

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 MSA maintains a staff with sufficient proficiency in ASL to support our students' language, communication, and academic development. A consistent and fair process of determining ASL skills is necessary to determine the ASL proficiency of staff.

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 several factors in establishing standards and expectations, including the following:

- a. The 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. 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 will strive to provide ASL classes and provide time during the employee's workday, 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 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. BACKGROUND INFORMATION

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). The purpose of the LPI is to determine how well an individual can use a language for communication with a skilled user of the language. 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. Since that time, MSA has trained 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 or revised, 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. The 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. 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)

Employees are responsible for their own language development and must attain the ASL skills required for their position within a reasonable amount of time. MSA recognizes that the time necessary to learn a new language will vary with each individual. Employees who have yet to achieve the required ASL level for their position will be required to develop and submit a professional development plan for improvement of their ASL skills each year.

All new employees will be provided with a copy of this policy and information about the SLPI at the time of hire. Supervisors will review the SLPI requirements and document skill levels as part of the employee's annual performance evaluation.

Employees who have not achieved the required standard for their position will be interviewed and rated annually until they have achieved the required levels. Afterwards, they will be re-evaluated every 3 years to ensure maintenance of their ASL skills, except for those employees who have achieved an "Advanced Plus" rating or higher.

Employees who do not make satisfactory progress towards achieving their required ASL Skills level may be dismissed from their positions. If desired, employees may request an exception in writing to the superintendent. This should be accompanied by supporting documentation showing activities that employees have taken towards improving their ASL skills.

V. REASONABLE ACCOMMODATIONS

- A. Employees who have disabling conditions which warrant reasonable accommodations may request reasonable accommodations and/or exceptions to this policy.
- B. Requests for reasonable accommodations must be made in writing to the employee's immediate supervisor and the human resources director. The request must be made within 6 months of the date of hire or the date that the accommodations become necessary.
- C. The employee's immediate supervisor, human resources director, 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 bargaining contract or compensation plan.

Appendices:

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

Related Procedure:

Procedure 4100 – Sign Language Proficiency Interview Procedures