

# Indiana Guidelines for Educational Interpreters August 2002 Edition

(Based on a 1993 document produced by The Indiana Chapter of the Registry of Interpreters for the Deaf  
and the Indiana State Chapter of EDITOR)

**DHHS**  
**DEAF AND HARD OF  
HEARING SERVICES**



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## Introduction

### *Background*

The provision of education to students with disabilities has been greatly affected since the passage of Public Law 94-142. This legislation assures that students with disabilities are entitled to an equal opportunity to benefit from public instruction. This assurance has been reinforced and extended through the Individuals with Disabilities Education Act (IDEA) (1990), formerly the Education of the Handicapped Act, and its revision (1997). In addition, the rights of individuals with disabilities have been significantly strengthened by Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) of 1990. These laws have expanded the nation's commitment to the full participation, independent living, and economic self-sufficiency of people with disabilities.

In the State of Indiana, the right to a free appropriate public education is guaranteed to all students with disabilities. (Indiana's special education rules promulgated in the Indiana Administrative Code can be found under 511 IAC 7-17 through 7-31). The needs of the individual child determine what an appropriate education shall be for that child. Boards of education are required to furnish suitable educational opportunities for students with disabilities based on the recommendations of Case Conference Committees (CCC).

For many students who are deaf or hard of hearing, school settings often require interpreting services in order for them to have equal opportunity to benefit from public instruction. Instruction, curriculum, and related activities that promote learning must be communicated to assure equal access to students who are deaf or hard of hearing. In addition, interpreting services are sometimes required for students to gain access to situations where they may want to communicate or interact with their peers.

For these students placed in the general education environment, educational interpreting is the support service which should allow the student equal access to instruction and to the overall school experience. This support service provides these students, their parents, hearing children, faculty, and other school personnel, with the communication bridge necessary to allow successful participation in the educational and social activities of the school.

And yet, regardless of the need, there are a limited number of interpreters available to work in educational settings who have the requisite interpreting skills and knowledge of the instructional process. This situation was identified by the Commission on Education of the Deaf in the report entitled, *Toward Equality* (1988) and by the National Task Force on Educational Interpreting in the document entitled, *Educational Interpreting for Deaf Students* (1989). In addition, these two reports describe the need for both State Education Departments and the local education agencies to address the quality of interpreter services in schools today.

### *Standards for Educational Interpreting*

In response to the need to address the quality of interpreter services, the Board of Interpreter Standards (BIS), a part of Deaf and Hard of Hearing Services (DHHS), a program within the Division of Disability, Aging and

Rehabilitative Services (DDARS), a division within the Department of Family and Social Services (FSSA) , has been given authority to create educational interpreter standards to ensure that individuals who work in an educational setting as an interpreter are appropriately qualified. The Board of Interpreter Standards (BIS) has established standards for educational interpreters. The Educational Interpreter Standard is included in an appendix at the end of this document. It can also be found on the DHHS website at <http://www.in.gov/fssa/dhhs> . It is also in the State of Indiana Rules and Regulations at 460 IAC 2-5.

While these standards address the qualifications of the educational interpreter, there is an ongoing need for the standardization of their roles and responsibilities within the educational setting. This document attempts to do this by providing general guidelines regarding the appropriate provision of educational interpreter services and the responsibilities of educational interpreters.

### *Roles and Responsibilities of the Educational Interpreter*

#### Definitions of an Educational Interpreter

An educational Interpreter is an individual who facilitates communication among the deaf and hard of hearing persons in an educational environment through the use of techniques developed for communicating between deaf, hard of hearing, and hearing persons. The interpreter is a member of the educational team, serving staff as well as deaf or hard of hearing students, by minimizing linguistic, cultural, and physical barriers. The title "Educational Interpreter" is recommended by the National Task Force on Educational Interpreting, and is intended to imply that a person holding this title has specialized preparation in deafness whose primary role is interpreting, and is qualified to provide certain other educational services described later in this document.

The interpreter who works in an educational setting may be required to assume several responsibilities:

- Provide interpretation in an educational setting.
- Provide interpretation outside of the classroom.
- Act as member of the educational team.
- Be involved in non-interpreting, but educationally related activities.

There are several different types of interpretation or transliteration services that may be needed depending on the communication needs of the student who is deaf or hard of hearing. The most common interpreter is the sign language interpreter. This interpreter listens to spoken language messages, usually from English, and interprets them into a signed language like American Sign Language or transliterates the spoken messages into a code for English. They also watch messages produced in a signed language like American Sign Language or a code for English and interpret these messages into a spoken language such as English. There are oral transliterators who are used by deaf individuals who use speech and speechreading to communicate. In this case, the deaf or hard of hearing individual reads the lips of the interpreter who is specially trained to silently and clearly articulate English. There are also special communication techniques used with people who are both deaf and blind. A deaf-blind interpreter is used by people who are blind or have limited vision and cannot hear. There are several different

deaf-blind interpreting techniques, but most frequently tactile interpreting is used. In this instance the deaf-blind individual receives the message by placing the hands on top of the interpreter's hands.

## **Interpreting in an Educational Setting**

*The educational interpreter's primary role is to provide interpretation or transliteration in the educational setting.* Within the context of an educational setting, the interpreter will facilitate communication and understanding among the deaf, hard of hearing, hearing students, and the teacher and others involved in the student's education. The interpreter will also need to provide interpretation in one or more forms. (For description of the various forms of interpretation, see "Skills and Preparation of the Educational Interpreter.") In order to effectively fulfill their primary responsibilities the interpreter will be involved in several activities. These include:

### *Preparing for Class*

The educational interpreter prepares for upcoming classes by reading materials in advance and consulting with the teacher to know in advance the goals and objectives of the lesson, special nuances that the teacher may want to convey, what materials will be covered, and whether special activities, such as a field trip or involvement in an "untraditional" educational setting, such as outreach into the community or visits to local businesses, will present special interpreting situations. The interpreter must keep current on standardized technical signs used in different content areas. The appropriate standardized sign should be determined subsequently through research and incorporated into the students and interpreters sign repertoire.

### *Assessing Receptive and Expressive Communication Skills*

Under the guidance of the Teacher of Record, the qualified interpreter will assist in assessing the student's receptive and expressive sign language and mode use in order to judge the effectiveness of interpretation. Furthermore, the interpreter should work with the student's teacher to keep an inventory of new and emerging (signed) vocabulary that will be introduced in a subsequent class. The interpreter should be able to share knowledge about the deaf or hard of hearing student's sign communication ability with the student's teachers.

### *Adapting to the Physical Setting*

The interpreter, teacher, and other speakers must always be visible to those receiving visual communication (American Sign Language or other forms of manual communication). Interpreters must position themselves so that lighting is appropriate for communication, (e.g., not in front of a window where glare from the window may interfere with the deaf student's ability to see the signs). The interpreter should work with the teacher and students to determine the proper seating of the student(s), position and location of the interpreter, and to accommodate

special needs which will arise during events such as field trips, assemblies, public address announcements, films and other media, parent/teacher conferences, and events off the school premises, etc.

