

Frequently Asked Questions (FAQs) and Answers Related to Endorsement Process

Q: Will the Division review each Endorsement application on a case by case basis to determine approval or denial based upon all submitted documentation?

A: Yes. This is the first time all Michigan certified interpreters are required to apply for Michigan Endorsements. Since the specific requirements are new and we cannot expect that interpreters will have predicted specifically what they will need to establish, the Division will be flexible about how an interpreter is able to verify meeting specific requirements.

The intent of the Endorsement requirements is to establish a minimum base of knowledge, experience and/or skill that interpreters must acquire *before* beginning to practice in specialized areas of practice. In applying these requirements to interpreters who are already working within these specialized practice areas, the Division must recognize that (regardless of their preparedness the first time) they may have gained the required base knowledge, experience, and skill levels through experience rather than training. While fully supporting the principle that an interpreter's preparedness must be established before they can be permitted to participate, the Division will be flexible about permitting applicants to establish that they have met the requirements in ways other than what is now required.

The Endorsement application is posted on the Division website and applicants may submit their completed application, required documentation, and fees starting April 4, 2016. Applicants for initial Endorsements who currently work in the specialized areas of practice prior to July 7, 2016, and who wish for the Division to consider alternate documentation of required levels of knowledge, experience and/or skills should indicate on the application form whatever documentation they are unable to include. The interpreter should then **attach a detailed description of how s/he believes s/he can establish already possessing the knowledge, experience, and skills that the requirement is intended to ensure** for future applicants. Such information may include documents provided by the program host, notarized statements of third parties, or any other information the applicant believes the Division should consider. **Knowingly providing any false information may result in disciplinary action including revocation of current, and permanent denial of future Michigan interpreter certification.**

In order to allow for a full review and ensure a decision prior to the July 7, 2016 effective date on which Endorsements will be required, all applicants must submit their application on or before June 3, 2016. Applicants who are requesting the Division consider material other than that which is specifically provided for are strongly encouraged to submit their applications prior to June 3, 2016 in order to allow time to submit any additional information that the Division may require after an initial review.

Q: How strictly will the Division interpret the specific requirements for each Endorsement?

A: Following December 31, 2016, the Division will strictly apply the requirements for Endorsements for all future applicants. The more flexible application process described above

applies **ONLY** to those interpreters who can establish that they have spent significant time interpreting within the specialized areas of practice covered by the specific Endorsement prior to the July 7, 2016 effective date. For the remainder of 2016, these interpreters will be permitted the opportunity to establish their equivalent knowledge, experience, and skills in ways other than those specifically provided.

Q: What do I do if the Division rejects my application for an Endorsement?

A: If an Endorsement application is denied, applicants have three different available courses of action as described in the Michigan Certified Interpreter Policies and Procedures Section 6.2.

If the denial was for simple failure to submit documentation, applicants have up to 35 calendar days to provide it to the Division. If applicants fail to do so within this time frame, they will be required to reapply for that Endorsement by submitting a new Endorsement application form, documentation, and applicable fee.

If the denial was for any reason other than the failure to include documentation that could be provided within 35 calendar days, and if after reviewing the denial applicants agree that the application did not include everything required, applicants may reapply for that Endorsement when applicants are able to meet all requirements for that applicable Endorsement. There is no designated waiting period, but applicants must reapply by submitting a new Endorsement application form, documentation (including documentation of whatever was lacking previously), and applicable fee.

If the denial was for any reason other than the failure to include documentation that could be provided within 35 calendar days, and after reviewing the denial applicants believe it is in error, Division reconsideration may be requested. A request for reconsideration **MUST** be filed **WITHIN 7** calendar **DAYS** and it **MUST** identify errors and include an explanation as to why application should have been granted.

Q: How far back are applicants allowed to go when submitting CEUs for an Endorsement?

A: All CEUs for initial Endorsement applications are determined based upon the date the application was received by the Division. CEUs for initial Endorsements must have been earned four years prior to the date of the initial submitted application date. Receipt of an Endorsement application will not change the applicant's annual Michigan certification renewal date or the applicant's four year Michigan credential cycle. Endorsement CEUs may also be counted as Professional Studies, Ethics, or General Studies CEUs provided that they meet the Endorsement CEU requirements and are earned within the applicable time period.

Example for interpreters with state credentials: Interpreter A has a Michigan BEI III credential initially obtained May 1, 2014. The annual renewal date for the BEI III credential is May 1 every year. Interpreter A's four year Michigan credential cycle is from May 1, 2016 to April 30, 2020.

Interpreter A applies for a Medical/Mental Health Endorsement on July 1, 2016. Interpreter A will:

- *Pay \$20, and*
- *Submit all required documentation for initial Endorsement requirements which includes 2.0 Medical/Mental Health CEUs (20 hours) earned between July 1, 2012 and June 30, 2016*

Then, Interpreter A's Endorsement cycle will follow a four year cycle and will align with the four year credential cycle for the Michigan BEI III. To maintain the Medical/Mental Health Endorsement in 2020, Interpreter A must submit 2.0 Medical/Mental Health CEUs (20 hours) earned from May 1, 2016 to April 30, 2020.

