



ADMINISTRATIVE POLICY NO. 7.20

SUBJECT: Communication Access for Persons Who are Deaf, Deaf/Blind and Hard of Hearing

INFORMATION CONTACT: Office of Deaf and Hard of Hearing Services
MS 45300; 902-8000; TTY: 753-0699

AUTHORIZING SOURCE: Administrative Policy 7.02
Section 504 of the 1973 Rehabilitation Act
Chapter 2.42 RCW, WAC 10-08-150
Chapter 49.60 RCW, WAC 162-26-010
Chapter 70.84.010 RCW
Americans With Disabilities Act

EFFECTIVE DATE: July 1, 1991

REVISED: August 1, 1998

APPROVED BY: 
Assistant Secretary for Management Services

SUNSET REVIEW DATE: August 1, 2000

CROSS-REFERENCE:

For assistance in serving clients who are Limited English Proficient (LEP) refer to Administrative Policy 7.21. Additional cross-references include the following administrative policies: 6.12 Adjustment of Workload for Staff who Provide Translation and Interpretation Services Outside of their Workload, 7.02 Equal Access to Services for Individuals with Disabilities, 7.02A Accessible Services for Persons Who are Blind or Visually Impaired, and Policy 14.10 Accessible Meetings.

PURPOSE:

This policy directs the Department of Social and Health Services (DSHS) to provide equal access to any services or programs to persons who are deaf, deaf-blind, and/or hard of hearing. DSHS shall not exclude or deny persons who are deaf, deaf-blind or hard of hearing any services or programs on the basis of their disability. This policy also provides definitions, specific to Policy 7.20, for information purposes for department staff.

SCOPE:

This policy applies to all field operations, programs and all DSHS services provided to clients who are deaf, deaf-blind or hard of hearing whether the service is provided by DSHS staff or by a contracted vendor.

DEFINITIONS:

Auxiliary Aids: Include qualified interpreters, assistive listening systems (loop, FM and infrared) television captioning and decoders, videotapes, open, closed and real-time captioning, Teletypewriters (TTYs), transcriptions, readers, taped text, braille and large print materials. Any similar device or service that is needed to make spoken or aural language accessible is also considered an auxiliary aid.

Client: Any person applying for or receiving services from the department.

Code of Ethics: Established standards that govern all RID and NAD certified interpreters (see attachment).

Code of Professional Conduct: Standards established by DSHS to be met by interpreters and translators when providing language services to DSHS programs and clients (see attachment).

Contractor: A person or an agency that contracts with the department to provide certain services for a fee or rate according to a contractual agreement.

Deaf: A term that describes a person who has severe to profound hearing loss. Many persons who are Deaf use American Sign Language (ASL) as their primary language and are immersed in Deaf Culture.

Deaf/Blind: A term that describes a person who is either hard of hearing or deaf and also has a vision impairment or is blind. Many persons who are deaf-blind communicate by using tactile signing. This is done by the deaf-blind person placing their hands on those of the interpreter. The deaf-blind person understands signs by touch rather than vision.

Dual Language Employees: DSHS staff who utilize their sign language skills to facilitate communication to accomplish their job functions, when and as defined in the employee's position Classification Questionnaire (CQ) or Washington Management Service (WMS) position description.

Effective Communication: Expressive and receptive communication, with or without the use of auxiliary aids, that provides the client an equal opportunity to participate in or benefit from DSHS programs, services or activities. This communication must be conveyed effectively, accurately, and impartially.

Field Operations: Any regional, local office or institution that provides direct services to the public.

Hard of Hearing: A term that describes a person with mild to severe hearing loss who communicates through auditory means with or without amplification.

Interpreting: A demonstrated ability to expressively and receptively interpret between two different languages, such as ASL and English or two other languages.

Types of Interpreting for Clients who are Deaf, Deaf-Blind or Hard of Hearing:

1. **Oral** The interpreter mouths (without voice) what the speaker says, using some natural facial expressions.
2. **Sign Interpreting** The interpreter signs what the speaker says.
3. **Tactile** A hands-on interpreting method used with people who are deaf-blind. The interpreter communicates what the speaker says by signing and/or fingerspelling into the hands of the deaf-blind person.
4. **Voice Interpreting** The interpreter speaks what a deaf person is mouthing or signing.

Limited English Proficiency (LEP) Cluster Coordinator: Coordinator assigned by the Assistant Secretary of each DSHS administration to develop systems and programs that accommodate the language needs of clients who are Limited English Proficient, deaf, deaf-blind or hard of hearing, and respond to cultural and ethnic diversity issues.

