

STATE OF NEW MEXICO
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June 16, 2014

MEMORANDUM

TO: Legislative Education Study Committee

FR: Ian Kleats

RE: STAFF BRIEF: LICENSURE REQUIREMENTS FOR SIGNED LANGUAGE INTERPRETERS

INTRODUCTION

Prior to the June 2014 interim meeting of the Legislative Education Study Committee (LESC), a committee member requested that LESC staff review the licensure requirements for educational signed language interpreters based on reports that individuals provisionally licensed and currently employed in schools as signed language interpreters would be unable to obtain their full licensure as educational signed language interpreters.

Educational signed language interpreters are considered instructional support providers, which must be licensed by the Public Education Department (PED) in accordance with the provisions of the *School Personnel Act*. According to those provisions, if an instructional support provider practices a licensed profession, the provider shall provide evidence to PED that the provider holds a current, unsuspended license in the profession for which the provider is applying to provide instructional support services; in the case of signed language interpreters, this is a license issued under the provisions of the *Signed Language Interpreting Practices Act*.

This staff brief includes:

- licensure requirements for educational signed language interpreters in statute; and
- licensure requirements for educational signed language interpreters in rule.

Presenter

LESC staff has arranged for Ms. Paula McCluskey, Vice-Chair of the Signed Language Interpreting Practices Board (the Board) to address questions from the committee on the topic of educational signed language interpreter licensure.

LICENSURE REQUIREMENTS FOR EDUCATIONAL SIGNED LANGUAGE INTERPRETERS IN STATUTE

Requirements for licensure as a signed language interpreter are set forth by the *Signed Language Interpreting Practices Act*, which creates the Board as the licensing entity for the state. As established by statute, the Board:

- is administratively attached to the Regulation and Licensing Department;
- consists of seven governor-appointed members; and
- among other duties:
 - promulgates rules setting forth the qualifications of applicants for licensure, and the provisions for the administration of examinations and issuance, renewal, suspension or revocation of licenses; and
 - evaluates the qualifications of applicants for licensure and issues licenses.

The *Signed Language Interpreting Practices Act* creates three types of licensure for:

1. community signed language interpreters;
2. educational signed language interpreters; and
3. provisional licensees.

Statute further requires that the Board shall issue any of those three licenses to an applicant upon satisfactory submission of applicable requirements as follows:

- for a community signed language interpreter license, an applicant must:
 1. have reached the age of majority;
 2. be of good moral character;
 3. have completed all educational requirements established by the Board; and
 4. hold certification under a nationally recognized signed language interpreters organization or by an equivalent organization as defined by rule of the Board.
- for an educational signed language interpreter license, an applicant must:
 1. have reached the age of majority;
 2. be of good moral character;
 3. have completed all educational requirements established by the Board; and
 4. provide evidence of passing a skill assessment exam as established by rule.

- an applicant not meeting the qualifications for either the community or educational signed language interpreter licensure shall be granted a one-time, five-year provisional license if the applicant:
 1. has completed an interpreter education or preparation program; or
 2. was employed as a community or educational signed language interpreter at the time the *Signed Language Interpreting Practices Act* became effective.

It is important to note that there is one main difference between the community and educational signed language interpreter license requirements as set forth in statute:

- the community signed language interpreter license requires certification in a nationally recognized signed language interpreters organization; and
- the educational signed language interpreter license requires only evidence of passing a skill assessment exam.

LICENSURE REQUIREMENTS FOR EDUCATIONAL SIGNED LANGUAGE INTERPRETERS IN RULE

Although the *Signed Language Interpreting Practices Act* became effective in 2007, rules were not promulgated until July 2009. Subsequent revision of those rules occurred in August 2011 and January 2014; however, these revisions do not appear to have substantially altered the sections related to licensure requirements for educational signed language interpreters.

Requirements in Rule for an Educational Signed Language Interpreter License

As set forth in §16.28.3.13 of the New Mexico Administrative Code (NMAC), an educational signed language interpreter license shall be granted to an applicant submitting evidence that the applicant [*emphasis added*]:

1. has reached the age of majority;
2. is of good moral character;
3. has completed all educational requirements established by the board;
4. has passed the educational interpreter written and performance assessment (EIPA) with a score of 4.0 to 5.0 *and holds active ED:K-12 (educational certification: K-12) or other certification recognized at the time of application by the Registry of Interpreters for the Deaf (RID); and*
5. *complies with the RID certification maintenance program.*

The emphasized sections of rule appear to establish additional criteria beyond the scope of the requirements for licensure set forth in statute by requiring certification in a nationally recognized signed language interpreters' organization, namely RID.

It is unclear whether the Board has the rulemaking authority to impose these additional licensure requirements. Moreover, based on the statutory requirements for the community signed language interpreter license, it might be argued that the Legislature had contemplated the

appropriateness of such certification for educational signed language interpreters as well, but had chosen a skill assessment in lieu thereof.

Educational Requirements Established by the Board

Statute grants the Board authority to establish through rule the educational requirements for licensure and continuing education requirements for license renewal, but permits the Board to set different requirements for different licenses. The provisions of §16.28.2.8 NMAC specify that:

- the Board shall issue a license as a signed language interpreter to an applicant, otherwise qualified, who furnishes evidence that the applicant has fulfilled the degree requirements for certification as established by RID.

