

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 COMMITTEE SUBSTITUTE
4 FOR
5 HOUSE BILL NO. 1512

By: Kern

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8 COMMITTEE SUBSTITUTE

9 An Act relating to schools; amending 70 O.S. 2011,
10 Sections 13-115.2 and 13-115.3, which relate to the
11 Oklahoma Educational Interpreter for the Deaf Act;
12 modifying definition; deleting eligibility criteria
13 for educational interpreters; modifying certification
14 requirements; deleting certain exception to
15 certification requirements; modifying timeline for
16 allowing persons to meet certification requirements;
17 limiting assignment of persons with certain
18 credentials; limiting eligibility of certain persons;
19 making persons with certain credentials ineligible;
20 directing the State Department of Education to
21 provide access to an educational interpreter
22 registry; specifying responsibilities for registering
23 and updating registration; requiring certain
24 reporting; directing the State Board of Education to
establish penalties; making it unlawful to serve as
an educational interpreter without valid
certification; prohibiting employment of educational
interpreters who do not meet certain certification
requirements; requiring school districts to verify
certification and registration; providing for
termination of certain interpreters; requiring annual
performance evaluations of educational interpreters;
requiring school districts to submit certain reports
to the Department; providing an effective date; and
declaring an emergency.

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

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

4 Section 13-115.2 As used in the Oklahoma Educational
5 Interpreter for the Deaf Act:

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

- 9 a. American Sign Language,
- 10 b. English-based sign systems, or
- 11 c. oral, aural, or other speech-based communication;

12 2. "Educational ~~Interpreter~~ interpreter" means a person who
13 facilitates communication between nonsigning individuals and deaf
14 students in any signed communication mode for common education and
15 possesses a combination of interpreting skills for expressing and
16 receiving information in a variety of signed and oral languages and
17 modes;

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

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

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

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

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

10 Section 13-115.3 A. Except as otherwise provided in this
11 section, any person who functions as an educational interpreter as
12 defined in Section 13-115.2 of this title in a public school shall
13 have the interpersonal skills to work effectively and
14 collaboratively with staff and students within the instructional
15 setting as well as a comprehensive, general knowledge of academic
16 subjects and current events, educational processes and organization,
17 principles and practices of special education, aspects and issues of
18 deaf culture, and shall have:

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

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

4 1. Certification recognized by the Registry of Interpreters of
5 the Deaf (RID), including Ed:K-12, which consists of an Educational
6 Interpreter Performance Assessment (EIPA) written exam passing
7 score, EIPA performance assessment score of 4.0 or higher, education
8 or experience requirements and RID certified membership; or

9 2. ~~National Association of the Deaf (NAD) Level IV or better;~~

10 3. ~~Quality Assurance Screening Test (QAST) Level III or better;~~

11 ~~or~~

12 4. ~~A comparable level of proficiency.~~

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

15 C. ~~A~~ Except as otherwise provided for in subsection D of this
16 section, a person who has never worked as an educational interpreter
17 in any public school, who meets does not meet the requirements as
18 provided in subsection A of this section, ~~who does not meet the~~
19 ~~requirements of subsection B of this section, and who has attained~~
20 ~~the Quality Assurance Screening Test (QAST) Level I or II, may be~~
21 ~~employed as an educational interpreter for up to three (3) years.~~
22 ~~The person~~ shall not be eligible to be employed as an educational
23 interpreter in any public school of this state ~~after the third year~~

1 until the person attains one of the proficiency levels as provided
2 in subsection ~~B~~ A of this section.

3 D. 1. Any ~~educational interpreter~~ person employed by a public
4 school as an educational interpreter pursuant to the Oklahoma
5 Educational Interpreter for the Deaf Act on the effective date of
6 this act July 1, 2015, who does not meet the requirements of
7 subsection ~~B~~ A of this section shall be required to attain ~~QAST~~
8 Level I or a comparable level of proficiency the certification as
9 set forth in subsection A of this section by July 1, 2004 2017. An
10 ~~educational interpreter shall have until July 1, 2006, to meet the~~
11 ~~requirements of subsections A and B of this section or a comparable~~
12 ~~level of proficiency.~~ Any person with EIPA 3.5 credentials who is
13 employed by a public school as an educational interpreter pursuant
14 to the Oklahoma Educational Interpreter for the Deaf Act on July 1,
15 2015, and who does not meet the requirements of subsection A of this
16 section shall be assigned to work in only the grade levels covered
17 by the EIPA credentials of the educational interpreter until the
18 interpreter has attained certification as set forth in subsection A
19 of this section. If the interpreter has not attained certification
20 as set forth in subsection A of this section by July 1, 2017, then
21 they will no longer be eligible to work within the public school
22 setting as an educational interpreter. Beginning July 1, 2015, any
23 educational interpreter working in the educational setting who holds
24 Educational Sign Skills Evaluation (ESSE) credentials, less than a

1 QAST level 3, or less than an EIPA level 3.5 shall not be eligible
2 to work as an educational interpreter.

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

22 F. Except as otherwise provided for in this section, it shall
23 be unlawful for any person to serve or contract or agree to serve as
24 an educational interpreter employee of a school district unless the

1 person holds valid certification in accordance with the provisions
2 of subsection A of this section. No school district shall employ an
3 educational interpreter to provide services in a public school
4 unless the interpreter meets the certification requirements of
5 subsection A of this section and is registered with the State
6 Department of Education. School districts shall be required to
7 verify the certification and registration of a person seeking
8 employment as an educational interpreter prior to employment. Upon
9 employment of an educational interpreter, the school district shall
10 biannually verify that the certification and registration of the
11 interpreter is current and has not lapsed. Verification shall be
12 made by checking the registration information maintained by the
13 Department. If the certification of an educational interpreter is
14 revoked, the school district shall take action to terminate
15 employment of the educational interpreter.

16 G. School districts shall provide for an annual performance
17 evaluation of each educational interpreter employed by the school
18 district. Evaluations shall include an assessment of interpersonal
19 skills and ability to collaborate with educational providers.

20 H. School districts shall biannually submit a report to the
21 State Department of Education listing the names, the certifications
22 and certification levels held by each educational interpreter
23 employed by the school district during the preceding reporting
24 period.

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

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

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