

## 50-State Comparison: English Learner Policies

### What is the process for EL reclassification?

May 2020

The following information was gathered from state statute and regulation only. The information included here captures processes for the reclassification of English learners as English proficient. States provide for English language proficiency assessment administration, a review of student academic achievement and assessment results, and teacher observations and recommendations, among other methods for reclassification. For additional information, visit the [state EL guidance documents](#).

View the full 50-State Comparison: English Learner Policies [here](#).

STATE	WHAT IS THE PROCESS FOR EL RECLASSIFICATION?	SOURCE
Federal Law	State and local education agencies must ensure the annual ELP assessment of all EL students and monitor their progress from year to year. The English language proficiency assessment must be valid, reliable, and aligned to state English language proficiency standards. To demonstrate proficiency on the ELP assessment and exit the English learner program, EL students must have either separate proficient scores in each language domain or a composite score of "proficient" derived from scores in all four language domains.	U.S. Department of Education Dear Colleague Letter: English Learner Students and Limited English Proficient Parents (2015)
Alabama	Governed by the department of education's EL guidebook or federal law rather than state policy.	

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Alaska	Each district serving at least 8 students classified as English learners must develop a plan of service that includes procedures to monitor the progress of English learners. English learners must be administered an English language proficiency assessment annually. A student must score at or above proficient to exit English learner status.	Alaska Admin. Code tit. 4, § 34.055
Arizona	The process for reclassification is prescribed by the superintendent of public instruction. English learners must be administered an English language proficiency assessment annually. A student must score at or above proficient to exit English learner status. Reclassified students must be transferred to "English language mainstream classrooms".	Ariz. Rev. Stat. Ann. § 15-756.05
Arkansas	Governed by the department of education's EL guidebook or federal law rather than state policy.	
California	English learners must be administered an English language proficiency assessment annually. A student must score at or above proficient to exit English learner status. Teacher and parent involvement must be considered before reclassification.	Cal. Educ. Code § 313 Cal. Code Regs. tit. 5, § 11303 Cal. Code Regs. tit. 5, § 11304
Colorado	English learners must be administered an English language proficiency test annually. A student must score above proficient on the English language proficiency assessment, and at least partially proficient on statewide core content assessments to exit English learner status.	1 Colo. Code Regs. § 301-62:2224-R-2.00
Connecticut	If 20 or more eligible students are identified, the local school district must administer a bilingual education program. The state board of education is charged with developing English mastery standards on which students in the bilingual education program are assessed annually. A student must score at or above proficient to exit the bilingual education program.	Conn. Gen. Stat. Ann. § 10-17f
Delaware	English learners must be administered an English language proficiency assessment annually. A student must score at or above proficient to exit English learner status.	Code Del. Regs. 14 900
District of Columbia	The superintendent is charged with developing and implementing exit criteria for non- and limited- English proficient students.	D.C. Mun. Regs. Subt. 5-E, § 3101

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Florida	<p>English learners must be administered an English language proficiency assessment annually. A student must score at or above proficient on the English language proficiency assessment and the statewide English language arts assessment to exit English learner status.</p> <p>A student may also exit an English language learner program upon a determination of proficiency by an ELL Committee after a review of student academic and assessment data.</p>	Fla. Admin. Code Ann. r. 6A-6.0903
Georgia	<p>English learners must be administered an English language proficiency assessment annually. A student must score at or above proficient to exit English learner status.</p> <p>A student who does not score proficient may be classified as English proficient following a reclassification review conducted by the local education agency. The procedure for a reclassification review is outlined in the statewide ESOL Resource Guide.</p>	Ga Comp. R. & Regs. 160-4-5-02
Hawaii	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Idaho	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Illinois	<p>English learners must be administered an English language proficiency assessment annually. A student must score at or above proficient to exit English learner status.</p> <p>School districts may discontinue services for students who have participated in a transitional bilingual education program for three consecutive years even if a student has not achieved English language proficiency. If a district utilizes this authority, they must submit a plan to the state superintendent outlining actions to be taken to continue supporting the language acquisition of the student.</p>	Ill. Admin. Code tit. 23, § 228.25
Indiana	Governed by the department of education's EL guidebook or federal law rather than state policy.	

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Iowa	English learners must be administered an English language proficiency assessment annually. A student must score at or above proficient to exit English learner status. Teacher observations and recommendations must be considered when making reclassification determinations.	Iowa Admin. Code r. 281-60.3(280)
Kansas	The state board of education is charged with developing exit procedures based on the English language proficiency of English learners.	Kan. Stat. Ann. § 72-3612
Kentucky	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Louisiana	English learners must be administered an English language proficiency assessment annually. A student must score at or above proficient to exit English learner status. Students may receive an exemption from one or more of the domains tested in the English language proficiency assessment if a school submits a request for approval and supporting documentation prior to the testing window.	28 La. Admin. Code Pt XI, 4001
Maine	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Maryland	Each school district is required to establish an English language development program in their policies, including exit criteria.	Md. Code Regs. 13A.05.07.03
Massachusetts	Each school district establishes reclassification criteria in accordance with department guidelines.	603 Mass. Code Regs. 14.02
Michigan	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Minnesota	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Mississippi	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Missouri	Governed by the department of education's EL guidebook or federal law rather than state policy.	

