

Department of Legislative Services
 Maryland General Assembly
 2020 Session

FISCAL AND POLICY NOTE
 First Reader

House Bill 794 (Delegate Qi, *et al.*)
 Ways and Means

Education - Educational Interpreters - Certification Requirements

This bill requires, by July 1, 2021, the State Board of Education (SBE) and the Professional Standards and Teacher Education Board (PSTEB) to develop regulations for the certification of educational interpreters who provide sign language interpreting, including a provision to reimburse candidates who successfully obtain a certificate as an educational interpreter for examination costs. An educational interpreter employed by a public school must obtain specified certification by July 1, 2027. Further, the bill establishes specified protections to enable a deaf or hard of hearing individual to become a teacher. **The bill takes effect July 1, 2020.**

Fiscal Summary

State Effect: General fund expenditures increase by an estimated \$10,600 annually beginning in FY 2022 to reimburse successful candidates; however, expenses may be as high as \$63,750 in a single year. SBE and PSTEB can certify individuals as specified using existing resources. Potential minimal impact on revenue as explained below.

(in dollars)	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
SF Revenue	\$0	\$300	\$300	\$300	\$300
GF Expenditure	\$0	\$10,600	\$10,600	\$10,600	\$10,600
Net Effect	\$0	(\$10,400)	(\$10,400)	(\$10,400)	(\$10,400)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: Likely no material effect on local school systems as explained below.

Small Business Effect: None.

Analysis

Bill Summary: In the bill “educational interpreter” is defined as an individual who provides sign language interpreting services in an educational setting. The bill also repeals SBE and PSTEB authority to adopt regulations related to the certification of social workers.

In addition to the requirements established by SBE and PSTEB, to qualify for a certificate as an educational interpreter, an applicant must (1) pass the Educational Interpreter Performance Assessment (EIPA) written test and knowledge standards with a minimum score of 75% and pass one EIPA with a minimum score of 3.7 or (2) hold a current National Interpreter certification from the Registry of Interpreters for the Deaf, or its successor organization.

In addition to any other renewal requirements set by SBE and PSTEB, to qualify for renewal of a Registry of Interpreters for the Deaf certificate, a certificated educational interpreter must successfully complete during the term of the certificate (1) a minimum of 40 hours of professional development for a level one certification or (2) a minimum of 80 hours of professional development for a level two or level three certification.

Further, an individual who is deaf or hard of hearing may not be denied the right to receive a credential from PSTEB, receive training to become a teacher, or to practice teaching. In addition, a local board may not refuse to contract with or engage a teacher because of deafness if the hard of hearing teacher is capable of performing the duties of the position.

Finally, the State must explore fiscal support for educational interpreters.

Current Law: PSTEB is a semi-autonomous board composed of 25 members. PSTEB and SBE share the authority to develop rules and regulations for the certification of teachers and other professional personnel and requirements for the preparation of teachers and other education personnel, including social workers.

Background: According to the Registry of Interpreters for the Deaf, as of 2019, Maryland is one of five states without educational interpreter licensure or certification.

State Revenues: The Maryland State Department of Education (MSDE) charges a minimal \$10 processing fee to issue a new or renewal teaching certificate. To the extent MSDE decides to charge educational interpreters this fee, revenues increase minimally. Using the same assumptions of the number of individuals who apply as below, MSDE special fund revenues increase by an estimated \$250 per year. However, there is no requirement for MSDE to charge this fee and due to the reimbursement requirement of the bill MSDE may choose not to charge a fee.

State Expenditures: Based on the assumptions explained below, beginning in fiscal 2022 general fund expenditures increase by an estimated \$10,625 annually due to the reimbursement of examination costs for candidates who successfully obtain a certificate as an educational interpreter.

- According to the preamble of the bill, as of January 1, 2020, there are 150 part-time and full-time American Sign Language Educational Interpreters in the State. This estimate assumes that 25 individuals successfully obtain a certificate as an educational interpreter each year, which accounts for all current educational interpreters to become certified by the July 1, 2027 (fiscal 2028) date in the bill.
- According to Classroom Interpreting, the EIPA costs \$350 and local testers may charge up to \$75 for a total cost of \$425. This estimate assumes the costs remain the same. Thus, expenditures increase by an estimated \$10,625 annually.
- This estimate assumes that the regulations adopted under the bill require MSDE to reimburse the examination costs for candidates who successfully obtain a certificate as an educational interpreter. Alternatively local school systems could be required to reimburse the examination fees; however, that may be more difficult to administer.
- Actual costs depend on the actual number of individuals who obtain a certificate as an educational interpreter. Thus, costs may be up to an estimate \$63,750 in a fiscal year based on the current number of educational interpreters and the current exam fees.

Local Fiscal Effect: Local school systems must hire individuals who are deaf or hard of hearing if the individual is capable of performing the duties of the position. Beginning July 1, 2027, local school systems must hire educational interpreters that meet the requirements established in the bill. However, these requirements are not anticipated to materially affect local school system finances.

If local school systems are required to reimburse the examination costs for candidates who successfully obtain a certificate as an educational interpreter. Local school system expenditures increase by approximately \$425 per successful candidate. However, this estimate assumes that the regulations developed under the bill requires MSDE and not local school systems to reimburse the examination costs.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Maryland State Department of Education; Maryland School for the Deaf; Classroom Interpreting; Registry of Interpreters for the Deaf; Department of Legislative Services

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