

**ASSEMBLY BILL**

**No. 775**

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**Introduced by Assembly Member Yee**

February 18, 2005

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An act to add Section 36 to the Business and Professions Code, to add Part 8 (commencing with Section 296) to Division 2 of the Family Code, to add Sections 27 and 68564.5 to the Government Code, to add Section 29 to the Health and Safety Code, to add Section 49 to the Insurance Code, to add Section 30 to the Labor Code, and to add Section 26.5 to the Welfare and Institutions Code, relating to interpreters.

LEGISLATIVE COUNSEL'S DIGEST

AB 775, as introduced, Yee. Interpreters: prohibition on use of children.

Existing law requires, or, in some instances, permits, the use of translators or interpreters by various agencies, organizations, or entities for non-English-speaking or deaf persons in connection with various functions.

This bill would prohibit any state or local governmental agency, or any public or private agency, organization, entity, or program that receives state funding, from using any child, or permitting any child to be used, as an interpreter, as defined, in any hospital, clinic, or physician office in the context of diagnosis and treatment, except as specified. The bill would require each such agency, organization, entity, or program that receives state funding to have in place, and available for inspection, an established procedure for providing competent interpretation services that does not involve the use of children, as defined, in this manner.

This bill would also provide that a violation of these provisions by a public agency, with certain exceptions, or a private agency, organization, entity, or program that receives state funding may result in the loss of state funding to, or the cancellation of state contracts with, that agency, organization, entity, or program, and would establish requirements for the reinstatement of that funding.

The bill would provide that this prohibition is not applicable to a school district, a county board of education, a community college, the office of a county superintendent of schools, or a community college district.

Existing law specifies the various duties of the Judicial Council, including the adoption of rules of court and the administration of a program for the provision of court interpreter services in court proceedings.

This bill would state the findings and declarations of the Legislature with respect to the use of children as interpreters, and would require the Judicial Council to ensure that its court rules and the appointment of interpreters are consistent with those findings and declarations.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) In cases in which parents are monolingual and non-English  
4 speakers, or deaf, it has become all too common for service  
5 providers to use children as interpreters for their parents.  
6 Nongovernmental agencies, state agencies, hospitals, clinics, and  
7 law enforcement agencies have all used children as interpreters,  
8 often because the use of children provides an immediate solution  
9 to communication problems with the children's  
10 non-English-speaking or deaf parents.

11 (b) Children should not be exposed to discussions and  
12 information that is often beyond their comprehension, or to  
13 discussions and information that are inappropriate for, or  
14 unseemly to, children.

15 (c) The involvement of children as interpreters is difficult,  
16 both for the children and for the associated adults, and may lead  
17 to an agency, organization, entity, or program being misinformed

1 as a result of a child’s ignorance or shame. The involvement of  
2 children as interpreters can also be traumatizing to the children.

3 (d) The use of children as interpreters can interfere with their  
4 attendance at school.

5 (e) The use of children as interpreters in hospitals, clinics, and  
6 physician offices in the context of diagnosis and treatment can  
7 lead to misdiagnosis, incorrect medication and drug use, and  
8 possibly fatal consequences.

9 (f) It is inappropriate to use children as interpreters in any state  
10 or state-supported context and it is particularly egregious and can  
11 be life-threatening to use children in the context of diagnosis and  
12 treatment as described in subdivision (e).

13 (g) It is the intent of the Legislature to prohibit, except in  
14 specified circumstances, the use of children as interpreters in  
15 hospitals, clinics, and physician offices in the context of  
16 diagnosis and treatment by any local or state governmental  
17 agency, or any public or private agency, organization, entity, or  
18 program that receives state funding, with certain exceptions.

19 SEC. 2. Section 36 is added to the Business and Professions  
20 Code, to read:

21 36. (a) Subject to subdivision (e), a state or local  
22 governmental agency, or a public or private agency, organization,  
23 entity, or program that receives state funding, shall not use any  
24 child, or permit any child to be used, as an interpreter in any  
25 hospital, clinic, or physician office in the context of diagnosis  
26 and treatment, and shall have in place, and available for  
27 inspection, an established procedure for providing competent  
28 interpretation services that does not include the use of children in  
29 this manner.

