

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1512

By: Kern

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5  
6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2011,  
8 Sections 13-115.2 and 13-115.3, which relate to the  
9 Oklahoma Educational Interpreter for the Deaf Act;  
10 modifying definition; deleting eligibility criteria  
11 for educational interpreters; modifying certification  
12 requirements; deleting certain exception to  
13 certification requirements; modifying timeline for  
14 allowing persons to meet certification requirements;  
15 allowing persons to be employed as a paraprofessional  
16 or assistant under certain conditions; limiting  
17 assignment of persons with certain credentials;  
18 directing the State Department of Education to  
19 maintain an educational interpreter registry;  
20 specifying responsibilities for registering and  
21 updating registration; requiring the Department to  
22 make certain investigations; directing the State  
23 Board of Education to establish penalties;  
24 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.

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 possesses a combination of interpreting skills for expressing and  
14 receiving information in a variety of signed and oral languages and  
15 modes;

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

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

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

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

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

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

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

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

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

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

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

3       ~~or~~

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

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

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

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

3 ~~D. C. 1. Any educational interpreter person~~ employed by a  
4 public 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 2018. 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 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, 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 person.

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

1 interpreter changes or is suspended or revoked the interpreter shall  
2 report the changes to the Department and the employing school  
3 district within thirty (30) days. The Department shall investigate  
4 reports of uncertified or under-certified education interpreters  
5 employed by a school district. The State Board of Education shall  
6 establish penalties for noncompliance with the registration  
7 requirements of this section including but not limited to the  
8 issuance of a fine in an amount not to exceed Five Hundred Dollars  
9 (\$500.00).

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

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

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

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

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

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

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

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