

Written Testimony submitted to: Kansas House Committee on Education for consideration on Wednesday, March 24, 2021

Testimony of:

Kim Bates, M.S. Ed., NIC-Advanced, Certified ASL-English Interpreter & Mentor, currently in private practice based in Lawrence, Kansas; former Interpreter Coordinator, University of Kansas 2001-2019

Testimony in support of: SB 185—Clarifying the authority of the Kansas Commission for the Deaf and Hard-of-Hearing (KCDHH)

Dear Chair Huebert, Vice-Chair Thomas, and esteemed members of the committee,

My name is Kim Bates, and I wish to open my testimony with a true story which illustrates one example of why SB 185 is needed as a consumer protection act and a service provider protection act with the added enforcement abilities granted to the KCDHH.

As a central Kansas high school senior in the mid 1990's, I was asked by my school principal to "sign" or otherwise act as an interpreter during my own required Government class for a deaf classmate who was transferring back into our school district for our final semester. I was asked because it was known that I had been teaching myself how to sign for 5 years from a book and had taken one 6-week community based introductory sign language class. I didn't know then, what I know now, and agreed to the plan proposed by the school administrator. Please indulge me while I highlight the egregiousness that I unwittingly played a part:

1. The administrator placed the deaf student's education in a place of harm because at the time, I was UNQUALIFIED to act as an interpreter despite conversational language abilities. There were many class periods where I did not have the ASL vocabulary to render the lecture in its entirety.
2. Further, the administrator violated the deaf student's protected rights to reasonable and appropriate accommodations under IDEA and Section 504 of the Rehabilitation Act; thus placing the district in potential harm of a lawsuit.
3. Finally, the administrator placed my own education in a place of potential harm, in that I was being asked to be both student and "interpreter" during the same class period for a graduation requirement I needed to complete.
4. It was two years later during my Introduction to Interpreting class, that I realized how unethically and illegally I had acted in agreeing to the administrator's plan. Thus, this incident became the defining moment for how I chose and continue to choose to enact the immense responsibilities of ethically and legally carrying out my work as an ASL-English interpreter and mentor.

As Chris Dally and Robert Cooper, mentioned in their testimony before the Senate Education Committee, work on and towards this piece of legislation has been years in the making. I was appointed as an Ad Hoc subcommittee chair in 2004 by the previous Executive Director of the

KCDHH to facilitate the drafting of what ultimately became guidelines for interpreting services. It was clear to the subcommittee then that the laws referenced in SB 185 lacked authority for enforcement. Additionally, it became clear to me that there would need to be a means to support underqualified interpreters in developing their skills while at the same time ensuring consumer protections in order to protect against interpreter malpractice. Therefore, I am grateful that SB 185 provides the following:

1. Language providing for remedy and enforcement of reasonable, appropriate, and qualified interpreting and communication access services (p. 3, lines 7-32; p. 4, lines 9, 12-29; p. 4 line 43 and continuing to p. 5, lines 1-5).
2. Language outlining minimum requirements for registration (p.1, lines 16-26).
3. Consumer protections for both deaf and hearing participants which mitigate potential harms such as those listed in my introductory example (p. 3, lines 7-32; p. 4, lines 12-29).
4. Supports underqualified interpreters in developing their skills while maintaining consumer protections (p. 4, lines 7-8, and 30-42).

Finally, this bill reinforces the expertise and guidance that the KCDHH can offer to all other state and public agencies and entities. This again is crucial for preventing potential harm to all participants and entities when communication access is a legally required and protected accommodation for the citizens of Kansas.

Thank you, committee, for your time and attention, and I wholeheartedly urge you to vote in support of this bill both in committee and on the floor of the House.

Sincerely,

Kim Bates, M.S. Ed., NIC-Advanced
Certified ASL-English Interpreter
ASL-English Mentor

4714 Ranch Ct.
Lawrence, KS 66047
kimbates10@gmail.com