

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** CS/HB 705 Qualifications for Interpreters

**SPONSOR(S):** K-12 Subcommittee, Berman and others

**TIED BILLS:** **IDEN./SIM. BILLS:** SB 916

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) K-12 Subcommittee	9 Y, 0 N, As CS	Fudge	Fudge
2) Education Appropriations Subcommittee	13 Y, 0 N	Seifert	Heflin
3) Education Committee	18 Y, 0 N	Fudge	Mizereck

### SUMMARY ANALYSIS

According to a recent survey, there are approximately 310 interpreters employed by Florida school districts and the Florida School for the Deaf and the Blind. Neither Florida law nor State Board of Education rule establishes criteria for the qualification of educational interpreters. Consequently, the criteria for selecting educational interpreters as well as any requirements for continuing education are determined by each local school district.

The bill requires the State Board of Education to adopt in rule standards for educational interpreters. The bill defines educational interpreters as individuals who facilitate direct instruction from professionals and direct communication between students who are deaf or hard of hearing and their peers. The standards must include interpreter assessments that include both written and performance assessments that are offered by a national organization of professional sign language interpreters and transliterators.

The bill also requires school districts, beginning July 1, 2017, to notify parents if their student has been assigned an interpreter that does not meet the standards established in state board rule and to report to the Department of Education the total number of interpreters employed by the district and, of those, how many meet the standards.

The bill requires the State Board of Education to adopt in rule standards for educational interpreters. The bill has no known state fiscal impact as the rule making process is part of the daily operations of the Department of Education. It is unknown what the adopted standards for educational interpreters will be or how many current interpreters or school districts will be impacted.

The fiscal impact of the bill is indeterminate.

The bill takes effect July 1, 2016.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### Current Situation

According to a recent survey, there are approximately 310 interpreters employed by Florida school districts and the Florid School for the Deaf and the Blind.<sup>1</sup> Neither Florida law nor State Board of Education rule establishes criteria for the qualification of educational interpreters. Consequently, the criteria for selecting educational interpreters as well as any requirements for continuing education are determined by each local school district. Some school districts use the Quality Assurance Screening and the Educational Interpreter Evaluation by the Florida Registry of Interpreters for the Deaf. However, this was discontinued in November 2013.<sup>2</sup> Other school districts use the Ed:K-12 Certification offered by the National Registry of Interpreters for the Deaf (NRID).<sup>3</sup> On August 5, 2015, the NRID issued a moratorium on credentialing pending the results of a risk analysis of the certification program.<sup>4</sup> Finally, some school districts use the Educational Interpreter Performance Assessment (EIPA) developed by the Boys Town National Research Hospital. As of 2013, 37 states use the EIPA to determine educational interpreter competencies. Six states require a score of 3.0, twenty-two states require a score of 3.5, and ten states require a score of 4.0.

##### Effect of Proposed Changes

The bill requires the State Board of Education to adopt in rule standards for educational interpreters. The bill defines educational interpreters as individuals who facilitate direct instruction from professionals and direct communication between students who are deaf or hard of hearing and their peers. The standards must include interpreter assessments that include both written and performance assessment that are offered by a national organization of professional sign language interpreters and transliterators.

Beginning July 1, 2017, school districts are required to notify parents in writing if their student has been assigned an interpreter that does not meet the standards established in state board rule. Also, beginning July 1, 2017, school districts must report to the Department of Education the total number of individuals providing interpretation services in the district and, of those, how many meet the standards.

#### B. SECTION DIRECTORY:

Section 1. Creates s. 1012.441, F.S., requiring the State Board of Education to establish standards for educational interpreters.

Section 2. Provides an effective date of July 1, 2016.

### II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

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<sup>1</sup> Florida Department of Education, *2016 Agency Legislative Bill Analysis for HB 705*.

<sup>2</sup> Out of the 37 school districts that responded, 21 indicate that the Quality Assurance Screening and the Educational Interpreter Evaluation is part of their criteria for educational interpreters. Florida Department of Education, *2016 Agency Legislative Bill Analysis for HB 705*.

<sup>3</sup> Out of the 37 school districts that responded, 18 indicate that the Ed: K-12 Certification is part of their criteria for educational interpreters. Florida Department of Education, *2016 Agency Legislative Bill Analysis for HB 705*.

<sup>4</sup> Registry of Interpreters for the Deaf, *Ed: K-12 Certification*, <http://rid.org/rid-certification-overview/ed-k-12-certification/> (last visited January 15, 2016).

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The bill has no known state fiscal impact as the rule making process is part of the daily operations of the Department of Education.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

The bill requires the State Board of Education to adopt in rule standards for educational interpreters. The bill has no known state fiscal impact as the rule making process is part of the daily operations of the Department of Education. It is unknown what the adopted standards for educational interpreters will be or how many current interpreters or school districts will be impacted. The fiscal impact of the bill is indeterminate.

### III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill requires the State Board of Education to adopt a rule establishing standards for educational interpreters.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

### IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On January 20, 2016, the K-12 Subcommittee adopted a proposed committee substitute and reported the bill favorably as a committee substitute. The committee substitute requires the State Board of Education to adopt standards for educational interpreters and requires school districts to notify parents when an individual does not meet the standards. School districts must also report to the department the number of individuals providing interpretation services and the number who meet the standards. The bill analysis is drafted to the committee substitute as passed by the K-12 Subcommittee.