30 (b) Subject to subdivision (e), a violation of this section by a  
31 public, except state, or private agency, organization, entity, or  
32 program that is supported by state funding may result in the loss  
33 of state funding to, or the cancellation of state contracts with, that  
34 agency, organization, entity, or program. However, no action  
35 may be taken until 90 days after the date the violation is reported,  
36 in order to give that agency, organization, entity, or program the  
37 opportunity to comply with this section.

38 (c) State funding or any contract terminated pursuant to  
39 subdivision (b) shall not be reinstated until the state agency

1 providing the state funding has determined that the agency,  
2 organization, entity, or program has done both of the following:

3 (1) Prohibited the use of children as interpreters in hospitals,  
4 clinics, and physician offices in the context of diagnosis and  
5 treatment.

6 (2) Established procedures to ensure that children will not be  
7 utilized as interpreters in hospitals, clinics, or physician offices in  
8 the context of diagnosis and treatment.

9 (d) The State Personnel Board may conduct investigations and  
10 take all reasonable actions to effectuate the purposes of this  
11 section with respect to state agencies.

12 (e) Nothing in this section shall prohibit an agency,  
13 organization, entity, or program from using, or permitting the use  
14 of, a child to interpret in any of the following situations:

15 (1) To help determine a limited-English-proficient person's  
16 primary language.

17 (2) To help ensure the receipt of language assistance.

18 (3) During routine and casual queries, including those  
19 involving office hours or directions, or other matters that do not  
20 involve diagnosis or treatment.

21 (4) During emergency situations affecting the immediate life,  
22 safety, health, or welfare of an individual when there are no other  
23 alternatives immediately available so long as a competent  
24 interpreter is provided as soon as possible.

25 (5) To assist with simple queries concerning the receipt of any  
26 public health benefit.

27 (f) For purposes of this section:

28 (1) "Child" means a person who is under the age of 15 years.

29 (2) "Established procedure for providing competent  
30 interpretation" means the provision of an in-person interpreter or  
31 bilingual staff member, or, at a minimum, a telephonic-based  
32 interpretation service or other interpretation resources that can be  
33 easily used by staff members to communicate effectively with  
34 limited-English-proficient or deaf persons. A state agency shall  
35 include a description of these procedures in its implementation  
36 plan submitted to the State Personnel Board pursuant to Section  
37 7299.4 of the Government Code.

38 (3) "Interpreter" means a person who orally, or by signing,  
39 translates from one language to another.

1 (g) This section is not applicable to a school district, county  
2 board of education, community college, the office of a county  
3 superintendent of schools, or a community college district.

4 SEC. 3. Part 8 (commencing with Section 296) is added to  
5 Division 2 of the Family Code, to read:

6  
7 PART 8. INTERPRETERS  
8

9 296. (a) Subject to subdivision (e), a state or local  
10 governmental agency, or a public or private agency, organization,  
11 entity, or program that receives state funding, shall not use any  
12 child, or permit any child to be used, as an interpreter in any  
13 hospital, clinic, or physician office in the context of diagnosis  
14 and treatment, and shall have in place, and available for  
15 inspection, an established procedure for providing competent  
16 interpretation services that does not include the use of children in  
17 this manner.

18 (b) Subject to subdivision (e), a violation of this section by a  
19 public, except state, or private agency, organization, entity, or  
20 program that is supported by state funding may result in the loss  
21 of state funding to, or the cancellation of state contracts with, that  
22 agency, organization, entity, or program. However, no action  
23 may be taken until 90 days after the date the violation is reported,  
24 in order to give that agency, organization, entity, or program the  
25 opportunity to comply with this section.

26 (c) State funding or any contract terminated pursuant to  
27 subdivision (b) shall not be reinstated until the state agency  
28 providing the state funding has determined that the agency,  
29 organization, entity, or program has done both of the following:

30 (1) Prohibited the use of children as interpreters in hospitals,  
31 clinics, and physician offices in the context of diagnosis and  
32 treatment.

33 (2) Established procedures to ensure that children will not be  
34 utilized as interpreters in hospitals, clinics, or physician offices in  
35 the context of diagnosis and treatment.

36 (d) The State Personnel Board may conduct investigations and  
37 take all reasonable actions to effectuate the purposes of this  
38 section with respect to state agencies.

1 (e) Nothing in this section shall prohibit an agency,  
2 organization, entity, or program from using, or permitting the use  
3 of, a child to interpret in any of the following situations:

4 (1) To help determine a limited-English-proficient person’s  
5 primary language.

6 (2) To help ensure the receipt of language assistance.

