

YOU WANT ME TO DO WHAT? ETHICAL DILEMMAS FOR SIGN LANGUAGE
INTERPRETERS IN CANADIAN POST-SECONDARY EDUCATION

by

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Abstract

Personal discussions with American Sign Language/English interpreters who work in post-secondary settings and the institutional employees who contract their services revealed discrepancies between the services interpreters typically provide and the services the institutional employees typically expect of interpreters. At the centre of this relationship are guidelines, established to assist in the provision of services for d/Deaf and hard of hearing students. While the guidelines sought to introduce standards and improve service provision, countering guidelines with the AVLIC Code of Ethics and Guidelines for Professional Conduct revealed inconsistencies that served to place interpreters in ethical dilemmas. The role of the institutional employee, responsible for contracting interpreting services, is key to students attaining not only appropriate services, but a more inclusive education. Given the current models of service delivery though, the chances of an institutional employee having the necessary knowledge, and employment status, to provide this kind of support is low. In the spirit of improving the working relationships between and among interpreters, and institutional employees, the first step is recognizing that the guidelines serve to place both at a disadvantage. Perhaps the most challenging, problems are embedded in the guidelines making it difficult for any one stakeholder to discern. With an awareness of the discrepancies, stakeholders will have the tools to better understand each other's positions and the means to build more constructive working relationships.

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Chapter I – The Current Reality

As a professional sign language interpreter, who has provided interpreting services in post-secondary institutions and as an institutional employee, who has been responsible for contracting interpreting services for d/Deaf¹ and hard of hearing students within post-secondary institutions, I have been privy to an ongoing discussion highlighting discrepancies between the services interpreters² typically provide and the services institutions typically expect from interpreters. Most post-secondary institutions within Canada will have an internal process for providing services to students with disabilities. To assist with the provision of services for deaf and hard of hearing students, some provinces have guidelines, which serve in part to provide assurance of quality service to the students. Such guidelines also assist institutional employees³ and interpreters to understand the nature of their individual responsibilities in providing these services. While there is evidence of collaboration with interpreters during the development stages of these guidelines, rumblings among interpreters suggest they were not well received by the broader interpreting community. In contrast, institutional employees often unfamiliar with servicing such a unique population of students have taken to utilizing the guidelines as the ‘rule’ rather than a guide.

¹ For the purpose of this paper, d/Deaf will be used to represent all those who use a form of sign language as their mode of communication. It respects both those who align themselves with a Deaf community and those who, for a variety of reasons, do not.

² For the purpose of this paper the term ‘interpreter’ will be used to represent ‘sign Language/English interpreters, who provide interpreting services for signing d/Deaf and hard of hearing students and their English speaking peers and instructors within post-secondary settings in Canada.

³ For the purpose of this paper, the term ‘institutional employee’ will refer to the person within the institution responsible for contracting interpreting services.

Interpreters however, are guided by their own professional protocols. The Association of Visual Language Interpreters of Canada (AVLIC)⁴ expects its members to adhere to the *AVLIC Code of Ethics and Guidelines for Professional Conduct* and interpreters, in keeping with their desire to maintain good professional standing, are committed to upholding its contents. A text analysis and comparison of the above mentioned guidelines and ethical standards for interpreters, suggests a lack of congruence between these documents. If interpreters and institutional employees are not noticing these inconsistencies, and in my experience they are not, there is a great deal of room for unrealistic expectations and misunderstanding.

This paper explains inconsistencies within the texts to hopefully identify some of the discrepancies between the service provision and expectations. An analysis of existing guidelines used to contract sign language interpreters, juxtaposed to the *AVLIC Code of Ethics and Guidelines for Professional Conduct*, was used to reveal potential conflicts within and between the documents. An examination of the evolution of sign language interpreting, as a service within post-secondary institutions in Canada, will establish context for the development and need for guidelines, while a literature review will highlight how sign language interpreters are viewed as service providers.

By revealing inconsistencies between these two sets of documents, interpreters and post-secondary institutional employees, who contract their services, will have the tools to understand how these discrepancies can impact working relationships. Providing recommendations for changes to the guidelines will highlight disparities that cause misunderstandings and unrealistic expectations, and provide a guide for future guideline development.

⁴ *The Association of Visual Language Interpreters of Canada* is the professional association for American Sign Language/English interpreters in Canada.

Chapter II – A Changing Reality

Demand for Interpreting Services

The demand for qualified interpreters in Canada initially came about as a result of an increased number of signing d/Deaf and hard of hearing students attending public schools, over schools for the Deaf. Paralleling changes in the US, this shift stemmed from changes in educational policy in the 1970's (Conrad & Stegenga, 2005; Janzen, 2005; Malcolm & Howard, 2009). Ontario's Education Amendment Act, passed in 1980, would be the first piece of legislation to require school districts to provide education to all children regardless of the disability (Winzer, Rogow, & David, 1987). Although not mandatory, the implications for d/Deaf and hard of hearing children would be an increase in mainstreaming into public schools, subsequently, raising the demand for interpreters for accessibility.

The history of interpreting as an accommodation for signing d/Deaf and hard of hearing students in Canadian post-secondary institutions would be considered a rarity prior to 1980. Those inclined for higher education attended popular American institutions with programs designed for signing d/Deaf and hard of hearing populations (Carbin, 1996; Carver, 1986). However, concerns from the Canadian Association of the Deaf, "...about the lack of post-secondary opportunities and facilities in Canada for deaf/hearing impaired students", would lead to a recommendation to establish, "... a number of smaller centres of deafness studies in Western, Central, and Eastern Canada" (Hiron, 1988, p. 28). One such centre, the Western Canadian Centre of Specialization in Deafness (WCCSD) came about partially in reaction to the loss of potential Deaf leaders, who remained State side once they graduated from American institutions (Carbin, 1996). "In 1979 the Western Canadian Association of the Deaf, "...ratified several proposals concerning the education of deaf students, advocating the development of

postsecondary programs for the deaf in Canada” (Carver, 1986, p. 60). These and other events, post 1980, would serve to draw signing d/Deaf and hard of hearing Canadians to local institutions and legislation would eventually require institutions to provide the necessary support services.

By 1981, the release of *Obstacles Report of the Special Committee on the Disabled and the Handicapped* (Ministry of Supply and Services Canada), identified deaf Canadians as “...education-poor precisely because there are few sign interpreters in Canada” (p. 107). While this report focused on a wide range of barriers faced by all disabled groups in Canada, it would serve to bring needs of persons with disabilities to a political forefront, as well as, highlight a need for qualified interpreting services for deaf Canadians. To further support the need for post-secondary opportunities in Canada, in the Early 1980’s Gallaudet University announced plans to limit the enrollment of Canadian students, “...in order to accommodate an anticipated upsurge for American students, because of the ‘rubella bulge’”(Carver, 1986). Even if Gallaudet University continued to service Canadian students, it would not be without serious financial implications (Leitch, 1986). Around the same time, the Canadian Association of the Deaf would secure federal funding for “...Project Advance, for Canadian Postsecondary educational alternatives to Gallaudet College and other programs based in the USA” (Carver, 1986). Later, and perhaps more to the point, the interpretation of Canadian legislation and legal precedence would support the rights of signing d/Deaf and hard of hearing students to have interpreters for communication access in post-secondary settings:

“*The Canadian Charter of Rights and Freedoms, the Canadian Human Rights Act, and provincial human rights legislation... mandate [d] the legal responsibility of an organization, college, university, business or facility to be accessible*” (Canadian Hearing Society, 2004, p. 6).

Provincial human rights codes would further define the ‘duty to accommodate’ as it relates to the services for signing d/Deaf and hard of hearing students, and the demand for trained interpreters to provide access services in post-secondary venues would continue to rise. Covering the costs for additional services though, would prove problematic and would require funding from provincial governments sources to expand the resources available to special needs students (Potter, 1991).

While only the Post-secondary Communication Access Services Resource Manual (Miller, 2005) mentions the 1993 Human Rights case between Nigel Howard and the University of British Columbia, the implications were felt beyond provincial borders. Costs for interpreting services would not qualify as an undue hardship for institutions, limiting their ability to deny interpreting services to signing d/Deaf and hard of hearing students. Additionally, “The Report of Special Counsel regarding Claims of Sexual Abuse at Jericho Hill School [British Columbia] (Berger, 1995)...” (Miller, 2005, p. 2), and “The Eldridge decision on October 9, 1997 at The Supreme Court of Canada responding to a Charter in British Columbia,” (Canadian Hearing Society, 2004, p. 6), again emphasized the need for quality interpreting services. Both these cases would influence the increased demand for qualified interpreters across Canada.

