

Policy #: 443
Title: Staff American Sign Language (ASL) Proficiency
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Reviewers: MSA Superintendent; MSAB/MSAD Directors; MSA Human Resources Office

I. PURPOSE

The purpose of the staff American Sign Language (ASL) Proficiency policy at the Minnesota State Academies (MSA) is to provide a fair, consistent and systematic process for ascertaining sign language skills of employees who have contact with deaf, hard-of-hearing, or deafblind students, family members, and/or staff members.

II. GENERAL STATEMENT OF POLICY

American Sign Language is the primary language used for communication and instruction for most of our students on the MSAD campus and many individuals in the MSA community (parents, family members, staff members, etc.). In order to ensure that all our students and community members have full access to language and communication, it is necessary that the Academies maintain a staff with sufficient proficiency in ASL to support our students' language, communication, and academic development. In order to determine the ASL proficiency of staff, a consistent and fair process of determining ASL skills is necessary. MSA has selected the Sign Language Proficiency Interview (SLPI) as our assessment tool that will be used to measure ASL proficiency on our campuses. Employees hired at MSA may provide results from the American Sign Language Proficiency Interview (ASLPI) or the SLPI, if taken at another location, to meet this requirement. (See Appendix 443-C for rating equivalents)

In the development of this policy, MSA considered different factors in establishing standards and expectations, including the following:

- a. Amount of contact a person in the position has with deaf, hard-of-hearing, or deafblind students, employees, parents/family members, and/or community members;
- b. the type of contact;
- c. and the subject matter involved (i.e. counseling, storytelling, academic subjects, giving directions or explanations for specific activities, etc.).

Furthermore, the factors listed above are also expected to influence the rate of acquisition of ASL skills. A position that provides more contact hours with individuals who use ASL would be expected to achieve specified ASL skill levels more quickly.

Other considerations that were incorporated into this policy include the following:

- a. Adequate time needs to be provided for employees to achieve required standards for their position, including consideration of differences in learning rates that may be expected between individuals. Reasonable time for achieving each specified skill level should be allowed.
- b. Employees should demonstrate reasonable, steady progress toward achieving ASL proficiency levels for their position and participate in a variety of opportunities to practice and develop their skills.
- c. MSA should strive to provide ASL classes and provide time during the employee's work day, whenever possible, to support their participation in those classes as well as other opportunities to practice and develop their ASL skills. Furthermore, MSA should encourage and provide on-going professional development opportunities relevant to both development of sign skills and use of sign skills in offering quality instruction to MSA students, including opportunities for employees who have achieved their required ASL standard to progress beyond the required levels.
- d. As MSA provides an ASL-rich environment and many natural communication opportunities for learning ASL skills, employees should be encouraged to recognize their individual learning styles/preferences and participate in opportunities that match their preferences/needs.
- e. Employees are be responsible for their progress and must seek out opportunities to achieve the required standards for their position within expected timelines. Assistance may be requested through their supervisors/directors and/or the Human Resources Office.

III. HISTORY

The Minnesota Legislature passed statute language to address the need for staff members who work at the Minnesota State Academy for the Deaf to be proficient in sign language. In MS125A.67 Subd.4 (Signing Skills), it states "A staff member at the Academy for the Deaf must have the sign language communication skills appropriate for the staff member's job." In MS125A.67 Subd.6., it states that "An employee hired after August 1, 1985 cannot get permanent status until the employee is proficient in sign language if employed at the Academy for the Deaf or knowledgeable in Braille if employed at the Academy for the Blind."

The SLPI assessment is based on the Language Proficiency Interview (LPI) which was developed at the Language School of U.S. Foreign Service Institute after World War II. The purpose for the LPI is to determine how well an individual can use a language for communication with a skilled user of the language. Professional and social topics of importance and interest to each individual are discussed during the LPI. The LPI is a criterion referenced test (based on predetermined standards) rather than a norm referenced (comparison between individuals) test.