7 (3) During routine and casual queries, including those  
8 involving office hours or directions, or other matters that do not  
9 involve diagnosis or treatment.

10 (4) During emergency situations affecting the immediate life,  
11 safety, health, or welfare of an individual when there are no other  
12 alternatives immediately available so long as a competent  
13 interpreter is provided as soon as possible.

14 (5) To assist with simple queries concerning the receipt of any  
15 public health benefit.

16 (f) For purposes of this section:

17 (1) “Child” means a person who is under the age of 15 years.

18 (2) “Established procedure for providing competent  
19 interpretation” means the provision of an in-person interpreter or  
20 bilingual staff member, or, at a minimum, a telephonic-based  
21 interpretation service or other interpretation resources that can be  
22 easily used by staff members to communicate effectively with  
23 limited-English-proficient or deaf persons. A state agency shall  
24 include a description of these procedures in its implementation  
25 plan submitted to the State Personnel Board pursuant to Section  
26 7299.4 of the Government Code.

27 (3) “Interpreter” means a person who orally, or by signing,  
28 translates from one language to another.

29 (g) This section is not applicable to a school district, county  
30 board of education, community college, the office of a county  
31 superintendent of schools, or a community college district.

32 SEC. 4. Section 27 is added to the Government Code, to read:

33 27. (a) Subject to subdivision (e), a state or local  
34 governmental agency, or a public or private agency, organization,  
35 entity, or program that receives state funding, shall not use any  
36 child, or permit any child to be used, as an interpreter in any  
37 hospital, clinic, or physician office in the context of diagnosis  
38 and treatment, and shall have in place, and available for  
39 inspection, an established procedure for providing competent

1 interpretation services that does not include the use of children in  
2 this manner.

3 (b) Subject to subdivision (e), a violation of this section by a  
4 public, except state, or private agency, organization, entity, or  
5 program that is supported by state funding may result in the loss  
6 of state funding to, or the cancellation of state contracts with, that  
7 agency, organization, entity, or program. However, no action  
8 may be taken until 90 days after the date the violation is reported,  
9 in order to give that agency, organization, entity, or program the  
10 opportunity to comply with this section.

11 (c) State funding or any contract terminated pursuant to  
12 subdivision (b) shall not be reinstated until the state agency  
13 providing the state funding has determined that the agency,  
14 organization, entity, or program has done both of the following:

15 (1) Prohibited the use of children as interpreters in hospitals,  
16 clinics, and physician offices in the context of diagnosis and  
17 treatment.

18 (2) Established procedures to ensure that children will not be  
19 utilized as interpreters in hospitals, clinics, or physician offices in  
20 the context of diagnosis and treatment.

21 (d) The State Personnel Board may conduct investigations and  
22 take all reasonable actions to effectuate the purposes of this  
23 section with respect to state agencies.

24 (e) Nothing in this section shall prohibit an agency,  
25 organization, entity, or program from using, or permitting the use  
26 of, a child to interpret in any of the following situations:

27 (1) To help determine a limited-English-proficient person's  
28 primary language.

29 (2) To help ensure the receipt of language assistance.

30 (3) During routine and casual queries, including those  
31 involving office hours or directions, or other matters that do not  
32 involve diagnosis or treatment.

33 (4) During emergency situations affecting the immediate life,  
34 safety, health, or welfare of an individual when there are no other  
35 alternatives immediately available so long as a competent  
36 interpreter is provided as soon as possible.

37 (5) To assist with simple queries concerning the receipt of any  
38 public health benefit.

39 (f) For purposes of this section:

40 (1) "Child" means a person who is under the age of 15 years.

1 (2) “Established procedure for providing competent  
2 interpretation” means the provision of an in-person interpreter or  
3 bilingual staff member, or, at a minimum, a telephonic-based  
4 interpretation service or other interpretation resources that can be  
5 easily used by staff members to communicate effectively with  
6 limited-English-proficient or deaf persons. A state agency shall  
7 include a description of these procedures in its implementation  
8 plan submitted to the State Personnel Board pursuant to Section  
9 7299.4.

10 (3) “Interpreter” means a person who orally, or by signing,  
11 translates from one language to another.

12 (g) This section is not applicable to a school district, county  
13 board of education, community college, the office of a county  
14 superintendent of schools, or a community college district.

