

## **History of Interpreting in America**

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ASL 4100: Advanced Deaf History

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April 22, 2024

### **Abstract**

Sign Language Interpreting is the process of conveying meaning between signed and spoken languages, requiring profound linguistic, cognitive, and technical skills beyond proficiency in English and Sign Language. In this paper, the authors introduce the concept of Sign Language Interpreting, describe various certification requirements for Sign Language Interpreters in America, discuss the implications of federal statutes and introduction of a Code of Professional Conduct, and ground the system of Sign Language Interpreting to the experience of interpreters in South Carolina. Sign language interpretation as it pertains to certification regulation, adherence to a Professional Code of Conduct, and the education of Deaf children has undergone development due to available legislation; however, it requires continuous monitoring to promote the accessibility of all consumers.

## **History of Interpreting in America**

### **Introduction**

Sign Language Interpreters are highly skilled professionals facilitating communication between hearing and Deaf individuals. To ensure message fidelity, interpreters must be able to simultaneously depict in Sign Language the information, inflection, and intentions of a message received in English. Additionally, the interpreter must be able to articulate, using appropriate English and preserving cultural and consumer awareness, the visual information, inflections, and intentions provided by the Deaf consumer (Registry of Interpreters for the Deaf, Inc., 2023).

While now a specialized and rapidly expanding career field utilized in educational, medical, legal, government, religious, business, performing arts, and community settings, interpreting did not begin this way. Interpreting initially existed to promote trade among tribes, clans, conquered lands, or other groups without a common language. To achieve a mutual goal, those participating in these interactions and who use mutually unintelligible languages invented systems to achieve a mutual goal, such as trade or to improve socioeconomic status, but not to learn another language. Thus, due to continuous contact between languages in most multilingual communities, including that of signed and spoken languages, interpreting emerged to mediate linguistic and sociolinguistic variation and ensure consistently facilitated communication.

American sign language (ASL) is a naturally developed language among a community of North American users, with the establishment of the first American school for the Deaf in 1817, the American Asylum in Hartford, Connecticut. With the resurrection of the American Asylum, students traveled to Hartford to the system of sign language, a combination of methodical and French Sign Language, brought to America by Laurent Clerc. Many Deaf students also brought their own sign languages and communication systems, such as Martha's Vineyard Sign Language

(MVSL), home signs, and Native American Sign Language (Valli et al., 2011). Eventually, these students graduated, and many participated in the spread of ASL throughout the country by becoming teachers at other deaf residential schools (Valli et al., 2011). Thus, ASL is a rule-governed communication system that can produce infinite forms and convey abstract concepts. Additionally, linguistic features such as handshapes, movement, location, etc. combine to form signs and sentences independent of English (Valli et al., 2011). These language features must be mastered and incorporated by its users, especially ASL interpreters responsible for providing accessibility and conveying information in both English and ASL.

### **ASL Interpreting Certification in America**

Eventually, guidelines were implemented to regulate the facilitation of information between hearing and Deaf individuals, which led to the increase of certified Sign Language interpreters. However, reform also occurred after the initial introduction of certification and in 2012, education standards increased to require a completed bachelor's degree when previously only an associate degree was necessary. Due to this stricter enforcement, the yield of certified sign language interpreters plummeted as the new standard required an additional two years of education to re-obtain certification. However, interpreter programs also increased in availability, with only six universities receiving funding in 1964 but nineteen in 1980. Ultimately, this trend has only continued to prevail and is responsible for the sophisticated career field and certification requirements necessary to provide accessibility for Deaf individuals.

### **Registry of Interpreters for the Deaf**

The following portion of the paper will discuss the creation of the Registry of Interpreters for the Deaf (RID) and the impact of this organization regarding standardization and certification

of Sign Language Interpreters. Requirements to obtain and retain RID certification and certification options for interpreters will be explored.

