

CHAPTER 30

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 97-1146

BY REPRESENTATIVES Keller, Allen, Bacon, Chavez, Clarke, Dean, Gordon, Gotlieb, Mace, Morrison, Nichol, Paschall, Reeser, Sullivant, Tate, Udall, and S. Williams;
also SENATORS Hopper, Rupert, and Tanner.

AN ACT

CONCERNING STANDARDS FOR EDUCATIONAL INTERPRETERS FOR THE DEAF.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Article 20 of title 22, Colorado Revised Statutes, 1995 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

22-20-116. Minimum standards for educational interpreters for the deaf in the public schools - committee to recommend standards - rules - repeal.

(1) THE GENERAL ASSEMBLY HEREBY FINDS THAT INTERPRETING SERVICES IN THE PUBLIC SCHOOLS FOR STUDENTS WHO ARE DEAF OR HARD OF HEARING NEED TO BE IMPROVED AND THAT THE ABSENCE OF STATE STANDARDS FOR EVALUATING EDUCATIONAL INTERPRETERS ALLOWS FOR INCONSISTENCIES IN THE DELIVERY OF EDUCATIONAL INFORMATION TO STUDENTS WHO ARE DEAF OR HARD OF HEARING. THE GENERAL ASSEMBLY RECOGNIZES THAT EDUCATIONAL INTERPRETERS IN THE PUBLIC SCHOOL SETTING MUST NOT ONLY INTERPRET THE SPOKEN WORD BUT MUST ALSO CONVEY CONCEPTS AND FACILITATE THE STUDENT'S UNDERSTANDING OF THE EDUCATIONAL MATERIAL. THE GENERAL ASSEMBLY ALSO FINDS THAT STANDARDS SHOULD BE BASED ON PERFORMANCE AND SHOULD BE DEVELOPED WITH INPUT FROM THE DEAF COMMUNITY AND FROM PERSONS INVOLVED IN INSTRUCTING DEAF STUDENTS. THEREFORE, THE GENERAL ASSEMBLY ENACTS THIS SECTION FOR THE PURPOSE OF DEVELOPING APPROPRIATE STANDARDS FOR PERSONS EMPLOYED IN THE PUBLIC SCHOOLS AS EDUCATIONAL INTERPRETERS.

(2) FOR PURPOSES OF THIS SECTION, "EDUCATIONAL INTERPRETER" MEANS A

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

PERSON WHO USES SIGN LANGUAGE IN THE PUBLIC SCHOOL SETTING FOR PURPOSES OF FACILITATING COMMUNICATION BETWEEN USERS AND NONUSERS OF SIGN LANGUAGE AND WHO IS FLUENT IN THE LANGUAGES USED BY BOTH DEAF AND NONDEAF PERSONS.

(3) (a) THERE IS HEREBY CREATED, WITHIN THE DEPARTMENT OF EDUCATION, AN INTERPRETER STANDARDS COMMITTEE, WHICH SHALL CONSIST OF SEVENTEEN MEMBERS APPOINTED BY THE COMMISSIONER OF EDUCATION, FOR THE PURPOSE OF MAKING RECOMMENDATIONS TO THE STATE BOARD ON THE MINIMUM STANDARDS FOR EDUCATIONAL INTERPRETERS FOR THE DEAF IN THE PUBLIC SCHOOLS.

