

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: SB 916

INTRODUCER: Senators Altman and Soto

SUBJECT: Educational Interpreters for Individuals Who are Deaf, Hard of Hearing, or Dual Sensory Impaired

DATE: February 1, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bailey	Klebacha	ED	Pre-meeting
2.			AED	
3.			AP	

I. Summary:

SB 916 classifies educational interpreters as instructional personnel and establishes qualifications for educational interpreters who facilitate communication for students who are deaf, hard of hearing, or dual sensory impaired.

Specifically, the bill:

- Defines educational interpreters in statute;
- Requires the State Board of Education to adopt rules to prescribe qualifications for educational interpreters;
- Stipulates the date of July 1, 2021, and thereafter, for an individual to meet specific qualifications; and
- Requires the Department of Education to provide school districts with technical assistance to implement minimum requirements, continuing education, and skill development for educational interpreters.

The bill takes effect on July 1, 2016.

II. Present Situation:

Definitions of Educational Personnel

Instructional Personnel

In statute, instructional personnel means any K-12 staff member whose function includes the provision of direct instructional services to students and whose function provides direct support

in the learning process of students.¹ Included in the classification of instructional personnel are K-12 personnel who are categorized as other instructional staff or education paraprofessionals.²

Other Instructional Staff

Other instructional staff are staff members who are part of the instructional staff, but are not classified in a specific category.³ Included in this classification are primary specialists, learning resource specialists, instructional trainers, adjunct educators, and similar positions.⁴

Education Paraprofessionals

Education paraprofessionals are individuals who are under the direct supervision of an instructional staff member and aid the instructional process.⁵ 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

Educational Interpreter Personnel

Definition

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.⁷

According to the Department of Education, school districts define educational interpreters through position descriptions and position requirements and classify educational interpreter personnel under instructional personnel as other instructional staff or educational paraprofessional.⁸

Qualifications

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.⁹

¹ Section 1012.01(2), F.S.

² *Id.*

³ 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).

⁴ *Id.*

⁵ Section 1012.01(2)(e), F.S.

⁶ *Id.*

⁷ Section 413.271, F.S.

⁸ Florida Department of Education, *2016 Agency Legislative Bill Analysis for SB 916*.

⁹ *Id.*

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.¹⁰ Neither Florida law nor State Board of Education rule establish criteria for the qualification of educational interpreters.¹¹

Some school districts use the Quality Assurance Screening and the Educational Interpreter Evaluation by the Florida Registry of Interpreters for the Deaf.¹² However, this was discontinued in November 2013.¹³ Other school districts use the Ed: K-12 Certification offered by the National Registry of Interpreters for the Deaf.¹⁴

Additionally, some school districts use the Educational Interpreter Performance Assessment (EIPA) developed by the Boys Town National Research Hospital.¹⁵ As of 2013, 37 states use the EIPA to determine educational interpreter competencies.¹⁶

Depending on the school district policy for interpreter qualifications, some educational interpreters are not credentialed.¹⁷ Continuing education requirements for educational interpreters is determined by each school district policy.¹⁸ Consequently, the criteria for selecting educational interpreters, as well as any requirements for continuing education, vary by each local school district.¹⁹

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.²⁰ The State Board of Education has established in rule criteria to designate the degree of loss which may range from mild to profound.²¹ Hard of hearing, hearing impaired, or having a permanent hearing impairment also includes being dual sensory impaired.²²

¹⁰ *Id.*

¹¹ *Id.*

¹² *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).

¹³ 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 SB 916*.

¹⁴ 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 SB 916*. 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).

¹⁵ Classroom Interpreting, *Educational Interpreter Performance Assessment*, <http://www.classroominterpreting.org/EIPA/> (last visited January 29, 2016).

¹⁶ Florida Department of Education, *2016 Agency Legislative Bill Analysis for SB 916*.

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ Section 1002.391(1)(b), F.S.

²¹ Rule 6A-6.03013, F.A.C.

²² Section 427.703(6), F.S.

Dual sensory impaired means having both a permanent hearing impairment and a permanent visual impairment and includes deaf/blindness.²³

III. Effect of Proposed Changes:

SB 916 classifies educational interpreters as instructional personnel and establishes qualifications for educational interpreters who facilitate communication for students who are deaf, hard of hearing, or dual sensory impaired.

The bill provides for educational interpreters to be defined under instructional personnel, s. 1012.01(2), F.S. In effect, the bill creates a new classification of instructional personnel, entitled educational interpreters rather than current law which allows a school district to classify interpreters as “other instructional staff” or “education paraprofessionals.” A change in classification may impact local decisions that differentiate between classifications.²⁴

The bill requires the State Board of Education to adopt rules to prescribe qualifications and standards for educational interpreters and specifies a date of July 1, 2021, and thereafter, for compliance. The standards must include interpreter assessments that are comprised of both written and performance assessments. This will likely require school districts to update position descriptions and position requirements with credential information as educational interpreters.²⁵

The bill requires the Department of Education to provide technical assistance to school districts to implement the minimum qualifications required and to develop requirements for continuing education and skill development for educational interpreters.

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.

²³ Section 427.703(4), F.S.

²⁴ Florida Department of Education, *2016 Agency Legislative Bill Analysis for SB 916*. Some districts may need to review their salary schedules to meet the fiscal requirements of employing credentialed interpreters, possibly having a financial impact. Districts may have challenges recruiting and maintaining credentialed interpreters. Interpreters employed by school districts may need additional support to obtain professional development in order to maintain licenses. Any teacher also providing interpreter services will need to obtain and maintain interpreting credentials.

²⁵ 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*.

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:

This bill substantially amends the following sections of the Florida Statutes: 1012.01 and 1012.47.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.