Example for interpreters with national credentials: *Interpreter B has a SC:L credential initially obtained August 1, 2010. The annual renewal date for the SC:L credential is June 30 every year.*

Interpreter B applies for a Legal Endorsement on October 10, 2017. Interpreter B will:

- *Pay \$20, and*
- *Submit all required documentation for initial Endorsement requirements which includes 2.0 Legal CEUs (20 hours) earned between October 10, 2013 and September 30, 2017.*

Then, Interpreter B's Endorsement cycle will follow a four year cycle and will align with the annual Michigan certification renewal date for the SC:L credential. To maintain the Legal Endorsement in 2021, Interpreter B must submit 2.0 Legal CEUs (20 hours) earned from July 1, 2017 to June 30, 2021.

Example for interpreters with both state and national credentials: *Interpreter C has a Michigan BEI II credential initially obtained May 1, 2014 and a NIC credential initially obtained July 1, 2010. The annual renewal date for the NIC credential will be June 30 every year. The annual renewal date for the BEI II credential is May 1 every year. Interpreter C's four year Michigan credential cycle is from May 1, 2016 to April 30, 2020 for the BEI II credential.*

Interpreter C applies for both the Deafblind and Legal Endorsement on July 1, 2016. Interpreter C will:

- *pay \$30 (\$20 for first Endorsement, \$10 for additional Endorsement) and,*
- *submit .8 DeafBlind CEUs (8 hours) earned between July 1, 2012 and June 30, 2016 and,*
- *submit 2.0 (20 hours) Legal CEUs earned between July 1, 2012 and June 30, 2016.*

Then, Interpreter C's Endorsement cycle will follow a four year cycle and will align with the four year credential cycle for the Michigan BEI II. To maintain the DeafBlind and Legal Endorsement in 2020, Interpreter C must submit .8 DeafBlind CEUs (8 hours) and 2.0 Legal CEUs (20 hours) earned from May 1, 2016 to April 30, 2020 which aligns with the four year Michigan credential

cycle for the Michigan BEI II credential. However, the Division will accept any CEUs applicable for Endorsements listed on RID transcripts if earned from May 1, 2016 to April 30, 2020.

Q: How long is each Endorsement valid for? What will be the Endorsement cycle?

A: An Endorsement is a credential that, once awarded, becomes part of a Michigan certified interpreter's four year Michigan credential cycle. Annual Michigan certification renewal includes any and all valid Michigan recognized credentials the interpreter possesses. Endorsements will be renewed annually by renewing Michigan certification, but the Endorsement CEU requirements for maintaining it must be met at the end of each four year Michigan credential cycle. After obtaining the initial Endorsement, the Endorsement cycle is a four year period identical to the interpreter's four year Michigan credential cycle.

Q: Will applicants be allowed to use the same course, workshop, class or CEUs earned for Michigan certification to apply for an initial Endorsement?

A: This depends entirely on the date the applicable CEU was earned. All Endorsement CEUs for an initial Endorsement must have been earned in the four years prior to the initial Endorsement application submission date. CEUs required for Michigan credentials must be earned during an interpreter's applicable four year Michigan credential cycle. Therefore, CEUs used in a four year Michigan credential cycle may also be used for purposes of obtaining an Endorsement if they fall within the applicable timeframe. Similarly, CEUs used to obtain an initial Endorsement may also be used for other purposes during the four year Michigan credential cycle in which they are earned.

Applicants may use Professional Studies, Ethics, or General Studies CEUs for Endorsement CEUs provided that they meet the Endorsement CEU requirements and are earned within the applicable four year Michigan credential cycle. Please note that the Division only grants pre-approval of Endorsement CEUs through Division sponsorship. In addition, applicants may apply earned CEUs to multiple Endorsements, if applicable and preapproved for more than one specialized area, and if earned within the applicable four year Michigan credential cycle.

Additionally, because all credentials (Standard Practice Level and Endorsements) are assessed independently, whether CEUs can be counted is determined based only on the subject matter. Thus, the CEUs earned for an interpreting program on signing medical terminology may be used to satisfy both an interpreter's Standard Practice Level and Medical Endorsement, while a different course might apply to Standard Practice Level and DeafBlind Endorsement, and a third course might apply only to Standard Practice Level. Each unit will be addressed separately and independently.

Q: After obtaining a Michigan Legal or Medical/Mental Health Endorsement, are applicants required to complete another Skills Development Course, English Competency Test, or Court Orientation Training after the four year Michigan credential cycle ends for the applicable Endorsement?

A: No. This is only required once and is not required for renewals. After an applicant has obtained either a Medical/Mental Health or Legal Endorsement, to maintain that Endorsement,

interpreters must pay applicable Endorsement fee(s) and submit the required Endorsement CEUs during each applicable four year Michigan credential cycle.

However, if an interpreter permits their Michigan certification to lapse, or fails to have the required CEUs to maintain an Endorsement as part of their Michigan certification at the end of their four year Michigan credential cycle, then the interpreter will be required to start the process again from the beginning and apply for that Endorsement with an initial Endorsement application and meet all initial application requirements.

