By: Delegate Qi
Introduced and read first time: January 22, 2021
Assigned to: Ways and Means

A BILL ENTITLED

AN ACT concerning

Education – Educational Interpreter – Certification Requirements

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

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

BY adding to
- Article – Education
- Section 6–704.2
- Annotated Code of Maryland
- (2018 Replacement Volume and 2020 Supplement)

Preamble

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
WHEREAS, As of November 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 each 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 include 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; and

WHEREAS, Interpreters must 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

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

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

(iii) The certification of social workers; AND

(iv) THE CERTIFICATION OF EDUCATIONAL INTERPRETERS, IN ACCORDANCE WITH § 6–704.2 OF THIS SUBTITLE.

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

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

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

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

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

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

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

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

(10) The right of a school psychologist, who is certified by the Board to practice school psychology consistent with the provisions of that certification, may not be limited by Title 18 of the Health Occupations Article with respect to the practice of school psychology in an educational institution.
(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
INDICATED.

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

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

(4) "REGISTRY OF INTERPRETERS FOR THE DEAF" MEANS THE
REGISTRY OF INTERPRETERS FOR THE DEAF, INC., WHICH IS A NATIONAL
NONPROFIT ORGANIZATION THAT TESTS AND CERTIFIES INTERPRETERS.

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

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

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

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

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

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

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

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

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

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