The increased competition for qualified interpreters in various segments of society would continue to hamper the ability to secure interpreting services for post-secondary course work. Even as recent as 2004, the *Canadian Hearing Society Status Report on Deaf, Deafened, and Hard of Hearing Ontario Students in Post-Secondary Institutions* revealed a shortage of qualified interpreters continued to be an accommodation challenge. Today, with the North American onset

of video relay services⁵, the demands for skilled interpreters continues to challenge interpreter education programs to supply.

Funding challenges underpinned unfolding events in providing such services. Unlike the United States, Canada's population was far too small to support the establishment of an institution dedicated to the education of signing d/Deaf and hard of hearing students alone (Leitch, 1986). Instead a more feasible plan was launched and centres for specialization in deafness at local universities were sponsored by the Secretary of State (Potter, 1991). The WCCSD, mentioned previously, was one. Other centres were also established at the University of Western Ontario and St. Mary's University in Nova Scotia (Potter, 1991). Priorities outlined for these centres included increasing the number of trained interpreters to work in post-secondary settings (Carver, 1986; Leitch, 1986). The Secretary of State funding though would not be ongoing. Funding from the private sector would be particularly important for the continued work of WCCSD (Rhodda, 1991). Additional funding would also be forthcoming from the provincial governments to assist post-secondary institutions in the provision of services to students with special needs (Harper & Sitko, 1991; Rhodda, 1991; Siddaway, 1986). Vocational Rehabilitation for Disabled Persons, a federal program, would also be a source of funding for some students (Rhodda, 1991).

While there is no current national count of the number of d/Deaf and hard of hearing students attending Canadian institutions, locally, statistics provided by the British Columbia Post-secondary Communication Access Services, under the Ministry of Advanced Education,

⁵ Video relay service (VRS) is a visual phone system that employs ASL/English interpreters to facilitate phone calls between signing d/Deaf and hard of hearing persons and persons who can hear. While services for the Canadian market are still in trial stages, due to a shortage of interpreter services in the US, Sorenson, an American based VRS company, has established many offices in Canadian cities to access qualified interpreter services for the American Market.

revealed in the 2007-08 term there were 185 d/Deaf and hard of hearing students attending institutions Province-wide (Coomber, 2009). The Canadian Hearing Society Status Report on Deaf, Deafened, and Hard of Hearing Students in Post-Secondary Institutions (2004), reported a total of 308 students in the province of Ontario. While these numbers are a couple of years apart, and reflect only two provinces, it is safe to assume the national count is substantial.

The previous delineation is by no means an in-depth iteration of all the events that would serve to increase post-secondary opportunities for d/Deaf and hard of hearing individuals, or the subsequent demand for interpreting services. The intent here is to highlight some of the influential events that would culminate in the increased demand for qualified interpreters within post-secondary venues. Legal precedence would see an increase in demand for interpreters in many areas of society, not only the post-secondary system. Competition for qualified interpreters in all venues would challenge post-secondary institutions to provide the needed services.

Interpreter Education

As a result of the increasing demand for services, formal interpreter education programs were established in Canada (Malcolm & Howard, 2009). Early training programs were approximately a month in length, to facilitate meeting demands, and eventually expanded to the current two-year diploma programs at colleges across the country (Malcolm & Howard, 2009; McDermid, 2008). In the mid 1970s in Manitoba, “Red River Community College (RRCC) was the first to offer formal training in Canada” (Janzen, 1994, p. 13). Interestingly, the impetus was the provision of access services for their own d/Deaf student population (Janzen, 1994). However, most training programs in Canada were established post 1984 and the program at Red

River Community College, now known as Red River College (RRC), would not see expansion to a 10 month program until 1982. While the highest number of programs offered at one time was eight, currently there are five training programs in Canada (McDermid, 2008): Douglas College, New Westminster, British Columbia; Lakeland College, Edmonton, Alberta; Red River College, Winnipeg, Manitoba; George Brown College, Toronto, Ontario, and Nova Scotia Community College, Halifax, Nova Scotia. Four programs offer Diploma level credentials, while University of Manitoba, in conjunction with the Red River College, now offer the only related degree program for interpreters in Canada.

By the late 1980s, interpreter education programs in Canada held a reputation for adhering to "...curriculum standards. They primarily concentrate[d] on teaching ASL and the process of interpreting..." (Hiron, 1988, p. 17). While entrance requirements for interpreter education programs today are far superior, and the benefits of research and development have expanded and improved the curriculum, skill development in language and interpretation between languages, specifically American Sign Language and English, remain key areas of study (McDermid, 2008).

As identified by Malcolm & Howard (2009), the College system provided the necessary structure to support a 'practice profession' (Dean & Pollard, 2005) program. It allowed for a selection process that assessed language abilities, as well as, screening for personalities more suited to the work and the communities they would serve. This is particularly important because the number of students accepted per year was and is relatively low, due to nature of the subject and the intensity of the training. In keeping with a practice profession, it also allowed for a combination of "classroom work... [and] practicum placements where students...gain first-hand

experience in the field...” (Malcolm & Howard, 2009, p. 253), a necessary component of training that determines whether students have attained entry-level ability.

Expectations of interpreters today though, have already surpassed the minimum requirement of interpreter education programs. There is already one related degree program in Canada and other interpreter education programs are investigating similar options. The more sophisticated users of interpreting services are requesting interpreters who have a foundational knowledge in their areas of study, minimally higher education experience beyond the interpreter education programs. Because, “The content knowledge necessary for interpreting in today’s science, technology, and mathematics classrooms is often beyond the educational backgrounds of interpreters” (Marschark, 2005, p. 729), the call for interpreters to have a diverse knowledge base is becoming more prevalent.

Professional Association

At the same time that the national awareness for sign language interpreting was being raised, there were discussions about establishing training programs at the college level. Much of the groundwork for substantiating the need for these services could occur simultaneously with the structuring of a Canadian interpreter association and its subsequent endorsement” (Letourneau, 2009, p. 4).

The Registry of Interpreters for the Deaf (RID), the professional association for Sign Language/English interpreters in the United States came into existence 1964 (Cokely, 2005). Because it offered some certification, Canadians who were providing interpreting services were drawn to the benefits of the American organization (Letourneau, 2009). With the growth in agencies servicing the deaf, an increased awareness of the need for qualified interpreters, and

changing perceptions of the role of the interpreter, interpreters in Canada were encouraged to organize nationally (Letourneau, 2009). Hence, the Association of Visual Language Interpreters of Canada (AVLIC) was founded in 1979 and incorporated in 1980. By 1983 the code of ethics was ratified and in 2000, expanded and ratified into the current AVLIC Code of Ethics and Guidelines for Professional Conduct⁶.

The AVLIC initially received, “Financial support and ‘in-kind’ donations...from the National Department of Health and Welfare, the Canadian Hearing Society, the Canadian Association of the Deaf and the Canadian Coordinating Council on Deafness” (Letourneau, 2009). In addition to projects of different Deaf organizations, the Secretary of State would also fund the AVLIC in developing the Canadian Evaluation System for interpreters. The system would provide certification to members and “...promote the use of accredited interpreters throughout the country in all interpretation situations” (Potter, 1991, p. 100).

Aside from the Canadian Evaluation System, the AVLIC would also provide and promote professional development opportunities for its members. Given the time restraints training programs faced, concentration on the development of interpretation skill was and remains the priority, leaving specialization in particular areas of interpreting a post graduation activity. McDermid’s (2008) review of graduates’ comments indicated satisfaction with the current models of education but left many graduates feeling the need for more education and training. The AVLIC and local Affiliate Chapters provide professional development opportunities in specialized areas (medical, legal, mental health, etc.) to supplement training. While many interpreters seek higher education to expand their knowledge and expertise, the AVLIC and its Affiliates continue to play a key roll in skill enhancement.