In June of 1964, America experienced a revolution in the organization of sign language interpreters with the launch of the National Registry of Professional Interpreters and Translators for the Deaf (NRPITD), which was later renamed to the Registry of Interpreters for the Deaf (RID) in 1965. RID declared objectives to publish a registry of interpreters, investigate evaluation and certification systems, inform the public about interpreting services and enact interpreter certification requirements to accomplish these goals. Although limited in that the only requirements to be an interpreter certified by RID were to hear, to sign, to be willing, and to be available, the introduction of regulation was significant in that prior to this date, "signing interpreters" were clergy, CODA's, or teachers: anyone with frequent contact and ability to understand both signed and spoken language. Therefore, RID distinguished sign language interpreting as a profession rather than a convenience.

The establishment of RID is also interesting in that the organization intended to regulate preceded the profession itself. Because sign language interpreters were often hearing individuals with the most contact with deaf people, Interpreter Programs, a Code of Ethics, or recognition of the field did not exist. Therefore, RID's implementation and the field of sign language interpreting required extensive restructuring to foster its desired growth and aspirations.

Although community interpreter certification varies by state, RID currently recognizes two national certifications for sign language interpreters administered by the Center for the Assessment of Sign Language Interpretation (CASLI), the National Interpreter Certification (NIC) (2009-present) and the Certified Deaf Interpreter Certification (CDI) (1998-present).

NIC-certified interpreters are hearing individuals who have exhibited the comprehensive knowledge required to navigate the field of interpreting and ethical dilemmas (Registry of Interpreters for the Deaf, Inc., 2023). CDI must be deaf individuals with native or near-native ASL fluency and specialized training or experience in strategic communication facilitation (Registry of Interpreters for the Deaf, Inc., 2023). They are also required to demonstrate competency in knowledge of interpreting, deafness, the Deaf community, and Deaf culture by passing the CASLI Generalist Knowledge Exam, possessing a B.A. or an approved Alternative Pathway Plan, and passing the associated CASLI Performance exam (Registry of Interpreters for the Deaf, Inc., 2023). RID-certified interpreters must also complete 8.0 Continuing Education Units every five years, which is equivalent to 80 hours of training. Although still continuously improving to provide the best sign language interpreters and access for Deaf consumers, RID is currently the longest-lasting professional sign language interpreting service organization for Deaf Americans and has long surpassed their original certification requirements to hear, to sign, to be willing, and available (National Consortium of Interpreter Education Centers).

### **Educational Interpreter Certification**

In this segment of the paper, the authors will divert from the discussion of community-based interpreting certification to the regulation of Educational Interpreting in America and the dissemination of the Educational Interpreter Performance Assessment (EIPA). A connection to EIPA certification requirements in South Carolina will also be introduced.

Introduced in 1993, the Educational Interpreter Performance Assessment (EIPA), disseminated by The Boys Town National Research Hospital EIPA Center, is the nation's primary evaluation of an interpreter's skill sets and abilities. The test allows educational interpreters to

interpret elementary or secondary-level material in a target language of their choice, PSE, MCE, or ASL. Upon taking the test, interpreting skill sets and proficiencies will be evaluated to provide educational interpreters with an average score from 0-5, 0 producing no effective competencies and 5 being a mastery educational interpreting demonstration. State requirements for educational interpreters vary from no national exam to an EIPA score 4.0.

Previously, South Carolina Educational Interpreters were not required to possess any certification to interpret in the public or special schools of the state. However, as of January 1st, 2024 and mandated by the Sign Language Interpreters Act, South Carolina Educational Interpreters must achieve an EIPA level of 3.5 or higher until after July 1st, 2026, in which an EIPA 4.0 will be required (South et al., 2019). Additionally, some states require passing the EIPA Written Test, which evaluates the interpreter's understanding of concepts fundamental to interpreting for Deaf students in educational settings (Boys Town EIPA, 2022). The EIPA written test consists of 176 questions, offers immediate results of pass/fail, and covers content related to child language development, culture, education, English, interpreting, linguistics, literacy and tutoring, professionalism, and technology (Boys Town EIPA, 2022). As of January 1st, 2024, Educational Interpreters of South Carolina must also pass the EIPA Written Test as well as achieve twenty hours of professional development per year, abide by the EIPA Code of Professional Conduct for Educational Interpreters, and register annually with the Dept. of Labor, Licensing, and Regulation (South et al., 2019). Regulation of Educational Certification is crucial as 50% of interpreting program graduates work in schools full-time, with 30% of interpreter program graduates beginning immediately after graduation, despite those with a bachelor's degree averaging two years before achieving national certification after graduation and three years for those with an associate degree (Cates & Delkamiller, 2021).