The SLPI was developed by William Newell and Frank Caccamise in the early 1980's with the first SLPI Training workshop being offered at the Louisiana

School for the Deaf in 1982. Frank Caccamise and William Newell trained a twelve person team at the Minnesota Residential Academies (now Minnesota State Academies) in October 1985. This process is the result of the SLPI team's recommendations and adaptation to the needs of the Minnesota State Academies. Since that time, MSA has continued to train teams of raters to implement the SLPI for MSA employees as well as other individuals statewide.

IV. STANDARDS AND TIMELINES

- A. MSA has established standards for each position at the Academies. If positions are added, the superintendent, in conjunction with the Human Resources Department, the SLPI coordinator, and that position's supervisor, will determine the appropriate standard for that position. If the expected standard is changed for a specific position, individuals that are already serving in that position will not be subject to termination for failure to achieve the new standard but will be required to continue taking classes and annual assessments until they achieve the new standard.

- B. In general, positions that have direct and frequent communication and interaction with deaf, hard-of-hearing, or deafblind students have the highest expectations for ASL skills. Positions that have occasional or infrequent communication or interaction with students have lower expectations. Staff members who primarily work on the MSAB campus may have little or no requirement for ASL skills with the exception of those who work with deafblind students or deaf individuals who use ASL on that campus. When establishing standards for each position, MSA took the following factors into consideration.
 - a. Amount of contact a person in the position has with deaf individuals (students, staff, and/or parents/family members).
 - b. The type of contact (one-on-one contact and/or group contact)
 - c. The subject matter involved (i.e. counseling, storytelling, academic instruction, giving directions/explanations for specific activities, etc.)

- C. Each new employee will have a designated timeline to achieve the ASL skills required for their position. It is preferred that MSA hires individuals who already possess ASL skills required for their positions but employees who are hired without the appropriate ASL skills will be provided with opportunities to attend classes and/or participate in activities to improve their ASL skills. It is the employee's responsibility to seek out ways to improve their ASL skills within the provided timelines. (See Procedure 4100 for guidelines regarding classes and activities to help employees achieve required standards) Timelines for achieving certain levels of skill are listed below:

<u>Skill Levels</u>	<u>From Date of Hire</u>
Survival/Survival Plus	2 years
Intermediate/Intermediate Plus	3 years
Advanced/Advanced Plus	4 years

- D. All new employees will be provided a copy of this policy and information about the SLPI at the time of hire. Directors and/or supervisors will review the SLPI requirements and document skill levels as part of the employee's annual performance evaluation. All employees will be interviewed annually until they reach the required standard for their position. Employees who have reached the required standard for their position will be re-evaluated every 3 years to ensure maintenance of their skills, except for those who have achieved an "Advanced Plus" rating or higher. Employees who do not make satisfactory progress towards achieving their required ASL Skills level within the required timelines will be dismissed from their positions. However, employees who do not successfully achieve required levels within the timelines may request an extension, if desired, in writing to the superintendent. This should be accompanied by supporting documentation showing activities that employees have taken towards improving their ASL skills.
- E. Contractors who desire to renew their contracts past their initial year of serving MSA must agree to be evaluated and achieve standards comparable to employees who perform similar duties within their contracts. (i.e. An audiologist on contract would need to achieve standards established for an audiologist in Appendix 443-D)

V. REASONABLE ACCOMMODATIONS

- A. Staff members who have disabling conditions which warrant reasonable accommodations may request reasonable accommodations and/or exceptions to the MSA Staff Sign Language Communication Skills Policy.
- B. Requests for reasonable accommodations must be made in writing to the staff member's immediate supervisor or the human resources office, and must be made within 6 months of the date of hire or the date that the accommodations become necessary.
- C. The staff member's immediate supervisor, human resources office, and MSA's SLPI Coordinator, in consultation with others as appropriate, will make recommendations regarding reasonable accommodations to the Superintendent, who makes the final decision.
- D. If a staff member disagrees with the decision regarding reasonable accommodations, they should follow the grievance procedure according to their respective union.

Appendices:

1. *443-A: A Brief Description of the SLPI*
2. *443-B: Information for the Candidate/Staff Member*
3. *443-C: SLPI Rating Scale*
4. *443-D: ASL Skills Required for MSA Positions/Classifications*

Related Procedure:

1. *Procedure 4100 – Sign Language Proficiency Interview Procedures*