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DODHH - Public Comment
201 North Washington Square
Lansing, MI 48913

To Whom It May Concern,

The purpose of this letter is to provide written comment on proposed administrative rules "Qualified Interpreter – General Rules" per your Notice of Public Hearing dated 2-15-13. The Michigan Association of Administrators of Special Education (MAASE) is a statewide professional educational organization of over 650 members and affiliated with the National Council of Administrators of Special Education and the Council for Exceptional Children. The Mission of MAASE is to provide leadership for the development and implementation of quality programs and services for students with disabilities within the total education community. MAASE members' work is dedicated to enhancing the achievement, worth, dignity, and potential of each unique child and youth in Michigan.

As administrators of special education programs and services throughout Michigan, we strongly support raising the standards of the staff that work with students with disabilities. We do have concerns however, that the proposed rules, if promulgated, would cause many districts to be unable to provide appropriate programs and services.

We offer the following comment regarding the proposed rules:

R393.5026 (9): Educational Interpreter Qualifications.

Note: We understand that there have been contradictory statements regarding whether or not those who have a 3.5 EIPA score when the rule is promulgated will be grandfathered for a specific length of time, or for their career.

We believe that interpreters with an EIPA score of 3.5-3.9 working in Michigan school districts should have four years to achieve a score of 4.0 from the date of promulgation.

We believe that interpreters with an EIPA score of 3.5 and above who have not passed the written exam should have four years to complete the exam from the date of promulgation.

Note: There needs to be probationary period built into the rules.

We believe interpreters who pass their EIPA with a score between 3.5-3.9 can work in public schools. They should have four years from their test date to achieve a 4.0 to continue employment.

We believe interpreters who pass their EIPA with a score between 3.5-3.9 must be assigned a mentor for a minimum of two years.

This recommendation is made because most "new" educational interpreters would be hard pressed to obtain an EIPA score of 4.0 upon graduation from an ITP. "New" educational interpreters need real life school experiences to push their learning to a point where a 4.0 EIPA score is possible. In addition, this exception for "new" educational interpreters would: a) allow inadequate interpreters to be weeded out quickly and b) assist schools who are facing a scarcity of educational interpreters.

R393.5026 (5) – Secondary Substitutes

Note: The requirement for substitute interpreters is very limiting for schools. At a time when we are having challenges finding interpreters, putting this level of restriction on the substitutes will leave students without interpreters in the classroom.

We believe, for both elementary and secondary substitute interpreters, the following options for qualifications should be required for either an elementary or a secondary interpreter:

- *EIPA 3.5 elementary*
- *EIPA 3.5 secondary*
- *BEI I*
- *BEI II*
- *BEI III*
- *NIC*
- *Any additional certifications that fall under Level 1, Level 2 and Level 3*

R393.5026 (3) During IEP Meetings

Note: The rules and the chart appear to conflict and are not clear as to the role of an interpreter in IEP meetings.

We believe that an interpreter working in the schools with an EIPA 4.0 (or 3.5-3.9 if during the probationary period) may interpret for students in their IEP team meetings.

We believe that an interpreter interpreting for a D/HH parent at an IEP team meeting must hold any of the following:

- *BEI II*
- *BEI III*
- *NIC*
- *Any additional certifications that fall under Level 2 and Level 3*

R.393.5027 (2) Interpreting Meetings with Police, Attorneys or CPS

Note: The proposed rule states that a Level 3 interpreter (not an interpreter with an EIPA) must be the one to interpret for meetings with legal or medical necessity.

We believe that a Level 2 interpreter can interpret for deaf staff that experience a non-life threatening injury in school and must report to the school's designated clinic. A Level 2 interpreter can also provide interpreter services to a deaf staff member during required school meetings such as mandatory blood-borne pathogens training. We agree that medical endorsement is required for life-threatening situations.

We believe that a Level 3 interpreter, with a teammate, can interpret for deaf staff and/or students during school meetings with the police liaison or child protective services. We agree that legal endorsement is required for meetings that take place outside of the school setting.

Note: This rule also states that "an appointing authority" has the right to use an interpreter who is not appropriately qualified. The draft proposal that many of us are working from lacks the definition of an "appointing authority". When we sought clarification, we were given this information: 393.502 Definitions: Sec. 2 as used in this act:(a) "Appointing authority" means a court or a department, board, commission, agency, or licensing authority of this state or a political subdivision of this state or an entity that is required to provide a qualified interpreter in circumstances described under section 3a. We are not certain if the 393.502 Definition above parallels the meaning of "appointing authority" in the proposed Interpreter Rule 393.5027 and request further clarification.

We believe that though interpreters should abide by the Code of Ethics, the rules should also state (for the purpose of protecting the interpreter) that the interpreter has the right not to interpret the meeting if he/she feels they lack the appropriate qualifications to do so.

R.393.5028 (1)(a) Special Endorsements

Note: This states that interpreters for Deaf-blind students must have endorsement.

We believe that Division of Deaf and Hard of Hearing (DODHH) should accept the National Intervener Certificate as Deaf-blind endorsement.

R 393.5045 Accommodation; alternative pathway deaf interpreter certification

Note: This proposed rule indicates that the DODHH will create an alternative pathway for deaf or hard of hearing individuals to qualify for deaf interpreter certification.

We believe that the DODHH's alternative pathway for deaf interpreter certification must include a passing score on an English competency test.

R 393.5092 Renewal for state-certified qualified interpreters; retesting.

Note: In order to ensure that interpreters have the opportunity to improve their score, the Division on Deaf/Hard of Hearing (DODHH) must increase the opportunity for interpreters to test

From the date of promulgation, DODHH must ensure a minimum of 10 test dates, no further than two months apart.

Test sites must be in at least four locations throughout the state of Michigan.

The written test must be offered at least three times a year to any interpreter. Individual schools may offer the test for themselves, but DODHH must ensure that at least 3 tests are open to anyone.

Thank you for your consideration of these comments and thank you for the opportunity to comment on the proposed rules. We support raising the level of skills of staff that work with students. The ideas in this letter are meant to establish and maintain high standards while still allowing the flexibility needed for school districts to provide appropriate services to children.

For the Executive Board,

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