

California Department of Education

Executive Office

SBE-005 (REV. 1/2018)

General Waiver

# California State Board of Education May 2020 Agenda Item #W-12

## Subject

Requests by **Santa Clara County Office of Education and Kern High School District** to waive *California Code of Regulations*, Title 5, Section 3051.16(b)(3), the requirement that educational interpreters for deaf and hard of hearing pupils meet minimum qualifications as of July 1, 2009, to allow Rebecca Alcantara, Michelle Evans, Brittany Verbeckmoes, Yolanda Cortes, Marcela Padilla, Angie Dennis, and Kirsten Watkins to continue to provide services to students until June 30, 2021, under a remediation plan to complete those minimum requirements.

## Waiver Number

* Santa Clara County Office of Education 7-1-2020
* Santa Clara County Office of Education 8-1-2020
* Santa Clara County Office of Education 9-1-2020
* Santa Clara County Office of Education 11-1-2020
* Kern High School District 15-1-2020
* Kern High School District 16-1-2020
* Kern High School District 17-1-2020

## Type of Action

Action, Consent

## Summary of the Issue(s)

The State Board of Education (SBE) must determine if Rebecca Alcantara, Michelle Evans, Brittany Verbeckmoes, Yolanda Cortes, Marcela Padilla, Angie Dennis, and Kirsten Watkins qualify for an educational interpreter waiver to provide educational interpreting services until June 30, 2021.

## Authority for Waiver

*Education Code (EC)* Section 33050

## Recommendation

* Approval: No
* Approval with conditions: Yes
* Denial: No

The California Department of Education (CDE) recommends that the SBE approve the waiver requests by the county offices of education with the following conditions:

**Santa Clara County Office of Education (SCCOE), Rebecca Alcantara, Michelle Evans, Brittany Verbeckmoes, Yolanda Cortes; The SCCOE must:**

1. Provide individual mentoring and professional development activities, workshops, trainings, and individual 1:1 interpreting sessions to all interpreters in this waiver request.
2. Purchase Educational Interpreter Performance Assessment (EIPA) Video Conference Series DVDs, and require interpreter staff to review weekly.
3. Hold weekly 1:1 training sessions with each interpreter and the national Registry of Interpreters for the Deaf (RID)-certified and Master Mentor, Cindy Farnham.
4. Provide opportunities for interpreters to observe other interpreters providing services in classroom settings.
5. Provide access to various blogs about American Sign Language grammar and syntax, and view ASL videos to increase interpreting skills.
6. Facilitate interpreters’ re-taking the EIPA exam during the 2020-21 school year, when examinations become available (as of March 2020, EIPA exams have been postponed until the State’s Shelter in Place Order is lifted).

**Kern High School District (KHSD), Marcella Padilla, Angie Dennis, Kirsten Watkins: The KHSD must:**

1. Provide individual mentoring and professional development activities to each interpreter included in this waiver request by a certified interpreter on a weekly basis.
2. Provide opportunities for interpreters to attend workshops to improve interpreting skills.
3. Provide opportunities for interpreters to observe other interpreters who are providing services in classroom settings.
4. Encourage interpreters to practice interpreting skills at community events
5. Provide access to various blogs about American Sign Language grammar and syntax, and view ASL videos to increase interpreting skills.
6. Facilitate interpreters’ re-taking the EIPA exam during the 2020-21 school year, when examinations become available (as of March 2020, EIPA exams have been postponed until the State’s Shelter in Place Order is lifted).

## Summary of Key Issues

The Individual with Disabilities Education Improvement Act of 2004 (IDEIA 2004) requires that interpreters for pupils who are Deaf or Hard of Hearing meet state-approved or state-recognized certification, registration, or other comparable requirements, as defined in Title 34 of the *Code of Federal Regulations*, Section 300.156(b)(1).

