

Rule 6A-6.0903 is amended to read:

6A-6.0903 Requirement for Classification, Reclassification, and Post Reclassification of English Language Learners.

(1) Classification and reclassification for English Language Learners (ELLs) ~~limited English proficient students~~.

(a) Each student identified as an ELL ~~limited English proficient~~ shall continue to receive appropriate instruction and be reported for state funding until such time as the student is reclassified as English proficient. English proficiency shall be determined by reassessing the student utilizing the same or comparable assessment instruments, procedures and standards, adjusted for age and grade level, used to determine the student's eligibility assessment. The standards for determining whether the ELLs have attained sufficient English proficiency to exit the English for Speakers of Other Languages (ESOL) program shall be based on multiple measures.

(2) Standards for Student Exit from the ESOL Program.

(a) A student previously classified as an ELL shall be determined English proficient based on at least two (2) of the following standards:

1. The Comprehensive English Language Learning Assessment (CELLA) may be used as one (1) of the measures for determining exit. Oral skills, reading, and writing scale scores for each grade cluster shall be added to determine the composite score at grade level. Scores equal to and greater than the CELLA composite scores in the following table shall be used to determine the level of English proficiency for students tested in listening, speaking, reading and writing on grade level:

<u>Grade Cluster</u>	<u>CELLA English Proficient Composite Scores</u>
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<u>K-2</u>	<u>2050 and greater</u>
<u>3-5</u>	<u>2150 and greater</u>
<u>6-8</u>	<u>2200 and greater</u>
<u>9-12</u>	<u>2250 and greater</u>

If the CELLA is selected as one (1) of the exit measures, a minimum CELLA composite score for students tested on grade level and a score at the proficient level on CELLA Reading tested on grade level shall be used to determine the level of English proficiency.

2. A score at or above the proficient level on a Department approved listening and speaking assessment or above the publisher’s cut score on an aural and oral assessment. If this measure is used for students in grades 3 through 12, the second measure shall be an assessment in reading and writing.

3. A score at or above the 33rd national percentile on the reading comprehension and writing or language usage subtests on a nationally norm referenced test. The second measure shall be a listening and speaking or aural and oral assessment.

4. A Florida Comprehensive Assessment Test (FCAT) achievement level of three (3) or greater or equivalent developmental scale score on the Reading test of the Sunshine State Standards pursuant to Rule 6A-1.09422, FAC. The second measure shall be an assessment in listening and speaking or aural and oral, and writing.

5. A Florida Comprehensive Assessment Test (FCAT) achievement level of three (3) or greater on the Writing + of the Sunshine State Standards pursuant to Rule 6A-1.09422, FAC. The second measure shall be an assessment in listening and speaking or aural and oral, and reading.

(b) School districts shall adopt the exit standards described in paragraph (2)(a) of this rule.

In lieu of the standards described in subparagraphs (2)(a)1. – 5. of this rule, a district may propose an alternative exit standard for use during the first full academic year after this rule is adopted. The district shall submit its proposed alternative exit standards as an amendment to the District’s ELL Plan. The proposed alternative exit standards shall be approved by the Department of Education prior to implementation. Alternative exit standards may not be used if their use will result in standards for students classified as ELL that are higher than those required of all other students in the school for determining grade promotion, minimum grade level achievement level, or graduation.

(c)(b) Notwithstanding the exit standards described in paragraph (2)(a) of this rule, upon the request of a student’s teacher, counselor, administrator, or parent, a A student who has been classified as an ELL limited English proficient and enrolled in an English for Speakers of Other Languages (ESOL) program may be reassessed utilizing additional information upon the request of an English for speakers of other languages teacher, counselor, administrator or parent. The ELL LEP Committee shall consider the student’s assessment results based on paragraph (2)(a) of this rule and may use criteria established in Rule 6A-6.0902(2)(a)4., FAC., other assessment information to determine that the student should be exited from the ESOL program if the committee determines that another instructional program or combination of instructional programs better meets the needs of the student. The documentation of the assessment instruments used and the justification for such action shall be retained in the student’s records. The ELL Committee shall be convened to review the assessment information and make further determinations for placement and additional services for any student in grades K-12 with inconsistent assessment information or discrepancies between scores for each language domain of listening, speaking, reading, and writing.