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Montana	Governed by the department of education's EL guidebook or federal law rather than state policy. However, state policy outlines English language proficiency performance criteria associated with each English learner classification.	MT ADC 10.53.311 et seq
Nebraska	English learners must be administered an English language proficiency assessment annually. A student must score at or above proficient to exit English learner status.	92 Neb. Admin. Code Ch. 15, 007
Nevada	An English learner may be reidentified if their academic achievement and English language proficiency is assessed by the student's teacher and the teacher documents a recommendation for reidentification. English learners must be administered an English language proficiency assessment annually. A student must score at or above proficient to exit English learner status.  The parent or legal guardian must be notified of a reidentification determination and they must be allowed to participate in the final determination.	Nev. Admin. Code 388.645
New Hampshire	Governed by the department of education's EL guidebook or federal law rather than state policy.	
New Jersey	English learners must be administered an English language proficiency assessment annually. A student must score at or above proficient to exit English learner status. Reclassification determinations must also include a review of classroom performance, reading level in English, state achievement tests, and teacher recommendations.	N.J. Stat. Ann. § 18A:35-19.1 N.J. Admin. Code § 6A:15-1.10
New Mexico	English learners must be administered an English language proficiency assessment annually. A student must score at or above proficient to exit English learner status.	N.M. Admin. Code 6.29.5
New York	English learners must be administered an English language proficiency assessment annually. A student must score at or above proficient on the English language proficiency assessment and the statewide English language arts assessment to exit English learner status.	N.Y. Comp. Codes R. & Regs. tit. 8, § 154-2.3
North Carolina	English learners must be administered an English language proficiency assessment annually. A student must score at or above proficient to exit English learner status.	16 N.C. Admin. Code 6D.0312

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North Dakota	Each student must have a language support team and individualized language plan. The individualized language plan and classification as an English learner must be reviewed annually until the student has been reclassified as proficient by the language support team. English learners must be assessed in accordance with the North Dakota English language proficiency assessment process.	N.D. Admin. Code 67-28-01-03 N.D. Admin. Code 67-28-01-05
Ohio	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Oklahoma	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Oregon	School districts must develop a process for transitioning English learners out of EL services when they achieve proficiency on the English language proficiency assessment. English learners must be administered an English language proficiency assessment annually. A student must score at or above proficient to exit English learner status.	Or. Admin. R. 581-023-0100 Oregon Department of Education Executive Numbered Memo 004-2018-19
Pennsylvania	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Rhode Island	A student is eligible to exit an English learner program when they have met all state criteria outlined in the English Language Instructional Program Exit Criteria document.	R.I. Code R. 20-30-3.16
South Carolina	Governed by the department of education's EL guidebook or federal law rather than state policy.	
South Dakota	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Tennessee	Governed by the department of education's EL guidebook or federal law rather than state policy.	

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Texas	English learners must be administered an English language proficiency assessment annually. A student must score at or above proficient on the English language proficiency assessment, a statewide English language arts assessment, and other agency-approved, criterion-referenced tests to exit English learner status. Students must also receive a teacher evaluation supporting reclassification.	Tex. Educ. Code Ann. § 29.056
Utah	Local education agencies must establish exit criteria for an Alternative Language Service program. Local education agencies must notify parents when their student exits alternative language services. The notice must include the means used to assess the English language proficiency of the student.	Utah Admin. Code r. R277-716-4
Vermont	Governed by the department of education's EL guidebook or federal law rather than state policy. However, a student is no longer classified as an English learner if they demonstrate proficiency in English through multiple means and demonstrates acceptable performance in content subjects.	7-1 Vt. Code R. § 24
Virginia	Governed by the department of education's EL guidebook or federal law rather than state policy.	
Washington	English learners must be administered an English language proficiency assessment annually. A student must score at or above proficient to exit English learner status.	Wash. Rev. Code Ann. § 28A.180.030
West Virginia	Each county is required to exit English learners from language services in accordance with criteria established by the West Virginia department of education.	W. Va. Code R. 126-15-3
Wisconsin	English learners must be administered an English language proficiency assessment annually. A student must score at or above proficient to exit English learner status. Schools may use supplemental indicators, including prior academic records, course grades, and information on everyday classroom performance.	Wis. Admin. Code PI § 13.07 Wis. Admin. Code PI § 13.09
Wyoming	Governed by the department of education's EL guidebook or federal law rather than state policy.	