



Bridging Communication with Families through Interpreters and Translators

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- ▶ I have no financial disclosures to disclose.

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- ▶ I'm employed at a university that values scholarly publications and presentations; promotion within the university may be directly impacted by productivity in these areas.



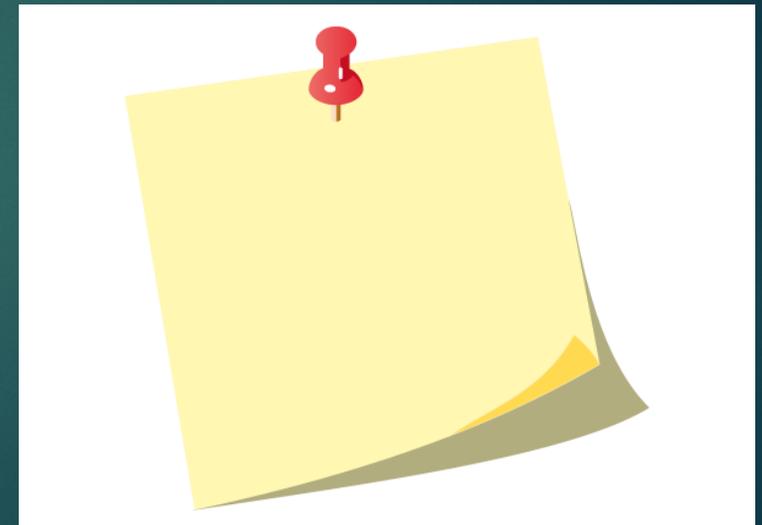
Today we will discuss:

- ▶ Legal and ethical needs for the use of interpreters in educational settings
- ▶ Desired qualities of effective interpreters and translators
- ▶ Tips for working with interpreters (Dos and Don'ts)
- ▶ A meeting protocol for the effective use of oral interpreters



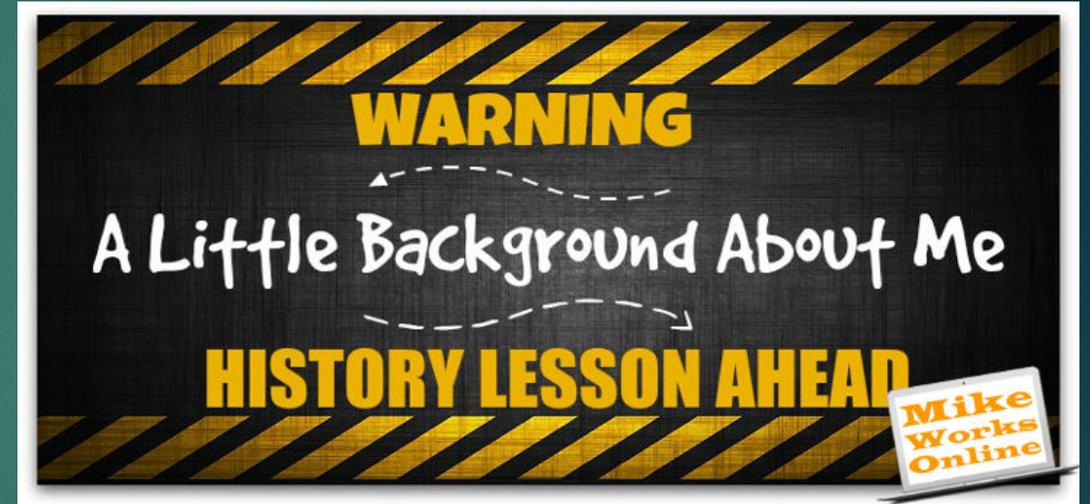
Review

- ▶ What do you know about interpreting and translating?
- ▶ What do you want to learn?
- ▶ Let's share!



Background

- ▶ As an English Language Learner
- ▶ As a child interpreter and translator for family and friends
- ▶ As an adult professional interpreter
- ▶ As a special education provider
 - ▶ With families whose language I speak
 - ▶ With families whose language I don't speak
 - ▶ Uncomfortable experience
 - ▶ At the mercy of the interpreter
 - ▶ Separated from families
 - ▶ Exhausting experience
- ▶ As a consultant (outsider view)
- ▶ As a trainer of interpreters



Breakdown in communication: Making the case for the need for qualified interpreters.

