

Public Testimony Before Joint Legislative Committee on Human Services
Regarding Raised Bill # 6765 – Interpreter Qualifications
Tuesday, March 17, 2015

Senator Moore and Rep. Abercrombie, Co-Chairs & Members of Human Services Committee:

I am Dr. Harvey Corson, Past President of Connecticut Association of the Deaf (CAD), Co-Chair of the CAD Education and Legislative Committee, and Member of the Connecticut Registry of Interpreters of the Deaf (CRID) Task Force on Updating Interpreter Standards. I want to thank you for the opportunity to speak before you about this bill.

During 2012 - 2015 the Connecticut Deaf and Interpreting communities collaborated in establishing and conducting a Task Force on Updating Interpreter Standards 1) to review the status of interpreting services being provided within Connecticut and how we fared compared with other states and 2) to recommend proposed needed updating of the current interpreter law, CT General Statutes, Chapter 814, Section 46a - 33a.

Here is a summary of the issues and concerns that were observed:

- Within the interpreting field, the Registry of Interpreters for the Deaf (RID) has recently changed its testing and certification requirements. There has been a focus on upgrading educational and training requirements and improving the overall quality and professionalism of those working within the field.
- Nationally, the Deaf and Interpreting communities are requiring that qualified interpreters meet higher expectations and standards as the lives of Deaf and Hard of Hearing children and adults do literally depend on the skills of their interpreters. A recent example of this effort is the “Deaf Child’s Bill of Rights”, included in section 11 of CT Public Act 12-173, An Act Concerning Individualized Education Programs and Other Issues Relating to Special Education, requiring a Language and Communication Plan be developed for every child identified as Deaf or Hard of Hearing by the Planning and Placement Team (PPT) of every school district in Connecticut.
- Due to the fact that there was no monitoring of interpreters working in CT, and no penalties for those who were not in compliance, we have seen broad disregard for the law. Additionally, the current statute provided for no penalties to those who did not comply. This has led to substandard provision of interpreting services in many situations, which can lead to serious outcomes.

Based on these concerns, and with a commitment to improving and maintaining the quality of interpreting services provided in Connecticut, this CRID Task Force is pleased to see its recommended needed updating/changes incorporated in this proposed legislation. This came about as a result of Special Act 14 – 15 enacted by the General Assembly and signed by Governor Malloy last year and of DORS Commissioner Amy Porter’s December, 2014 Report to Human Services and Education Committees:

- 1) Update the qualifications and requirements in compliance with the national certifying body, the Registry of Interpreters of the Deaf;
- 2) Clarifying the areas of interpreting settings, more avenues or options, and in phases for the individuals to qualify and secure interpreter certification(s), especially for educational interpreters, and the institution of a registering fee for all interpreters and any business entity, within the state or located out of state

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providing interpreting services within the state, by electronic or other means, i.e. remote access.

However, there is **one glaring omission** from this Bill #6765. There is no provision for a standards and monitoring board as strongly recommended by the CRID Task Force to oversee and ensure compliance, investigate complaints, assess penalties to those not in compliance, and to educate those who are securing interpreting services.

In Commissioner Porter's Report, referring to the creation of an Interpreting Standards and Monitoring Board, she states that her department, Connecticut Department of Rehabilitative Services (DORS), "does not currently have the resources to support the creation and maintenance of this board." While the Board members would serve voluntarily, they would be reimbursed for travel expenses. Also, this Report states, "there will be costs associated with the establishment and maintenance of this board, including staff support, accommodation support, printing and mailing functions and the collection and management of fees." Commissioner Porter suggests that the creation of this Board would be "something for future consideration."

We, members of this CRID Task Force, respectfully and strongly disagree. Any attempt to upgrade the quality of interpreting services provided in Connecticut simply through updating statutory requirements will be futile. This has been made clear with the current disregard for the existing statute. Even when the previous Connecticut Commission on the Deaf and Hearing Impaired (CDHI) was charged with overseeing compliance with the statute it was widely acknowledged that although they made attempts to ensure compliance, their role was primarily to educate as there were no statutory consequences for those who did not comply. The creation of the Interpreting Standards and Monitoring Board, along with a professional staff person to coordinate its work, is a necessary and crucial component of this proposed legislation.

This is a critical component for overall effectiveness of implementing upgraded interpreter standards in various settings across the state. This will assist Connecticut to be in compliance with Federal and state laws such as **Section 504, ADA, IDEA, and Connecticut Public Act 12-173** regarding access and the provision of qualified interpreting services for deaf, hard of hearing, and deaf-blind citizens – children, youth, and adults.

Furthermore, this "Special Act 14-15 requires the DORS, in consultation with the Office of Protection and Advocacy for Persons with Disabilities and the CRID Task Force on Interpreting, to (1) develop a plan ... and (2) **submit a report recommending methods to monitor compliance with interpreter qualification standards.**"

Accordingly, on behalf of the CRID Task Force on Updating Interpreter Standards, I am submitting a copy of the proposed amendment to add a new Section 2 for an Interpreter Standards and Monitoring Board to this Raised HB #6765 for your consideration.

In summary, this proposed legislation to update and strengthen interpreter standards along with the Recommended Technical Corrections, and the proposed amendment concerning an Interpreter Standards and Monitoring Board are strongly endorsed by the Connecticut Association of the Deaf (CAD), the Connecticut Coalition of Organizations Serving the Deaf (CCOSD), and the Connecticut Registry of Interpreters of the Deaf (CRID).