To meet this federal requirement, the *California Code of Regulations*, Section 3051.16(b)(3) requires the following:

By July 1, 2009, and thereafter, an educational interpreter shall be certified by the national Registry of Interpreters for the Deaf (RID), or equivalent; in lieu of RID certification or equivalent, an educational interpreter must have achieved a score of 4.0 or above on the Educational Interpreter Performance Assessment (EIPA), the Educational Sign Skills Evaluation-Interpreter/Receptive (ESSE-I/R), or the National Association of the Deaf/American Consortium of Certified Interpreters (NAD/ACCI) assessment. If providing Cued Language transliteration, a transliterator shall possess Testing/Evaluation and Certification Unit (TECUnit) certification, or have achieved a score of 4.0 or above on the EIPA – Cued Speech.

**SCCOE, Rebecca Alcantara**

Ms. Alcantara was assessed by the Boys Town National Research Hospital, using a pre-hire screening assessment and received an overall score recommending a “hire with caution/supervision” and “ok to hire” (combination score) designation. The results stated she generally has sufficient sign language vocabulary to convey much of the information, and that her fingerspelling is generally clear but fast for the educational setting.

**SCCOE, Michelle Evans**

Ms. Evans was assessed by the Boys Town National Research Hospital, using a pre-hire screening assessment and received an overall score recommending a “hire with caution/supervision” and “ok to hire” (combination score) designation. The results stated her sign production was generally accurate but that her fingerspelling could be increased for educational purposes.

**SCCOE, Brittany Verbeckmoes**

Ms. Verbeckmoes was assessed by the Boys Town National Research Hospital, using a pre-hire screening assessment and received an overall score recommending a “hire with caution/supervision” designation. The results stated she has sufficient sign vocabulary to convey most concepts but that delivery is choppy due to evidence of processing.

**SCCOE, Yolanda Cortes**

Ms. Cortes was assessed by the Boys Town National Research Hospital, using a pre-hire screening assessment and received an overall score recommending an “ok to hire” designation. She has sufficient vocabulary knowledge and her production is fluent.

**KHSD, Marcella Padilla**

Ms. Padilla received a 4.0 score on the Receptive portion of the EIPA and a score of 3.2 in the Expressive portion. She will retake the EIPA exam annually to reach a score of 4.0 in each portion.

**KHSD, Angie Dennis**

Ms. Dennis completed a two-year interpreting program at Bakersfield College and is working with a nationally certified interpreter. She will retake the EIPA exam once it becomes available.

**KHSD, Kirsten Watkins**

Ms. Watkins is currently enrolled in courses at the University of Northern Colorado, majoring in American Sign Language Interpretation with a focus on Educational Interpreting. She is working weekly with a Certified Interpreter and will retake the EIPA exam once it becomes available.

**Demographic Information:**

The Santa Clara County Office of Education, located in San Jose, CA, serves a Special Education student population of 1,374 and operates a Deaf and Hard of Hearing Program.

The Kern High School District, located in Bakersfield, CA, serves a Special Education student population of 200.

**Because this is a general waiver, if the State Board of Education decides to deny the waiver, it must cite one of the seven reasons in *EC* 33051(a), available at** <http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051>.

## Summary of Previous State Board of Education Discussion and Action

In 2002, the SBE approved regulations that required educational interpreters to be certified by the RID, or equivalent, by January 1, 2007. As of July 1, 2009, they have been required to be certified by the RID, or equivalent, or to have achieved a score of 4.0 or better on specified assessments.

In November 2009, the SBE approved a policy regarding educational interpreter waiver requests. That policy is on the CDE Web site at <https://www.cde.ca.gov/re/lr/wr/documents/interpreter.docx>

## Fiscal Analysis (as appropriate)

There is no statewide fiscal impact of waiver approval.

## Attachment(s)

* **Attachment 1:** Summary Table (3 pages)
* **Attachment 2:** Santa Clara County Office of Education General Waiver Request 7-1-2020 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 3:** Santa Clara County Office of Education General Waiver Request 8-1-2020 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 4:** Santa Clara County Office of Education General Waiver Request 9-1-2020 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 5:** Santa Clara County Office of Education General Waiver Request 11-1-2020 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 6:** Kern High School District 15-1-2020 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 7:** Kern High School District 16-1-2020 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)
* **Attachment 8:** Kern High School District 17-1-2020 (2 pages). (Original waiver request is signed and on file in the Waiver Office.)

