

SENATE BILL REPORT

SHB 1144

As of March 20, 2013

Title: An act relating to qualifications for educational interpreters.

Brief Description: Regarding qualifications for educational interpreters.

Sponsors: House Committee on Education (originally sponsored by Representatives Dahlquist, Lytton, Fagan, Haigh, Moscoso, Magendanz, Liias, Ryu and Santos).

Brief History: Passed House: 3/04/13, 91-6.

Committee Activity: Early Learning & K-12 Education: 3/18/13.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Staff: Susan Mielke (786-7422)

Background: The Office of Superintendent of Public Instruction reports that in November 2011 there were 1315 students between the ages of 3 and 21 that received special education in public schools as a result of being hearing impaired, deaf, or deaf-blind. Some of these students require sign language interpretation in order to access the full content of the education provided in the classroom. Sign language interpretation is not limited to one sign language or system. American Sign Language (ASL), with its own grammar and syntax, is the predominate sign language of deaf communities in the United States. There are other sign languages or systems, including Manually-Coded English, that includes Signing Exact English (SEE), which uses a separate sign for each word and uses English grammar and syntax; and Contact Signing, which uses ASL signs in approximate English word order.

Although there are state laws requiring qualified interpreters for legal proceedings, there are no minimum qualifications or standards for sign language interpreters in Washington public schools. The National Interpreter Certification (NIC) is a voluntary certification that requires a written and performance test but it is not specific to the educational setting. Additionally, there is the Educational Interpreter Performance Assessment (EIPA) that includes a written test, performance test, and feedback on how the interpreter can improve. Several states have established a minimum score on either NIC, EIPA, or both for the purpose of state certification or licensure of educational interpreters. Other states use EIPA for purposes of assessment and training of educational interpreters.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

In 2010, the Washington State Center for Childhood Deafness and Hearing Loss, which includes the Washington State School for the Deaf, issued a report on the, "Status of Educational Services to Deaf, Deaf-Blind, and Hard of Hearing Children and Youth in Washington," that includes a recommendation that Washington establish state minimum standards and certification requirements for educational interpreters and support access to the assessment of sign language interpreting skills.

The 2012 omnibus appropriations act provided funding for the Professional Educator Standards Board (PESB) to develop educator interpreter standards, identify interpreter assessments that are available to school districts, and publicize the standards and assessments for school district use. PESB convened a stakeholder workgroup, hired a consultant, and designed a plan to determine a minimum score on EIPA. In July, PESB will receive recommendations from the workgroup and post the results to comply with the legislative directive.

Summary of Bill: An educational interpreter is defined as a school district employee, whether certificated or classified, who provides sign language translation and further explanation for deaf, deaf-blind, or hearing-impaired students. An educational interpreter assessment is defined as a written and performance assessment that is offered by a national organization of professional sign language interpreters and assesses performance in more than one sign language or system.

PESB must adopt standards and identify and publicize educational interpreter assessments that are available. Additionally, PESB must establish a performance standard for each assessment, defining what constitutes a minimum assessment result.

By the beginning of the 2016-17 school year, educational interpreters who are employed by school districts must successfully achieve the performance standard established on one of the assessments identified by PESB. By the beginning of the 2019-20 school year, educational interpreters who are employed by school districts must also achieve NIC certification.

The assessment requirements of the bill do not apply to educational interpreters who are employed to interpret a sign system or sign language for which no educational interpreter assessment has been identified by PESB.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This bill is the result of a conversation with a deaf student who was a high school senior last year. The student said that he had a mixed bag when it came to the level of proficiency of the different interpreters that he had in schools. The lack of interpreters and the poor quality of interpreters is very unfair for students who are hearing impaired or deaf and really limits the quality of the education that

our students receive. We want to elevate the quality of interpreters for our children. We like the standardization but we do not think you should limit the assessments of interpreters to only assessments that address one sign language or system. There is an assessment that assesses SEE and it should be one of the assessments that PESB identifies.

OTHER: I am happy that Washington is moving toward having standards for sign language interpreters. Many of us are very active in the field of teaching deaf students. We support SEE. We support ASL. It is also important for deaf and hearing-impaired students to learn ASL so that they can be accepted and can interact with the deaf community. But we also see advantages and positive results of using SEE. English is the language of our nation. We should amend the bill to include tools for signing English. We are concerned with the extent of the qualifications the bill will require because it also requires NIC, which focuses on interpreters for adults, not children, and is heavily focused on ASL. We are not at all comfortable requiring RID-NIC. If you remove this limitation then the bill would be okay. We are afraid that by requiring NIC it will make schools a training ground for interpreters who are working toward their NIC and then they will leave the schools because they will be able to get paid better working outside of school districts once they have NIC. Let PESB look at all the choices and please do not limit them. When you are a hearing person with deaf children you must make a choice early about which sign language or system you want to use with your children. We chose SEE but under this bill our children would not have access to an SEE interpreter. Many of the current interpreters in our schools are classified staff and many of them will not be able to afford the cost of certification. We are worried that by imposing certification requirements it will result in shrinking the pool of interpreters available and schools will have even less access to interpreters. If you impose higher employment requirements then you will need to pay interpreters more.

Persons Testifying: PRO: Representative Dahlquist, prime sponsor; Judy Callahan, NW School for the Hearing Impaired Children; Brenda Aron, Allie Joiner, citizens.

OTHER: Gerilee Gustason, City of Sequim; Barbara Luetke, Lynessa Cronn, NW School for Hearing-Impaired Children; Ken Teasley, parent of deaf daughters; Lucinda Young, WA Education Assn.; Doug Nelson, Public School Employees/Service Employees International Union 1948.