Ethical Considerations & Challenges for Deaf Interpreters

Overview of Module & Related Units

Overview
This module covers ethical considerations and challenges for decision-making by Deaf interpreters. Learners examine the Code of Professional Conduct set forth by the National Association of the Deaf and the Registry of Interpreters for the Deaf and how it fosters ethical decision-making in various situations and settings. Learners also explore how the history of RID and NAD Codes of Ethics influenced the field of Deaf interpreting.

Purpose
Learners become familiar with the NAD-RID Code of Professional Conduct, and gain greater understanding of ethical decision-making as Deaf interpreters and as consumers of interpreting services. Through lectures, in-class activities, and external assignments, learners examine moral values and the effects of one's ethical decisions on the Deaf and DeafBlind communities and Deaf interpreter practice.

Competencies

3.0 Consumer Assessment Competencies (3.4)
5.0 Professional Development Competencies (5.1, 5.2, 5.3, 5.4)

Objectives
Upon completion of this module, learners will:
1. Articulate why ethical decision-making is critical to the work of Deaf interpreters.
2. Reduce the influence of personal bias by identifying and reducing behaviors that impact effective interpretation.
3. Monitor decisions regarding professional boundaries and ensure an impartial approach to interpretation.
4. Evaluate educational, cognitive, physiological, and sociolinguistic factors and communication needs that may influence ethical decision-making prior to, during, and after interpreting assignments.

**Prior Knowledge & Skills**

Module 1: Deaf Interpreters–Past, Present & Future
Module 2: Ethnic & Cultural Diversity within the Deaf Community
Module 3: Consumer Assessment–Identifying Culture, Language & Communication Styles

**Approach & Sequence**

The four units in this module taught in sequence (recommended) include readings, videos, presentation slides, and activities involving in-class exercises and open dialogue. These enable trainers to support learners in understanding essential concepts for effective Deaf interpreter practice, supplemented by resources assigned in advance as well as homework assignments.

Unit 1: The Foundation of Ethics–Knowing Yourself
Unit 2: History of NAD-RID Code of Professional Conduct
Unit 3: Ethics & the Deaf Interpreter
Unit 4: The Deaf Interpreter as an Ally

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**Unit 1: The Foundation of Ethics–Knowing Yourself**

**Purpose**

Learners analyze personal experiences and identify their values, morals, beliefs, and biases. Through lectures, in-class activities and external discussions, learners consider how ethical decision-making impacts the Deaf and DeafBlind communities and their work as Deaf interpreters.

**Competencies**

3.0 Consumer Assessment Competencies (3.4)
5.0 Professional Development Competencies (5.1, 5.2, 5.3, 5.4)

**Objectives**

Upon completion of this unit, learners will:
1. Identify and recognize the potential influence of personal biases.
2. Reduce the influence of personal biases by identifying and reducing behaviors that impact effective interpretation.
3. Describe how understanding Kohlberg’s six stages of moral development can help Deaf interpreters identify the reasons behind some of their decisions.

**Key Questions**

1. What are some of your core values, morals, and beliefs?
2. What are the ways to identify and reduce the potential impact of personal biases on professional behavior?
3. What are general ethical decision-making processes?

**Activity 1**

Review and discuss the Principles of Professional Practice in So You Want to be an Interpreter? (Humphrey & Alcorn, 2007). Guide learners in dialogue:
1. Meta-ethical principles
2. Distinguishing characteristics of professionals
3. Values within the NAD-RID Code of Professional Conduct
4. Nine steps to ethical decision-making
5. Personality characteristics that may affect work of Deaf interpreters
Activity 2
Analyze and discuss the Six Stages of Moral Development, in The Philosophy of Moral Development (Kohlberg, 1981). Next, have learners review the two case studies for further dialogue on Kohlberg’s six stages:

1. Pre-Conventional Level
   Stage 1—Punishment and obedience orientation
   Stage 2—Instrumental relativist orientation

2. Conventional Level
   Stage 3—“Good boy/good girl” orientation
   Stage 4—Law and order orientation

3. Post-Conventional Level (autonomous/principled)
   Stage 5—Social contract/legalistic orientation
   Stage 6—Universal ethical-principle orientation

Case Study 1—A Deaf interpreter is working at an HIV testing exhibit at a local health fair. A Deaf attendee waiting in a line asks the interpreter, “Will the needle hurt?” The interpreter responds, “I cannot answer because of the NAD-RID Code of Professional Conduct,” while recalling an experience of being reprimanded for providing an opinion. Discussion Point: Explain that the interpreter is stuck in Stage 1 and cannot move forward to make a cultural mediation decision.

Case Study 2—Same situation as above. This time, the Deaf interpreter smiles at the Deaf attendee and says, “I’d be happy to interpret for you. Let’s go find the person responsible for HIV testing. I have had an HIV test in the past, and it did not hurt for me, but maybe for others. It depends on the person’s ability to tolerate needles. Come with me, and we’ll find out.” Discussion Points: Explain that the interpreter is in Stage 6, having provided human support and shared a personal experience when asked directly by the Deaf consumer. Also, Deaf interpreters experience the various stages while developing their skills. Some may be rigid and stay in Stages 1-2 while others move on to higher stages with more flexibility in their interpretation and decision-making in given situations.

Activity 3
Engage learners in dialogue on the definition of ethics and what constitutes ethical fitness, based on review of How Good People Make Tough Choices (Kidder, 2009):

1. Set of moral principles or values
2. Theory or system of moral values (e.g., present-day materialistic ethic)
3. Principles of conduct governing an individual or group (e.g., professional ethics)
4. Guiding philosophy

Explain how ethics is tied to the concepts below, engaging learners in dialogue on each:

1. Goals
2. Values and morals
3. Ethical behavior
4. Theories related to ethics
5. Meta-ethical principles
6. Interpretation of code
7. Making ethical decisions
8. Critical thinking skills

Discuss the influence of personal status on ethics, as follows:

1. Race/ethnicity
2. Gender
3. Age
4. Religion
5. Occupation
6. Socioeconomic status
7. Sexual orientation

Review three common ethical categories and the applications of each:

1. Personal
2. Community/cultural
3. Professional
and waiting. The DeafBlind interviewer is standing near the receptionist’s desk chatting. You walk by and see one candidate sign to another candidate, ‘The only reason I am applying for this job is because I want to pay off my college debts. This job is easy. Those DeafBlind people cannot hear or see. And it is easy to take advantage of them.’ You enter the interview room, followed by the DeafBlind interviewer. Do you say anything? The candidate enters the room, and the interview begins. During the interview the candidate says, ‘I am applying because I want to support DeafBlind people and be the best provider possible.’ After the interview ends, do you share what you saw in the lobby with the DeafBlind interviewer? You were not interpreting at the moment.

Activity 4

Select one of the Reflections case study videos from the Resources below for learners to review and discuss in pairs or small groups, then discuss the video as a class.

Using the Demand Control Schema (Dean & Pollard, 2013) as a guide, engage learners in dialogue:

1. What challenges were noticed by observers and how can these be identified using the Demand Control Schema?
2. What are some controls that were identified by observers?
3. How can you apply the Demand Control Schema if confronted with a similar situation?

Assessment

Formative evaluation:
1. Analysis of readings and videos, as applicable
2. Knowledge shared in group dialogue and responses to trainer questions
3. Active participation during in-class activities, including role-play and group exercises
4. Delivery of written and video assignments, as applicable

Have learners review the case studies below; engage class in group dialogue on each.

Case Study 1 (Short-term vs. Long-term)—You interpret regularly for a 16-year-old with cognitive delays and behavior problems. You and the student were involved in an altercation, and you are meeting with the disciplinary team regarding the incident. Since you are the only one that the student understands, you are asked to interpret the meeting for the student while reporting on the action.