Case Study Examples

- ▶ During Parent/teacher conferences
- ▶ During Child/Student Study Team meetings
- ▶ At Review of Existing Data (RED) and Multidisciplinary Evaluation Team (MET) meetings
- ▶ At Individualized Educational Plan (IEP) meetings
- ▶ In writing
- ▶ In informal chats, phone calls

What does the law say?

Department of Justice (DOJ) and the Office of Civil Rights (OCR)

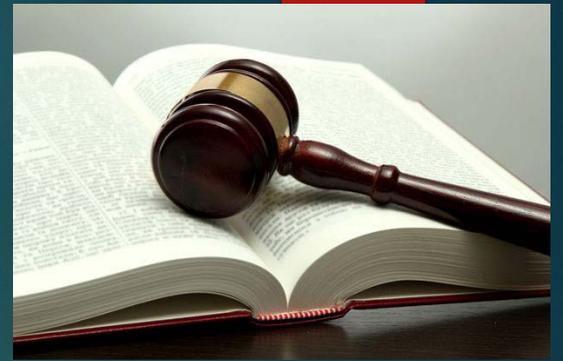
- ▶ In January 2015, the DOJ and OCR Issued a joint 'Dear Colleague Letter' (DCL) letter on the issue of avoiding discrimination against English Learner students and limited English proficient parents. In the letter they stated that school districts have an obligation to ensure that parents can meaningfully communicate with the school.

Title VI of the Civil Rights Act of 1964 ("Title VI")

- Requires public schools to take affirmative steps to ensure that students and parents with Limited English Proficiency ("LEP") are able to meaningfully participate in educational programs and services. 42 U.S.C. § 2000d to d-7; *Lau v. Nichols*, 414 U.S. 563 (1974).



What does the law say?



Equal Educational Opportunities Act (“EEOA”)

- Requires that public school districts must act to overcome the language barriers that “impede equal participation by students in their instructional programs.” 20 U.S.C. § 1703(f).

The Individuals with Disabilities Education Act (IDEA)

- Emphasizes the importance of ensuring that families of students with disabilities have meaningful opportunities to participate in the education of their children, which is more difficult where the families are LEP. 20 U.S.C. § 1400(c)(5)(B).
- Require that public schools “must take whatever action is necessary to ensure that the parent understands the proceedings of the IEP Team meeting, including arranging for an interpreter for parents with deafness or whose native language is other than English.” 34 C.F.R. § 300.322(e).



From a joint facts sheet from the US Department of Education and the US Department of Justice

<https://www2.ed.gov/about/offices/list/ocr/docs/dcl-factsheet-lep-parents-201501.pdf>

1. Must my child's school provide information to me in a language I can understand? **YES.**
2. Must a school provide language assistance if I request it, even if my child is proficient in English and I am somewhat proficient in English? **YES.**
3. May my child's school ask my child, other students, or untrained school staff to translate or interpret for me? **NO.**
4. What steps must school districts take to provide effective language assistances to LEP parents?
 1. *Offer translated materials or a language interpreter, FREE, by appropriate and competent staff or outside resources*
 2. *Ensure interpreters and translators have knowledge of both languages of any specialized terms of concepts to be used and are trained*
 3. *It's not sufficient for the staff merely to be bilingual.*

What about translating documents?



- ▶ IDEA law does not specifically require that SPED documents be translated into other languages.

HOWEVER..... In 2009, the Office of Civil Rights (OCR) found the Hawaii State Department of Education to be in violation due to a failure of a school to translate documents for LEP parents (ineffective communication). 53 IDELR 101 (2009)

It's best to *AVOID* an OCR complaint by providing written and oral communication in the native language of the LEP parent whose child receives special education services or has a 504 plan.

PLUS... it's the right thing to do.

INFORMED CONSENT

- ▶ IDEA states the school district has achieved **informed consent** if:
 - ▶ The parent has been fully informed in their native language or other mode of communication, of all information about the action for which they are giving consent.

