

1 ENGROSSED SENATE AMENDMENT  
TO

2 ENGROSSED HOUSE  
BILL NO. 1512

By: Kern and Enns of the House

3  
4 and

Jolley of the Senate

5  
6  
7 [ schools - modifying the Oklahoma Educational  
8 Interpreter for the Deaf Act - ~~effective date~~ -  
emergency ]

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10  
11 AUTHORS: Remove Jolley as principal Senate Author, replace with  
12 Sharp as principal Senate Author and add Senate Coauthors:  
Pittman and Simpson

13 AMENDMENT NO. 1. Page 1, strike the stricken title, enacting clause  
14 and entire bill and insert

15 "[ schools - creating the Oklahoma Educational  
16 Interpreter for the Deaf Task Force - noncodification  
- ~~effective date~~ -  
emergency ]

17  
18 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

19 SECTION 1. NEW LAW A new section of law not to be  
20 codified in the Oklahoma Statutes reads as follows:

21 The State Department of Education shall conduct a capacity  
22 review of educational interpreters available to school districts in  
23 the state and submit a report by December 1, 2015, to the Governor,  
24

1 the President Pro Tempore of the Senate, and the Speaker of the  
2 House of Representatives.

3 SECTION 2. NEW LAW A new section of law not to be  
4 codified in the Oklahoma Statutes reads as follows:

5 A. There is hereby created until December 1, 2015, the  
6 "Oklahoma Educational Interpreter for the Deaf Task Force". The  
7 Task Force shall conduct a thorough review of the Oklahoma  
8 Educational Interpreter for the Deaf Act and make recommendations to  
9 the Legislature for any changes to the requirements for educational  
10 interpreters.

11 B. The Task Force shall consist of eight (8) members to be  
12 appointed as follows:

13 1. One member representing the State Department of Education,  
14 appointed by the Superintendent of Public Instruction, who shall  
15 serve as chair of the task force;

16 2. One member who is a parent of a deaf or hard-of-hearing  
17 student, appointed by the Speaker of the House of Representatives;

18 3. One member who has attained National Association of the Deaf  
19 Level IV or better, appointed by the President Pro Tempore of the  
20 Senate;

21 4. One member who has attained Quality Assurance Screening Test  
22 Level III or better, appointed by the Speaker of the House of  
23 Representatives;

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1           5. One member who is a teacher with a deaf or hard-of-hearing  
2 student in his or her class, appointed by the President Pro Tempore  
3 of the Senate;

4           6. One member who is a principal of a school at which a deaf or  
5 hard-of-hearing student is enrolled, to be appointed by the Speaker  
6 of the House of Representatives;

7           7. One member who represents an organization that advocates on  
8 behalf of deaf or hard-of-hearing individuals, appointed by the  
9 President Pro Tempore of the Senate; and

10          8. One member who represents an organization that advocates on  
11 behalf of public school administrators, to be appointed by the  
12 Superintendent of Public Instruction.

13          C. Appointment to the Task Force shall be made within thirty  
14 (30) days after the effective date of this act. The Task Force  
15 shall conduct an organizational meeting not later than sixty (60)  
16 days after the effective date of this act.

17          D. A quorum of the task force shall be required to approve any  
18 final action of the task force. For purposes of this section, five  
19 members shall constitute a quorum.

20          E. The task force may meet as often as may be required in order  
21 to perform the duties imposed upon it.

22          F. The meetings of the task force shall be subject to the  
23 Oklahoma Open Meeting Act.

1 G. Members of the task force shall receive no compensation or  
2 travel reimbursement.

3 H. Staff support shall be provided by the State Department of  
4 Education.

5 I. The task force shall submit a report of its findings and  
6 recommendations by December 1, 2015, to the Governor, the President  
7 Pro Tempore of the Senate, and the Speaker of the House of  
8 Representatives.

9 ~~SECTION 3. This act shall become effective July 1, 2015.~~

10 ~~SECTION 4. It being immediately necessary for the preservation~~  
11 ~~of the public peace, health and safety, an emergency is hereby~~  
12 ~~declared to exist, by reason whereof this act shall take effect and~~  
13 ~~be in full force from and after its passage and approval."~~

14 Passed the Senate the 21st day of April, 2016.

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\_\_\_\_\_  
Presiding Officer of the Senate

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18 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
19 2016.

