



STATE OF MICHIGAN  
DEPARTMENT OF EDUCATION  
LANSING



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October 6, 2009

**MEMORANDUM**

**TO:** Intermediate School District Directors of Special Education  
**FROM:** Jacquelyn J. Thompson, Ph.D., Director  
Office of Special Education and Early Intervention Services  
**SUBJECT:** Deaf Interpreters Act and Educational Interpreters

**DISSEMINATE TO LEAs AND PSAs**

This memorandum provides updated information related to the revised Deaf Interpreters Act, PA 204 of 1982 (Act), Michigan Administrative Rules for Special Education (MARSE) 340.1793a Interpreters for the Deaf (Rule), and the status of the pending Department of Energy, Labor, and Economic Growth, Division on Deaf and Hard of Hearing (DELEG-DODHH) rules package and the impact on educational interpreters working in Michigan schools.

The revised Act became effective on June 28, 2007 and sanctions for violations of the Act became effective on October 1, 2007.

The MARSE 340.1793a Interpreter for the Deaf states:

- An interpreter for the deaf shall be any of the following:
- (a) A certified interpreter as defined in 1982 PA 204, MCL 393.501 et seq., and known as the deaf persons' interpreter act [nationally certified].
  - (b) A qualified interpreter as defined in 1982 PA 204 MCL 393.501 et seq., and known as the deaf persons' interpreter act, who has been approved at quality assurance level II or III.
  - (c) A high school graduate, or equivalent, with advanced training in a community college, agency, or degree-granting institution. The training programs must be approved by the department.

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Persons with a Quality Assurance (QA) level I were never considered qualified as educational interpreters.

A September 8, 2008 memorandum, from Sally Vaughn, Deputy Superintendent, Michigan Department of Education [http://www.michigan.gov/mde/0,1607,7-140-6530\\_6526\\_34913---Y\\_2008,00.html](http://www.michigan.gov/mde/0,1607,7-140-6530_6526_34913---Y_2008,00.html), clarified the following:

The Act did not change Rule 340.1793a of the Administrative Rules for Special Education. You may continue to employ persons under Rule 340.1793a until new [DODHH] rules are promulgated.... The new Act defines a "qualified interpreter" as a person who is certified through the National Registry of Interpreters for the Deaf or certified by the Division on Deaf and Hard of Hearing (DODHH). This standard will become the minimum standard for all interpreters in the state upon promulgation of rules by the Department of Labor and Economic Growth (DLEG) and the DODHH. As a result, a person who graduates from a sign language interpreter program but who is not certified by DODHH will not be able to work as an interpreter for the deaf in a public school.

The DLEG-DODHH Rules Committee, with MDE participation, has been meeting for two years. It is expected that public hearings on the DODHH rule package be held sometime before the end of 2009 or the beginning of 2010. The rules will become effective upon completion of the promulgation process. It is anticipated that **immediately upon final promulgation of the rules, persons who are employed under part c of the MARSE Interpreter for the Deaf rule, will no longer be qualified to work as educational interpreters.**

It appears that the Educational Interpreter Performance Assessment (EIPA) will be part of the DODHH rules package for educational interpreters. The final decision as to the required level of EIPA (3.5 or 4.0) is not available at this time. Persons who scored below EIPA 3.5 will not be considered qualified.

Interpreters who hold national certification, QA II or QA III will be allowed a phase-in time to meet the new requirements delineated by the PA204-2007 DLEG-DODHH Rules.

The Michigan Department of Education-Low Incidence Outreach (MDE-LIO) website has EIPA applications, test dates, sites and links to additional information at <http://www.cenmi.org/mde-lio/Home.aspx>. In August of 2009, the DODHH transferred the responsibility for EIPA testing to MDE-LIO. At this time, the MDE will continue to pay the \$250 fee to Boys Town for each working K-12 educational interpreter taking the test for the first time. The interpreter must pay a \$60 application fee. More than 150 interpreters have already tested with the EIPA. Boys Town scores the assessments and returns the results within 120 days.

Additionally, a letter was sent from the DODHH on September 8, 2009 announcing that the BEI-MI will replace the QA interpreter assessment in Michigan. For the BEI, a written English test must be passed prior to taking the performance assessment. The letter and any updated information can be found on the DODHH website at [http://www.michigan.gov/dleg/0,1607,7-154-28077\\_28545---,00.html](http://www.michigan.gov/dleg/0,1607,7-154-28077_28545---,00.html).

The MDE-LIO is currently compiling regional data to determine the professional development needs for interpreters to successfully pass the EIPA. By mid October, the MDE-LIO website will provide information to assist with professional development ideas and opportunities.

An EIPA video conference series from Boys Town can be made available if there is significant interest. This series consists of three Saturday workshops:

- November 14th, Understanding the EIPA: Tips for Success for First Time and Repeat Test Takers
- January 16th, Classifiers II: A Continuation of Using Classifiers for First Time and Repeat Test Takers
- April 17th, Sign-to-Voice Interpreting: Interpreting for Child Signers.

Contact Nancy Mosher by October 25th if you would like to be a participating site. If there is sufficient interest, MDE-LIO will make the arrangements and cover the program costs. Each site would need to pay a connection fee and make site arrangements.

Interpreters' qualifications support highly qualified teachers in transmitting knowledge, supporting class participation, achieving higher MEAP/MEAP-Access/MI-Access assessment scores and increasing the number of students with hearing loss who will meet the new high school graduation requirements for a diploma.

Questions may be addressed to Nancy Mosher, MDE-LIO at [moshern@michigan.gov](mailto:moshern@michigan.gov), (810) 760-2748 (Voice), or IP 209.124.35.251 (Videophone).