- ▶ WHEN?
 - ▶ Before the school conducts an initial evaluation or a reevaluation of your child
 - ▶ Before the school provides special education services to your child for the first time through an IEP
 - ▶ Before inviting non-school agencies to participate in IEP meetings to discuss your child's transition to adult life
 - ▶ At other times

Three Requirements of Informed Consent (IDEA)

1. **Parent/Guardian has been fully informed about what the school wants to do.** (Prior Written Notice. Parents have the right to receive that in their native language, including in Braille!)
2. **Parent/Guardian understands and agree in writing.** (Oral does not suffice... must be a written agreement... a signature)
3. **Parent/Guardian understands that consent is voluntary and that they can withdraw or deny consent at any time.** (Procedural Safeguards to explain in writing the legal rights of child and parents)



in 21 days. If you

"INFORMED" CONSENT

WHAT DID I AGREE TO?

the study groups:

- combination with low dose AMO 655
- combination with high dose AMO 655
- combination with placebo (solution that looks like AMO 655 but with

a group by chance. The researchers will not know which group you are in.

randomly (IV) through a tube in your arm. You will be asked to give blood for tests. You will be asked to give urine for tests. You will be asked to give stool for tests. You will be asked to give a sample of your hair for tests. You will be asked to give a sample of your saliva for tests. You will be asked to give a sample of your sweat for tests. You will be asked to give a sample of your tears for tests. You will be asked to give a sample of your breath for tests. You will be asked to give a sample of your skin for tests. You will be asked to give a sample of your nails for tests. You will be asked to give a sample of your hair for tests. You will be asked to give a sample of your saliva for tests. You will be asked to give a sample of your sweat for tests. You will be asked to give a sample of your tears for tests. You will be asked to give a sample of your breath for tests. You will be asked to give a sample of your skin for tests. You will be asked to give a sample of your nails for tests.

INFORMED CONSENT

If you are a woman, a pregnancy test will be performed before you enter the study. If you are pregnant, you will not be allowed to enter the study. If you have ever been pregnant, you will be asked to give a sample of your urine for a pregnancy test. If you are pregnant, you will not be allowed to enter the study. If you have ever been pregnant, you will be asked to give a sample of your urine for a pregnancy test.

Study Groups

- mFOLFOX6 and Bevacizumab in combination with low dose AMO 655
- mFOLFOX6 and Bevacizumab in combination with high dose AMO 655
- mFOLFOX6 and Bevacizumab in combination with placebo (no medicine)

Procedures

You will be asked to give blood for tests. You will be asked to give urine for tests. You will be asked to give stool for tests. You will be asked to give a sample of your hair for tests. You will be asked to give a sample of your saliva for tests. You will be asked to give a sample of your sweat for tests. You will be asked to give a sample of your tears for tests. You will be asked to give a sample of your breath for tests. You will be asked to give a sample of your skin for tests. You will be asked to give a sample of your nails for tests.

you will visit the clinic twice at least once every 2 weeks. You will be asked to give blood for tests. You will be asked to give urine for tests. You will be asked to give stool for tests. You will be asked to give a sample of your hair for tests. You will be asked to give a sample of your saliva for tests. You will be asked to give a sample of your sweat for tests. You will be asked to give a sample of your tears for tests. You will be asked to give a sample of your breath for tests. You will be asked to give a sample of your skin for tests. You will be asked to give a sample of your nails for tests.

- ▶ There is a need qualified and effective interpreters
- ▶ Arizona offers certificates in federal court interpretation but there's no certification available for interpreters who work in educational settings.
- ▶ Not everyone who speaks multiple languages can interpret.
- ▶ Preparation and training are needed.
 - ▶ *Role of interpreters and translators*
 - ▶ *Ethics*
 - ▶ *Confidentiality*



Basic Terminology

- ▶ **INTERPRET** - To convey a message (spoken or signed) from one language to another
- ▶ **TRANSLATE** - To convey written text from one language to another.
- ▶ **TRANSLITERATE** - To convey a message from one form to another form of the same language (most common in ASL/English, but also with dialects) (Guillory, 2017)
- ▶ **CULTURAL BROKERS** – Bridge, link, or mediate between groups or persons of different cultural backgrounds for the purpose of reducing conflict or producing change (Jezewski, 1990). A go-between, one who advocates on behalf of another individual or group (Jezewski & Sotnik, 2001)

