

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 37

(Delegate Qi)

Ways and Means

Education, Health, and Environmental Affairs

Education – Educational Interpreter – Certification Requirements

This bill requires, by July 1, 2023, 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. In adopting the regulations, SBE and PSTEB must consider fully or partially reimbursing 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, 2029. 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, 2022.**

Fiscal Summary

State Effect: SBE and PSTEB can develop regulations using existing resources. Beginning in FY 2030, potential minimal impact on Maryland School for the Deaf (MSD) expenditures, as explained below. Potential minimal impact on revenues beginning in FY 2024, as explained below.

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.

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 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. In addition, 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.

Maryland School for the Deaf

MSD is a State-run public school that educates deaf and hard of hearing children from across the State at its campuses in Frederick and Columbia. Students range in age from prekindergarten through grade 12. MSD also serves families with infants who are deaf or hard of hearing through an early intervention program.

MSD is formula funded. MSD must receive an appropriation that is equal to or greater than the sum of two formulas. One formula is based on the prior year appropriation and weighted enrollment growth. The other formula is based on the growth in the target per pupil foundation amount for all public schools and weighted enrollment growth. However, the minimum appropriation may be reduced to the extent reductions are made to the administrative expenses of MSD.

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 beginning in fiscal 2024.

According to MSDE, as of October 1, 2021, there are 121 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, 2029 (fiscal 2030) date in the bill. Thus, MSDE special fund revenues increase by an estimated \$250 per year.

Beginning July 1, 2029, as a public school, MSD must hire educational interpreters that meet the requirements established in the bill. This estimate assumes that teachers using sign language as their primary language of instruction are not considered sign language interpreters. However, MSD advises that it uses American Sign Language interpreters for deaf teachers to communicate with parents at Individualized Education Program meetings.

Thus, beginning in fiscal 2030, MSD expenditures may increase minimally. As MSD is formula funded, general fund expenditures for MSD are not impacted.

Local Expenditures: Beginning July 1, 2029, 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.

Additional Information

Prior Introductions: HB 651 of 2021 passed the House and was referred to the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken. Its cross file, SB 464, received a hearing in the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken. HB 794 of 2020 received a hearing in the House Ways and Means Committee, but no further action was taken.

Designated Cross File: SB 370 (Senator King) - Education, Health, and Environmental Affairs.

Information Source(s): Maryland State Department of Education; Maryland School for the Deaf; Governor's Office of the Deaf and Hard of Hearing; Baltimore City Public Schools; Prince George's County Public Schools; Department of Legislative Services

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