

THIRD READING

Bill No: AB 2555
Author: Patel (D), et al.
Amended: 8/20/26 in Senate
Vote: 27 - Urgency

SENATE EDUCATION COMMITTEE: 7-0, 6/24/26

AYES: Pérez, Ochoa Bogh, Cabaldon, Choi, Cortese, Gonzalez, Reyes

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/13/26

AYES: Cervantes, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 78-0, 5/26/26 - See last page for vote

SUBJECT: English learners: reclassification

SOURCE: Author

DIGEST: This bill makes changes to the system of reclassifying English learners as English proficient including: 1) establishing a standardized statewide reclassification process based on demonstrated English language proficiency; 2) limiting the reclassification criteria to the assessment of English language development (ELD); 3) permitting some English learners with disabilities to be reclassified using alternate means; 4) shifting from a manual to automatic reclassification process; 5) strengthening parent engagement; 6) requiring the State Board of Education (SBE) to identify an appropriate instrument for monitoring reclassified English learners; 7) requiring the California Department of Education (CDE) to post data on reclassification rates, reframing English learner reclassification as a milestone on the path to biliteracy; and 8) requiring an evaluation of these changes to English learner reclassification.

Senate Floor Amendments of 8/20/26 clarify the reclassification process for students who met the English Language Proficiency Assessment for California (ELPAC) threshold in 2025-26 or 2026-27 but were not reclassified, allows the use of existing 2026 Budget Act funding to develop alternate reclassification rubrics and sample pupil work for English learners with individualized education

programs (IEPs), gives the CDE flexibility to determine how local educational agencies (LEAs) report students reclassified through the alternate pathway, limit certain post-reclassification outcome reporting to statewide data, and make related technical and conforming changes. The amendments also include chaptering out amendments with SB 1412 (Rubio, 2026).

ANALYSIS:

Existing law:

- 1) Requires each school district that has one or more students who are English learners, 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 Education Commissioner, and with approval by the SBE. Further, existing law requires the annual assessment to continue until students are redesignated as fully English proficient. (Education Code (EC) § 313)
- 2) 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 English learner 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:
 - a) Assessment of language proficiency using an objective assessment instrument, including, but not limited to, the ELD test that is developed or acquired;
 - b) Teacher evaluation, including, but not limited to, a review of the student's curriculum mastery;
 - c) Parental opinion and consultation; and
 - d) 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. (EC § 313)

This bill:

- 1) 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.
- 2) Requires an English learner student who, on the 2025-26 or 2026-27 administration of a summative assessment, meets the SBE established proficiency score on the statewide English language proficiency assessment or, if applicable, the statewide alternate English language proficiency assessment, to be reclassified as English proficient. A student is to be considered reclassified as English proficient as of the day after the student demonstrates proficiency on one of these assessments. The bill requires a LEA to reclassify a student who met the applicable proficiency score on the 2025-26 assessment but was not reclassified during the 2025-26 school year by January 31, 2027, and a student who met the applicable proficiency score of the 2026-27 assessment but was not reclassified during the 2026-27 school year by January 31, 2028.
- 3) Requires school districts, and to the extent required by federal law, COEs and charter schools, to assess the ELD of each English learner student in order to determine the level of proficiency.
- 4) Requires CDE with SBE approval to establish procedures for administering English language proficiency assessments.
- 5) 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. This 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.
- 6) Requires the specified annual summative assessments to be administered

during a testing window established by the Superintendent of Public Instruction (SPI) and SBE and requires annual assessment continue until the student is reclassified as English proficient.

- 7) Requires that an assessment for initial identification be conducted upon the initial enrollment of a student in order to provide information to be used to determine if the student is an English learner.
- 8) 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.
- 9) Requires assessments to be administered consistently with applicable federal laws and regulations.
- 10) 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.
- 11) Clarifies that enrollment in transitional kindergarten does not constitute initial enrollment for purposes of English learner identification.
- 12) Repurposes the standardized English language teacher observation protocol for use as a formative assessment tool for English learners and for monitoring reclassified students.
- 13) 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 all of the following information:
 - a) That their child has been classified as an English learner.
 - b) California's vision for English learner success that includes mastery of grade level standards and having opportunities to develop proficiency in multiple languages. California schools value the culture and language that their child brings to their education.
 - c) Opportunities for parent engagement.

