

**Nebraska Sign Language Interpreter Review Board Meeting**

June 10, 2015, 1:30 -3:30 p.m.

Conference Room 227

1313 Farnam On The Mall, Omaha NE

**I. Call to Order**

The meeting of the Nebraska Interpreter Review Board (IRB) was called to order at 1:33pm by Chairperson Mr. Jerry Siders in Conference Room 227, Omaha NE.

**Board Members Present:** Ms. Vonda Apking, Mr. Pat Bracken, Ms. Cheryl Poff, Mr. Jerry Siders, Mr. John Wyvill

**Interpreters:** Ms. Jamy Elker, Ms. Debra Seiler

**Staff:** Ms. Crystal Pierce, Ms. Peggy Williams, Ms. Cindy Woldt (taking minutes)

**Members Absent:** Ms. Pamela Duncan, Ms. Bethany Koubsky

**Public:** Dillard Delts, Barb Woodhead,

**II. Approval of Agenda**

Approval of the agenda was approved as is by Ms. Poff and seconded by Mr. Wyvill.

**III. Approval of Minutes from May 1, 2015**

Mr. Bracken approved the minutes as written, Mr. Wyvill seconded. Ms. Apking abstained

**IV. Public Comments**

No Public Comments

Ms. Pierce started with reviewing the procedure review, the steps that are needed to be taken with getting the rules and regulations approved.

Ms. Pierce reviewed the below steps, all 3 bodies approve before they go into effect

- A. IRB Review and Suggestions
- B. Full Board Review and Response
- C. NCDHH Commission Staff process changes
- D. Submit paperwork to the Governor, Secretary of State and Attorney General

**V. Title 96, Rules and Regulations Public Notice Meeting – Update**

**A. Reading Public Notice Comments**

Ms. Pierce updated the board members with the one person who showed up at the Public Meeting that was held on May 11, 2015 from 2pm – 4pm in Lincoln. Listed below are the comments that were received from Kim Davis who was representing herself as a deaf community member.

- Suggested looking into other states that previously had the Quality Assurance Screening Test (QAST), or equivalent to see what their new stipulations are

- Suggest making QAST Level 3 a permanent certification and assigned restriction on what types of jobs a person with level 3 can work in. Example Mental Health jobs
- Feels like we are causing more of an issue with a shortage of interpreters if level 3 is eliminated.
- New College graduates from an interpreter training program tend to receive Level 1 – 3. Eliminating level 3 cuts out their ability to practice and grow
- Requiring a specific amount of CEU's when applying for an initial license.

Ms. Apking asked what the other states have done. Ms. Pierce gave an update of what Kansas, Virginia, Wisconsin, Utah and Missouri have done. Ms. Pierce spoke with Kansas, their testing materials will become public the end of 2015. Ms. Pierce was advised to talk to the Agency Director for further information on where they are currently at.

Ms. Apking agreed that it would be beneficial for a new interpreter starting out to be able to incorporate the level 3 at some capacity.

Mr. Wyvill added that they legislature recently passed LB 287, sign language licensing bill that will become effective January 1, 2016. LB 287 requires all interpreters to be licensed with the exception of educational and religious interpreters. Mr. Wyvill asked Ms. Apking if she felt that the rules and regulations would get halted by the time it reaches the Attorney General's (AG) office. Ms. Apking added that you don't want to do the process twice. Ms. Pierce noted that the process will have to be completed by January 1, 2016. Mr. Siders asked if we should wait 60 days to process. Ms. Apking added that legislation that was approved goes into effect the end of August.

Ms. Barb Woodhead, with the University Nebraska Lincoln (UNL) and former IRB member, asked if she could add her comments. Ms. Woodhead reported that she has received questions and feedback from various community college disability service providers who have questions about the impact of the new license. Their concerns were regarding QAST Level 3 interpreters being excluded from the license. The working groups that NCDHH established last year to address various areas of concern included the shortage of interpreters and the qualifications of interpreters. Ms. Woodhead stated it would not be in the best interests of the state to drop the QAST Level 3 interpreters from the market. However, it is also essential that interpreters should be striving to improve their ratings beyond a QAST Level 3. A level III rating indicates that more training is necessary and errors are happening in both the areas of second language and the interpreting process. She did not recommend making QAST Level 3 a permanent rating. Research has demonstrated that proficiency in some fields does not improve unless the standards for that field are raised. Ms. Woodhead recommended that the IRB include the QAST Level 3 interpreters in the Rules and Regulations a) for a limited time, e.g. 4 years from the date the license takes effect and b) with practice restrictions commensurate with the descriptors for a level 3 rating. Mr. Siders asked Ms. Woodhead how many years would be reasonable for an individual to transition from a level 3 to a level 4? Ms. Woodhead replied that it depends on the individual and what he or she is willing to invest in the process.