# Attachment 1: Summary Table

California *Education Code (EC)* Section 41402

| **Waiver Number** | **District** | **Period of Request** | **Bargaining Unit Representatives Consulted, Date and Position** | **Local Board and Public Hearing Approval** |
| --- | --- | --- | --- | --- |
| 7-1-2020 | Santa Clara County Office of Education | **Requested:**  1/1/2020-12/31/2020  **Recommended:**  1/1/2020-6/30/2021 | Service Employees International Union  10/31/19  **Support** | The Santa Clara County Superintendent of Schools is the legal entity that exercises all powers related to the Deaf and Hard of Hearing program; there is no governing board in front of which to hold a public hearing. The waiver was approved by the Santa Clara County Superintendent of Schools on December 20, 2019. |
| 8-1-2020 | Santa Clara County Office of Education | **Requested:**  1/1/2020-12/31/2020  **Recommended:**  1/1/2020-6/30/2021 | Service Employees International Union  10/31/19  **Support** | The Santa Clara County Superintendent of Schools is the legal entity that exercises all powers related to the Deaf and Hard of Hearing program; there is no governing board in front of which to hold a public hearing. The waiver was approved by the Santa Clara County Superintendent of Schools on December 20, 2019. |

| **Waiver Number** | **District** | **Period of Request** | **Bargaining Unit Representatives Consulted, Date and Position** | **Local Board and Public Hearing Approval** |
| --- | --- | --- | --- | --- |
| 9-1-2020 | Santa Clara County Office of Education | **Requested:**  1/1/2020-12/31/2020  **Recommended:**  1/1/2020-6/30/2021 | Service Employees International Union  10/31/2019  **Support** | The Santa Clara County Superintendent of Schools is the legal entity that exercises all powers related to the Deaf and Hard of Hearing program; there is no governing board in front of which to hold a public hearing. The waiver was approved by the Santa Clara County Superintendent of Schools on December 20, 2019. |
| 11-1-2020 | Santa Clara County Office of Education | **Requested:**  1/1/2020-12/31/2020  **Recommended:**  1/1/2020-6/30/2021 | Service Employees International Union  10/31/2019  **Support** | The Santa Clara County Superintendent of Schools is the legal entity that exercises all powers related to the Deaf and Hard of Hearing program; there is no governing board in front of which to hold a public hearing. The waiver was approved by the Santa Clara County Superintendent of Schools on December 20, 2019. |
| 15-1-2020 | Kern High School District | **Requested:**  7/1/2019-6/30/2020  **Recommended:**  7/1/2019-6/29/2021 | California Schools Employees Association  11/1/2019  **Support** | Notice of Public Hearing was advertised in the local newspaper.  Vote held on 12/6/2019  **No Objection** |
| 16-1-2020 | Kern High School District | **Requested:**  7/1/2019-6/30/2020  **Recommended:**  7/1/2019-6/29/2021 | California Schools Employees Association  11/1/2019  **Support** | Notice of Public Hearing was advertised in the local newspaper.  Vote held on 12/6/2019  **No Objection** |
| 17-1-2020 | Kern High School District | **Requested:**  7/1/2019-6/30/2020  **Recommended:**  7/1/2019-6/29/2021 | California Schools Employees Association  11/1/2019  **Support** | Notice of Public Hearing was advertised in the local newspaper.  Vote held on 12/6/2019  **No Objection** |

Created by California Department of Education  
April 2, 2020

# Attachment 2: Santa Clara County Office of Education General Waiver Request 7-1-2020

**California Department of Education**

**WAIVER SUBMISSION – General**

CD Code: 4310439

Waiver Number: 7-1-2020

Active Year: 2020

Date In: 1/13/2020 3:55:45 PM

Local Education Agency: Santa Clara County Office of Education

Address: 1290 Ridder Park Dr.

