

NCITLB Frequently Asked Questions (FAQ)
Rev. August 2014

Please refer to NC General Statute 90D and to the Rules developed by the Licensure Board for more detailed information regarding these and other questions. You can link to 90D and the Rules through our website at www.NCITLB.org.

1. Why is the national criminal record check needed?

Many interpreters move to North Carolina from other states, therefore a national check is necessary to determine the criminal history of potential interpreters. Interpreters have access to the most confidential information of the consumers for whom they interpret, the Board and General Assembly consider the national record check to be necessary to promote the safety of all concerned.

2. Why do I have to provide my fingerprints for the criminal record check?

The FBI requires fingerprints to perform a national search. Since 9/11/2001 the FBI has prohibited private businesses securing national record checks.

3. Who will see my criminal record report from the FBI?

Only the person that is processing the applications will see your criminal record report. If further review of an application is necessary, the Board's Licensure Review Committee will convene to review the report.

4. What does good moral character mean?

The NCITLB rules define the criteria for good moral character. Please See Rule Section .0300 NCAC 25.0301, 25.0302 which is posted on our home page.

5. What does traditional classroom setting mean for the continuing education requirement?

Section .0500, 21 NCAC 25.0501 defines the term to mean a setting where three or more persons come together at the same location at the same time as a group to listen to a lecture, view a demonstration, participate in group discussion or learn through any combination of these or similar activities. It is the consensus of the board that it is important to obtain training related to interpreting that requires face to face contact with peers and trainers.

6. Since 1.0 of CEUS required must be face to face, do webinars count?

No, three or more participants MUST physically be at the same location at the same time. However, the presenter may be located virtually at another location.

7. What information must be on my business card?

Your name and NCITLB License number must be on your business card. Any other information is at the discretion of the licensee.

8. I understand there is a provision that permits people from out of state to work in North Carolina for a short period of time (as in a conference) without a license. Is this true?

Yes. Pursuant to 21 NCAC 25 .0210, a non-resident person who is nationally certified is exempt from licensure as long as they provide interpreting or transliterating services in this state for no more than 20 days during any single calendar year. Each partial day of interpreting or transliterating shall be counted as a full day. Please use the form "Short Term Interpreting Registration" on the *Documents* page of the website. The form must be returned to the NCITLB office along with a copy of your

national certification or state license at least one week prior to your assignment.

9. I was just licensed this year. Am I still required to earn at least 2.0 continuing education units (CEUs)?

Since approval of a license can happen at any time during the year, NCGS 90-D and its Rules allows for proration of CEUs. Pursuant to 21 NCAC 25 .0502,

- 1) If the license is received during the first three months of the cycle (October/November/December) then the licensee is expected to earn the full 2.0 CEUs. At least 1.0 CEU shall be in Professional Studies and at least 1.0 CEU shall be earned in a traditional classroom setting.
- 2) If the license is received during the second three months of the cycle (January/February/March) the licensee is expected to earn 1.5 CEUs. At least 1.0 shall be in Professional Studies and at least .5 CEU shall be in a traditional classroom setting.
- 3) If the license is received during the third three months of the cycle (April/May/June) the licensee is expected to earn 1.0 CEUs. At least 0.5 CEU shall be in Professional Studies. At least 0.5 CEU shall be in a traditional classroom setting.
- 4) If the license is received during the fourth (and last) three months of the cycle (July/August/September) the licensee is expected to earn 0.5 CEU. At least 0.5 CEU shall be in Professional Studies. At least 0.5 CEU shall be in a traditional classroom setting.

10. What is the process for filing an incident (complaint) report?

A person can send an incident report to the NCITLB office via e-mail, mail, or fax. Instructions may be found on the *Documents* page of the NCITLB website. The report should contain specific details of the incident, such as date of incident, time, location, witnesses, specific reason for the complaint, and any other information you would consider helpful to the person investigating the incident report. The incident report will be presented to the Licensure Review Committee for review and appropriate action.

11. What happens to money collected for fines imposed by the Board?

The money collected for fines is not kept by the Board. NC law instructs that such monies shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

12. Can an expired Provisional License be renewed?

Assuming that the Provisional License was not renewed on a timely basis and thus expired, the answer is yes. NCGS 90-D and the Rules allows for the expired license to be renewed IF the application to renew is received by the Board WITHIN one year after expiration and if the application demonstrates that the applicant continues to qualify for a Provisional License. It CANNOT be renewed a second time.