Definitions - Interpreting Methods

Consecutive interpreting – Message is transmitted into the second language (L2) once it is spoken in the first language (L1)

- ▶ Short lag time.
- ▶ Allows for more personal contact between members who cannot communicate in the same language.
- ▶ Takes longer.
- ▶ Is the method you will most likely do in special education meetings

EXAMPLE (In Court): <https://www.youtube.com/watch?v=tFsKulFcauY>

Definition – Interpreting Methods

Simultaneous interpreting – Message is conveyed into the second language (L2) at the same time as it is spoken in the first language (L1)

- ▶ There is no lag time
- ▶ May be used in a conference where many professionals are sharing information.
- ▶ It maybe disruptive as people have to talk over each other.
- ▶ Others may not be able to process the flow of the conversation.

EXAMPLE (In Court): <https://www.youtube.com/watch?v=2vfpRO2mw9k>

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Desired qualities of the interpreter

Linguistic Competency

- ▶ Proficient in all aspects of the two languages, including reading and writing.
- ▶ Consistent interpreting methods (sequential or simultaneous)
- ▶ Has the ability to convey the same meaning in two languages.
- ▶ Knowledge of specific terminology or ability to define a term where there is no equivalent word.
- ▶ Is familiar with dialectical differences
 - China/naranja
 - Plural 'tu' (ustedes/vosotros)



Desired qualities of the interpreter

Cultural Competency

- ▶ Has knowledge of two cultures and two modes of verbal and nonverbal communication
- ▶ Cultural clarifier or cultural brokers plays an important part in clarifying cultural misunderstandings (could interrupt the process and alert parties to potential misunderstandings)



Desired qualities of the interpreter

Additional Competencies

- ▶ Has the ability to adapt different ways of speaking
 - ▶ Based on educational level of speaker
 - ▶ Can adapt to speech and language patterns of clients with communication disorders
- ▶ Maintains neutrality and confidentiality
- ▶ Interprets faithfully
 - Avoids –*
 - *Overinterpreting/fixing to try to clean up disjointed statements*
 - *Summarizing*
- ▶ Maintains linguistic skills
- ▶ Participates in ongoing learning and remaining flexible.



Common Dilemmas that surface during interpreted conferences

1. Interpreter seems to say more or less than what someone else said:
2. Interpreter has 'taken over' the leading role in the interaction instead of remaining 'neutral'
3. A bilingual advocate or others do not agree with the interpreter in charge.
4. The speaker goes on for too long and does not give the interpreter a chance to interpret.
5. The speaker uses vocabulary or concepts that are not easily understood by a layman.
6. The interpreter is not given time to prepare; they have no knowledge of the context of the meeting and are often seeing documents and hearing information for the first time.

Guidelines if using interpreters or translators:

- ▶ Provide training
 - ▶ Purpose
 - ▶ Procedures
 - ▶ Goals
 - ▶ To avoid gestures, intonation, or other cues that could inadvertently communicate something that should not be communicated
- ▶ Pre-Plan – give paperwork ahead of time, procedures
- ▶ Use the same interpreter for the same clients/families, if possible
- ▶ Don't check out. Use observational skills or other nonlinguistic measures as a supplement
- ▶ Document that an interpreter or translator was used.

