

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION  
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1304

2001 HOUSE HUMAN SERVICES

HB 1304

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1304

House Human Services Committee

Conference Committee

Hearing Date January 22, 2001

Tape Number	Side A	Side B	Meter #
Tape 2		X	1800 to end
Tape 3	X		0 to 5418
Committee Clerk Signature <i>Cornie Easton</i>			

Minutes:

Chairman Price, Vice Chair Devlin, Rep. Galvin, Rep. Dosh, Rep. Klein, Rep. Pollert,

Rep. Porter, Rep. Tieman, Rep. Weiler, Rep. Weisz, Rep. Cleary, Rep. Metcalf, Rep. Niemeier,  
Rep. Sandvig.

Chairman Price: We will open the hearing on HB 1304.

Rep. Maragos: Introduced HB 1304. This is not necessarily a new bill, it has been introduced a couple of times in different fashions. I'm here to introduce on behalf of the North Dakota Association for the Deaf. They will be providing the pertinent testimony as to the merits to the bill.

David Zimmerman: Teacher at the North Dakota School for the Deaf. Services for people with disabilities have improved since the inception of the ADA law in 1990; however, access to quality interpreter services for those of us who are deaf remains a serious concern. (See written testimony.)

Rep. Nemeier: Hearing impaired children have been mainstreamed into public schools. Are there enough interpreters there to help these children keep up with their class work?

David Zimmerman: They are required to provide an interpreter for that student.

Rep. Sandvig: Do other states require their interpreters to be licensed?

David Zimmerman: Minnesota has, but I'm not sure about the exact number for other states.

Chairman Price: When a hearing impaired person asks for an interpreter, how do you determine who fits the best for that hearing impaired person?

David Zimmerman: To answer from my own experience, it is the interpreter services responsibility to make sure the interpreter is qualified. You have to be able to mesh the student with the interpreter. We owe people of North Dakota to have quality interpreters.

Chairman Price: In looking at the shortage of interpreters, and I know you know my daughter Melissa, she interpreted for one full year but under this bill she would not be a licensed interpreter. Are we going to be moving into even more of a problem finding enough interpreters for the students in the public schools?

David Zimmerman: I strongly believe that these people have time to obtain the necessary training before they are fully certified.

Chairman Price: I am fearful that they may end up with no substitutes if it ends up to be a lot of continuing education.

David Zimmerman: We have the same problem at the deaf school. I can understand what you are saying, but at the same time you have to do what is best for the student.

John Neiss: Senior of North Dakota for the Deaf. We really would like to have equal communication of all forms. Without quality interpreters involved, we would be lost, misled,

and feel embarrassed if we didn't have equal communication like hearing people do. (See written testimony.)

Cindy Kupfer: Representing Dixie Duncan, President of the North Dakota Registry of Interpreters for the Deaf. If HB 1304 is sent to study committee, NDRID is interested in being involved in the process. Being a professional organization for sign language interpreters, NDRID is in the position to provide the people and expertise to aid this process. (See written testimony.)

Rep. Porter: How many members are in the N.D. Registry of Interpreters?

Cindy Kupfer: Right now we have about 20 members.

Rep. Porter: Of those 20, if this bill went in as it is presented in front of us how many would fit the certification and licensing levels that are in here?

Cindy Kupfer: It would probably affect one-fourth of it, because there are very few certified interpreters in North Dakota.

Chairman Price: So you are saying that only one fourth would be qualified at this time?

Cindy Kupfer: Actually, the bill would affect about 70% of people because there are very few certified interpreters in North Dakota so the bill would have a great influence on it yet. We would have to be certified.

Rep. Cleary: Where would you go to become certified? Could you stay in the state?

Cindy Kupfer: I am involved in the EICP program in Colorado. There are seven of us in North Dakota that are involved in that. They just are starting it again. The funds are out there and the means are out there for education. You would want to go to workshops to keep up with your skills.

Rep. Niemeier: School districts often hire one Special Ed person. How would the interpreter work into that situation?

Cindy Kupfer: At this point I'm not qualified to answer that because I'm not in a school setting.

Rep. Niemeier: Do you expect that a certified interpreter is going to require a hire salary?

Cindy Kupfer: I guess if I was looking at myself, I'm not certified right now, and I know the level of money that I request but yes, if I was certified I would request more. Because I have taken that time to educate myself and become skilled.

Rick Pelishek: Executive Director of the North Dakota Disabilities Advocacy Consortium. I am testifying today in favor of HB 1304. As a Consortium we see a need for interpreters for the deaf and hard of hearing to be licensed. (See written testimony.)

Rep. Porter: One of the concerns that comes up is dealing with small number of people to do a board and licensing function is that eventually you end up with business competitors and you end up with small numbers of people that are being regulated by their competitors. That problem already exists in the state with a small number of practitioners that we have. Do you see that by having a group of people self-regulate themselves that it going to create hard feelings and problems within the world of interpreting?

Rick Pelishek: That is a complex question to answer. It could, but I don't know the dynamics of what exists there. I guess looking at ADA and the need to provide quality services, that is where we are coming from as a Consortium. We need to have these quality services available for people who are deaf and hard of hearing. There are going to be those issues.

Rep. Porter: One of my other concerns the amount of money it actually takes to operate a board and the amount of obligation it takes to the Attorney General's office to pay for the legal services

of that board. How much are you expecting to see a licensing fee back to the individual interpreters in order practice in the state?

Rick Pelishek: I've done no research on that. We didn't look into the financial aspect.

Chairman Price: If this bill would pass in current form and we don't have even 50% of the interpreters become certified in the state, what will the hearing impaired do? Where are they going to go?

Rick Pelishek: As a Consortium that is what the issues were there. Will we have enough? We need those quality interpreters.

Chairman Price: I don't want to restrict the hearing impaired from having services, but I think the biggest issue in front of the committee is how far you go before you make it worse instead of better?

Rick Pelishek: What do we do, we support the concept in general but how do we do that? Is there going to be incentives we can provide? There are mechanisms that we have to look at.

Rep. Sandvig: Are we in compliance with ADA right now if we don't have certification and licensing?

Rick Pelishek: I can't answer that question right now.

Aaron Lapp: Coal Miner from Knife River Coal. He has a deaf daughter. (See written Testimony.)

Rocky Cofer: Superintendent of the North Dakota School for the Deaf and a parent of a deaf child. I feel that the licensing of interpreters will be an important step to ensure quality control. (See written testimony.)

Rep. Metcalf: Is there any progress in technology right now that will eventually alleviate this situation?

Rocky Cofer: There are some things that certainly are helping deaf individuals to get better information. The Internet, e-mail, fax machines, TTY machines for telephone use, relay services, but in my opinion the need for interpreters will still be there for some time to come. Especially good quality interpreters.

Rep. Niemeier: Did your school ever participate in career days to inspire high school seniors to go into that area of work?

Rocky Cofer: Yes, we participate regularly in the regional career days at the Lake Region State College. We've had representatives from our interpreter's staff give talks.

Rep. Price: How many interpreters?

Rocky Cofer: We probably have two interpreters that would be in a level three or level four range.

Chairman Price: If a community has a deaf student and there isn't a certified interpreter, what do they do?

Rocky Cofer: We try to do the best that we can, but we always should be looking for the best quality.

Rep. Metcalf: If this bill is passed, is there any mandate in the school situation where they absolutely cannot find an interpreter, and then all of a sudden the parent says "this is a law", we are going to sue you.

Rocky Cofer: In that situation, the school would probably say there are a continuum of services that can be offered in the North Dakota from teaching that student in the local school system with an interpreter and if one can't be found then you start moving down that continuum until you find something that meets the letter of the law.



Loren Geiszler: Works for U.S. Postal Service. (See written testimony.) For the past six or seven years the U.S. Postal Services has been using qualified interpreters. The Postal Service did not have qualified interpreters so I fell behind in the special training I was taking. In support of HB 1304.

Bob Rutten: Director of Special Education for the Department of Public Instruction. As part of our office's responsibilities under the Individuals with Disabilities Education Act we are charged with ensuring that appropriately trained and qualified persons work with students who have disabilities in the schools of our state. Educational interpreters fall within the realm of that responsibility. (See written testimony.)

Rep. Weiler: How many students in this school in Devils Lake Region would you say over the next five years might graduate - would put more people in the pool of being interpreters?

Bob Rutten: Probably a very small number at this point. It is not an actual interpreter program at this point. It is an attempt to provide basic information about interpreting. They would be able to finish this program and then go onto an official training program.

Rep. Porter: Would there be a concern at all if we wouldn't register them as qualified interpreters, that they might leave the state?

Bob Rutten: An earlier person testified that she would be requesting a higher salary if she were certified. It is probably a market question.

Rep. Porter: How many total years would it take before someone would meet the minimum qualifications under this bill to be an interpreter?

Bob Rutten: A traditional training program where a student goes to a college campus, is typically a two year program.

Rep. Porter: Before we would have an adequate number of interpreters to enter the pool, we would be looking at up to four to six years of having an extreme shortage?

Bob Ruten: We came up with 14 persons working as interpreters, and calculating the need has never been a precise science because we have of the total number of students in the state who probably interpreter services, there were 43 students identified. There are 111 statewide who are identified as hearing impaired.

Rep. Porter: Out of the 14 interpreters that you identified, if this legislation became law, how many of them would meet the minimum requirements and how many would have to stop doing the interpreters or go back to school.

Bob Ruten: All of these people are likely to continue in their jobs. If their skills are at a minimal level, have the ability to retest at a later date.

Chairman Price: How many 2-year programs in the state? How about Minot?