⁶ The AVLIC Code of Ethics and Guidelines for Professional Conduct is available on-line at the following link <http://avlic.ca/ethics-and-guidlines>

Currently, AVLIC serves a membership surpassing 700 and it continues to grow with graduates from the five existing interpreter education programs joining yearly. It promotes stringent ethical standards and practices and has in place a formal dispute resolution process. The Canadian Evaluation System maintains a reputation for its quality and continues to promote the highest level of skill within the profession. As recent as July 2011, the Westcoast Association of Sign Language interpreters, an Affiliate Chapter of the AVLIC, would be the first in Canada to attain title protection⁷, bringing new dimensions to ASL/English Interpreting as a profession.

Guidelines for Service Delivery in Post-secondary Institutions

By the early 1990s, the presence of signing d/Deaf and hard of hearing students in Canadian post-secondary institutions was becoming more common. However, the quality of interpreting services would be far from sufficient. In some cases, perhaps because of demand, those contracted to provide services, were not necessarily graduates of an interpreter education program, nor was there a requirement of professional status with the AVLIC. Complicating matters, institutional employees charged with contracting services, frequently had little understanding of the profession of interpreting or the needs of signing d/Deaf and hard of hearing students. The ripple effects of the 1993 Human Rights case between Nigel Howard and the University of British Columbia were also making their way across the country.

⁷ The Westcoast Association of Visual Language Interpreters gained Title Protection July 13, 2011, for the following three titles: American Sign Language – English Interpreter, Sign Language Interpreter, and Visual Language Interpreter.

Consequently, the Post-secondary Communication Access Services (PCAS), under the Ministry of Advanced Education in British Columbia (1994), and a committee under the College Committee on Disability Issues (CCDI), Ontario (1998) were established to develop and implement standards for providing services to deaf and hard of hearing students attending post-secondary institutions in their respective provinces. The two other sets of guidelines utilized in this study, St. Clair College, (St. Clair), Ontario, and Grant MacEwan College (GMC), Alberta, were developed for their respective institutions and mirrored the structure of PCAS and CCDI. The purpose in all cases was to provide information around services available, as well as, clarify expectations and responsibilities for stakeholders: students, interpreters and the institution. While it appears those who worked to secure services for students were involved in the production of all the guidelines, the extent to which interpreters providing services and the students using services were consulted is not clear but consultation to some degree seems most likely, given guidelines were produced in large urban centres with large Deaf and interpreting communities. Not surprising, the provincial guidelines were weighted in the area of support and leadership in the administration and provision of services, while the institutional models tend to be more student focused.

The guidelines do not lack detail; in fact, the attempt to be as thorough as possible led to documents ranging in length from 33 to 79 pages. In all cases the guidelines used in the study were the most current version available as of June 2011. There was also clear evidence of the guidelines being living documents. PCAS and GMC had updated the section around the responsibilities of the three stakeholders as necessary and PCAS has transferred the manual information to an on-line accessible mode. Given the length of the documents they have not

been included in the appendices, however, all but St. Clair's were available on-line at the time of this study.

Summary

Increased demand for interpreting services came about largely as a result of increased populations of signing d/Deaf and hard of hearing students in Canadian education systems due to legislation and mainstreaming. The shift from schools for the deaf to public schools and American post-secondary institutions to Canadian had an impact on the establishment of formal education programs for ASL/English interpreters in Canada. Legislation and legal precedence would influence the evolution of the education programs to meet the growing demands for services community wide. Simultaneously, a growing awareness of interpreting as a profession was fostered by the establishment of the AVLIC and its commitment to "...maintain[ing] high standards of professional conduct..." (AVLIC, 2000, p. 1).

A confluence of events would ultimately lead to guidelines to support post-secondary institutions in securing services for this unique population of students. However, the simultaneity of these events meant interpreters were adapting to their role as professionals, while the role itself was still evolving and interpreter education programs were defining and redefining their curriculums. Given many institutions would not have any experience with either the service needs of signing d/Deaf and hard of hearing students, or interpreters, the learning curve for institutional employees cannot be under-stated. At the same time signing d/Deaf and hard of hearing students would need to learn how to access such services and how the interpreter's role translated into educational activities in higher education. Understandably, the roles of these

three stakeholders – student, interpreter and institutional employee – would become the basis for the guidelines for post-secondary institutions.

The struggle to retain the services of professional interpreters, particularly in isolated communities, continues to be a problem today. This is evidenced by the PCAS pay-grid that still holds a category for those without formal interpreter education. However, advancements in education and the appearance of more d/Deaf and hard of hearing students in under graduate and graduate programs, continues to raise the demand for interpreters with specialized knowledge in specific fields of study. The presence of a professional association promoting a standard of practice holds its members to the ethical protocols and codes of conduct that define their roles. Guidelines have been developed to promote a standard of service delivery and in part educate stakeholders around the nature of service provision at the post-secondary level. Professional interpreters though have long been disturbed by guidelines that appear to challenge their ethical practices bringing this study to fruition.

Chapter III – The Hidden Reality

This study was based on published guidelines that Canadian, post-secondary institutions use in contracting sign language/English interpreting services for d/Deaf and hard of hearing students. A search for published guidelines revealed three provinces with comprehensive versions:

- British Columbia Post-secondary ASL and Oral Interpreting Services Guidelines/Terms of reference (June 2009), Post-secondary Communication Access Services (PCAS), Ministry of Advanced Education British Columbia;
- Handbook for Deaf and Hard of Hearing Students, Services to Students With Disabilities, Grant MacEwan College (GMC), Alberta;
- CCDI Provincial Guidelines for the Provision of Interpreter, Intervener, and Computerized Notetaking Services (June 2000), the College Committee on Disability Issues (CCDI), Ontario;
- A three Part document containing a Handbook for Interpreters Policies and Procedures, a Guide for Faculty Serving Deaf and Hard of Hearing College Students, and a Handbook for Deaf and Hard of Hearing Students Policies and Procedures, St. Clair College of Applied Arts and Technology (St. Clair), Ontario.

Hence forward, each of the above guidelines will be referenced by their publishers: PCAS, GMC, CCDI, and St. Clair. A review of these guidelines suggest respective institutions have a common practice around providing interpreting services; therefore, the discussion to follow will speak to common themes, their relationship to the professional practice of interpreters, and the resulting effect on working relationships.

I conducted the review using a series of spreadsheets as a tool to compare the components of the guidelines with the interpreter's ethical standards. A spreadsheet for each set of guidelines aligned the individual responsibilities of the three main stakeholders (interpreter, student and institution) to reveal potential inconsistencies between the prescribed roles. An additional spreadsheet was used to compare the duties/responsibilities of the interpreters from each set of guidelines with the tenets of the AVLIC Code of Ethics and Guidelines for Professional Conduct, to determine whether or not there were conflicts that may in turn place interpreters in ethical dilemmas.

It should be noted this paper is not an in depth study into any one set of guidelines and there will be provincial variations that may influence the interpretation of some of the topics discussed. The intent however, is not to fix the guidelines but rather inspire provinces to review their own guidelines with a different eye, that could help to alleviate some of the challenges currently faced by interpreters and institutions in the provision of services to signing d/Deaf and hard of hearing students.

It is also important to recognize the interpretation of this information is reflective of the author's own experiences and observations working as a contract interpreter providing services to d/Deaf and hard of hearing students, and as an institutional employee, designated the responsibility of contracting sign language interpreters to provide services. The analysis is intended to be text based, focusing on the potential conflicts arising as a result of the construction of the guidelines. This paper neither represents what institutions, or professional interpreters working in post-secondary institutions would prefer as a model of service delivery, nor does it include consumer preferences for how service is delivered. This would constitute additional research that is not part of this particular study.

Similarities in Post-secondary Guidelines

All the guidelines recognize main stakeholders, the students requiring services, the interpreters contracted to provide services and the contracting institution. They also endeavour to provide the information and direction stakeholders may need to access, provide and contract services. The main similarity in the construction of the guidelines is the inclusion of a list of responsibilities for the three main stakeholders, the interpreter, the student, and the institutional employee and/or faculty, in the delivery of services to d/Deaf and hard of hearing students. Of the four sets of guidelines reviewed for this paper there exists a general assumption of the presence of an office or person within the institution, designated the responsibility of negotiating service delivery. There does not appear to be a standard name or make-up for this office/person, and it is important to note many institutions will not have an office or person knowledgeable about the service needs of signing d/Deaf or hard of hearing students, thus how the guidelines are understood and implemented will vary from institution to institution.

