

HOUSE BILL 794

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By: **Delegates Qi, Acevero, Bhandari, Boyce, Charles, Crutchfield, Cullison, Feldmark, Guyton, Krimm, R. Lewis, Lierman, Luedtke, Palakovich Carr, Shetty, and Wilkins**

Introduced and read first time: February 3, 2020

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Educational Interpreters – Certification Requirements**

3 FOR the purpose of requiring the State Board of Education and the Professional Standards
4 and Teacher Education Board to develop certain rules and regulations for the
5 certification of educational interpreters; providing that certain individuals who are
6 deaf or hard of hearing may not be denied the right to receive certain credentials or
7 contract for work for which the individual is otherwise qualified because the
8 individual is deaf or hard of hearing; requiring the State Board and the Board to
9 develop certain regulations on or before a certain date; establishing certain
10 qualifications for a certificate as an educational interpreter; establishing certain
11 professional development requirements for renewal of an educational interpreter
12 certificate; requiring certain educational interpreters to obtain certification on or
13 before a certain date; requiring certain regulations to include reimbursement of
14 examination costs for certain candidates who successfully obtain a certificate as an
15 educational interpreter; requiring the State to explore certain fiscal support;
16 defining certain terms; making a stylistic change; and generally relating to the
17 certification of educational interpreters.

18 BY repealing and reenacting, with amendments,
19 Article – Education
20 Section 6–704(a)
21 Annotated Code of Maryland
22 (2018 Replacement Volume and 2019 Supplement)

23 BY adding to
24 Article – Education
25 Section 6–704.2
26 Annotated Code of Maryland
27 (2018 Replacement Volume and 2019 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Preamble

WHEREAS, As of January 1, 2020, Maryland has 150 part-time and full-time American Sign Language Educational Interpreters in the State; and

WHEREAS, There is no certification or licensing requirement for educational interpreters in the State; and

WHEREAS, Deaf students have the right to a fully accessible education, including access to all information, specialized personnel, school programs, social activities, and extracurricular activities available to hearing students; and

WHEREAS, Deaf students have the right to qualified professionals proficient in developing the student's acquisition of language through early intervention and during their school years and to assessment on a regular basis by qualified language acquisition professionals; and

WHEREAS, Interpreting services for children who are deaf or hard of hearing includes oral transliteration services, cued language transliteration services, and sign language interpreting services; and

WHEREAS, A student who communicates by using American Sign Language needs an educational interpreter proficient in American Sign Language, a student who communicates by using Signed Exact English needs an educational interpreter proficient in Signed Exact English, and a student who relies on oral communication instead of signing to communicate needs an oral interpreter; and

WHEREAS, The National Association of Interpreters in Education believes an interpreter working in an educational setting possesses specialized academic and professional credentials that include knowledge and skill sets for the educational environment. Interpreters must also adhere to a high standard of ethical practices and professional integrity, as well as pursue excellence through professional development opportunities that continually enhance the quality of the services provided; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Education

6–704.

(a) (1) In accordance with Title 10, Subtitle 1 of the State Government Article, both the State Board and the Board shall develop for consideration rules and regulations for:

(i) Except as provided in item (iii) of this paragraph, the

1 certification of teachers and other professional personnel in accordance with this article;

2 (ii) Requirements for preparation of teachers and other education
3 personnel; and

4 (iii) The certification of [social workers] **EDUCATIONAL**
5 **INTERPRETERS, IN ACCORDANCE WITH § 6-704.2 OF THIS SUBTITLE.**

6 (2) Rules and regulations developed by the State Board shall be reviewed
7 by the Board.

8 (3) Rules and regulations developed by the Board shall be reviewed by the
9 State Board.

10 (4) Rules and regulations that are initiated by either the State Board or
11 the Board and submitted for review to each other shall be acted upon within 60 days of
12 their receipt by the other party.

13 (5) Recommendations on rules and regulations that are initiated by the
14 Board shall be implemented unless disapproved by three-fourths of the members of the
15 State Board.

16 (6) Recommendations on rules and regulations that are initiated by the
17 State Board shall be implemented unless disapproved by the Board.

18 (7) If the rules or regulations are disapproved under paragraph (6) of this
19 subsection, the rules or regulations shall be implemented if they are approved by
20 three-fourths of the members of the State Board.