13. What happens if a licensee has not complied with the CEU requirements?

21 NCAC 25 .0503 Failure to meet CONTINUING EDUCATION REQUIREMENTS

(a) A licensee who has not complied with the continuing education requirements in this Section shall be ineligible for license renewal. Any person whose license renewal application is denied on these grounds may reapply for licensure as soon as the person is able to demonstrate that:

- (1) the person has earned at least two CEUs within the 12 months next preceding the date of reapplication;
- (2) at least 1.0 of those CEUs was earned in professional studies; and
- (3) at least 1.0 of those CEUs was earned in a traditional classroom setting.

(b) Notwithstanding the provisions of Paragraph (a) of this Rule, a licensee who has not complied with the continuing education requirements in this Section shall be eligible for license renewal if:

(1) the licensee makes a timely application for renewal, including the payment of the required license fee; and

(2) the licensee earns the required CEUs by no later than the 31st day of October in the new licensure year.

(c) CEUs earned in the current licensure year and used to cure a deficiency in the prior licensure year may not be used to meet the CEU requirements of the current year.

Please see the document “How do I get my license back?” on the FAQ page of the website for further information.

14. What are the penalties against a person for violating the law or rules governing interpreter/transliterator licensing and what defines a violation?

General Statute 90D-14 provides the Board the authority to assess civil penalties not to exceed \$1000 for the violation of any sections of 90D or any rules adopted by the Board. The Board may also assess the costs of disciplinary actions against the person. A violation is defined as not complying with any of the sections of the law (90D) or any of the Rules established by the Board. It should also be noted that each discrete act that violated the law or rules constitutes a separate violation for which a separate penalty may be assessed. Also, for each day a violation occurs can constitute a separate violation for which a separate penalty may be assessed.

15. What is considered a “timely filed application”?

A complete application that is received ON or BEFORE October 1 of the current renewal year. The application must be physically received by the NCITLB on the due date – postmarks are not recognized under the licensure law. We recommend sending your application by certified mail.

16. What happens if my Full License application is complete but is received after the deadline?

The licensee’s license is considered lapsed if not received in the Board’s office as of October 2nd of the renewal year. The late application will then have to be processed as a new initial application which means an additional \$75 will have to be paid to receive a license. (\$225 new application fee - \$150 renewal fee)

17. What if I am a licensee and also on active military duty?

NCGS 90-D and its Rules make special provisions for licensees on active military duty. Contact the NCITLB Central Office for more details.

18. What happens if my Provisional License application is complete but received after the Oct 1 deadline?

The licensee’s license is considered lapsed beginning October 2nd of the renewal year. If the applicant continues to qualify for a provisional license, the expired license can be renewed WITHIN twelve months following the date of expiration. However, a provisional license may not be renewed if it lapses a second time.

19. How many times may I renew my Provisional License?

NCGS 90-D Rule .0205 allows for 3 provisional renewals. The rule also allows for a 4th or 5th renewal under special circumstances. In order to qualify for the 4th or 5th renewal under special circumstances, the applicant must include a letter containing documentation that their progress toward full licensure was delayed by 1) a life altering event such as an acute or chronic illness suffered by either the

applicant or a member of the applicant's immediate family; or 2) active military service; or 3) a catastrophic natural event, such as a flood, hurricane or tornado.

If the applicant does not meet the requirements for a 4th or 5th provisional renewal as outlined above, the Board may grant a 4th or 5th discretionary renewal if the provisional licensee can provide evidence of their continued work and effort towards full licensure such as registration for testing and testing preparation workshops. The applicant must file a timely application and provide a letter outlining why they should be considered for a discretionary provisional renewal.

The Board shall NOT for any reason renew a provisional license for a sixth time.

20. Does a VRS interpreter interpreting for consumers in NC need to hold a NC license?

No. Only interpreters who are working while physically present in the state are required to hold a license. For information on short term interpreting in NC without a license, please see question #8.

21. When the contents of a printed document is read to a consumer by someone using American Sign Language (ASL) or Conceptually Accurate Signed English (CASE), is this processing considered "interpreting"?

No, this process is related to literacy and not to interpreting.

22. What can be done about the gap that arises between the time an ITP student graduates in May and then applies for a provisional license Oct 1?

Applying for a provisional license in May and then renewing in Oct of the same year diminishes the interpreter's opportunity to have a full calendar year as their first renewal on their way to applying for a full license. It is highly doubtful that the law will be changed to accommodate dilemma, so the Board recommends that an ITP graduate use the time period of May-October to enhance their skills by entering into a mentor/mentee relationship, volunteering in the Deaf/ Deaf-blind communities, participating in their professional organizations' conferences/training activities and increase their active involvement in the Deaf community.

23. Does a VRI interpreter providing services IN NORTH CAROLINA, have to be licensed?

Yes.

24. Does a VRI interpreter (OUTSIDE OF NC providing remote services to residents of NC) have to be licensed by NC?

No, the interpreter must be physically present in the state of NC to fall under the NC licensure law mandates.