Bob Ruten: Minot State University did have a federally funded grant program. It lasted three years, and then when the federal funding went away they graduated a very small number of students. Did not contribute substantially to the interpreter pool. There is no other training program in North Dakota. The nearest schools are at St. Paul and Sioux Falls.

Chairman Price: Is there anything prohibiting EPI from requiring a certain level of proficiency?

Bob Ruten: We currently don't issue any certificates or licensure.

Chairman Price: In my daughter's discussion with the teachers she worked with, it was as much of an issue for the interpreter that they be very knowledgeable about the subject matter as the ability to interpret. This still doesn't address that because if you have someone may be a very good interpreter but if there isn't something from the other side of it will you be addressing all needs?

Bob Ruten: I know there is a sort of a distinction of what the roles the interpreter should really be doing versus what the teacher should be doing.

Vice Chairman Deylin: Are there any other areas that EPI is looking at a border free certificate type of approach?

Bob Ruten: There is some interest in this and currently we've been involved in some conference calls with representatives from other state education agencies. We are looking at qualifications for educators. There is a real need, especially between South Dakota, Wyoming, Montana, and North Dakota. We are looking for ways to doing some sort of collaboration.

Pete Billodeau: Vice President of North Dakota Registry Interpreters for the Deaf. Regarding technology in the class room, for some students captioning works very well, but if you don't have the base of English as a first language it does not work. Most interpreter programs are two years. He was in favor of HB 1304.

Rep. Maragos: Spoke in favor of HB 1304. Stressed quality of life for the deaf and hard of hearing if they don't get a good start. This is a fairness issue and we need to make a statement. I see a lot of merit to this bill and would hope committee would see it also.

Chairman Price: Closed the hearing on HB 1304

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1304 A

House Human Services Committee

Conference Committee

Hearing Date February 6, 2001

Tape Number	Side A	Side B	Meter #
Tape 1	X		0 to 2270
Committee Clerk Signature <i>Connie Easton</i>			

Minutes:

**COMMITTEE WORK:**

CHAIRMAN PRICE: Start with 1304. Rep. Weiler and Rep. Galvin have prepared some amendments.

REP. GALVIN: Discussed amendments. Rep. Maragos and Brekke were in agreement with the amended bill.

REP. WEILER: All we did was take the board out because we felt that the possibility of this bill passing with the board in there was slight. We wanted to do something for the interpreters.

REP. WEISZ: Is the penalty typical for this?

CHAIRMAN PRICE: I think the penalty is typical for licensure. Without a board, who is going to push the issue.

REP. PORTER: With the penalty we have in, they would go to criminal court and not a civil court. There would have to be an investigation and a determination to file charges.

Page 2

House Human Services Committee

Bill/Resolution Number HB 1304

Hearing Date February 6, 2001

REP. DOSCH: Can we eliminate the penalty section?

REP. CLEARY: We could make it a lesser penalty.

REP. PORTER: A monetary penalty might be the way to go with this.

CHAIRMAN PRICE: This I think is really more for the deaf person to be able to determine the level of skill. I think it would be very easy for them to check on the certification, and they just flat wouldn't hire somebody that wasn't at that level.

REP. PORTER: The problem I would see with this is someone putting themselves out at a higher level than what they actually are or at a level they never were.

REP. WEISZ: I oppose leaving the penalty in at all.

CHAIRMAN PRICE: We are grandfathering people in until July 31, 2003. No body is going to be guilty until after that point.

REP. GALVIN: If you take the penalty off, I can't see where the bill does anything at all.

REP. WEISZ: It sets up standards that somebody has to follow, and if they don't have that certification, I could sue them.

REP. CLEARY: I see two reasons for having a penalty. I think it will make those people who are grandfathered in more apt to go and get the education, and I think it will save litigation.

CHAIRMAN PRICE: Informally, let's have a show of hands as to how many want to leave the penalty off for these two years? (11 want to delete penalty - 3 want to leave in.) Cross out "penalty" any person violating this chapter. Would you like to move your amendments with the changes?

REP. GALVIN: I will move amendments.

REP. WEILER: Second.

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House Human Services Committee

Bill/Resolution Number HB 1304

Hearing Date February 6, 2001

CHAIRMAN PRICE: All those in favor of changes signify by saying Aye (13), 1 Opposed. We have an amended bill in front of us.

REP. PORTER: I move it DO PASS as amended.

REP. WEISZ: Second.

CHAIRMAN PRICE: Further discussion? Clerk will read the roll on a DO PASS as amended.

13 YES 1 NO 0 ABSENT CARRIED BY REP. GALVIN

VR  
2/6/01  
1082

HOUSE AMENDMENTS TO HB 1304

HOUSE HS

2-7-01

Page 1, line 1, after "Act" insert "to create and enact a new chapter to title 43 of the North Dakota Century Code," replace "licensure of interpreters" with "practice of interpreting", replace "hard of hearing" with "hard-of-hearing", and replace "; to" with a period

Page 1, remove line 2

Page 1, line 4, after the first period insert "A new chapter to title 43 of the North Dakota Century Code is created and enacted as follows:" and replace "Act" with "chapter"

Page 1, remove line 5

Page 1, line 6, replace "2" with "1"

Page 1, line 9, replace "3" with "2"

Page 1, line 10, replace "4" with "3"

Page 1, line 15, replace "5" with "4"

Page 1, line 19, replace "SECTION 2. License required - Exception" with "Practice of Interpreting"

Page 1, line 21, replace "licensed annually in accordance with this Act. This Act" with "the individual holds a valid nationally recognized certification. However, an individual who was practicing as an interpreter in this state before August 1, 2001, has until July 31, 2003, to meet the certification requirement under this section.

**Exceptions. This chapter"**

HOUSE AMENDMENTS TO HB 1304

HOUSE HS

2-7-01

Page 2, remove lines 19 through 31

HOUSE AMENDMENTS TO HB 1304

HOUSE HS

2-7-01

Page 3, remove lines 1 through 31

HOUSE AMENDMENTS TO HB 1304

HOUSE HS

2-7-01

Page 4, remove lines 1 through 31

HOUSE AMENDMENTS TO HB 1304

HOUSE HS

2-7-01

Page 5, remove lines 1 through 30

HOUSE AMENDMENTS TO HB 1304

HOUSE HS

2-7-01

Page 6, remove lines 1 through 30

HOUSE AMENDMENTS TO HB 1304

HOUSE HS

2-7-01

Page 7, remove lines 1 through 28

2062

Renumber accordingly



Date: 2.6.01  
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1304

House Human Services Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Adopted Amendment

Motion Made By Rep. Galvin Seconded By Rep. Weiler

Representatives	Yes	No	Representatives	Yes	No
Clara Sue Price - Chairman	✓		Audrey Cleary		✓
William Devlin - V. Chairman	✓		Ralph Metcalf	✓	
Mark Dosch	✓		Carol Niemeier	✓	
Pat Galvin	✓		Sally Sandvig	✓	
Frank Klein	✓				
Chet Pollert	✓				
Todd Porter	✓				
Wayne Tieman	✓				
Dave Weiler	✓				
Robin Weisz	✓				

Total (Yes) 14 No 1

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

Date: 2-6-01  
Roll Call Vote #: 2

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1304

House Human Services Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken DO PASS as amended

Motion Made By Rep. Porter Seconded By Rep. Weisz

Representatives	Yes	No	Representatives	Yes	No
Rep. Clara Sue Price, Chairman	✓		Rep. Audrey Cleary		✓
Rep. William Devlin, V, Chairman	✓		Rep. Ralph Metcalf	✓	
Rep. Mark Dosch	✓		Rep. Carol Niemeier	✓	
Rep. Pat Galvin	✓		Rep. Sally Sandvig	✓	
Rep. Frank Klein	✓				
Rep. Chet Pollert	✓				
Rep. Todd Porter	✓				
Rep. Wayne Tieman	✓				
Rep. Dave Weiler	✓				
Rep. Robin Weisz	✓				

Total (Yes) 13 No 1

Absent \_\_\_\_\_

Floor Assignment Rep. Galvin

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**HB 1304: Human Services Committee (Rep. Price, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1304 was placed on the Sixth order on the calendar.

Page 1, line 1, after "Act" insert "to create and enact a new chapter to title 43 of the North Dakota Century Code,"; replace "licensure of interpreters" with "practice of interpreting", replace "hard of hearing" with "hard-of-hearing", and replace "; to" with a period

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**Exceptions. This chapter"**

Page 2, remove lines 19 through 31

Page 3, remove lines 1 through 31

Page 4, remove lines 1 through 31

Page 5, remove lines 1 through 30

Page 6, remove lines 1 through 30

Page 7, remove lines 1 through 28

Renumber accordingly

2001 SENATE HUMAN SERVICES

HB 1304

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1304

Senate Human Services Committee

Conference Committee

Hearing Date March 12, 2001

Tape Number	Side A	Side B	Meter #
1	X		24.1
1		X	3.3
March 21, 2001 1	X		37.5
Committee Clerk Signature <i>Carol Koleschuk</i>			

Minutes:

The hearing was opened on HB 1304.

REPRESENTATIVE MARAGOS, sponsor, introduced bill. (Written testimony) Proposed amendments. SENATOR KILZER: Is there any difference between this bill and the previous one. REP. MARAGOS: There will be no board, but there is vehicle to satisfy how certification takes place. SENATOR POLOVITZ: What are exceptions for working in state for 19 days. REP. MARAGOS: It was in the original bill. I will let Mr. Cofer explain that. SENATOR FISCHER: I think that would address the person coming into the state for a conference or convention and not staying to practice.