### *Explaining Interpreter Role*

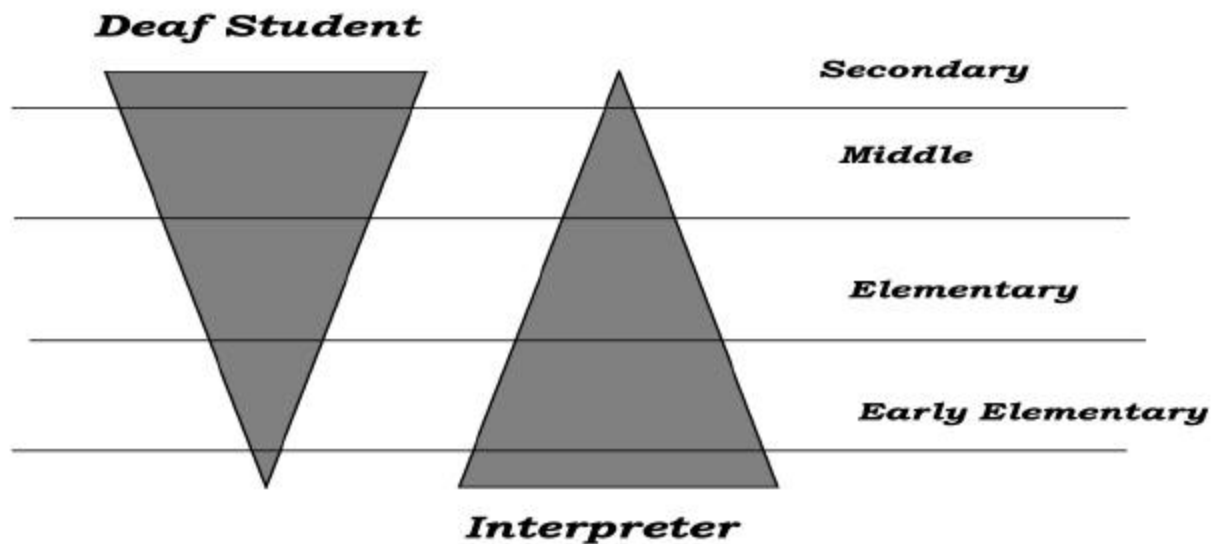
The interpreter shares responsibility with the school administration and others, (such as the supervisor of deaf education) for providing clarification regarding an accurate understanding of his/her role with the deaf or hard of hearing students, hearing students, school personnel, and parents. This is especially important in a school setting where there has been little or no experience with children who are deaf or hard of hearing or with educational interpreters. Clarification of the interpreter's role will do much to prevent uncertainty regarding how he or she contributes to the educational process. Providing in-service training to the whole school on the role of an interpreter may assist staff in accepting the interpreter as part of the educational team and promote the fuller integration of the interpreter into the school community. Information on the role of an interpreter may be provided during staff meetings, special, announcements, one-on-one meetings, or with simple printed handouts explaining how best to utilize the service of the educational interpreter.

It is important that the point be made that the interpreter is there to interpret for everyone, not just the deaf or hard of hearing students - a point which may need to be reiterated periodically during the school year.

### *Pyramids of Responsibility*

An overarching matter in the work of educational interpreting is the level of responsibility that the student must take versus the level of responsibility that the interpreter must take for effective communication in the classroom setting. When the deaf or hard of hearing child is in the early elementary grades, more responsibility is placed on the interpreter regarding knowledge of the use of interpreters and effective communication practice. As the student progresses through school, the educational team for the student should facilitate an increasing level of student responsibility so that when the student reaches high school, he or she is able to advocate for his or her needs regarding the quality and type of interpreter he or she needs, and the student clearly understands how to use the interpreter in the educational setting to the best educational advantage. [See Figure 1.]

## Responsibilities Across the Grade Levels



[Figure 1.] (Graphic modified from Concept created by Dennis Davino, Esther Zawalkow, and Sadie DeFiorio, used with permission from Gary Sanderson, PEPNet Resource Center.)

### Non-classroom Interpreting

The provision of interpreting services may occur in a variety of locations outside of the "traditional" classroom. These may include:

#### *Parent conferences*

Interpreters may be asked to provide interpreting services to parents who are deaf during conferences about the child with whom they are working, or with parents who are deaf and have hearing children who attend school. They should be skilled in the language or code with which the adult is most comfortable. In this situation, it must be made clear that the interpreter is functioning in one role, i.e., as a facilitator of communication, whose task is to ease the exchange of information, and, not as a participant, whose responsibility is to contribute the information to the discussion. In this case, the appropriate choice would be to bring another interpreter into the meeting, in order to avoid role confusion and the potential compromise of the quality of interpreting.

#### *Testing situations*

Educational interpreters are often called upon to interpret the language of an examination, such as a standardized test, reading exam, or spelling test or to provide for communication needs during a student's individualized

evaluation or vocational assessment. The educational interpreter's role during testing situations should be clear. The interpreter and the evaluator meeting prior to the testing situation to discuss expectations of the interpreter and the background of the student could facilitate this. It is imperative that the interpreter, instructional staff, and administration work together to ensure fairness both to the student and to the testing instrument. For example, when administering a spelling test in the traditional manner, the teacher orally pronounces English words and students listen and record answers in the appropriate boxes. When interpreting for a deaf or hard of hearing child, the interpreter hears the words and produces a sign for the student. Some signs, however, are based on fingerspelling and can possibly create a situation where the answer is given via the interpretation. The purpose of the test might then be compromised. When providing interpretation as a test modification, care should be taken to conform to the requirements of particular tests and not to affect what the test is intended to evaluate.

### *Discipline of students*

Because of the proximity of the educational interpreter and the student, the educational interpreter may be involved in situations that need disciplinary action. It would be helpful for both the teacher and the educational interpreter to establish a mechanism for dealing with these situations at the beginning of the school year. At this time, strategies to address behavior that may require disciplinary action could be jointly developed. The teacher and the interpreter could then implement a plan to address a student's classroom management needs, behavior expectations, and discipline.

Generally, the educational interpreter would not be involved in disciplinary action involving a child's misbehavior. This would cloud the perception of roles, compromise the student-teacher relationship, and, also, strain the relationship between the student and the interpreter. In situations where the student is misbehaving toward the interpreter, the interpreter may then need to respond directly. The educational interpreter may also be asked to facilitate communication in disciplinary settings involving the teacher or other staff. In this case, it is possible that the anger the student may feel at the punishment, especially during the elementary years, may be focused on the interpreter rather than on the individual dictating the punishment. It is important that the child understands clearly the roles of the various professionals, and that the person providing the punishment and the interpreter understands these dynamics.

### *Supported work and internship settings*

In vocational or adult services settings, the interpreter may be asked to facilitate communication in on-the-job situations on or off the school premises. Although the interpreter may be working as part of an educational team, he /she will be specifically responsible to assist the student in meeting communication needs.