Ms. Woodhead added that she, along with other members of the IRB, community representatives, and former Director Peter Seiler served on a task force that investigated and discussed interpreting “certification” systems extensively. That task force concluded that there were no state Quality Assurance tests, including Virginia and Utah, which had proven validity or reliability. The two certifications that were psychometrically valid and reliable were the Registry of Interpreters for the Deaf (RID) and the Board for Evaluation (BEI) out of Texas. When reviewing the costs associated with the BEI being used in Nebraska, the task force declined the option.

## **B. Rules and Regulations Procedure Review**

This was reviewed before section A.

Mr. Bracken asked for clarification when the Quality Assurance Screening Test (QAST) is going away. Ms. Pierce replied that QAST will longer be in effect on January 1, 2015. Ms. Pierce gave an example of someone passing QAST today with a level 3, this will last for 2 years. A level 4 or 5 does not expire but the interpreter does have to have CEU’s to be able to keep the rating of a level 4 or 5.

Mr. Bracken added that he liked the suggestion from Ms. Woodhead with giving the interpreters an end date to be able to progress to a higher level. Mr. Bracken asked if there are already CEU requirements each year for level 3? Ms. Pierce added that it is 2.0 or 20 contact hours. Mr. Siders commented that if we add more CEU’s to improve their skills, not to just obtain the CEU’s. Ms. Poff commented that interpreters in Western Nebraska have lack of training. Ms. Pierce responded that sign language interpreters have several opportunities on line to obtain training.

Ms. Apking added with her experience that if you are going to leave the level 3 with an end date that five years is enough time.

Mr. Bracken moved that a level 3 interpreter will have to move to a level higher in 4 years. Ms. Poff seconded. Discussion. Roll call: Ms. Vonda Apking, yes; Mr. Pat Bracken, yes; Ms. Cheryl Poff, yes; Mr. Jerry Siders, yes; Mr. John Wyvill, yes. All present voted yes, passed unanimously.

The question was asked if the passing of this will satisfy the comments that were made at the Public Hearing. Mr. Siders added that personally as a deaf person we can go with the interpreter level 1 or 2 also. Ms. Apking made the motion to go with level 3 and above for the interpreters to improve to the next level, Mr. Wyvill seconded. Roll call: Ms. Apking, yes; Mr. Braken, yes; Ms. Poff, no; Mr. Siders, yes; Mr. Wyvill, yes.

Ms. Apking added that we do not agree with the suggestion of adding level 2 so that they can advance improve their skills to the next level. The board decides to take no action to the requirement of CEUs to receive an initial license.

The IRB needs to make a committee to develop the new rules and regulations before the next meeting on July 31, 2015. Mr. Wyvill made the motion to develop this

committee to meet weekly, and Mr. Bracken seconded it. Roll Call: Ms. Vonda Apking, yes; Mr. Pat Bracken, yes; Ms. Cheryl Poff, yes; Mr. Jerry Siders, yes; Mr. John Wyvill, yes, yes. All agreed, motion passed.

Ms. Cheryl Poff left the meeting at 2:25pm

Mr. Wyvill asked Ms. Pierce for input on who should be on the committee. Ms. Pierce suggested that Ms. Apking, Mr. Bracken, Mr. Siders, and a previous board member. Mr. Siders asked if Ms. Woodhead would like to be involved. Ms. Woodhead declined. Ms. Pierce clarified that this is just a workgroup and all decisions still need to be taken back to the board.

### C. IRB discussion of Public Notice Comments develop recommendation for Full Commission Board

#### Public Comments

Ms. Pierce relayed to the group that she received an email from Ms. Judy Goldsmith. Ms. Pierce read the below email from Ms. Gouldsmith.

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**From:** Gouldsmith, Judy [<mailto:JGouldsmith@mccneb.edu>]  
**Sent:** Monday, June 8, 2015 1:44 PM  
**To:** Pierce, Crystal M  
**Subject:** Comment about Title 96 Licensure Rules and Regulations  
**Importance:** High

To the Interpreter Review Board,

On page 19 of the Title 96 Rules and Regulations Relating to Sign Language Interpreters, I noticed that the language is being revised as follows:

***“003.01A4 Hold a valid Level III ~~or higher~~ IV or V in Interpreting or Transliterating on the Mid-America Quality Assurance Screening Test issued prior to January 1, 2016; and”***

I understand the Review Board’s desire to license only the higher qualified interpreters to ensure Deaf and hard of hearing people have access to quality interpreting services. My concern is with the short amount of time left for interpreters who currently hold a QAST Level III and want to take the test again to try to get a Level 4 or Level 5. In order to retest, receive the results, apply for licensure, and actually receive the license, interpreters will have to take the test by the end of August if they want to become licensed by January 1<sup>st</sup>. It’s already June and interpreters at the lower levels usually need time to practice the following by watching DVDs and through actual experience: 1) fingerspelling, 2) reading fingerspelling, 3) interpreting or transliterating, and 4) reading various Deaf people to make sure they understand the message.