(b) THE COMMISSIONER OF EDUCATION SHALL MAKE APPOINTMENTS TO THE COMMITTEE ON OR BEFORE JULY 1, 1997. MEMBERS SHALL BE APPOINTED AS FOLLOWS: ONE MEMBER SHALL BE AN INSTRUCTOR IN AN INTERPRETER PREPARATION PROGRAM OFFERED BY AN INSTITUTION OF HIGHER EDUCATION IN THIS STATE; TWO MEMBERS SHALL BE TEACHERS OF THE DEAF, ONE OF WHOM IS DEAF; TWO MEMBERS SHALL BE DEAF ADULTS WHO ARE CONSUMERS OF INTERPRETER SERVICES, ONE OF WHOM IS A MEMBER OF THE COLORADO ASSOCIATION OF THE DEAF; ONE MEMBER SHALL BE A HIGH SCHOOL STUDENT WHO IS DEAF AND IS CURRENTLY RECEIVING INTERPRETER SERVICES IN A PUBLIC SCHOOL; THREE MEMBERS SHALL BE PARENTS OF DEAF STUDENTS WHOSE CHILDREN ARE RECEIVING INTERPRETER SERVICES IN A PUBLIC SCHOOL; FOUR MEMBERS SHALL BE PERSONS WHO ARE WORKING AS EDUCATIONAL INTERPRETERS IN THE PUBLIC SCHOOLS, ONE OF WHOM SHALL BE A MEMBER OF THE COLORADO REGISTRY OF INTERPRETERS FOR THE DEAF AND ONE OF WHOM IS EMPLOYED BY A BOARD OF COOPERATIVE EDUCATIONAL SERVICES; ONE MEMBER SHALL BE A CERTIFIED INTERPRETER NOT EMPLOYED IN AN EDUCATIONAL SETTING; ONE MEMBER SHALL BE A REPRESENTATIVE OF THE COLORADO SCHOOL FOR THE DEAF AND THE BLIND; ONE MEMBER SHALL BE A PUBLIC SCHOOL SPECIAL EDUCATION DIRECTOR OR HIS OR HER DESIGNEE; AND ONE MEMBER SHALL BE A MEMBER OF A SCHOOL BOARD IN THIS STATE.

(c) MEMBERS OF THE INTERPRETER STANDARDS COMMITTEE SHALL SERVE VOLUNTARILY WITHOUT COMPENSATION.

(d) THIS SUBSECTION (3) AND THE INTERPRETER STANDARDS COMMITTEE CREATED IN THIS SECTION SHALL BE REPEALED, EFFECTIVE JULY 1, 1998.

(4) THE STUDY BY THE INTERPRETER STANDARDS COMMITTEE CREATED IN SUBSECTION (3) OF THIS SECTION SHALL INCLUDE BUT NEED NOT BE LIMITED TO AN EXAMINATION OF THE FOLLOWING:

(a) THE MINIMUM STANDARDS FOR EDUCATIONAL INTERPRETERS FOR THE DEAF WHO ARE EMPLOYED AS EDUCATIONAL INTERPRETERS ON A FULL-TIME OR PART-TIME BASIS IN PUBLIC SCHOOLS. IN MAKING RECOMMENDATIONS ON THE APPROPRIATE MINIMUM STANDARDS, THE COMMITTEE SHALL EXAMINE:

(I) WHAT IS THE MOST APPROPRIATE AND FEASIBLE INSTRUMENT FOR EVALUATING THE PROFICIENCY AND PERFORMANCE OF EDUCATIONAL INTERPRETERS FOR THE DEAF;

(II) THE MINIMUM PERFORMANCE ON THE INSTRUMENT RECOMMENDED PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (a) THAT WOULD SATISFY THE REQUIREMENT FOR EMPLOYMENT IN A PUBLIC SCHOOL TO PROVIDE INTERPRETER

SERVICES;

(III) THE MINIMUM STANDARDS FOR EDUCATIONAL INTERPRETERS RELATING TO THEIR KNOWLEDGE AND UNDERSTANDING OF:

(A) CHILD DEVELOPMENT;

(B) LANGUAGE DEVELOPMENT;

(C) CURRICULUM;

(D) TEACHING AND TUTORING METHODS FOR WORKING INDIVIDUALLY AND AS PART OF A TEAM IN TEACHING OR TUTORING DEAF CHILDREN IN A CLASSROOM SETTING;

(E) DEAFNESS;

