

SENATE BILL 464

F1
HB 794/20 – W&M

1lr1756
CF 1lr1755

By: **Senator West**

Introduced and read first time: January 20, 2021

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

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
13 reimbursement of examination costs for certain candidates who successfully obtain
14 a certificate as an educational interpreter; requiring certain educational interpreters
15 to obtain certification on or before a certain date; requiring the State to explore fiscal
16 support for educational interpreters; defining certain terms; making a stylistic
17 change; and generally relating to the 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 2020 Supplement)

23 BY adding to
24 Article – Education
25 Section 6–704.2
26 Annotated Code of Maryland
27 (2018 Replacement Volume and 2020 Supplement)

28 Preamble

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 WHEREAS, As of November 2020, Maryland has 150 part-time and full-time
2 American Sign Language educational interpreters in the State; and

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

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

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

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

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

20 WHEREAS, The National Association of Interpreters in Education believes an
21 interpreter working in an educational setting possesses specialized academic and
22 professional credentials that include knowledge and skill sets for the educational
23 environment; and

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

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

29 **Article – Education**

30 6–704.

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

34 (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; **AND**

5 (IV) **THE CERTIFICATION OF EDUCATIONAL INTERPRETERS, IN**
6 **ACCORDANCE WITH § 6-704.2 OF THIS SUBTITLE.**

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

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

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

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

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

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

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

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

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

33 **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 THE
10 REGISTRY OF INTERPRETERS FOR THE DEAF, INC., WHICH IS A NATIONAL
11 NONPROFIT ORGANIZATION THAT TESTS AND CERTIFIES INTERPRETERS.

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

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

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

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

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

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

30 (4) THE REGULATIONS DEVELOPED BY THE STATE BOARD AND THE
31 BOARD UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE

1 REIMBURSEMENT OF EXAMINATION COSTS FOR CANDIDATES WHO SUCCESSFULLY
2 OBTAIN A CERTIFICATE AS AN EDUCATIONAL INTERPRETER.

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

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

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
8 1, 2021.