Q: For Legal Endorsements, what is the difference between a Skills Development Course and formal legal training, Court Orientation Training, and Endorsement CEUs?

A: Skills Development Course: One that “focuses on sign language concepts and interpretation of [specialized] vocabulary.” It is only required for first time Medical/Mental Health and Legal Endorsement applicants. It is a course intended for interpreters specific to the unique requirements for doing so in medical/mental health or legal settings.

Formal legal interpreter training: The requirement for “formal legal interpreter training” is uniquely both broad and narrow. It is training that is not only intended for interpreters, but that taken as a whole, would not be of significant value to persons interested only in either interpreting or the legal process. It is broader than merely specialized vocabulary, and should include items like the unique ethical considerations of legal interpreting and the unique requirements for establishing effective communication in legal situations (particularly during trials), in addition to specialized legal vocabulary. Because it covers so broad a range, it is possible that a separate skills development course would still be necessary to provide a more general overview, especially if this formal training is met by attending multiple shorter and more specialized programs. However, providing a detailed course description of the “formal legal interpreter training” will in most cases also satisfy the requirement for a skills development course.

Court Orientation Training: This is intended to ensure that an interpreter understands what is taking place procedurally so that they may properly interpret things in context. This training would most often be provided by a judge, attorney, or court employee, and it will often not be intended for (or even mention) interpreting in particular. While it would not necessarily cover the confidentiality requirement of professional interpreters, it would cover the confidentiality requirements of participants in the legal process. This training is only required for first time Legal Endorsement applicants. An applicant who can show they passed the test offered by the Michigan State Court Administrators Office (SCAO), and currently required of foreign language interpreters, will be considered to have met the requirement for training by establishing the desired level of understanding.

Legal CEUs: Must be related to legal interpreting and related subjects. They are an ongoing continuing education requirement intended primarily for interpreters who have already had the necessary introductory training.

Q: For Legal Endorsements, can applicants take the SCAO Written Test to meet the English Competency Test requirement?

A: Yes. While the SCAO Written Test only covers legal matters such as legal procedure, passing it requires a level of English proficiency which will satisfy the English Competency Test requirement for Endorsements.

Q: Can applicants use an English Competency test taken for one Endorsement to satisfy the requirements for another Endorsement?

A: Yes. English competency is not unique to any area of practice, and once English competency has been met for one Endorsement, then it is not required for another Endorsement.

Q: What does four years of post-initial certification experience mean?

A: Because the context does not clearly indicate otherwise, these rules must be given their less restrictive meanings in a way that favors those who are being regulated over those who wrote and/or the regulation. Therefore, as used in the Michigan Interpreter Rules, “four years post initial certification” means the time elapsed since an interpreter was first issued **any** credential that Michigan recognizes to certify an interpreter as a qualified interpreter. In other words, **an interpreter who has held a certification that Michigan recognizes for four continuous years.**

Rules (25) and (28) use the phrases “four years of experience post initial certification” and “four years of post-certification interpreting experience”. These phrases could be read to reference a period of time since an interpreter was ‘initially certified’ as an interpreter, or the time since they were ‘initially certified’ as holding the referenced credential (or present Standard Level). Because neither phrase is entirely clear, each must be defined based on the context of when they are used.

First, it must be noted that the general rule is that when the language of a regulation can reasonably be read two different ways, it must be applied in the way that is most favorable to those the government is regulating. For context to permit a more restrictive reading, it must be clear.

In Rule 25, “four years of experience post initial certification” is used with specific reference to six of the of fourteen listed credentials an interpreter may possess to interpret in Standard Level 3 settings. In order to determine how this is to be understood, one must look to how this list differs from those outlined in Rule 24 for qualifying to work in Standard Level 2 settings. In particular, comparing how BEI testing is used in the two Rule establishes there is only one way the phrase can be read. Rule 24 provides that an interpreter may be qualified to work in Standard Level 2 settings if they possess a BEI-II. Rule 25 provides that an interpreter may be qualified to work in Standard Level 3 settings if they possess a “Michigan BEI III, plus four years of experience post initial certification.”

If one attempts to read initial certification as the date on which an interpreter achieves the BEI-III, the result is that reaching this higher level of qualification actually qualifies an interpreter for nothing at all. A BEI-II who improves their skill to a level where they can meet the higher skill level of a BEI-III, becomes qualified to do nothing they could not do as a BEI-II. However, if the “post initial certification” references the date the interpreter was first certified as qualified to interpret, then a BEI-II who reaches the higher skill level qualifies to use the new skills, unless he or she attained the BEI-II in a period of two or three years, in which case they would be considered insufficiently experienced to practice at a so high a level of risk and difficulty.

In Rule 28, the meaning that must be given to “four years of post-certification interpreting experience” is even clearer. First, the phrase itself references “interpreting experience” which makes it difficult to conclude that it really means experience only of a particular type of interpreting. Second, it is used in direct relation to four different non-interpreting related educational levels (high school, associate, or bachelor degrees). To contend the term references only a particular type of interpreting would simply beg the question of what type of standard level it would be, a question that cannot be answered within the context of the phrases usage.