(F) THE EDUCATIONAL PROCESS FOR DEAF CHILDREN;

(b) THE MINIMUM STANDARDS FOR THE PERSONS WHO EVALUATE THE SKILLS, PROFICIENCY, AND PERFORMANCE OF EDUCATIONAL INTERPRETERS;

(c) THE AVAILABILITY AND ADEQUACY OF EDUCATIONAL AND TRAINING PROGRAMS IN INTERPRETING IN THIS STATE, ESPECIALLY IN RURAL AREAS OF THE STATE;

(d) THE AVAILABILITY OF APPROPRIATE CURRICULUM FOR TEACHING PERSONS WHO WILL BE SERVING AS EDUCATIONAL INTERPRETERS;

(e) THE USE OF INTERDISTANCE LEARNING AND TECHNIQUES TO TEACH INTERPRETING SKILLS;

(f) THE AVAILABILITY OF FUNDS OR GRANTS FROM FEDERAL AND PRIVATE SOURCES TO DEVELOP NEW EDUCATIONAL PROGRAMS IN INTERPRETING FOR THE DEAF, ESPECIALLY EDUCATIONAL PROGRAMS DESIGNED TO ASSIST PEOPLE IN MEETING THE MINIMUM STANDARDS FOR EDUCATIONAL INTERPRETERS TO BE ESTABLISHED BY THE STATE BOARD AS PROVIDED IN SUBSECTION (6) OF THIS SECTION, AND TO PROVIDE FINANCIAL ASSISTANCE TO PERSONS WANTING TO TAKE SUCH COURSES;

(g) THE DELIVERY OF INTERPRETER SERVICES IN PUBLIC SCHOOLS IN RURAL COMMUNITIES;

(h) RECRUITMENT AND RETENTION OF EDUCATIONAL INTERPRETERS IN PUBLIC SCHOOLS.

(5) THE INTERPRETER STANDARDS COMMITTEE SHALL SUBMIT A PRELIMINARY REPORT DETAILING ITS PROGRESS TO THE STATE BOARD ON OR BEFORE OCTOBER 1, 1997. THE COMMITTEE SHALL SUBMIT ITS FINAL REPORT TO THE STATE BOARD ON OR BEFORE DECEMBER 31, 1997, CONTAINING ITS FINDINGS AND ITS RECOMMENDATIONS.

(6) AFTER REVIEW AND STUDY OF THE RECOMMENDATIONS OF THE INTERPRETER STANDARDS COMMITTEE, THE STATE BOARD, ON OR BEFORE JULY 1, 1998, SHALL

PROMULGATE RULES SETTING MINIMUM STANDARDS FOR EDUCATIONAL INTERPRETERS FOR THE DEAF EMPLOYED BY OR IN THE PUBLIC SCHOOLS IN THIS STATE. THE STATE BOARD MAY REVISE AND AMEND SUCH MINIMUM STANDARDS AS IT DEEMS NECESSARY. THE STATE BOARD SHALL PROMULGATE RULES THAT SET FORTH THE DOCUMENTATION THAT A PERSON SEEKING EMPLOYMENT AS AN EDUCATIONAL INTERPRETER FOR THE DEAF IN A PUBLIC SCHOOL MUST SUBMIT TO THE SCHOOL DISTRICT.

(7) ON OR AFTER JULY 1, 2000, IN ADDITION TO ANY OTHER REQUIREMENTS THAT A SCHOOL DISTRICT ESTABLISHES, ANY PERSON EMPLOYED AS AN EDUCATIONAL INTERPRETER FOR DEAF STUDENTS ON A FULL-TIME OR PART-TIME BASIS BY OR IN A SCHOOL DISTRICT SHALL MEET THE MINIMUM STANDARDS FOR EDUCATIONAL INTERPRETERS FOR THE DEAF AS ESTABLISHED BY RULES OF THE STATE BOARD.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 24, 1997