The portions of the guidelines that refer directly to the responsibilities of the interpreter hold many similarities. Common themes include, job requirements, terms of employment, and duties/responsibilities. There are similar expectations around preparation for work, attendance, re-assignment, professional conduct, job performance, and professional development. Most commendable, all of the guidelines require graduation from a recognized interpreter education program, and membership to a professional association – namely, the AVLIC. There was also clear emphasis on skill requirements, continued professional development, and a preference for experience interpreting in post-secondary settings, all respected qualities of professional interpreter practice. Also worthy of note, independent of the student's and institution's, the

responsibilities for the interpreters did not come in direct conflict with the tenets of the AVLIC Code of Ethics and Guidelines for Professional Conduct.

The main objective of the paper though hinges on the relationship between the roles and responsibilities identified for the three stakeholders: interpreters, students and institutional employees. Each one is dependent on the other, thus how their prescribed roles and responsibilities inter-relate will have a direct bearing on the functionality of working relationships and ultimately, the students' access to their education.

Underlying Assumptions

An inherent part of the guidelines as presented is an underlying assumption that the institutions' are aware of interpreters' professional obligations. Challenging this assumption will be the experience and knowledge of the institutional employee charged with the responsibility of contracting services. Certainly, one of the reasons for the development of the guidelines was to provide institutions and their employees guidance around contracting services, perhaps in part to educate employees about interpreters and what they do, but also to outline for interpreters what they could realistically be expected to do in the provision of services within a post-secondary institution. However the mere inclusion of the AVLIC Code of Ethics and Guidelines for Professional Conduct as a requirement for interpreters does not dictate the institutional employee's comprehension of what that means in the application of services, thus increasing the potential for unrealistic expectations.

Interpreters who have experience working within the post-secondary system have learned to creatively maneuver through and around the guidelines to meet their own needs. This frequently requires a considerable commitment on the part of the interpreter, to educate the

institutional employee(s), especially when dealing with institutions that have frequent changes in the institutional employees responsible for contracting services. While many institutions do have a knowledgeable person in this position, this would not be the norm. As mentioned earlier, the make-up for the office/person designated the responsibility of contracting interpreting services will vary from institution to institution. Decisions around interpreting services, however, require recognition of the interpreters' level of experience and ethical obligations, as well as, the specific needs of the student. Decisions of this nature are often relegated to faculty and are not part of a staff role. The institutional employee's position may be that of staff, with prescribed procedures for contracting interpreters that do not take into consideration issues that are potential ethical dilemmas for the interpreter.

Interestingly, personal observations have revealed those who do have a knowledge of the interpreting profession and the needs of d/Deaf and hard of hearing students are also struggling with the application of the guidelines, lending support to the concept that problems are text based and somewhat obscured in the current structure. As mentioned earlier, the AVLIC Code of Ethics and Guidelines for Professional Conduct supports the responsibilities as listed for the interpreter, so the challenges are not immediately obvious. Such problems, especially those that are hidden between the lines, promote misunderstandings that can result in requests of the interpreter that are unrealistic, given the scope of their expertise and professional obligations.

Nature of Employment

The interpretation of the guidelines and how they relate to the professional practice of interpreters will be strongly influenced by the nature of the employment, whether employed by

the institution⁸, or contracted for short-term service provision. While this study only takes into consideration the two types of employment interpreters may experience, the author is respectful of the fact there are variations on both. Expectations and requirements of an interpreter employed by the institution may follow a developed job description, split between interpreting and other institutional duties. What these duties might be will depend on the needs of the institution, program and student populous. Such duties might include adapting text material, staff training, scheduling, student orientations, office support, etc. As a free-lance interpreter who is contracted to provide interpreting services, responsibilities are usually limited to specific course related activities and would not have a time allotment for additional responsibilities outside of the interpreting situation. Within the interpreting situation though, the ‘role’ of the interpreter remains the same regardless of the nature of employment. Contract interpreters and interpreters employed by the institution will facilitate communication between d/Deaf and hard of hearing students and any other parties involved in the interpreting situation.

Another important distinction is two sets of guidelines, CCDI and PCAS, were developed as a resource for institutions to use in establishing services for their specific post-secondary setting, while the other two sets of guidelines are more specific to a particular institution. Interestingly, neither CCDI, nor PCAS differentiate clearly between the employment types. St. Clair alludes to this distinction but, overall, the guidelines are general in nature, leaving it to the reader to differentiate. The institutional employee will need to be cognizant of potential differences, to avoid unrealistic expectations that may impact the interpreter’s ethical practice.

⁸ The phrase ‘employed by the institution’ will refer to any interpreter hired on a full or part-time basis such that other duties could be considered part of their job description within the institution.

Outlining the institutional needs and the resulting expectations of the interpreter, prior to contracting services, will allow the contract interpreter to maintain ethical and fair practice.

Responsibilities at the Intersection

In any relationship awareness of each other's contribution to that relationship will make or break its success. The guidelines developed for post-secondary institutions come with an expectation that they will be shared with all parties. Whether or not this happens and to what extent will vary depending on the institution and availability of an institutional employee assigned this responsibility. Either way the immediate response will probably take the stakeholder to the section that outlines their respective responsibilities, to ensure one is meeting specified expectations – students doing what they need to access services, interpreters understanding the terms of employment, and the institution understanding how to facilitate the provision of service. In fact GMC (2010) suggests stakeholders, "...read the sections relevant to your specific needs..." (p. 3). Thus, analyzing how each of the respective responsibilities relates to each other may not be part of the picture, or does it seem readily necessary. At least with respect to the interpreter, comfort and assurance is gained in the very requirement of the appropriate training and membership status with the AVLIC. Additionally, one or more tenets from the AVLIC Code of Ethics and Guidelines for Professional Conduct can be found to support existing requirements and responsibilities listed for the interpreter in each set of the guidelines, so reading only the interpreter's responsibilities will not necessarily surface any glaring challenges for the interpreter. However, as the contract proceeds, interpreters may find themselves in ethical dilemmas between the institution, their primary consumer (usually the student), and the prescribed standards of their profession. To avoid misconceptions that could

lead to unrealistic expectations, the relationship between the responsibilities listed for the three stakeholders (student, interpreter, institution) will need to be recognized, and the individual duties and responsibilities will need to be congruent.

Bones of Contention

The comparison of responsibilities listed for the interpreters, students and institutions from each of the guidelines, and an alignment with the AVLIC Code of Ethics and Guidelines for Professional Conduct, revealed several areas of concern that serve to demonstrate how conflicts arise for interpreters, some merely problematic and others that risk professional compromise. Keeping in mind that the latitude of the interpreter's duties will change given the nature of the employment and that the institutional employee's foundational knowledge will have a bearing on their understanding of the interpreter's professional obligations, the following will highlight inconsistencies. Examples in this section are intended to underline how the construction of any one of these sets of guidelines can promote problems that impact the working relationships between the three main stakeholders, more specifically the interpreter and the institutional employee.

Commendably, each set of guidelines recognizes the need for specialized training and the importance of professional status, which perhaps leaves the interpreter with false confidence that the institution has an awareness of the interpreter's role. Reading the interpreter responsibilities in the guidelines though, may elicit different responses: an instant acceptance of the responsibilities as listed because there is agreement with their professional practice; or confusion about the apparent need to state the obvious. Given interpreter education has advanced to a formal level, interpreters will already have a firm grasp on their responsibilities and professional

protocols. For the institutional employee, who has little or no experience working with signing d/Deaf and hard of hearing students or interpreters, it does serve as a quick educational tool, allowing for the contracting of needed services and a fulfillment of the institutional obligation to the student. However, the institutional employee, unfamiliar with the application of the AVLIC Code of Ethics and Guidelines for Professional Conduct, will not gain a full understanding of the parameters of the interpreter role from the guidelines alone.

Three of the four guidelines make reference to ‘the team’. CCDI (2000) and St. Clair (2008) use the term in a general sense relative to the maintenance of good working relationships among the interpreters, students, faculty and the institutional employee. While the players are the same, PCAS (2009) has a slightly different perspective on ‘team’ requiring interpreters to, “Participate as a member of the student’s Educational Team (student, instructor, disability service coordinator) in order to maximize educational success” (PCAS, 2009, p. 5).

