

NJTESOL/NJBE, Inc.

AN AFFILIATE OF NJEA, TESOL, NABE

New Jersey Teachers of English to Speakers of Other Languages/New Jersey Bilingual Educators, Incorporated

A professional organization for those concerned with the teaching of English as a Second Language,
Bilingual Education and Standard English as a Dialect

TO: The Hon. Angelica Allen-McMillan
Interim Commissioner– Department of Education
FROM: NJ Teachers of English to Speakers of Other Languages/ NJ Bilingual Educators
(NJTESOL/NJBE)
RE: **NJTESOL/NJBE Statement on Postponing ACCESS for ELLs testing**
DATE: January 11, 2021

Dear Commissioner Allen-McMillan,

This statement is presented on behalf of NJTESOL/NJBE, a professional organization for those concerned with the needs of English Learners (ELs) or Emerging Bilinguals (EBs), as we prefer to refer to these students. NJTESOL/NJBE represents educators and administrators dedicated to the instruction of Emerging Bilinguals/(ELs) at all levels of public and private education. We urge that you take courageous and important action and postpone the in-person administration of the WIDA ACCESS test for EBs/ELs during the COVID-19 pandemic. As public health data amply demonstrates, these students and their families are uniquely and disproportionately at risk of contracting the disease and the WIDA ACCESS in-person testing – which entails multiple separate test administrations over multiple days – places the students at imminent health risk and harm. School districts will also have undue burdens in attempting to administer the assessment with limited facilities/technology, staff, and lack of substitute teachers. In addition, a significant number of emerging bilingual families have chosen a remote learning model of instruction in order to minimize risks to their households.

If it is not possible to cancel the administration of ACCESS, we ask that the New Jersey Department of Education issue guidance to all school districts, Boards of Education and charter schools concerning emerging bilingual students, particularly to inform parents, in English and relevant home languages, that in-person ACCESS testing at this time is voluntary. In addition, we request that districts, parents and students not be punished, disciplined, penalized, reported or otherwise sanctioned for their legitimate COVID-19 safety concerns if the administration of this assessment is not postponed.

According to the Centers for Disease Control (CDC), Latinx persons are 2.8X or higher than white persons to contract COVID-19. Black persons are 4.7X higher than white persons, and Asians 1.3X higher than white persons. In New Jersey, virtually all emerging bilingual students and families fall into these higher-risk categories. The CDC further advises that among the factors that increase community spread and individual risk are close physical contact, enclosed space and duration of exposure. The CDC defines as close contact being within 6 feet of an infected person for a cumulative total of 15 minutes over a 24-hour period starting from 2 days before illness onset or for 2 days prior to test specimen collection for asymptomatic persons.

Many parents, educators, and advocates have urged a pause in standardized testing and assessment during the pandemic. Notably, unlike other English language proficiency assessments that can be given remotely – and that do not require in person, face-to-face risk of COVID-19 exposure – WIDA has not modified its ACCESS assessment protocol to protect EB/EL students. Considering the disparate impact and imminent

harm that will disproportionately affect emerging bilingual students, we believe unjustified reliance on in-person testing for EB/EL students raises serious discrimination concerns.

In conclusion, we urge NJDOE to acknowledge that school district administration of in-person ACCESS for ELLs assessment to emerging bilingual students, among the highest risk populations and most vulnerable communities, is potentially life-threatening. In response to this threat, WIDA ACCESS must be postponed or made entirely voluntary.

Sincerely,

Kathleen Fernandez

Kathleen Fernandez
Executive Director NJTESOL/NJBE

Margaret Churchill

Margaret Churchill
President NJTESOL/NJBE