

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   1st Session of the 55th Legislature (2015)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 1512

By: Kern of the House

and

Jolley of the Senate

8  
9                                   COMMITTEE SUBSTITUTE

10                   An Act relating to schools; amending 70 O.S. 2011,  
11                   Sections 13-115.2 and 13-115.3, which relate to the  
12                   Oklahoma Educational Interpreter for the Deaf Act;  
13                   modifying definition; deleting eligibility criteria  
14                   for educational interpreters; modifying certification  
15                   requirements; deleting certain exception to  
16                   certification requirements; modifying timeline for  
17                   allowing persons to meet certification requirements;  
18                   limiting assignment of persons with certain  
19                   credentials; limiting eligibility of certain persons;  
20                   making persons with certain credentials ineligible;  
21                   directing the State Department of Education to  
22                   provide access to an educational interpreter  
23                   registry; specifying responsibilities for registering  
24                   and updating registration; requiring certain  
                 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

23  
24

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.~~

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UNDERLINED language denotes Amendments to present Statutes.  
**BOLD FACE CAPITALIZED** language denotes Committee Amendments.  
~~Strike thru~~ language denotes deletion from present Statutes.

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 ~~OAST~~  
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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7 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 02/25/2015  
8 - DO PASS, As Amended and Coauthored.