

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

BILL: CS/SB 162

SPONSOR: Education Committee and Senator Wise

SUBJECT: American Sign Language

DATE: March 26, 2003

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Dormady</u>	<u>O'Farrell</u>	<u>ED</u>	<u>Favorable/CS</u>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

SB 162 authorizes any public or independent school to offer American Sign Language (ASL) for foreign-language credit and recognizes ASL as the language of the deaf community. The bill also authorizes a task force to be appointed by the Commissioner of Education to report on guidelines for ASL courses.

The bill requires the State Board of Education to adopt rules establishing licensing/certification standards for persons who teach ASL as part of a school curriculum. An ASL teacher would be required to obtain certification by a national professional association, ASLTA, by January 1, 2004, and by the Department of Education by January 1, 2008.

The bill requires the Commissioner of Education to work with postsecondary education providers in the state to ensure that they accept secondary school credits in ASL as credits in a foreign language and to encourage postsecondary institutions to offer ASL courses to students in fulfillment of foreign language requirements.

This bill creates a new section of the Florida Statutes.

The bill takes effect July 1, 2003.

II. Present Situation:

ASL is used primarily by deaf and hard of hearing Americans and Canadians and by relatives of the deaf, including hearing parents, hearing children and others. A national professional organization, the American Sign Language Teachers Association (ASLTA), certifies ASL teachers.

One section of the Florida Statutes currently addresses the treatment of ASL as a foreign language by the public schools. Subsection (9) of s. 1007.261, F.S., which covers state university admission requirements, authorizes Florida high schools to offer ASL as a for-credit elective or as a substitute for any already authorized foreign language requirement. Subsection (9) of s. 1007.261 also provides that ASL constitutes a foreign language for purposes of that section. Accordingly, ASL credits meet the following requirements of s. 1007.261:

- Subsections (1)(a) and (1)(b) provide that, as a minimum standard for admission to a state university, each student must have completed 2 credits of sequential foreign language at the secondary level (or the equivalent at the postsecondary level.) ASL qualifies as a foreign language for this purpose under existing law.
- Subsection (2)(a) authorizes foreign language as a permitted elective within minimum admission standards adopted by the State Board of Education or a university board of trustees. ASL may be offered as a foreign language for this purpose under existing law.
- Subsection (4) provides that nonresident students are required to have two years of a foreign language in secondary school, prior to admission to a state university. ASL qualifies as a foreign language for this purpose under existing law.

III. Effect of Proposed Changes:

SB 162 provides statutory authority for all public schools to offer ASL as a foreign language prior to high school. It also initiates certification and licensing of ASL teachers in Florida and expands governmental oversight of the teaching of ASL in the public schools.

The bill recognizes ASL as a visual-gestural system of communication used by many in the deaf community living in the United States and Canada and authorizes any public or independent school to offer ASL for foreign-language credit. Similar authority, for high schools only, already exists at S. 1007.261(9), F.S., as noted above. The proposed bill language broadens the existing authority to offer ASL as a foreign language beyond the high school curriculum (i.e., elementary and middle schools may be authorized to offer ASL as well under language of the bill). The bill also does not contain the limitation in current law that ASL be offered as a for-credit elective or as a substitute for an already authorized foreign language requirement, providing additional flexibility for offering ASL courses. It requires that school boards advise students taking ASL as a foreign language that schools outside of Florida may not accept these course credits as satisfying foreign language entrance requirements.

The bill requires the Commissioner of Education to appoint a seven-member task force that includes representatives from at least two state universities and one private college or university in Florida which currently offer a 4-year deaf-education or sign language program and at least two representatives from community colleges in Florida that have established Interpreter Training Programs. The task force must submit to the Commissioner of Education a report containing the most updated information about ASL and guidelines for developing and maintaining ASL courses as a part of a school curriculum.

The bill requires that, by January 1, 2004, the State Board of Education, in consultation with the task force, must adopt rules establishing licensing/certification standards for persons who teach ASL as part of a school curriculum. An ASL teacher will have to be certified by the Department of Education by January 1, 2008, and will have to obtain certification through ASLTA by January 1, 2004.

The bill requires the Commissioner of Education to work with providers of postsecondary education to develop and implement a plan for postsecondary institutions in Florida to accept secondary school credits in ASL as credits in a foreign language and to encourage postsecondary institutions to offer ASL courses to students as a fulfillment of the requirement for studying a foreign language.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

ASL teachers may have to bear the costs attendant to certification, by both ASLTA and the state. Fees for certification by ASLTA, for example, range from approximately \$150 to in excess of \$500.

C. Government Sector Impact:

The Department of Education will have to bear costs related to task force work, costs associated with developing certification/licensing procedures, and infrastructure costs associated with certification and licensure of ASL teachers by the state. If fees associated with certification by ASLTA are not paid by ASL instructors, the Department of Education will have to pay these costs as well.

VI. Technical Deficiencies:

“Independent” schools are not defined in the proposed bill or otherwise in the statute. It is likely that the reference to “independent” schools is meant to capture charter schools, in which case the reference could be omitted, because such schools are considered “public” schools by statute.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill’s sponsor or the Florida Senate.
