

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education Pre-K - 12

BILL: CS/SB 916

INTRODUCER: Education Pre-K – 12 Committee and Senators Altman and Soto

SUBJECT: Qualifications for Educational Interpreters

DATE: February 3, 2016 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bailey	Klebacha	ED	Fav/CS
2.	_____	_____	AED	_____
3.	_____	_____	AP	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 916 establishes qualifications for educational interpreters who facilitate communication between students who are deaf or hard of hearing and their peers.

Specifically, the bill requires:

- State Board of Education to adopt by rule standards for educational interpreters which must include both written and performance assessments;
- School districts, beginning July 1, 2017, to notify parents if their child has been assigned an interpreter who does not meet the standards established in state board rule; and
- School districts to report to the Department of Education the total number of individuals providing interpreter services and the number of individuals who meet the standards.

The bill takes effect on July 1, 2016.

II. Present Situation:

Definition of Interpreter

As defined in statute, an “interpreter” is a provider of accessible and effective communication between and among individuals who are deaf or hard of hearing and between and among such individuals and other persons.¹

¹ Section 413.271, F.S.

According to the Department of Education,² school districts define educational interpreters through position descriptions and position requirements and classify educational interpreter personnel under instructional personnel³ as other instructional staff⁴ or educational paraprofessional.⁵

Qualifications of Interpreters

Credentials earned through the Florida Registry of Interpreters for the Deaf, the National Registry of Interpreters for the Deaf, and the Educational Interpreter Performance Assessment indicate an individual has achieved a certain skill level which allows them to effectively facilitate communication between a person who is deaf or hard-of-hearing and a person who is hearing.⁶

According to a Department of Education recent survey, there are approximately 310 interpreters employed by Florida school districts and the Florida School for the Deaf and the Blind.⁷ Neither Florida law nor State Board of Education rule establish criteria for the qualification of educational interpreters.⁸

Some school districts use the Quality Assurance Screening and the Educational Interpreter Evaluation by the Florida Registry of Interpreters for the Deaf.⁹ However, this was discontinued in November 2013.¹⁰ Other school districts use the Ed: K-12 Certification offered by the National Registry of Interpreters for the Deaf.¹¹

² Florida Department of Education, *2016 Agency Legislative Bill Analysis for SB 916*.

³ Section 1012.01(2), F.S. Instructional personnel means any K-12 staff member whose function includes the provision of direct instructional services to students. Instructional personnel also includes K-12 personnel whose function provides direct support in the learning process of students.

⁴ Section 1012.01(2)(d), F.S. Other instructional staff are staff members who are part of the instructional staff, but are not classified in one of the categories specified in paragraphs (a)-(c). Included in this classification are primary specialists, learning resource specialists, instructional trainers, adjunct educators, and similar positions.

⁵ Section 1012.01(2)(e), F.S. Education paraprofessionals are individuals who are under the direct supervision of an instructional staff member and aid the instructional process. Included in this classification are classroom paraprofessionals in regular instruction, exceptional education paraprofessionals, career education paraprofessionals, adult education paraprofessionals, library paraprofessionals, physical education paraprofessionals, playground paraprofessionals, and other school-level paraprofessionals.

⁶ Florida Department of Education, *2016 Agency Legislative Bill Analysis for SB 916*.

⁷ *Id.*

⁸ *Id.*

⁹ *Id.* Both the Quality Assurance Screening and the Educational Interpreter evaluation are no longer offered by Florida Registry of Interpreters. See University of North Florida, *Interpreter Testing- Certifications and Evaluations*, https://www.unf.edu/interpreterproject/evaluations_and_certifications.aspx (last visited January 30, 2016).

¹⁰ *Id.* 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.

¹¹ *Id.* Out of the 37 school districts that responded, 18 indicate that the Ed: K-12 Certification is part of their criteria for educational interpreters. See Registry of Interpreters for the Deaf, Inc., *Ed: K-12 Certification*, <http://rid.org/rid-certification-overview/ed-k-12-certification/> (last visited January 30, 2016).

Additionally, some school districts use the Educational Interpreter Performance Assessment (EIPA) developed by the Boys Town National Research Hospital.¹² As of 2013, 37 states use the EIPA to determine educational interpreter competencies.¹³

Depending on the school district policy for interpreter qualifications, some educational interpreters are not credentialed.¹⁴ Continuing education requirements for educational interpreters is determined by each school district policy.¹⁵ Consequently, the criteria for selecting educational interpreters, as well as any requirements for continuing education, vary by each local school district.¹⁶

Students who are Deaf, Hard of Hearing, or Dual Sensory Impaired

Deaf or hard of hearing means aided or unaided hearing loss that affects the processing of linguistic information and adversely affects performance in the educational environment.¹⁷ The State Board of Education has established in rule criteria to designate the degree of loss which may range from mild to profound.¹⁸ Hard of hearing, hearing impaired, or having a permanent hearing impairment also includes being dual sensory impaired.¹⁹

Dual sensory impaired means having both a permanent hearing impairment and a permanent visual impairment and includes deaf/blindness.²⁰

III. Effect of Proposed Changes:

CS/SB 916 establishes qualifications for educational interpreters who facilitate communication between students who are deaf or hard of hearing and their peers.

The bill requires the State Board of Education to adopt by rule standards for educational interpreters. The standards must include interpreter assessments that are comprised of both written and performance assessments that are offered by a national organization of professional sign language interpreters and transliterators. This will likely require school districts to update position descriptions and position requirements with the required standards for educational interpreters.²¹ It is unknown what the adopted standards for educational interpreters will be or how many of the current interpreters or school districts will be impacted.

¹² Classroom Interpreting, *Educational Interpreter Performance Assessment*, <http://www.classroominterpreting.org/EIPA/> (last visited January 29, 2016).

¹³ Florida Department of Education, *2016 Agency Legislative Bill Analysis for SB 916*.

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ Section 1002.391(1)(b), F.S.

¹⁸ Rule 6A-6.03013, F.A.C.

¹⁹ Section 427.703(6), F.S.

²⁰ Section 427.703(4), F.S.

²¹ Some educational interpreters are not credentialed, depending on the school district policy for interpreter qualifications. At least 9 school districts out of the 37 who self-reported, will need to update position descriptions and requirements. Florida Department of Education, *2016 Agency Legislative Bill Analysis for SB 916*.

The bill requires the school districts, beginning July 1, 2017, to notify parents if their child has been assigned an interpreter who does not meet the standards established in state board rule. The school districts must report to the Department of Education (DOE) the total number of interpreters employed by the district and, of those, how many meet the standards. In effect, allows the DOE to identify the number of interpreters who meet the established standards.

The bill takes effect on July 1, 2016.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

The bill creates section 1012.441 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Education Pre-K – 12 on February 2, 2016:

The committee substitute modifies the bill as follows:

- Changed “relating to clause” from “Educational Interpreters for Individuals who are Deaf, Hard of Hearing, or Dual Sensory Impaired” to “Qualifications for Educational Interpreters;”
- Removed the classification of educational interpreters as instructional personnel;
- Removed the requirement for the Department of Education (DOE) to provide school districts with technical assistance, continuing education, or skill development for educational interpreters;
- Created a new section of law identifying the qualifications for educational interpreters and require:
 - Each school district to notify parents if his or her child is assigned an interpreter that does not meet the standards established in state board rule; and
 - School districts to report to the DOE the number of individuals providing interpreter services and the number who meet the educational interpreter standards.

- B. **Amendments:**

None.