Connor Schiff (360)786-7093

State Government and Tribal Relations

January 03, 2024

AN ACT Relating to establishing a work group to address the 1 shortage of qualified and certified American Sign Language 2 interpreters and ProTactile interpreters in the state of Washington;

 $^{f 3}$ be it enacted by the legislature of the state of washington:

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NEW SECTION. Sec.

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- 6 (1) The legislature finds that:
- 7 (a) The state lacks qualified and certified American Sign

 8 Language "ASL" interpreters and ProTactile interpreters, including
 both hearing interpreters and deaf interpreters, to adequately fill

 9 accommodations and requests for interpreting services for:
- (i) State services;

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- 1 (ii) Medical services, including mental health services, and
 2 medical emergencies;
 - (iii) Legal services;
- (iv) Academic accommodations for students in grade school, high 4 school, postsecondary education, and vocational school;
- 5 (v) Employment accommodations;
- (vi) Community and cultural events;
- (vii) Other interpreting requests made by Deaf, DeafBlind, and
 hard of hearing residents; and
- 8 (viii) Other interpreting requests made by agencies, businesses, and organizations on behalf of their Deaf, DeafBlind, and hard of hearing constituents.
- (b) The quality of ASL interpreters and ProTactile interpreters 11 in the state is inconsistent, depriving Deaf, DeafBlind, and hard of hearing residents access to equitable communication.
- (c) The shortage of qualified ASL interpreters and ProTactile interpreters includes both hearing and Deaf sign language interpreters.
- 16 (d) It is best practice for Deaf, DeafBlind, and hard of hearing

 16 users of sign language interpreters to have access to interpreters

 17 that match their linguistic identities. Many users require not only

 18 who are best able to incorporate the linguistic and cultural norms

 19 of the Deaf and DeafBlind communities into their interpretation.

 The shortage of sign language interpreters deprives Deaf, DeafBlind,

 20 and hard of hearing residents who need qualified deaf interpreters

 21 of access to equitable communication.
- (e) It is best practice for Deaf, DeafBlind, and hard of hearing users of sign language to have access to interpreters that match their cultural identities. The shortage of sign language

- 1 interpreters deprives diverse Deaf, DeafBlind, and hard of hearing
 2 residents of access to equitable communication, especially those who
 are: black, indigenous, and other people of color; immigrants and
 3 refugees; transgender and nonbinary individuals; and members of the
 4 LGBTQIA community.
- (f) As of January 1, 2024, there are approximately only 410 sign language interpreters in the state who are certified by the Registry of Interpreters for the Deaf. Less than half of those interpreters are contracted to provide work for the Department of Enterprise Services and the Office of the Deaf and Hard of Hearing, who have expressed the need for more qualified sign language interpreters.
- (g) As of January 1, 2024, there is no postsecondary institution in the state that provides professional education at the 11 baccalaureate level in sign language interpreting, and the most recent program closed in 2013.
- (h) At the only college in the state that offers classes in sign language interpretation, the classes are limited to education 14 interpreting, an important but small portion of the overall interpreting needs. The two-year program culminates in an associate of the arts degree. Interpreters must have a baccalaureate degree to become nationally certified by the Registry of Interpreters for the Deaf and be able to provide the kinds of interpretation services the state needs.
- (i) The decline of qualified ASL interpreters and ProTactile interpreters in the state has created an immense burden on the remaining interpreters, who are more at risk of physical injury and burnout, accelerating the rate of attrition. In addition, interpreter wages have not increased in proportion to the cost of living in some regions. These factors have caused many interpreters 23

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1 to move away from cities, move out of the state, or leave the interpreting field altogether.

- (j) Due to these systemic circumstances, residents and organizations statewide have seen a decline in sign language 4 interpreter fill rates over the last ten years. With few new interpreters entering the sign language interpreter workforce in the state, this problem will continue if a proactive solution is not implemented immediately.
- 7 (2) It is the intent of the legislature to establish a work group 8 to identify a permanent solution to the shortage of qualified and 9 certified ASL interpreters and ProTactile interpreters to ensure that Deaf, DeafBlind, and hard of hearing residents have access to 10 all aspects of a healthy, safe, and fulfilling life.