DAVID ZIMMERMAN, teacher at ND School for Deaf, supports bill. (Written testimony)

SENATOR MATHERN: What is the fee that an interpreters charges? MR. ZIMMERMAN: \$20-25 Per hour; it varies from meeting to meeting. SENATOR KILZER: How many certified interpreters in ND and how many do we need? MR. ZIMMERMAN: I don't know. SENATOR

FISCHER: Why was the penalty clause omitted? MR. ZIMMERMAN: They thought it could be added down the road. SENATOR KILZER: How many schools need services or how many do not have. MR. ZIMMERMAN: No numbers of that.

MICHELLE ROLOVITZ, Pres of the ND Assoc., for the Deaf, supports bill. Please consider the amendment of penalties be put back in. The importance of penalties will protect the rights of deaf people and hard of hearing individuals in the state to assure that they are receiving accurate interpretation. The ND Assoc. for the Deaf also provides an interpreting assessment program which is developed for the National Assoc. For the Deaf. That program evaluates interpreters and certifies them according to their skills and helps them understand where their levels are and what the proficiency and where they need to develop their skills. The members on our panel are well trained team that evaluate periodically. This will help us extend our program of getting interpreters certified in our state. We recommend a Do Pass for HBO 1309.

ROCKY COFFER, Sputa of ND School for the Deaf, supports bill. (Written testimony)

SENATOR POLOVITZ: Are you getting unqualified interpreters? MR. COFER: Some just know sign language and can't interpret. SENATOR POLOVITZ: Is this bill going to be better or worse. MR. COFER: We are aware that passage of this bill will cause some problem, but for the best interest in the long run, it will be good - make sure quality services are provided. We are trying to get good interpreters. Working for ways to better service in ND. There are needs for vocation of interpreter all over the nation. SENATOR KILZER: Is there a penalty clause in other states? MR. COFER: Yes, I feel the penalty clause is just. SENATOR FISCHER: Do you teach interpretation? MR. COFER: No, sign language classes and course work at Devils Lake is like a beginning interpretation. They would need more training. SENATOR FISHER: Do you feel it will cause a problem to get interpreters? MR. COFER: We have had problems

getting interpreters that meet qualifications. We have to look at quality issue. Goal to get qualified interpreters. We pay \$10-13 per hour with benefits. Hopefully there will be some incentives to be given.

MARK HILL, ND Assoc. For the Deaf, provided fact sheets. There has been a letter of support sent to you by E-mail. There are different levels of certification - we have been working on this bill for 8 years. ASL (American Sign Language) is a separate language from English. It is acquired visually and signed automatically. Different from English. First 5 years of a child's life develops language. Limited skills if not with interpreter. Child can use an interpreter as a language model. If they don't have one they may not be able to acquire their dreams. Quality interpretation is this bill. They need to measure needs. A deaf child has the right to ask to see their card to see if qualifications are met. When an interpreter goes into a public school, many are asked if they are qualified and they say yes, because they can move their hands. When teachers are teaching in the classroom it is important they have their degrees and certification ready to go. ND century code incorporates some type of penalty. We recommend a Do Pass with the penalty put back in. There are 10-15 interpreters in ND and more are trying.

SENATOR MATHERN: Will you sign e-mail for me slowly. MR. HILL: When technology changes just like any other language changes. In one area they may do it like this..... Or in another area like this..... SENATOR ERBELE: What would be the need for more certified interpreters in the state? MR. HILL: Not all interpreters are certified. The certified are contacted first and so they are very busy. Sometimes I have to put meetings off because I do not have an interpreter. We want equal access and be affluent in the language. SENATOR ERBELE: How many do we need for the state. MR. HILL: we would like to have 50 or 60 but

we really want to certify those who are here. It is important to have a sufficient number but need to be certified coming in; not providing what we need.

ROBERT FRESNO, UNDE student, supports bill. I had 6 years with an interpreter and was put in to the mainstream. We asked different school boards for certified interpreters. I stated and understand as well as other students. I can get by myself and I am a student at UND. I requested interpreters be available and they drive back and forth from great distances to give us services.

Hope they will have interpreters until I get my nursing degree, so I can work in hospitals in pediatrics. SENATOR KILZER: Did you have difficulty in obtaining interpreters in college?

MR. FERGUSON: Yea, They have 2 part-time interpreters per class. I would rather have plenty of interpreters available so other deaf students could attend the University. My wife and I do depend on 5 interpreters. Can I add one comment? Senator Polovitz, congratulations on your first term as Senator. SENATOR POLOVITZ: Thank you, I am learning also.

BOB RUTTEN, Director of Special Ed, Dept of Public Instruction, provides information of bill. Expresses gratitude to interpreters that are in attendance. (Written testimony). We are trying to give young people an education to go on and get a higher education. SENATOR KILZER: Are we in need of 60 and have only 10 interpreters? MR. RUTTEN: This information is incomplete. Regarding schools, 43 students who are considered to be deaf; 111 are hearing impaired. Has to do with degree of hearing loss. There are 13,612 students in schools of our state who have disabilities and receive special education services. There are 14 full time interpreters working in the schools of our state and are in training. There are also students in college in addition to these. 10 individuals are being supported with stipends of about \$2,000 per year to complete their training to become qualified interpreters. We have been asked to supply some additional funding



for the new program that is getting up and running at Lake Region State College that has yet to be acted on. SENATOR KILZER: Do you have any comment on the penalty clause? MR.

RUTTEN: We expect people in schools to be competent. SENATOR POLOVITZ: How would you feel about the penalty be put in at a later date. MR. RUTTEN: It is terribly awkward for one who can hear to respond that the deaf need a penalty.

MARY HEINTZ, interpreter from Bismarck, supports bill. We need to get qualified people in profession. Too many are signers, not interpreters. With certification it will encourage signers to become qualified. Don't need 50-60, but with rural state, hopefully signers will look to the profession.

JIM FLEMMING, Attorney General's office, testified in neutral position. (Written testimony)

There is a potential legal problem with this bill. Legislature has power to authorize qualifications. There are 3 ways to do this: 1. Legislate 2. Board 3. Identify an existing board of the Government to give authority to. The standards need to be spelled out. There is a potential legal flaw. It would grant a private accrediting organization the power to decide what a person needs to practice in ND. This needs an arm of government. SENATOR KILZER: This is same as GVA on modular. SENATOR FISCHER: Same as guardianship. There are places in code that say if you meet criteria and are accredited. This bill hands off completely to independent companies.

RICHARD OTT: NDEA, is neutral/opposed to bill. We recognize that teachers have to have certifications. Can't get enough teachers to come to ND. We can use people that are not qualified. Are we going to be able to meet qualifications. SENATOR KILZER: Are there situations that hinder schools from additional outlay? MR. OTT: I don't think so now; but if this were mandated it could start presenting a problem.

BEV NIELSON, School Boards Assoc., concern is that a certified language in code would it mean that every deaf student would require an interpreter instead of a signer. Certification is fine; what quality of certifications is available. Reservations about needing interpreters in classroom. There is out service to child if none is available. SENATOR FISCHER: If we determine boards, would you be willing to form it? MS. NIELSON: How about speech pathologists, audiologists.

Opposition:

COREY CLIFF, non certified signer, opposes this bill. Where there is a need I will put down everything and run for the deaf. I have had several opportunities to sign for the deaf. Maybe there should be a grandfather's clause. Concerned for penalty and pay scale. SENATOR MATHERN: There is a voluntary phrase in the bill. MS. CLIFF: Yes.

The hearing was closed on HB1304..

March 21, 2001, Tape 1, Side A, Meter 37.5.

Discussion resumed.

SENATOR FISCHER moved DO PASS. SENATOR ERBELE seconded the motion. Roll call vote carried 6-0-0. SENATOR FISCHER will carry the bill.

Roll Call Vote #: /

Date: 3/21/01

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1304

Senate HUMAN SERVICES Committee

Subcommittee on \_\_\_\_\_

or

Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass

Motion Made By Sen Fischer Seconded By Sen Erbele

Senators	Yes	No	Senators	Yes	No
Senator Lee, Chairperson	✓		Senator Polovitz	✓	
Senator Kilzer, Vice-Chairperson	✓		Senator Mathern	✓	
Senator Erbele	✓				
Senator Fischer	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Sen Fischer

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE (410)**  
March 21, 2001 3:50 p.m.

Module No: SR-49-6331  
Carrier: Fischer  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

**HB 1304, as engrossed: Human Services Committee (Sen. Lee, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1304 was placed on the Fourteenth order on the calendar.**

2001 TESTIMONY

HB 1304

Good afternoon Madame Chair Price, Vice Chairman Devlin, and Members of the House Human Services Committee: By the way, Rep. Galvin, your niece, Renae Bitner, an interpreter at the ND School for the Deaf, sends her greetings. She was unable to attend today, due to interpreting obligations at the school.

My name is David Zimmerman. I am a teacher at the North Dakota School for the Deaf in Devils Lake and..., I am also deaf.

I am here to provide testimony in support of HB1304 which has been introduced into legislation by Reps. Maragos, Brekke, and Senator Traynor. This is not the first time this bill regarding the certification and licensing of interpreters has been considered by ND Legislators. We, the Deaf citizens of ND, along with our families and friends, are here to try again; and are committed in our endeavors to ensure that we are provided with **our right** to have equal access to **all** forms of communication.

In the past, opponents have testified against this bill for some of the following reasons:

1) Because Deaf people are a minority in the state, and because the low numbers of deaf students, by some estimates, are not considered to constitute a "critical mass," this bill has been inaccurately assumed to be cost prohibitive.

2) The shortage of interpreters in ND would become even more critical if interpreters currently employed by educational, federal, state, and local governmental agencies were unable to achieve certification.

3) Deaf students attending public schools don't need to have access to instruction in their native language. (Unfortunately this idea implies that an individual who possesses minimal sign language skills can accurately convey all information shared between deaf and hearing consumers.)