Interpreter Protocol and Standard Practice

<https://www.youtube.com/watch?v=3wg-qZjMhU4>

1. Body Positioning (next to or slightly behind)
2. Speaking in First Person (ALWAYS)
3. Never add, omit, or substitute
4. Address Side Conversations

Interpreter Protocol and Standard Practice

▶ <https://www.youtube.com/watch?v=3mYoQGyJOoI>

5. Clarifying

6. Managing the session (politely interrupting)

7. Tone, register, and style

Reasonable expectations of providers using interpreters (YOU) (Langdon & Cheng, 2002)

School professionals (teachers, evaluators, therapists, etc.) should:

- ❖ Provide clear and concise explanations
- ❖ Demonstrate empathy, patience, and knowledge
- ❖ Emphasize what the client can do well
- ❖ Not rely on the interpreter to 'reinterpret' or 'fix' what is being said because something is not stated clearly
- ❖ Consider cultural beliefs
- ❖ Check for understanding
- ❖ Direct/address information directly to the parent/family member

Proposed Code of Ethics for Interpreters in Special Education

(Adapted from Langdon and Saenz, 2016)

1. Treats as confidential, all information learned in the performance of their professional duties.
2. Strives to render the message accurately, conveying the content and spirit of the original message, taking into consideration its cultural context.
3. Strives to maintain impartiality and refrains from counseling, advising, or projecting personal biases or beliefs.
4. Maintains the boundaries of the professional role, refraining from personal involvement.

Proposed Code of Ethics for Interpreters in Special Education

(Adapted
from Langdon and Saenz, 2016; NCIHC, 2004)

5. Continually strives to develop awareness of her/his own and other cultures encountered in the performance of their professional duties.
6. Treats all parties with respect.
7. May be justified in acting as an advocate when the individual's health, well-being, or dignity is at risk. Advocacy must be undertaken **only** after careful and thoughtful consideration, and if other less intrusive actions have not resolved the problem.
8. Strive to continually further his/her knowledge and skills.
9. Must at all times act in a professional and ethical manner.

Provide Training for interpreters on...

- ▶ TYPES OF MEETINGS
 - ▶ RED – Review of Existing Data
 - ▶ MET – Multidisciplinary Meeting
 - ▶ IEP – Individualized Educational Plan
- ▶ Who gets an IEP?
- ▶ Why are parents involved?
- ▶ Why are so many people involved?
- ▶ Why are there so many timelines?
- ▶ LEGALITIES!

Prior to Meeting (whenever possible)

- ▶ Meet in advance and allow adequate preparation
 - ▶ Know names and titles of those participating
 - ▶ Review any abbreviations, technical terms you may be unfamiliar with.
- ▶ Establish rapport with team members, particularly between interpreter and those needing interpreting
- ▶ Review goals and procedures of meeting (agenda if possible)
- ▶ Review interpreting techniques with educators.
- ▶ Figure out seating arrangement.

During the Meeting

- ▶ Introductions
- ▶ Describe role as interpreter and clarify expectations including
 - ▶ 1. encouraging the use of short, concise sentences
 - ▶ 2. encouraging pauses to allow you enough time to convey information correctly.
 - ▶ 3. Allowing time for the interpretation
 - ▶ 4. encouraging speakers to talk directly to parent/family members
- ▶ Interpreter should advocate for own needs (providers should as well). How?
 - ▶ 1. Asking for repetition or explanations
 - ▶ 2. Asking for more time.
 - ▶ 3. Asking for shorter phrases if necessary
 - ▶ 4. Using a note pad, if they need to.
 - ▶ 5. Using a cheat sheet or a phone translator/ dictionary

Let's Practice!

Get into teams of two (Pair up).

CONSIDER -

1. Position (seating arrangement)
2. Simultaneous or Sequential?
3. Speaking in first person
4. Clarifying

Interpret/Repeat what I say...

What did you learn from your
'interpreting' experience?

What did you learn today?





QUESTIONS

ANSWERS

References

- ▶ Guillory , P. (2017). Beyond word-for-word interpreting. *The ASHA Leader*, 22(Nov), 46-52. doi:10.1044/leader.FTR1.22112017.46
- ▶ Jezewsky, M.A. (1990). Cultural brokering in migrant farmworker healthcare. *Western Journal of Nursing Research*, 12(4), 497-513.
- ▶ Langdon, H.W. & Cheng, L.L (2002). *Collaborating with interpreters and translators in the communication disorders field*. Eau Claire, WI: Thinking Publications
- ▶ Langdon H.W. & Saenz T.I. (2016). *Working with interpreters and translators: A guide for Speech-Language Pathologists an Audiologists*. San Diego, CA: Plural Publishing, Inc.