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**SUBSTITUTE SENATE BILL 5142**

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**State of Washington**

**65th Legislature**

**2017 Regular Session**

**By** Senate Early Learning & K-12 Education (originally sponsored by Senators Kuderer, Rolfes, Palumbo, Billig, Pedersen, Mullet, McCoy, Keiser, and Wellman)

READ FIRST TIME 02/16/17.

1 AN ACT Relating to educational interpreters; amending RCW  
2 28A.410.271; creating a new section; and declaring an emergency.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 28A.410.271 and 2013 c 151 s 2 are each amended to  
5 read as follows:

6 (1) The definitions in this subsection apply throughout this  
7 section unless the context clearly requires otherwise.

8 (a) "Educational interpreters" means school district employees,  
9 whether certificated or classified, providing sign language  
10 (~~translation~~) interpretation, transliteration, or both, and further  
11 explanation of concepts introduced by the teacher for students who  
12 are deaf, deaf-blind, or hard of hearing (~~impaired~~).

13 (b) "Educational interpreter assessment" means an assessment that  
14 includes both written assessment and performance assessment that is  
15 offered by a national organization of professional sign language  
16 interpreters and transliterators, and is designed to assess  
17 performance in more than one sign system or sign language.

18 (c) "Interpretation" means conveying one language in the form of  
19 another language.

20 (d) "Transliteration" means conveying one language in a different  
21 modality of the same language.

1 (2) The professional educator standards board shall:

2 (a) Adopt standards for educational interpreters and identify and  
3 publicize educational interpreter assessments that are available and  
4 meet the ((definition)) requirements in this section((. The board  
5 shall)); and

6 (b) Establish a performance standard for each educational  
7 interpreter assessment for the purposes of this section, defining  
8 what constitutes a minimum assessment result.

9 (3)(a) Except as otherwise provided by this section, by the  
10 beginning of the 2016-17 school year, educational interpreters who  
11 are employed by school districts must have successfully achieved the  
12 performance standard established by the professional educator  
13 standards board on one of the educational interpreter assessments  
14 identified by the board. Evaluations and assessments for educational  
15 interpreters for which the board has not established a performance  
16 standard may be obtained as supplemental demonstrations of  
17 professional proficiency but may not be used as evidence of  
18 compliance with this subsection (3)(a).

19 (b) An educational interpreter who has not successfully achieved  
20 the performance standard required by (a) of this subsection may  
21 provide or continue providing educational interpreter services to  
22 students for one calendar year after receipt of his or her most  
23 recent educational interpreter assessment results, or eighteen months  
24 after completing his or her most recent educational interpreter  
25 assessment, whichever period is longer, if he or she can demonstrate  
26 to the satisfaction of the employing school or school district,  
27 ongoing efforts to successfully achieve the required performance  
28 standard. In making a determination under this subsection (3)(b), the  
29 employing school or school district may consult with the professional  
30 educator standards board. For purposes of this subsection (3)(b),  
31 "educational interpreter" includes persons employed as educational  
32 interpreters before the 2016-17 school year.

33 (4) By December 31, 2013, the professional educator standards  
34 board shall recommend to the education committees of the house of  
35 representatives and the senate((7)) how to appropriately use the  
36 national interpreter certification and the educational interpreter  
37 performance assessment for educational interpreters in Washington  
38 public schools.

39 (5) The provisions of this section do not apply to educational  
40 interpreters employed to interpret a sign system or sign language.

1 including nonsigning interpretation such as oral interpreting,  
2 computer-assisted real time captioning, and cued speech  
3 transliteration, for which ((no educational interpreter assessment  
4 has been identified by the professional educator standards board)) an  
5 educational interpreter assessment either does not exist or, as  
6 determined by the professional educator standards board, is not  
7 capable of being evaluated by the board for suitability as a  
8 performance standard in Washington.

9 NEW SECTION. Sec. 2. By December 1, 2017, the office of the  
10 superintendent of public instruction shall submit to the education  
11 committees of the house of representatives and the senate, a report  
12 evaluating the costs, associated timelines, and feasibility of  
13 conducting or contracting for a peer review of the educational signed  
14 skills evaluation. The report, and any associated recommendations,  
15 must be submitted in accordance with RCW 43.01.036.

16 NEW SECTION. Sec. 3. This act is necessary for the immediate  
17 preservation of the public peace, health, or safety, or support of  
18 the state government and its existing public institutions, and takes  
19 effect immediately.

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