- d) That their child is entitled to special support to help them succeed in school.
 - e) Assessment, reclassification, and monitoring processes.
 - f) Biliteracy and State Seal of Biliteracy opportunities.
- 14) 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.
 - 15) Requires CDE to automatically record students with qualifying scores as reclassified when assessment results become available in the appropriate data system.
 - 16) Requires LEAs, after a student has been recorded as reclassified in the appropriate data system, to:
 - a) Ensure student placement and instructional programs reflect reclassification status, as specified.
 - b) Notify parents of reclassification and information regarding opportunities to pursue biliteracy and the State Seal of Biliteracy.
 - 17) Prohibits a student who has been reclassified as English proficient from being subsequently classified as an English learner.
 - 18) Encourages LEAs to recognize students and families for achieving English proficiency and encourage the pursuit of biliteracy.
 - 19) Finds that California has established alternate coursework and performance tasks for students with disabilities so that they may demonstrate completion of the state graduation requirements through alternate means and earn a high school diploma.
 - 20) States the Legislature's intent to allow English learners with disabilities to demonstrate English proficiency for reclassification purposes through alternative means aligned with the state's English language proficiency assessment.

- 21) Authorizes, commencing July 1, 2028, subject to the availability of the development of rubrics and sample alternate pupil work and performance tasks, an English learner with an IEP to be considered for reclassification through an alternative process if all are true for the student:
- a) 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.
 - b) Used all designated supports and accommodations, and applicable assessment exemptions identified in the student's IEP or 504 plan.
 - c) Either scored one performance level below the SBE's reclassification threshold on the most recent English language proficiency assessment or, if applicable, received any score on the statewide alternate English language proficiency assessment.
- 22) 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.
- 23) 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.
- 24) Requires LEAs to report students reclassified through the alternative pathway to CDE in a form and manner determined by CDE. CDE is required, after receiving the report, to record the student as reclassified in the appropriate data systems.
- 25) Finds that federal law requires LEAs to monitor and report on the progress of reclassified English learners for four years following reclassification, including reporting outcomes for students with disabilities.

- 26) Requires LEAs to monitor reclassified students to ensure all of the following:
- a) English proficient status is not a barrier to academic success, which indicates the student has not been prematurely reclassified as English proficient.
 - b) Academic deficits associated with prior English learner status have been remedied.
 - c) The student is meaningfully participating in the standard instructional program that is comparable to their peers who were never classified as English learners.
- 27) Specifies that the monitoring requirements are declarative of existing federal law.
- 28) Requires by January 1, 2028, the SBE to identify both of the following:
- a) 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.
 - b) 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.
- 29) Requires CDE, by January 1, 2028, to identify interventions for reclassified students who need additional English language support to progress academically.
- 30) 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.
- 31) Allows the use of existing 2026 Budget Act funding to develop alternate reclassification rubrics and sample student work for English learners with IEPs.

- 32) 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.
- 33) 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.
- 34) States various legislative findings and declarations related to the need for statewide consistency in the criteria used to determine the reclassification from English learner to English proficient.
- 35) Defines various terms for purposes of the bill.
- 36) Adds an urgency clause; and makes other clarifying and conforming changes.
- 37) Makes technical amendments necessary to avoid chaptering issues with SB 1412.

Comments

Need for the bill. According to the author, "AB 2555 will reform California's nearly 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.”

The English Language Proficiency Assessment for California. The ELPAC is the state's English language proficiency assessment used to identify English learners and measures their progress toward English proficiency. SBE has established an Overall Performance Level 4 on the Summative ELPAC, and an Overall Performance Level 3 on the Summative Alternate ELPAC, as the proficiency levels used for reclassification. A 2026 WestEd analysis, *Finding the Sweet Spot for English Learner Reclassification: A study of California's Criteria*, confirmed that students who achieve the SBE ELPAC reclassification threshold perform at least as well as similarly situated English only peers on the state's English language arts assessment. This finding is central for the proposed reclassification reform to make ELPAC or Alternate ELPAC performance the sole criterion for reclassification.

