

ASSEMBLY THIRD READING

AB 2555 (Patel)

As Amended April 15, 2026

Majority vote

SUMMARY

Makes changes to the system of reclassifying English learners (ELs) as English proficient commencing on July 1, 2027, including: limiting the reclassification criteria to the assessment of English language development (ELD), permitting some ELs with disabilities to be reclassified using alternate means, shifting from a manual to automatic reclassification process, strengthening parent engagement, requiring the State Board of Education (SBE) to identify an appropriate instrument for monitoring reclassified ELs, requiring the California Department of Education (CDE) to post data on reclassification rates, reframing EL reclassification as a milestone on the path to biliteracy, and requiring an evaluation of these changes to EL reclassification.

Major Provisions*Reclassification criteria and process:*

- 1) Repeals the existing criteria for EL reclassification as of July 1, 2027, and requires that, as of that date, ELs be reclassified as English proficient if they meet the score established by the SBE for purposes of reclassification on the ELD assessment, or the alternate ELD assessment, as applicable.
- 2) Requires the CDE, as student scores on the ELD assessment become available, and on or before May 30 of each year, to record the students who meet the requirement to reclassify as reclassified in the appropriate data system.
- 3) Requires local educational agencies (LEAs), when a student has been recorded as reclassified to:
 - a) Ensure that the student's instructional program and placement reflects that the student is a reclassified student. States that this includes, but is not limited to, making any necessary course placement adjustments for students in, or entering into, middle school or high school for the subsequent academic year to reflect the change in status; and
 - b) Communicate to the student's parent or guardian, and if applicable, translated into the parent or guardian's primary language, that their child has been reclassified, and provide information about the student's potential opportunity to earn the State Seal of Biliteracy (SSB).
- 4) Prohibits a student who has been reclassified as English proficient from being classified as an EL.
- 5) Encourages LEAs to 1) recognize a student and the student's family for the accomplishment of achieving proficiency in English and 2) encourage the student to pursue a course of study leading to biliteracy and an SSB, if offered by the LEA.

- 6) Defines LEA, for purposes of this section, to mean a school district, county office of education (COE), or charter school.

Reclassification of ELs with disabilities:

- 7) States that all ELs, including those with or without disabilities, are eligible to reclassify from EL to English proficient if they meet specified requirements.
- 8) Finds and declares that California has established alternative coursework and performance tasks for educators to use for students with disabilities who are not eligible for the statewide alternate assessments so that they may demonstrate completion of the state graduation requirements through alternate means and earn a high school diploma.
- 9) Declares the intent of the Legislature to enable the students with disabilities who are not eligible to take the alternate ELD assessment to demonstrate proficiency in English, in whole or in part, for purposes of reclassification, through alternate means aligned to the domains assessed by the ELD assessment.
- 10) Permits an EL student who has an individualized education program (IEP) to be eligible to be reclassified as English proficient by the LEA if they meet the following criteria:
 - a) The student does not take the alternate ELD assessment;
 - b) The student has used all test accommodations and any domain exemptions required by the student's IEP; and
 - c) The student has failed to achieve the score required by the SBE for purposes of reclassification.
- 11) Authorizes an LEA to report a student as reclassified to the CDE if they meet the above criteria and they have demonstrated, through the use of the alternate coursework and performance tasks, that they have reached a level of proficiency that is comparable to the threshold for reclassification on the English language assessment, through alternate means, the LEA shall report the student as reclassified as English proficient to the CDE.
- 12) States that this demonstration may apply to one or more of the domains of the assessment in which the student has not shown proficiency, and may be combined with proficient scores in other domains for purposes of meeting the overall threshold for reclassification.
- 13) Requires that the report of a student as reclassified to the CDE be made in a form and manner determined by the CDE. After receiving this report, requires the CDE to record any students in the appropriate data systems as reclassified.
- 14) Requires the CDE, subject to an appropriation for this purpose, on or before June 30, 2028, to develop and post on its website alternative coursework and performance tasks for students who are ELs, have IEPs, and do not qualify to take the statewide alternate assessment for English language proficiency to demonstrate proficiency in each of the domains of the ELD assessment for each of the grades or grade spans assessed using that assessment through alternate means.