National Association of the Deaf (NAD): A national professional association which has developed testing materials for certification of sign language interpreters. The tests are administered through the state association of the deaf in each state.

Office of Deaf and Hard of Hearing Services (ODHHS): A DSHS office which maintains a comprehensive information and referral system of DSHS services around the state for persons who are deaf, deaf-blind or hard of hearing. ODHHS provides technical assistance, training, and workshops regarding deafness to DSHS staff and other interested agencies. ODHHS also provides guidance on the process for arranging sign language interpreters for deaf clients.

Language and Interpreter Services and Translations (LIST): is the support center for language services in DSHS. LIST also maintains and monitors department and contractor compliance with DSHS policies regarding the provision of services to Limited English Proficient Clients in consultation with LEP Cluster Coordinators and ODHHS.

Program: Any distinct service unit of the department, usually designated as a division or institution, which designs, schedules, plans, or administers the services (for DSHS clients).

Qualified interpreter: A term designated to an interpreter, either certified or non-certified, who is determined to be competent, both receptively and expressively, by the client and who does not present a real or perceived conflict of interest as stipulated in the Professional Code of Conduct. All interpreters will register with ODHHS and will comply with the DSHS Code of Professional Conduct.

There are two kinds of qualified interpreters:

1. **Certified Interpreter:** A sign language interpreter who has demonstrated, through an evaluation or test, their ability to meet the minimal standards to both expressively and receptively interpret effectively, accurately and impartially. They have been awarded certification by the Registry of Interpreters for the Deaf, Incorporated (RID) and/or the National Association of the Deaf (NAD).
2. **Non-Certified Interpreter:** An interpreter who has not demonstrated their ability to interpret through any formal evaluation or test, but is deemed qualified by the individual client.

Registry of Interpreters for the Deaf (RID): A national professional association whose members may include sign language and/or oral interpreters. RID has developed testing materials for certification of sign language interpreters.

Sign Language and Sign Systems: Visual or tactile ways of communicating thoughts, ideas, and feelings through American Sign Language or manual signs and gestures with specifically defined vocabulary.

American Sign Language (ASL): The official and native language of the Deaf community in the United States. ASL has its own syntax and grammar structure and is a highly visual, conceptual language that requires the use of facial, hands and body movement in the grammar and syntax, unlike the English language.

There is an important distinction between ASL and other varieties of sign communication. ASL is a natural language. It is different in structure from the sign systems heavily influenced by English which go by different names such as: Signed English, Pidgin Signed English, and Signed Exact English.

Sign Systems

1. **Signed English** is not an official language but a means of communicating. Signed English originated through borrowing ASL signs and placing them in English grammar order. The manual alphabet may be used with several ASL signs for a more English version.
2. **Pidgin Signed English (PSE)** mixes or combines the use of ASL and Signed English. One sentence could be grammatically structured in ASL but the next could be structured in English.
3. **Signed Exact English (SEE)** is a stricter mode that adds all alphabets, past tense signs including ing, ed, s, and much more. The gestures are not very conceptual and require a series of gestures to complete just a few words in English.

POLICY:

- A. All persons who are deaf, deaf-blind, or hard of hearing shall be given equal access to DSHS services and programs. DSHS shall administer programs and deliver services which are culturally sensitive, which recognize individual differences and are deemed appropriate to the situation.

- B. DSHS shall notify clients who are deaf, deaf-blind or hard of hearing of their right to request auxiliary aid(s) and inform them of the process to submit this request.
- C. DSHS will provide auxiliary aid(s) when requested by a client who is deaf, deaf-blind or hard of hearing to ensure equal opportunity to:
 - 1. Establish and maintain eligibility for DSHS programs and services.
 - 2. Provide access to DSHS services, programs and activities.
 - 3. Provide access to public meetings sponsored by DSHS.
- D. DSHS shall ensure that contractors, service providers and vendors are in compliance with their obligations to provide equal access according to the ADA and the DSHS Policy 7.20.
- E. DSHS staff shall be trained periodically on how to effectively provide services to clients who are deaf, deaf-blind or hard of hearing.
- F. DSHS dual language employees, when and as defined in the employee's position CQ or WMS position description, will utilize their dual language skills to facilitate communication to accomplish their job functions.