Case Study 2 (Individual vs. Community)—You are assigned to interpret with a DeafBlind individual who is conducting job interviews. In the lobby, you see a candidate for a Support Service Provider position sitting
Unit 2: History of RID & NAD Code of Professional Conduct

Purpose
Learners become familiar with the history of the RID and NAD Codes of Ethics and the NAD-RID Code of Professional Conduct. Through lectures, in-class activities, and external discussions, learners gain greater understanding of the influences of these codes on Deaf interpreter practice, including decision-making processes.

Competencies
4.0 Interpreting Practice Competencies (4.8)
5.0 Professional Development Competencies (5.1, 5.2, 5.3, 5.4)

Objectives
Upon completion of this unit, learners will:
1. Explain how the history of the RID and the NAD Codes of Ethics has influenced the roles and functions of Deaf and hearing interpreters.
2. List and describe the seven tenets of the RID-NAD Code of Professional Conduct.
3. Identify the steps in the RID grievance process.

Key Questions
1. What were the historical issues that gave rise to the collaboration between the RID and the NAD leading up to the NAD-RID Code of Professional Conduct?
2. How did the NAD-RID collaboration impact the roles and functions of Deaf and hearing interpreters?
3. What are the differences between policies/regulations and guidelines?
4. Why is it important for Deaf interpreters to stay abreast of current trends in interpretation and related subject areas (e.g., medical, mental health, and legal interpreting)?

Resources
○ Reflections by Hinson, B. [Video]. Retrieved from https://vimeo.com/104092876
3. Structure
   ○ Tenets
   ○ Guiding Principles
   ○ Illustrative Behaviors–Interpreters

Activity 4
Review, expand upon and discuss the seven tenets of the NAD-RID Code of Professional Conduct (RID, 2005), the guiding principles and illustrative behaviors for each tenet. Make use of Module 4 presentation slides in Appendix F.

NAD-RID Code of Professional Conduct

Tenet 1.0 Confidentiality
Interpreters adhere to standards of confidential information.

Guiding Principle: Interpreters hold a position of trust in their role as linguistic and cultural facilitators of communication. Confidentiality is highly valued by consumers and is essential to protecting all involved.

○ Each interpreting situation (e.g., elementary, secondary, and postsecondary education; legal, medical, and mental health) has a standard of confidentiality.
○ Under the reasonable interpreter standard, professional interpreters are expected to know the general requirements and applicability of various levels of confidentiality.
○ Exceptions to confidentiality include, for example, federal and state laws requiring mandatory reporting of abuse or threats of suicide, or responding to subpoenas.

Tenet 2.0 Professionalism
Interpreters possess the professional skills and knowledge required for the specific interpreting situation.

Guiding Principle: Interpreters are expected to stay abreast of evolving language use and trends in the profession of interpreting as well as in the American Deaf community.

○ Interpreters accept assignments using discretion with regard to skill, communication mode, setting, and consumer needs.
○ Interpreters possess knowledge of American Deaf culture and deafness-related resources.
Tenet 3.0  Conduct
Interpreters conduct themselves in a manner appropriate to the specific interpreting situation.

*Guiding Principle:* Interpreters are expected to present themselves appropriately in demeanor and appearance. They avoid situations that result in conflicting roles or perceived or actual conflicts of interest.

Tenet 4.0  Respect for Consumers
Interpreters demonstrate respect for consumers.

*Guiding Principle:* Interpreters are expected to honor consumer preferences in selection of interpreters and interpreting dynamics, while recognizing the realities of qualifications, availability, and situation.

Tenet 5.0  Respect for Colleagues
Interpreters demonstrate respect for colleagues, interns and students of the profession.

*Guiding Principle:* Interpreters are expected to collaborate with colleagues to foster the delivery of effective interpreting services. They also understand that the manner in which they relate to colleagues reflects upon the profession in general.

