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**BILL:** Senate Bill 645

**TITLE:** State Board of Sign Language Interpreters - Membership and Licensing

**DATE:** February 26, 2026

**POSITION:** Favorable with Amendments

**COMMITTEE:** Senate Education, Energy, and the Environment Committee

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The Public School Superintendents' Association of Maryland (PSSAM) and the Maryland Association of Boards of Education (MABE) jointly **support** Senate Bill 645 **with amendments**.

This bill expands the membership of, and alters the quorum requirements for, the State Board of Sign Language Interpreters (the "Board"); clarifies the Board nomination process under which the Governor can remove members of the Board; alters the date from July, 2024 to December 31, 2026, by which the Board must establish licensing requirements and by which sign language interpreters must meet certain licensing requirements; and adds a requirement for the Board to produce a report providing key information related to sign language interpretation in the state before promulgating regulations.

This joint testimony represents the position of the twenty-four local superintendents and local boards of education — entities who serve and support students and school systems impacted by this legislation and the subsequent regulations the new Board will promulgate. Our goal is to support high-quality interpreting services for students while ensuring that implementation of new licensure requirements does not unintentionally undermine interpreter access or educational continuity.

We represent the expertise of education policy leaders, special education administrators, interpreter providers, and advocates for students who are deaf and hard of hearing, all committed to equitable access and inclusive educational practices.

We appreciate the work of the existing Board to elevate standards and safeguard service quality, but we have consistently vocalized our concerns about the Board's difficulties promulgating regulations, especially for educational interpreters. Our concerns range from very practical operational issues, to legal and systemic challenges for Maryland's students and schools.

We believe this legislation will ensure that the Board's representation is broader to include all relevant and affected stakeholders. We greatly appreciate the sponsor's willingness to create a more suitable framework for this important policymaking Board.

Our requested amendments are outlined below and largely mirror those requested by the other implementing entities - specifically those representing medical, legal, and higher education institutions. The amendments are broadly organized in the following categories/concerns and are briefly described below.

- Composition of the Board
- Enactment Date and other Important Milestones
- Consumer Choice
- Provisional Licenses
- Other Operational Clarifications

### **Composition of the Board**

***Amendment #1 - Add to the Board one additional seat so that key public service areas (medical, legal, educational) can be represented.*** We appreciate the increase in board membership and the inclusion of more interpreters, as well as representatives of implementing agencies in education, legal, and medical settings. However, since there are likely to be specialty regulations created in each of these three fields, we request a seat that represents each sector.

Strike §9-2411(a)(2)(vi), and replace it with the following:

"THREE SHALL BE AFFILIATED WITH ENTITIES THAT OPERATE AND IMPLEMENT DEAF SERVICES, INCLUDING ONE IN AN EDUCATIONAL SETTING, ONE IN A LEGAL SETTING, AND ONE IN A MEDICAL SETTING"

### **Enactment Date and other Important Milestones**

We, too, are anxious to move the important work forward regarding licensure for interpreters. However, we believe some of the target dates in the legislation are unrealistic for the extensive work ahead. Below are five timelines we believe need to be adjusted or included in the bill:

***Amendment #2 - Revise the effective date from October 1, 2026 to July 1, 2026.*** Moving the

effective date will reflect the urgency of promulgating these regulations.

***Amendment #3 - Revise the establishment and publication of licensing requirements from December 31, 2026 to July 1, 2027.***

After passage of this legislation, the Governor will be required to seat a new Board. That new Board will in short order promulgate regulations with the appropriate amount of public and stakeholder input; this will require more time than allocated in the bill as written.

***Amendment #4 - Revise the date by which interpreters need to be licensed from July 1, 2027 to July 1, 2028.***

This new date more adequately reflects the timeline needed to identify or develop the inevitable assessments for licenses. Based on our extensive experience in obtaining credentials for sign language interpreters in schools, we know there are several practical obstacles. A revised date of licensure requirements will allow for time to communicate the changes in the licensure requirements to practitioners, and to allow interpreters to obtain licensure. The timeline will also allow for LEAs to budget for these changes in licensure requirements. Lastly, a July date will create better conditions for hiring and not disrupt services in the middle of a school year.

***Amendment #5 - Add an uncodified section to the bill that reflects the Legislature's intent and prevents any proposed regulations from being published in the Maryland Register prior to the bill's effective date.*** Such an amendment will ensure that regulations resulting from this bill reflect the final policy framework enacted by the General Assembly and are developed through a deliberate process consistent with the updated statute.