Thank you.

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Proposed Amendment to Add Section 2 to Raised HB #6765

Sec. 2. Interpreting Standards and Monitoring Board (Effective July 1, 2015)

(a) Not later than October 1, 2015, the Commissioner of Rehabilitation Services shall appoint a nine-member Interpreting Standards and Monitoring Board (the Board) from each of the following constituencies: (1) Deaf consumers, (2) hard of hearing consumers, (3) deaf-blind consumers, (4) hearing consumers, (5) interpreting professionals, (6) deaf professionals, and (7) interpreter trainers. Members shall serve at the pleasure of the commissioner. The presidents of (8) the Connecticut Association of the Deaf (CAD) and (9) the Connecticut Registry of Interpreters of the Deaf (CRID), or their designees, shall be ex-officio voting members of the Board.

1. Qualifications for Appointment to the Board

A. Consumer Board Members shall be residents of Connecticut for at least three (3) years; have experience of at least five (5) years of receiving or using interpreting services; interacting with the Deaf and Hard of Hearing community; and familiarity with general interpreting issues. The category of Deaf-Blind customer board member may include deaf-blind or deaf and visually impaired person.

B. Interpreting professional shall meet same qualifications as mentioned in 1. A above in terms of residence, experience in receiving or using interpreting services, interaction with the Deaf and Hard of Hearing community; and knowledgeable of interpreting issues with emphasis on having professional experience as a certified interpreter and be involved in the delivery of interpreting services for deaf and hard of hearing individuals for at least five (5) years.

C. Deaf professional shall meet same qualifications as mentioned in 1. A above in terms of residence; experience in receiving or using interpreting services; interaction with the Deaf and Hard of Hearing community; and familiarity with interpreting issues with emphasis on having professional experience in working with or providing services to deaf and hard of hearing individuals for at least five (5) years.

D. Interpreter trainer shall meet same qualifications as mentioned in 1. A above in terms of residence; experience in receiving or using interpreting services; interaction with the Deaf and Hard of Hearing community;

and knowledgeable of interpreting issues with emphasis on having professional experience as a certified interpreter and a trainer of interpreters and individuals or postsecondary students who want to become interpreters for at least five (5) years.

2. Terms of Board Members

A. Initial appointment of four (4) board members shall be for a term of three (3) years and the other three (3) board members shall be for a term of two (2) years as the first group of

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board members will be instrumental in establishing a foundation of appropriate policies, procedures, and guidelines for the first three formative years of the Board's existence.

B. Henceforth for stability and continuity of the Board, the appointments for the seven (7) of nine (9) board members shall be for a term of two (2) years on a staggered basis so that the Board as a whole will consist of both experienced and new members.

C. The board members may be re-appointed for an additional term of two (2) years.

D. The presidents of CAD and CRID, or their designees, shall serve during their terms of office and their successor presidents, or their designees, shall subsequently assume the responsibilities as Board members.

(b) The Board shall: (1) Oversee and monitor interpreters working in Connecticut, (2) ensure compliance with regulations, (3) set annual registration fees, (4) issue annual registration cards, and (5) review all complaints concerning the conduct and performance of interpreters and alleged violations of section 46a-33a of the general statutes, as amended by this act. The board may impose sanctions, including, but not limited to, suspension or termination of registration and may recommend fines of not more than five hundred dollars per violation. If the board determines an interpreter has violated the interpreter code of professional conduct of the National Registry of Interpreters for the Deaf, the board may file a report with said registry.

(c) The Board shall provide written notice detailing the grounds for sanctions, including proposed fines, not less than thirty days prior to the imposition of such sanctions and shall afford persons or entities subject to such sanctions an opportunity for a hearing before the board in accordance with the provisions of chapter 54 of the general statutes.

(d) The department may assess a fine recommended by the Board against a referral agency, school, local education authority, court, hospital, other entity or person who falsifies credentials or provides an interpreter who does not comply with the registration requirements or possess the qualifications set forth in this section. The department shall use moneys collected through the imposition of fines to (1) administer and manage the registration and monitoring process, (2) provide informational materials which educate deaf, deaf-blind, hard of hearing and hearing consumers on the use of qualified interpreters, and/or (3) provide additional training to interpreters.

(e) The department shall adopt regulations in accordance with chapter 54 of the general statutes to implement the provisions of this section and section 46a-33a of the general statutes, as amended by this act. Henceforth after the enactment of this act, any future changes by the Registry of Interpreters for the Deaf (RID) regarding interpreter qualifications, certification and standards, the Board shall be empowered to periodically conduct review of such changes and to recommend and propose appropriate regulations reflecting such changes through the department in accordance with the state regulatory process to implement revised interpreter qualifications, certification, and standards.

(f) Funding shall be provided for at least one full time professional staff and program operation within the department to implement the Board policies, procedures, and guidelines; to manage

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the registration of all interpreters, including review and/or verification of training hours; and to coordinate the meetings of the Board and other program activities, including professional development. The Board and its staff shall function independently from the Interpreting Unit within the department so as to avoid potential conflict of interest.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2015	46a-33a
Section 2	July 1, 2015	New section

Statement of Purpose:

To update, standardize, and strengthen qualifications, training and educational requirements for interpreters serving deaf and hard of hearing persons.