
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 2555 (Patel) - English learners: reclassification

Version: June 10, 2026

Urgency: No

Hearing Date: August 3, 2026

Policy Vote: ED. 7 - 0

Mandate: Yes

Consultant: Lenin Del Castillo

Bill Summary: This bill makes various changes to the system for reclassifying English learners as English proficient, including the establishment of a standardized reclassification process based on demonstrated English language proficiency and limiting the reclassification criteria to the assessment of English language development (ELD).

Fiscal Impact:

- This bill could result in Proposition 98 General Fund apportionment revenue losses to local educational agencies (LEAs) associated with reduced supplemental Local Control Funding Formula (LCFF) funding for students no longer designated as English learners. The extent of these costs is unknown and would depend on the number of students that are reclassified as English proficient based on the new reclassification criteria. Additionally, these costs may be offset by savings associated with LEAs no longer needing to provide English Language Development resources to English learners that have been reclassified as proficient.
- The CDE estimates General Fund costs of \$3.5 million and a minimum of 8.0 positions across multiple divisions in the department to comply with the bill's requirements. However, staff notes that not all of these costs are attributed to this bill as CDE indicates that some of these divisions have been under-resourced with meeting existing workload.
- This bill could result in one-time General Fund cost pressures, potentially in the hundreds of thousands to low millions of dollars, for the state to provide funding for CDE to contract for the development of content-aligned rubrics and sample alternative coursework, and an evaluation of the bill's reclassification reforms. These provisions are subject to an appropriation.

Background: Existing law requires each school district that has one or more students who are ELs, and, to the extent required by federal law, each county office of education (COE) and each charter school, to assess the ELD of each student in order to determine the level of proficiency. The law requires that the summative assessment be conducted annually during a four-month period after January 1st of each year, as determined by the Superintendent of Public Instruction (SPI), and with approval by the SBE. Further, existing law requires the annual assessment to continue until students are redesignated as fully English proficient.

Existing law requires the CDE, with the approval of the SBE, to establish procedures for conducting the assessment of English proficiency required and for the reclassification of a student from EL to English proficient. It requires that the reclassification procedures developed utilize multiple criteria in determining whether to reclassify a student as proficient in English, including, but not limited to, all of the following:

1. Assessment of language proficiency using an objective assessment instrument, including, but not limited to, the ELD test that is developed or acquired;
2. Teacher evaluation, including, but not limited to, a review of the student's curriculum mastery;
3. Parental opinion and consultation; and
4. Comparison of the performance of the student in basic skills against an empirically established range of performance in basic skills based upon the performance of English proficient students of the same age, which demonstrates whether the student is sufficiently proficient in English to participate effectively in a curriculum designed for students of the same age whose native language is English.

Proposed Law: This bill, beginning in the 2026-27 school year, requires an English learner student to be reclassified as English proficient upon achieving the SBE established proficiency score on the statewide English language proficiency assessment or, if applicable, the statewide alternate English language proficiency assessment. A student is to be considered reclassified as English proficient as of the date the student demonstrates proficiency on one of these assessments. This bill eliminates the existing multiple-criteria reclassification process, including teacher evaluation, parent opinion and consultation, and comparison of basic skills performance, and instead establishes English language proficiency assessment results as the sole criterion for reclassification. Beginning July 1, 2027, the bill implements a new permanent statewide reclassification system consistent with these changes.

This bill requires school districts, and to the extent required by federal law, county offices of education and charter schools, to assess the ELD of each English learner student to determine the level of proficiency.

This bill requires CDE with SBE approval, to establish procedures for administering English language proficiency assessments.

This bill requires English learners to be assessed upon initial enrollment and annually thereafter until reclassified and specifies the assessments that may be used, including the state's ELD assessment and the statewide alternate assessment for English language proficiency. The bill further clarifies that eligibility for the alternate English language proficiency assessment may be determined independently of eligibility for the statewide alternate assessment in English language arts or mathematics.

This bill requires the specified annual summative assessments to be administered during a testing window established by the SPI and SBE and requires annual assessment continue until the student is reclassified as English proficient.

This bill requires that an assessment for initial identification be conducted upon the initial enrollment of a student to provide information to be used to determine if the student is an English learner. The bill also specifies how assessments are to be conducted when a student enrolls during or outside the annual testing window and limits state assessments used for identification and annual assessment to be conducted no more than once per school year for each assessment purpose.

This bill specifies that the provisions of the bill do not preclude school districts and COEs from testing English learners more than once in a school year if they so choose. It also clarifies that enrollment in transitional kindergarten does not constitute initial enrollment for purposes of English learner identification.

This bill repurposes the standardized English language teacher observation protocol for use as a formative assessment tool for English learners and for monitoring reclassified students.