***Amendment #6 - Require the Board to first promulgate regulations for a General and Provisional License before moving to any speciality areas.***

This prioritization recognizes the barriers to both promulgating regulations for multiple licenses at one time, but also some of the practical impediments for national assessments for speciality areas. For instance, the most commonly recognized educational assessment, the EIPA, requires interpreters to pass written and performance tests. However, both of these tests are only offered in two locations in Maryland, are costly to access, and are often booked well in advance. For the EIPA performance test specifically, results often take 10 to 12 months or longer to be returned, and unsuccessful candidates are required to wait an additional year after taking their test before retesting. This set of obstacles alone creates a near impossibility for interpreters not already certified to work by the deadline written in the current bill.

A longer phase-in period does not diminish the high standards contemplated, but enables the standards to be implemented with fairness, integrity, and in a sustainable way.

## Provisional Licenses

As discussed above, *Amendment #6* would require the Board to first promulgate regulations for a General and Provisional License before moving to any speciality areas. We believe this will allow for a smoother transition from this unlicensed field. School systems will work diligently to ensure all interpreters are fully licensed but the practical implications of hiring and onboarding new staff will require a phased in approach.

A provisional license is integral to allow interpreters who are in pursuit of licensure to serve students and will also help attract new interpreters to the field. A more adaptable approach to licensure entry is likely necessary to ensure that well-qualified interpreters are not excluded by outdated standards or procedural bottlenecks. This is a well-established practice in school systems with conditionally certified teachers and paraprofessionals acknowledging real world staffing shortages in education.

A scaffold approach also builds a state-supported training pipeline to help aspiring interpreters meet the proposed licensure requirements. There is a serious need for parallel investment in Maryland-based training programs to support those expectations, and a provisional license approach would help.

**For context**, local school systems are already facing severe interpreter shortages. Some large LEAs report filling only **20% of interpreter positions**, with vacancies in counties such as Howard and Prince George’s remaining open for more than two years. In Frederick County, nearly one-third of interpreter roles have been vacant since 2020. Many districts now outsource most or all interpretation services — often at **rates exceeding \$125 per hour**, plus mileage — increasing costs and reducing service continuity for students.

We share the goal of increasing full-time, licensed interpreters — which is both more cost-effective and better for students — but given the existing workforce crisis, any new licensure requirements must be carefully phased to avoid destabilizing IEP and 504 services for deaf and hard of hearing students.

***Amendment #7 - Establish a straight-forward provisional licensing framework to ensure continued public access to interpretation services during phase-in.*** While not currently contemplated in the bill, we respectfully request amending the current requirements for provisional licensure set forth in State Government Article. § 9–2425. This amendment would streamline the requirements for provisional licensure by simplifying what is required to have a general provisional licensee. Each industry can and will have their own requirements in addition to the general provisional license, but it is imperative to phase-in onboarding of licensure requirements in a thoughtful way. This amendment simplifies the requirements for obtaining a

provisional license by limiting them to the basic qualification of having a high school diploma, on top of which other requirements related to the specialty being sought can be required in the future.

(a) subject to the provisions of this section, the board shall issue a provisional license to provide sign language interpretation services to an individual who has:

(1) OBTAINED A HIGH SCHOOL DIPLOMA OR EQUIVALENT

### **Consumer Choice**

***Amendment #8 - Align this statute to the consumer choice standards set forth in the federal Americans with Disabilities Act (“ADA”).*** Changing the consumer choice is not currently contemplated in this legislation but we believe it should be; we believe the current law does not properly reflect ADA allowances for the delivery of services to deaf and hard of hearing individuals. Therefore, we propose the following:

Modify §9–2415(C)(3):

(C) The Board shall adopt regulations to:

ALLOW DEAF AND HARD OF HEARING INDIVIDUALS TO ~~DETERMINE~~ **INDICATE** WHETHER THEY PREFER SIGN LANGUAGE INTERPRETATION SERVICES BEING PROVIDED IN A VIDEO REMOTE INTERPRETING ENVIRONMENT **AND REQUIRE EMPLOYERS TO PROVIDE REASONABLE ACCOMMODATIONS TO SUPPORT THIS PREFERENCE TO THE EXTENT PRACTICABLE AND IN COMPLIANCE WITH ADA GENERAL RULES OUTLINED FOUND IN 28 C.F.R. § 35.160**

This section of the ADA is included at the conclusion of this testimony.