In my experience, the interpreters who work for me have waited as long as 12 weeks to receive their results when retaking the QAST. Even though they are told at the time of

testing that it should take about 8 weeks, many of them have had to wait a full 12 weeks to get results. I know the Commission contracts this out so it isn't totally under the Commission's control. If an interpreter retakes the test at the end of August, it could be as late as the end of November before he or she receives the results via e-mail. It takes another 2 weeks for them to receive the actual card in the mail. That means it could be the middle of December for the interpreter to receive his or her QAST card.

If they qualify for licensure at a Level 4 or Level 5, this leaves 2 weeks for them to: 1) find the application for licensure on the web site, 2) print it out, 3) fill out the application, 4) get a copy of their QAST card showing they received a QAST Level IV or Level V, 5) make a copy of their picture ID, 6) attach the copies to their licensure application, 7) mail the application form to the Commission, and 8) receive the card back in the mailing proving they are licensed.

**I am writing to ask the Interpreter Review Board to consider leaving the QAST Level III in the Rules and Regulations as one of the qualifications for licensure until May 2016.** By doing this, you will give interpreters who want to retest and become licensed enough time to do so. As you know, the last day an interpreter will be able to take the QAST is December 31, 2015. Assuming an interpreter takes the QAST at the end of December, he or she may not receive the results through e-mail until the end of March 2016. The interpreter may then wait another two weeks to get the QAST card in the mail which makes it the middle of April 2016. Assuming it takes an additional two weeks for the interpreter to get his or her application for licensure mailed in to the Commission and to receive the card back in the mail, proving they have a Nebraska Interpreter License, this means it could be the end of April 2016 before the interpreter is able to work in the state.

Metropolitan Community College has several interpreters on payroll who hold a QAST Level III and who want to retest in order to become licensed. But they need more time to be able to do so. These interpreters are used regularly and many are requested by the Deaf students attending the college. Although it's been well publicized that the QAST test is being discontinued and interpreters won't be able to take the test after December 31, 2015, it was a surprise to many people that the licensure bill actually passed in Nebraska. It's been a long drawn out battle for the Commission and few people thought the current licensure bill would pass.

Licensure is a good thing. But I will have a difficult time meeting the need for interpreter services starting January 1, 2016 if the interpreters holding a QAST Level III are not given an additional 6 months in which to qualify for licensure. It is already difficult to find enough interpreters to meet the need. Thank you for considering my request.

Judy Gouldsmith, M.A., CI & CT  
Coordinator of Interpreter Services  
Metropolitan Community College  
Office: 402-457-2854  
[jgouldsmith@mccneb.edu](mailto:jgouldsmith@mccneb.edu)

Ms. Woodhead commended the Nebraska Commission for the Deaf and Hard of Hearing (NCDHH) for the work they've done to get the license passed. She described it as long overdue and an important milestone in protecting the Deaf/HoH individuals' rights to qualified interpreters. It's also important for the field of interpreting. In closing, Ms. Woodhead recommended that the Commission and IRB consider standardizing the CEU requirements and certification cycles for all QAST certification levels. She also suggested that making the QAST cycles align with the state licensing cycle would make the process easier for NCDHH staff and for the interpreters renewing a license.

Mr. Delts recommended that interpreters provide documentation that they are actively improving their skills. Mr. Delts also asked how are sign language interpreters that are level 1 and 2 going to make it as an interpreter. Discussion. Mr. Siders noted that in the rules and regulations there are provisions on how to have interpreters gain their skills. Mr. Siders also added that Iowa Western Community College (IWCC) is closing the Sign Language Interpreter Certification Program. Ms. Woodhead added that interpreters from IWCC are not able to find work. When you leave a program you should have entry level skills, or you didn't get what you paid for. Discussion.

VI. **Announcements**

Mr. Wyvill asked that everyone follow Facebook so that you can find out when the "Unheard Journey" will be aired on TV or posted on Nebraska Educational Television's (NET) website.

VII. **2015 Meeting Reminders**

- July 31, 2015 in Lincoln
- November 6, 2015 in Omaha

The meeting was adjourned by Chairperson Siders at 3:05pm.