15 SEC. 5. Section 68564.5 is added to the Government Code, to  
16 read:

17 68564.5. The Judicial Council shall ensure that the  
18 appointment of interpreters pursuant to, and the rules of court  
19 adopted by the Judicial Council to implement, this article are  
20 consistent with the findings and declarations set forth in Section  
21 1 of the act that enacted this section during the 2005–06 Regular  
22 Session concerning the intent of the Legislature to prohibit the  
23 use of children as interpreters in hospitals, clinics, and physician  
24 offices in the context of diagnosis and treatment, except under  
25 specified circumstances. It is the intent of the Legislature that the  
26 prohibition against the use of children as interpreters in this  
27 manner shall not be applicable to a school district, county board  
28 of education, community college, the office of a county  
29 superintendent of schools, or a community college district.

30 SEC. 6. Section 29 is added to the Health and Safety Code, to  
31 read:

32 29. (a) Subject to subdivision (e), a state or local  
33 governmental agency, or a public or private agency, organization,  
34 entity, or program that receives state funding, shall not use any  
35 child, or permit any child to be used, as an interpreter in any  
36 hospital, clinic, or physician office in the context of diagnosis  
37 and treatment, and shall have in place, and available for  
38 inspection, an established procedure for providing competent  
39 interpretation services that does not include the use of children in  
40 this manner.

1 (b) Subject to subdivision (e), a violation of this section by a  
2 public, except state, or private agency, organization, entity, or  
3 program that is supported by state funding may result in the loss  
4 of state funding to, or the cancellation of state contracts with, that  
5 agency, organization, entity, or program. However, no action  
6 may be taken until 90 days after the date the violation is reported,  
7 in order to give that agency, organization, entity, or program the  
8 opportunity to comply with this section.

9 (c) State funding or any contract terminated pursuant to  
10 subdivision (b) shall not be reinstated until the state agency  
11 providing the state funding has determined that the agency,  
12 organization, entity, or program has done both of the following:

13 (1) Prohibited the use of children as interpreters in hospitals,  
14 clinics, and physician offices in the context of diagnosis and  
15 treatment.

16 (2) Established procedures to ensure that children will not be  
17 utilized as interpreters in hospitals, clinics, or physician offices in  
18 the context of diagnosis and treatment.

19 (d) The State Personnel Board may conduct investigations and  
20 take all reasonable actions to effectuate the purposes of this  
21 section with respect to state agencies.

22 (e) Nothing in this section shall prohibit an agency,  
23 organization, entity, or program from using, or permitting the use  
24 of, a child to interpret in any of the following situations:

25 (1) To help determine a limited-English-proficient person's  
26 primary language.

27 (2) To help ensure the receipt of language assistance.

28 (3) During routine and casual queries, including those  
29 involving office hours or directions, or other matters that do not  
30 involve diagnosis or treatment.

31 (4) During emergency situations affecting the immediate life,  
32 safety, health, or welfare of an individual when there are no other  
33 alternatives immediately available so long as a competent  
34 interpreter is provided as soon as possible.

35 (5) To assist with simple queries concerning the receipt of any  
36 public health benefit.

37 (f) For purposes of this section:

38 (1) "Child" means a person who is under the age of 15 years.

39 (2) "Established procedure for providing competent  
40 interpretation" means the provision of an in-person interpreter or

1 bilingual staff member, or, at a minimum, a telephonic-based  
2 interpretation service or other interpretation resources that can be  
3 easily used by staff members to communicate effectively with  
4 limited-English-proficient or deaf persons. A state agency shall  
5 include a description of these procedures in its implementation  
6 plan submitted to the State Personnel Board pursuant to Section  
7 7299.4 of the Government Code.

8 (3) “Interpreter” means a person who orally, or by signing,  
9 translates from one language to another.

10 (g) This section is not applicable to a school district, county  
11 board of education, community college, the office of a county  
12 superintendent of schools, or a community college district.

13 SEC. 7. Section 49 is added to the Insurance Code, to read:

14 49. (a) Subject to subdivision (e), a state or local  
15 governmental agency, or a public or private agency, organization,  
16 entity, or program that receives state funding, shall not use any  
17 child, or permit any child to be used, as an interpreter in any  
18 hospital, clinic, or physician office in the context of diagnosis  
19 and treatment, and shall have in place, and available for  
20 inspection, an established procedure for providing competent  
21 interpretation services that does not include the use of children in  
22 this manner.