We believe these testimonies have been misleading, inaccurate, and--have prohibited and negatively impacted--the rights of Deaf children and adults in our state. I would like to address these concerns, and make you aware of some information that will clarify the necessity for this bill that, as a law, would protect our rights.

- Whether or not the number of deaf people in our state constitutes a critical mass is irrelevant. The Americans with Disabilities Act (ADA) specifically addresses the rights of individuals regardless of the population number. We are entitled to have access to quality communication in our state's public schools, hospitals, clinics, and in our dealings with governmental agencies at all levels. The ADA defines a "qualified" interpreter as one who is "able to interpret effectively, accurately, and impartially both receptively and expressively, using any necessary specialized vocabulary." The definition recognizes that

the interpreting skills needed for some types of communication may be higher than for other types of communication. (See Federal Regulation 28 C.F.R. §35.104; 28 C.F.R. §36.104.) I ask you, what kind of communication issues could be more important than those related to our health, safety, and education? The qualifications of an interpreter must be determined on a case by case basis.

- Certification and licensure would ensure that individuals who receive compensation for interpreting services have the competencies required to provide equal access to communication. We believe that a signer who is unable to pass a quality assurance test at the desired level should not be working as an interpreter because they do not have the skills necessary to provide deaf people with the information that they seek, that they want, and that they require. As a consumer of interpreter services, I can tell you from experience that unskilled interpreters are unable to provide me with the information I need to fully participate in professional/business meetings. The argument that a non-skilled interpreter is better than no interpreter is unacceptable. If a deaf student in a public school is receiving anything less than 100% of the same information that a hearing student does, he/she is being denied equal access.
- The National Association for the Deaf provides the following illustration: "Deaf and hard of hearing people deserve to have qualified, skilled interpreters who know what they are doing. Interpreters who struggle with their own expressive and receptive sign skills are difficult to understand, and are inadequate at conveying their deaf clients' messages. This situation benefits no one in the long run. Deaf and hard of hearing people get frustrated, hearing people (businesses, speakers, interviewers, etc.) form an unfavorable impression of the entire experience, and the interpreting profession gets shortchanged. Let us put this another way: would you have the nerve to go to the French Embassy and tell them that you want to work as a French interpreter, armed with just a semester's worth of French? " ([www.NAD.org](http://www.NAD.org))
- While the supply of interpreters in general is short, the supply of "qualified" interpreters is much shorter. ADA specifies that programs covered by ADA must provide "qualified" interpreters. We appreciate the efforts being made by the ND Department of Public Instruction (DPI) in addressing the issue of providing skilled interpreters in our classrooms. For the past two years, DPI, in conjunction with Front Range Community College in Westminster, Colorado, has allocated funding for the majority of our state's educational interpreters with access to 'distance interpreter courses' that has provided them with training to improve their knowledge and skills so that they may better meet the needs of the students they serve. It would only stand to reason that since they have received needed training and knowledge, at the state's expense, that as working professionals, we should expect them to seek certification.

- Representatives from the ND School for the Deaf and the ND Dept of Public Instruction are working cooperatively with members from nine other states with the Regional Assessment System (RAS), to establish a means of evaluating and certifying interpreters working in K-12 educational settings. Member states of the RAS would recognize and support the certification of educational interpreters during the hiring process.
- In the spirit of collaboration, the ND School for the Deaf and Lake Region State College have established a training program to address the shortage of educational interpreters in our state. This program utilizes resources from both institutions to provide core classes for students interested in pursuing sign language interpreting as a career.
- We are not asking for immediate certification of interpreters—we realize that “things don’t happen overnight.” We are stating that passage of a law to certify and license interpreters would provide needed incentive for those already being compensated for the interpreting services they render, to seek professional certification. School districts and governmental agencies would no longer have to pay “top dollar” for inadequate interpreting provided by non-certified individuals. Pay scales could be modified to reflect a person’s certification status.
- The ND Association of the Deaf has provided awareness workshops in regions throughout our state to educate professionals and business owners regarding their responsibilities as service providers. The meetings have been poorly attended, making it difficult for deaf people to express their needs and concerns. Organizations such as the ND Association of the Deaf, the ND Registry of Interpreters for the Deaf, the Friends of Deaf Children Foundation, the ND School for the Deaf and the ND Department of Public Instruction, Lake Region State College, and Communication Services for the Deaf have combined their efforts to advocate for deaf individuals in our state.

Services for people with disabilities have improved since the inception of the ADA law in 1990; however, access to quality interpreter services for those of us who are deaf remains a serious concern.

I respectfully urge you to consider a “DO PASS” on HB1304. Thank you for your time. If you have any questions, I’d be happy to address them at this time.



Greeting Madame Chair Price, Vice Chairman Devlin, and members of the House Human Services Committee. I'm honored to be here to provide testimony in support of HB-1304. I will be sharing the important nature of interpreting.

My name is John Neiss. I'm hard-of-hearing. I'm a senior of North Dakota School for the Deaf (NDSB). I'm also the president of Jr.ndad. As the president of Jr.ndad, I am speaking behalf of the Jr.ndad members and friends. There are some students taking classes at the pubic school. NDSB provides interpreting, and they are maintaining very well. I also takes some classes from Devils Lake High School, information are extremely important to me, without it I cannot learn nor interact with other hearing classmates. We really would like to have equal communication of all forms. Without quality interpreters involved, we would be lost, misled, and feel embarrassed if we did<sup>NX</sup> have equal communication like hearing people do.

We believe interpreters should be involved in hospitals, clinics, and other areas. From my experiences with doctors, sometimes my doctors had to repeat 3 times so I could finally understand what to do with medicines and sometimes I was uncomfortable to asks questions because I was afraid that I wouldn't understand him. I met with a doctor who knew sign language once and it's felt really different than the doctors who didn't know any sign language because sign language helps me to understand what he say and he only had to say it once, and I felt more comfortable and self-confidence.

Thank you for your time and your attention this afternoon, we appreciate it.

**Testimony before the House Human Services Division  
Regarding HB1304  
January 22, 2001**

**Chairman Price and members of the House Human Services Committee.  
My name is Rick Pelishek. I am the executive Director of the North Dakota  
Disabilities Advocacy Consortium (NDDAC). The Consortium includes 16  
groups (and growing) from around the state. One of our goals is to be a  
resource to you so you can make informed decisions in an effort to  
improve public policies and programs for individuals with disabilities.**

**I am testifying today in favor of HB1304. As a Consortium we see a need  
for interpreters for the deaf and hard of hearing to be licensed. In talking  
with members, we have too many stories on experiences with interpreters  
that were a struggle, and the "mad search" to find someone who really  
could interpret.**

**The only concerns mentioned were: Do we have enough certifiable  
interpreters in the state for the need that exists, and will this requirement  
for certification reduce that number? But, it was conceded that we need  
to have certification, and these other issues were secondary to the issue  
at hand.**

**Chairman Price, members of the committee. Thank you for your time. Are  
there any questions?**

January 22, 2001

Good afternoon Chairwoman Price, Vice-Chairman Devlin, and members of the House Human Services Committee.

My name is Rocky Cofer, I am the Superintendent of the North Dakota School for the Deaf and a parent of a deaf child.

I am here to give testimony in support of House Bill 1304 introduced by Representatives Maragos, Brekke, and Senator Traynor.

As a parent and an educator, I believe we must have and use well trained people in jobs that serve our children. Interpreters serve a very important function in the education of deaf children in classrooms in public school and college settings. The interpreters deliver the information provided by the instructors and other students in the classroom during lectures and other classroom activities and in turn voices the thoughts of the deaf child when he or she wants to convey information back to the teacher or other students, in a sense, the ears and voice of the student.

By law we all must have equal access to information and it is imperative that all North Dakotans that are hearing impaired have access to quality interpreter services in government, schools, health care facilities, law enforcement and courts. Again quality interpreter are needed to assure the hearing impaired person can gets a fair opportunity get and give information when dealing with these agencies in usually very important situations.

I feel that the licensing of Interpreters will be an important step to ensure quality control in this profession and will help agencies and individuals know they are getting interpreters and not just someone that may know some sign language.

Knowing my daughter will have a better chance to get quality interpreters when she needs them, whatever the circumstance, will go a long way to help ease some of the fears that go with being a parent.

You have heard about the work going on in the state to train more interpreters to get them into the profession. You also have heard testimony today from consumers, interpreters, and parents speaking in favor of passage of this bill and I hope you will take that into consideration during your deliberations.

Thank you for your time and attention this afternoon.

West Side Ft. Union room  
5:00

Qualified Sign Language Interpreters

Amos Lugo - Benkh Lake River Coal

Why do we need interpreter?

Any communication and learning outside  
of the deaf population with the hearing  
people includes an interpreter.

Clinic - buy a car -

Hospital - police - courts - social workers -

rent apartment -

get a good sermon on Sunday morning

Lisa had an unqualified interpreter  
in a class at the Devil Lake  
high school = confusion - no learning  
happening = the problem was taken  
care of = Lisa earned an A  
in that class.

Dept. of Public Instruction has very  
strict guidelines with certifying teachers  
for our children =

Why not certify Sign Language interpreters?  
Thank you so much!

**TESTIMONY ON HB 1304**  
**HOUSE HUMAN SERVICES COMMITTEE**  
**January 22, 2001**  
**Department of Public Instruction**

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Madam Chairman and members of the committee:

My name is Bob Rutten and I am the Director of Special Education for the Department of Public Instruction. I can be reached at 328-2277. On behalf of the DPI, I am here to provide information regarding House Bill 1304 relating to the licensure of interpreters for persons who are deaf or hard of hearing.