According to documents published by RID, in 2003, the RID Membership approved a motion mandating that beginning July 1, 2012, in order to take an RID performance evaluation and qualify for certification:

- all hearing interpreters must hold a minimum of a bachelor's degree in any field;
- all deaf interpreters must hold a minimum of an associate degree in any field; and
- candidates are provided an alternative way to meet educational requirements if they do not have a degree from an accredited college.

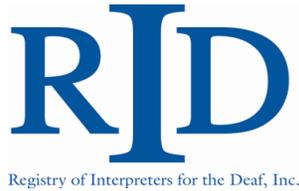
Candidates without a college degree seeking RID certification must submit an Educational Equivalency Application, included as an attachment, for which calculated Experience Credits must exceed 120. This application considers:

- college coursework completed (1 semester hour = 1 Experience Credit);
- years of interpreting experience (1 full-time year = 15 Experience Credits); and
- continuing education units (CEU) earned (0.1 CEU = 1 hour = 0.02 Experience Credits).

At the end of an interpreter's provisional license, if the interpreter has been working full-time, the interpreter would need to have completed at least 43 semester hours of college coursework in order to fulfill the educational requirement for the educational signed language interpreter license. An interpreter working at least part-time during the five-year provisional license would need to have completed at least 83 credit hours of college coursework.

For Admin Use Only

- APRV DSPV
- DB Update: ____/____/____
- Notified: ____/____/____



Please send application to:

E-mail: certification@rid.org

Fax: (703) 838-0409

Postal Mail: RID, 333 Commerce St
Alexandria, VA 22314
Attn: Certification Dept

Educational Equivalency Application for Bachelor's Degree

(for all exam dates on or after July 1, 2012)

This application is required for:

- 1) Hearing individuals who do not hold a bachelor's degree or higher who wish to take an RID performance exam
- 2) Educational Interpreters who do not hold a bachelor's degree or higher who wish to apply for Ed:K-12 certification

Personal Data

Name: _____
First MI Last Suffix

Desired Certification: NIC SC:L OTC Ed:K-12 (EIPA)

RID #: _____ E-mail: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Phone: () _____ Fax: () _____

Payment Options

- Check Money Order

Check/MO #: _____

Check Date: / / _____

Amount Enclosed: \$50

- MasterCard VISA

Credit Card #: _____

Expiration Date: _____

Name as Printed on Card: _____

Application Checklist

- Completed Application (this page)
- Completed Experience Worksheet (page 2)
with at least 120 Experience Credits
- Supporting Documentation for Experience
- Application Fee (payment)
- Ed:K-12 Application (if applying for
Ed:K-12 Certification)

Billing Address: Same as Above

Street: _____

City: _____ State: _____

Zip: _____ Amount to Charge: \$50

Signature: _____

signature required for processing payment

Experience Worksheet for Bachelor's Degree

Enter all experience below and calculate total Experience Credits.
Credits may come from any combination of categories without restriction.

Admin Use Only

College Coursework

Calculate the amount of college credit earned.

Total Semester Hour Credits: (1 credit = 1 Experience Credit) credits x 1 = exp. credit

Total Quarter Hour Credits: (1 credit = .75 Experience Credits) credits x .75 = exp. credit

Required Documentation

Official transcripts from an accredited college that show earned college credit, including college credit exams (CLEP, Praxis, DANTES, DSST, etc.)

Coursework Total:

CC: _____

Interpreting Experience

Calculate the number of years worked as an interpreter in each sub-category.

A maximum of 15 experience credits may be earned for each calendar year.

Single Employer: Full-time (min 32 hr/week) - (1 year = 15 Experience Credits) years x 15 = exp. credit

Part-time (min 10 hr/week) - (1 year = 7 Experience Credits) years x 7 = exp. credit

Required Documentation

Official letter from employer verifying number of years worked as an interpreter and whether on a full or part-time basis.
(minimum 6 months per employer)

Multiple Employers/ Full-time (min 20 hr/week) - (1 year = 15 Experience Credits) years x 15 = exp. credit

Freelance Interpreting: Part-time (10 - 20 hr/week) - (1 year = 7 Experience Credits) years x 7 = exp. credit

Required Documentation

Notarized letter from candidate verifying number of years and average number of hours worked per week in this capacity

Volunteer Interpreter: Full-time (min 20 hr/week) - (1 month = .5 Experience Credits) months x .5 = exp. credit

Part-time (10 - 20 hr/week) - (1 month = .25 Experience Credits) months x .25 = exp. credit

Required Documentation

Official letter from supervisor or organization verifying number of months and average number of hours worked per week as an interpreter, including internships.

Interpreting Total:

IE: _____

Professional Development

Calculate all continuing education units earned within the last 5 years.

CEUs Earned: (.1 CEU or 1 hour = .02 Experience Credits) CEUs x .02 = exp. credit

Required Documentation

For RID Sponsored CEUs:
- RID Transcript or certificate of completion

For non-RID CEUs:
- Certificate or letter of completion for each activity that clearly indicates the activity name, sponsor and number of CEUs or course hours.

Activities can include courses, lectures, seminars, webinars, workshops, mentoring or course development, but must be related to deafness, signed language or interpreting.

Development Total:

PD: _____

Total Experience Credits:
(120 Experience Credits = Bachelor's Degree)

Total: _____