## **State and Federal Statutes Interpreting Implications**

State and Federal legislation have long-held consequences to recognizing sign language interpreters and, ultimately, the accessibility of Deaf individuals. However, as all federal legislation now refers to qualified interpreters as qualified service providers, it is left to each state to determine the definition of "highly qualified" to fulfill these requirements. The following section will introduce and analyze the ramifications of several key pieces of American legislation regarding interpreting regulation and Deaf accessibility. Legislation to be discussed includes an education act, the Individuals with Disabilities Education Act (IDEA), and a civil rights act, the Americans with Accessibility Act (ADA).

### **Individuals with Disabilities Education Act (IDEA)**

Previously known as the Education of Handicapped Children Act of 1975, the federal law requiring states and school districts to ensure children with disabilities receive a Free Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE) was renamed the Individuals with Disabilities Education Act (IDEA) in 1990. The right to a free, appropriate public education remains unrealized by many deaf children who, however, direct and uninhibited language and communication access to the curriculum and all facets of the schooling experience are essential to achieve equality of opportunity and an appropriate education. Therefore, children ages 3-21 who are determined by a multidisciplinary team to possess one or more of 13 specific disability categories, including deafness, and who need special education and related services are protected by the IDEA. IDEA requires the development of an Individualized Education Program (IEP) document with specific content and a required number of participants at an IEP meeting to fulfill this provision. Additionally, IDEA reauthorization in 2008 redefined educational interpreters as related-service providers, effectively recognizing the use of an interpreter as



essential for providing access to a FAPE within the LRE for those applicable. Educational Interpreters must also participate in all IEP meetings to ensure a comprehensive evaluation of the Deaf student. Deaf parents attending IEP meetings must also be provided an interpreter by the public agency according to Sec. 300.322 (e) (Individuals with Disabilities Education Act, 2017). Ultimately, with the enactment of the IDEA, *access* is defined as an individualized process that can be achieved in various ways, including using an educational interpreter, which advocates for equal educational opportunities for Deaf students in American public schools.

### **Americans With Disabilities Act (ADA)**

The Americans with Disabilities Act (ADA) is a federal civil rights act that extends coverage of the Vocational Rehabilitation Act of 1973 (504). Originally, under the 504, employers of any institution receiving federal assistance were required to make reasonable accommodations for disabled employees. However, once passed in 1991, the ADA contains four titles that designate accessibility to those with disabilities in all employment, education institutions, transportation, and telecommunication services, regardless of federal funding. Ultimately, "any individual with a disability who: (1) has a physical or mental impairment that substantially limits one or more life activities; or (2) has a record of such impairment; or (3) is regarded as having such an impairment", and qualified for the provided opportunity, is protected under the ADA (USUS Dept. of Education Office for Civil Rights, 2023). Additionally, those with disabilities are also protected from discrimination in educational settings based on their disability (USUS Dept. of Education Office for Civil Rights, 2023). The protection granted by the ADA pertains to deaf individuals in several contexts. For example, although the ADA does not regulate the evaluation and placement process of deaf students, it does guarantee reasonable accommodations for activities within educational settings, such as providing written or

alternative communication formats, modifying tests, altering facility construction, etc. (Disability et al., 2021). Additionally, the ADA requires that all Title II and III entities effectively communicate with people with communication 'disabilities.' This may include the use of an interpreter, real-time captioning, telecommunication relay services (TRS), video relay services (VRS), video remote interpreting (VRS), and video remote interpreting (VRI). As one of the most recent and extensive pieces of federal discrimination legislation, the ADA fundamentally increased accessibility for deaf individuals by validating the use of sign language interpreters as essential to achieving accessible communication.

### **Code of Professional Conduct**

A Code of Professional Conduct was adopted by the Registry of Interpreters for the Deaf in 2005. This Code contains seven tenets, which should be referred to and upheld during an interpreter's career. Following an introduction to the RID Code of Professional Conduct, each tenet and its associated intentions will be discussed in this portion of the paper.