(d)(e) An ELL limited English proficient student shall be enrolled in one or more programs other than ESOL English for speakers of other languages programs based on eligibility and need.

The amount of time the student is assigned to such a program(s) shall be comparable to that assigned to ~~non-limited~~ English proficient students under similar conditions, provided; however, the student assigned full time to a program other than ESOL shall be provided English for Speakers of Other Languages or Language Arts through ESOL and basic subject area instruction using either ESOL instructional strategies or heritage language instructional strategies as required by Rule 6A-6.0904, FAC., as soon as possible.

~~(e)(d)~~ A former ELL ~~limited English proficient student~~ may only be reclassified as English proficient utilizing the procedures in paragraphs ~~(2)(4)~~(a) and (b) of this rule.

~~(f)(e)~~ Extension of time in the ESOL program for ELLs ~~limited English proficient students~~ shall be determined by applying the multiple criteria for entry as specified in Rule 6A-6.0902, FAC., and the ELL LEP Committee procedure. This extension of instruction shall be provided to all ELLs ~~limited English proficient students~~ not satisfying the standards in this subsection and to all ELLs whose academic achievement is not on grade level due to lack of English language proficiency, including listening, speaking, reading, and writing in English ~~other limited English proficient students on an individualized basis whose aural and oral proficiency testing and achievement results in English are not consistent~~. An ELL LEP Committee considering the extension of programming for such students shall refer the students as necessary, for appropriate remedial, compensatory, special and supportive services evaluations, and programs.

~~(g)(f)~~ English Language Learners ~~Limited English proficient students~~ provided ESOL or heritage home language instruction may be reported for funding in the Florida Educational Finance Program as specified in Section 1011.62, Florida Statutes F.S., ~~as amended by Chapter 2003.391, Laws of Florida~~.

~~(3)(2)~~ Post Reclassification.

(a) The performance of former ELLs ~~limited English proficient students~~ shall be reviewed periodically to ensure parity of participation once they have been classified as English proficient. These reviews shall take place automatically at the student's first report card and semi-annually during the first year after exiting, and at the end of the second year after exiting. Any consistent pattern of either under-performance on appropriate tests or failing grades shall result in the convening of an ELL ~~LEP~~ Committee, with parental participation, to assess the student's need for additional appropriate programming such as ESOL or other needed programs. Special consideration shall be given to any decline in grades and decline in test performance and to parent preference.

(b) The ELL ~~LEP~~ Committee shall recommend an appropriate ELL Student ~~student LEP~~ Plan for students reclassified as ELLs ~~limited English proficient~~. The basis and nature of such recommendations shall be in writing and maintained in the student's file. Any such plan shall be reevaluated for continued appropriateness after one year, and each year thereafter as necessary.

(c) Any student who is reclassified as an ELL ~~limited English proficient~~ shall be provided appropriate instruction on the basis of an annual extension pursuant to a documented determination of the student's needs.

(d) A student who exits the program and is later reclassified as an ELL ~~limited English proficient~~, may be reported in the ESOL program, as specified in Sections 1003.56 and 1011.62, Florida Statutes, F.S., as amended by Chapter 2002-387, Laws of Florida.

(e) Lack of a students' ESOL funding eligibility does not relieve a school district of any obligation it may have under state or federal law to continue to provide appropriate services to ELLs ~~limited English proficient~~ beyond the state ESOL program funding limits.

Specific Authority 1001.02 FS. Law Implemented 1003.56, 1011.62 FS., ~~as amended by Section~~

150, Chapter 2002-387, Laws of Florida. History—New 10-30-90.