### **Other Operational Clarifications**

***Amendment #9 - Expressly identify “educational settings” as a specialty area.*** This amendment would expressly designate “educational settings” as a recognized specialty area, alongside other enumerated specialties such as legal and medical interpreting. Educational environments present distinct professional standards, role expectations, and competency requirements that warrant the same level of formal recognition and regulatory consideration afforded to other specialty practice areas.

Further, the bill creates a new report requirement to address certification standards, workforce numbers, and specialty requirements across enumerated specialty areas. Including educational settings within that list ensures that the resulting data collection and analysis will meaningfully inform future regulations governing educational interpreters. Without explicit inclusion, the Board's reporting and subsequent regulatory framework may lack the specificity necessary to establish standards that reflect the realities of educational practice.

Add to §9-2415(a) as follows:

**(9) EDUCATIONAL SETTINGS.**

***Amendment #10 - Correct the names for PSSAM and add MABE.*** This amendment would fix likely unintentional drafting errors to correct the organization title for PSSAM, and add the Maryland Association of Boards of Education (MABE) as an organization to be consulted.

Modify §9-2415(b)(2) as follows:

(VII) THE PUBLIC SCHOOLS SUPERINTENDENTS' ASSOCIATION OF  
MARYLAND

(X) THE MARYLAND ASSOCIATION OF BOARDS OF EDUCATION

***Amendment #11 & #12 - For video interpretation, honor out-of-state standards to make out-of-state interpreters available to the public when needed.*** We recognize that requiring all video remote interpreters (especially out-of-state VRI) to be licensed in Maryland presents operational challenges. At the same time, it is clear that waiving all requirements for VRI providers would undermine the purpose of this bill, as a significant portion of interpreting services provided in this state are done remotely. Therefore we propose the following related amendments:

***Amendment #11:***

Add subsection §9-2418(b)(3):

(b) This section does not apply to an individual who:

(3) PROVIDES SIGN LANGUAGE INTERPRETATION SERVICES AS PART OF A VIDEO REMOTE INTERPRETING SERVICE, HOLDS A RID OR BEI CERTIFICATION, AND IS LOCATED OUT-OF-STATE;

This would enable out-of-state video interpreters to provide services, still hold out-of-state interpreters to their own standards, but not undermine Maryland’s own licensure requirements.

**Amendment #12:**

Modify §9–2420(a) and (b) and delete §9–2420(c):

- a. Subject to the provisions of this section, the Board ~~may~~ **SHALL** waive any requirement of this part for an applicant who is licensed to provide sign language interpretation services in another state.

(b) The Board may grant a waiver under this section only if the applicant:

(1) pays to the Board:

- (i) the nonrefundable application fee set by the Board; and
- (ii) the license fee set by the Board; and

(2) provides satisfactory evidence that, at the time the applicant was licensed in the other state, the applicant was required to meet the qualifications for licensure that were substantially equivalent to the qualifications in the State.

(c) The Board may grant a waiver under this section only if the state in which the applicant is licensed waives the qualifications of licensees of the State to a similar extent as the State waives the qualification requirements for individuals licensed in that state.

These amendments together would streamline out-of-state licensure recognition by requiring the Board to waive Maryland’s requirements for individuals already licensed in another state, eliminating the “substantially similar” standard, and removing the reciprocity condition. Together, these changes reduce barriers to entry and expand the available pool of qualified interpreters, while still relying on an existing state licensure determination as the baseline qualification.

**Amendment #13 - Add an additional reporting requirement for the number of licensed interpreters in each county.** This amendment will strengthen any future policies or regulatory action by ensuring that any promulgated regulations are made with an accurate understanding of the number of available interpreters across different jurisdictions in the State. We believe it is also worthwhile to disaggregate this data by an applicant’s county of residence and, if known, the county or region where the applicant plans to work at the time of issuance or renewal.

Update existing reporting requirements for the Board (§9–2407) by adding:

(6) THE NUMBER OF LICENSED SIGN LANGUAGE INTERPRETERS IN EACH COUNTY AS DETERMINED BY THE APPLICANT’S HOME ADDRESSES AND THE APPLICANT’S COUNTY OR REGION OF PLANNED EMPLOYMENT, IF KNOWN.