Although often misconceived as a general profession, ASL interpreting is a specialized field extending to community, medical, educational, religious, and legal settings. Therefore, a set of guiding principles entailing professionals' responsibilities, behaviors, and ethical obligations is essential to maintain the safety and accessibility of all involved. However, it is equally as crucial to recognize that a code of professional conduct consists of abstract principles that cannot provide definitive solutions to all possible interpreting challenges, no matter how specific (A National Code of Ethics for Interpreters in Healthcare, 2004). Therefore, although a code of professional ethics was adopted by RID in 2005, interpreters are expected to continuously develop their knowledge, skills and professionalism to ensure qualification and promote their

ethical obligations. The RID Code of Professional Conduct includes confidentiality policies, professional skills and knowledge, appropriate conduct, respect for consumers, colleagues/interns/students, ethical business practices, and professional development to guide certified interpreters.

### **Confidentiality**

According to the tenet of confidentiality, interpreters must adhere to standards of confidential communication. Interpreters gain trust in their roles as language facilitators; therefore, confidentiality prioritizes the protection of all those involved. Depending on their specialized context, several levels of confidentiality may be available. Additionally, exceptions exist that require interpreters to break confidentiality, such as under laws that require mandatory reporting of threats of suicide, harm or abuse. The waiver of confidentiality also applies to responding to a subpoena.

### **Professionalism**

Interpreters should have the knowledge and professional skills required for specific situations. It is necessary for interpreters to stay up to date with the changing language and trends in interpreting along with that of the Deaf community. Interpreters should accept jobs for which they are qualified based on their skill level, the setting, and those involved. This also specifies that service will be provided regardless of race, gender, age, disability, religion, etc. (Nationwide et al., 2021).

### **Conduct**

For this policy, interpreters must conduct themselves appropriately and in a way specific to the interpreting situation. Interpreters should uphold themselves in an appropriate demeanor

and appearance. It may be necessary for an interpreter to turn down an assignment due to emotional, mental, or physical factors.

### **Respect For Consumers**

Interpreters must respect the consumers by "honoring consumer preferences in the selection of interpreters and interpreting dynamics while recognizing the realities of qualifications, availability, and situation." (Nationwide et al., 2021). Interpreters should also consider the consumers' requests in terms of language preferences and relate the message accordingly (signed or spoken).

### **Respect for Colleagues**

Interpreters are to show respect for colleagues, interns, and students who are part of the profession. Interpreters must cooperate and work with other colleagues to benefit the interpreting services.

### **Business Practices**

Interpreters must have ethical business practices by participating professionally in private practices and while working for an agency. This includes being entitled to a living wage and quality working conditions. As a part of the interpreting business, interpreters should also possess the appropriate qualifications and represent them accordingly. This can include certifications, education, and experience.

### **Professional Development**

Interpreters should continue to participate in professional development as continuing to develop knowledge and skills will improve interpreting services. Interpreters may engage in professional development by attending workshops, conferences, and community events, pursuing

higher education, or partaking in mentoring/supervision opportunities. It is also essential to be aware of changing laws, policies, regulations and rules that will affect interpreting services.

### **Interpreting in South Carolina**

Finally, the profession of Sign Language Interpreting in America will be isolated to the experience of interpreting in South Carolina. The authors will discuss the implementation of new legislation, its necessity, and its significance in regulating educational interpretation in South Carolina.

In addition to RID's Code of Professional Conduct, the state of South Carolina has also introduced a bill that will establish new requirements for interpreters working in the state. Originally initiated on February 2nd, 2021, and later passed on May 11th, 2022, the law will require "minimum competency requirements for sign language interpreters, exceptions, definitions, and more rigorous standards so that Deaf and hard of hearing individuals in SCSC have appropriate access." (South et al. of Interpreters for the Deaf, South Carolina Association of the Deaf). This pertains to community and post-secondary interpreters as they must supply 'recognized certification' in order to be able to provide the interpreting services. The South Carolina Legislature refers to "recognized certification" as a certification in sign language interpretation as approved by the South Carolina Association of the Deaf, the South Carolina Registry of Interpreters for the Deaf, or the National Registry of Interpreters for the Deaf." (South Carolina General Assembly, 2019). New requirements will be introduced in stages for those interpreting in K-12 educational settings. Initially, between July 1st, 2022, and June 30th, 2026, interpreters must have a minimum of 3.5 on the EIPA. However, on July 1st, 2026, interpreters must score 4.0 or higher. Interpreters must also pass the EIPA written test.