During the last two North Dakota Legislative Assemblies the Department of Public Instruction has expressed support for bills that are essentially identical to House Bill 1304. As part of our office's responsibilities under the Individuals with Disabilities Education Act we are charged with ensuring that appropriately trained and qualified persons work with students who have disabilities in the schools of our state. Educational interpreters fall within the realm of that responsibility.

For a national perspective on this issue I would like to share some information from a November 2000 report prepared by the National Association of State Directors of Special Education. This organization conducted a national survey of state education agencies last year on the topic of educational interpreters for students who are deaf and hard of hearing. Our office contributed North Dakota data to this survey.

The survey report notes "the level of proficiency of some people providing educational interpreting services is considered to be below acceptable levels. Anecdotal cases abound of schools using the services of uncertified parents, who often have had only community education classes in signing. Some people who are

providing interpreting services in the public schools are not officially educational interpreters because they do not have the training or certification necessary to meet the requirements. Some teachers have 'just enough' sign training that they are allowed to interpret for the one child in the class for whom services are needed." From my educational point of view, this lack of proficiency of persons interpreting for students who are deaf or hard of hearing is the very reason why HB 1304 is back before your committee today.

In recognition of the challenge of providing an appropriate education for students who are deaf and hard of hearing the Department of Public Instruction continues to provide financial support for a cadre of students to become appropriately trained interpreters. North Dakota was an early partner in the Educational Interpreting Certificate Program based at Front Range Community College in Colorado. This is a unique program involving a growing number of states to deliver an interactive training opportunity using distance education strategies and technologies to interpreters in the participating states. In North Dakota we currently have 8 individuals involved in this program. The state departments of education cooperating in this training and the BIA have agreed to recognize this certificate as documentation of a recognized course of study for educational interpreters working with our states.

The Department of Public Instruction also has provided written support and technical assistance for the new Sign Language and Interpreting Studies Program at Lake Region State College in Devils Lake. Our support for these two programs in Colorado and Devils Lake is an attempt to influence the number of available and appropriately qualified interpreters for students in the schools of North Dakota.

North Dakota is also currently involved in meetings with representatives from several mid-western states exploring a regional approach to educational

interpreter assessment and certification. One obvious benefit of this is that this regional approach would be "border free" and the certificate would be accepted by all states in our region.

It is important to note that interpreter certification is not just a public school issue. The availability of appropriately qualified interpreters also affects adults who are deaf, adult services providers, and interpreter services in medical, legal, business and governmental settings.

In December, 2000 members of our staff met with representatives from the North Dakota Department of Vocational Rehabilitation and the Education Standards and Practices Board. Our three separate agencies explored certification options for interpreters while keeping in mind the roles and responsibilities of our various organizations. With a recognition that legislation similar to that of previous sessions was possible during the 2001 assembly we openly wondered whether circumstances and the availability of funding had sufficiently changed since the last legislative session that would now make certification of interpreters any more likely. Doubt was expressed that a new bill would have any better chance of passing than its predecessors. We made a recommendation to the North Dakota Association of the Deaf that a group of individuals representing consumers of interpreter services and others with a legitimate interest in quality interpreter services be established. We expressed a need to study and consider facts relating to the creation of an interpreter certification process that would assure quality services across all interpreter settings in North Dakota.

**TESTIMONY FOR HB1304  
JANUARY 22, 2001  
GIVEN BY CYNTHIA (CINDY) KUPFER  
WESTERN REPRESENTATIVE  
ON BEHALF OF DIXIE DUNCAN  
PRESIDENT OF ND RID**

My name is Dixie Duncan, I am the President of the North Dakota Registry of Interpreters for the Deaf. NDRID would like to voice our support for Interpreter Licensure with the requirement of certification, NDRID feels there is a need for a law where interpreters must provide the necessary credential to validate their skill. Currently there are interpreters in educational setting that are not qualified to be interpreting into a different language thus hindering the educational process for the deaf student. Licensure with the requirement of certification would be a hiring tool for school districts who have little or not knowledge of Sign Language to determine whether the individual applying for an interpreting job is capable of doing the job.

If HB1304 is sent to study committee, NDRID is interested in being involved in the process. Being a professional organization for sign language interpreters, NDRID is in the position to provide the people and expertise to aid this process.

Thank you





*Certified Assessment Levels: ( See end of document for further description.)*

- Level III (Generalist) The individual who attains this level possesses above average voice-to-sign skills, good sign-to-voice skills, and demonstrates the interpreting skill necessary for some situations.
- Level IV (Advanced): The individual who attains this level possesses excellent voice-to-sign skills and above average sign-to-voice skills, and demonstrates the interpreting skill necessary for most situations.
- Level V (Master): The individual who attains this level possesses superior voice-to-sign skills and excellent sign-to-voice skills, and demonstrates the interpreting skill necessary for just about all situations.

**Assessment Sites** Since its inception, the NAD Interpreter Assessment and Certification Program has expanded to eleven (11) state affiliates: Alabama, Idaho, Minnesota, New Mexico, Nevada, North Dakota, South Carolina, South Dakota, Washington, and West Virginia. Responsibility for evaluations conducted in the state of California remains with the California Coalition of Agencies Serving the Deaf and Hard of Hearing (CCASDHH).

NAD Headquarters develops cooperative agreements with qualified state associations and/or state association-designated state agencies for state-based NAD Interpreter Assessment and Certification Program affiliate operations.

Prospective candidates wishing to undergo assessment should contact the NAD state affiliates listed herein to obtain evaluation application, location and schedule specifics:

**STATE ASSESSMENT COORDINATORS**

**Alabama:** Judith Gilliam, State Assessment Coordinator, Alabama Association of the Deaf;  
256/362-1415 TTY; 256/362-1495 FAX; [jmgilliam@mcimail.com](mailto:jmgilliam@mcimail.com)

**Idaho:** Janelle Lancaster, State Assessment Coordinator, Idaho Association of the Deaf,  
208/735-0046 TTY; 208/10.9.97733-5071 FAX; [ajlanc@magiclink.com](mailto:ajlanc@magiclink.com)

**Minnesota**

Amy Hile, State Assessment Coordinator, Minnesota Association of Deaf Citizens  
[amyhile@aol.com](mailto:amyhile@aol.com)

**Nevada**

Max Brown, State Assessment Coordinator, Nevada Association of the Deaf  
in care of Norma Chrismon ([NormaLeal@aol.com](mailto:NormaLeal@aol.com)) 702/799-2386 TTY; 702/799-2382 FAX; 702-259-6286 FAX;

**New Mexico**

Jane Knox, State Assessment Coordinator,

New Mexico Commission for the Deaf and Hard of Hearing

505/827-7588 TTY; 505/827-7584 V; 505/827-7587 FAX; [jank@doh.state.nm.us](mailto:jank@doh.state.nm.us)

**North Dakota**

Michele Rolewitz, State Assessment Coordinator, North Dakota Association of the Deaf

701/231-7135 TTY; 701/231-8756 FAX; [rolewitz@badlands.nodak.edu](mailto:rolewitz@badlands.nodak.edu)

**South Carolina**

John Moore, Executive Director, State Assessment Coordinator, South Carolina Association of the Deaf

803/794-7059 TTY; 803/794-3175 V; 803/796-1133 FAX; [SCADeaf@aol.com](mailto:SCADeaf@aol.com)

**South Dakota**

Clarke Christianson, State Assessment coordinator, SD Division of Rehabilitation Services

605/773-4577 TTY; 3195 V; 5483 FAX; [clarke@cdhs.state.sd.us](mailto:clarke@cdhs.state.sd.us)

**Washington**

G. Leon Curtis, State Assessment Coordinator, Washington State Association of the Deaf

360/902-0699 TTY; 360-902-8000 V; 360/902-0855 FAX; [glecurtis@mcimail.com](mailto:glecurtis@mcimail.com) or [curtigl@cdshs.wa.gov](mailto:curtigl@cdshs.wa.gov)

**West Virginia (cancelled all evaluations for 1999 due to reorganization efforts by the State)**

Kara Russell,

West Virginia Commission for the Deaf and Hard of Hearing

304/558-2175 TTY/V; 304/558-0026 TTY; 304/558-0851 FAX; [krussell@wvcdhh.org](mailto:krussell@wvcdhh.org)

**And in California:**

Susan Snapp

213/478-8000 TTY/V; 213/550-4205 FAX

[sgsnapp@aol.com](mailto:sgsnapp@aol.com)

\*\*\*\*\*

**COMMONLY ASKED QUESTIONS:**

**How much does it cost?** Varies from state to state.

**When are tests administered?** Varies from state to state. See above for contact numbers.

**2. What is the difference between RID and NAD ?**

- a. RID has written tests; NAD has oral examinations at the time of the interview.
- b. RID tests are done through videotaping; NAD assessments are done live.
- c. NAD provides a profile indicating specific strengths and weaknesses.
- d. NAD test tapes were developed by members of the deaf community.

3. How will the NAD/RID test impact everything? Will I be grandfathered in if I pass?

At this time the NAD/RID Test Development task force is working very hard on this. The NAD/RID Task Force has been having meetings addressing this issue among other things. Until any official action is taken, it might be wise to do all you can to be prepared.

4. How many states recognize NAD interpreter certification?

Other than states listed above, many states have in their laws a generic statement, "any nationally recognized certification." Some other states specify, RID and/or NAD along with the state's own QA system. Yes, there are states that specifically do not recognize NAD because people have not taken the time to propose changes in their own state legislation.

5. Does the NAD provide certification for educational or legal interpreting ?

No, not at this time.

6. Does the NAD certify deaf people ?

The NAD certifies deaf people and Level 5 interpreters as assessors after intensive training and evidence of successful performance of assessment. However, the NAD has not yet gotten into the business of certifying deaf people as interpreters.