Interestingly, neither the student, nor the institutional employee (disability service coordinator) is given a corresponding responsibility to ‘the team’. Also not clear is the nature of the Educational Team and what each member’s contribution entails. Involvement with the Educational Team without the student, in an adult environment raises concern for the interpreter. If the interpreter feels there is a possibility of their presence being misinterpreted, the risk (or perception) of ethical misconduct will be too high. The interpreter in this instance will naturally avoid these situations.

Similarly, a responsibility identified for faculty (instructor/professor) in the CCDI (2000) guidelines, requires them to “Be prepared to occasionally meet with the interpreter...for consultation and planning” (p. 14). In this case, there is no corresponding responsibility for the student or the interpreter. While it is reasonable for an interpreter to contact an instructor to

introduce themselves, obtain course related materials, or prepare for class related activities, the interpreter's motivation is to prepare for the facilitation of communication between signing d/Deaf or hard of hearing students, their instructors/professors and peers. The faculty member's interpretation of consultation and planning, though, can be quite different, leading to questions about the student. The very fact that the student is not provided a corresponding responsibility, means the interpreter's very presence places them in the position of being asked to reveal information about, or speak for, the student. Again, the implication for the interpreter is the considerable risk (or perception) of an ethical breach and loss of professional integrity.

In accordance with the Freedom of Information and Protection of Privacy Act (FIPPA), institutions are bound to maintain student confidence. As a matter of regular procedure, institutions will require a signed 'release of information,' from the student to allow the institutional employee to speak with faculty, and/or interpreters on the student's behalf. Interpreters, on the other hand, have a professional obligation to follow the AVLIC Code of Ethics and Guidelines for Professional Conduct, which stipulates, "Members will respect the privacy of consumers and hold in confidence all information obtained in the course of professional service" (AVLIC, 2000, p. 2). What this means for the interpreter within the post-secondary context is similar to institutional employee and FIPPA. The interpreter would require a release from the student to pass on any information to an institutional employee or faculty member. As a result expectations around re-assignment (CCDI, 2000; GMC, 2010; PCAS, 2009; St. Clair, 2008), that may seem perfectly reasonable to the institution contracting the service, will be problematic for the contract interpreter bound by ethical principles to a primary consumer. An interpreter employed by the institution though, may be expected to return to an office to attend to additional duties, as delineated in their job description, which would also

entail inadvertently revealing information about the student's absence. Similarly, reporting changes to the student's schedule (CCDI, 2000) would be inappropriate for the contract interpreter but it may be an expectation of an interpreter employed by the institution, whose additional duties may be affected by a change in the student's schedule.

It would be an oversight to suggest that interpreters employed by the institution are not faced with ethical challenges. Balancing the role between the interpreter's professional obligations and the additional responsibilities will have its own dilemmas. While the AVLIC, "Members will be aware that other professional codes of conduct may impact upon their work...[and they] will make appropriate professional decisions..." (AVLIC, 2000, p. 2), their decisions may still come under the scrutiny of the d/Deaf or hard of hearing consumer unaware of the interpreter's additional responsibilities, or the institutional employee, who may not have a clear understanding of the interpreter's professional obligations. They also risk criticism from their contracted counterparts, who may not be taking into consideration the parameters of job descriptions for interpreters employed by the institution, or their responsibility to the employer aside from the interpreting demands.

Complicating matters and potentially contributing to the interpreter's nervousness about reporting for re-assignment is the punitive response to student absences or 'no shows'. All the guidelines have heavy penalties if students miss class, with the ultimate threat of withdrawal of service (CCDI, 2000; GMC, 2010; PCAS, 2009; St. Clair, 2008). In the event the interpreter follows the guidelines and does report for reassignment, the very nature of their presence would divulge otherwise confidential information causing them to be in conflict with the AVLIC Code of Ethics and Guidelines for Professional Conduct. Interestingly, the guidelines also have as a requirement adherence to the AVLIC Code of Ethics and Guidelines for Professional Conduct.

The interpreter is now in the contradictory position with the institution. If the institutional employee is not aware of the interpreters obligations to the primary consumer as laid out in the AVLIC Code of Ethics and Guidelines for Professional Conduct, and the resulting implications for the interpreter's responsibilities as laid out in the guidelines, they will not understand why an interpreter may choose not to report for re-assignment. The decision not to report the student's absence, in turn, will have ramifications for working relationships between the institutional employee and the interpreter. Students, on the other hand, unfamiliar with the interpreter's obligations to the institution, may view the action of reporting for re-assignment as breaking confidence and informing the institution of their absence. Forced to choose between professional integrity and the employer, the interpreters will be compelled to side with the primary consumer – the student.

In the face of misunderstandings, interpreters will question the institutional employee's knowledge of their professional protocols and role parameters. Sharing information with someone not bound by the same standard will be an unlikely event. If the institutional employee's understanding of the interpreter's ethical practices is perceived as lacking, it will be difficult for the interpreter to report difficulties arising with students and/or faculty (GMC, 2010). Again, the risk of a loss of professional integrity will be too great.

Role confusion within the guidelines also adds a layer of concern. While larger institutions may have a designated office/person, committed to providing services for signing d/Deaf and hard of hearing students, who may have the additional responsibility of liaising with the student, their interpreters and instructors/professors (GMC, 2010; PCAS, 2009; St. Clair, 2008), many institutions will not. It does appear as some of the guidelines are attempting to recognize this gap in service delivery by including a flexibility that would allow for the shifting

of the responsibility from the institutional employee to the interpreter. Supporting this theory, interpreters may be asked, in the absence of the institutional employee to, "...be prepared to discuss the 'Reminder for the Faculty' sheet..." (St. Clair, 2008, p. 11) with the instructor or professor, despite the fact that, "...network[ing] with professors, departments and college facilities..." (St. Clair, 2008, p. 4) is designated a responsibility of the institutional employee. A key factor in this situation will be the nature of employment for the interpreter. As an interpreter employed by the institution, this may well be an additional responsibility built into a job description, which would be considered a normal part of their daily work. In this case shifting the responsibility to the interpreter would seem fitting. The faculty member on the other hand has been told, "Interpreters will provide communication between professors, counselors, or tutors, and the deaf/hard of hearing student. They [will] not act in the capacity of those roles" (St. Clair, 2008, p. 4), making the shifting of responsibilities to the interpreter in contradiction to what the faculty member has been told. In the case of a contract interpreter, whose work expectation is usually limited to facilitating communication for class related activities they would not expect duties outside this parameter. This does not mean a contract interpreter would not consider an assignment with additional duties, but it does mean additional duties would need to be part of the contract negotiation. Ethically, the interpreter must have the necessary skills⁹ (AVLIC, 2000) and comfort providing the additional services, before accepting the contract. To discuss other potential accommodations the d/Deaf or hard of hearing student might require, or instructional strategies that may be more effective for d/Deaf and hard of hearing students, points covered in the Reminder for the Faculty sheet, may not be within the interpreter's expertise. From a contract interpreter's perspective it may be viewed as going "...beyond the scope of an

⁹ Necessary skills can be either educational background or experience that would provide an interpreter an equivalent level of knowledge.

interpreting assignment and the parameters of their professional duties” (AVLIC, 2000, p. 3), and indeed could violate established ethical practice. This will also prove challenging for the interpreter employed by the institution, who must maintain a distinction between their work as the interpreter and that of the employee with additional duties.

At this point, it may be pertinent to note there exists a misnomer around the interpreter’s expertise. It cannot be assumed that interpreters are experts in the education of deaf or hard of hearing individuals. Their expertise lies in interpretation between ASL and English. It is also fair to say, that the level of expertise in interpretation will depend on their knowledge and experience. Institutional employees and instructors/professors, not used to working with interpreters may be tempted to question the interpreter about student needs. However, interpreters “...as a part of an educational team...may...comment on the overall effectiveness of communication...and this should only be done in the context of the professional team” (AVLIC, 2000, p. 3). Thus, the interpreter will not necessarily have knowledge about the student or their educational needs and if they did, ethically, they may not be in a position in which they could comment.

