EXHIBIT I Legislative Committee on Persons with Disabilities

Document consists of 13 pages.

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Meeting Date: March 8, 2006

3/8/06 Good Morning Madam Chair and Committee Members –

My name is Kelley DeRiemer. I was a member of the original Drafting Committee that submitted SB245. I have been asked by the LCB to define why a level 4.0 or higher on the Educational Interpreter Performance Assessment, known as the EIPA, was selected. To do so requires some fundamental understanding of the EIPA components and purpose.

"Since the passage of PL-94-142 in 1975 (reauthorized as IDEA) the inclusion of deaf students in public school settings has significantly increased. Because of this, the demand for **qualified** educational interpreters has also increased.

One of the greatest factors affecting the education of deaf and hard of hearing students in the regular education setting is the interpreter. One of the motivating assumptions behind the federal mainstream initiatives is that deaf students will be provided with an opportunity to access advanced academic content and competition equal to their peers. Educational interpreters — often times acting as the sign language model for deaf students — are the professionals who enable this initiative to become a reality. Therefore, ensuring competent interpretation skills in the educational interpreter that serves today's deaf student is *absolutely* essential.

"When an educational interpreter lacks interpreting skills and knowledge needed to work as an effective educational team member, deaf and hard of hearing students <u>cannot</u> access the full content of the classroom. Because of this, they are not receiving an appropriate education as outlined in federal mandates." (EIPA – Boys Town Research Hospital)

In 1991, Boys Town National Research Hospital in Omaha, Nebraska responded to requests for tools that could assess the proficiency of educational interpreters by developing the Educational Interpreter Performance Assessment. The EIPA was designed by Boys Town National Research Hospital staff Dr. Brenda Schick and Kevin Williams, M.S., C.I. / C.T. Their efforts were partially supported by federal grants.

The EIPA process is committed to making a difference in the quality of education for deaf and hard of hearing students by keeping the federal mandates such as the Individuals with Disabilities Act (IDEA), and No Child Left Behind at the forefront of their research and testing parameters. Today, nearly 40% of the United States is using the EIPA to determine educational interpreter competencies and or licensure. As was predicted by the Drafting Committee back in 2001, the EIPA has become the model for educational interpreter evaluations and testing at the national level and is in the process of merging with the National Registry of Interpreters for the Deaf (the largest national organization representing and certifying interpreters for the Deaf). (See attachment #1 States Utilizing the EIPA)

The EIPA is quite comprehensive and offers an array of services/products to support the K-12 assessment model such as:

- Accurate and timely assessment of educational interpreters (2-3 months)
- Assessment of content knowledge needed to work in an educational setting
- Information for school administrators, educators and parents regarding the role and function of educational interpreters and the need for competent services
- Guidance to Departments of Education at both the federal and state levels regarding issues of educating deaf and hard of hearing students in inclusive settings.

The EIPA has four major assessment areas: (See attachment #2 EIPA Evaluation Process)
Testing 39 technical performance elements.

- 1. Sign Intonation, Grammatical, and Spatial Representation
- 2. Ability to Read Child/Teen Sign Language
- 3. Sign Vocabulary and Fingerspelling
- 4. Pragmatic Representation/Overall Behaviors/Overall Message

The EIPA uses a 0 (No Skills) to 5 (Advanced) Likert rating scale to indicate skill level. Test candidates receive an overall rating level as well as specific ratings for each sub-skill under the major assessment areas I-IV. Candidates (and employers) are able to determine, in a very specific manner, what areas need attention for professional development as well as those areas of competent performance. (See attachment #3 EIPA Rating System)

Please take a moment to review this form.

To help answer the question of why a level 4.0 ^?

