

Reclassification of English Language Learners

State and Federal Requirements

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Title VI of the Civil Rights Act of 1964, The Equal Educational Opportunities Act (EEOA), the Every Student Succeeds Act (ESSA) and NH Department of Education (NHED) guidance outlines school districts' responsibilities in developing, implementing, and evaluating programs for English Learners (ELs). As part of these requirements, districts must provide English instruction until students attain English language proficiency as determined by the State ESSA plan.

The Elementary and Secondary Education Act (ESEA), reauthorized in 2015 as ESSA, highlights these civil rights by requiring states to establish and implement standardized entrance and exit procedures for ELs, including ELs with disabilities. As part of the law, the state adopted assessment of English language proficiency (ELP) must be used to make exit and reclassification decisions for ELs. Additional objective criteria may also be considered as supplemental information in determining whether to reclassify a student, but these additional sources may not substitute a score on a valid and reliable ELP assessment¹.

To meet the updated standards set by ESSA, the NHED has drafted this revised guidance on the process for submitting a request to reclassify English learners. This work was done through the Statewide EL Advisory Committee (SELAC), which brings together a diverse group of stakeholders and perspectives to help strengthen EL programming and resources in NH. SELAC membership includes representatives from institutes of higher education, NHED staff, Title III consortia, educators on behalf of students with disabilities and a range of school districts representing the geographic diversity of the state.

NH DOE has incorporated SELAC feedback and contributions as well as relevant state and national research into this revised reclassification procedure.

Reclassification of English Learners

Reclassification is a term that describes the process districts and schools use to determine when English learners develop as Fluent English Proficient (FEP) and can transition successfully to classrooms without additional support to mitigate potential barriers experienced with limited language proficiency.

In effect, exit from EL status is a high-stakes decision because premature exit could place an English learner at risk of academic failure, while unnecessary prolongation of EL status (particularly at the secondary level) can limit educational opportunities². It is critical that the process for reclassification

¹ U.S. Department of Education. Office of English Language Acquisition. Nov. 2016.
<https://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html> . Accessed 15 August 2020.

² Linquanti, 2001; Callahan, 2009; Robinson, 2011

includes strong evidence to demonstrate that language is no longer a barrier to achievement and that the student is performing on par with native English speakers in a class where English is the language of instruction.

English learners in New Hampshire exit the ELD program and automatically reclassify into “monitor” status when they obtain an overall Composite Score ≥ 4.5 on the WIDA ACCESS 2.0 assessment. In NH, as outlined in the consolidated state plan³, students remain in “monitor” status for four years before transitioning to “Fluent English Proficient” (FEP) or “full exit” status.

For English learners with the most significant cognitive disabilities, who participate in the state Dynamic Learning Maps (DLM) alternative assessment, the student’s IEP team may make the determination to administer the state’s alternate English language proficiency assessment (i.e., WIDA Alternative Assessment).

Alternative Reclassification Considerations/Options

Typically, reclassification happens when a student “tests-out” or reaches the standard measure of English language proficiency described above. However, reclassification may also be initiated outside of this standard process.

A non-standard reclassification request may be considered when:

- Student has missing ACCESS literacy domain score(s), but has scores on another state approved assessment of English language demonstrating proficiency in ELA (e.g., NH SAS, PSAT or SAT).
- A score report does not align with typical performance in literacy domain(s)
- A student in monitor status continues to struggle academically and for whom language remains a barrier

In the rare cases above, where data from the state approved ELP assessment is believed to be incomplete or inconsistent with student’s typical performance, a school-based student support team can initiate the process for nonstandard consideration to request reclassification of a student.

The student support team must include: a NH certified ESOL teacher; at least one content teacher (must include NH certified English Language Arts teacher); an administrator and parent or legal guardian. The team should take time to consider the potential implications premature exit could place an English learner; or the limiting opportunities unnecessary prolongation of EL status (particularly at the secondary level) can have.

School based teams must evaluate and consider a body of evidence to determine whether students can perform classwork in English. School based teams should review the following data sources:

- Student’s scores on locally administered reading or other academic assessments;
- Student’s academic grades; and
- Written observations and recommendations documented by student’s EL and classroom teacher(s)

³ <https://www.education.nh.gov/sites/g/files/ehbemt326/files/files/inline-documents/essaconsolidatednhstateplan.pdf>

After deliberation and consultation with the student (when appropriate) and the student’s parents or legal guardians, if the decision is made to continue with a request to reclassify a student, student support teams are asked to complete a “***Request Non-Standard EL Reclassification***” form (Appendix) and submit via email (without any personally identifying student information beyond the SASID) to:

Janna Jobel
ESOL Education Consultant
Email: Janna.M.Jobel@doe.nh.gov

All requests will be considered by a subcommittee of the Statewide EL Advisory Committee. Decisions will be made and communicated back to the educator identified in section IV of the request form within 30 days.