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\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

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1 ENGROSSED HOUSE  
2 BILL NO. 1512

By: Kern and Enns of the House

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6 [ schools - modifying the Oklahoma Educational

7 Interpreter for the Deaf Act - ~~effective date~~ -

8 ~~emergency~~ ]

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11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY 70 O.S. 2011, Section 13-115.2, is  
13 amended to read as follows:

14 Section 13-115.2 As used in the Oklahoma Educational  
15 Interpreter for the Deaf Act:

16 1. "Communication mode or language" means one or more of the  
17 following systems or methods of communication applicable to deaf and  
18 hard-of-hearing students:

- 19 a. American Sign Language,  
20 b. English-based sign systems, or  
21 c. oral, aural, or other speech-based communication;

22 2. "Educational ~~Interpreter~~ interpreter" means a person who  
23 ~~possesses a combination of interpreting skills for expressing and~~  
24 ~~receiving information in a variety of signed and oral languages and~~

1 ~~modes~~ is able to interpret effectively, accurately and impartially  
2 both receptively and expressively, using any necessary specialized  
3 vocabulary, communication mode or language for purposes of common  
4 education;

5 3. The Oklahoma "Quality Assurance Screening Test (QAST)" means  
6 a tool used for the comprehensive evaluation of interpreters;

7 4. "Interpreter ~~Training Program~~ training program" means a  
8 training program in an accredited college or university for  
9 preparing interpreters for the deaf; and

10 5. "Work ~~Experience~~ experience" means a minimum of three (3)  
11 years of full-time-equivalent work in the field of deaf education,  
12 and

13 ~~6. "Comparable Level of Proficiency" means a comparable level~~  
14 ~~of proficiency on any other national- or state-recognized~~  
15 ~~educational interpreter assessment as determined and recognized by~~  
16 ~~the State Department of Education.~~

17 SECTION 2. AMENDATORY 70 O.S. 2011, Section 13-115.3, is  
18 amended to read as follows:

19 Section 13-115.3 A. Except as otherwise provided in this  
20 section, any person who functions as an educational interpreter  
21 including a paraprofessional, teacher assistant or other person who  
22 has interpreting responsibilities as defined in Section 13-115.2 of  
23 this title in a public school shall have the interpersonal skills to  
24 work effectively and collaboratively with staff and students within

1 the instructional setting as well as a comprehensive, general  
2 knowledge of academic subjects and current events, educational  
3 processes and organization, principles and practices of special  
4 education, aspects and issues of deaf culture, and shall have:

- 5 ~~1. Completed an interpreter training program;~~
- 6 ~~2. Attained a bachelor's degree; or~~
- 7 ~~3. Worked three (3) or more years in an area related to the~~  
8 ~~field of deaf education.~~

9 ~~B. In addition to the requirements of subsection A of this~~  
10 ~~section, a person who functions as an educational interpreter in a~~  
11 ~~public school shall attain~~ attained one or more of the following:

- 12 1. Certification recognized by the Registry of Interpreters of  
13 the Deaf (RID), including Ed:K-12, which consists of an Educational  
14 Interpreter Performance Assessment (EIPA) written exam passing  
15 score, EIPA performance assessment score of 4.0 or higher, education  
16 or experience requirements and RID certified membership; or
- 17 ~~2. National Association of the Deaf (NAD) Level IV or better;~~
- 18 ~~3. Quality Assurance Screening Test (QAST) Level III or better;~~  
19 ~~or~~
- 20 ~~4. A comparable level of proficiency.~~

21 B. It shall be desirable for an educational interpreter to hold  
22 either a bachelor's or associate's degree.

23 C. A Except as otherwise provided for in subsection D of this  
24 section, a person who has never worked as an educational interpreter

1 ~~in any public school, who meets~~ does not meet the requirements as  
2 provided in subsection A of this section, ~~who does not meet the~~  
3 ~~requirements of subsection B of this section, and who has attained~~  
4 ~~the Quality Assurance Screening Test (QAST) Level I or II, may be~~  
5 ~~employed as an educational interpreter for up to three (3) years.~~  
6 ~~The person~~ shall not be eligible to be employed as an educational  
7 interpreter in any public school of this state ~~after the third year~~  
8 until the person attains one of the proficiency levels as provided  
9 in subsection ~~B~~ A of this section.

