

1 AN ACT relating to interpreters.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS 309.300 TO 309.319 IS CREATED
4 TO READ AS FOLLOWS:

5 *(1) To be eligible for licensure by the board as an educational interpreter, the*
6 *applicant shall submit an application which includes:*

7 *(a) An application fee; and*

8 *(b) Proof of:*

9 *1. A score of 4.0 or above on the Educational Interpreter Performance*
10 *Assessment (EIPA) and passage of the EIPA written test; or*

11 *2. Passage of an examination offered for educational interpreting*
12 *certification by any organization, or successor organization,*
13 *equivalent to or exceeding the level of skill and knowledge required by*
14 *the EIPA as determined by the board and established in administrative*
15 *regulation.*

16 *(2) The board shall issue an educational interpreter license to an applicant who*
17 *fulfills the requirements of subsection (1) of this section. The front of the license*
18 *shall clearly list all certifications held by the educational interpreter licensee.*

19 *(3) Upon payment of the application fee, the board shall grant licensure to an*
20 *applicant holding a valid license, certificate, or equivalent issued by another state*
21 *if it is based upon standards equivalent to or exceeding the standards required by*
22 *KRS 309.300 to 309.319.*

23 *(4) This section shall have no impact on the eligibility of an interpreter licensed*
24 *under KRS 309.312 to practice in an educational setting.*

25 ➔Section 2. KRS 309.300 is amended to read as follows:

26 As used in KRS 309.300 to 309.319, unless the context otherwise requires:

27 (1) "Board" means Kentucky Board of Interpreters for the Deaf and Hard of Hearing;[+]

1 (2) "Committee" means Kentucky Board of Interpreters for the Deaf and Hard of
2 Hearing Policy Committee;[.]

3 (3) "Consumer" means a person who is deaf, hard of hearing, or who requires special
4 communication techniques in order to communicate;[.]

5 (4) **"Educational interpreter" means a person who engages in the practice of**
6 **interpreting in a public or private K-12 classroom setting or in a postsecondary**
7 **education institution;**

8 (5) "Interpreter" means a person who engages in the practice of interpreting;[.]

9 (6)[(5)] "Interpreting" means the translating or transliterating of English concepts to
10 any necessary specialized vocabulary used by a consumer or the translating of a
11 consumer's specialized vocabulary to English concepts. Necessary specialized
12 vocabularies include, but are not limited to, American Sign Language, English-
13 based sign language, cued speech, and oral interpreting; **and**[.]

14 (7)[(6)] "Nationally recognized certification" means certification granted by a national
15 organization that is based on a skills assessment of the applicant. These
16 organizations include, but are not limited to, the Registry of Interpreters for the
17 Deaf, the National Association of the Deaf, and the National Training, Evaluation,
18 and Certification Unit.

19 ➔Section 3. KRS 309.301 is amended to read as follows:

20 (1) ~~A~~[Effective July 1, 2003, no] person shall **not** represent himself or herself as an
21 interpreter or **educational interpreter or** engage in the practice of interpreting as
22 defined in KRS 309.300, unless he or she is licensed in accordance with the
23 provisions of KRS 309.300 to 309.319.

24 (2) The provisions of KRS 309.300 to 309.319 shall not apply to:

25 (a) Nonresident interpreters working in the Commonwealth less than twenty (20)
26 days per year;

27 (b) Interpreters working at religious activities;

- 1 (c) Interpreters working as volunteers without compensation. However, all
2 volunteers interpreting for state agencies must be eligible for licensure as
3 described in KRS 309.312;
- 4 (d) Interpreters working in an emergency. An emergency is a situation where the
5 consumer decides that the delay necessary to obtain a licensed interpreter is
6 likely to cause injury or loss to the consumer; or
- 7 (e) The activities and services of an interpreter *or educational interpreter* intern
8 or a student in training who is:
- 9 1. Enrolled in a program of study in interpreting at an accredited institution
10 of higher learning;
 - 11 2. Interpreting under the supervision of a licensed interpreter *or*
12 *educational interpreter* as part of a supervised program of study; and
 - 13 3. Identified as an interpreter *or educational interpreter* intern or student
14 in training.

15 ➔Section 4. KRS 309.314 is amended to read as follows:

- 16 (1) Each person licensed as an interpreter *or educational interpreter* shall annually, on
17 or before July 1, submit to the board current proof of nationally recognized
18 certification *or proof required by Section 1 of this Act* and pay a fee for the
19 renewal of the interpreter *or educational interpreter* license. The amount of the fee
20 shall be promulgated by administrative regulation of the board. All licenses not
21 renewed by July 1 of each year shall expire.
- 22 (2) A sixty (60) day grace period shall be allowed after July 1, during which time
23 individuals may continue to practice and may renew their licenses upon payment of
24 the renewal fee plus a late renewal fee as promulgated by administrative regulation
25 of the board.
- 26 (3) All licenses not renewed by August 31 shall terminate based on the failure of the
27 individual to renew in a timely manner. Upon termination, the licensee is no longer

- 1 eligible to practice in the Commonwealth.
- 2 (4) After the sixty (60) day grace period, but before five (5) years from the date of
3 termination, individuals with a terminated license may have their licenses reinstated
4 upon payment of the renewal fee plus a reinstatement fee as promulgated by
5 administrative regulation of the board.
- 6 (5) A suspended license is subject to expiration and termination and may be renewed as
7 provided in KRS 309.300 to 309.319. Renewal shall not entitle the licensee to
8 engage in the practice of interpreting or educational interpreting until the
9 suspension has ended or is otherwise removed by the board and the right to practice
10 is restored by the board.
- 11 (6) A revoked license is subject to expiration and termination but shall not be renewed.
12 If it is reinstated, the licensee shall pay the reinstatement fee as set forth in
13 subsection (4) of this section and the renewal fee as set forth in subsection (1) of
14 this section.
- 15 (7) The board may require that a person applying for renewal or reinstatement of
16 licensure show evidence of completion of continuing education as prescribed by the
17 board by administrative regulation.