15) Authorizes the alternative coursework and performance tasks to be used for purposes of reclassification.

Parent engagement:

16) Requires, commencing on July 1, 2027, that when a student is classified as an EL, the LEA communicate to the student's parent or guardian in a clear, concise, and comprehensible manner, and if applicable, translated into the parent or guardian's primary language, all of the following:

- a) Their child has been classified as an EL;
- b) California's vision of success for ELs is that they attain high levels of English proficiency, mastery of grade level standards, and have opportunities to develop proficiency in multiple languages. California's schools value the culture and language that their child brings to their education;
- c) They are encouraged to engage as a partner with the school in supporting their child's language development and may request meetings with their child's teachers to discuss their child's progress;
- d) Their child is entitled to special support in order to help them learn English and succeed in school;
- e) Each year, their child will take an assessment to measure their progress toward becoming proficient in English. The results of the assessment will be used to determine if their child is ready to become reclassified as English proficient. After their child is reclassified, their progress will continue to be monitored for four years;
- f) Their child's reclassification as English proficient is an important accomplishment and may be seen as a step on the journey to becoming literate in two languages, also known as biliteracy; and
- g) If their child becomes biliterate, they may be eligible to earn the SSB, which is a special recognition in the form of a seal affixed to their high school diploma.

17) Establishes rights of parents to:

- a) Meet with their child's teacher or teachers to discuss their child's progress toward reaching proficiency in English, the process by which their child may be reclassified, any opportunities for pupils to develop biliteracy in English and one or more other languages, and to earn the State Seal of Biliteracy;
- b) Receive the results of their children's performance on standardized statewide tests, including the results of the assessment of English proficiency;
- c) Be informed, through communication, including, but not limited to, parent-teacher conferences or report cards, of their child's progress in developing English proficiency and being reclassified as fully English proficient; and

- d) Receive information on the proficiencies necessary to become reclassified as fully English proficient.

Monitoring of reclassified ELs:

- 18) Declares that existing federal law and state regulations require LEAs to monitor the progress of students who have been reclassified from EL to English proficient for four years.
- 19) Requires that, pursuant to federal law, a LEA monitor a reclassified student's progress to ensure all of the following:
 - a) The student does not fail to progress academically because of insufficient proficiency in English;
 - b) Any academic deficits the student incurred as a result of participation in an EL program have been remedied; and
 - c) The student is meaningfully participating in the standard instructional program that is comparable to their peers who were never classified as ELs.
- 20) Requires the SBE, or before January 1, 2028, to identify both of the following:
 - a) One or more appropriate instruments, including, but not limited to, the standardized English language observation protocol to be used for purposes of determining whether the English proficiency of a reclassified student is posing a barrier to the student's academic success; and
 - b) Appropriate interventions for students who are determined to be in need of additional support for their English language in order to progress academically.
- 21) States that, for purposes of these requirements, "local education agency" means a school district, COE, or charter school.

Posting of EL reclassification data:

- 22) Requires the CDE, commencing with the 2027–28 school year, and subject to state and federal law regarding the privacy of student information, to annually post on its website both of the following:
 - a) The reclassification rates of each school district, COE, and charter school;
 - b) Statewide reclassification rates disaggregated by grade, disability status, and the 10 most commonly spoken home languages of students.
 - c) Outcomes for reclassified students, both statewide and for each LEA and charter school, including four-year and five-year cohort graduation rates, the completion of courses required to meet the admissions requirements of the California State University (CSU) and the University of California (UC), and rates of chronic absenteeism, suspension and expulsion, and school stability.

