

HOUSE No. 552**The Commonwealth of Massachusetts**

PRESENTED BY:

Antonio F. D. Cabral

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the training, assessment, and assignment of qualified school interpreters in educational settings.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>	<i>2/12/2021</i>
<i>Tram T. Nguyen</i>	<i>18th Essex</i>	<i>2/19/2021</i>
<i>Christopher Hendricks</i>	<i>11th Bristol</i>	<i>2/19/2021</i>
<i>Joseph W. McGonagle, Jr.</i>	<i>28th Middlesex</i>	<i>2/22/2021</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/26/2021</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>3/8/2021</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>4/26/2021</i>
<i>Patricia A. Haddad</i>	<i>5th Bristol</i>	<i>3/8/2021</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>3/9/2021</i>
<i>Ruth B. Balser</i>	<i>12th Middlesex</i>	<i>3/15/2021</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>	<i>3/25/2021</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>3/25/2021</i>
<i>Liz Miranda</i>	<i>5th Suffolk</i>	<i>4/8/2021</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>4/8/2021</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>5/19/2021</i>

HOUSE No. 552

By Mr. Cabral of New Bedford, a petition (accompanied by bill, House, No. 552) of Antonio F. D. Cabral and others relative to the training, assessment, and assignment of qualified school interpreters in educational settings. Education.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act relative to the training, assessment, and assignment of qualified school interpreters in educational settings.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 69 of the General Laws, as appearing in the 2018 Official Edition,
2 is hereby amended by inserting the following section:

3 Section 37. Training, assessment, and assignment of qualified school interpreters in
4 educational settings

5 (1) The following words, unless the context clearly indicates otherwise, shall have the
6 following meanings:

7 “Department” the department of elementary and secondary education

8 “Person with Limited English Proficiency (Person with LEP)” an individual who has a
9 limited ability to read, write, speak or understand English because the person uses primarily a
10 language other than English. This includes parents or guardians of minor children with LEP,
11 regardless of the children’s LEP status.

“Interpretation” the immediate oral rendering of an utterance from a source language into a target language

“Interpreter” a person who has demonstrated language proficiency in English and at least one other language and is readily able to interpret spoken language from English to the target language and from the target language to English, and who also has knowledge and understanding of the pertinent subject matter to be translated, the role of the interpreter in school settings, and ethics and confidentiality with respect to interpretation.

“Parent” a natural, adoptive, or foster parent of a child, a guardian, or an individual acting in the place of a natural or adoptive parent (including a grandparent, stepparent, or other relative) with whom the child lives, or an individual who is legally responsible for the child’s welfare.

“Specialized meeting” a meeting requiring a high level of interpretation skills including but not limited to discussion regarding: an Individualized Education Program (IEP); a safety plan or behavioral intervention plan (BIP); matters regarding school discipline; matters regarding special education due process; placement in an English Learner Education (ELE) program; development of or changes to an Individual 504 plan; addressing bullying complaints; or the use of physical restraint or seclusion of students;

“standard meeting” a parent conference, community meeting, or other school gathering that does not have legal context.

“Tier 1 Interpreter” an interpreter whose language proficiency need not be formally assessed.

“Tier 2 Interpreter” an interpreter who, after a formal assessment process to be determined by the department, demonstrates an understanding of basic educational terminology used in school settings, participates in ongoing professional development in interpreting, and exhibits tier-2 competency pursuant to subsection 2 of this section and department regulations.

“Tier 3 Interpreter” an interpreter who, after a formal assessment process to be determined by the department, understands specialized educational terminology used in school settings, participates in ongoing professional development in interpreting, and exhibits tier-3 competency pursuant to subsection 2 of this section and department regulations.

(2) Consistent with the recommendations of the School Interpreters Task Force, as authorized by Section 81 of Chapter 154 of the Acts of 2018, the department shall:

(A) develop and administer a system for training, assessing, and determining qualifications of interpreters in educational settings with assurance that tier 3 interpreters shall be used for all specialized meetings, tier 2 or 3 interpreters may be used for all standard meetings and Tier 1 interpreters may be used during spontaneous, unannounced meetings or communication scenarios that occur in schools when a tier 3 or 2 interpreter is not available;

(B) develop and make available an educational course of sufficient duration that includes coursework and field experience to support development of the key competencies and knowledge required of interpreters in schools; and

(C) create a publicly accessible mechanism to identify tier-3 interpreters for scheduled specialized meetings.

(3) The department shall adopt regulations necessary to administer a system for training, assessing, and determining qualifications of interpreters in school settings to improve access for parents with LEP. Said regulations shall be consistent with the recommendations of the School Interpreters Task Force, as authorized by Section 81 of Chapter 154 of the Acts of 2018, and shall include but not be limited to:

(A) a process for assessing the language proficiency of interpreters seeking to interpret in school settings, including required levels of competency necessary to obtain tier-2 and tier-3 interpreting status, with grandfathering allowed for school employees whose primary job responsibility has been to serve as an interpreter for one or more years;

(B) required hours of supervised field experience for tier-3 interpreters;

(C) procedures for implementation of the publicly accessible mechanism created pursuant to subsection 1 of this section to identify and secure tier-3 interpreters for scheduled specialized meetings.

SECTION 2. This act shall take effect upon its passage, provided that the department may administer a phased implementation of the provisions of subsection 2 of this act to a diverse number of school districts, subject to appropriation, and provided further that final implementation of all sections of this act shall take effect statewide when certified as appropriate by the commissioner of elementary and secondary education in a report to the general court.