Inherent in the professional practice of interpreters is a respect for the right of self-determination and hence the importance of their impartiality to any interpreting situation. The professional practice of interpreters, in this way, emulates the post secondary philosophy that the student, “As an adult learner [is] responsible for [their] education...” (CCDI, 2000, p. 15). Thus, the expectation of the interpreter to, “Refer student requests for tutoring to DSO [Disability Services Office]...” would appear perfectly reasonable, but the second part of that responsibility requests the interpreter to, “...inform DSO so appropriate arrangements can be made” (CCDI, 2000, p. 15), which would not be a reasonable expectation. If indeed the student has been

directed to the DSO to request tutoring services, DSO would have the necessary information to make arrangements. If the interpreter were to follow the guidelines as directed and report to DSO – they may have indeed done so before the student, preempting the student’s right to make their own request. Any requirement that places the interpreter in the position of, ‘speaking for’, or ‘doing for’, the student, will not only be contrary to the interpreter’s code of conduct but the guidelines themselves. While the contradiction may be subtle, it promotes a misconception of the interpreter’s professional practice. The resulting effect may serve to pit the interpreter against the student, as well as the institution, making it impossible for the interpreter to, “...maintain appropriate boundaries between themselves and consumers...” and “...ensure relationships with all parties involved are reasonable, fair and professional” (AVLIC, 2000, p. 4).

Integral to interpreters’ education is the recognition of the rights of d/Deaf or hard of hearing individuals. Though not the focus of this paper, it is important that the rights of the student are considered because it will impact the interpreter’s understanding of their responsibilities, which in turn may impact working relationships between the institution and the interpreter. Again, given this is an adult environment, the interpreter would expect the student to speak for themselves and they in turn would facilitate that communication where requested. Thus to, “Balance the interpreting role with the goal of maximizing student independence” (PCAS, 2009, p. 5) may prove problematic. The ‘Goal’ of a professional interpreter, as dictated by the AVLIC Code of Ethics and Guidelines for Professional Conduct (2000), will be to provide “...accurate and appropriate interpretation...” and “...render exactly the message of the source text” (p. 3), so a student will be able to maximize their own educational independence. In this way the interpreter respects the rights of the d/Deaf or hard of hearing individual, while at the

same time adhering to appropriate professional protocol and supporting the institutional philosophy that purports student independence.

Interpreters will also be sensitive to processes and procedures that might subject the d/Deaf or hard of hearing student to demands that the general student population does not experience. For example, much like a job, students will be expected to report if they aren't able to attend a particular class. Generally speaking students are usually required to inform their instructor of their absence, as directed by the course syllabus. Deaf and hard of hearing students though, are required to contact the institutional employee and the interpreter (GMC, 2010; PCAS, 2009), as well as the instructor. There may well be sound rationale for such a request; however, it is not clear in the guidelines. The tone of the guidelines, being quite negative and harsh, will also serve to discourage the student from doing so. If the student has informed the instructor and the interpreter, it would seem they have respectfully met the appropriate courtesies. The student is spared the embarrassment of the interpreters showing up in class without them, and the instructor has the appropriate notice to prevent a negative impact on the student's grade. CCDI (2000) and St. Clair (2008), on the other hand, only require the student to contact the institutional employee, not the interpreter. There is no indication that the institutional employee will then pass on a message to the interpreter. In this case, drawing undue attention to the student's absence, the interpreter will show up at the class when services on that day are not needed. Though interpreters are instructed to wait outside the classroom for the student, alleviating embarrassment to some extent, it is not uncommon for the instructor to stop and speak to the interpreter. The interpreter, in the awkward position of having to respond to potential queries about the student from the passing instructor, is once again in an ethical dilemma.

How the language is used in the delineation of responsibilities is crucial. The guidelines will need to respect all the stakeholders if they are to provide guidance for a functional team. For example, interpreters will be open to reporting changes to their own schedule, over the student's (CCDI, 2000), especially if the change resulted in a conflict that would mean withdrawal of services. Semantically speaking, what the student and the interpreter report about their respective schedules may be the same, but wording adjustment will respect each party's contribution to the relationship – students and interpreters reporting their own schedule changes. Such an adjustment will relieve the student's from misunderstanding the interpreter's actions, the interpreter from an ethical dilemma between the student and the institution, and the institutional employee from unrealistic expectations of the interpreter, while, at the same time, promoting appropriate expectations of the student.

All the guidelines recognize, that d/Deaf and hard of hearing students do not all use the same access service, differentiating between signing and oral interpreting, as well as, intervening and note-taking as possible options, however, not all services are governed by the same professional association. The AVLIC membership status is restricted to those who have graduated an ASL/English interpretation program, which would cover interpreters, who provide both interpreting and intervening services, but not necessarily notetakers or oral interpreters. Thus a requirement for notetakers to “Maintain a high level of professional standards by adhering to the Association of Visual language Interpreters of Canada...Code of Ethics...” (CCDI, 2000, p. 5), is problematic on two levels: first notetakers will not meet the criteria for membership to the AVLIC, and second, the AVLIC Code of Ethics and Guidelines for Professional Conduct is not applicable to the profession of notetaking. While the AVLIC does have members who also provide oral interpreting services, the first criteria for membership is

still graduation from an ASL/English interpretation program. Oral interpreters without this qualification would not qualify for membership status either. If the intent is for each professional to adhere to their respective professional association's standards, it is important such expectations are clearly reflected in the language of the guidelines.

A common language slip occurs in referencing who the interpreter is employed to service. Interpreters see themselves as serving everyone within the interpreting situation, so to refer to the interpreter as "...your interpreter..." (CCDI, 2000, p. 16), rather than, 'the' interpreter misrepresents the nature of the service the interpreter provides. While the presence of the d/Deaf or hard of hearing student is often the rationale for the need for an interpreter, the interpreter provides communication access for all participants in the interpreting situation, including those who can hear. To suggest the interpreter 'belongs' to any one party then would be a misrepresentation and serves to undermine the student's independence. CCDI (2000) also notes that interpreters will be "...available to assist students as needed" (p. 4). It would be logical for the interpreter to be available to interpret for the student as needed, so they can attain the assistance they need. However, an interpreter employed by the institution may again have an additional responsibility to assist students outside of an interpreting situation. Unfortunately, without this distinction clearly identified in the guidelines, the interpretation of this particular responsibility will vary between stakeholders.

Inherent in how responsibilities are worded, and particularly challenging for the interpreter, is the implication of misconduct. St. Clair (2008) and CCDI (2000), as a 'professional requirement,' state that the interpreter must "... be willing to interpret..." (p. 5). Given this is the interpreter's main responsibility, to suggest it as an additional responsibility along with the requirement to adhere to the AVLIC Code of Ethics and Guidelines for

Professional Conduct implies the interpreter is not aware of their basic function. While it is important for other stakeholders to understand the nature of the service the interpreter provides, including this instruction as part of the interpreter's responsibilities comes with the implication the interpreter chooses when to interpret, and when not to interpret, which is contrary to their training and practice.

The importance of word choice and sentence structure cannot be underplayed in such a document because underlying innuendos serve to pit stakeholder against stakeholder. GMC (2010), in explaining the student's attendance responsibilities, indicates, "Where possible, provide 48 hours notice of cancellation of request for interpreter services..." (p. 21). Again, while this is a reasonable expectation, the addition of "...Without adequate notice of cancellation interpreters will bill for services" (p. 25), unfairly singles out the interpreters, over other service providers, and can promote animosity between the student and the interpreter. While the point may be fiscal responsibility, the potential for the interpreter to be viewed as being, "...guilty of...the use of unfair tactics" (AVLIC, 2000, p. 5) is more than marginal. Interpreters, "...honour professional commitments made when accepting work, and will follow through..." (AVLIC, 2000, p. 5), potentially turning down other work offers to meet their obligations. The institution also has an expectation of the interpreter to, "...commit to work for the entire assigned time" (GMC, 2010, p. 27). Since interpreters employed by the institution would not experience loss in pay as a result of the student's absence, clearly this section also refers only to contract interpreters. Minimally wording should be reflective of all service providers, whether interpreters, captionists or computerized note-takers. Ideally, language would be reflective of fair business practices.

