

Sign Language Interpreter Rules

Background

On June 28, 2007 the revised Deaf Persons' Interpreters Act, PA 204 of 1982 became effective. PA 204 mandates that only "qualified" interpreters may work in Michigan. A qualified interpreter means a person who is certified through the national Registry of Interpreters for the Deaf (RID) or through the Division on Deafness and Hard of Hearing (DODHH). Currently under the authority of the Department of Civil Rights, the DODHH promulgates rules, establishes standards, collects fees and prescribes penalties for the violation of provisions of the Act. On March 14th, 2014, the DODHH proposed new rules for sign language interpreters in the state of Michigan with intention for the laws to be promulgated before the end of the current legislative session.

MAASE believes that if the rules are promulgated as written, it will have a significant negative impact on how students who are Deaf or 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.

The Educational Interpreter Proficiency Assessment (EIPA) is an assessment of content knowledge, which allows interpreters to work in an educational setting. The test uses a 0 (no skills) to 5 (Advanced) rating scale to indicate skill level.

As currently written, the proposed rules indicate interpreters working in public schools must obtain a 4.0 EIPA score. Long-term substitute interpreters must also obtain a 4.0 EIPA score and short-term substitutes must obtain a 3.5 EIPA score.

Data

- Approximately 569 EIPA assessments have been administered between June 2005 and March 2014. (EIPA Data Report 2014, MDE-LIO)
 - 4.0 and above (20%) 3.5-3.9 (36%) 3.4 and below (44%)
- 115 people in the state of Michigan have an EIPA score of 4.0 or above. (EIPA Data Report 2014, MDE-LIO)
- Average EIPA score in Michigan is 3.6. (EIPA Data Report 2014, MDE-LIO)
- Average EIPA retest score improvement is a .3 increase. (EIPA Data Report 2014, MDE-LIO)
- Michigan interpreters with an average of 9.8 years of experience are scoring 3.9 or below on the EIPA. (MDE-LIO, 2011)
- Michigan ranks 8th in the nation with number of Deaf citizens, and 47th with ratio of Deaf Citizens to qualified interpreters. (Gallaudet University Library) (Bureau of Labor and Statistics 5/2011)
- Michigan has a shortage of school interpreters: 10:1 Deaf students/interpreters. (Public Policy Associates, Inc.)
- Although the EIPA is intended to improve the quality of interpreting for Deaf and Hard of Hearing students, it has been suggested that the imposition of these guidelines may create severe difficulties for Michigan schools to recruit, and retain adequate numbers of highly qualified interpreters". (*Supply and Demand for Interpreters for the Deaf and Hard of Hearing in Michigan*, Public Policy Associates, Inc.)

Current Needs/Recommendations for Proposed Rule Changes:

1. Allowance 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.
2. Allowance for a long-term substitute interpreter to 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.
3. Allowance of some flexibility for elementary or secondary EIPA 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.