San Jose, CA 95131

Start: 1/1/2020

End: 12/31/2020

Waiver Renewal: No

Waiver Topic: Special Education Program

Ed Code Title: Educational Interpreter for Deaf and Hard of Hearing

Ed Code Section: *CCR*, Title 5 Section 3051.16(b)(3)

Ed Code Authority: 33050

Ed Code or *CCR* to Waive: (b) Certification requirements for educational interpreters for deaf and hard of hearing pupils.

(3) By July 1, 2009, and thereafter, an educational interpreter shall be certified by the national RID, or equivalent; in lieu of RID certification or equivalent, an educational interpreter must have achieved a score of 4.0 or above on the EIPA, the ESSE-I/R, or the NAD/ACCI assessment. If providing Cued Language transliteration, a transliterator shall possess T*EC*Unit certification, or have achieved a score of 4.0 or above on the EIPA - Cued Speech.

Outcome Rationale: The Santa Clara County Office of Education serves a student population of 1,374 and operates a Deaf and Hard of Hearing program. It has been a challenge for our office to recruit and retain the number of certified Education Interpreters needed to support our student population, resulting in a consistent shortage. This shortage it what has led us to request a waiver for the individual named in the submission. This employee has ASL skills and the desire for certification. Approval of this waiver will help relieve the staffing shortage and allow us support our students while also supporting this employee to prepare for certification.

Student Population: 1374

City Type: Urban

Local Board Approval Date: 12/20/2019

Community Council Reviewed By: Santa Clara SELPA II Community Advisory Committee

Community Council Reviewed Date: 2/12/20

Community Council Objection: No

Community Council Objection Explanation:

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Ms. Marisa Perry

Position: Interim Director - HR/Classified Personnel Service

E-mail: [marisa\_perry@sccoe.org](mailto:marisa_perry@sccoe.org)

Telephone: 408-453-6849 x6849

Fax:

Bargaining Unit Date: 10/31/2019

Name: Service Employees International Union (SEIU)

Representative: Tammy Dhanota

Title: Region 1 Vice President

Phone: 408-678-3300

Position: Support

Comments:

# Attachment 3: Santa Clara County Office of Education General Waiver Request 8-1-2020

**California Department of Education**

**WAIVER SUBMISSION – General**

CD Code: 4310439

Waiver Number: 8-1-2020

Active Year: 2020

Date In: 1/13/2020 4:15:15 PM

Local Education Agency: Santa Clara County Office of Education

Address: 1290 Ridder Park Dr.

San Jose, CA 95131

Start: 1/1/2020

End: 12/31/2020

Waiver Renewal:No

Waiver Topic: Special Education Program

Ed Code Title: Educational Interpreter for Deaf and Hard of Hearing

Ed Code Section: *CCR*, Title 5 Section 3051.16(b)(3)

Ed Code Authority: 33050-33053

Ed Code or *CCR* to Waive: *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law. (b) Certification requirements for educational interpreters for deaf and hard of hearing pupils. (3) By July 1, 2009, and thereafter, an educational interpreter shall be certified by the national RID, or equivalent; in lieu of RID certification or equivalent, an educational interpreter must have achieved a score of 4.0 or above on the EIPA, the ESSE-I/R, or the NAD/ACCI assessment. If providing Cued Language transliteration, a transliterator shall possess T*EC*Unit certification, or have achieved a score of 4.0 or above on the EIPA - Cued Speech.

Outcome Rationale: The Santa Clara County Office of Education serves a student population of 1,374 and operates a Deaf and Hard of Hearing program. It has been a challenge for our office to recruit and retain the number of certified Education Interpreters needed to support our student population, resulting in a consistent shortage. This shortage it what has led us to request a waiver for the individual named in the submission. This employee has ASL skills and the desire for certification. Approval of this waiver will help relieve the staffing shortage and allow us support our students while also supporting this employee to prepare for certification.

