

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 553 American Sign Language  
**SPONSOR(S):** Cretul  
**TIED BILLS:** **IDEN./SIM. BILLS:** SB 162

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REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Education K-20		Britton	Bohannon
2) Education Apps. (Sub)			
3) Appropriations			
4)			
5)			

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### SUMMARY ANALYSIS

American Sign Language (ASL) is a language used in America and Canada by deaf and hearing impaired individuals, as well as by their relatives and friends with full auditory ability. HB 553, recognizes ASL as the language of the deaf community and authorizes any public or independent school to offer American Sign Language for foreign-language credit. The bill also authorizes a task force to be appointed by the Commissioner of Education to report on guidelines for ASL courses.

HB 553, requires the State Board of Education to adopt rules establishing licensing/certification standards for persons who teach ASL as a part of school curriculum. An ASL teacher would be required to obtain certification by a national professional association, the American Sign Language Teachers Association (ASLTA), by January 1, 2004, and by the Department of Education by January 1, 2008.

HB 553, 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.

The fiscal impact of this bill is indeterminate. Please refer to the Fiscal Analysis and Economic Impact Statement for more details.

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**STORAGE NAME:** h0553.edk.doc  
**DATE:** April 4, 2003

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. DOES THE BILL:

- |                                      |   |                             |   |
|--------------------------------------|---|-----------------------------|---|
| 1. Reduce government?                | Yes <input type="checkbox"/>            | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. Lower taxes?                      | Yes <input type="checkbox"/>            | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom?        | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/>            |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/>            | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. Empower families?                 | Yes <input type="checkbox"/>            | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a “no” above, please explain:

#### B. EFFECT OF PROPOSED CHANGES:

American Sign Language (ASL) is a language used in America and Canada by deaf and hearing impaired individuals, as well as by their relatives and friends with full auditory ability. The national organization that certifies ASL teachers is called the American Sign Language Teachers Association (ASLTA).

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, F.S., also provides that ASL constitutes a foreign language for purposes of that section. Accordingly, ASL credits meet the following requirements of s. 1007.261, F.S.:

- 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.

HB 553 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.

HB 553 recognizes ASL as a system of communication combining vision and gesture and used by many in the deaf community living in the United States and Canada. The bill authorizes any public or independent school to offer ASL for foreign language credit. Similar authority, for high schools only, already exists in 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.

The bill calls for 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.

HB 553 calls for 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.

C. SECTION DIRECTORY:

**Section 1:** Creates a new section of Florida Statutes, relating to American Sign Language; to provide legislative findings and purpose; to allow foreign language credits for instruction in American Sign Language; to provide duties of the Commissioner of Education and the State Board of Education; to provide for a task force and prescribe its duties; to require teachers of American Sign Language to be licensed by a specific date; to provide a plan for postsecondary institutions.

**Section 2:** Provides an effective date.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

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.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

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.

D. FISCAL COMMENTS:

None.

### III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The bill does not require counties or municipalities to spend or take action requiring the expenditure of funds.

2. Other:

This bill does not appear to have constitutional issues.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

### IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES