

**Resolution for Referral to the Delegate Assembly  
of the Wisconsin Association of School Boards (WASB)**

By Director Gokalgandhi

WHEREAS, Current state law requires school districts to establish a bilingual-bicultural (BLBC) education program if they reach certain threshold concentrations of English Learner (EL) students from the same language group within discrete grade bands in an individual school in the district. Wis. Stat. sec. 115.97 establishes the following thresholds:

- 10 or more EL students in grades K-3;
- 20 or more EL students in grades 4-8; and
- 20 or more EL students in grades 9-12;

WHEREAS, A "bilingual-bicultural education program" is by definition a program designed to improve the comprehension and the speaking, reading and writing ability of EL students in the English language, so that the student will ultimately be able to perform ordinary classwork in English; and

WHEREAS, The State Superintendent of Public Instruction is required to establish, by rule, minimum standards for BLBC education programs as well as standards for the approval of the abilities of certified teachers and counselors and their aides participating in BLBC education programs; and

WHEREAS, Each school district establishing a BLBC education program shall ensure bilingual teachers, bilingual teacher's aides, bilingual counselors, and bilingual counselor's aides meet the definitions established by Department of Public Instruction (DPI) rule to be licensed; and

WHEREAS, Milwaukee Public Schools is thus required by law to establish BLBC education programs taught by licensed bilingual teachers; and

WHEREAS, Milwaukee Public Schools is one of many districts throughout Wisconsin that is facing challenges with the recruitment and retention of licensed bilingual teachers; and

WHEREAS, In order to receive an educator license in Wisconsin, including a bilingual teacher license, the Wisconsin DPI requires applicants to demonstrate content knowledge proficiency in their specific license area; and

WHEREAS, an additional requirement for licensure is that an applicant for a license to teach in grades K4 to 9 or in special education must pass the Foundations of Reading Test (FoRT); and

WHEREAS, The FoRT examination process is a costly and time-consuming process, with a relatively high failure rate as it is currently administered in Wisconsin; and

WHEREAS, In recognition of the negative impact the FoRT exam passage requirement coupled with this relatively high failure rate was having on the supply of teachers in special education, in November 2019, the Wisconsin Legislature enacted 2019 Wisconsin Act 44, amending Wis. Stat. sec. 118.19 (14) (a); and creating Wis. Stat. sec. 118.19 (14) (b), to allow

the DPI to grant a waiver from the requirement to pass the FoRT exam for certain applicants pursuing a license in special education; and

WHEREAS, This waiver allows an individual applicant seeking an initial teaching license to teach in special education who is unable to pass the FoRT exam to obtain a license if the applicant demonstrates to the satisfaction of the DPI that he or she has successfully completed a course of study that satisfies all of the following:

1. The course of study provides rigorous instruction in the teaching of phonemic awareness, phonics, vocabulary, reading comprehension, and fluency.
2. A student in the course of study receives feedback and coaching from an individual who is an expert of reading instruction.
3. A student in the course of study demonstrates competence in phonemic awareness, phonics, vocabulary, reading comprehension, and fluency by providing a portfolio of work; and

WHEREAS, There are many qualified, experienced individuals who want to work as bilingual educators and still more who are currently serving our schools as bilingual educational assistants and paraprofessionals whose career advancement toward licensure as a bilingual teacher is stalled due to their inability to pass the FoRT exam despite their experience and qualifications; and

WHEREAS, According to the DPI, the passage rate for first-time FoRT exam takers is only about 66%; and

WHEREAS, When broken down by race and ethnicity, the first-time passage rate for persons of color is even lower, with 68 percent of Whites but only 55 percent of Asians, 50 percent of Native Americans, 41 percent of Blacks and 36 percent of Hispanics passing the FoRT on their first attempt, according to the DPI's 2014-15 statistics; and

WHEREAS, These results, broken down by race and ethnicity, appear to be similar to FoRT results broken down by race and ethnicity, from other school districts in the nation that administer the same FoRT test; and

WHEREAS, Providing only one pathway to licensure (that requires passage of the FoRT exam) disproportionately impacts teacher license applicants of color and only exacerbates the problem of teacher shortages in areas such as bilingual teachers, where licensure applicants are disproportionately persons of color; and

WHEREAS, This is especially problematic, considering that there could be other options for licensing qualified bilingual individuals as bilingual teachers, such as the creation of a waiver similar to the one now being afforded to prospective special education teacher applicants; and

WHEREAS, As determined by recent litigation in the state of New York, not providing an alternate pathway to certification may constitute employment discrimination against applicants of color who are not eligible for employment as classroom teachers; now, therefore, be it

RESOLVED, that MPS urges WASB and DPI to support legislation for bi-lingual, bi-cultural license applicants similar to the legislation enacted for special education license applicants to provide an alternative pathway to licensure that does not require passage of the FoRT exam, or

FURTHER, that MPS urges WASB and DPI to support legislation to explicitly direct the DPI to waive the FoRT exam requirement for bi-lingual, bi-cultural teaching license applicants.

*Introduction Date*