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NEW SECTION. Sec.

- (1) Subject to the availability of funds appropriated for this

 14 specific purpose, the Office of the Deaf and Hard of Hearing within

 15 the Department of Social and Health Services is directed to

 16 establish a work group dedicated to finding solutions for the

 17 shortage of qualified and certified ASL interpreters and ProTactile

 18 interpreters in the state.
- 18 (2) The Office of the Deaf and Hard of Hearing shall appoint the following members to the work group:
- (a) At least two Deaf or hard of hearing users of ASL from King,
 Pierce, or Snohomish counties, with lived experience using sign language interpreters;
- (b) At least one Deaf or hard of hearing user of ASL from Southwest Washington, with lived experience using sign language interpreters;

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- 1 (c) At least one Deaf or hard of hearing user ASL from Central Washington, with lived experience using sign language interpreters;
- (d) At least one Deaf or hard of hearing user of ASL from Eastern ${\bf 3}$ Washington, with lived experience using sign language interpreters;
- 4 (e) At least two DeafBlind user of ProTactile Sign language who 5 are state residents, with lived experience using sign language interpreters;
- (f) Two representatives from community-based organizations in the 7 state that represent Deaf and hard of hearing users of ASL;
- 8 (g) One representative from a community-based organization in the state that represents the DeafBlind community;
- (h) One representative from a business or organization in the state that provides ASL or ProTactile interpreters to organizations;
- (i) At least one ASL interpreter certified by the Registry of Interpreters for the Deaf, who is a state resident with at least ten years of experience as a professional certified interpreter;
- (j) At least one ASL or ProTactile interpreter who is Deaf or 14 hard of hearing, a state resident, and has at least ten years of 15 experience as a deaf interpreter and a history of high-quality interpreting; and
- (k) One teacher of ASL interpreting or ProTactile interpreting
 who is Deaf or hard of hearing.
- 18 (3) The composition of the work group must be majority Deaf,
 19 DeafBlind, and hard of hearing residents who use ASL or ProTactile
 19 sign language. Recruitment of work group members from the community
 20 must prioritize residents who have a history of leadership and
 21 advocacy on behalf of Deaf, DeafBlind, and hard of hearing people.
 22 To better understand the needs of interpreter users belonging to
 23 populations that have been historically marginalized, recruitment

- 1 must prioritize qualified individuals from such populations,
 2 including black, indigenous, and other people of color.
 - (4) The goals of the work group are that:
- (a) Deaf, DeafBlind, and hard of hearing residents in the state who use ASL and ProTactile sign language have access to qualified and certified interpreters whenever needed;
- (b) Deaf, DeafBlind, and hard of hearing residents in the state who use ASL and ProTactile sign language have access to sign language interpreters that match their cultural and linguistic preferences, especially those residents from historically marginalized populations;
- (c) ASL interpreters and ProTactile interpreters in the state must meet a satisfactory standard of quality interpreting, so that Deaf, DeafBlind, and hard of hearing residents can be assured of equitable access to communication from all interpreters;
- (d) At least one high-quality postsecondary interpreter training program for ASL interpreters and ProTactile interpreters is established that prepares interpreters to meet the standards of the Registry of Interpreters for the Deaf and is accredited by the Commission on Collegiate Interpreter Education or an equivalent interpreter accreditation program;
- (e) ASL interpreters and ProTactile interpreters in the state
 18 have access to more job opportunities and continuing education
 opportunities;
- (f) ASL interpreters and ProTactile interpreters in the state
 20 have access to equitable wages;
- 21 (g) ASL interpreters and ProTactile interpreters are incentivized
 22 to live and work in the state;
- (h) Postsecondary students in the state are incentivized to join interpreter training programs; and
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- 1 (i) Barriers are eliminated that prevent Deaf, DeafBlind, and 2 hard of hearing residents from using and accessing interpreters when they desire.
 - (5) The work group shall:

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- 4 (a) Collect qualitative and quantitative data on the causes of the sign language interpreter shortage in the state and the impact of the shortage on Deaf, DeafBlind, and hard of hearing residents;
- (b) Identify community-based solutions that can be undertaken by residents and organizations to increase the number of interpreters who live and work in their home regions, retain interpreters, and provide continuing education, mentorship, and training opportunities for their local interpreters;
- (c) Establish criteria or testing, as determined by Deaf, 11 DeafBlind, and hard of hearing sign language stakeholders, which demonstrates that sign language interpreters have the needed skills to ensure quality and accurate services;
- (d) Identify investments needed to increase the training and credentialing necessary to prepare interpreters to meet criteria and testing in subsection (5)(c) of this section;
- (e) Recommend legal standards for ASL interpreters and ProTactile interpreters in the state to ensure the quality of professional interpreters, while ensuring those standards are accessible to all aspiring interpreters regardless of disability, income, geographic location, and other potential limiting factors.
 - (f) Determine the strategies and resources needed to:
- (i) Increase the availability of ASL interpreters and ProTactile21 interpreters in all communities, including rural communities;
- (ii) Increase the number of interpreters from historically marginalized populations, such as: black, indigenous, and other people of color, immigrants and refugees, transgender and nonbinary

- 1 communities; the LGBTQIA community; individuals with multiple
 2 disabilities; and other populations that have been underserved and
 excluded from access to equitable communication;
- (iii) Increase the availability of quality continuing education
 4 and professional development of ASL interpreters and ProTactile
 5 interpreters, including professional mentorship opportunities for new and emerging interpreters; and
- (iv) Ensure that ASL interpreters and ProTactile interpreters can
 afford to live and work in the state;
- g (g) Identify methods for:
- 9 (i) Establishing at least one high quality postsecondary interpreter training program for ASL interpreters and ProTactile interpreters;
- (ii) Providing financial incentives for agencies that provide ASL interpreters and ProTactile interpreters to implement mentorship and internship programs for emerging interpreters;
- (iii) Providing financial incentives from the state to encourage 14 sign language interpreters to live and work in the state, such as grants, homebuying support, and other incentives;
- (iv) Providing financial support for organizations to provide sign language interpreters to their Deaf, DeafBlind, and hard of hearing constituents; and
- (v) Increasing the pay rate of sign language interpreters hired and contracted by state agencies and agency contractors.
- deaf and disabled, hard of hearing, and late-deafened individuals who use ASL or ProTactile sign language. The work group shall also center the needs of other populations that have been historically marginalized, including black, indigenous, other communities of color, immigrants and refugees, transgender and nonbinary

- 1 communities, the LGBTQIA community; individuals with multiple
 2 disabilities, and other populations that have been underserved and
 excluded from access to equitable communication.
- (7) All state agencies, offices, institutions, and contractors

 4 impacted by the interpreter shortage shall comply with requests for

 5 data from the work group within two months of the request. State

 agencies, offices, institutions, and contractors include but are not

 limited to:
- 7 (a) Washington center for deaf and hard of hearing youth;
- 8 (b) Department of enterprise services;
- \mathbf{g} (c) Office of the superintendent of public instruction;
 - (d) Four-year universities and colleges;
- (e) Community colleges;
- (f) Technical colleges or relevant trade schools; and
- (g) State board of community and technical colleges.
- 13 with subsection (5) of this section to the governor and legislature
 14 in a final report, in compliance with RCW 43.01.036, on or before
 15 June 30, 2025. The report must include an implementation plan for
 16 the recommendations in the final report. The report must also
 17 identify any barriers that would be created by implementation of the
 18 because of increased interpreter wages, lack of quality interpreting
 19 providers, and lack of quality interpreters in a certain region.
- 20 advertise the final report and make the final report available to 21 deaf, DeafBlind, and hard of hearing stakeholders. In addition to a 22 written report, the department of social and health services shall make the final report available through videos using ASL on publicly 23 available websites on or before August 30, 2025.

²⁴ Draft p.9

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(10) This section expires January 1, 2027.
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       <u>NEW SECTION.</u> Sec. This act is necessary for the immediate
 4 preservation of the public peace, health, or safety, or support of
 {f 5} the state government and its existing public institutions, and takes
   effect immediately.
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