10 D. Any ~~educational interpreter employed by~~ person working in a  
11 public school functioning or having duties as an educational  
12 interpreter who holds a QAST Level II, Educational Sign Skills  
13 Evaluation (ESSE) level 3.0 or EIPA level 3.0 ~~on the effective date~~  
14 ~~of this act~~ July 1, 2015, who does not meet the requirements of  
15 subsection ~~B~~ A of this section shall be required to attain ~~QAST~~  
16 ~~Level I or a comparable level of proficiency~~ the certification as  
17 set forth in subsection A of this section by July 1, ~~2004~~ 2017. An  
18 ~~educational interpreter shall have until July 1, 2006, to meet the~~  
19 ~~requirements of subsections A and B of this section or a comparable~~  
20 ~~level of proficiency.~~

21 E. The State Department of Education shall provide access to a  
22 current registry of the names of educational interpreters and the  
23 types and expiration dates of certifications held by each  
24 interpreter as provided by the Department of Rehabilitation Services

1 and the Registry of Interpreters of the Deaf (RID). Each  
2 educational interpreter shall be responsible for registering with  
3 the Department by submitting proof of all current certifications and  
4 certification levels and annually updating the registration  
5 information. If the certification or certification level of an  
6 educational interpreter changes or is suspended or revoked, the  
7 interpreter shall report the changes to the Department and the  
8 employing school district within thirty (30) days. The Department  
9 shall investigate reports of uncertified or undercertified  
10 educational interpreters employed by a school district. The State  
11 Board of Education shall establish penalties for noncompliance with  
12 the registration requirements of this subsection, including, but not  
13 limited to, the issuance of a fine in an amount not to exceed Five  
14 Hundred Dollars (\$500.00) per day and the immediate dismissal of  
15 uncertified or undercertified educational interpreters.

16 F. Except as otherwise provided for in this section, it shall  
17 be unlawful for any person to serve as an educational interpreter  
18 unless the person satisfies the requirements of subsection A of this  
19 section. Before employing a person as an educational interpreter, a  
20 school district shall consult the registration information  
21 maintained by the State Department of Education to verify the person  
22 meets the requirements as set forth in the Oklahoma Educational  
23 Interpreter for the Deaf Act to serve as an educational interpreter.  
24 No school district shall employ a person who will function as an

1 educational interpreter unless the interpreter meets the  
2 requirements of subsection A of this section and is registered with  
3 the State Department of Education. Upon employment of an  
4 educational interpreter, the school district shall annually verify  
5 that the certification and registration of the interpreter is  
6 current and has not lapsed. Verification shall be made by checking  
7 the registration information maintained by the Department. If the  
8 certification of an educational interpreter is revoked, the school  
9 district shall take action to terminate employment of the  
10 educational interpreter.

11 G. School districts shall provide for an annual performance  
12 evaluation of each educational interpreter employed by the school  
13 district. Evaluations shall include an assessment of interpersonal  
14 skills and ability to collaborate with educational providers.

15 H. School districts shall annually submit a report to the State  
16 Department of Education listing the names, the certifications and  
17 certification levels held by each educational interpreter employed  
18 by the school district during the preceding reporting period.

19 ~~SECTION 3. This act shall become effective July 1, 2015.~~

20 ~~SECTION 4. It being immediately necessary for the preservation~~  
21 ~~of the public peace, health and safety, an emergency is hereby~~  
22 ~~declared to exist, by reason whereof this act shall take effect and~~  
23 ~~be in full force from and after its passage and approval.~~

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1 Passed the House of Representatives the 11th day of March, 2015.

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3 \_\_\_\_\_  
4 Presiding Officer of the House  
of Representatives

5 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2015.

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9 Presiding Officer of the Senate