STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

HOUSE BILL 1512 By: Kern

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 2011, Sections 13-115.2 and 13-115.3, which relate to the Oklahoma Educational Interpreter for the Deaf Act; modifying definition; deleting eligibility criteria for educational interpreters; modifying certification requirements; deleting certain exception to certification requirements; modifying timeline for allowing persons to meet certification requirements; allowing persons to be employed as a paraprofessional or assistant under certain conditions; limiting assignment of persons with certain credentials; directing the State Department of Education to maintain an educational interpreter registry; specifying responsibilities for registering and updating registration; requiring the Department to make certain investigations; directing the State Board of Education to establish penalties; prohibiting a school district from employing an educational interpreter without certain certification; requiring school districts to verify certification and registration; requiring termination of certain educational interpreters; providing for responsibility and liability of a board of education member for authorizing certain payments; making it unlawful to serve as an educational interpreter without valid certification; requiring annual performance evaluations of educational interpreters; specifying criteria for evaluations; requiring school districts to submit certain reports to the Department; providing an effective date; and declaring an emergency.

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

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

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

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

a. American Sign Language,

b. English-based sign systems, or

c. oral, aural, or other speech-based communication;

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

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

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

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

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

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

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

~~1. Completed an interpreter training program;~~

~~2. Attained a bachelor's degree; or~~

~~3. Worked three (3) or more years in an area related to the field of deaf education.~~

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

1. Certification by the Registry of Interpreters of the Deaf (RID), including EIPA Level 4; or

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

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

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

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

~~C. A~~ B. Except as otherwise provided for in subsection C of this section, a person who ~~has never worked as an educational interpreter in any public school, who meets~~ does not meet the requirements as provided in subsection A of this section~~, who does not meet the requirements of subsection B of this section, and who has attained the Quality Assurance Screening Test (QAST) Level I or II, may be employed as an educational interpreter for up to three (3) years. The person~~ shall not be eligible to be employed as an educational interpreter in any public school of this state ~~after the third year~~ until the person attains one of the proficiency levels as provided in subsection ~~B~~ A of this section. A person may be employed as a paraprofessional or teacher assistant to assist with furthering the education of deaf and hard of hearing students as determined by the individualized education program (IEP) team for each student. Paraprofessionals and teacher assistants employed on or after July 1, 2015, shall score at the advanced level on the Sign Language Proficiency Interview (SLPI) within three (3) years from

the date of hire. The Oklahoma School for the Deaf may administer the SLPI and shall maintain records of each SLPI.

~~D.~~ C. 1. Any ~~educational interpreter~~ person employed by a public school as an educational interpreter pursuant to the Oklahoma Educational Interpreter for the Deaf Act on ~~the effective date of this act~~ July 1, 2015, who does not meet the requirements of subsection ~~B~~ A of this section shall be required to attain ~~QAST Level I or a comparable level of proficiency~~ the certification as set forth in subsection A of this section by July 1, ~~2004~~ 2018. ~~An educational interpreter shall have until July 1, 2006, to meet the requirements of subsections A and B of this section or a comparable level of proficiency~~ Any person with EIPA credentials who is employed by a public school as an educational interpreter pursuant to the Oklahoma Educational Interpreter for the Deaf Act on July 1, 2015, who does not meet the requirements of subsection A of this section shall be assigned to work in only the grade levels covered by the EIPA credentials of the person.

D. The State Department of Education shall maintain a registry of the names of educational interpreters and the types and expiration dates of certifications held by each interpreter. Each educational interpreter shall be responsible for registering with the Department by submitting proof of all current certifications and certification levels and annually updating the registration information. If the certification or certification level of an

interpreter changes or is suspended or revoked the interpreter shall report the changes to the Department and the employing school district within thirty (30) days. The Department shall investigate reports of uncertified or under-certified education interpreters employed by a school district. The State Board of Education shall establish penalties for noncompliance with the registration requirements of this section including but not limited to the issuance of a fine in an amount not to exceed Five Hundred Dollars ($500.00).

E. No school district shall employ an educational interpreter to provide services in a public school unless the interpreter meets the certification requirements of subsection A of this section and is registered with the State Department of Education. School districts shall be required to verify the certification and registration of a person seeking employment as an educational interpreter prior to employment. Upon employment of an educational interpreter, the school district shall biannually verify that the certification and registration of the interpreter is current and has not lapsed. Verification shall be made by checking the registration information maintained by the Department. If the certification of an educational interpreter is revoked, the school district shall take action to terminate employment of the interpreter. Any board of education paying or authorizing payment of the salary of any educational interpreter not holding valid certification as required

pursuant to this section shall be adjudged guilty of a fraudulent expenditure of public funds, and members voting for such payment shall be held jointly responsible for the return of the amount of any public monies thus expended upon suit brought by the district attorney or by any interested citizen in the district where the funds have been expended.

F. Except as otherwise provided for in this section, it shall be unlawful for any person to serve or contract or agree to serve as an educational interpreter employee of a school district unless the person holds valid certification in accordance with the provisions of subsection A of this section.

G. School districts shall provide for an annual performance evaluation of each educational interpreter employed by the school district. Evaluations shall include an assessment of interpersonal skills and ability to collaborate with educational providers. Evaluations shall be conducted by individuals who have participated in training conducted by a RID or QAST evaluator who is familiar with educational settings.

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

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

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

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