This bill requires LEAs to provide parents of English learners when their student is initially determined to be an English learner, if applicable, in the parent's primary language with specified information, including that their child has been classified as an English learner.

This bill requires an English learner to be reclassified as English proficient upon achieving the SBE established proficiency score on the English language proficiency assessment or alternate assessment, as applicable.

This bill requires CDE to automatically record students with qualifying scores as reclassified when assessment results become available in the appropriate data system.

This bill requires LEAs, after a student has been recorded as reclassified in the appropriate data system, to ensure student placement and instructional programs reflect reclassification status, as specified, and notify parents of reclassification and information regarding opportunities to pursue biliteracy and the State Seal of Biliteracy.

This bill prohibits a student who has been reclassified as English proficient from being subsequently classified as an English learner.

This bill encourages LEAs to recognize students and families for achieving English proficiency and encourage pursuit of biliteracy.

This bill authorizes, commencing July 1, 2028, an English learner with an IEP to be considered for reclassification through an alternative process if all are true for the student:

1. Has received ELD instruction that would reasonably be expected to result in English proficiency but has not achieved the proficiency level required on the English language proficiency assessment for reclassification.
2. Used all designated supports and accommodations, and applicable assessment exemptions identified in the student's IEP or 504 plan.

3. For students who do not take the statewide alternate English language proficiency assessment, scored one performance level below the SBE's reclassification threshold on the most recent English language proficiency assessment.

This bill requires an LEA to reclassify and report to CDE the reclassification of an eligible student who has an IEP if the LEA determines, using state developed rubrics and student work aligned to state developed alternative coursework and performance tasks, that the student has demonstrated English proficiency comparable to the threshold for reclassification on the English language assessment through alternate means. The bill requires the determination to be documented in the student's IEP.

This bill authorizes the alternative demonstration to be used for one or more assessment domains in which a student has not demonstrated proficiency and allows those results to be combined with proficient scores in other domains for the purpose of meeting the overall reclassification standard.

This bill requires LEAs to report students reclassified through the alternative pathway to CDE in a manner determined by CDE and requires CDE to record those students as reclassified in the state's data system.

This bill requires LEAs to monitor reclassified students to ensure all of the following:

1. English proficient status is not a barrier to academic success, which indicates the student has not been prematurely reclassified as English proficient.
2. Academic deficits associated with prior English learner status have been remedied.
3. The student is meaningfully participating in the standard instructional program that is comparable to their peers who were never classified as English learners.

This bill specifies that the monitoring requirements are declarative of existing federal law.

This bill requires by January 1, 2028, the SBE to identify both of the following:

1. A means for monitoring reclassified students during the four years following reclassification for purposes of identifying students who are not meeting challenging state academic standards after reclassification.
2. An instrument for monitoring reclassified students who are not meeting academic standards. The instrument must satisfy the specified criteria. In identifying an appropriate instrument, the SBE must consider the use of the standardized English language observation protocol.

This bill requires CDE, by January 1, 2028, to identify interventions for reclassified students who need additional English language support to progress academically. The bill also requires CDE, beginning in the 2027-28 school year, to annually publish

specified reclassification and student outcome data on its website, including reclassification rates and post-reclassification outcomes.

This bill, subject to an appropriation, requires CDE or a COE to develop rubrics and sample alternative student work and performance tasks aligned to the content and performance levels of the domains of the ELD assessment identified for use in reclassifying English learners with IEPs, as specified. It requires the rubrics and sample alternate student work and performance tasks to be completed and posted on CDE's website by January 1, 2028.

This bill, subject to an appropriation, requires CDE to contract for an evaluation of the bill's reclassification reforms and submit a report to the Legislature by January 1, 2032, and requires that the evaluation include information regarding the effects on students who have ever been classified as English learners, as specified.

This bill expands parent rights provisions to require information, as specified, regarding student progress toward English proficiency, reclassification requirements and process, biliteracy opportunities and the State Seal of Biliteracy, results of English language proficiency assessments and proficiencies required for reclassification.

Staff Comments: Existing law requires English learner reclassification decisions to be based on multiple criteria, including an assessment of English language proficiency, teacher evaluation, parental opinion and consultation, and basic skills performance. The ELPAC is the state's English language proficiency assessment used to identify English learners and measures their progress toward English proficiency. This bill proposes significant reforms to the state's system for reclassifying English learners as fully English proficient, including the use of the ELPAC or Alternate ELPAC performance as the sole criterion for reclassification and creating an automatic reclassification process. The bill also eliminates the teacher evaluation and basic skills criteria that currently permit districts to consider a wide range of academic and non-academic factors.

According to the author, "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."

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