7. Does the NAD require certificate maintenance (i.e. CEU)?

Yes. There are options. Renewal dates have just gone into effect: 5 years from issuance date as of September 1, 1997.

Every five years NAD certified interpreters should renew their certificate by: a) showing evidence of 700 hours a year of interpreting employment; OR b) showing evidence of taking 25 hours a year of workshops related to interpreting; OR, c) by taking the test again, especially if they are at level 3 and 4 to get higher rating.

For Level 5 interpreters, #a) showing evidence of 700 hours a year of interpreting employment applies; and, if the NAD certified interpreter is an instructor, this would be taken into consideration. Of course, Level 5 interpreters could re-take the test though it wouldn't make too much sense in many cases especially if they have worked 700 hours each year. After 5 years, this would total 3500 hours.

People constantly ask for names of courses/workshops to take. At this point, anything that will assist them in their work. We do not want to specify for fear of pigeonholing --the very fact that they go to a workshop related to interpreting --be it on "composure" or on reading fingerspelling will in itself be educational.

8. How do NAD levels compare with RID ?

They don't. To better understand why, you might find the following additional descriptions helpful.

#### Level 1: POOR/MARGINAL PERFORMANCE

This person demonstrates very little skill on a given task; scattered phrases or concepts may be completed correctly. The person has trouble conveying smoothly all that is voiced or signed. Misses more than is acceptable, pauses often; demonstrates jerkiness and lags too far behind. May fingerspell too much, use conceptually incorrect signs, or demonstrates distracting mannerisms. Not at all ready to interpret.

#### Level 2: BELOW AVERAGE PERFORMANCE

This person may demonstrate ability to facilitate communication on a basic level but unable to complete task according to generally accepted interpreting standards; may do well in some parts, then do poorly

...er areas. Exhibits weakness, i.e.: too much deletion, too much fingerspelling; use of conceptually incorrect... May demonstrate reasonably good ability in voice to sign interpreting in straight English interpreting situations but fare poorly in sign to voice situations where reliance on ASL may be necessary. Might be of some assistance in simple one-on-one situation where only manually coded English would be required.

**Level 3: AVERAGE PERFORMANCE**

This person demonstrates good interpreting abilities; skill shown is acceptable in meeting generally accepted interpreter standards. Occasional words, or phrases may be deleted in order to keep up with speaker or signer, but the expressed concept is accurate. Performance is generally accurate and consistently so; and someone you would feel reasonably comfortable in most interpreting situations.

**Level 4: ABOVE AVERAGE PERFORMANCE**

This person demonstrates above average skill in any given area. Performance is consistent and accurate. Fluency is smooth, with very little deletion, and the viewer has no questions as to the candidate's competency. Should be able to interpret and interpret well in any situation.

**Level 5: SUPERIOR PERFORMANCE** (IF NOT A NATIVE USER, THEN COULD ALMOST PASS FOR ONE) This person demonstrates excellent to outstanding ability in any given area. Performance is practically without flaw and this is the person you would go out of your way to seek to interpret for you.

9. So, NAD certified interpreters are to be paid just as much if not more than RID certified interpreters

Absolutely!

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*For further specifics on the NAD Interpreter Assessment and Certification Program, contact: Nancy B. Rarus, Associate Executive Director, Programs , 814 Thayer Avenue, Silver Spring, MD 20910- 4500; 301/587-1789 TTY; 301/587-1788 Voice; 301/587-1791 FAX; Internet: [NADInterp@NAD.ORG](mailto:NADInterp@NAD.ORG)*

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## Professional Sign Language Interpreting

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### What Is Interpreting?

Interpreting, simply stated, is receiving a message in one language and delivering it in another. Not as simple as it sounds, interpreting is a complex process that requires a high degree of linguistic, cognitive and technical skills.

Professional sign language interpreters develop interpreting skills through extensive training and practice over a long period of time. Interpreters continue to actively improve their skills, knowledge, and professionalism through membership in RID. An increasing number of interpreters have completed college or university interpreter education programs, earning associates, bachelors, and/or masters degrees in interpreting. Some interpreters have also obtained advanced degrees in related fields such as linguistics or cultural studies.

Sign language interpreting is a highly specialized field; simply knowing both sign language and English does not qualify a person as an interpreter. The professional sign language interpreter is able to adjust to a broad range of deaf consumer preferences and/or needs for interpretation. Some deaf individuals use American Sign Language, a natural language with its own grammar and structure that is distinct from English. Others prefer a form of signing that more closely follows the grammar and structure of spoken English. The professional interpreter is expected to work comfortably along this wide spectrum. Sometimes it is necessary to have two or more interpreters working simultaneously in order to satisfy the preferences and needs of a varied audience.\* On occasion, one of the interpreters may be a deaf individual\*\* or a person fluent in a language other than English or American Sign Language. Interpreters should be aware of and sensitive to ethnic/cultural and linguistic concerns.

### Where professional interpreters work

Interpreters work in a variety of settings and situations. Many interpreters work in private practice; they are self-employed. From scheduling assignments to handling billing, the interpreter is responsible for all business aspects.\*\*\* The private practice interpreter may also receive assignments through interpreter service agencies. Others interpreters are salaried staff of an agency, institution, or corporation.~ Still others interpret in educational settings-from pre-school to graduate school and any level in between. Interpreters work in settings as intimate as a private therapy session or as public as a televised address at a national political convention. The interpreter must be a versatile, flexible, skilled professional.

## Interpreter Ethics

Professional interpreters adhere to the RID Code of Ethics. This Code, shown on the final page of this brochure, holds interpreters to a high level of professionalism in matters of interpretation and business practices.

## Interpreting Credentials

In the field of interpreting, as in other professions, appropriate credentials are an important indicator of an interpreter's qualifications. The Registry of Interpreters for the Deaf (RID) awards certification to interpreters who successfully pass national tests. The tests assess not only language knowledge and communication skills, but also knowledge and judgment on issues of ethics, culture and professionalism. An interpreter may hold one or more certifications. Information on certifications is available from RID.

Some common sign language interpreting certifications are:

- CI - Certificate of Interpretation
- CT - Certificate of Transliteration
- CSC - Comprehensive Skills Certificate
- SC:L - Specialist Certificate: Legal
- IC - Interpretation Certificate
- TC - Transliteration Certificate
- CDI - Certified Deaf Interpreter

To verify an individual interpreter's current certification status, contact the Association's National Office.

The Association has played the leading role in establishing a national standard of quality for interpreters and is committed to continued professionalism in the practice of sign language interpretation. Local interpreter service agencies, individual interpreters or the Association's national office can provide information on certified interpreters and interpreting throughout the United States.

RID has a series of Standard Practice Papers available upon request. Footnotes frequently reference these materials.

\* see Team Interpreting

\*\* see Use of a CDI

\*\*\* see Business Practices: Billing Considerations

~ see Multiple Roles

# REGISTRY OF INTERPRETERS FOR THE DEAF

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## Code of Ethics

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The Registry of Interpreters for the Deaf, Inc. has set forth the following principles of ethical behavior to protect and guide interpreters and transliterators and hearing and deaf consumers. Underlying these principles is the belief in the right for all the right to communicate.

This Code of Ethics applies to all members of the Registry of Interpreters for the Deaf, Inc. and to all certified non-members.

- Interpreters/translitterators shall keep all assignment-related information strictly confidential.
- Interpreters/translitterators shall render the message faithfully, always conveying the content and spirit of the speech using language most readily understood by the person(s) whom they serve.
- Interpreters/translitterators shall not counsel, advise or interject personal opinions.
- Interpreters/translitterators shall accept assignments using discretion with regard to skill, setting, and the consumer involved.
- Interpreters/translitterators shall request compensation for services in a professional and judicious manner.
- Interpreters/translitterators shall function in a manner appropriate to the situation.
- Interpreters/translitterators shall strive to further knowledge and skills through participation in workshops, professional meetings, interaction with professional colleagues, and reading of current literature in the field.
- Interpreters/translitterators, by virtue of membership or certification by the RID, Inc., shall strive to maintain high professional standards in compliance with the Code of Ethics.

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**WWW.RID.ORG**



## REGISTRY OF INTERPRETERS FOR THE DEAF

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### The National Testing System (NTS)

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[| Explanation of Certificates](#) | [Deaf Interpreter Exam Process](#) | [Generalist Exam Process](#)  
[| Legal Exam Process](#) | [Oral Exam Process](#) | [CI and CT Rating Criterion](#) | [Rating Scales](#) | [Test Application](#)  
[| Eligibility Requirements](#) | [General NTS Info](#) | [Test Sites & Dates](#) |

RID has taken a holistic and proactive approach in developing its national certification system by using the triad concept. The components of the triad are as follows:

- The National Testing System, (NTS).
- The Certification Maintenance Program, (CMP) (an avenue through which the continued skill development of certified interpreters/transliterators is monitored and nourished).
- The Ethical Practices System, (EPS) (a vehicle which provides an opportunity for consumers to address concerns or file complaints regarding the quality of interpreter/transliterator services).

The National Testing System has been an important part of RID since 1970, when RID began preliminary testing of sign language interpreters. Full implementation of the national certification system began in 1972. Under this program, both full and partial certificates were offered. The full certificates offered were the Comprehensive Skills Certificate (CSC), and, the Reverse Skills Certificate (RSC) which was awarded to interpreters/transliterators who are Deaf or hard-of-hearing. Partial certificates were also offered for expertise in several segments of the interpretation/transliteration arena. Specialty certificates were developed during 1975-1978, to include the legal (SC:L), and performing arts (SC:PA) certificates. The certification in oral interpretation (OIC: C, etc.) was offered between 1979-1983.

