

HOUSE BILL 651

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11r1755
CF SB 464

By: **Delegate Qi**

Introduced and read first time: January 22, 2021

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 1, 2021

CHAPTER _____

1 AN ACT concerning

2 **Education – Educational Interpreter – 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 on or before a certain date; providing that
6 certain individuals who are deaf or hard of hearing may not be denied the right to
7 receive certain credentials or a contract for work for which the individual is
8 otherwise qualified because the individual is deaf or hard of hearing; requiring the
9 State Board and the Board to develop certain regulations on or before a certain date;
10 ~~establishing certain qualifications for a certificate as an educational interpreter;~~
11 ~~establishing certain professional development requirements for renewal of an~~
12 ~~educational interpreter certificate; requiring certain regulations to include~~ requiring
13 the State Board and Board, in adopting certain regulations, to consider including a
14 full or partial reimbursement of examination costs for certain candidates who
15 successfully obtain a certificate as an educational interpreter; requiring certain
16 educational interpreters to obtain certification on or before a certain date; requiring
17 the State to explore fiscal support for educational interpreters; defining a certain
18 ~~terms~~ term; making a stylistic change; and generally relating to the certification of
19 educational interpreters.

20 BY repealing and reenacting, with amendments,
21 Article – Education
22 Section 6–704(a)
23 Annotated Code of Maryland
24 (2018 Replacement Volume and 2020 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY adding to
2 Article – Education
3 Section 6–704.2
4 Annotated Code of Maryland
5 (2018 Replacement Volume and 2020 Supplement)

6 Preamble

7 WHEREAS, As of November 2020, Maryland has 150 part–time and full–time
8 American Sign Language educational interpreters in the State; and

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

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

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

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

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

26 WHEREAS, The National Association of Interpreters in Education believes an
27 interpreter working in an educational setting possesses specialized academic and
28 professional credentials that include knowledge and skill sets for the educational
29 environment; and

30 WHEREAS, Interpreters must adhere to a high standard of ethical practices and
31 professional integrity, as well as pursue excellence through professional development
32 opportunities that continually enhance the quality of the services provided; now, therefore,

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

35 **Article – Education**

1 6–704.

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

5 (i) Except as provided in item (iii) of this paragraph, the
6 certification of teachers and other professional personnel in accordance with this article;

7 (ii) Requirements for preparation of teachers and other education
8 personnel; [and]

9 (iii) The certification of social workers; **AND**

10 (IV) **THE CERTIFICATION OF EDUCATIONAL INTERPRETERS, IN**
11 **ACCORDANCE WITH § 6–704.2 OF THIS SUBTITLE.**

12 (2) Rules and regulations developed by the State Board shall be reviewed
13 by the Board.

14 (3) Rules and regulations developed by the Board shall be reviewed by the
15 State Board.

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

19 (5) Recommendations on rules and regulations that are initiated by the
20 Board shall be implemented unless disapproved by three–fourths of the members of the
21 State Board.

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

24 (7) If the rules or regulations are disapproved under paragraph (6) of this
25 subsection, the rules or regulations shall be implemented if they are approved by
26 three–fourths of the members of the State Board.

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

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

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

8 **6-704.2.**

9 (A) ~~(1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS~~
10 ~~INDICATED.~~

11 ~~(2) "EDUCATIONAL INTERPRETER" MEANS AN INDIVIDUAL WHO~~
12 ~~PROVIDES SIGN LANGUAGE INTERPRETING SERVICES IN AN EDUCATIONAL SETTING.~~

13 ~~(3) "EDUCATIONAL INTERPRETER PERFORMANCE ASSESSMENT" OR~~
14 ~~"EIPA" MEANS A SIGN TO VOICE AND VOICE TO SIGN TESTING TOOL THAT~~
15 ~~EVALUATES THE SKILL LEVEL OF AN EDUCATIONAL INTERPRETER WHO WORKS IN~~
16 ~~AN ELEMENTARY AND SECONDARY SCHOOL SETTING.~~

17 ~~(4) "REGISTRY OF INTERPRETERS FOR THE DEAF" MEANS THE~~
18 ~~REGISTRY OF INTERPRETERS FOR THE DEAF, INC., WHICH IS A NATIONAL~~
19 ~~NONPROFIT ORGANIZATION THAT TESTS AND CERTIFIES INTERPRETERS IN THIS~~
20 ~~SECTION, "EDUCATIONAL INTERPRETER" MEANS AN INDIVIDUAL WHO PROVIDES~~
21 ~~SIGN LANGUAGE INTERPRETING SERVICES IN AN EDUCATIONAL SETTING.~~

22 (B) (1) ON OR BEFORE JULY 1, 2022, THE STATE BOARD AND THE BOARD
23 SHALL DEVELOP REGULATIONS FOR THE CERTIFICATION OF EDUCATIONAL
24 INTERPRETERS IN PUBLIC SCHOOLS.

25 ~~(2) IN ADDITION TO THE REQUIREMENTS ESTABLISHED BY THE~~
26 ~~STATE BOARD AND THE BOARD UNDER PARAGRAPH (1) OF THIS SUBSECTION, TO~~
27 ~~QUALIFY FOR A CERTIFICATE AS AN EDUCATIONAL INTERPRETER, AN APPLICANT~~
28 ~~SHALL:~~

29 ~~(i) 1. PASS THE EIPA WRITTEN TEST AND KNOWLEDGE~~
30 ~~STANDARDS WITH A MINIMUM SCORE OF 75%; AND~~

31 ~~2. PASS ONE EIPA WITH A MINIMUM SCORE OF 4.0; OR~~

32 ~~(ii) HOLD A CURRENT NATIONAL INTERPRETER~~
33 ~~CERTIFICATION FROM THE REGISTRY OF INTERPRETERS FOR THE DEAF, OR ITS~~
34 ~~SUCCESSOR ORGANIZATION.~~

1 ~~(3) IN ADDITION TO ANY OTHER RENEWAL REQUIREMENTS SET BY~~
 2 ~~THE STATE BOARD AND THE BOARD UNDER THIS SUBTITLE, TO QUALIFY FOR~~
 3 ~~RENEWAL OF A REGISTRY OF INTERPRETERS FOR THE DEAF CERTIFICATE, A~~
 4 ~~CERTIFIED EDUCATIONAL INTERPRETER SHALL SUCCESSFULLY COMPLETE A~~
 5 ~~MINIMUM OF 80 HOURS OF PROFESSIONAL DEVELOPMENT.~~

6 ~~(4) THE REGULATIONS DEVELOPED BY THE STATE BOARD AND THE~~
 7 ~~BOARD IN ADOPTING THE REGULATIONS REQUIRED UNDER PARAGRAPH (1) OF THIS~~
 8 ~~SUBSECTION SHALL INCLUDE, THE STATE BOARD AND BOARD SHALL CONSIDER~~
 9 ~~INCLUDING A FULL OR PARTIAL REIMBURSEMENT OF EXAMINATION COSTS FOR~~
 10 ~~CANDIDATES WHO SUCCESSFULLY OBTAIN A CERTIFICATE AS AN EDUCATIONAL~~
 11 ~~INTERPRETER.~~

12 (C) AN EDUCATIONAL INTERPRETER EMPLOYED BY A PUBLIC SCHOOL
 13 SHALL OBTAIN CERTIFICATION ON OR BEFORE **JULY 1, 2028.**

14 (D) THE STATE SHALL EXPLORE FISCAL SUPPORT FOR EDUCATIONAL
 15 INTERPRETERS.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
 17 1, 2021.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.