIFICATION PROCESS FOR LONG TERM ENGLISH LEARNERS WITH
DISABILITIES AND AN ACTIVE IEP



DOCUMENTATION OF INTERVENTIONS PROVIDED

Student Name _____ DOB _____

School Site _____ Completed by _____

MOST RECENT ELD GOAL:	NOTES/COMMENTS:
ELD CURRICULUM USED:	HOW OFTEN USED/IN WHICH SETTING(S):
INSTRUCTIONAL ACCOMMODATIONS USED:	NOTES/COMMENTS:
INSTRUCTIONAL MODIFICATIONS USED:	NOTES/COMMENTS:
INSTRUCTIONAL STRATEGIES USED:	NOTES/COMMENTS:
ASSESSMENT MEASURES USED (FORMAL/INFORMAL):	ASSESSMENT RESULTS:

IEP TEAM WORKSHEET TO DETERMINE RECLASSIFICATION OF ENGLISH LEARNERS WITH ACTIVE IEPs IN GRADES 6-12

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Student Name _____ D.O.B. _____ Student ID# _____ Date _____
 School _____ Grade _____ IEP Case Manager _____

Description of how disability affects language acquisition: _____

Grade First Entered School: _____ Years in the U.S.: _____ Years in EL Program: _____ Current Master Plan Program: _____

CONSIDERATION OF THE FOUR CRITERIA OF RECLASSIFICATION (EC 313(F)) IN ORDER TO ASSIST THE RECLASSIFICATION TEAM:

1. English Language Proficiency Assessment

A. Current School Year Data Date: _____ Assessment Name: CELDT VCCALPS Alternate Assessment(s): _____

Overall Score/Level: _____ Listening Score/Level: _____ Speaking Score/Level: _____ Reading Score/Level: _____ Writing Score/Level: _____

Note: For reclassification, English overall proficiency level on CELDT must be Early Advanced or higher AND Intermediate or higher in Listening, Speaking, Reading, and Writing

Student met language proficiency level criteria as assessed by CELDT. Yes No

If yes, proceed to section 2. If no, fill out the information required below and consider alternate measures for establishing language proficiency:

B. Previous School Year Data Date: _____ Assessment Name: CELDT VCCALPS Alternate Assessment(s): _____

Overall Score/Level: _____ Listening Score/Level: _____ Speaking Score/Level: _____ Reading Score/Level: _____ Writing Score/Level: _____

C. Current School Year Primary Language Data (if available) Date: _____ Assessment Name: VCCALPS Other _____

Overall Score/Level: _____ Listening Score/Level: _____ Speaking Score/Level: _____ Reading Score/Level: _____ Writing Score/Level: _____

Yes No N/A The IEP team reviewed other informal measures of proficiency and determined it is likely the student is proficient in English.

Yes No The IEP team has determined that the student's disability impacts his or her ability to manifest English proficiency.

Areas affected: Listening Speaking Reading Writing

If yes, explanation: _____

Possible indicators: Student has similar academic deficits and error patterns in English as well as primary language; error patterns in listening, speaking, reading, and writing are typical of students with that disability versus students with second language issues; VCCALPS scores indicate an overall proficiency level of early advanced or higher.

If either of the above are checked "yes", indicate "yes" to the following statement:

The IEP team has determined the student has demonstrated an appropriate level of English Language Proficiency commensurate with his/her abilities.

Yes No *If yes, proceed to section 2. If no, stop here.*

2. Teacher’s Evaluation of Student Academic Performance

Evaluation was based on: Classroom performance District-wide assessments Progress toward IEP Goals Formative Assessment

Other: _____

Student met academic performance indicators set by District. Yes No *If yes, proceed to section 3, if no, consider the following:*

Yes No The IEP team has determined that the deficit is due to the disability, and unrelated to English Language proficiency.

If yes, explanation: _____

If the above is checked “yes,” indicate “yes” to the following statement:

The IEP team has determined the student has demonstrated an appropriate level of academic performance commensurate with his/her abilities.

Yes No *If yes, proceed to section 3. If no, stop here*

3. Comparison of Performance in Basic Skills – grades 6 and above

Assessment(s) taken: SBAC CAA RI Other _____ Date(s): _____

English Language Arts/Literacy Score(s)/Level(s): _____

Student met performance criteria. Yes No *If yes, proceed to question 4, if no, check all that apply:*

Yes No Student’s Basic Skills assessment scores appear to be commensurate with his/her intellectual ability.

Yes No Error patterns noted mirror the patterns of errors made by students with the same disability versus a language difference.

Yes No Student has received ELD services for more than three years and academic progress in ELA is commensurate with that of grade level peers who manifest similar disabilities who are not English learners.

If any of the above are checked “yes,” indicate “yes” to the following statement:

The IEP team has determined that the student has demonstrated an appropriate level of performance in ELA Basic Skills commensurate with his/her abilities.

Yes No *If yes, proceed to section 4. If no, stop here*

4. Parent Opinion and Consultation

Yes No The parent/guardian participated in this discussion.

Parent comments: _____

If no, an opportunity for parent consultation must be given before a final decision will be made. Date consultation held: _____

5. The members of the IEP team determines that the primary reason the student does not meet reclassification criteria is due to the disability rather than limited English proficiency and the student no longer needs English Language Development services. Yes No

Parent Signature _____ Date: _____

Name of ELD Representative who provided input for this discussion: _____ IEP Case Manager: _____

This worksheet shall be forwarded in school mail to the Local District EL Programs Coordinator..

CELDT: California English Language Development Test
SBAC: Smarter Balanced Assessment Consortium

Definition of terms:

VCCALPS: Ventura County Comprehensive Alternate Language Proficiency Survey
CAA: California Alternate Assessments RI: Reading Inventory

CHECKLIST FOR TEAMS CONSIDERING
RECLASSIFICATION OF LONG TERM ENGLISH LEARNERS WITH
DISABILITIES AND AN ACTIVE IEP

- Review Policy Bulletin
- Conduct review of student progress and complete Attachment B
Documentation of Interventions Provided
- Complete Attachment C *IEP Team Worksheet To Determine Reclassification of English Learners with Active IEPs in Grades 6-12*
 - Fill out student demographic information
 - Gather and input English Language Proficiency Assessment information
 - Complete teacher evaluation and assessment information sections
 - Ensure parent participation, enter parent comments, and obtain parent signature
 - Make final determination regarding student's English proficiency
- Submit Attachment C *IEP Team Worksheet to Determine Reclassification of English Learners with Active IEPs in Grades 6-12* along with Attachment B *Documentation of Interventions Provided* in school mail to the Local District EL Programs Coordinator.
- Upload parent signed copy of Attachment C *IEP Team Worksheet to Determine Reclassification of English Learners with Active IEPs in Grades 6-12* to Attached Documents section of the IEP Management screen in Welligent.
- Original copy of Attachment C is to be filed in the blue Master Plan folder in the student's cumulative record.