In 1983, a nationally recognized panel of professional interpreters/transliterators was formed under the name of the National Evaluation System Study Committee (NESSC). It was charged with the task of making recommendations related to the development and implementation of a national, standardized, valid, and reliable test for the certification of sign language interpreters. The findings and recommendations of this committee were approved by the RID membership and became the foundation for the current testing system.

The current RID National Testing System (NTS), implemented in 1987, has two components to each test offered: a written test and a performance test. The current testing system strives to maintain strict adherence to nationally recognized, testing industry standards of validity, reliability, equity and legal defensibility. As a result, an independent psychometrician (test development expert) is retained by RID and oversees all test development and revision processes.

The two tests implemented in 1988 were the Certificate of Interpretation (CI), and the Certificate of Transliteration (CT). For more information on these certificates, refer to the Explanation of Certificates in this directory. RID currently administers over 1,000 tests per year between the written and performance exams.



Over the past several years, RID has put significant effort into the development of three new certificates. These new exams have been recently implemented, and the Task Forces and interpreters/transliterators that worked on these exams should be congratulated for all of their hard work. These three new certificates all follow the same model of testing as the CI and CT tests, with both a written and a performance component. These three new tests are:

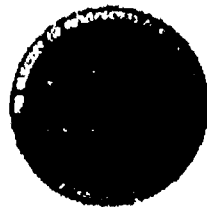
- **Certified Deaf Interpreter (CDI)**, for interpreters who are Deaf or hard-of-hearing and who may work in teams with hearing interpreters/transliterators or with other Deaf persons who may require the services of a Deaf interpreter. Plans are for the CDI test to be offered near the end of 2000. Until then, any qualified Deaf interpreter may apply to become a Certified Deaf Interpreter - Provisional (CDI-P).
- **Oral Transliteration Certification (OTC)**, for transliterators who transliterate a spoken message from a person who hears to a person who is deaf or hard-of-hearing and the ability to understand and repeat the message and intent of the speech and mouth movements of the person who is deaf or hard-of-hearing.
- **Specialist Certificate: Legal (SC:L)**, for interpreters that are already fully certified (CI and CT, or CSO) and work in a legal setting.

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# Fact Sheet of Interpreter Certification Bill

## What is an interpreter?

- Professionally speaking, an interpreter is a professional skilled person that he/she has gone through an extensive training and practice for a long period of time to provide the translation/transliteration to the deaf and hard of hearing consumers. An increasing number of interpreters have taken college/university level interpreter-training programs, earning associate, bachelor, and/or master degrees in interpreting. Professional interpreters are aware of and sensitive to ethnical/cultural and linguistic concerns. Professional interpreters are required to follow code of ethics set by the Registry of Interpreters for the Deaf (RID) and the National Association of the Deaf (NAD) in order to protect the consumers. The code of ethics is used as a guidelines for interpreters to become more professional in their working world.

## What is a sign language interpreting?

- A sign language interpreting is a highly specialized profession.
- Simply knowing both sign language and English does not qualify a person as an interpreter.
- A professional sign language interpreter is able to adjust to a broad range of deaf consumer preferences and/or needs for interpretation. Some deaf people use American Sign language, a natural language with its own grammatical syntax and structures that are visible and spatial which is distinct from English. Others prefer a form of signing that more closely follows to grammar and structure of spoken English.

## Will it affect the schools/agencies' financial responsibility if the bill passes?

- No, this bill does not say anything about their financial responsibility to upgrade the interpreter's salary. It is up to them to determine and should be based on certification levels and experience like a teacher's salary schedule, using guidelines provided by professional interpreting organizations. The Bill is about consumer's rights to obtain a proper services. Ideally, Department of Public Instruction - Special Education can set up guidelines on a salary schedule to help public school boards to determine the point system for interpreters.

## Why do we need certification of all interpreters practicing in North Dakota?

- The certification is a measure of each interpreter showing his/her skills and knowledge from three to seven different levels. This would help the agency and school to hire an interpreter much easily by identifying appropriately trained interpreters.
- Both NAD and RID certifies interpreters who successfully passed their interpreting tests at national level. The tests assess language knowledge, communication skills, knowledge on ethics, culture and professionalism. NAD offers three different levels of certification and RID offers seven types of certification based on each interpreter's ability to interpret.

## Are there some exceptions that do not require the certification?

Yes

Some examples of exceptions-

- Interpreters working at religious activities.
- Interpreters working as volunteers without compensation.
- Interpreters working in an emergency. An emergency is a situation where the consumer decides that delay necessary to obtain a licensed interpreter is likely to cause injury or loss to the consumer.
- A person using sign language or a manual communication system as a means of communication with or on behalf of a family member, a deaf person, a deaf-blind person, a speech impaired person or hard of hearing person specifically requesting a certain person.
- Communications made as a reasonable accommodation for the employment of deaf, deaf-blind, speech impaired or hard of hearing person.
- Communications with a deaf, deaf-blind, speech impaired or hard of hearing person who could not communicate using American Sign Language, or English-based sign language.

## Why do the North Dakota Association of the Deaf and North Dakota Chapter of Registry of Interpreters the Deaf support the bill?

- Both jointly worked together to work on this legislation to satisfy all parties to make sure the consumers have a greater access to the information made available by interpreting services.
- In 1996, the North Dakota Association of the Deaf took a survey and found that many deaf

consumers were not satisfied with the existing interpreting services, especially so with the interpreters with poor receptive skills. 96 percent of those surveyed wanted the interpreters to be certified/licensed in order to protect themselves which is why the North Dakota Association of the Deaf has to ask for a legislation to provide a certification mechanism to ensure quality interpreting services for the deaf consumers.

*Jim Fleming*  
*1304*

**8<sup>th</sup> Annual Attorney Certification Seminar  
in Professional Regulatory Law**

**Delegation – An Analysis of Practice Acts  
Saturday, November 4, 2000  
9:45 – 10:30 a.m.**



**Dale J. Atkinson  
Atkinson & Atkinson  
1603 Orrington Avenue  
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Evanston, IL 60201  
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Fax 847-864-0588  
E-mail: AandAatLaw@aol.com**

- What's at stake?

- Pitfalls

changed standards  
changed name

- Due Process

entitlement

- Judicial Consideration: Ask -

- a. are private delegate's actions subject to meaningful review by branch of government;
- b. are persons affected by delegate's actions adequately represented in decision making;
- c. is delegate's power limited to making rules or does delegate apply law to individuals;
- d. does delegate have pecuniary or personal interest that may conflict with public function;
- e. is delegate empowered to define criminal acts or impose criminal sanctions;
- f. is delegation narrow in duration extent and subject matter;
- g. does delegate possess special qualifications; and
- h. has legislature provided standards to guide delegate.

(See: *FM Properties Operating Co. v. City of Austin*  
22 S.W.3d 868 (TX 2000))

*Texas Boll Weevil Eradication Foundation, Inc. v. Lewellen*  
952 S.W.2d 454 (TX 1997))

**TESTIMONY ON HB 1304**  
**SENATE HUMAN SERVICES COMMITTEE**  
**March 12, 2001**  
**Department of Public Instruction**

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Madam Chairman and members of the committee:

My name is Bob Rutten and I am the Director of Special Education for the Department of Public Instruction. I can be reached at 328-2277. On behalf of the DPI, I am here to provide information regarding House Bill 1304 relating to the licensure of interpreters for persons who are deaf or hard of hearing.

During the last two North Dakota Legislative Assemblies the Department of Public Instruction has expressed support for bills that called for the licensure and certification of interpreters. As part of our office's responsibilities under the federal Individuals with Disabilities Education Act we are charged with ensuring that appropriately trained and qualified persons work with students who have disabilities in the schools of our state. Educational interpreters fall within the realm of that responsibility.

For a national perspective on this issue I would like to share some information from a November 2000 report prepared by the National Association of State Directors of Special Education. This organization conducted a national survey of state education agencies last year on the topic of educational interpreters for students who are deaf and hard of hearing. Our office contributed North Dakota data to this survey.

The survey report notes "the level of proficiency of some people providing educational interpreting services is considered to be below acceptable levels. Anecdotal cases abound of schools using the services of uncertified parents, who

often have had only community education classes in signing. Some people who are providing interpreting services in the public schools are not officially educational interpreters because they do not have the training or certification necessary to meet the requirements. Some teachers have 'just enough' sign training that they are allowed to interpret for the one child in the class for whom services are needed." From my educational point of view, this lack of proficiency of persons interpreting for students who are deaf or hard of hearing is the very reason why HB 1304 is back before your committee today.

In recognition of the challenge of providing an appropriate education for students who are deaf and hard of hearing the Department of Public Instruction continues to provide financial support for a cadre of students to become appropriately trained interpreters. North Dakota was an early partner in the Educational Interpreting Certificate Program based at Front Range Community College in Colorado. This is a unique program involving a growing number of states to deliver an interactive training opportunity using distance education strategies and technologies to interpreters in the participating states. In North Dakota we currently have 10 individuals involved in this program. The state departments of education cooperating in this training and the BIA have agreed to recognize this certificate as documentation of a recognized course of study for educational interpreters working with our states.

The Department of Public Instruction also has provided written support and technical assistance for the new Sign Language and Interpreting Studies Program at Lake Region State College in Devils Lake. Our state advisory committee on the education of students with disabilities is also scheduled to consider additional support for the new program at Lake Region State College. Our support for these two programs in Colorado and Devils Lake is an attempt to positively influence the number of available and appropriately qualified interpreters for students in the

schools of North Dakota.