(See attachment #4 Description of the EIPA Levels)

What do EIPA Scores Mean? (0-5) Average estimates

•> 4.0 80 %

•3.5 – 3.9 60 %

•3.0 - 3.5 50 %

•2.5 – 3.0 30 %

•< 2.5 Not in classroom

Estimated relationship to academic performance (0-5)

•> 4.3 A student

•3.5 - 4.2 B student

•2.5 - 3.5 C student

•2.0 - 2.5 D student

•1.0 - 1.9 F student

•< 1.0 Illiterate student

The EIPA is the most widely used testing process for the K-12 system for several reasons. The test allows for the flexibility of communication choice by the test candidate. They are allowed to select the sign modality that they feel most comfortable in. There are various sign modalities used by students, deaf educators and interpreters within the K-12

environment: MCE (Manually Coded English), PSE (Pidgin Signed English, and ASL (American Sign Language). In addition to this, the EIPA acknowledges the cognitive and language differences between elementary and secondary classroom environments. The test candidate even selects the 'student signer model' they wish to use in the test. It is a very test 'friendly' approach.

The EIPA provides a valuable feedback form for the evaluated interpreters. The EIPA summary form highlights the evaluated interpreter's strengths and areas targeted for professional development as well as a glossary of terms explaining each area evaluated. Although the EIPA is flexible in what language modality and age group the test candidate chooses to be tested in, the results are very specific. For example, a test candidate might choose MCE/Signer B/Elementary. Their results will reflect only those parameters. Example - If the overall (aggregated score) is a 3.4 This interpreter functions around the 50+% mark for overall message accuracy for a deaf student signer that uses manually coded English in the elementary levels (1-7 grade). This interpreter would NOT be appropriate for a deaf or hard of hearing student that uses Pidgin Signed English or American Sign Language. It is important to note that the magic score of 4.0 does not mean the interpreter is qualified to interpret outside of their tested parameters, their placement is still limited.

This unique testing parameter serves as an important resource tool for deaf and hard of hearing program coordinators within the K-12 environment that do not have the technical expertise to determine the appropriate placement of the sign language interpreter based on their aggregated EIPA scores. But, the assessment results are only as good as the person comprehending them. Administrators must receive training in order to read, understand and effectively utilize the EIPA results.

In a recent correspondence dated February 7th, 2006 between Dr. Schick and me. Dr. Schick gives her perspective and description of what certain EIPA levels are able to communicate.

"At a level 2.5 - 3.4, the interpreters are able to communicate correctly about 10 - 30% of the classroom content of a 4th grade art lesson. Interpreters at 4.0 or above and RID-certified interpreters convey about 40-80%, depending on how complex the material is... But IDEA requires a qualified interpreter. I would testify in court that a 2.5 is not qualified."

As an aside, training offered by local schools districts was a large part of last meetings testimony. In a brief detour towards that end, Dr. Schick also goes on to respond to a general question related to the short-term workshop trainings and the ASK-12 program (Assessment System for K-12 Educational Interpreters) that are common solutions utilized by school districts in achieving increased EIPA performance levels for their interpreters. This is to piggyback on testimony provided by representatives from the Carson City School District during January's meeting in regards to the training their district is planning to or already have implement for their interpreters to help them increase their interpreting performance.

"I have no idea what type of training ASK-12 provides. I don't think they offer any. I am not a big fan of short term training. I think that interpreter's who are close to passing may get some help (through this means). But generally, I think a more designed training curriculum is needed."

FYI - The cost of ASK-12 district participation is @\$.05 cents **per student in the district**, not per Deaf and hard of hearing student in the district)

Now, to continue the explanation as to why a level 4.0 ^... Prior to 2001 the Nevada Department of Education and the state of Nevada had no minimum standards for interpreters who interpret in educational settings and had no minimum skills assessment for educational interpreting. Without such standards and tools the hiring, screening, placement, and on going performance evaluation of sign language interpreter's within the K-12 setting resulted in a questionable and unknown measurement of qualifications. It

was left to each district's discretion as to how sign language interpreters would be employed, paid and utilized within their K-12 educational environment. Interpreters in the classroom received no monitoring or direct supervision of their technical output by a professionally trained interpreter technician. It was common to find 'interpreters' that possessed less language skills than the deaf and hard of hearing student that they were assigned to interpret for.