Evaluation:

- 23) Requires the CDE, subject to an appropriation for this purpose to contract for an evaluation of the effects of the changes to the reclassification criteria and process required by the measure, to be completed and sent to the appropriate policy and fiscal committees of the Legislature on or before January 1, 2032.
- 24) Requires the evaluation to include, but not be limited to, the effects on all of the following for students who have ever been classified as ELs:
- a) The number of students reclassified disaggregated by grade, language, and disability status as compared to prior years;
 - b) The longitudinal achievement of ELs in English language arts (ELA) and mathematics, including pre- and post-reclassification;
 - c) Core curriculum access, including course placement of reclassified middle school and high school students and including, at minimum, a comparison with students never classified as ELs with respect to enrollment in core academic subjects, enrollment in upper-level and remedial or lower-level courses, and enrollment in electives;
 - d) The administration of reclassification procedures at the local level;
 - e) Engagement of parents in their children's education and understanding of EL status and the reclassification process;
 - f) Achievement of biliteracy, including receiving the SSB;
 - g) Reclassification of ELs with disabilities;
 - h) The monitoring practices of school districts, COEs, and charter schools;
 - i) The quality of ELD instruction for ELs; and
 - j) Enrollment in core academic subjects, enrollment in upper-level and remedial or lower-level courses, and enrollment in electives.

Teacher observation protocol for reclassification

- 25) Recasts the purposes of the English language teacher observation protocol by removing references to reclassification and instead stating that its purpose is for formative assessment and for monitoring of students reclassified as fully English proficient (RFEP).

COMMENTS

Major provisions of this bill. This bill makes numerous changes to the system for reclassifying ELs, most of which take effect as of the 2027-28 school year. They include:

- 1) *Reclassification criteria:* Repeals existing reclassification criteria and makes the English Language Proficiency Assessments for California (ELPAC) the sole criterion for reclassification;

- 2) *Automatic reclassification*: Replaces the local, manual process of reclassifying students with an automatic process in which the CDE records students as reclassified once they have achieved the ELPAC score required for reclassification;
- 3) *Reclassification of ELs with IEPs*: Permits ELs with disabilities who are 1) not qualified to take the Alternate ELPAC, 2) have used all accommodations and any domain exemptions required by their IEP, and 3) fail to achieve the score on the ELPAC necessary for reclassification, to reclassify by showing proficiency one or more of the domains of the ELPAC through alternate coursework and performance tasks (known as alternate means). Requires, subject to an appropriation, the CDE to contract for the development of the alternate means;
- 4) *Parent engagement*: Requires LEAs to notify parents, when a student is initially classified as an EL, of their child's entitlement to support to learn English, the reclassification process, and the requirement that LEAs monitor reclassified students, emphasizes that reclassification can be seen as a milestone on the path to biliteracy and the SSB, and establishes parent rights to be informed of their children's progress in developing English proficiency;
- 5) *Monitoring of reclassified students*: Affirms current requirements that LEAs monitor ELs for four years after reclassification to determine if their English proficiency remains a barrier to academic progress. Requires the SBE to identify an instrument, including the Observation Protocol for Teachers of English Learners (OPTTEL), to designate as the means by which reclassified students are monitored. Also requires the SBE to identify appropriate interventions for reclassified students when needed;
- 6) *Reclassification data*: Requires the CDE to annually post on its website reclassification rates by each LEA and charter school, and statewide results disaggregated by grade, language, and disability; and
- 7) *Evaluation*: Requires, subject to an appropriation, the CDE to contract for an evaluation of the effects of this measure, as specified.

Why is English learner reclassification important? For over fifty years, schools have been required to meet the needs of students learning English. In 1974 the U.S. Supreme Court found, in *Lau v. Nichols*, that the lack of supplemental language instruction in public schools for ELs violated the Civil Rights Act of 1964, and required that districts provide appropriate relief. A few years later, the Chacon-Moscone Bilingual Bicultural Act of 1976 established the statutory framework to implement this decision. It included requirements for the identification, instruction, and reclassification of ELs.

Decades later, classification as an EL remains critical for students learning English, because it entitles them to specialized instruction which both helps them acquire English language skills and supports them as they learn academic content. Instruction in ELD, through designated and integrated ELD, delivered by qualified instructors, as well as annual progress monitoring through the state's assessment of English language proficiency, are foundational elements of an appropriate and equitable education for these students.

Being reclassified appropriately is also critical, as it both marks the achievement of English proficiency and signifies that students are ready to engage with academic content without

specialized support. Without the need for ELD instruction, students, particularly those in the secondary grades, no longer need to take special courses that might constrain their educational opportunities. They are often also better integrated into the academic and social life of the school. Reclassification is another critical part of an equitable education.

Beyond the effects on individual students, EL reclassification is also important for state policy purposes. The group of students classified as ELs is used in California's equity-based school finance system, the Local Control Funding Formula (LCFF), in the state's accountability system, including the California School Dashboard, the state's Statewide System of Support (SOS), the state's assessment systems, and for federal reporting purposes.

The ELs classification, both for individual students and for the public school system as a whole, is foundational. *The Assembly may wish to consider that* without appropriate and consistent reclassification procedures, a state has a different definition of EL in every school district, in every school, and even in every classroom. This poses problems both for students and the public schools alike.

The balancing act in EL reclassification. Due to the importance of EL status, policymakers need to strike a careful balance between reclassifying students too early and reclassifying them too late. Reclassifying too early can result in students struggling to succeed academically because of insufficient proficiency in English. Reclassifying students too late can result in restricted opportunity to learn, segregation from peers, and damaged self-concept and lower teacher expectations.

ELs who are reclassified before reaching proficiency in English lose access to specialized instruction and may struggle academically as a result. This may have consequences for graduation and postsecondary success. Conversely, when ELs reclassify too late, they can face restricted educational opportunity, segregation from their peers, lowered motivation and self-concept, and lower teacher expectations.

California's reclassification criteria were established in 1976 and have not materially changed since. California's reclassification procedures were established in statute fifty years ago by the Chacon-Moscone Bilingual Bicultural Education Act of 1976. After this law sunset in 1987, the criteria were maintained in state regulations, and then re-established in statute through SB 638 (Alpert), Chapter 678, Statutes of 1999, essentially unchanged.

Current law establishes the following criteria for reclassification and allows LEAs to exceed these criteria. Research indicates that most California school districts have developed reclassification standards more rigorous than those recommended by the state. (Hill, 2014).

Federal law requires states to have standardized reclassification criteria. The federal Every Student Succeeds Act (ESSA) of 2015 requires states to "establish and implement, with timely and meaningful consultation with local educational agencies representing the geographic diversity of the state, standardized statewide reclassification procedures for English learners to exit from English learner programs, services, and status."

Nearly all states have much simpler reclassification systems. According to WestEd, as of 2023, the following are the number of reclassification criteria used by other states:

- 1) 1 criterion: 44 states

- 2) 2 criteria: 3 states
- 3) 3 criteria: 3 states
- 4) 4 criteria: 1 state (California)

Many English learners who do not reclassify are actually proficient in English. Research has found that many students who are not reclassified have achieved proficiency on the state's assessment of English proficiency. One statewide study of a kindergarten cohort found that although 72% of EL students had reached English proficiency on the CELDT by the end of fifth grade and thus were eligible for reclassification under criterion 1, barely 50% were actually reclassified, and as a result nearly half of all long-term ELs (LTELs) were English proficient. (Novicoff, 2024, 2025)

ELs are not reclassified for an average of 229 days after scoring proficient in English; some students score proficient for years before they are reclassified. An analysis by the CDE (2026) of the time to reclassification for students scoring proficient on the ELPAC indicates that significant time elapses before students are reclassified.

Using CALPADS data for over 140,000 EL students who were reclassified during the 2024–25 academic year, the CDE found that ELs reclassified in 2024–25 experienced an average delay of approximately 229 days after earning a qualifying ELPAC. While one-quarter of students were reclassified within 75 days—typically within the same academic year—the upper quartile of students waited more than nine months. Some students remained classified as EL for multiple years after first demonstrating proficiency, often earning Performance Level (PL) 4 scores in successive ELPAC administrations before reclassification occurred. At the 90th percentile, some students waited 532 days or more to be reclassified.

Reclassification rates vary significantly by home language, even at the same proficiency level. According to research published by the Learning Policy Institute (LPI, 2024), overall reclassification rates in elementary school vary significantly by home language:

- 1) Mandarin: 77%
- 2) Cantonese: 74%
- 3) Vietnamese: 70%
- 4) Korean: 68%
- 5) Arabic: 50%
- 6) Spanish: 46%

This research also shows the effect of these disparities on the percentage of students who become LTELs by language group, as shown below:

- 1) Spanish: 49%
- 2) Arabic: 38%

- 3) Vietnamese: 26%
- 4) Cantonese: 23%
- 5) Mandarin: 15%
- 6) Korean: 14%

While these disparities might be explained by initial levels of language proficiency, multiple studies have demonstrated that reclassification rates vary by home language even among students scoring at the same proficiency level.