Correcting Errors in Initial Identification/Classification

The NHED acknowledges that misidentification of English learners can occur. For example, the Home Language Survey (HLS) may be misinterpreted by parents/guardians or by the educator reviewing the information, which could lead to misidentification. The same misinterpretation is possible as educators review initial screening assessment scores also resulting in misidentification. If it is suspected that a student has been inaccurately identified as an English learner, please complete Section II of the “***Request Non-Standard EL Reclassification***” form (Appendix) and submit via email to:

Janna Jobel
ESOL Education Consultant
Email: Janna.M.Jobel@doe.nh.gov

All requests will be considered by a subcommittee of the Statewide EL Advisory Committee. Decisions will be made and communicated back to the educator identified in section IV of the request form within 30 days.



Request for Non-Standard English Learner Reclassification

Directions: Please use this form to initiate reclassification of an English learner (EL).

Section I: Student Specific Information

SASID: _____ School: _____ Grade: _____

Initial Date of EL Identification: _____ Primary Language: _____

Section II: Request Information

Please select a reason for the request from the four options below.

Request Options		Required Documentation
<input type="checkbox"/>	1-Misidentification: An error was made in the initial classification decision	<input type="checkbox"/> Complete Section II & V <input type="checkbox"/> Attach Documentation: copy of home language survey, initial screener score report, letter from parent and/or documentation from parent meeting.
<input type="checkbox"/>	2-Re-Entry: For a formerly identified EL, for whom language remains a barrier	<input type="checkbox"/> Complete Section II, IV-V <input type="checkbox"/> Attach Documentation: documentation from school based team meeting
<i>ELs in grades 3-8 and grade 10 are eligible for non-standard consideration of reclassification when WIDA ELP assessment data is incomplete or inconsistent because English proficiency is assessed through other standardized measures.</i>		
<input type="checkbox"/>	3-Incomplete Assessment Data: Missing literacy domain score(s) AND student has reasonable potential to obtain proficiency	<input type="checkbox"/> Complete Section II-V
<input type="checkbox"/>	4- Inconsistent Assessment Data: Score report does not reflect typical performance in literacy domain(s)	<input type="checkbox"/> Complete Section II-V

Section II: Justification

Please use the space below to provide explanation and/or rationale for the request:

Section III: Performance Indicators

Complete this section if you chose option 3 or 4 above. This option is only available to students in grades 3-8 or grade 10 for which alternative English language proficiency data in Reading and Writing exist.

Designated ELP Assessment: Must choose one from this set				Content Area Assessments of English: Must choose one from this set			
Test Year:		Test Year:		Test Year:		Test Year:	
<input type="checkbox"/> ACCESS 2.0		<input type="checkbox"/> Alt. ACCESS		<input type="checkbox"/> NH SAS ELA <input type="checkbox"/> NH SAS Interim		<input type="checkbox"/> SAT <input type="checkbox"/> PSAT 8/9 <input type="checkbox"/> PSAT 10	
	Level		Level	Reading & Writing Level		Reading & Writing Score	
Listening		Listening		Scale Score		<i>Note: To be considered for reclassification, students must meet the college and career ready benchmark (≥ 480 in Evidence-Based Reading and Writing)</i>	
Speaking		Speaking		Achievement Level			
Reading		Reading		<i>Note: To be considered for reclassification, students must obtain an achievement level score of 3 or 4 (i.e., "grade level proficiency" range).</i>			
Writing		Writing					
Overall Composite		Overall Composite					
Oral Language		Oral Language					
Literacy Level		Literacy Level					
*If assessment data was incomplete, please record an "M" in any missing domain(s) and provide a reason for incomplete data below.				Did this student achieve grade level proficiency on this assessment? <div style="text-align: right;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </div>			

*Reason for incomplete domain score(s) (if known):

Section IV: Documentation of Communication

On behalf of the student and the student study team, this request is submitted by:

Educator's Name: _____ Title: _____

Email address: _____ Phone Number: _____

Note: This contact information provided above will be used by the NHDOE as the primary contact for communications related to this request.

Please initial the boxes below to confirm the following:

☐

A student study team convened to discuss submission of this non-standard request. The team included: a NH certified ESOL teacher, special educator (for students with an IEP), content area NH certified English teacher and school administrator.

☐

The student's parents/legal guardians were part of the decision making process and support submission of this request for reclassification. Information about this request and the potential implications was provided to parents in a language they could understand. Documentation of this exists and is part of the student's cumulative file and will be made available to the NHED upon request during program monitoring.

Section V: Local Educator Input

ESOL Teacher's Name: _____ Signature: _____

Date: _____

Additional Comments (optional):

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Site Administrator's Name: _____ Title: _____

Site Administrator's Signature: _____ Date: _____

Additional Comments (optional):

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- ☐ Reclassification Approved (met criteria)
☐ Reclassification Not Approved

NHED Reviewer Name:

Title: _____

Explanation and/or Recommendations for Future Action:

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