Engaging with instruction is not possible for deaf and hard of hearing students who use an interpreter with either questionable qualifications or unknown qualifications. One cannot help but wonder how an individual educational program (IEP) team can make an appropriate educational placement of a deaf or hard of hearing student without knowing whether that student's communication needs are being met. It is ironic that the deaf and hard of hearing deaf child in the mainstream environment is held to measurable outcomes set forth by the classroom teacher and the Individual Educational Plan but there are no formulas implemented to take into account the substandard services a child receives via the interpreted education.

With the passage of NRS656a in 2001, the only school district that has developed an organizational structure that addresses the issue of monitoring, supervising, and mentoring with technical feedback **within** the classroom environment by qualified interpreter technicians is the Clark County School District. They are also the only school district that actively brings in certified substitute interpreters outside of their district roster.

For a majority of the deaf and hard of hearing students entering the K-12 environment, they enter with limited to no nature and spontaneous language relative to their hearing peers. "Ninety percent of deaf children born to hearing parents will not be fluent during the critical years of language acquisition" (Sanderson 1991)

Deaf and hard of hearing students cannot meet high expectations (or heaven forbid minimum expectations) when we do not even ensure that, at minimum, K–12 educational interpreters can provide equal access.

The minimum standard of 4.0 ^ (80% message accuracy) on the EIPA sought by the Drafting Committee took into consideration these underlying factors that face the deaf and hard of hearing students in today's educational environment. It was the belief of the Drafting Committee that these students cannot afford to be practiced on or placed in an educational environment where there is no active monitoring or direct supervision of the technical output produced by sign language interpreters by qualified individuals. Until that time, a minimum of 80% was determined.

In closing... it is very disheartening that we come together again to defend and it appears...negotiate what the minimum level of language a deaf child will have access to during their public school learning years in this state.

States utilizing the EIPA

Attachment #1

40% of the US use the EIPA assessment either as a state mandate for certification criteria or as an assessment tool to determine placement of interpreters within the K-12 system.

Alaska	4.0	Missouri	Calculated *
Alabama	3.5	Nebraska	3.5
Arkansas	3.5	Nevada	4.0
Arizona	3.5	New Jersey	3.5
California	4.0	New Mexico	3.5
Colorado	3.5	North Carolina	3.5
Iowa	3.5	Pennsylvania	3.5
Kansas	3.0	Utah	3.5
Louisiana	3.5	Wisconsin	3.5
Maine	3.5	Wyoming	3.5

EIPA pending or evaluation purposes:

- •Hawaii, Idaho, New York, Illinois, Montana, North Dakota, South Dakota, South Carolina, Tennessee, West Virginia
- •Nova Scotia
- Philippines

(Brenda Schick home page)

EIPA Performance Test

EIPA Evaluation Process

To assess the skills of the individual interpreter, the EIPA utilizes two video samples of actual classroom settings called stimulus tapes. The first tape is used to assess the interpreter's receptive skills and the second to assess his/her expressive skills. The tapes are chosen based on the grade level (elementary or secondary) and the sign language or system he/she is using (ASL-PSE, PSE-ASL, or MCE-PSE).

Level	Receptive Stimulus Tapes Version A & B	Expressive Stimulus Tapes Version A & B	
Elementary	Child signer using MCE	Five elementary classrooms, from 1st	
	Child signer using PSE	to 6th grade	
	Child signer using ASL		
Secondary	Teen signer using MCE	Two secondary classrooms	
	Teen signer using PSE		
	Teen signer using ASL		

There are two sets of materials for each classroom setting and language, Form A and Form B. This means that if you want to test using the Elementary PSE materials, you have two choices – you select one of two classroom tapes and one of two student tapes.