Tenet 6.0  Business Practices
Interpreters maintain ethical business practices.

*Guiding Principle:* Interpreters are expected to conduct their business in a professional manner whether in private practice or in the employ of an agency or other entity. Professional interpreters are entitled to a living wage based on their qualifications and expertise. Interpreters are also entitled to working conditions conducive to effective service delivery.

Tenet 7.0  Professional Development
Interpreters engage in professional development.

*Guiding Principle:* Interpreters are expected to foster and maintain interpreting competence and the stature of the profession through ongoing development of knowledge and skills.

Assessment

Formative evaluation:
1. Analysis of readings and videos, as applicable
2. Knowledge shared in group dialogue and responses to trainer questions
3. Active participation during in-class activities, including role-play and group exercises
4. Delivery of written and video assignments, as applicable

Resources


Unit 3: Ethics as a Deaf Interpreter

Purpose
Learners consider and discuss a variety of ethical challenges using case studies. Through lectures, in-class activities, and external discussions, learners gain the knowledge and skills to make ethical decisions that adhere to the NAD-RID Code of Professional Conduct.

Competencies
3.0 Consumer Assessment Competencies (3.4)
4.0 Interpreting Practice Competencies (4.8)
5.0 Professional Development Competencies (5.1, 5.2, 5.3, 5.4)

Objectives
Upon completion of this unit, learners will:
1. Articulate why ethical decision-making is critical to the work of Deaf interpreters.
2. Make ethical decisions that adhere to the NAD-RID Code of Professional Conduct.

Key Questions
1. What are the ethical tenets that govern the given scenarios?
2. Are there different ethical decision-making processes between Deaf interpreters and hearing interpreters?
3. How can Deaf interpreters distinguish their values, biases, and norms from workplace ethical decision-making?
4. Are there special ethical considerations and challenges Deaf interpreters face?

Activity 1
Building upon the Ethical Considerations: Case Study by Clark, S. (Individual vs. Community) in Unit 1 of this module, guide learners in the step-by-step case analysis process, as follows:

Additional case studies are modifiable for Deaf interpreters using Encounters with Reality: 1,001 Interpreter Scenarios (Cartwright, 2009).
1. What is happening?
2. Why is it happening?
3. What are the options?
4. Which option would be best? Why?
5. How would the chosen option be carried out?
6. What are possible outcomes?
7. What are possible consequences? For whom?

Activity 2

Guide learners through the processes that constitute ethical decision-making and steps in case analysis. Discuss ethical dilemmas involving Deaf interpreters in the case studies listed below. The purpose of this activity is to evaluate the effectiveness of the Deaf interpreters’ decision-making ability and to identify strengths and weaknesses.

The Demand Control Schema (Dean & Pollard, 2013) is useful for further case study analysis. Specifically, what demands does the selected case study reveal—environmental, intrapersonal, paralinguistic, interpersonal? What controls would help for working through the situation?

Arrange learners into pairs or small groups. Distribute the case studies below (or draw upon others in the Resources section of this unit) for small group analysis, using the discussion questions listed below. Afterwards, have each group share their analyses with the full class:

1. What would you do in this situation?
2. What factors would you consider in making your decision?
3. Can you justify your decision based on the NAD-RID Code of Professional Conduct?
4. Can you think of a similar situation in which you would act differently? Why?

Case Study 1—You and a hearing interpreter facilitated communication for a grassroots Deaf man and his doctor, specifically about his upcoming major surgery. About two weeks later, you and members of your family took part in a Deaf community social event. While at the event, you encountered the same Deaf man for whom you interpreted. You maintained a professional demeanor. The Deaf man was persistent in engaging you in a discussion. You tried to ignore him without being rude. Later, he and his wife approached you. He wanted you to debrief her on his medical appointment. You explained you couldn’t recall the information. He persisted, giving you his permission to update her about his upcoming surgery.