PROCEDURES:

- A. DSHS staff shall secure the services of a certified interpreter when requested and available. If a certified interpreter is not available, DSHS staff shall provide a qualified/non-certified interpreter who is considered competent by the client.
- B. DSHS clients who choose to secure the services of their own interpreter may do so at their own expense. This does not eliminate DSHS' obligation to procure the services of a qualified interpreter.
- C. All sign language interpreters who contract with DSHS shall follow the Code(s) of Professional Conduct attached. Any violation of the Code(s) of Professional Conduct may cause the termination of an interpreter's contract.
- D. The ODHHS shall implement and monitor compliance with the requirements of this policy, in consultation with LEP Cluster Coordinators and LIST.
- E. All DSHS programs and field operations shall develop and implement procedures that are in compliance with Policy 7.20 and include the following:
 - 1. Notify clients who are deaf, hard of hearing, or deaf-blind of their right to request an auxiliary aid (see definition, pg. 2) and inform them of the process to submit this request;
 - 2. Ask the client what their primary method of communication is (i.e., American Sign Language (ASL), English-based signs, oral or tactile interpreting, lip reading without an interpreter, note writing, braille, large print, real time captioning, etc.);

3. Work with the client to develop a list of names of certified and qualified interpreters who effectively meet their communication needs;
4. Provide cultural awareness and sensitivity training to staff with assistance from ODHHS to effectively provide services to clients who are deaf, deaf-blind, or hard of hearing;
5. Inform clients who are deaf, deaf-blind or hard of hearing of the grievance procedures available to them through NAD and RID through consultation with ODHHS;
6. Establish local and regional methods on how to obtain sign language interpreter services; and
7. Post signs which explain the rights of persons to request auxiliary aids at no cost to them.

Office of Deaf and Hard of Hearing Services (ODHHS)

The Office of Deaf and Hard of Hearing Services (ODHHS) shall coordinate with other divisions to:

1. Ensure that all sign language interpreters, including certified and qualified, register with ODHHS prior to providing any interpreting services to DSHS programs.
2. Maintain comprehensive resource and referral information of DSHS services and programs for persons who are deaf, deaf-blind or hard of hearing, including information on grievance procedures available through NAD and RID.
3. Ensure registered sign language interpreters receive training on DSHS services and procedures.
4. Provide guidance on the process of arranging for sign language interpreters or other accommodations for persons who are deaf, deaf-blind or hard of hearing.
5. Provide an updated list of certified RID and NAD and qualified interpreters on a quarterly basis to all divisions in DSHS.

REGISTRY OF INTERPRETERS FOR THE DEAF, INC. CODE OF ETHICS

The Registry of Interpreters for the Deaf, Inc. refers to individuals who may perform one or more of the following services.

Interpret

Spoken English to American Sign Language
American Sign Language to Spoken English

Transliterate

Spoken English to Manually Coded English/Pidgin Signed English
Pidgin Signed English/Manually Coded English to Spoken English
Spoken English to Paraphrased Non-audible Spoken English

Gesticulate/Mime, etc.

Spoken English to Gesture, Mime, etc.
Gesture, Mime, etc., to Spoken English

The Registry of Interpreters for the Deaf, Inc. has set forth the following principles of ethical behavior to protect and guide the interpreter/transliterater, the consumers (hearing and hearing impaired), and the profession, as well as to insure for all, the right to communicate.

This Code of Ethics applies to all members of the Registry of Interpreters for the Deaf, Inc. and all certified non-members.

While these are general guidelines to govern the performance of the interpreter/transliterater generally, it is recognized that there are ever increasing numbers of highly specialized situations that demand specific explanations, it is envisioned that the RID, Inc. will issue appropriate guidelines.

1. INTERPRETERS/TRANSLITERATORS SHALL KEEP ALL ASSIGNMENT RELATED INFORMATION STRICTLY CONFIDENTIAL.
2. INTERPRETERS/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/TRANSLITERATORS SHALL NOT COUNSEL, ADVICE, OR INTERJECT PERSONAL OPINIONS.
4. SERVICE PROVIDERS SHALL ACCEPT ASSIGNMENTS USING DISCRETION WITH REGARD TO SKILL, SETTING, AND THE CONSUMERS INVOLVED.

5. INTERPRETERS/TRANSLITERATORS SHALL REQUEST COMPENSATION FOR SERVICES IN A PROFESSIONAL AND JUDICIOUS MANNER.
6. INTERPRETERS/TRANSLITERATORS SHALL FUNCTION IN A MANNER APPROPRIATE TO THE SITUATION.
7. INTERPRETERS/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/TRANSLITERATORS, BY VIRTUE OF MEMBERSHIP IN OR CERTIFICATION BY THE RID, INC. SHALL STRIVE TO MAINTAIN HIGH PROFESSIONAL STANDARDS IN COMPLIANCE WITH THE CODE OF ETHICS.

