

**Central New York Registry of  
Interpreters for the Deaf  
PO Box 461  
Camillus, New York 13031**

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January 25, 2012

Mr. David Staehle  
ESAD

Dear David:

Thank you for sending Draft # 2 of ESAD's proposal to license sign language interpreters in New York State. We shared the draft with our members and colleagues and gathered their feedback via email due to time constraints.

Please be assured that the members of the CNYRID appreciate ESAD's initiative, time and energy in writing this draft to propose state requirements in order to provide quality interpreter services.

Some of the comments included in this response are more general, others are more specific with reference to the draft itself, and still others are questions. However, all the feedback still has the intention of providing ESAD with valuable information.

Article 167

Section 8801

(1) The term **client** in our field means anyone who utilizes our services, whether they are a hearing person, a deaf person, a deaf-blind person or a hard-of-hearing person.

Section 8803

(1)(b) It is not possible to have two interpreters who are **already** licensed in NYS by a board that is not established yet.

(2) Interpreters already have the existing NAD-RID Code of Professional Conduct that we are bound to follow. The RID also has a grievance process in place. It is hoped that this board would follow this national document so that interpreters are not put into a quandary as to which code to follow.

Section 8804

Why is a license being required instead of just certification?  
Teacher's do not have to have a license or pay a licensing fee every year--they receive certification.

(a)(iii)The RID requires an applicant who wants to take the NAD-RID National Interpreter Certification to have a BS or a BA in any field; it does not mandate that the degree be in sign language interpretation. That requirement is very limiting and supersedes what RID requires.

A BA or a BS in interpretation does not guarantee skill.

Is a person who has earned C's and D's but graduated to be viewed as having the same level of skill as a person who has all A's and B's?

Is a certificate of completion of an education and training program regarding interpretation viewed as comparable to a bachelors degree?

A person who has just completed a non-academic and/or non-credentialed program in interpreting but has received a certificate of completion cannot be judged to have competencies since there is no formal evaluation of their knowledge or skill within this non-academic and/or non-credentialed program. How do you know the quality of this person's knowledge base and skill?

(a) (iv) NAD interpreters with level 4 or 5 interpreting skills were welcomed into RID as having a comparable level of skills and knowledge as required by RID for certification.

An applicant needs to comply with **both Sections 8804 (iii) and (iv)**--why? Even if that is what is deemed necessary to be a practicing sign language interpreter at some point in the future, by stating this you have eliminated a large number of sign language interpreters who are already working and have the skill and knowledge base to do the job.

Exp.: One member has a Masters in ASL-English Interpretation from Gallaudet University but her BA is not in interpreting. Would she be able to continue interpreting in NYS?

Exp.: One member has a bachelors in another area but holds 2 RID certifications as well as the EIPA level 4 or above certification and has worked over 20 years in the educational field. Would she be able to continue interpreting in an educational setting K-12 in NYS?

Will there be an alternate pathway sanctioned for knowledge and years or experience for interpreters holding RID, NAD, and/or EIPA certifications that would satisfy the requirement for a BS or BA degree?

For interpreters in the educational setting, the Educational Interpreter Performance Assessment (EIPA) is the standard skill assessment tool that was recommended to the NYS Department of Education and used in many states across America, yet no mention of it was seen in this ESAD draft. Passing the EIPA performance test with a score of 4.0 or more as well as passing the written test earns recognition from the RID.

Will there be a "Grandfather Clause" for working interpreters that are currently employed? If so, will they be required to take an assessment and score at a specific level to continue working? Will there be mandatory training for interpreters who score below the acceptable level?

For interpreters working in educational settings K-12, a "grandfather clause" of "Educational interpreters presently working in educational programs for 'X' number of years within NYS and who hold RID and/or EIPA certification be granted time to improve their situation without loss of job. This could be under "limited licenses".

The member's comment above is based on the factor in working within an educational system for more than ten years, the candidate has knowledge and credence of educational programs, courses, student measures, support personnel roles, etc..... Many ITPs in NHYS do include aspects of training within the educational setting and often include internships.

Note: Is there a category for Educational Interpreters and/or Sign Language Interpreters in NYS?

What about other specialty areas? (medical, legal, etc.)

#### Section 8804

(1)(b)(4) Is this draft referring to a person who is a Certified Deaf Interpreter

(CDI)?

(2)(b)(3) Is this referring to a CDI?

The concept of a Certified Deaf Interpreter is not clear in this draft. In order to promote the use of CDI's, the draft needs to be explicitly clear about what the professional CDI does and what requirements are mandated to become an RID CDI.

The test of skill cannot be different for a hearing interpreter and a deaf interpreter. The form can be but not the testing procedure.

Section 8805

(2) What does this mean?

How will a "temporary or permanent exemption" be determined?

What is the criteria?

General comments:

The payment structure portion of this draft is still very unclear.

What if an interpreter or agency violates the mandates in this proposal?

We assume that agencies will be required to hire subcontractors who are licensed?

Regarding the Board:

There is no clarity on how the Board would function.

How will the Board be paid for its services?

On what criteria will they base their opinion that the candidate does indeed possess the necessary skill sets and knowledge bases required for this license?

What is a "department conducted examination"? What test will be used?

Who would determine and how would they determine if a candidate is qualified to be given a NYS licensure?

In addition, I have included feedback we received for Draft # 1 which was submitted in October. We have not received a response to these comments and questions and believe they focus on very pertinent points of the draft. They are labeled for both Drafts # 1 & 2.

Respectfully submitted on behalf of the members of CNYRID,

*Joanne W. Dermody*

Joanne W. Dermody, President

**Feedback from Drafts # 1 & 2 submitted by CNYRID members and colleagues:**

I would like to see/hear some rationale for proposing a NYS Interpreter License?

I would like to know which Legislator(s) is Sponsoring this Bill?

Additional comments:

How are these people qualified to know who is an appropriate choice to choose to be on the State Board for sign language interpreting? The person who chooses Board Members needs to be deeply knowledgeable about ASL, Deafness, and the profession of interpreting.

Are these Board positions paid positions? Where will the money come to pay them? Is the Executive director of the Office of Professions.....knowledgeable about ASL, Deafness and the field of interpreting? Is this meeting going to be conducted in ASL? If not will interpreters be provided? Who will pay for these interpreters?

Board Members nominated by the Governor: Does the Governor understand the issues around ASL, Deafness and the profession of interpreting to be able to make appropriate appointments?

Why the consent of the "temporary" president of the senate and the speaker of the assembly? Do these people understand the issues around ASL, Deafness and the profession of interpreting to be able to make appropriate appointment?

This Board make up is for Licensing of sign language interpreters, yet; 14% of this proposed Board is a Commissioner who knows nothing about ASL, Deafness and field of interpreting.

14% a hearing person who runs an interpreter referral agency. Many people running interpreter referral agencies know nothing about ASL, Deafness or the field of interpreting. How will you be sure you have a person who is a knowledgeable selection?

43% of this Board is made up of Deaf Consumers. What qualifications, besides not being able to hear and having used an interpreter do these 3 people have to determine what makes a skilled interpreter?

Only 28% of this Board is suggested to be made up of actual interpreters. And no listing of qualifications for these two people is suggested.

What would make this Board expert in knowing what is required for developing a license and its exemptions? What kind of exemptions is anticipated?

Why does the License need to be renewed? There is already a system in place for those who hold RID certification to keep that certification current with CEUs. How accessible will this application form be? A person needing one will get it where? How? Submit it where? How long will the process take?

How were these costs developed? What will these fees be used for? What will prevent these fees from continually increasing? One of these fees is for an examination? What examination?

Who develops this examination? Will it be proven that the examination is valid? How often does one need to be reexamined? Why would some people receiving an initial License not need to be examined?

Would they have to be examined at a later date?

Why is there a triennial registration period fee?

Does one have to be retested at the end of each triennial registration period?

Who decides what other organization's certifications are valid?

What makes the "Dept.?" (what Dept.?) expert at what certifications are equivalent to RID's?

Has anyone asked RID about this? I doubt very much they will agree to let outside bodies determine what is equivalent to their certification testing system. RID in conjunction with NAD has spent decades and millions of dollars on verifying their test's validity.

Is NAD aware of this proposal?

Where is the definition of "renewable license"?

Out of State interpreter applicant?

Those of us in who live near the borders of states with NY such as: PA, Mass, VT, Ohio function as if we live in one state, as we are back and forth across borders multiple times a day. The kind of requirements being suggested here will reduce the number of available interpreters.

Where is the definition of a Restricted License?

Why would this exist?