Replacing the state's existing reclassification criteria. 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. According to information provided by the author, California is the only state that continues to require four reclassification criteria, while 44 states use a single criterion and six states use two or three criteria. Research found that many students who demonstrate English proficiency on the state's English language proficiency assessment are not immediately reclassified. Data from CDE indicates that students reclassified during the 2024-25 school year waited an average of approximately 229 days after earning a qualifying ELPAC score before being reclassified, with some students remaining classified as English learners for multiple years after demonstrating proficiency. The Learning Policy Institute's 2024 report, *California's English learners and*

Their Long-Term Learning Outcomes, further cites research indicating that approximately 72% of English learners in one statewide cohort had achieved English proficiency by the end of fifth grade, but only about 50% had been reclassified, resulting in nearly half of long-term English learners having already demonstrated English proficiency but remained classified as an English learner. This bill seeks to address these delays and failures to reclassify students who have already demonstrated English proficiency by establishing a reclassification standard based on performance on the ELPAC or Alternate ELPAC and creating an automatic reclassification process.

Reclassification rates vary by home language. Research by the Learning Policy Institute found substantial variation in reclassification rates among English learner student groups based on home language. According to the Learning Policy Institute, elementary school reclassification rates were 77% for Mandarin-speaking students, 74% for Cantonese-speaking students, 70% for Vietnamese-speaking students, and 68% for Korean-speaking students, compared to 50% Arabic speaking students and 46% for Spanish -speaking students. The research found that Spanish-speaking students were more than three times as likely as Mandarin-speaking students to become long-term English learners. The report further found that disparities in reclassification rates persist even among students demonstrating similar levels of English proficiency. According to the author, one purpose of the bill's streamlined and automatic reclassification process is to reduce variation in local implementation and ensure students who demonstrate proficiency on the ELPAC are reclassified consistently regardless of home language. An ELPAC based reclassification system and an automatic reclassification process, as proposed in this measure, could create greater consistency in reclassification decisions across LEAs and student groups.

Variation in measures used to satisfy teacher evaluation and basic skills. Research by the Public Policy Institute of California (PPIC) in 2021 found significant differences among LEAs in the measures used to satisfy the teacher evaluation and basic skills criteria required for reclassification. In addition to academic measures, districts reported considering factors such as attendance (30% of districts), behavior (21%), discipline (16%), homework completion (38%), and classroom participation (62%). The same research found that districts often establish local requirements that exceed state recommendations and that the use of multiple criteria is associated with lower reclassification rates. Given that these measures may not directly assess English language proficiency, students who demonstrated proficiency on the ELPAC may nonetheless remain classified as English learners based on additional local criteria. This bill eliminates the teacher evaluation and

basic skills criteria that currently permit districts to consider a wide range of academic and non-academic factors.

Shifting parent engagement to the beginning of a student's English learner experience. Existing law requires parent consultation as part of the reclassification process. PPIC's 2021 report also found that implementation of this requirement also varies among LEAs and often occurs near the end of the reclassification process. PPIC's 2026 policy brief cites research findings that families often receive information about English learner services and reclassification in a fragmented manner and may have limited understanding of how students move toward reclassification. The bill instead requires a school to provide information to parents when a student is initially identified as an English learner, including information regarding English learner services, reclassification requirements and processes, monitoring, biliteracy, and opportunities for parent engagement. PPIC's 2026 policy brief also notes feedback from parent organizations indicating that many families have difficulty understanding their child's English learner status and the reclassification process. This bill seeks to provide families with information earlier and create additional opportunities for engagement through a student's time as an English learner.