NATIONAL ASSOCIATION OF THE DEAF (NAD) CODE OF ETHICS

- 👍 All information in any interpreting assignment is to be kept in strictest confidentiality.
- 👍 Interpreting services shall always be competent, impartial and professional.
- 👍 Messages shall be rendered faithfully, always conveying the content and spirit of the communication.
- 👍 In accepting assignments, discretion based on skill, setting, and the consumers involved must be used.
- 👍 Counseling or injecting personal opinion is never permitted.
- 👍 Information on the role and appropriate use of interpreting services shall be provided to the consumers when necessary.
- 👍 Professional judgment should be exercised in assessing whether communication is being understood.
- 👍 Information on available resources as appropriate should be provided.
- 👍 Compensation for services should be pursued in a professional manner.
- 👍 Further knowledge, increased competency, and maintenance of standards should be pursued.

Interpreter services may be obtained through the following agencies:

Department of Social and Health Services
Office of Deaf and Hard of Hearing Services
P.O. Box 45300
Olympia, WA 98504-5300
(360) 902-8000 Voice
(360) 753-0699 TTY
FAX (360) 902-0855

Community Service Center for the Deaf and Hard of Hearing
1609 - 19th Avenue
Seattle, WA 98122
(206) 322-4996 voice/TTY
FAX (206) 720-3251

Tacoma Area Coalition of Individuals with Disabilities (The TACID Center)
6315 South 19th Avenue
Tacoma, WA 98465
(253) 565-9000 voice/TTY
FAX (253) 565-5578

Eastern Washington Service Center for the Deaf and Hard of Hearing
North 1206 Howard Street
Spokane, WA 99201
(509) 328-9220 voice
(509) 328-3772 TTY
FAX (509) 625-5268

Central Washington Service Center for the Deaf and Hard of Hearing
303 South 12th Avenue
Yakima, WA 98902
(509) 452-9823 voice/TTY
FAX (509) 575-3926

Southwest Washington Service Center for the Deaf and Hard of Hearing
1715 Broadway Street
Vancouver, WA 98663-3436
(360) 695-3364 voice
(360) 695-9720 TTY
FAX (360) 694-2706

Mike Lingg Service Center for the Deaf and Hard of Hearing
P.O. Box 3582
Tri-Cities, WA 99303-3582
(509) 582-6435 voice
(509) 582-5171 TTY
FAX (509) 582-7473

INTERPRETER CERTIFICATIONS

Definitions:

Registry of Interpreters for the Deaf (RID) - A national professional association whose members are sign language and/or oral interpreters. RID administers stringent testing materials for certification of sign language interpreters.

CSC (Comprehensive Skills Certificate) or **CI/CT** (Certificate of Interpreting/ Certificate of Transliteration): Holders of both full certificates have demonstrated competency in both transliteration and interpretation. The CI and CT is the replacement for the CSC. Holders of these certificates are recommended for a broad range of interpreting and transliterating assignments.

CI (Certificate of Interpreting): Holders of this certificate are recognized as fully certified in Interpretation and have demonstrated the ability to interpret between American Sign Language (ASL) and spoken English in both sign-to-voice and voice-to-sign. Holders of CI are recommended for a broad range of interpretation assignments.

CT (Certificate of Transliteration): Holders of this certificate are recognized as fully certified in Transliteration and have demonstrated the ability to transliterate between signed English and spoken English in both sign-to-voice and voice-to-sign. Holders of the CT are recommended for a broad range of transliteration assignments.

IC, TC or IC/TC (Interpreting Certificate/Transliterating Certificate): Partial certifications. These certificates are no longer given out.

MCSC (Master: Comprehensive Skills Certificate): The MCSC examination was designed with the intent of testing for a higher standard of performance than the CSC. Holders of this certificate were required to hold the CSC prior to taking this exam which was offered for a brief time period.

RSC (Reverse Skills Certificate): This full certification is primarily held by Deaf or Hard of Hearing interpreters. The CDI is designed to replace the RSC which is no longer offered. Holders of the RSC are recommended for a broad range of assignments where the use of an interpreter who is deaf or hard of hearing would be beneficial.

OIC:C (Oral Interpreting Certificate: Comprehensive): Interprets spoken English into visible forms for speech reading purposes.

SC:L (Specialty Certificate: Legal): Has taken advanced training for interpreting in legal/judicial settings and has passed a special test. NOTE: It is highly recommended that CSC or CI/CT interpreters be used in all court proceedings if no SC:Ls are available. Class A felonies should use interpreters holding the SC:L. (See RCW 2.42.)