Student Population: 1374

City Type: Urban

Local Board Approval Date: 12/20/2019

Community Council Reviewed By: Santa Clara SELPA II Community Advisory Committee

Community Council Reviewed Date: 2/12/20

Community Council Objection: No

Community Council Objection Explanation:

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Ms. Marisa Perry

Position: Interim Director - HR/Classified Personnel Service

E-mail: [marisa\_perry@sccoe.org](mailto:marisa_perry@sccoe.org)

Telephone: 408-453-6849 x6849

Fax:

Bargaining Unit Date: 10/31/2019

Name: Service Employees International Union (SEIU)

Representative: Tammy Dhanota

Title: Region 1 Vice President

Phone: 408-678-3300

Position: Support

Comments:

# Attachment 4: Santa Clara County Office of Education General Waiver Request 9-1-2020

**California Department of Education**

**WAIVER SUBMISSION – Specific**

CD Code: 4310439

Waiver Number: 9-1-2020

Active Year: 2020

Date In: 1/13/2020 4:38:44 PM

Local Education Agency: Santa Clara County Office of Education

Address: 1290 Ridder Park Dr.

San Jose, CA 95131

Start: 1/1/2020

End: 12/31/2020

Waiver Renewal: No

Waiver Topic: Special Education Program

Ed Code Title: Educational Interpreter for Deaf and Hard of Hearing

Ed Code Section: *CCR*, Title 5 Section 3051.16(b)(3)

Ed Code Authority: 33050-33053

Ed Code or *CCR* to Waive: *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law. (b) Certification requirements for educational interpreters for deaf and hard of hearing pupils. (3) By July 1, 2009, and thereafter, an educational interpreter shall be certified by the national RID, or equivalent; in lieu of RID certification or equivalent, an educational interpreter must have achieved a score of 4.0 or above on the EIPA, the ESSE-I/R, or the NAD/ACCI assessment. If providing Cued Language transliteration, a transliterator shall possess T*EC*Unit certification, or have achieved a score of 4.0 or above on the EIPA - Cued Speech.

Outcome Rationale: The Santa Clara County Office of Education serves a student population of 1,374 and operates a Deaf and Hard of Hearing program. It has been a challenge for our office to recruit and retain the number of certified Education Interpreters needed to support our student population, resulting in a consistent shortage. This shortage it what has led us to request a waiver for the individual named in the submission. This employee has ASL skills and the desire for certification. Approval of this waiver will help relieve the staffing shortage and allow us support our students while also supporting this employee to prepare for certification.

Student Population: 1374

City Type: Urban

Local Board Approval Date: 12/20/2019

Community Council Reviewed By: Santa Clara SELPA II Community Advisory Committee

Community Council Reviewed Date: 2/12/20

Community Council Objection: NO

Community Council Objection Explanation:

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Ms. Marisa Perry

Position: Interim Director - HR/Classified Personnel Service

E-mail: [marisa\_perry@sccoe.org](mailto:marisa_perry@sccoe.org)

Telephone: 408-453-6849 x6849

Fax:

Bargaining Unit Date: 10/31/2019

Name: Service Employees International Union (SEIU)

Representative: Tammy Dhanota

Title: Region 1 Vice President

Phone: 408-678-3300

Position: Support

Comments:

# Attachment 5: Santa Clara County Office of Education General Waiver Request 11-1-2020

**California Department of Education**

**WAIVER SUBMISSION – General**

CD Code: 4310439

Waiver Number: 11-1-2020

Active Year: 2020

Date In: 1/15/2020 9:38:05 AM

Local Education Agency: Santa Clara County Office of Education

Address: 1290 Ridder Park Dr.

San Jose, CA 95131

Start: 1/1/2020

End: 12/31/2020

Waiver Renewal: No

Waiver Topic: Special Education Program

Ed Code Title: Educational Interpreter for Deaf and Hard of Hearing

Ed Code Section: *CCR*, Title 5 Section 3051.16(b)(3)

Ed Code Authority: 33050-33053

Ed Code or *CCR* to Waive: *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law. *Education Code* or *California Code of Regulations* section to be waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law. (b) Certification requirements for educational interpreters for deaf and hard of hearing pupils. (3) By July 1, 2009, and thereafter, an educational interpreter shall be certified by the national RID, or equivalent; in lieu of RID certification or equivalent, an educational interpreter must have achieved a score of 4.0 or above on the EIPA, the ESSE-I/R, or the NAD/ACCI assessment. If providing Cued Language transliteration, a transliterator shall possess T*EC*Unit certification, or have achieved a score of 4.0 or above on the EIPA - Cued Speech.