Providing an alternative pathway for English learners with disabilities. PPIC's 2026 policy brief notes that nearly 18% of English learners and 28% of long-term English learners have IEPs. According to information provided by the author, English learners are disproportionately represented among students with disabilities, particularly in the upper grades. During the 2024-26 school year, 24% of 12th-grade English learners had an IEP, compared to 1% of their non-English learner peers. The PPIC policy brief further notes that designing reclassification policies for dual-identified students has long been a challenge for the state and LEAs. Recent CDE guidance clarified that only students eligible to participate in the state's alternate ELPAC for students with the most significant cognitive disabilities may use that assessment for reclassification purposes. Other English learners with disabilities participate in the standard ELPAC with approved accommodations and supports but remain subject to the same reclassification threshold as English learners. According to PPIC, some districts expressed concern that this approach provides limited flexibility for students whose disabilities affect their ability to demonstrate English proficiency on the ELPAC despite receiving ELD instruction and assessment accommodations. The bill addresses both groups by recognizing proficiency demonstrated on the Alternate ELPAC for purposes of automatic reclassification and establishing an alternative reclassification pathway for certain students with IEPs. That alternative pathway is available to students

who score on a performance level below the SBE's reclassification threshold on the standard ELPAC and, if applicable, to students who receive any score on the Alternative ELPAC, provided the other requirements are met, and the student demonstrates comparable English proficiency through state-developed rubrics, alternate student work, and performance measures.

Monitoring reclassified students. Federal and state law require LEAs to monitor students for four years after they have been reclassified as English proficient. Monitoring serves as an important safeguard to identify students whose English proficiency continues to pose a barrier to academic success and to address concerns regarding premature reclassification. Research indicates that students can experience a reclassification shock immediately following reclassification, underscoring the importance of ongoing monitoring and support. Research from PPIC further found substantial variation in local monitoring practices, with 91% of districts reporting the use of grades, 85% using test scores, 60% using attendance, and 11% using course taking patterns when monitoring reclassified students. Unlike some states that have established standardized monitoring systems and interventions for reclassified students, California does not currently have a statewide monitoring framework. This bill affirms existing monitoring requirements and requires the SBE and CDE to identify statewide monitoring tools and interventions. This bill seeks to ensure that students who are reclassified continue to receive support when English proficiency remains a barrier to academic success.

Evaluation of the reclassification reform. The reforms proposed in this bill represent a significant shift in how reclassification is achieved. As such, this bill requires CDE to contract for an independent evaluation of the changes to English learner reclassification criteria and processes and report its findings to the Legislature by January 1, 2032. The evaluation must examine a broad range of outcomes, including reclassification rates, academic achievement, access to core curriculum, graduation rates, parent engagement, biliteracy attainment, reclassification of English learners with disabilities, monitoring practices, and the quality of ELD instruction. The evaluation is intended to assess the effects of replacing California's longstanding multiple-criteria reclassification system with an ELPAC-based reclassification system and automatic reclassification process. By requiring a review of both implementation and student outcomes, the bill provides a way to evaluate whether the reforms improve consistency and educational outcomes for English learners.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Appropriations Committee analysis on a *prior* bill version, this bill would have the following 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 California Department of Education (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.

SUPPORT: (Verified 8/20/26)

Alameda County Office of Education
Association of California School Administrators
Association of Mexican American Educators
Association of Two-way Dual Language Education
California Association for Bilingual Education
California Association of Suburban Schools
California Community Foundation
California County Superintendents
California Faculty Association
California Family Engagement Network
California Immigrant Policy Center
California Teachers Association
Californians Together

CFT – A Union of Educators & Classified Professionals, AFT, AFL-CIO
Children Now
Chinese for Affirmative Action
Community Asset Development Redefining Education
EdTrust-West
EDvance College
EdVoice
Fresno Unified School District
Go Public Schools
Internationals Network
Kern County Superintendent of Schools Office
Latinos in Action
Los Angeles County Office of Education
Los Angeles Unified School District
Loyola Marymount University - the Center for Equity for English Learners
Office of the Riverside County Superintendent of Schools
Parent Organization Network
Parents for Public Schools of San Francisco
Partnership for Children & Youth
Public Advocates
San Diego County Office of Education
San Diego Unified School District
San Francisco Unified School District
Santa Clara County Office of Education
Sobrato Early Academic Language
UnidosUS
Unite-LA
Youth Leadership Institute

OPPOSITION: (Verified 8/20/26)

None received

ASSEMBLY FLOOR: 78-0, 5/26/26

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Nguyen, Ortega,

Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos,
Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz,
Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward,
Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Muratsuchi, Celeste Rodriguez

Prepared by: Olgalilia Ramirez / ED. / (916) 651-4105
8/24/26 13:35:09

**** **END** ****