In such settings, a job coach rather than an interpreter may advocate for the deaf worker. The job coach develops strategies for on-the-job communication, helps train the prospective worker and educates staff about the disabled. The roles of a job coach and an interpreter should be clarified to those involved with the student before a work or vocational experience or training begins. While a person who serves as a job coach may be an interpreter in another setting, the role must be clearly differentiated in the vocational environment.

### *Counseling situations*

When students who are deaf or hard of hearing receive counseling, an educational interpreter may be needed. In counseling situations that deal with social or emotional issues, the Indiana Interpreter Certification Code of Ethics should be consulted. In these counseling sessions, the role of the interpreter is clearly that of a communication facilitator only. Both the counseling professional and the interpreter should work to insure that confidentiality is carefully observed, and that the child's classroom interpreter should not be present if the child needs to discuss a problem involving the interpreter. For example, the child may be experiencing difficulty adjusting to the interpreter's personality or may be critical of the interpreter's sign language skills. This type of situation would require the use of another noninvolved interpreter.

### *Special Situations*

Special situations may be defined as those educational situations that take the student and the interpreter outside a typical school environment. These may include: driver education classes, field trips, and involvement in community activities or situations related to employment or college activities. These situations may require different kinds of arrangements and considerations. For example, should an interpreter accompany a student during "on the road" segments of driver education classes? What are the safety considerations inherent for visible communication in the moving vehicle? How may the educational interpreter assist in planning for situations that benefit the student outside of school, such as when meeting with a prospective employer or exploring college community opportunities? Strategies for dealing with special situations should be developed on a case-by-case basis to meet the student's individual needs.

## **Member of the Educational Team**

The educational interpreter should have the opportunity to participate as a member of the educational team. In this context the educational team is comprised of a group of teachers, supervisors, school staff, and others who are directly responsible for the educational program of the student for whom the interpreter delivers services. An educational interpreter's responsibilities are likely to vary from one work setting to another and should take into consideration the kinds of levels of preparation and experience that the educational interpreter brings to the task.

However, as a member of the educational team, educational interpreters should be able to participate in several activities based on their skills, such as:

- Planning with the student's teacher(s) or other support staff.
- Participating in student conferences; and
- Meeting with the Case Conference Committee.

The team situations described above, involve an interactive process based on joint analysis and problem solving. The educational interpreter could contribute to and benefit from this experience. As a member of the educational team, the interpreter may be able to contribute special expertise, such as information on the student's communication competencies and needs, and general knowledge of the student. In addition, the educational interpreter will learn information from the team experience, which will be helpful in the interpreting task. The success of the educational interpreter may depend as much on his or her ability to work cooperatively with adults and children as on interpreting skills. A collegial relationship with other professionals and willingness to share responsibilities can be the basis for successful team operation. In addition, administrative understanding and support of these relationships would create an atmosphere for collegial relationships to develop and grow. A description of various interactive relationships that an educational interpreter may be involved in follows.

### *Educational Interpreter and all Teachers*

The relationship between the teachers and the educational interpreter is an important one. All are professionals working as part of a team to ensure the most appropriate education for the student.

### *Educational Interpreter and the Regular Education Teacher*

The relationship between the educational interpreter and the teacher is of primary importance. Having another adult in the classroom may cause some anxiety for teachers who are not used to providing instruction with other adults present. Teachers may regard it as diminishing their authority at first, but over time, most come to value the assistance, which the interpreter provides, and become comfortable with their presence. Periodical planning meetings are essential to ensuring optimum effectiveness.

### *Educational Interpreter and the Teacher of the Deaf*

Teachers of the deaf must draw upon their expertise in order to provide in-service training for staff and hearing students as well as instructional strategies and delivery systems for deaf students. The interpreter may assist the Teacher of Record to instruct deaf, hard of hearing, and hearing students on how to use the interpreter. This may be especially important in the elementary grades.

Teachers of the deaf should have knowledge about the implementation of support services, they may be called upon to coordinate interpreter services, i.e., to help devise a schedule and deal with logistics. The coordination, however, depends on the success of this constant feedback from the interpreter and must be accompanied by an open-mindedness and respect on the part of the teacher of the deaf for the skills, and responsibilities, and demands placed on the educational interpreter. Interpreters can provide essential information to the teacher of the deaf without violating the code of ethics because the interpreter is with the student throughout the school day. They may provide input on the student's use of language skills, strengths, and weaknesses. At a secondary level, the input from the interpreter should be less because the student should be more capable of communicating his or her

own needs. Because contact between the interpreter and teacher of the deaf is so essential to the student's success within the regular education environment, consultations between them should be routinely scheduled within the school day.

### *Educational Interpreter and the Notetaker*

The educational interpreter may not be the only support service provider in the regular classroom on a daily basis. Notetakers are provided to record class material for some deaf or hard of hearing students. A student who is attending to the interpreter, to the teacher for speech-reading clues, and watching the blackboard or overhead display, will not be able to take notes. In addition to taking notes, the notetaker provides a written context of the classroom and content areas. The presence of two adults in the classroom in addition to the teacher may draw unwanted attention to the deaf or hard of hearing student. It is important to diminish the potential for confusion, distractions, and anxiety by careful planning and explanation. In the many situations where this has occurred, it becomes the norm, and is usually readily accepted by all parties. Another suggestion for notetaking is to use a hearing student in the class, using NCR or another type of carbon paper, as the notetaker. This would eliminate the need for another adult in the classroom and diminish additional distractions.

### *Educational Interpreter and the Parent*

Parents may request information about the student from the interpreter. The interpreter should refer all matters concerning academic or vocational progress, overall student performance, placement, and support services to the Teacher of Record. At the parents' request the interpreter may attend the case conference in order to communicate the benefits or effectiveness of the interpreting service provided.

### *Educational Interpreter and the Deaf or Hard of Hearing Student*

The student and the interpreter may be expected to establish a close relationship because they are together everyday in many different situations. An overly dependent relationship may develop, when the student begins to rely on the interpreter for the emotional support and understanding that might better be provided by that student's peers. When this occurs, the interpreter should ask for guidance from the school counselors and other staff to develop strategies for enhancing student independence and self-confidence. When the student has concerns regarding the support services provided, including interpreting, it is important that he or she has a forum where these issues may be aired. In situations where the interpreter must be present as a participant, it is essential that the district provide an interpreter not involved within the program to facilitate communication. Students, especially in the elementary grades, do not necessarily know how to use the interpreter effectively. They must learn proper use of all support services including the educational interpreter. The teacher of the deaf, educational interpreters, or members of the student's educational support team could work with the student in understanding the interpreter's role. Such learning is an ongoing process as the student matures and interpreting situations become more involved (e.g., in a laboratory or driver education situations). Included in this instruction should be the training on the

philosophy and strategies of self-advocacy. Students should exit the public school with an understanding of the role of the educational interpreter at elementary, secondary, and postsecondary level. They should also be educated in strategies for dealing with an interpreter who lacks sufficient skill and knowledge needed for the circumstances.