Interpreting Sign Language to Spoken English

The sign-to-voice stimulus tapes show a student or a teenager who communicates mostly using the target sign language or system. It is rare that a student uses a textbook definition of a specific language. Rather all of the students produce language that is more appropriately described as a mixture of languages. For example, the students signing PSE also include segments which are more ASL-like, as well as lexical borrowing from MCE.

The students were interviewed using a technique that maximizes complex responses and language. The edited stimulus videotapes contain the examiner's questions.

Interpreters are given a warm-up period, where they are allowed to watch the student signing, without interpreting. Interpreters hear questions presented to the student in spoken English. They do not need to interpret these questions.

The test videotape signals the interpreter to begin interpreting. The interpreter watches the interview with the student and interprets the student's responses into spoken English. The interpreters spoken interpretation is videotaped.

Like the language of all students, the language of the students in the tapes has errors in grammar and pronunciation, disorganizations in communication and discourse cohesion, fingerspelling that is both precise and imprecise, and references to people and places that are not properly identified. The interviewer is unknown to the student, so theoretically, the student should use properly introduced referents. However, like many children, especially those who are elementary-aged, they don't always do so. The language produced by these students reflects what educational interpreters encounter daily.

Spoken English to Sign Language Skills

There are two sets of classroom tapes: elementary and secondary. The elementary stimulus tapes include five different, authentic classrooms, ranging from 1st to 6th grade. All classroom content is challenging, containing lessons in science, reading, geography, or other complex subjects. The classroom tapes reflect typical classrooms in that all lessons are interactive, containing teacher and student dialogue, both requiring interpretation. There are frequent interchanges that question, discipline, scold, praise, warn, and challenge, in addition to the traditional exchange of information.

The secondary classroom tapes contain two classroom settings, representing a middle school and high school setting. As with the elementary classrooms, there are frequent student-teacher exchanges as well a variety of communication intentions such as information sharing, disciplining, and encouraging students.

The classroom tapes were selected to provide opportunities for a variety of discourse structures, spatial mapping, complex grammar, fingerspelling, and the use of numbers. The teacher's talk includes many typical aspects of classroom discourse Teachers in the videotapes often backtrack in their discourse, repair their own statements, self-reflect, and give clues about what may be tested in the future.

In the warm-up room, prior to watching and interpreting the classroom tape, interpreters are given a set of lesson plans that detail what they will interpret. These plans contain the goals and objectives of each lesson as well as key vocabulary. Testing sites are also permitted to provide a dictionary, or the interpreter may bring one. This is intended to reflect best practices where all interpreters should know basic information prior to interpreting.

The interpreter is then videotaped interpreting this classroom tape.

The Evaluation Team

Both videotaped interpretations are evaluated at the EIPA Diagnostic Center at Boys Town National Research Hospital in Omaha, Nebraska. A team of three professionals, specially trained in administering the EIPA, evaluates the interpreting samples. At least one member of the team must be deaf. All raters are fluent in the language that is being assessed. All undergo assessment training and rater monitoring to insure that results are accurate.

EIPA Rating System

The evaluation team uses an EIPA rating form to evaluate the interpreter's abilities.

The samples are rated in the following domains:

- 1. Grammatical skills: Use of prosody (or intonation), grammar, and space.
- 2. Sign-to-voice interpreting skills: Ability to understand and convey child/teen sign language
- 3. Vocabulary: Ability to use a wide range of vocabulary, accurate use of fingerspelling and numbers
- 4. Overall abilities: Ability to represent a sense of the entire message, use appropriate discourse structures, and represent who is speaking

Evaluators use a Likert Scale to assess specific skills. Scores for each skill range from 0 (no skills demonstrated) to 5 (advanced native-like skills). The scores from all three evaluators are averaged for each skill area, each domain, as well as the overall test score. An individual's EIPA score is the summary total score. For example, an interpreter should report her score as EIPA Secondary PSE 4.2, which shows which grade level, which language, and the total summary EIPA score.

