

Proposed Rule
LSA Document #10-564

DIGEST

Adds [515 IAC 6](#) to require interpreters or transliterators to hold a permit if the interpreter or transliterator is hired to work with a deaf or hard of hearing student by a school corporation, to set forth the definitions for the rule, to establish the permit as a two year permit, to require applicants to submit certain information as part of the application process, to establish eligibility requirements for the permit, to require certain professional growth experiences for permit holders to be eligible for permit renewal, to establish an emergency permit, to establish a code of ethics for educational interpreters, to grandfather certifications made under prior rules that were valid as of June 30, 2010, and to allow a permit that is valid on the first day of school to be considered valid for the duration of the school year. Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)

[515 IAC 6](#)

SECTION 1. [515 IAC 6](#) IS ADDED TO READ AS FOLLOWS:

ARTICLE 6. EDUCATIONAL INTERPRETER PERMIT

Rule 1. Interpreter Permit for the Deaf and Hard of Hearing in Educational Settings

[515 IAC 6-1-1](#) Scope

Authority: [IC 20-28-2-6](#)

Affected: [IC 20-24-7](#); [IC 20-35-5](#); [IC 20-37-1-1](#); [IC 36-1-7](#)

Sec. 1. (a) An interpreter or transliterator must hold a permit under this article if the interpreter or transliterator is hired to work with a deaf or hard of hearing student by any one (1) of the following:

- (1) A school corporation.
- (2) A school organized by an interlocal agreement under [IC 36-1-7](#).
- (3) A special education cooperative organized under [IC 20-35-5](#).
- (4) A cooperating school corporation for vocational education organized under [IC 20-37-1-1](#).
- (5) An accredited nonpublic school under [511 IAC 6.1-1-1](#).
- (6) A nonaccredited nonpublic school.

(b) 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 or transliterator.

(Advisory Board of the Division of Professional Standards; [515 IAC 6-1-1](#))

[515 IAC 6-1-2](#) Definitions

Authority: [IC 20-28-2-6](#)

Affected: [IC 20-19-3](#); [IC 20-24-7](#)

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

(b) "Board" means the advisory board of the division of professional standards.

(c) "Code of ethics" means the rules of professional behavior for interpreters and transliterators approved by the board.

(d) "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.

(e) "Department" or "department of education" means the department of education established under [IC 20-19-3](#).

(f) "Educational interpreter" means a person who:

- (1) is able to perform conventional interpreting or transliterating; and
- (2) meets the requirements of this rule for working in the educational setting.

(g) "EIPA" means the educational interpreter performance assessment offered by the EIPA Diagnostic Center at the Boys Town National Research Hospital, 555 N. 30th St., Omaha, NE 68131.

(h) "Hard of hearing" means a person who has mild to moderate hearing loss.

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

(j) "Individualized education program" or "IEP" means a document developed by a case conference committee that identifies educational goals and objectives needed to appropriately address the educational needs of a student with a disability.

(k) "Interpreter" means interpreters, transliterators, and oral transliterators and includes a 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.

(l) "Interpreting" means the process of conveying a message from one (1) language into another.

(m) "Professional growth experiences" means professional experiences verified by the building level administrator, supervisor, or department as completed.

(n) "Transliteration" refers to the process of conveying information from a spoken English message to an invented code that is signed or vice versa.

(Advisory Board of the Division of Professional Standards; [515 IAC 6-1-2](#))

[515 IAC 6-1-3](#) Educational interpreter permit

Authority: [IC 20-28-2-6](#)

Affected: [IC 20-24-7](#)

Sec. 3. (a) An educational interpreter permit is a renewable two (2) year permit for an interpreter or transliterator that is hired to work with a deaf or hard of hearing student under section 1 of this rule.

(b) A permit under this section may be renewed in accordance with section 6 of this rule.

(Advisory Board of the Division of Professional Standards; [515 IAC 6-1-3](#))

[515 IAC 6-1-4](#) Educational interpreter permit; application

Authority: [IC 20-28-2-6](#)

Affected: [IC 20-24-7](#)

Sec. 4. (a) An applicant for an educational interpreter permit must include the following in the application:

(1) A completed application form approved by the department.

(2) A nonrefundable fee in the form of:

(A) a cashier's check;

(B) a certified check;

(C) a money order; or

(D) an online transfer;

in the amount required under [515 IAC 9-1-31](#).

(b) An incomplete application may be returned. A new fee may be required as a result of submitting an incomplete application. The applicant is responsible for any delays in permit processing caused by the submission of an incomplete application.