21 (8) An individual who is otherwise qualified may not be denied the right to
22 receive credentials from the Board, to receive training to become a teacher, or to practice
23 teaching in any school because that individual is totally or partially blind, **DEAF, OR HARD**
24 **OF HEARING.**

25 (9) A county board may not refuse to contract with or engage a teacher
26 because of blindness **OR DEAFNESS** if the blind, **DEAF, OR HARD OF HEARING** teacher is
27 capable of performing the duties of the position for which [he] **THE TEACHER** has applied.

28 (10) The right of a school psychologist, who is certified by the Board to
29 practice school psychology consistent with the provisions of that certification, may not be
30 limited by Title 18 of the Health Occupations Article with respect to the practice of school
31 psychology in an educational institution.

32 **6-704.2.**

1 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
2 INDICATED.

3 (2) "EDUCATIONAL INTERPRETER" MEANS AN INDIVIDUAL WHO
4 PROVIDES SIGN LANGUAGE INTERPRETING SERVICES IN AN EDUCATIONAL SETTING.

5 (3) "EDUCATIONAL INTERPRETER PERFORMANCE ASSESSMENT" OR
6 "EIPA" MEANS A SIGN-TO-VOICE AND VOICE-TO-SIGN TESTING TOOL THAT
7 EVALUATES THE SKILL LEVEL OF AN EDUCATIONAL INTERPRETER WHO WORKS IN
8 AN ELEMENTARY AND SECONDARY SCHOOL SETTING.

9 (4) "REGISTRY OF INTERPRETERS FOR THE DEAF" MEANS A
10 NATIONAL NONPROFIT ORGANIZATION THAT TESTS AND CERTIFIES INTERPRETERS.

11 (B) (1) ON OR BEFORE JULY 1, 2021, THE STATE BOARD AND THE BOARD
12 SHALL DEVELOP REGULATIONS FOR THE CERTIFICATION OF EDUCATIONAL
13 INTERPRETERS IN PUBLIC SCHOOLS.

14 (2) IN ADDITION TO THE REQUIREMENTS ESTABLISHED BY THE
15 STATE BOARD AND THE BOARD UNDER PARAGRAPH (1) OF THIS SUBSECTION, TO
16 QUALIFY FOR A CERTIFICATE AS AN EDUCATIONAL INTERPRETER, AN APPLICANT
17 SHALL:

18 (I) 1. PASS THE EIPA WRITTEN TEST AND KNOWLEDGE
19 STANDARDS WITH A MINIMUM SCORE OF 75%; AND

20 2. PASS ONE EIPA WITH A MINIMUM SCORE OF 3.7; OR

21 (II) HOLD A CURRENT NATIONAL INTERPRETER
22 CERTIFICATION FROM THE REGISTRY OF INTERPRETERS FOR THE DEAF, OR ITS
23 SUCCESSOR ORGANIZATION.

24 (3) IN ADDITION TO ANY OTHER RENEWAL REQUIREMENTS SET BY
25 THE STATE BOARD AND THE BOARD UNDER THIS SUBTITLE, TO QUALIFY FOR
26 RENEWAL OF A REGISTRY OF INTERPRETERS FOR THE DEAF CERTIFICATE, A
27 CERTIFIED EDUCATIONAL INTERPRETER SHALL SUCCESSFULLY COMPLETE DURING
28 THE TERM OF THE CERTIFICATE:

29 (I) A MINIMUM OF 40 HOURS OF PROFESSIONAL
30 DEVELOPMENT FOR A LEVEL ONE CERTIFICATION; OR

31 (II) A MINIMUM OF 80 HOURS OF PROFESSIONAL
32 DEVELOPMENT FOR A LEVEL TWO OR LEVEL THREE CERTIFICATION.

1 **(4) THE REGULATIONS DEVELOPED BY THE STATE BOARD AND THE**
2 **BOARD UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE**
3 **REIMBURSEMENT OF EXAMINATION COSTS FOR CANDIDATES WHO SUCCESSFULLY**
4 **OBTAIN A CERTIFICATE AS AN EDUCATIONAL INTERPRETER.**

5 **(C) AN EDUCATIONAL INTERPRETER EMPLOYED BY A PUBLIC SCHOOL**
6 **SHALL OBTAIN CERTIFICATION ON OR BEFORE JULY 1, 2027.**

7 **(D) THE STATE SHALL EXPLORE FISCAL SUPPORT FOR EDUCATIONAL**
8 **INTERPRETERS.**

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
10 1, 2020.