



**Wisconsin Association for Bilingual
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**Wisconsin Teachers of English to Speakers
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Dear [Senator _____, Representative _____, or other Addressee]:

We are the Wisconsin Association for Bilingual Education (WIABE) and Wisconsin Teachers of English to Speakers of Other Languages (WITESOL), the two largest organizations in the state of Wisconsin that serve educators of emerging bilingual and multilingual students. Wisconsin has approximately 50,000 English Learners (ELs) across the state. We partner and support educators and school districts in the state as they meet the legal educational needs of ELs by providing programs that support English language acquisition and biliteracy.

One of our primary objectives is to advocate for high-quality bilingual and English as a second language education programs. Wisconsin has a proud history of bilingual education, starting with German-English programs founded in the 1850s, and the main language proficiency assessment tool used for ELs across the US was founded in Wisconsin (WIDA; <https://wida.wisc.edu/>). Wisconsin has a number of very successful bilingual, dual language, and ESL programs across the state, and the impact of recent legislation reflected in Act 20 will be devastating to ELs in our state. The law completely ignores the large body of research on language acquisition over the last fifty years.

As currently written, Act 20 is in direct opposition to the bilingual/dual language program models of instruction in Wisconsin, which supports students acquiring English language proficiency while maintaining their home language, as well as to best practices for EL instruction, which includes translanguaging and use of the first language as a tool to support ELs in acquiring English. In bilingual/dual language programs, K4 – Grade 1 use Spanish as the primary language of instruction, supported by research evidence that skills developed in the first language will automatically transfer to the second language (Cummins, Collier & Thomas, Escamilla, Gottlieb, Castro, Beeman & Urow). Additionally, another adverse impact of Act 20 is that bilingual and ESL teachers will feel compelled to refrain from using the native language to develop academic skills and will shift to English only instruction, thus abandoning the bilingual model and translanguaging support for the teaching of English, models that have been proven successful nationwide.

On behalf of WIABE and WITESOL, and the ELs in the state that we represent, it is our position that the following changes be made immediately to Act 20:

1. Experts in bilingual education, English learner education, and language acquisition be included in committees guiding the implementation of Act 20 into practice

2. Exemptions granted to recent arrivals to the country to be waived from any English assessment for one year, as exemplified by the FORWARD state exam, where students who have been in the country for less than a year are exempt from taking the English reading exam
3. Students not be labeled at risk or referred to special education services based on an English screener or assessment when they have not had adequate time to become proficient in English
4. A reading plan and/or mandatory summer school must reflect best practices in assessments and bilingual/dual language education, that is, to allow them to develop literacy skills in two languages.
5. Instructional best practices for English language development and biliteracy be allowed in the classrooms. Not being able to use these practices puts them in double jeopardy by ignoring literacy development in their home language and denying them the tools they need to learn in two languages.
6. Testing in the students' home language should be accepted as a valid measure of progress and literacy development
7. The K4 - K5 early childhood screener be provided in Spanish for English/Spanish bilingual programs
8. Assurances that the highly successful bilingual programs in the state be allowed to continue providing instruction in two languages without risk of being altered as a result of invalid assessment data.

In conclusion, Act 20 disregards the unique strengths and needs of ELs. Its assessment provisions—testing ELs only in English, before they know English—is a misuse of standardized tests and screeners because it violates the bedrock principle of test validity. Standardized tests and screeners only in English are simply not valid for ELs. Furthermore, Act 20 will pressure school districts to undermine the fidelity of the bilingual/dual language programs in order to comply with English testing mandates, thereby jeopardizing the quality of bilingual/dual language programs in Wisconsin. Finally, mislabeling multilingual students as at risk solely on the basis of a screener or diagnostic assessment in English is a human rights violation that can ultimately be taken up by the Office of Civil Rights. Thus, WIABE and WITESOL ask the state legislature to reconsider portions of Act 20 in light of its negative implications for ELs. We count on the legislature and DPI to make the appropriate changes that are equitable and protect the civil rights of Wisconsin's EL population.

Together in education,

WIABE Executive Board
Lori Menning, President

WITESOL Executive Board
Kari Johnson, President
Dr. Heather Linville, President-Elect