Outcome Rationale: The Santa Clara County Office of Education serves a student population of 1,374 and operates a Deaf and Hard of Hearing program. It has been a challenge for our office to recruit and retain the number of certified Education Interpreters needed to support our student population, resulting in a consistent shortage. This shortage it what has led us to request a waiver for the individual named in the submission. This employee has ASL skills and the desire for certification. Approval of this waiver will help relieve the staffing shortage and allow us support our students while also supporting this employee to prepare for certification.

Student Population: 1374

City Type: Urban

Community Council Reviewed By: Santa Clara SELPA II Community Advisory Committee

Community Council Reviewed Date: 2/12/20

Community Council Objection: NO

Community Council Objection Explanation:

Local Board Approval Date: 12/20/2019

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Ms. Marisa Perry

Position: Interim Director - HR/Classified Personnel Service

E-mail: [marisa\_perry@sccoe.org](mailto:marisa_perry@sccoe.org)

Telephone: 408-453-6849 x6849   
Bargaining Unit Date: 10/31/2019

Name: Service Employees International Union (SEIU)

Representative: Tammy Dhanota

Title: Region 1 Vice President

Phone: 408-678-3300

Position: Support

Comments:

# Attachment 6: Kern High School District 15-1-2020

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 1563529

Waiver Number: 15-1-2020

Active Year: 2020

Date In: 1/17/2020 11:30:50 AM

Local Education Agency: Kern High

Address: 5801 Sundale Ave.

Bakersfield, CA 93309

Start: 7/1/2019

End: 6/30/2020

Waiver Renewal: No

Waiver Topic: Special Education Program

Ed Code Title: Educational Interpreter for Deaf and Hard of Hearing

Ed Code Section: *CCR*, Title 5 Section 3051.16(b)(3)

Ed Code Authority: 33050

*Education Code* or *CCR* to Waive: 5 *CCR* 3051.16 b) Certification requirements for educational interpreters for deaf and hard of hearing pupils.

(3) [By July 1, 2009, an thereafter, an educational interpreter shall be certified by the national RID , or equivalent; in lieu of RID certification or equivalent, an educational interpreter must have achieved a score of 4.0 or above on the EIPA, the ESSE I/R or the NAD/ACCI assessment. if providing Cued Language transliteration, a transliteration shall possess T*EC*UNIT certification, or have achieved a score of 4.0 or above on the EIPA- Cued Speech.

Outcome Rationale: Due to the shortage of certified interpreters in Kern County and California as a whole the district has not been able to fill the positions of certified ASL interpreters.

Student Population: 200

City Type: Urban

Public Hearing Date: 12/12/2019

Public Hearing Advertised: Notice in Newspaper

Local Board Approval Date: 12/16/2019

Community Council Reviewed By: Community Advisory Committee

Community Council Reviewed Date: 10/23/2019

Community Council Objection: No

Community Council Objection Explanation:

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Mr. Jim Bennett

Position: Supervising Administrator

E-mail: [jim\_bennett@kernhigh.org](mailto:jim_bennett@kernhigh.org)

Telephone: 661-827-4529 x53602

Fax:

Bargaining Unit Date: 11/01/2019  
Name: California School Employees Association  
Representative: Denise Davis  
Title: Vice President  
Phone: 661-872-2777  
Position: Support  
Comments:

# Attachment 7: Kern High School District 16-1-2020

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 1563529

Waiver Number: 16-1-2020

Active Year: 2020

Date In: 1/17/2020 11:38:27 AM

Local Education Agency: Kern High

Address: 5801 Sundale Ave.

Bakersfield, CA 93311

Start: 7/1/2019

End: 6/30/2020

Waiver Renewal: No

Waiver Topic: Special Education Program

Ed Code Title: Educational Interpreter for Deaf and Hard of Hearing

Ed Code Section: *CCR*, Title 5 Section 3051.16(b)(3)

Ed Code Authority: 33050-33053

*Education Code* or *CCR* to Waive: *EC* 3051.16. Specialized Services for Low-Incidence Disabilities.

