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Public Comment

Michigan Department of Civil Rights  
Division on Deaf and Hard of Hearing  
201 N Washington Square  
Lansing, MI 48913

To whom it may concern,

The Michigan Association of Administrators of Special Education (MAASE) welcomes the opportunity to submit comment on the proposed administrative rules for Qualified Interpreter-General Rules per your March 14, 2014 Notice of Public Hearing.

MAASE is a statewide professional educational organization of over 650 members that is 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 believes that if the rules are promulgated as written, it will have a significant negative impact on how students who are Deaf and Hard of Hearing access the curriculum and immediately place schools in non-compliance as schools will be unable to find enough qualified interpreters for all students with this need. MAASE strongly supports raising the standards of staff that work with students with disabilities. However, raising standards in this manner will in effect deny students access to the curriculum because the number of qualified interpreters will be significantly reduced for the foreseeable future.

**R 393.5024, Standard Level 2**

**(2)(a) Do Not Support**

This requirement will potentially limit districts that employ interpreters qualified to only work in the educational environment (EIPA certified). A qualified interpreter for the educational setting is able to provide adequate communication about the educational setting and IEP document and process.

**R 393.5026, Educational Interpreter Qualifications**

**(1)(a)(b) Support w/ Modification**

If a written assessment is required, the DODHH must offer the test. Passage of a written assessment should be required after August 31, 2016.

**(2)(3) Support w/ Modification**

Some flexibility should be permitted to allow elementary or secondary certification in either setting. This would allow for school districts to meet changing needs of the student population and respond to these needs in a timely manner. Subrule (8) was included in **R 393.5026 (2)** and should be included here for **R393.5026 (3)**.

**(4)(j) Support w/ Modification**

School districts should only be responsible for providing the team interpreter certified for the educational setting.

**(5) Support w/ Modification**

Language should be modified to read: Upon absence of a regularly assigned educational interpreter, a long-term substitute interpreter shall be used in an elementary and secondary environment when an absence extends beyond 20 school days. The long term-substitute shall possess an EIPA 3.5, Michigan BEI II, or minimum standard level 2 or 3. A short-term substitute interpreter shall be used if an absence is 20 school days or less. A short-term substitute shall possess a Michigan BEI I, EIPA 3.0, or minimum standard level 2 or 3 in an elementary and/or secondary setting.

**(8) Support w/ Modification**

A provision should be included that allows for any educational interpreter to be hired with an EIPA score of 3.5 or higher on a temporary certificate with the provision that he/she have three years from the date of their test to meet the 4.0 standard. A temporary certificate would allow interpreters to work for three years as they continue to improve their skills.

**(9) Support**

**R 393.5027 Exceptions**

**(3) Support w/ Modification**

The decision to determine if an exception is granted shall be made by a committee comprised of MDE staff and not a stand-alone individual from a single organization.

**(3)(a) Do Not Support**

Compensation is solely the responsibility of the school district to determine. An outside agency cannot have the authority to determine what is "competitive". "Division assistance" is not defined in **R 393.5001**. This wording should not be included without clarification.

**(3)(b) Support**

**(3)(c) Do Not Support**

IEP Team placement decisions are not to be driven by staffing qualifications. Making these determinations based on staff qualifications limits students' access to the Least Restrictive Environment (LRE) which is not allowable by law.

**(3)(d) Do Not Support**

Parental approval should not be required if the interpreter possesses a minimum 3.5 EIPA score, BEI, or national certification.

**(3)(e) Support w/ Modification**

A committee, comprised of MDE staff and not a stand-alone individual from a single organization, shall make the review of an exception.

**R 393.5051 Practice within Standard Level**

**(3) Support**

**(10) Support w/ Modifications**

School districts should only be responsible for providing the team interpreter certified for the educational setting. (See R 393.5026 (j))

**R 393.5054 Supervision of Student Interpreter Practicum Experience**

**(3) Do Not Support**

Similarly, schools settings do not require supervising teachers to obtain consent for intern teachers.

**R 393.5055 VRI Standards**

**(12)(a) Support w/ Modification**

Change "Age 3" to "birth". Some students enter programs before age 3.

**(12)(b) Do Not Support**

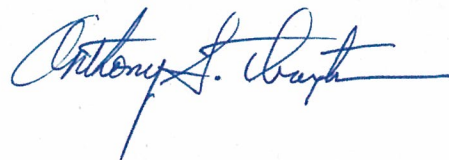
The description of this proposed rule is already addressed in other rules/regulations, and does not have a place in rules related to interpreter qualifications. If parents do not agree with the determination of an IEP/504 decision, their rights are outlined and supported through procedural safeguards.

In conclusion, we thank you for this opportunity to provide input on this critical issue and for your consideration of these comments. Please do not hesitate to contact us if MAASE can provide further information or if we can support the implementation of these standards with our recommended changes. It is our hope that presenting the many issues and concerns surrounding the proposed interpreter rule revisions will have a positive impact on the final product released by the DODHH.

For the Executive Board,



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