North Dakota is also currently involved in meetings with representatives from several mid-western states exploring a regional approach to educational interpreter assessment and certification. One obvious benefit of this is that this regional approach would be "border free" and the certificate would be accepted by all states in our region. All consortium states and individuals will have access to a standardized assessment system that states can use for purposes of state licensure and certification as well as reciprocity.

It is important to note that interpreter certification is not just a public school issue. The availability of appropriately qualified interpreters also affects adults who are deaf, adult services providers, and interpreter services in medical, legal, religious, business and governmental settings.

In December, 2000 members of our staff met with representatives from the North Dakota Department of Vocational Rehabilitation and the Education Standards and Practices Board. Our three separate agencies explored certification options for interpreters while keeping in mind the roles and responsibilities of our various organizations. With a recognition that legislation similar to that of previous sessions was possible during the 2001 assembly we openly wondered whether circumstances and the availability of funding had sufficiently changed since the last legislative session that would now make certification of interpreters any more likely. Doubt was expressed that a new bill would have any better chance of passing than its predecessors. We made a recommendation to the North Dakota Association of the Deaf that a group of individuals representing consumers of interpreter services and others with a legitimate interest in quality interpreter services be established. We expressed a need to study and consider facts relating to the creation of an interpreter certification process that would assure quality services across all interpreter settings in North Dakota.



In consideration of the current version and requirements of HB 1304, the Department of Public Instruction stands by this earlier recommendation for a systematic study of how our state should answer the following questions:

How will North Dakota consistently:

- ensure the quality of interpreter services;
- ensure the availability of appropriately trained interpreters; and
- ensure that all employers of interpreters understand the need to hire only those individuals who can interpret with the competency and professional conduct required for the deaf clients that are being served?

Good afternoon Madame Chair Lee, Vice Chairman Kilzer, and Members of the Senate Human Services Committee:

My name is David Zimmerman. I am a teacher at the North Dakota School for the Deaf in Devils Lake and..., I am also deaf.

I am here to provide testimony in support of HB1304 which has been introduced and amended into legislation by Reps. Maragos, Galvin, Brekke, and Senator Traynor. This is not the first time this bill regarding the certification and licensing of interpreters has been considered by ND Legislators. We, the Deaf citizens of ND, along with our families and friends, are here to try again; and are committed in our endeavors to ensure that we are provided with **our right** to have equal access to **all** forms of communication.

In the past, opponents have testified against this bill for some of the following reasons:

1) Because Deaf people are a minority in the state, and because the low numbers of deaf students, by some estimates, are not considered to constitute a "critical mass," this bill has been inaccurately assumed to be cost prohibitive.

2) The shortage of interpreters in ND would become even more critical if interpreters currently employed by educational, federal, state, and local governmental agencies were unable to achieve certification.

3) Deaf students attending public schools don't need to have access to instruction in their native language. (Unfortunately this idea implies that an individual who possesses minimal sign language skills can accurately convey all information shared between deaf and hearing consumers.)

We believe these testimonies have been misleading, inaccurate, and have prohibited and negatively impacted--the rights of Deaf children and adults in our state. I would like to address these concerns, and make you aware of some information that will clarify the necessity for this bill that, as a law, would protect our rights.

- Whether or not the number of deaf people in our state constitutes a critical mass is irrelevant. The Americans with Disabilities Act (ADA) specifically addresses the rights of individuals regardless of the population number. We are entitled to have access to quality communication in our state's public schools, hospitals, clinics, and in our dealings with governmental agencies at all levels. The ADA defines a "qualified" interpreter as one who is "able to interpret effectively, accurately, and impartially both receptively and expressively, using any necessary specialized vocabulary." The definition recognizes that the interpreting skills needed for some types of communication may be higher than for other types of communication. (See Federal Regulation 28 C.F.R. §35.104; 28 C.F.R.

§36.104.) I ask you, what kind of communication issues could be more important than those related to our health, safety, and education? The qualifications of an interpreter must be determined on a case by case basis.

- Certification and licensure would ensure that individuals who receive compensation for interpreting services have the competencies required to provide equal access to communication. We believe that a signer who is unable to pass a quality assurance test at the desired level should not be working as an interpreter because they do not have the skills necessary to provide deaf people with the information that they seek, that they want, and that they require. As a consumer of interpreter services, I can tell you from experience that unskilled interpreters are unable to provide me with the information I need to fully participate in professional/business meetings. The argument that a non-skilled interpreter is better than no interpreter is unacceptable. If a deaf student in a public school is receiving anything less than 100% of the same information that a hearing student does, he/she is being denied equal access.
- The National Association for the Deaf provides the following illustration: "Deaf and hard of hearing people deserve to have qualified, skilled interpreters who know what they are doing. Interpreters who struggle with their own expressive and receptive sign skills are difficult to understand, and are inadequate at conveying their deaf clients' messages. This situation benefits no one in the long run. Deaf and hard of hearing people get frustrated, hearing people (businesses, speakers, interviewers, etc.) form an unfavorable impression of the entire experience, and the interpreting profession gets shortchanged. Let us put this another way: would you have the nerve to go to the French Embassy and tell them that you want to work as a French interpreter, armed with just a semester's worth of French? " ([www.NAD.org](http://www.NAD.org))
- While the supply of interpreters in general is short, the supply of "qualified" interpreters is much shorter. ADA specifies that programs covered by ADA must provide "qualified" interpreters. We appreciate the efforts being made by the ND Department of Public Instruction (DPI) in addressing the issue of providing skilled interpreters in our classrooms. For the past two years, DPI, in conjunction with Front Range Community College in Westminster, Colorado, has allocated funding for nine of our state's twelve educational interpreters with access to 'distance interpreter courses' that has provided them with training to improve their knowledge and skills so that they may better meet the needs of the students they serve. It would only stand to reason that since they have received needed training and knowledge, at the state's expense; that as working professionals, we should expect them to seek certification.
- Representatives from the ND School for the Deaf and the ND Dept. of Public Instruction are working cooperatively with members from nine other states with the Regional Assessment System (RAS), to establish a means of evaluating and certifying interpreters

working in K-12 educational settings. Member states of the RAS would recognize and support the certification of educational interpreters during the hiring process.

- In the spirit of collaboration, the ND School for the Deaf and Lake Region State College have established a training program to address the shortage of educational interpreters in our state. This program utilizes resources from both institutions to provide core classes for students interested in pursuing sign language interpreting as a career.
- We are not asking for immediate certification of interpreters—we realize that “things don’t happen overnight.” We are stating that passage of a law to certify and license interpreters would provide needed incentive for those already being compensated for the interpreting services they render, to seek professional certification. School districts and governmental agencies would no longer have to pay “top dollar” for inadequate interpreting services provided by non-certified individuals. Pay scales could be modified to reflect a person’s certification status.
- The ND Association of the Deaf has provided awareness workshops in regions throughout our state to educate professionals and business owners regarding their responsibilities as service providers. The meetings have been poorly attended, making it difficult for deaf people to express their needs and concerns. Organizations such as the: ND Association of the Deaf, the ND Registry of Interpreters for the Deaf, the Friends of Deaf Children Foundation, the ND School for the Deaf and the ND Department of Public Instruction, Lake Region State College, and Communication Services for the Deaf have combined their efforts to advocate for deaf individuals in our state.

Services for people with disabilities have improved since the inception of the ADA law in 1990; however, access to quality interpreter services for those of us who are deaf remains a serious concern.

Before you consider passing HB 1304, we urge you to reinstate the Penalty Clause which appeared in the original draft. The Penalty Clause stated that: “Any person violating this chapter is guilty of a class B misdemeanor.” Without this clause, this bill has “no teeth” and no merit.

I respectfully urge you to consider a “DO PASS” on HB1304 with reinstatement of the Penalty Clause. Thank you for your time. If you have any questions, I’d be happy to address them at this time.

*Rep. Maragos*

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL 1304

Page 1, remove lines 16 through 19

Page 1, line 22, replace "holds a valid nationally recognized certification" with "meets the qualifications established by the Department of Public Instruction by administrative rule"

Page 1, line 24, replace "certification requirement" with "qualifications established by the Department of Public Instruction"

Page 2, line 11, remove "licensed" and after "interpreter" insert "who meets the qualifications established by the Department of Public Instruction"

Renumber accordingly

March 12, 2001

Good morning Madam Chairman Lee, and members of the Senate Human Services Committee.

My name is Rocky Cofer, I am a parent of a deaf child and also the Superintendent at the North Dakota School for the Deaf.

I am here to give testimony in support of House Bill 1304 introduced by Representatives *Delvin*, Maragos and Brekke, and Senator Traynor.

As a parent and an educator, I believe we must have and use well trained people in jobs that serve our children. Interpreters serve a very important function in the education of deaf children in classrooms in public school and college settings. The interpreters deliver the information provided by the instructors and other students in the classroom during lectures and other classroom activities and in turn voices the thoughts of the deaf child when he or she wants to convey information back to the teacher or other students, in a sense, the ears and voice of the student.

By law we all must have equal access to information and it is imperative that all North Dakotans that are hearing impaired have access to interpreter services in government, health care facilities, law enforcement and courts. Again quality interpreters are needed to assure the hearing impaired person can get a fair opportunity to get and give information when dealing with these agencies in usually very important situations.

I feel the certification of interpreters will be an important step to ensure quality control in this profession and will help agencies and individuals know they are getting qualified interpreters and not just a person that may know some sign language.

Knowing my daughter will have a better chance to get qualified interpreters when she needs them, whatever the circumstance, will go a long way to help ease some of the fears that go with being a parent.

You have heard about the work going on in the state to train more interpreters to get them into the profession. You also have heard testimony today from consumers, interpreters, and parents speaking in favor of passage of this bill and I hope you will take that into consideration during your deliberations.

Thank you for your time and attention this afternoon.