Additionally, interpreters must complete 20 hours of continuing professional development each year and agree to uphold the EIPA Code of Professional Conduct for Educational Interpreters. The significance of this bill is primarily due to the lack of previous regulations in South Carolina, as before its passing, the state did not require certification to interpret in K-12 settings. Therefore, although it is the continuous responsibility of the interpreter to ensure qualification and the school to only hire those who are qualified, the South Carolina Sign Language Interpreters Act has the potential for growth of the interpreting field and the promotion of accessibility and education of deaf students.

### **Discussion & Conclusion**

The field of sign language interpreting is incomparable to that of the volunteered acts by hearing family or community members of the past. It is an intensive task that requires physical, mental, and emotional stamina and endurance to adapt to any assignment, preserve the quality of the interpretation, and commit to achieving certification and continuous growth. As sign language interpreting has become more dynamic, the growth and maturation of the profession have also created a movement in certification standards and the availability of Interpreter programs, professional development opportunities, and additional training at the local, state, regional, and national levels (Registry of Interpreters for the Deaf, Inc., 2023). This development is supported by adhering to a nationwide code of ethics, the Interpreter Code of Professional Conduct.

Regulation of interpreter certification is critical in ensuring accessibility. Despite differing state credentialing systems, community interpreting has been supervised since the founding of RID in 1964. However, national enforcement of educational interpreting certification still requires immediate attention and improvement.

Often, educational interpreters with minor educational interpreter skills and the lowest EIPA scores work in primary school settings with the most vulnerable students, young children without fully developed language skills (Cates & Delkamiller, 2021). A study by Dr. Deborah Cates and Dr. Julie Delkamiller validates the threat unqualified interpreters pose to the education of deaf children by subjecting six deaf middle and high school students with a minimum of five years of sign language experience to data collection under consistent learning conditions. Each student completed a 10-question pre-test on four topics at a fifth-grade physical science level before presented a lesson assigned to instructors of different ASL credentials: a lecture provided in English using an Educational Interpreters possessing an EIPA score of 4.0 within the last 12 months, a lecture provided in English using an Educational Interpreters possessing an EIPA score of 3.0 within the last 12 months, a lecture in direct ASL instruction from a certified teacher of the deaf, and a lecture utilizing Simultaneous Communication from a certified teacher of the deaf (Cates & Delkamiller, 2021). Following each lesson, a 10-question post-test was provided, and learning was assessed by comparing the scores of each student's pre-and post-test and across conditions to assess the impact of service delivery on their learning(Cates & Delkamiller, 2021). Once the study was completed, data determined that students learned best under direct instruction in ASL, followed closely by instruction using an education interpreter with an EIPA 4.0 and then through SimCom (Cates & Delkamiller, 2021). However, post-test scores did not improve for a single student present for instruction using an educational interpreter with an EIPA 3.0; in fact, all four students showed a decrease in learning scores (Cates & Delkamiller, 2021). Therefore, as exemplified by this study, the learning potential of a deaf student is directly dependent on the interpreter's skill level. It also demonstrates the accuracy of the EIPA's score assignment concerning the skills of an educational interpreter.

Unfortunately, regulation of educational interpreter certification is complex as states must navigate between the commitment to provide qualified interpreters and access to enough qualified interpreters to sustain the needs of their education system. However, the results of this study effectively argue that providing an unqualified interpreter provides little to no more access to a deaf student than not providing an interpreter at all. Both occurrences are harmful and systematic failures for deaf students that must be resolved to ensure a free, appropriate education as mandated by the IDEA. Ultimately, South Carolina's effort to begin certification enforcement of educational interpreters is crucial as the current disparity in appropriate qualification of educational interpreters ultimately victimizes deaf students.



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