

50-State Comparison: English Learner Policies

What measures do schools use to reclassify students as "English proficient"?

May 2020

The following information was gathered from state statute and regulation only. The information included here captures the metrics used to reclassify English learners as English proficient. Twenty-four states explicitly require students to score proficiently on an English language proficiency exam. Some states consider additional metrics, including academic performance, statewide assessments, and teacher observations and recommendations. For additional information, visit the [state EL guidance documents](#).

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

STATE	WHAT MEASURES DO SCHOOLS USE TO RECLASSIFY STUDENTS AS "ENGLISH PROFICIENT"?	SOURCE
Federal Law	State and local education agencies must ensure the annual English language proficiency (ELP) assessment of all English learner (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.	

STATE	WHAT MEASURES DO SCHOOLS USE TO RECLASSIFY STUDENTS AS “ENGLISH PROFICIENT”?	SOURCE
Alaska	English language proficiency assessment.	Alaska Admin. Code tit. 4, § 34.055
Arizona	English language proficiency assessment.	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	(1) English language proficiency assessment. (2) Performance in basic skills as compared to English proficient pupils. (3) Teacher evaluations. (4) Parental recommendations.	Cal. Educ. Code § 60810 (West) Cal. Educ. Code § 313 (West) Cal. Code Regs. tit. 5, § 11302 Cal. Code Regs. tit. 5, § 11303 Cal. Code Regs. tit. 5, § 11304
Colorado	English language proficiency assessment.	1 Colo. Code Regs. § 301-62:2224-R-2.00
Connecticut	English language proficiency assessment.	Conn. Gen. Stat. Ann. § 10-17f
Delaware	English language proficiency assessment.	Code Del. Regs. 14 900
District of Columbia	Governed by the department of education’s EL guidebook or federal law rather than state policy.	
Florida	(1)English language proficiency assessment. (2)English language arts assessment. (3)ELL Committee determination.	Fla. Admin. Code Ann. r. 6A-6.0903
Georgia	(1)English language proficiency assessment. (2)LEA reclassification review.	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.	

STATE	WHAT MEASURES DO SCHOOLS USE TO RECLASSIFY STUDENTS AS “ENGLISH PROFICIENT”?	SOURCE
Idaho	Governed by the department of education’s EL guidebook or federal law rather than state policy.	
Illinois	English language proficiency assessment.	Ill. Admin. Code tit. 23, § 228.25
Indiana	Governed by the department of education’s EL guidebook or federal law rather than state policy.	
Iowa	(1)English language proficiency assessment. (2)Teacher observations and recommendations.	Iowa Admin. Code r. 281-60.3(280)
Kansas	Governed by the department of education’s EL guidebook or federal law rather than state policy.	
Kentucky	Governed by the department of education’s EL guidebook or federal law rather than state policy.	
Louisiana	English language proficiency assessment.	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	English language proficiency assessment.	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.	

STATE	WHAT MEASURES DO SCHOOLS USE TO RECLASSIFY STUDENTS AS “ENGLISH PROFICIENT”?	SOURCE
Missouri	Governed by the department of education’s EL guidebook or federal law rather than state policy.	
Montana	Governed by the department of education’s EL guidebook or federal law rather than state policy.	
Nebraska	English language proficiency assessment.	92 Neb. Admin. Code Ch. 15, 007
Nevada	(1)English language proficiency assessment. (2)Teacher documentation and recommendation.	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	(1)English language proficiency assessment. (2)Classroom performance. (3)Reading level in English. (4)State achievement test performance. (5)Teaching staff judgement.	N.J. Stat. Ann. § 18A:35-19.1 N.J. Admin. Code § 6A:15-1.10
New Mexico	English language proficiency assessment.	N.M. Admin. Code 6.29.5
New York	(1)English language proficiency assessment. (2)Statewide English language arts assessment.	N.Y. Comp. Codes R. & Regs. tit. 8, § 154-2.3
North Carolina	English language proficiency assessment.	16 N.C. Admin. Code 6D.0312
North Dakota	Language support team review.	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.	

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Oregon	English language proficiency assessment.	Or. Admin. R. 581-023-0100 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	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.	
Texas	(1)English language proficiency assessment. (2)Reading or English language arts assessment. (3)Agency-approved, criterion-referenced tests. (4)Teacher evaluation.	Tex. Educ. Code Ann. § 29.056
Utah	Governed by the department of education’s EL guidebook or federal law rather than state policy. However, 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.	

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Washington	English language proficiency assessment.	Wash. Admin. Code 392-160-035
West Virginia	Governed by the department of education’s EL guidebook or federal law rather than state policy.	
Wisconsin	(1) English language proficiency assessment. (2) Academic records (3) Course grades (4) 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.	