Summary

As noted there are many similarities between the 4 sets of guidelines, that would suggest a common practice exists, which minimally promotes a standard of service delivery for signing d/Deaf and hard of hearing students in some post-secondary institutions in Alberta, British Columbia, and Ontario. The guidelines are constructed around three stakeholders and their individual responsibilities in the access and provision of ASL/English Interpreting services. The responsibilities as identified for the interpreter are not in conflict with the AVLIC Code of Ethics and Guidelines for Professional Conduct, however, when the three stakeholders responsibilities interact, problems arise. Given each stakeholder (interpreter, institutional employee, and student) has a different role, it is not expected they would have the same responsibilities; however, as demonstrated, there will be a need for congruence between the responsibilities to ensure functional working relationships.

The difference in the employment status between contract interpreters and interpreters employed by the institution is an important distinction that has to be understood by the student, interpreter and the institutional employee if ethical dilemmas are to be avoided. Since the guidelines as prescribed, do not clearly distinguish between the types of employment, institutional employees may develop unrealistic expectations of the interpreters. The interpreter, bound by a professional obligation to meet the standards outlined in the AVLIC Code of Ethics and Guidelines for Professional Conduct, will find themselves in ethical dilemmas as a result of existing discrepancies and contradictions within the guidelines. The employment status of the institutional employee (faculty or staff) may also have a bearing on what authority they have in the decision making process. Again, institutional employees in a staff role may be restricted to prescribed service delivery that does not allow for negotiation.

Regardless of the institutional employee's foundational knowledge, discrepancies and contradictions embedded in the text serve to promote challenges, some more evident than others. The preceding analysis came out of hours of comparative study so it would be reasonable to assume the root of the problems remain elusive to stakeholders. While an interpreter may sense an ethical dilemma, they may be challenged to explain the dilemma to the satisfaction of the institutional employee, who contracted their services. The institutional employee may have expectations of the interpreter that, unbeknown to them, are unrealistic and ethically compromising. Concerns for the interpreter are considerable, including misleading the student and the institution as to the parameters of the interpreter role, promoting the perception of professional misconduct, breaching the AVLIC Code of Ethics and Guidelines for Professional Conduct and, ultimately, the loss of professional integrity.

The way the responsibilities are written can result in role confusion and misunderstandings. Examples highlighted in the Bones of Contention will help clarify the importance of understanding how roles interact and how unrealistic expectations can and do lead to uncomfortable working environments. While not included in this study, the concept of 'role theory'¹⁰ may provide insight into the implications for interpreters, when they are expected to take on duties outside the parameters of their typical role.

The tone in the language used and the punitive repercussions pit the stakeholders against each other. Having services revoked is a real threat to the student's access to education, and the interpreter's obligations to a primary consumer will take precedence over their employer. Interpreters are frequently in a damned if you do, dammed if you don't, position between their primary consumer and their employer, because of conflicting responsibilities and ethical

¹⁰ "A key insight of ...[role] theory is that role conflict occurs when a person is expected to simultaneously act out multiple roles that carry contradictory expectations" (Wikipedia, 2011).

obligations. Even the simplest of language adjustments will serve to reduce misunderstandings that can seriously impact the functionality of the guidelines and ultimately working relationships between the stakeholders.

Chapter IV – Reality Check

The literature reviewed for this study had a specific concentration on the provision of interpreting services for signing d/Deaf and hard of hearing students in post-secondary institutions. Of particular interest, the administration of these services and the responsibilities of specific stakeholders: those contracting services, those providing services and those receiving services. Identifying service delivery models will provide context for the current service provision and shed light on the expectations of the stakeholders within existing models.

Services Delivery Models

The National Task force on Quality of Services in the Postsecondary Education of Deaf and Hard of Hearing Students, explains services as they appear through three post-secondary “models,” (Stuckless, Ashmore, Schroedel, & Simon, 1997). Model A refers to colleges and universities where there is only an occasional signing d/Deaf or hard of hearing student attending. In this situation, a staff member who has little or no experience working with such students or professional interpreters usually arranges services. Model B will have an office dedicated to providing services to a range of students with disabilities. While some staff will have training in special education or rehabilitation they most likely will not have specific training to work with deaf or hard of hearing students (Hauser, Maxwell-McCaw, Leigh, & Gutman, 2000; Stuckless et al., 1997). Model C refers to programs within institutions that are designed specifically for d/Deaf students. Staff will have specific training to work with d/Deaf and hard of hearing student and services available to students will be more extensive. Models A and B are more prevalent in Canadian institutions and speaks to the motivation for guidelines around service provision.

Stakeholders

Barriers faced by signing d/Deaf and hard of hearing students in higher education, attitudinal and logistical, is a common theme in the literature. In a qualitative study of post-secondary education in Alberta, Canada, Russell & Demko (2006) revealed many d/Deaf and hard of hearing students themselves did not have a full understanding of their accommodation rights and were often confronted with a lack of trained personnel, from interpreters and tutors, to psychologists knowledgeable of their particular disability. The misunderstanding of ‘accommodation’ also complicates matters as, “...many educational institutions, faculty, and instructors don’t understand the difference between accommodations and lowering of academic standards” (Russell & Demko, 2006, p. 5). Thus access issues for d/Deaf and hard of hearing students are perhaps more complex than one would think, communication being just one of the many barriers students face. Research delineates these challenges and provides some practical solutions to attaining a more inclusive education including an examination of how stakeholders influence access and learning for d/Deaf and hard of hearing students in higher education (Danielson, et al., 2002; Hauser et al., 2000; Lang, 2002; Porter, Camerlengo, DePuy, Maggie, & Summer, 1999; Russell & Demko, 2006).

As the guidelines for this study, a focus on stakeholders, and their contribution to the students’ success, advocates a team approach. The interpreter’s role in the shared responsibility is that of facilitation of communication between the d/Deaf or hard of hearing students, their peers and the instructor (Sanderson et al., 1999). Early notification of the need for interpreting services, usually the student’s responsibility, enables the disability services provider (or institutional employee) to secure services for the duration of a contract providing the student the consistency needed.

However, the literature suggests the disability services provider's responsibility to the student should go beyond just providing a service. Ensuring students "...understand their rights and responsibilities regarding accommodation processes in post-secondary settings" (Russell & Demko, 2006, p. 5), provides students essential tools for self-advocacy and independence. Danielson et al. (2002) take it one step further suggesting, "It is the responsibility of the disability support services providers to ... engender an accommodating atmosphere at the post-secondary institutions that deaf students choose to attend" (p. 51) and to "...educate and build bridges between his/her office, the deaf community, and the college or university" (p. 53). Student rights may also include the need for the latest in technological devices. In order to allocate funds where appropriate, Russell and Demko (2006) emphasize the necessity for funding agencies to be educated on the latest technologies including, "... the need for PDAs and laptops that allow students to access wireless technologies and use text messaging for effective communication with instructors and peers" (p. 6). Students in turn will need assistance navigating the paperwork required to access services and funding.

Not excluded from the team is the responsibility instructors have for the student's success. Sanderson et al. (1999) outline how instructors should incorporate the student and interpreter(s) into the class and how they can affect the success of a deaf student's participation in class. However, Bills et al. (1998) identified that, "...instructors had a range of opinions about who is responsible for the success of the deaf students in their classes.... They were quick to point out that deaf students have support services" (p. 3), already, thus did not identify as having a responsibility to this support mechanism. Bills et al. (1998) also speak to a misperception of instructors that the mere provision of support services levels the playing field, relinquishing them of further responsibility in the education process. Instructors in the Lang (2002) study indicated

that the percentage of d/Deaf and hard of hearing students to hearing students was so low, it wasn't sufficient motivation for additional training to work with this unique population, even though research indicated that some hearing students favored the presence of interpreters and d/Deaf students in their classes because the instructor tended to slow down the pace, which better accommodated their learning styles (Foster et al., 1999).

Interestingly, the literature has not wavered on the basic role of the interpreter: regardless of the setting, an interpreter is a facilitator of communication between signing d/Deaf or hard of hearing persons and those who can hear (Witter-Merithew, 1982; Sanderson et al., 1999; GMC, 2010; Miller, 2005; St. Clair, 2008). In clarifying the role of the interpreter for the instructor, Sanderson, et al, (2000), explain "...the interpreter has a single responsibility in your class, that being to facilitate communication between you and your deaf student(s), and the deaf student(s) and hearing classmates" (p. 11). Expanding this definition for other post-secondary related events, the interpreter is the communication conduit between two parties, with a commitment to message equivalence (AVLIC, 2000). Unfortunately though, "...the general public's view is that interpreters work 'for' deaf people and are solely 'responsible for them'" (Marschark, 2005, p. v).