### *Educational Interpreter and the Building Principal / Administrator*

The administrator of the building is an important person on the educational team. The building principal's attitude toward the interpreter will influence the way the rest of the staff will perceive and interact with the interpreter. Routine inclusion of the interpreter in staff meetings and activities will set a positive tone and will greatly enhance the interpreter's ability to perform his or her responsibilities. The administrator can also ensure that the interpreter has sufficient time to prepare for and rest from interpreting and thereby avoid repetitive motion injury, which diminishes the quality of interpretation due to mental and physical fatigue. The interpreter should be able to work flexibly with administration on matters related to scheduling and roles and responsibilities. A word of caution needs to be expressed regarding the role of the educational interpreter on the educational team. Because the interpreter is often the person in the school with the special knowledge about deafness, he or she may be called upon as a resource in this field. However, the interpreter is ethically obligated to be aware of his or her limitations and be able to identify other resources, where appropriate.

### *Non-interpreting Responsibilities*

The educational interpreter may perform a number of other educational tasks, depending on the number of students and the interpreter's skills and background. Such duties are the responsibility of the individual school district to specify in a job description and for the interpreter to accept or negotiate when hired. Typical non-interpreting duties are identified and explained as stated below:

#### *Tutoring*

Interpreters may be asked to tutor under the supervision of the regular classroom teacher or the teacher of the deaf. Since interpreters must, by definition, be able to communicate well with the student, tutoring and reviewing assignments may be an appropriate job responsibility. However, it must be clear that other responsibilities must be curtailed when the need arises for interpreting. The subject area in which interpreters are expected to tutor should be one with which they are familiar. Interpreters should also receive ongoing in-service training in instructional strategies to be used during tutoring sessions as well as have time during the school day to consult with the classroom teacher on aspects of course content, which need to be clarified so they may be appropriately interpreted. It is recommended that educational interpreters who tutor should receive instruction in behavior management techniques before beginning tutoring. This skill is important in order to know how to keep students focused and on task.

### *Teaching Sign Language*

Formal courses in American Sign Language (ASL) should be taught by individuals prepared to provide instruction in ASL. Interpreter preparation programs seldom cover in-depth training in the instruction of sign language and interpreters are not ordinarily prepared to teach formal linguistically oriented classes in sign language. For these reasons, educational interpreters should not routinely be used as teachers of ASL.

### *Providing General Classroom Assistance*

Classroom management is the responsibility of the teacher. Interpreters may, when interpreting is not needed, provide other kinds of assistance to the classroom teacher, especially in the elementary grades. There must be, however, a good understanding of the level and kind of assistance the interpreter can contribute to the classroom environment without interfering with the primary duty of interpreting.

### *Educational Planning*

The interpreter, teacher, and other individuals involved in the student's educational program need to consult regularly (perhaps daily) about lesson plans, upcoming activities, tests, new vocabulary, etc. Time should be set aside for the interpreter to review materials, become oriented to the upcoming curriculum content, and to anticipate signs that will be used for new material. This planning time will provide the educational interpreter with the opportunity to prepare for the interpretation session and to research the appropriate use of a sign, as needed. Generally, educational planning will improve the quality of interpreting.

### *Ethical Considerations add COE guidelines for educational interpreters*

By far the majority of interpreting for deaf and hard of hearing persons is done in educational settings. The Indiana Interpreter Code of Ethics was approved by the Board of Interpreter Standards (BIS), to set a standard of ethical behavior and to guard against the potential for abuse of interpreter-client relationships, especially in regards to confidentiality. Of all the tenets detailed in the Indiana Interpreter Code of Ethics, the one aimed at preserving confidentiality in the interpreter-client relationship has proven the most problematic in educational settings. A strict application of the Indiana Interpreter Code of Ethics designed for adults, in community settings, would prevent the educational interpreter from discussing anything about the content of interpreting with any person.

Deaf and Hard of Hearing Services interpreters this tenet in the educational setting to mean that the educational interpreter may share information regarding the interpreting work with the educational team when it is pertinent to the educational development of the student. The interpreter should work to protect the confidentiality of the interpreted information. This, however does not extend to the parents of the child or others not directly involved in the education of the student. Educational interpreters should direct all questions regarding the student to the teacher or the student, and not answer such questions on behalf of the student. Some districts have adapted the

Code of Ethics to educational settings so that it still provides useful guidelines for ethical behavior, but incorporates the principle of discussing student needs and performance with the educational team or as dictated by policies and procedures within the district and school building. Any school may choose to adapt the Code of Ethics to clarify the educational interpreter's role within the educational setting. In any case, the educational interpreter would need to maintain a professional attitude and adhere to the policies and practices established within the school for its entire staff in promoting the safety and welfare of students within the school. The overarching position of DHHS is that the educational interpreter must keep information confidential within the policies and practices established for that school.

## **Roles and Responsibilities of the School**

### *Providing Meaningful Access to Parents*

Schools are responsible for providing both students and parents meaningful access to certain aspects of the education process. For students and/or parents who are deaf or hard of hearing, an interpreter often provides meaningful access. Parents who are deaf or hard of hearing also have the right to meaningful access to certain school sponsored activities outside the purview of special education. These activities include school-initiated conferences pertaining to the academic and /or disciplinary aspects of their child's education.

In preparing to meet the needs of parents who are deaf, boards of education should adopt a policy. It is recommended that such a policy include:

- (1) Notification to parents who are deaf or hard of hearing of the availability of interpreting services and the timelines in which requests must be made for interpreters;
- (2) Methods of arranging for interpreters;
- (3) Notification to appropriate school personnel;
- (4) Provision to ensure the availability of sign language interpreters to eligible parents when district students attend out of district schools or programs; and
- (5) Examples of what constitute reasonable accommodations, in the event an interpreter cannot be located; such accommodations may include the use of written communication, transcripts, notetakers, and technology.

### *Hiring and Supervision*

Because of the low incidence nature of deafness, a school district may not have the knowledge about deafness and interpreting. Therefore, when a student who is deaf or hard of hearing enters the school system for the first time the school may need guidance from outside sources, such as DHHS or the assessment center at the Indiana

School for the Deaf to assist the school to assess the communication needs of the student and to judge the credentials of a candidate for an interpreting position. The interpreting skills of the educational interpreter should be strictly evaluated to make sure he or she is qualified for the position. Not every interpreter is qualified for the specialized role of an educational interpreter. Proven experience, state credentials, and education are important factors when selecting a qualified educational interpreter.

### *Job Descriptions*

A written job description is of major importance to both the educational interpreter and the employing school or school system, and should be shared with all staff that will be involved with the deaf or hard of hearing student. Job descriptions may vary according to specific needs of the individual school district and should be developed by local school administrators to meet local needs and specifications. The duties of an educational interpreter in a district with one student may be different than those in another district that has numerous deaf or hard- of hearing students. Further, duties at different educational levels should be differentiated. Reflecting the principle of gradually leading a student toward more responsibility for his/her own education, the range of duties and breadth of responsibilities of an educational interpreter for elementary school deaf and hard of hearing students would tend to be more comprehensive than at the college level, where the interpreter logically would fit more closely with the community interpreter model, (i.e., providing interpreting services only).