(b) Certification requirements for educational interpreters for deaf and hard of hearing pupils.

(3) [By July 1, 2009, and thereafter, an educational interpreter shall be certified by the national RID, or equivalent; in lieu of RID certification or equivalent, an educational interpreter must have achieved a score of 4.0 or above on the EIPA, the ESSE-I/R, or the NAD/ACCI assessment. If providing Cued Language transliteration, a transliterator shall possess T*EC*Unit certification, or have achieved a score of 4.0 or above on the EIPA - Cued Speech.]

Outcome Rationale: Due to the shortage of certified ASL interpreters in Kern County and California as a whole, the KHSD has not been able to fill open positions.

Student Population: 200

City Type: Urban

Public Hearing Date: 12/12/2019

Public Hearing Advertised: Notice in Newspaper

Local Board Approval Date: 12/16/2019

Community Council Reviewed By: Community Advisory Committee

Community Council Reviewed Date: 10/23/2019

Community Council Objection: No

Community Council Objection Explanation:

Audit Penalty Yes or No: No

Categorical Program Monitoring: No

Submitted by: Mr. Jim Bennett

Position: Supervising Administrator

E-mail: [jim\_bennett@kernhigh.org](mailto:jim_bennett@kernhigh.org)

Telephone: 661-827-4529 x53602

Fax:

Bargaining Unit Date: 11/01/2019  
Name: California School Employees Association  
Representative: Denise Davis  
Title: Vice President  
Phone: 661-872-2777  
Position: Support  
Comments:

# Attachment 8: Kern High School District 17-1-2020

**California Department of Education**

**WAIVER SUBMISSION - General**

CD Code: 1563529

Waiver Number: 17-1-2020

Active Year: 2020

Date In: 1/17/2020 11:42:24 AM

Local Education Agency: Kern High

Address: 5801 Sundale Ave.

Bakersfield, CA 93311

Start: 7/1/2019

End: 6/30/2020

Waiver Renewal: No

Waiver Topic: Special Education Program

Ed Code Title: Educational Interpreter for Deaf and Hard of Hearing

Ed Code Section: *CCR*, Title 5 Section 3051.16(b)(3)

Ed Code Authority: 33050-33053

*Education Code* or *CCR* to Waive: *EC* 3051.16. Specialized Services for Low-Incidence Disabilities.

(b) Certification requirements for educational interpreters for deaf and hard of hearing pupils.

(3) [ By July 1, 2009, and thereafter, an educational interpreter shall be certified by the national RID, or equivalent; in lieu of RID certification or equivalent, an educational interpreter must have achieved a score of 4.0 or above on the EIPA, the ESSE-I/R, or the NAD/ACCI assessment. If providing Cued Language transliteration, a transliterator shall possess T*EC*Unit certification, or have achieved a score of 4.0 or above on the EIPA - Cued Speech ]

Outcome Rationale: Due to the shortage of certified ASL Interpreters in Kern County and California as a whole, the KHSD has not been able to fill open positions.

Student Population: 200

City Type: Urban

Public Hearing Date: 12/12/2019

Public Hearing Advertised: Notice in Newspaper

Local Board Approval Date: 12/16/2019

Community Council Reviewed By: Community Advisory Committee

Community Council Reviewed Date: 10/23/2019

Community Council Objection: No

Community Council Objection Explanation:

Audit Penalty Yes or No: No

Categorical Program Monitoring: Noo

Submitted by: Mr. Jim Bennett

Position: Supervising Administrator

E-mail: [jim\_bennett@kernhigh.org](mailto:jim_bennett@kernhigh.org)

Telephone: 661-827-4529 x53602

Fax:

Bargaining Unit Date: 11/01/2019  
Name: California School Employees Association  
Representative: Denise Davis  
Title: Vice President  
Phone: 661-872-2777  
Position: Support  
Comments: