

**Testimony by Jessica Bentley-Sassaman, M.A. CI, CT, ED: K-12, on H.B. 1596
for the House Professional Licensure Committee on March 5, 2008**

I am pleased to offer my testimony in support of HB 1596, which will amend Act 57 of July 2, 2004. Act 57 provides for “State registration of individuals providing sign language interpreting and transliterating services to individuals who are deaf and hard of hearing”. Act 57 mandates interpreters in the state of Pennsylvania to be nationally certified and registered with the Office of the Deaf and Hard of Hearing in order to work and earn a living as an interpreter. During the comment period on this law, I, and many others asked for a grace period for interpreters that recently graduated from an Interpreter Training Program (ITP). This request was grossly ignored. House Bill 1596 is a way to rectify this oversight. I do believe that interpreters who graduate from an ITP possess the skills required of an entry-level interpreter.

There are some within the interpreting community who do not want non-registered interpreters to work in the state of Pennsylvania. Those interpreters forgot how they survived after graduating from their ITP. No interpreter that I know of graduated and became certified the day after graduation. In essence, this is what Act 57 requires.

The Registry of Interpreters for the Deaf, Inc. (RID), is the accreditation body for interpreter certification in the United States. RID suggests that the average interpreter needs 3 – 5 years of experience prior to becoming certified. Actually, RID allows a 5 year time-period for an interpreter to complete the certification process. This includes passing the written examination and the performance examination. Upon successful completion of both these requirements, national certification is awarded. HB 1596 will require provisionally registered interpreters to complete this process in 3 years, thus ensuring more highly qualified interpreters sooner. Entry-level interpreters who are allowed to register provisionally and work in Pennsylvania will be able to gain the experience necessary to satisfy this requirement.

According to Act 57, non-certified, non-registered interpreters can work as volunteers, in religious settings (which are not always for pay), and upon request of a Deaf individual. This is hardly a way for a new interpreter to gain experience. They would have to work a part-time job in an unrelated field in order to make ends meet. HB 1596 will open up more opportunities for provisionally registered interpreters to work, gain the experience they need, and become certified and registered, (as explained above).

As an instructor at the only 4-year ITP in the state, Bloomsburg University of Pennsylvania, I teach the RID’s Code of Professional Conduct (CPC) to my students. Students are required to write a paper in which they apply the tenets of the CPC to various interpreting situations. Tenet 2.0 of the CPC states, “Interpreters possess the professional skills and knowledge required for the specific interpreting situation” (rid.org). Students are taught that if they do not have the skills to interpret in a specific situation, they are required, ethically, to turn down that assignment. For example, if there was a call to interpret in a physician’s office for a regular check up or for a common cold, a provisionally registered interpreter would possess the skills necessary to perform an effective interpretation. If a provisionally registered interpreter were asked to come in for a life or death situation, the interpreter, knowing that they do not possess the skills for the assignment, should turn it down. If a scheduled assignment does turn into a life or death situation, interpreters are required by tenet 2.4 of the CPC to “request support when

needed to fully convey the message or to address exceptional communication challenges” (rid.org). This would mean to call in a State-registered interpreter or a Deaf interpreter. However, the original Act 57, Section 4 (b) (2) “Exceptions”, does make allowance for this situation by stating, “An individual engaged in interpreting or transliterating during an emergency, when a delay in obtaining a State-registered interpreter or State-registered transliterator might lead to injury or loss to the individual requiring the services.

Tenet 3.0 of the CPC states, “Interpreters conduct themselves in a manner appropriate to the specific interpreting situation” (rid.org). Tenet 3 is broken down even further in tenet 3.2 by stating, “decline assignments or withdraw from the interpreting profession when not competent due to physical, mental, or emotional factors” (rid.org). If the interpreter is not competent to perform the assignment, they must withdraw from it.

Students are drilled on the CPC in several ways during their training. Ethical situation scenarios are discussed in class, additional knowledge is gained through their research paper, it is included on the final exam, and real-life ethical situations are experienced with students’ certified, State-registered mentors. Additionally, the RID/National Association for the Deaf (NAD) National Interpreter Certification (NIC) written test deals extensively with ethical, cultural, linguistic, and interpreting theory knowledge. Interpreters that graduate from an ITP *know* how they should behave ethically. At Bloomsburg University, we are currently adding the NIC written test to our graduation requirements. Students will be required to take the test prior to graduation – thus be ready to provisionally register when they complete their practicum.

As mentioned above, recent graduates from an ITP should be at entry level for the profession. This means that they can interpret on their own without supervision. The reason for practicum is so that the interpreting intern acquires as much experience as possible in a wide variety of settings in order to prepare them to interpret as a professional upon completion of their practicum. HB 1596 will allow practicum students in Pennsylvania to receive more experience than Act 57 currently does. Act 57 prohibits practicum students from interpreting in medical or mental health settings. Some of my students left and are planning to leave the state in order to be able to interpret in these types of settings on their practicum. By leaving Pennsylvania for practicum, agencies have hired my students and they do not come back to Pennsylvania. This decreases the number of available, qualified interpreters in the state and in the long run, affects the provision of services for our Deaf and hard-of-hearing population. I am also aware of interns in the Philadelphia area who travel to New Jersey to interpret and gain experience in medical and mental health settings. HB 1596 will allow interpreting interns to interpret in medical and mental health settings with their mentors right here in Pennsylvania. Graduates will then have the experience necessary to interpret in medical settings at an entry level while provisionally registered.

RID has documented the current nationwide interpreter shortage. Through personal communication with three interpreting agencies, I have learned that we do not have enough interpreters in Pennsylvania to fill all the assignment requests that come in every year. Provisional registration, as allowed by HB 1596, will help alleviate this shortage by encouraging recent graduates to remain in or return to Pennsylvania.

Provisionally registered interpreters do not need to be supervised by a registered interpreter at all their assignments. This is a logistical nightmare. Not many registered interpreters would be willing to volunteer and go to assignments to supervise

provisionally registered interpreters. It is impossible for this to take place for every assignment. During their practicum, student interns are supervised at all times by a certified, State-registered interpreter and receive appropriate feedback in order to enhance their skill. Once they complete their practicum and pass the written test, they should be at an entry level and able to interpret on their own.

Pennsylvania chapter of RID (PARID) is in the process of setting up a mentorship program for both State-registered and non-registered interpreters. Protégés will be paired with a mentor to work on interpreting skills for specific goals. One example is, a State-registered interpreter who may want to obtain their legal certificate can enter the program and be paired with a State-registered interpreter who has passed their legal certification examination. The pair will then work together on skill development. A second example is pairing a non-registered or a provisionally registered interpreter with a State-registered interpreter for the same reason. This is an exciting program with many potential benefits. However, at this time, the program is not yet up and running and is *very* limited as to the number of interpreters it can sustain. Only ten interpreters will be considered for the NIC track and only ten for the educational interpreter track. Including a required mentorship in HB1596 is unreasonable considering there are at least five years of recent ITP graduates that would fall into this category.

In the recent past, the Bloomsburg University ITP was in danger of closing. In fact, the ITP was placed on moratorium for a few years. Fortunately, after major revisions, the ITP will re-open for the fall 2008 semester. An integral part of any ITP is observation hours. Our students will be required to log an increased number of observation hours. As students observe working interpreters, they gain a better understanding of the interpreting profession and are able expand their vocabulary base. Also new to the program will be a skill screening. This screening will take place during the spring semester of the student's sophomore year. We deem this screening necessary to ensure that Bloomsburg ITP graduates can effectively interpret at an entry level upon graduation. I do not know of other ITP's in this state that insist upon screening for their students, but we feel it is vital to our students' success. If students do not pass the screening, they are required to retake ASL 3 and be screened again at the end of the summer, or change their major. More quality control incorporated into an ITP produces better results.

In summary, as an interpreting instructor, I believe that interpreters graduating from an ITP should be allowed to provisionally register for up to 3 years with the Office of the Deaf and Hard of Hearing and work unsupervised in most settings during those 3 years. I believe they will use discretion when accepting assignments from the agencies for which they work. Most agencies screen the interpreters they hire. I was screened by every agency I work for and I worked for nearly 3 years before attaining certification and becoming State-registered. Agency screening will act as a measuring stick, a support, and a filter for the provisionally registered interpreter. The only settings that should be restricted until certification is achieved are the legal and mental health settings.

Thank you for allowing me to participate in this hearing. It is my opinion that HB 1596 will serve to strengthen Act 57 and it is my hope that it will be passed soon.

For your consideration, I have included a copy of an article I wrote in May 2007 to address the limits of Act 57. It was published in the monthly RID publication, RID Views.

PA Act 57: Perspective of an Interpreter Educator



July 1, 2005, marked a milestone for the Commonwealth of Pennsylvania; it was the date that Act 57, "The Sign Language Interpreter and Transliterator State Registration Act" was implemented [Act 57 can be found on the Pennsylvania RID (PARID's) Web site at www.parid.org]. This legislation now requires interpreters in Pennsylvania to be registered with the Office of the Deaf and Hard of Hearing (ODHH) in order to work as an interpreter. To register, an interpreter must hold a certification approved by ODHH.

After ten years, Pennsylvania finally has a law that ensures quality to the Deaf and hearing consumers that utilize the services of interpreters. There are several exemptions for interpreters that are working toward their certification. Additionally, certification is not required to interpret in religious settings, educational settings (EIPA regulations through the State Board of Education are currently pending), when the interpreter is specifically requested by a deaf consumer or when the interpreter volunteers their time.

Act 57 is a wonderful achievement for the Commonwealth of Pennsylvania as well as for the profession of interpreting. However, one downside of the legislation is that no provision or grace period was made for students who are graduating from an interpreter education program (IP). As an interpreter educator, I am now seeing many students doing their internship out of state with the goal of then staying in a state where certification is immediately not required for them to work. That way they can continue to work and earn a

living while honing their skills to become certified.

In Pennsylvania, Act 57 has placed new limitations on what settings students can interpret in during their practicum. Students are prohibited from interpreting in any medical situation as well as mental health and legal setting. I do agree with the legal and certain mental health situations, but I do feel that some medical settings are fine for students to interpret in as long as they are under supervision. These limitations do not provide students the full experience that they may need to confidently interpret in the community when they graduate. Upon graduation, students are limited to interpreting in areas the law exempts such as in the educational setting or waiting for a deaf person to specifically request them so they can work. In the near future, I believe that this exodus of recently graduated interpreters will hinder Pennsylvania's ability to provide services for our Deaf and hard of hearing populations. PARID is currently working on a mentorship program which will provide a venue for non-certified interpreters to work on their certification, but this program is not yet up and running.

Although I am excited about the potential for our new legislation to provide qualified services for our consumers, a word of caution is necessary for states currently drafting certification legislation requirements. Include provisions for students graduating from IPs so that you can retain your new interpreters instead of running the risk of losing them to other states. RID's policy paper on model legislation (which can be found on their Web site, rid.org) is the perfect place to start. ■

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