23 (b) Subject to subdivision (e), a violation of this section by a  
24 public, except state, or private agency, organization, entity, or  
25 program that is supported by state funding may result in the loss  
26 of state funding to, or the cancellation of state contracts with, that  
27 agency, organization, entity, or program. However, no action  
28 may be taken until 90 days after the date the violation is reported,  
29 in order to give that agency, organization, entity, or program the  
30 opportunity to comply with this section.

31 (c) State funding or any contract terminated pursuant to  
32 subdivision (b) shall not be reinstated until the state agency  
33 providing the state funding has determined that the agency,  
34 organization, entity, or program has done both of the following:

35 (1) Prohibited the use of children as interpreters in hospitals,  
36 clinics, and physician offices in the context of diagnosis and  
37 treatment.

38 (2) Established procedures to ensure that children will not be  
39 utilized as interpreters in hospitals, clinics, or physician offices in  
40 the context of diagnosis and treatment.

1 (d) The State Personnel Board may conduct investigations and  
2 take all reasonable actions to effectuate the purposes of this  
3 section with respect to state agencies.

4 (e) Nothing in this section shall prohibit an agency,  
5 organization, entity, or program from using, or permitting the use  
6 of, a child to interpret in any of the following situations:

7 (1) To help determine a limited-English-proficient person's  
8 primary language.

9 (2) To help ensure the receipt of language assistance.

10 (3) During routine and casual queries, including those  
11 involving office hours or directions, or other matters that do not  
12 involve diagnosis or treatment.

13 (4) During emergency situations affecting the immediate life,  
14 safety, health, or welfare of an individual when there are no other  
15 alternatives immediately available so long as a competent  
16 interpreter is provided as soon as possible.

17 (5) To assist with simple queries concerning the receipt of any  
18 public health benefit.

19 (f) For purposes of this section:

20 (1) "Child" means a person who is under the age of 15 years.

21 (2) "Established procedure for providing competent  
22 interpretation" means the provision of an in-person interpreter or  
23 bilingual staff member, or, at a minimum, a telephonic-based  
24 interpretation service or other interpretation resources that can be  
25 easily used by staff members to communicate effectively with  
26 limited-English-proficient or deaf persons. A state agency shall  
27 include a description of these procedures in its implementation  
28 plan submitted to the State Personnel Board pursuant to Section  
29 7299.4 of the Government Code.

30 (3) "Interpreter" means a person who orally, or by signing,  
31 translates from one language to another.

32 (g) This section is not applicable to a school district, county  
33 board of education, community college, the office of a county  
34 superintendent of schools, or a community college district.

35 SEC. 8. Section 30 is added to the Labor Code, to read:

36 30. (a) Subject to subdivision (e), a state or local  
37 governmental agency, or a public or private agency, organization,  
38 entity, or program that receives state funding, shall not use any  
39 child, or permit any child to be used, as an interpreter in any  
40 hospital, clinic, or physician office in the context of diagnosis

1 and treatment, and shall have in place, and available for  
2 inspection, an established procedure for providing competent  
3 interpretation services that does not include the use of children in  
4 this manner.

5 (b) Subject to subdivision (e), a violation of this section by a  
6 public, except state, or private agency, organization, entity, or  
7 program that is supported by state funding may result in the loss  
8 of state funding to, or the cancellation of state contracts with, that  
9 agency, organization, entity, or program. However, no action  
10 may be taken until 90 days after the date the violation is reported,  
11 in order to give that agency, organization, entity, or program the  
12 opportunity to comply with this section.

13 (c) State funding or any contract terminated pursuant to  
14 subdivision (b) shall not be reinstated until the state agency  
15 providing the state funding has determined that the agency,  
16 organization, entity, or program has done both of the following:

17 (1) Prohibited the use of children as interpreters in hospitals,  
18 clinics, and physician offices in the context of diagnosis and  
19 treatment.

20 (2) Established procedures to ensure that children will not be  
21 utilized as interpreters in hospitals, clinics, or physician offices in  
22 the context of diagnosis and treatment.

23 (d) The State Personnel Board may conduct investigations and  
24 take all reasonable actions to effectuate the purposes of this  
25 section with respect to state agencies.

26 (e) Nothing in this section shall prohibit an agency,  
27 organization, entity, or program from using, or permitting the use  
28 of, a child to interpret in any of the following situations:

29 (1) To help determine a limited-English-proficient person's  
30 primary language.