Although specific duties will vary depending on the factors noted above, in general, educational interpreters should be able to function in, at least, the following situations: classroom; student/teacher meetings or other meetings involving the student and other school personnel; extracurricular activities; parent conferences; supported work situations; and tutoring.

Minimally, each job description should include the title (Educational Interpreter is recommended), qualifications, responsibilities, hours of work, and reference to the immediate supervisor. (A generic job description for an Educational Interpreter is included in Appendix A.) Specific reference should also be made to languages and /or codes to be used in the school setting. If a specific communication methodology is encouraged or required by the school district, it should be clearly stated and defined.

Non-classroom interpreting duties (field trips, school assemblies, counseling), if any, should be specified. The specific communication needs of the student should be considered when hiring an interpreter to work with a particular student or in selecting which interpreter on staff would be appropriate to provide the interpretation.

Consultation with those experienced in the use and provision of interpreting services, (e.g., educational interpreters, consumers, and interpreting service administrators) is recommended in the development of the job description.

### *Supervision and Evaluation*

An individual should be designated to be responsible for supervising educational interpreters. Personnel readily available within the school district can evaluate the non-interpreting aspects of fulfilling the job description such as tutoring and team input. Often a school district does not have the capability to evaluate interpreting skills. To evaluate the interpreting aspect of the job, it is recommended that the services of an interpreter educator or a credentialed interpreter with evaluation skills and experience be secured on a periodic basis (annually or biennially) to observe the educational interpreter, assess skills, and recommend professional development.

### *Working Conditions*

The educational interpreter should be entitled to the same conditions of employment as other personnel employed by the district. Given the risk of injury posed by the repetitive motion common in manual interpretation, and the mental processing demands of interpreting, thoughtful consideration must be given to the daily number of hours of interpreting, and an appropriate interval for breaks from interpreting should be provided.

### *Salary and Benefits*

Some districts use civil service classifications for hiring their interpreters. Others design a job title exclusively for interpreters. Still, others hire interpreters as teacher's assistants. It is recommended that the interpreter should be hired as an interpreter, and given the title, Educational Interpreter. This will more clearly define the specific roles and functions of the interpreter. It is also recommended that pay and benefits should commensurate with that of other professionals with similar educational backgrounds and specialized skills.

## **Skills and Preparation of the Educational Interpreter**

In addition to interpreting or transliterating skills, a fully qualified educational interpreter should have the interpersonal skills to work effectively and congenially with staff and students within the school system; and a comprehensive, general knowledge of academic subjects and current events, educational processes and organization, principles and practices of special education, and aspects and issues of deaf and hard of hearing students and adults. It is also recommended that the educational interpreter be associated with the Registry of Interpreters for the Deaf and its state chapter, the Indiana Chapter of Registry of Interpreters for the Deaf. These professional associations assist in disseminating information to interpreters regarding training opportunities and general matters regarding the profession of interpreting/transliterating.

### *Interpersonal Skills*

The educational interpreter must work cooperatively and effectively with all other members of the educational team who impact on the educational experiences of the deaf or hard of hearing child. The quality of this interaction can impact on the effectiveness of the interpreter as a member of the educational team and can influence the attitudes of professional personnel as well as students toward a positive and active acceptance of a student who is deaf or hard of hearing in the classroom. Interpreters must be able to demonstrate in a nonthreatening manner the nature of their expertise and knowledge about deafness and how that may be applied to support the teacher, the student who is deaf or hard of hearing, and the other students in the educational setting. Interpreters should show initiative in helping others understand how interpreters may be used most effectively. The traits of friendliness, courtesy, and respect for the knowledge and abilities of all in the environment, including students, are vital. Some of these skills are often learned in the normal course of human development, but understanding one's role as a member of an educational team would probably have to be learned in a special class on educational interpreting and be continuously refined through practice.

### *General Knowledge*

The educational interpreter is called upon to interpret a wide variety of academic and vocational subjects. This requires general knowledge in a broad range of content areas, including knowledge from the humanities, the sciences, and the arts. Therefore, the preparation of an educational interpreter should contain the broad spectrum of studies often collectively referred to as, "general studies."

### *Specialized Knowledge*

In addition, specialized knowledge about deafness is critical. This should include knowledge and understanding of the etiology of hearing loss; communications, educational and sociological impact of deafness; use of assistive listening and communication devices; the deaf community and its culture; political and social organizations of, by and for deaf and hard of hearing persons; principles and techniques of educational and other kinds of interpreting; and cultural and intercultural communication.

### *Knowledge of History, Principles, and Practice of Education*

In order to function effectively in an educational system, a general knowledge of the development and operation of that system is important. An educational interpreter needs to understand the operation of school systems to be able to communicate effectively with other personnel within the system. Likewise, knowledge of the principles of education will assist the interpreter in the shared task of providing an appropriate educational experience. Moreover, a knowledge of history, philosophy, practices, and methodology in education of deaf persons, within the context of special education is necessary.

Preparation in this area should include: Child development and the impact of deafness on the developmental process in deaf and hard of hearing children; overview of education and knowledge of trends in education at all levels; overview of the history and philosophy of education of deaf persons, and the role therein of communications

methodologies and establishment and maintenance of a Deaf community; the position of the education of the deaf within the larger category of special education and vocational rehabilitation; national and State laws and regulations centrally effecting the education of disabled students; the history, purpose and function of the Registry of Interpreters for the Deaf, and issues and research dealing with the field of interpreting in general, and that of interpreting for deaf people in particular.

## APPENDIX A

### *Sample Job Description-Educational Interpreter*

This generic job description may be suitable as a general guide for grades K-12, but will need to be adapted for grade level and local situations.

### *General Description*

The educational interpreter's primary function is to facilitate communication among deaf and hard of hearing students and their hearing peers, teachers, and other personnel involved in a student's education through the act of interpretation and transliteration. Other educationally related duties may be performed as appropriate when the interpreter is not required to do interpreting.

### *Responsibilities*

Provide interpreting or transliterating using \_\_\_\_\_ for deaf and hard of hearing students in mainstream classes. (School corporations should select one or more of the following: American Sign Language, Manually Coded English, oral transliterating, Cued Speech, or SEE II.)

\* Participate in meetings with other members of the educational team dealing with the development and review of the Individualized Education Plan (IEP) and progress in the classroom, as related to ability to process information.

\* Provide interpreting for situations that are part of the educational program that occur outside of the school environment.

\* Provide interpreting for extracurricular activities and parent meetings as necessary.

\* Assist the Teacher of Record in providing orientation to interpreting for hearing students and staff.

\* Other duties as determined with supervisor.

### *Qualifications*

- Indiana Interpreter Certificate for Educational Interpreting.
- Bachelor's degree preferred.
- Completion of an interpreter preparation program or equivalent experience required.

- Ability to interpret or transliterate.
- Certification by a nationally recognised interpreting body desired. (where applicable).

**APPENDIX B**

TITLE 460 DIVISION OF DISABILITY, AGING, AND REHABILITATIVE SERVICES

**Final Rule**

**LSA Document # 01-334 (F)**

**460 IAC 2-5**

**Rule 5. Interpreter Standards for the Deaf and Hard of Hearing in Educational Settings**

460 IAC 2-5-1 Scope

Authority: IC 12-8-8-4; IC 12-9-2-3; IC 12-12-7-5  
 Affected: IC 12-12-7

Sec. 1. (a) This rule is to establish state certification standards for behavior, competency, and proficiency in interpretation, transliteration, and oral transliteration in a public or private primary or secondary school setting.

(b) This rule applies to a person who:

- (1) applies for state certification
- (2) works in a public or private school in grades preschool through secondary school in Indiana with a Deaf or hard of hearing student, and
- (3) is hired as an interpreter or transliterator.

This includes any interpreter/transliterator who uses American Sign Language, or who uses any code or method of communication used by Deaf or hard of hearing students including but not limited to Cued Speech, Signed English, Signing Exact English, Seeing Essential English, Conceptually Accurate Signed English (CASE), or oral methods of communication.

(c) This rule does not apply to certified teachers with endorsement to teach Deaf children unless the person is hired by a public or private school to work as an interpreter/transliterator. (*Division of Disability, Aging and Rehabilitative Services; 460 IAC 2-5-1*)

460 IAC 2-5-2 Definitions

Authority: IC 12-8-8-4; IC 12-9-2-3; IC 12-12-7-5  
 Affected: IC 12-12-7

Sec. 2. (a) The definitions and acronyms in this section apply throughout this rule.

(b) “ASL” means American Sign Language

(c) “BIS” means board of interpreter standards.

(d) “CEU” means continuing education unit.

(e) “Code of Ethics” means the rules of professional behavior for interpreters and transliterators approved by the Board of Interpreter Standards.

(f) “Cued Speech” means a system for visual representation of spoken language using eight handshapes and four hand locations near the face to supplement speech.

(g) “DDARS” means the division of disability, aging and rehabilitative services.

(h) “Deaf or Hard of Hearing Person” means the persons for and between whom the interpreter is facilitating communication, and includes both hearing and deaf consumers.

(i) “DHHS” means deaf and hard of hearing services.

(j) “EIPA” means Educational Interpreter Performance Assessment.

(k) “Educational Interpreter” is person who is able to perform conventional interpreting or transliterating, together with required skills for working in the educational setting.

(l) “Hard of hearing” refers to persons who have mild to moderate hearing loss.

(m) “Hearing impaired” means an educational label that is used to refer to all deaf and hard of hearing students.

(n) “Individualized Education Program (IEP)” means a document developed by a case conference committee which identifies educational goals and objectives needed to appropriately address the educational needs of a student with a disability.

(o) “Interpreter” means to interpreters, transliterators and oral transliterators and includes any person who works with a Deaf or hard of hearing child or otherwise hearing impaired student to facilitate communication by rendering the complete message for the student and others because they do not share the same language and culture.

(p) “Interpreting “ means the process of conveying a message from one language into another.

(q) “Manually Coded English” means a signed message that attempts to convey the meaning of the English speaker while maintaining the English form and word order.

(r) “NAD” means National Association of the Deaf.

(s) “New interpreter” means an interpreter who has no proof of work as an interpreter in a school setting.

(t) “Oral Transliteration” means the process of understanding the speech and/or mouth movements of Deaf, hard of hearing, or otherwise hearing impaired persons and repeating the message in spoken English and includes the process of paraphrasing/ transliterating a message spoken in English to a more visible form with natural lip movements so a deaf or hard of hearing person can read the lips of the oral transliterator.

(u) “RID” means Registry of Interpreters for the Deaf.

(v) “SEE II” means Signing Exact English II.

(w) “Setting” means the context within which an interpreting assignment takes place.

(x) "Signed English" means a system devised as a semantic representation of English where ASL signs are used in English word order with fourteen sign makers being added to represent a portion of the inflectional system of English.

(y) "TECUnit" means Testing, Evaluation and Certification Unit, Inc., an organization that certifies Cued Speech Translitterators.

(z) "Transliteration" refers to the process of conveying information from a spoken English message to an invented code that is signed or vice versa. (*Division of Disability, Aging and Rehabilitative Services; 460 IAC 2-5-2*)

#### 460 IAC 2-5-3 Registration requirements

Authority: IC 12-8-8-4; IC 12-9-2-3; IC 12-12-7-5  
Affected: IC 12-12-7

Sec. 3. In order to receive state certification as an interpreter, working interpreters/translitterators in Indiana must be registered with Deaf and Hard of Hearing Services (DHHS) in the manner prescribed by DHHS. DHHS is the agency responsible for standards related to sign language interpreters in Indiana and has been designated as the agency to make the determination that an interpreter can be certified to interpret in an educational setting. (*Division of Disability, Aging and Rehabilitative Services; 460 IAC 2-5-3*)

#### 460 IAC 2-5-4 Certificate

Authority: IC 12-8-8-4; IC 12-9-2-3; IC 12-12-7-5  
Affected: IC 12-12-7

Sec. 4. After being certified by the state, an interpreter shall be issued a certificate signed by the DHHS Deputy Director and DDARS Director evidencing such certification. An interpreter shall also be issued an identification card signed by the DHHS Deputy Director and DDARS Director, a copy of which the interpreter shall present when requested as proof of certification. (*Division of Disability, Aging and Rehabilitative Services; 460 IAC 2-5-4*)

#### 460 IAC 2-5-5 Certificate requirements for new interpreters and translitterators

Authority: IC 12-8-8-4; IC 12-9-2-3; IC 12-12-7-5  
Affected: IC 12-12-7

Sec. 5. (a) In addition to any other requirements that a school district or school corporation establishes, to receive state certification as an interpreter, a person who interprets/ transliterates in a public or private school in Indiana working with a Deaf or hard of hearing student is required to have the appropriate national certification or performance assessment score listed in subsection (b). This section applies to all new interpreters and translitterators after July 1, 2010.

(b) The five types of certificates and corresponding requirements include:

- (1) American Sign Language: Hold the RID Certificate of Interpretation (CI) or the NAD Level IV or V for educational situations requiring an ASL/English interpreter.
- (2) Manually Coded English (MCE): Hold the RID Certificate of Transliteration (CT) for educational situations requiring transliteration.  
(unspecified MCE)

- (3) Oral Transliteration: Hold the RID Oral Transliteration Certificate (OTC) for educational situations requiring an oral transliterator. This certificate requires a special written and performance exam.
- (4) Cued Speech: Hold certification from TECUnit and pass the RID written generalist test for educational situations requiring a cued speech transliterator.
- (5) Signing Exact English (SEE-II): Pass the Educational Interpreter Performance Assessment (EIPA) instrument specific to SEE-II at level 3.5 and pass the RID written generalist test. These are the requirements for educational situations needing a SEE-II transliterator.