Descriptions of each EIPA Level

Level 1: Beginner ($\leq 1.9 = 10\%$ of accurate message conveyed)*

Demonstrates very limited sign vocabulary with frequent errors in production. At times, production may be incomprehensible. Grammatical structure tends to be nonexistent. Individual is only able to communicate very simple ideas and demonstrates great difficulty comprehending signed communication. Sign production lacks prosody and use of space for the vast majority of the interpreted message.

An individual at this level is not recommended for classroom interpreting.

Level 2: Advanced Beginner (2.5 - 2.9 = 30% of accurate message conveyed)*

Demonstrates only basic sign vocabulary and these limitations interfere with communication. Lack of fluency and sign production errors are typical and often interfere with communication. The interpreter often hesitates in signing, as if searching for vocabulary. Frequent errors in grammar are apparent, although basic signed sentences appear intact. More complex grammatical structures are typically difficult. Individual is able to read signs at the word level and simple sentence level but complete or complex sentences often require repetitions and repairs. Some use of prosody and space, but use is inconsistent and often incorrect.

An individual at this level is **not recommended for classroom interpreting**.

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Level 3: Intermediate (3.0-3.5=50\% \text{ and } 3.6-3.9=60\% \text{ accuracy message conveyed})*
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Demonstrates knowledge of basic vocabulary, but will lack vocabulary for more technical, complex, or academic topics. Individual is able to sign in a fairly fluent manner using some consistent prosody, but pacing is still slow with infrequent pauses for vocabulary or complex structures. Sign production may show some errors but generally will not interfere with communication. Grammatical production may still be incorrect, especially for complex structures, but is in general, intact for routine and simple language. Comprehends signed messages but may need repetition and assistance. Voiced translation often lacks depth and subtleties of the original message. An individual at this level would be able to communicate very basic classroom content, but may incorrectly interpret complex information resulting in a message that is not always clear.

An interpreter at this level needs <u>continued supervision and should be required to participate in continuing education in interpreting</u>.

Level 4: Advanced Intermediate (4.0-4.9 = 80%)*

Demonstrates broad use of vocabulary with sign production that is generally correct. Demonstrates good strategies for conveying information when a specific sign is not in their vocabulary. Grammatical constructions are generally clear and consistent, but complex information may still pose occasional problems. Prosody is good, with appropriate facial expression most of the time. May still have difficulty with the use of facial expression in complex sentences and adverbial non-manual markers. Fluency may deteriorate when rate or complexity of communication increases. Uses space consistently most of the time, but complex constructions or extended use of discourse cohesion may still pose problems. Comprehension of most signed messages at a normal rate is good but translation may lack some complexity of the original message.

An individual at this level would be able to convey much of the classroom content but may have difficulty with complex topics or rapid turn-taking.

Level 5: Advanced (5.0 = 100% accuracy of message conveyed)*

Demonstrates broad and fluent use of vocabulary with a broad range of strategies for communicating new words and concepts. Sign production errors are minimal and never interfere with comprehension. Prosody is correct for grammatical, non-manual markers, and affective purposes. Complex grammatical constructions are typically not a problem. Comprehension of sign messages is very good, communicating all details of the original message.

An individual at this level is capable of clearly and accurately conveying the majority of interactions within the classroom.

*Brenda Schick's estimated professional guess (http://homepage.mac.com/bschickcolo/FileSharing6.html

Results and Feedback

Along with the test results, each candidate receives specific feedback about their interpreting performance. This feedback helps the interpreter and his or her interpreter educator to create a plan for professional development.

Feedback includes:

- A copy of the rating form with the average score for each rated item and an average overall score
- Written feedback on interpreter's strengths and weaknesses
- Suggestions on how to improve areas in need of development
- Glossary of EIPA terminology

The full report belongs to the interpreter. School districts and states may require the interpreter to submit their EIPA score, which is the overall single score for the entire test. If an agency or organization pays for the assessment, they may choose to request that an interpreter submit the full evaluation report, however, in most situations, this report is the sole property of the interpreter.