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Employment Standards Rule 0520-01-02-.03

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**The Background:**

For deaf, deaf-blind, or hard-of-hearing students, access to effective communication is critical to K-12 educational success as well as success in postsecondary, employment, and independent living. In order to ensure the success of these students, it is imperative that well-trained personnel provide visual and/or tactile communication. Currently in Tennessee, there are no licensure requirements for educational interpreters as provided in surrounding states. Qualified interpreters are leaving Tennessee to seek employment in other states or the private sector, leaving our students at a loss for this critical service. In early 2015, a 19 member task force representing advocates from the deaf community, higher education, and the Department of Education convened to address this critical issue. Research from this group indicated that not only does Tennessee lack professional licensure for qualified educational interpreters, who must hold a bachelor's degree and national certification, but that many interpreters currently serving students have limited training which results in poor communication skills and limited access to general education curriculum for students. The task force set forth recommendations for an educational interpreter license as well as updated employment standards for non-licensed educational interpreters.

The Tennessee Department of Education is recommending an educational interpreter license for those holding the appropriate qualifications as a separate item. While the TDOE strongly encourages licensure for educational interpreters, we also realize there is a nation-wide shortage of licensed interpreters and that we must have standards for non-licensed interpreters to serve students when a good faith effort by the LEA does not result in a licensed interpreter.

This item proposes updated employment standards for non-licensed educational interpreters in Tennessee. Below is a summary of key changes that was presented on first reading at the January meeting. There have been no changes since first reading.

- **Page 6:** Requires educational interpreters employed prior to January 2021, who do not satisfy the criterion for licensure, to obtain a passing score on the written portion of the Educational Interpreter Performance Assessment (EIPA) and obtain a minimum score of 3.0 on the performance assessment portion of the EIPA prior to January 1, 2021.
- **Page 6:** Requires non-licensed educational interpreters hired on or after January 1, 2021, to hold a minimum of an associate's degree, have a passing score on the written portion of the EIPA and have a minimum score of 3.0 on the performance assessment portion of the EIPA.

**The Fiscal Analysis Impact:**

Tenn. Code Ann. § 49-1-212 requires that the Department prepare a fiscal analysis of any policy, rule or regulation proposed to the State Board of Education. This item has no financial impact on an LEA.

**The Recommendation:**

The Department of Education recommends adoption of this item on final reading. The SBE staff concurs with this recommendation.