(c) Interpreters or transliterators holding applicable national certifications must maintain these certifications in good standing in order to maintain their certification by the state, including fulfilling continuing education requirements.

(d) An interpreter or transliterator certified by the state shall renew such certification every two (2) years in the manner prescribed by DHHS. (*Division of Disability, Aging and Rehabilitative Services; 460 IAC 2-5-5*)

460 IAC 2-5-6 Certificate requirements for practicing interpreters and transliterators

Authority: IC 12-8-8-4; IC 12-9-2-3; IC 12-12-7-5  
 Affected: IC 12-12-7

Sec. 6. (a) To receive state certification as an interpreter or transliterator, an individual who has documentation proving paid work as an educational interpreter prior to July 1, 2010, shall meet the following criteria:

- (1) Beginning July 1, 2002, each year, the interpreter or transliterator must earn annually one (1) CEU of skill development in the type of interpreting or transliterating that corresponds to the certificate held by the interpreter.
- (2) Beginning July 1, 2002, each year, the interpreter or transliterator must earn annually one (1) CEU from one of the following seven content areas:
  - (A) Deaf Culture and History;
  - (B) Language Development and Acquisition in Children;
  - (C) Child Development;
  - (D) Foundations in Interpreting Theory and Practice;
  - (E) Code of Ethics for Educational Interpreters;
  - (F) Principles and Practices of Special Education; or
  - (G) Audiological Issues for Students and Adults.

(b) An interpreter or transliterator certified by the state shall renew such certification every two (2) years in the manner prescribed by DHHS.

(c) Any newly hired interpreter or transliterator after July 1, 2010 cannot use this section in later years to qualify. (*Division of Disability, Aging and Rehabilitative Services; 460 IAC 2-5-6*)

460 IAC 2-5-7 Limited certification requirements for graduates of interpreter training programs

Authority: IC 12-8-8-4; IC 12-9-2-3; IC 12-12-7-5  
Affected: IC 12-12-7

Sec. 7. (a) In order to receive limited state certification as an interpreter or transliterator, an individual who has a degree in Sign Language Interpreting from an accredited institution after July 1, 2010 may meet each of the following criteria to hold a limited certificate:

- (1) When granted the limited certificate, the interpreter/transliterator must annually earn one (1) CEU of skill development in the type of interpreting/transliterating that corresponds to the limited certificate held by the interpreter/transliterator.
- (2) When granted the limited certificate, the interpreter/transliterator must annually earn one (1) CEU from one of the following seven content areas:
  - (A) Deaf Culture and History;
  - (B) Language Development and Acquisition in Children;
  - (C) Child Development;
  - (D) Foundations in Interpreting Theory and Practice;
  - (E) Code of Ethics for Educational Interpreters;
  - (F) Principles and Practices of Special Education; or
  - (G) Audiological Issues for Students and Adults.

(3) The interpreter or transliterator must apply for and pass the RID written generalist test for the limited certificate.

(b) The interpreter or transliterator can renew the limited state certificate each year for up to five years in the manner prescribed by DHHS.

(c) A person may use this section for only the first five (5) years immediately following graduation from an accredited sign language interpreter preparation program. There shall be no renewals or extensions of this section. (*Division of Disability, Aging and Rehabilitative Services; 460 IAC 2-5-7*)

460 IAC 2-5-8 Interpreter code of ethics

Authority: IC 12-8-8-4; IC 12-9-2-3; IC 12-12-7-5  
Affected: IC 12-12-7

Sec. 8. (a) To maintain state certification as an interpreter or transliterator, an individual must follow the ethical standards taken from the RID Code of Ethics.

- (1) Interpreters and transliterators shall keep all assignment-related information strictly confidential.

- (2) Interpreters and transliterators shall render the message faithfully, always conveying the content and spirit of the speaker, using language most readily understood by the person(s) whom they serve.
- (3) Interpreters and transliterators shall not counsel, advise, or interject personal opinions.
- (4) Interpreters and transliterators shall accept assignments using discretion with regard to skill, setting, and the consumers involved.
- (5) Interpreters and transliterators shall request compensation for services in a professional and judicious manner.
- (6) Interpreters and transliterators shall function in a manner appropriate to the situation.
- (7) Interpreters and transliterators 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.
- (8) Interpreters and transliterators shall strive to maintain high professional standards in compliance with the Code of Ethics.

(b) Questions by consumers, interpreters, and transliterators relating to interpreting these ethical standards in an educational setting can be answered by contacting DHHS. (*Division of Disability, Aging and Rehabilitative Services; 460 IAC 2-5-8*)

#### 460 IAC 2-5-9 Grievances

Authority: IC 12-8-8-4; IC 12-9-2-3; IC 12-12-7-5  
 Affected: IC 12-12-7

Sec. 9. The grievance committee created under 460 IAC 2-3-13 shall have jurisdiction over grievances arising out of this rule, and any grievances shall be referred to that committee. All grievance procedures, actions, enforcement, discipline and appeals shall be handled according to the provisions of 460 IAC 2-3-15 through 460 IAC 2-3-20. (*Division of Disability, Aging and Rehabilitative Services; 460 IAC 2-5-9*)

### **Rule 3. Interpreter Standards for the Deaf and Hard of Hearing**

(Grievance committee sections)

460 IAC 2-3-13 Grievances; grievance committee; composition; term

Authority: IC 12-12-7-5  
 Affected: IC 12-12-7

Sec. 13. (a) DHHS shall create a grievance committee, of which the DHHS deputy director shall be the chair, consisting of a minimum of five (5) other members, which must consist of at least the following:

- (1) At least two (2) members who:
  - (A) are deaf or hard of hearing; and
  - (B) have experience using interpreters.
- (2) Two (2) members must hold either NAD or RID certification.
- (3) One (1) member may be a professional other than an interpreter but must be knowledgeable of the interpreter standards set forth in this rule.

(b) The term of grievance committee members shall be three (3) years. However, the initial committee will have three (3) members to be determined by the committee who shall serve two (2) years and the remaining members shall serve three (3) years. After the initial term of each appointment, all members shall be appointed for a term of three (3) years and may be appointed for one (1) additional term. If a member of the committee resigns, dies, or is removed, the new appointee shall serve the remainder of the unexpired term. Committee members shall not be eligible for reappointment for at least one (1) year after serving two (2) consecutive terms.