Contentious Issues

Despite the fact the portrayal of the role of the interpreter within the literature appears consistent and in keeping with the professional standards of both the RID and the AVLIC, suggested practices would seem to stand in contradiction. For instance, Lang (2002) suggests, "Interpreters who are aware of the barriers deaf post-secondary students experience.... may be more able to adapt interpreting and advise teachers and students accordingly" (p. 271). Missing

is an expansion of what ‘advising’ students and teachers would mean in relation to the interpreters’ code of ethics which, as it happens, stipulates advising as ethically inappropriate (AVLIC, 2000; Sanderson et al., 1999). In developing an orientation to interpreting hand book for students, Foster et al. (1999) suggest the following practice could be added: “if the student does not notify the appropriate office of his/her planned absences for three continuous days of class, the student will not have an interpreter again for that class. The interpreter will be assigned to another class” (p. 10). As reported in the study though, such a practice has ethical implications for the interpreter. The nature of employment may well clarify why this would be implemented, but how this action impacts the interpreter’s ethical practices is not mentioned. Similarly, participation as a member of the educational team (Foster et al., 1999; Sanderson et al., 1999) is not an unwelcome invitation, providing that involvement is limited to the expertise of the interpreter, that of communication facilitation. However, because many instructors have little to no experience with signing d/Deaf or hard of hearing students, “Physical proximity dictates who will be tapped for assistance and ideas” (Foster et al., 1999, p. 232). Likewise, Bills et al. (1998) identified that “...learning about deafness and the educational needs of deaf students was serendipitous. They tend [to] ask for help from whomever is convenient” (p. 6). Given the current models of service delivery, the same can be said of disability services providers who are not familiar with the needs of d/Deaf and hard of hearing students, in reality, the interpreter becomes the convenient source. Without knowledge of interpreting and student needs, it will be difficult for disability services providers and instructors to operate within the parameters of the interpreter’s expertise.

Summary

Responsibilities of the stakeholders are referred to only generally within the literature and are mirrored in the guidelines, providing similar recommendations around service provision. However, the problems that exist within the literature are similar to those that have been identified in the guidelines. Perceptions of who is responsible for access and learning is varied, being viewed on a continuum from "...the student and [disability service] are responsible..." to "... teachers see[ing] themselves as having primary responsibility..." to somewhere "...at the midpoint on this continuum...the notion of shared responsibility..." (Foster, Long & Snell, 1999, p. 230). Given the prevalence of Models, A and B in Canadian institutions, disability services providers (institutional employees) are most likely not going to have the knowledge base to guide students, instructors, or interpreters. Many of the responsibilities that would be the disability services providers, will naturally downshift to the interpreter, who remains the most convenient source for information. Thus the margin for misunderstanding is reasonably large, increasing the potential for challenged working relationships. While this was not an exhaustive review, the literature reviewed does reveal a trend around service provision. The current models of service delivery have inherent challenges that need to be considered in the implementation of guidelines in Canadian institutions.

Chapter V – A New Reality

At the heart of the guidelines is the recognition of the right to an accessible education and a commitment to accommodating signing d/Deaf and hard of hearing students. To this end, the guidelines have served to improve services to students by promoting the use of interpreters with proper training and commitment to professionalism, educating institutional employees about the types of services students require, and giving students tools to acquire the services they need. The design of the guidelines, for the most part, is also a user-friendly model that allows for each stakeholder to access their specific responsibilities easily; however, given the models of service delivery and the fact the current guidelines are not specific to any particular model, the construction of the guidelines challenges effective implementation. Even if an institutional employee has an understanding of the professional practices of interpreters and a knowledge of the needs of d/Deaf and hard of hearing students, providing services following the guidelines will place interpreters in ethical dilemmas.

Looking at the guidelines through the lens of the literature, contradictions become more pronounced. On the one hand, the literature presents the role of the institutional employee as key to students attaining, not only appropriate services, but a more inclusive education (Russell & Demko, 2006; Danielson et al., 2002). On the other hand, the chances of an institutional employee having the necessary knowledge, and employment status, to provide this kind of support is low, given the current models of service delivery. The research indicates d/Deaf and hard of hearing students face a myriad of barriers, including a lack of trained professionals knowledgeable about their disability. Consequently, there exists within the guidelines an expectation that the interpreter can/should fill gaps the institutional employee is not able to fill,

because their background and education provide them the advantage of having an understanding of this unique population. Yet, interpreters are held to a very strict ethical standard and may be acting in contradiction to their professional practice if they assume such responsibilities.

For the interpreter, the requirement of appropriate training and adherence to the AVLIC Code of Ethics and Guidelines for Professional Conduct serves to recognize a level of professional status. However, the prescriptive delineation of the interpreter's duties both undermines the integrity of their formal education and fails to recognize the standards of practice the AVLIC requires. The current diploma status of ASL English Interpreter Education Programs is evidence that Canada is graduating interpreters with a commendable level of skill. The fact that programs are continuing to evolve to degree-level status speaks to the value placed on the need for highly trained professionals. In the light of such progress, and the professional standards interpreters are required to follow, trusting interpreters to fulfill their professional obligations, without redefining them, would prove more effective in establishing standards for service delivery. As it stands, the presence of underlying contradictions not only discredit the interpreter's training but place the institutional employee in the awkward position of undermining the interpreter's earned professional status. If the guidelines are employed as the rule, rather than the guide, the hidden realities will unfairly pit the institutional employee against the interpreter.

Despite the fact this study is limited to an analysis of the texts of the guidelines themselves, juxtaposed with the AVLIC Code of Ethics and Guidelines for Professional Conduct and the effects on working relationships between interpreters and institutional employees, this study has a broader application. The key is recognizing that different professional groups will have different ethical obligations that need to be considered in the development of the concept of

the educational team. This study did not take into consideration institutional policies of individual departments responsible for providing services to students with disabilities. It did not consider the professional practices and ethical obligations the instructor/professor may have and how the guidelines may or may not impact their professional practice. If there is to be a functional educational team, there will need to be a designated leader, who has the knowledge to mediate, such that, all the members of the team are able to fulfill their respective obligations without the risk of professional compromise. While congruence between respective responsibilities will be essential to the functionality of the team, it will not be sufficient if the responsibilities listed for each stakeholder are not realistic.

The PCAS and CCDI, as provincial guidelines, would better serve their audience if revisions take into consideration the model of service delivery as a starting point. Focusing on the variations in service delivery and the differences in expectations, as a result of the nature of employment of the interpreter, will provide institutional employees the information they need to make effective decisions, in accordance with their employment status as dictated by the institutional model of service delivery. The concept of an educational team is particularly challenging, given service provision will vary from institution to institution. An educational team approach to service delivery will need to be defined according to the models of service delivery for effective application.

The changing reality, though, is ongoing. Some of the guidelines have been revised over time demonstrating a desire to adapt to the shifting needs of students and a growing profession. This study should be viewed as part of that evolution providing insight for a new reality. As title protection comes into being in British Columbia, interpreting as a profession is moving into a new realm of definition. As student numbers increase in a broad range of post-secondary

programs, meeting the needs of a diverse population is challenging training programs to graduate interpreters with higher skill levels. The diversity of student's choice in programs, and a natural variation in interpreter skill, demands a higher level of decision-making in providing effective services for the signing d/Deaf and hard of hearing students. In shaping a new reality, the trends revealed across the guidelines provide foundation for continued revision.

The objective of this study was to reveal inconsistencies between two sets of documents that were believed to have an influence on perceptions of the services interpreters typically provide and the services post-secondary institutions expect of interpreters. In the spirit of improving the working relationships between and among interpreters, and institutional employees, the first step is recognizing that the guidelines serve to place both interpreters and institutional employees at a disadvantage. If the findings in this study are used to guide revisions to the guidelines, the incidents of misconceptions will be lessened. The services interpreters typically provide and the services institutions expect of interpreters will align and the potential for unrealistic expectations will subside. Educationally, the very awareness of the discrepancies inherent in the documents give stakeholders the tools to better understand each other's positions and the means to build more constructive working relationships.

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