31 (2) To help ensure the receipt of language assistance.

32 (3) During routine and casual queries, including those  
33 involving office hours or directions, or other matters that do not  
34 involve diagnosis or treatment.

35 (4) During emergency situations affecting the immediate life,  
36 safety, health, or welfare of an individual when there are no other  
37 alternatives immediately available so long as a competent  
38 interpreter is provided as soon as possible.

39 (5) To assist with simple queries concerning the receipt of any  
40 public health benefit.

1 (f) For purposes of this section:

2 (1) “Child” means a person who is under the age of 15 years.

3 (2) “Established procedure for providing competent  
4 interpretation” means the provision of an in-person interpreter or  
5 bilingual staff member, or, at a minimum, a telephonic-based  
6 interpretation service or other interpretation resources that can be  
7 easily used by staff members to communicate effectively with  
8 limited-English-proficient or deaf persons. A state agency shall  
9 include a description of these procedures in its implementation  
10 plan submitted to the State Personnel Board pursuant to Section  
11 7299.4 of the Government Code.

12 (3) “Interpreter” means a person who orally, or by signing,  
13 translates from one language to another.

14 (g) This section is not applicable to a school district, county  
15 board of education, community college, the office of a county  
16 superintendent of schools, or a community college district.

17 SEC. 9. Section 26.5 is added to the Welfare and Institutions  
18 Code, to read:

19 26.5. (a) Subject to subdivision (e), a state or local  
20 governmental agency, or a public or private agency, organization,  
21 entity, or program that receives state funding, shall not use any  
22 child, or permit any child to be used, as an interpreter in any  
23 hospital, clinic, or physician office in the context of diagnosis  
24 and treatment, and shall have in place, and available for  
25 inspection, an established procedure for providing competent  
26 interpretation services that does not include the use of children in  
27 this manner.

28 (b) Subject to subdivision (e), a violation of this section by a  
29 public, except state, or private agency, organization, entity, or  
30 program that is supported by state funding may result in the loss  
31 of state funding to, or the cancellation of state contracts with, that  
32 agency, organization, entity, or program. However, no action  
33 may be taken until 90 days after the date the violation is reported,  
34 in order to give that agency, organization, entity, or program the  
35 opportunity to comply with this section.

36 (c) State funding or any contract terminated pursuant to  
37 subdivision (b) shall not be reinstated until the state agency  
38 providing the state funding has determined that the agency,  
39 organization, entity, or program has done both of the following:

1 (1) Prohibited the use of children as interpreters in hospitals,  
2 clinics, and physician offices in the context of diagnosis and  
3 treatment.

4 (2) Established procedures to ensure that children will not be  
5 utilized as interpreters in hospitals, clinics, or physician offices in  
6 the context of diagnosis and treatment.

7 (d) The State Personnel Board may conduct investigations and  
8 take all reasonable actions to effectuate the purposes of this  
9 section with respect to state agencies.

10 (e) Nothing in this section shall prohibit an agency,  
11 organization, entity, or program from using, or permitting the use  
12 of, a child to interpret in any of the following situations:

13 (1) To help determine a limited-English-proficient person's  
14 primary language.

15 (2) To help ensure the receipt of language assistance.

16 (3) During routine and casual queries, including those  
17 involving office hours or directions, or other matters that do not  
18 involve diagnosis or treatment.

19 (4) During emergency situations affecting the immediate life,  
20 safety, health, or welfare of an individual when there are no other  
21 alternatives immediately available so long as a competent  
22 interpreter is provided as soon as possible.

23 (5) To assist with simple queries concerning the receipt of any  
24 public health benefit.

25 (f) For purposes of this section:

26 (1) "Child" means a person who is under the age of 15 years.

27 (2) "Established procedure for providing competent  
28 interpretation" means the provision of an in-person interpreter or  
29 bilingual staff member, or, at a minimum, a telephonic-based  
30 interpretation service or other interpretation resources that can be  
31 easily used by staff members to communicate effectively with  
32 limited-English-proficient or deaf persons. A state agency shall  
33 include a description of these procedures in its implementation  
34 plan submitted to the State Personnel Board pursuant to Section  
35 7299.4 of the Government Code.

36 (3) "Interpreter" means a person who orally, or by signing,  
37 translates from one language to another.

38 (g) This section is not applicable to a school district, county  
39 board of education, community college, the office of a county  
40 superintendent of schools, or a community college district.

O