(Advisory Board of the Division of Professional Standards; [515 IAC 6-1-4](#))

[515 IAC 6-1-5](#) Educational interpreter permit; eligibility

Authority: [IC 20-28-2-6](#)

Affected: [IC 20-24-7](#)

Sec. 5. An applicant is eligible for the educational interpreter permit if the applicant holds a valid high school diploma or equivalent and:

(1) successfully passes the EIPA written test and successfully completes the EIPA performance test with a score of 3.0 or above; or

(2) is registered with the National Registry of Interpreters for the Deaf.

(Advisory Board of the Division of Professional Standards; [515 IAC 6-1-5](#))

[515 IAC 6-1-6](#) Educational interpreter permit; renewal

Authority: [IC 20-28-2-6](#)

Affected: [IC 20-24-7](#)

Sec. 6. (a) An educational interpreter permit may be renewed for a two (2) year period if the applicant submits an application that demonstrates that the requirements of the professional growth plan have been met in accordance with subsection (b).

(b) A professional growth plan is documentation of professional growth experiences. One (1) clock hour of professional development is one (1) professional growth experience point. The professional growth plan must include a minimum of the following:

(1) Eighteen (18) professional growth experience points in skill development.

(2) Eighteen (18) professional growth experience points in at least one (1) of the following seven (7) 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.

(G) Audiological issues for students and adults.

(c) To qualify for renewal, completed professional growth experience points must be verified by a building level administrator where the applicant is employed at the time of renewal.

(d) The appropriate corporation-level administrator assigned by the superintendent shall provide written notice to the permit holder of the verification or the refusal to verify made in subsection (c).

(e) If an applicant is not employed by an entity listed under section 1(a) of this rule at the time of renewal, the department shall verify or refuse to verify the applicant's professional growth experience points.

(f) The department shall provide written notice to the permit holder if the department denies a request under subsection (e).

(g) Professional growth points or continuing education units earned prior to July 1, 2011, apply to an applicant's first renewal after July 1, 2011.

(Advisory Board of the Division of Professional Standards; [515 IAC 6-1-6](#))

[515 IAC 6-1-7](#) Educational interpreter emergency permit

Authority: [IC 20-28-2-6](#)

Affected: [IC 20-24-7](#)

Sec. 7. (a) An educational interpreter emergency permit is a permit for an interpreter or transliterator that is hired to work with a deaf or hard of hearing student under section 1 of this rule. The permit is valid only for the school year during which it is granted.

(b) To qualify for an educational interpreter emergency permit, the applicant must submit the following:

- (1) An application for an emergency permit submitted by an employing school superintendent between July 1 and April 15 of the school year for which the emergency permit is requested but not later than twelve (12) weeks after the applicant for the emergency permit begins service.
- (2) Completion of the EIPA Pre-Hire Screening with a rating of "Hire with Caution" or "Skills at Least at Minimum Standards".
- (3) Documentation from the employing school superintendent certifying an emergency need for the applicant.
- (4) Documentation of successful completion of a high school degree or equivalent.
- (5) The established fee for issuance of the permit.
- (6) All necessary evidence of eligibility and any additional documentation required by the department.

(c) The emergency permit may be renewed at the request of the employing school superintendent every year upon completion by the applicant of nine (9) professional growth points in skill development and nine (9) professional growth points in at least one (1) content area listed under section 6(b)(2) of this rule.

(Advisory Board of the Division of Professional Standards; [515 IAC 6-1-7](#))

[515 IAC 6-1-8](#) Educational interpreter code of ethics

Authority: [IC 20-28-2-6](#)

Affected: [IC 20-24-7](#)

Sec. 8. (a) In addition to all other requirements of this rule, the applicant for a permit under this rule or the holder of a permit of this rule shall comply with the following 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 or persons 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) The department may revoke or suspend a permit in accordance with the procedures under [515 IAC 9-1-18](#) for failure to comply with the code of ethics.

(Advisory Board of the Division of Professional Standards; [515 IAC 6-1-8](#))

[515 IAC 6-1-9](#) Certification prior to July 1, 2010

Authority: [IC 20-28-2-6](#)

Affected: [IC 20-24-7](#)

Sec. 9. (a) All certifications valid as of June 30, 2010 and issued under the provisions of prior rules governing interpreter standards for the deaf and hard of hearing in educational settings shall remain valid until July 1, 2012.

(b) A permit that is valid on the first day of school in the school in which the permit holder is employed is considered valid for the duration of that school year.

(Advisory Board of the Division of Professional Standards; [515 IAC 6-1-9](#))

[Notice of Public Hearing](#)

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