(c) DHHS shall seek training in negotiation and mediation for the committee members. (*Division of Disability, Aging, and Rehabilitative Services; 460 IAC 2-3-13; filed Jul 21, 2000, 10:01 a.m.: 23 IR 3087*)

460 IAC 2-3-14 Grievances; jurisdiction of grievance committee

Authority: IC 12-12-7-5

Affected: IC 12-12-7

Sec. 14. The jurisdiction of the grievance committee referred to in this rule extends to interpreters certified and working in Indiana. (*Division of Disability, Aging, and Rehabilitative Services; 460 IAC 2-3-14; filed Jul 21, 2000, 10:01 a.m.: 23 IR 3087*)

460 IAC 2-3-15 Grievances; procedures; complaint and response

Authority: IC 4-21.5-3-34; IC 12-12-7-5

Affected: IC 12-12-7

Sec. 15. (a) A complaint may be filed by either of the following:

(1) Any person utilizing interpreting services.

(2) Any person clearly demonstrating a direct or personal interest in the occurrence specified in the complaint.

(b) The complaint must be in writing and filed with the grievance committee referred to in section 13 of this rule.

(c) The complaint must include the following:

(1) The name, address, and phone number of each person against whom charges are being filed.

(2) The date and location of the alleged violation.

(3) The specific action or actions in question making reference to a portion or portions of this rule alleged to have been violated.

(d) The complaint may be filed any time up to ninety (90) days after the date of the alleged violation or date of discovery by the complainant of the alleged violation.

(e) If a matter of extreme urgency should arise requiring immediate review by the grievance committee, the aggrieved party must attach to the complaint a request in writing for immediate review and the specific reasons for the urgency.

(f) Within thirty (30) days of receiving the complaint, each person against whom charges are made may file a response to the allegations against him or her.

(g) The response shall address, either by admitting, denying, or further explaining, each relevant aspect of each allegation stated in the complaint.

(h) The response must be sent to the grievance committee with a copy to the person who filed the complaint. (*Division of Disability, Aging, and Rehabilitative Services; 460 IAC 2-3-15; filed Jul 21, 2000, 10:01 a.m.: 23 IR 3088*)

460 IAC 2-3-16 Grievances; committee action

Authority: IC 4-21.5-3-34; IC 12-12-7-5

Affected: IC 12-12-7

Sec. 16. (a) After a complaint has been received and a response has been filed or the thirty (30) day period has elapsed for filing a response, the DHHS deputy director as grievance committee chairperson shall review the documents and make an initial decision on the merits of the pleadings.

(b) If the DHHS deputy director finds that no violation of this rule occurred and no cause of action exists, the complaint shall be dismissed and all parties notified in writing.

(c) Upon dismissal of the complaint, the complainant may request a hearing by the full grievance committee within thirty (30) days of dismissal.

(d) If the DHHS deputy director determines that an investigation is warranted, the formal charges and grounds upon which they are based shall be set forth in writing and sent to the grievance committee and all parties involved, and the grievance committee may hold a hearing pursuant to section 17 of this rule. (*Division of Disability, Aging, and Rehabilitative Services; 460 IAC 2-3-16; filed Jul 21, 2000, 10:01 a.m.: 23 IR 3088*)

460 IAC 2-3-17 Grievances; hearing procedure  
Authority: IC 4-21.5-3-34; IC 12-12-7-5  
Affected: IC 12-12-7

Sec. 17. (a) The complainant and respondent, whether or not participating in person, may be advised and represented at the party's own expense by counsel or, unless prohibited by law, by another representative. Representatives may participate in all proceedings.

(b) Any party may present any affidavits, documents, or other written evidence as to any relevant aspect of a charge or defense asserted.

(c) Any party may present witnesses to give testimony as to any relevant aspect of the charge or defense asserted.

(d) The grievance hearing shall meet at a location most convenient to all parties involved.

(e) All parties involved shall be given at least two (2) weeks' notice of the scheduled hearing date, time, and location.

(f) The complainant and the respondent shall bear their own costs and expenses in connection with the grievance process. (*Division of Disability, Aging, and Rehabilitative Services; 460 IAC 2-3-17; filed Jul 21, 2000, 10:01 a.m.: 23 IR 3088*)

460 IAC 2-3-18 Grievances; decision of grievance committee; recommendation  
Authority: IC 4-21.5-3-34; IC 12-12-7-5  
Affected: IC 12-12-7

Sec. 18. (a) The grievance committee shall carefully review all documents and evidence presented.

(b) Committee members other than the DHHS deputy director may vote on the grievance. The committee's decision shall require a majority vote. If there is no majority following the vote of the committee members, the DHHS deputy director shall cast a vote to determine the majority.

(c) The committee's decision on the charges shall become a written recommendation to the DHHS deputy director and shall identify in detail the charges, the evidence used in reaching a decision, and the relevant standard for ethical behavior citation.

(d) The DHHS deputy director shall review the committee's recommendation and either adopt it, modify it, or dissolve it. The DHHS deputy director may remand the matter, with or without instructions, to the grievance committee for further proceedings.

(e) The DHHS deputy director shall issue a final decision on the grievance. One (1) copy shall be kept for the committee's records, and a copy shall be given to each party. If copies are mailed, they must be sent via certified mail, return receipt requested. (*Division of Disability, Aging, and Rehabilitative Services; 460 IAC 2-3-18; filed Jul 21, 2000, 10:01 a.m.: 23 IR 3088*)

460 IAC 2-3-19 Grievances; enforcement; disciplinary actions  
Authority: IC 4-21.5-3-34; IC 12-12-7-5  
Affected: IC 12-12-7

Sec. 19. (a) When the standards of ethical behavior set forth in this rule are found by the grievance committee to have been violated, the committee may recommend to the DHHS deputy director that disciplinary action be taken against an interpreter based upon the severity of the interpreter's misconduct.

(b) The available disciplinary actions that the DHHS deputy director may take include the following:

(1) Verbal warning, which is an oral reprimand given by the DHHS deputy director.

(2) Written reprimand, which is a written notification of unsatisfactory performance.

(3) Probation, which is a trial period of a length of time specified by the DHHS deputy director during which the interpreter is required to fulfill a set of conditions or to improve work performance or on-the-job behavior.

(4) Suspension or revocation, which is suspension or revocation of Indiana interpreter certification and referral to the grievance committee of the national organization, either RID or NAD, whose certification is held.

*(Division of Disability, Aging, and Rehabilitative Services; 460 IAC 2-3-19; filed Jul 21, 2000, 10:01 a.m.: 23 IR 3089)*

460 IAC 2-3-20 Grievances; appeals

Authority: IC 12-12-7-5

Affected: IC 4-21.5; IC 12-12-7

Sec. 20. An interpreter who has received disciplinary action from the DHHS deputy director may request a reconsideration of the decision to the director of DDARS. The director of DDARS shall provide a response to the request within fifteen (15) days of the date the request is received, including a notice of the right to appeal the decision. An interpreter that is dissatisfied with the decision on reconsideration may appeal the decision. The appeal shall be conducted in accordance with IC 4-21.5. *(Division of Disability, Aging, and Rehabilitative Services; 460 IAC 2-3-20; filed Jul 21, 2000, 10:01 a.m.: 23 IR 3089)*