***Amendment #14 - Expressly account for due process provided in labor agreements for issues of suspension or discipline.*** This amendment clarifies in statute that any regulations adopted by the Board concerning discipline or suspension of licensed interpreters must defer to existing bargaining agreements and establish due process protections for public employees. Elevating this principle ensures that regulatory requirements cannot and would not be interpreted to override negotiated labor terms or procedural safeguards, preserving established employment rights while implementing the licensure framework.

Suggested language:

CONCERNING THE DISCIPLINE OR SUSPENSION OF QUALIFIED INTERPRETERS, NOTHING IN THIS SECTION OR REGULATIONS ADOPTED BY THE BOARD SHALL BE CONSTRUED TO SUPERSEDE, LIMIT, OR IMPAIR ANY COLLECTIVE BARGAINING AGREEMENT ENTERED INTO PURSUANT TO TITLE 6 OF THE EDUCATION ARTICLE, OR ANY PROCEDURAL OR DUE PROCESS RIGHTS AFFORDED TO PUBLIC EMPLOYEES UNDER STATE OR FEDERAL LAW.

### **Conclusion**

Our recommendations are grounded in practical experience serving students who are Deaf and Hard of Hearing, in our deep understanding of local infrastructure, and in precedent looking at successful regulatory frameworks in other states in the nation.

We appreciate your willingness to consider both our well-founded concerns and our proposed solutions. We share the goal of ensuring that all students have access to high-quality sign language interpretation and can meaningfully participate in their education. As this legislation and subsequent regulations continue to take shape, we urge your attention to the infrastructure needed to support this work.

As always, we are available for continued collaboration in refining this framework that will simultaneously uphold professional standards and build a stronger, student-centered, sustainable system in Maryland.

Therefore, PSSAM and MABE **support** Senate Bill 645 with the **amendments** outlined above.

**For REFERENCE ONLY**

**Americans with Disabilities Act Regulations**

**Nondiscrimination on the Basis of Disability in State and Local Government Services -  
Communications -**

**28 C.F.R. § 35.160**

**(a)**

*(1) A public entity shall take appropriate steps to ensure that communications with applicants, participants, members of the public, and companions with disabilities are as effective as communications with others.*

(2) For purposes of this section, “companion” means a family member, friend, or associate of an individual seeking access to a service, program, or activity of a public entity, who, along with such individual, is an appropriate person with whom the public entity should communicate.

**(b)**

(1) A public entity shall furnish appropriate auxiliary aids and services where necessary to afford individuals with disabilities, including applicants, participants, companions, and members of the public, an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity of a public entity.

(2) The type of auxiliary aid or service necessary to ensure effective communication will vary in accordance with the method of communication used by the individual; the nature, length, and complexity of the communication involved; and the context in which the communication is taking place. In determining what types of auxiliary aids and services are necessary, a public entity shall give *primary consideration to the requests of individuals with disabilities*. In order to be effective, auxiliary aids and services must be provided in accessible formats, in a timely manner, and in such a way as to protect the privacy and independence of the individual with a disability.

**(c)**

(1) A public entity shall not require an individual with a disability to bring another individual to interpret for him or her.

(2) A public entity shall not rely on an adult accompanying an individual with a disability to interpret or facilitate communication except—

(i) In an emergency involving an imminent threat to the safety or welfare of an individual or the public where there is no interpreter available; or

(ii) Where the individual with a disability specifically requests that the accompanying adult interpret or facilitate communication, the accompanying adult agrees to provide such assistance, and reliance on that adult for such assistance is appropriate under the circumstances.

(3) A public entity shall not rely on a minor child to interpret or facilitate communication, except in an emergency involving an imminent threat to the safety or welfare of an individual or the public where there is no interpreter available.

(d) Video Remote Interpreting (VRI) services.

A public entity that chooses to provide qualified interpreters via VRI services shall ensure that it provides:

(1) Real-time, full-motion video and audio over a dedicated high-speed, wide-bandwidth video connection or wireless connection that delivers high-quality video images that do not produce lags, choppy, blurry, or grainy images, or irregular pauses in communication;

(2) A sharply delineated image that is large enough to display the interpreter's face, arms, hands, and fingers, and the participating individual's face, arms, hands, and fingers, regardless of his or her body position;

(3) A clear, audible transmission of voices; and

(4) Adequate training to users of the technology and other involved individuals so that they may quickly and efficiently set up and operate the VRI.