Case Study 2—You and a hearing interpreter facilitated communication for a hearing mental health counselor and Deaf patient who recently immigrated to the United States from China with little knowledge of ASL or English. The counselor recommended the patient go through testing to screen for a specific mental illness. You (the Deaf interpreter) believe the local mental health center for Deaf patients would be a great resource for the counselor and the patient.

Case Study 3—Jon, a hearing NIC Master certified interpreter who has been interpreting for 15 years, contacted you to team with him. The local Vocational Rehabilitation office contacted Jon to provide interpreting services for an appointment with a hearing VR counselor and a Deaf 16-year-old bilingual native ASL user, Maeve, who has recently lost most of her vision. The counselor will explain qualification criteria, job training, and job placement. You have no interpreting experience with DeafBlind consumers, and you are not familiar with the DeafBlind community and their communication needs. No other Deaf interpreters work in your town.

Encourage learners to develop additional case studies specific to Deaf interpreter practice, either during in-class activities or as homework assignments.

Assessment

Formative evaluation:
1. Analysis of readings and videos, as applicable
2. Knowledge shared in group dialogue and responses to trainer questions
3. Active participation during in-class activities, including role-play and group exercises
4. Delivery of written and video assignments, as applicable

Resources


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**Unit 4: The Deaf Interpreter as an Ally**

**Purpose**

Learners address the role of Deaf interpreters as allies. Through lectures, in-class activities, and external discussions, learners develop strategies to promote effective interaction between Deaf, DeafBlind, and hearing consumers while adhering to the NAD-RID Code of Professional Conduct.

**Competencies**

2.0 Language, Culture & Communication Competencies (2.6.4)
3.0 Consumer Assessment Competencies (3.4)
4.0 Interpreting Practice Competencies (4.6, 4.7, 4.8)
5.0 Professional Development Competencies (5.1, 5.2, 5.3, 5.4)

**Objectives**

Upon completion of this unit, learners will:
1. Explain the differences between the roles of allies and advocates.
2. Describe how the roles of allies and Deaf interpreters may overlap.
3. Understand the importance of Deaf interpreters maintaining professional boundaries, impartiality, and integrity in their work.
4. Evaluate educational, cognitive, physiological, and sociolinguistic factors and communication needs that may influence ethical decision-making prior, during, and after interpreting assignments.

**Key Questions**

1. What are the differences and similarities between the roles of allies, advocates, and Deaf interpreters?
2. How can Deaf interpreters judiciously provide information or referral regarding available interpreting or community resources without overstepping their roles as interpreters?

**Activity 1**

Compare and contrast the definitions of ally and advocate, including roles and responsibilities for each. As preparation for this activity, have learners review *Integrating the Interpreting Service Models* (Bar-Tzur, 1999) and the *Deaf Self Advocacy Training Curriculum* (NCIEC, 2012).
Engage learners in dialogue on ways to distinguish between allies and advocates.

Activity 2
Arrange learners in small groups. Have each group develop case studies as a basis for discussion about Deaf interpreters’ roles of ally versus advocate.

Have learners in each small group respond independently to the issues brought up in each case study and then compare notes with one another. Small groups then convene with other groups to share and discuss results with the full class.

Activity 3
Review and engage learners in dialogue:
1. Why is it important for Deaf interpreters to maintain professional boundaries, impartiality, and integrity in their work?
2. Identify strategies for evaluating educational, cognitive, physiological, and sociolinguistic factors and communication needs that may influence Deaf interpreters’ ethical decision making prior, during, and after interpreting assignments.
3. How can Deaf interpreters judiciously provide information or make a referral regarding available interpreting or community resources without overstepping their role as interpreters?

Assessment
Formative evaluation:
1. Analysis of readings and videos, as applicable.
2. Knowledge shared in group dialogue and responses to trainer questions
3. Active participation during in-class activities, including role-play and group exercises
4. Delivery of written and video assignments, as applicable

Resources


Module 4
Unit 4