National Association of the Deaf (NAD) - A national professional association which developed testing materials for certification of sign language interpreters. The test is administered locally by the Washington State Association of the Deaf (WSAD).

Level 5 - Master: Holders of this certificate have demonstrated the ability to both interpret between English and ASL, and transliterate between English and Signed English or Pidgin Signed English (PSE). The interpreter is qualified to interpret in all settings, including mental health, medical and Felony A legal.

Level 4 - Advanced: Holders of this certificate have demonstrated the same abilities as mentioned above but did not achieve the master level. The interpreter is qualified to interpret in all settings.

Level 3 - Generalist: Holders of this certificate have demonstrated sufficient skill in interpreting or transliterating but did not score high enough for the advanced or master levels. Qualified to interpret in most settings but did not achieve advanced or master level.

RID AND NAD CERTIFICATION EQUIVALENTS

Certifications

<u>RID</u>	<u>WSAD/NAD</u>
SC:L/RSC/MCSC	5 - Master
CSC/CI-CT/OIC:C.....	4 - Advanced
CI or CT or IC/TC.....	3 - Generalist

LANGUAGE INTERPRETER AND TRANSLATOR CODE OF PROFESSIONAL CONDUCT

1. Accuracy

Interpreters/translators shall always thoroughly and faithfully render the source language message, omitting or adding nothing, giving consideration to linguistic variations in both source and target languages, conserving the tone and spirit of the source language message.

2. Cultural Sensitivity -- Courtesy

Interpreters/translators shall be culturally competent, sensitive, and respectful of the individual(s) they serve.

3. Confidentiality

Interpreters/translators shall not divulge any information obtained through their assignments, including but not limited to information gained through access to documents or other written materials.

4. Disclosure

Interpreters/translators shall not publicly discuss, report, or offer an opinion concerning matters in which they are or have been engaged, even when that information is not privileged by law to be confidential.

5. Proficiency

Interpreters/translators shall meet the minimum proficiency standard set by DSHS by passing the required certification examination or screening evaluation.

6. Compensation

The fee schedule agreed to between the contracted language services providers and the department shall be the maximum compensation accepted. Interpreters/translators shall not accept additional money, considerations, or favors for services reimbursed by the department. Interpreters/translators shall not use for private or others gain or advantage, the department's time or facilities, equipment or supplies, nor shall they use or attempt to use their position to secure privileges or exemptions.

7. Non-discrimination

Interpreters/translators shall always be neutral, impartial and unbiased. Interpreters/translators shall not discriminate on the basis of gender, disability, race, color, national origin, age, socio-economic or educational status, or religious, political, or sexual orientation. If interpreters/translators are unable to ethically perform in a given situation the interpreters/translators shall refuse or withdraw from the assignment without threat or retaliation.

8. Self-evaluation

Interpreters/translators shall accurately and completely represent their certification, training, and experience.

9. Impartiality -- Conflict of Interest

Interpreters/translators shall disclose any real or perceived conflict of interest which would affect their objectivity in the delivery of service. Providing interpreting or translation services for family members or friends may violate the individual's right to confidentiality, or constitute a conflict of interest.

10. Professional Demeanor

Interpreters/translators shall be punctual, prepared, and dressed in a manner appropriate and not distracting for the situation.

11. Scope of Practice

Interpreters/translators shall not counsel, refer, give advice, or express personal opinions, to individuals for whom they are interpreting/translating, or engage in any other activities which may be construed to constitute a service other than interpreting/translating. Interpreters/translators are prohibited from having unsupervised access to clients, including but not limited to phoning clients directly.

12. Reporting Obstacles to Practice

Interpreters/translators shall assess at all times their ability to interpret/translate. Should interpreters/translators have any reservations about their competency, they must immediately notify the parties and offer to withdraw without threat of retaliation. Interpreters/translators may remain until more appropriate interpreters/translators can be secured.

13. Ethical Violations

Interpreters/translators shall immediately withdraw from encounters they perceive as violations of this Code. Any violation of the Code of Professional Conduct may cause termination of the contract.

14. Professional Development

Interpreters/translators shall develop their skills and knowledge through professional training, continuing education, and interaction with colleagues, and specialists in related fields.

THIS CODE APPLIES TO ALL PERSONS PROVIDING LANGUAGE INTERPRETING OR TRANSLATION SERVICES AND MUST BE COMPLIED WITH AT ALL TIMES.