According to the Author

"AB 2555 will reform California's 50-year-old system for reclassifying English learners as fully English proficient, creating a coherent, consistent, transparent, and efficient reclassification system which is consistent with the California English Learner Roadmap.

California's vision for English learner success, as articulated in the English Learner Roadmap, is that English learners attain high levels of English proficiency, mastery of grade level standards, and have opportunities to develop proficiency in multiple languages. California's system for reclassifying students as fully English proficient is a critical part of realizing this vision.

California's reclassification system was established in 1976 and has not materially changed since. Research shows that the current system is characterized by inconsistency, redundancy, subjectivity, and complexity, and is highly influenced by different mindsets about reclassification. Research also shows that roughly half of all English learners who are not reclassified by the end of elementary school have scored proficient on the state's assessment of English language proficiency. Research further shows significant gaps in reclassification rates by home language, with Spanish-speaking students significantly less likely to reclassify than other students. On average, it takes 226 days for a student who has scored proficient in English to reclassify, and many students score proficient for multiple years before they are reclassified.

It is time for a comprehensive reform to this system. By streamlining the reclassification criteria, making reclassification automatic, better engaging parents, strengthening the monitoring of reclassified students, and reframing reclassification as a milestone on the path to biliteracy, AB 2555 will establish a coherent, consistent, efficient, and transparent reclassification system – one worthy of our students' potential."

Arguments in Support

Californians Together writes, "EL reclassification policy must be carefully designed to avoid reclassifying students too early, which can leave students with insufficient English proficiency to succeed, and reclassifying too late, which can restrict their opportunity to learn and segregate them from their peers.

Research shows that the current system is characterized by inconsistency, redundancy, subjectivity, and complexity, and is highly influenced by mindsets about reclassification.

Currently, the lack of a standardized process can lead to delays and disparities in how students transition out of EL status. Implementing a clear, uniform reclassification process is essential.

AB 2555 will establish a coherent, consistent, efficient reclassification system which is consistent with the EL Roadmap Policy."

Arguments in Opposition

None on file

FISCAL COMMENTS

According to the Assembly Appropriations Committee:

- 1) Potential Proposition 98 General Fund apportionment revenue loss of an unknown, potentially significant amount, likely in the millions of dollars annually, to LEAs, collectively statewide, associated with reduced supplemental Local Control Funding Formula (LCFF) funding for students no longer designated as EL.
- 2) LCFF includes additional supplemental funding based on an LEA's percentage of unduplicated pupils (UPP), defined as EL, low-income, or foster youth, with pupils designated as more than one only counted once. According to CDE, the population of pupils who might no longer generate this supplemental funding due to reclassification is approximately 16,000 total statewide, out of about 3.8 million total unduplicated pupils. This is because 94% of EL students are also low-income. However, the LCFF calculates UPP as a three-year average of unduplicated pupils divided by an LEA's total enrollment, which smooths any year-over-year decline in supplemental funding associated with unduplicated pupils who are reclassified. Additionally, LEAs experiencing significant numbers of EL reclassifications because of this bill will also likely experience significant cost savings associated with no longer needing to provide English Language Development (ELD) resources to English proficient students.
- 3) Minor and absorbable costs to CDE to implement required changes to the EL reclassification process.
- 4) One-time General Fund cost pressures of an unknown but likely significant amount, possibly in the hundreds of thousands to low millions of dollars, for the Legislature to appropriate funding to CDE to contract for the development of content-aligned rubrics and sample alternative coursework and an evaluation of the effect of changes to the reclassification criteria established by this bill.

VOTES

ASM EDUCATION: 9-0-0

YES: Patel, Hoover, Alvarez, Bonta, Castillo, Garcia, Lowenthal, Pellerin, Zbur

ASM APPROPRIATIONS: 15-0-0

YES: Wicks, Hoover, Aguiar-Curry, Calderon, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Ta, Tangipa

UPDATED

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