

**North Carolina Interpreter and Transliterater Licensing Board
June 23, 2016 Board Meeting – NCRID Conference – Charlotte, NC**

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- 2 Board Members Present: Bethany Hamm- Whitfield, Jeff Trader, Donnie Dove Jr, Emily Pope, Kevin Earp,
3 Catherine Johnson, Pam Smith, Lauren Pruett
- 4 Board Members Absent: Kim Calabretta
- 5 Board Staff Present: Caitlin Schwab and John Green
- 6 Members of the Public Present: Renee Moore, Donna Rhodes, Darlene Dubrow, Amanda Harker, Kim
7 Barden, Belinda Earp, Martha Ingel, Kellie Stewart, Olivia Ross, Ruben Leon, Janet Beattie, Blaire
8 McCorkle, Shalon Turner, Crystal Bradley, Anita Baker, Marci Purtell, Betsy Wood, Kelle Owens, Susan
9 King Lanier, Matt Baccari
- 10 Interpreters: Kirk Fowler, Mark Lineberger, and Emily Jones

11 **Called to order at 10:05 am**

12 Conflict of interest read, and no conflicts heard.

13 Flexible agenda adopted.

14 Bethany: Thank you everyone for coming ,and thank you to NCRID for having us at their conference
15 again.

PROPOSED RULE CHANGE UPDATE

16 John: Caitlin and one of my colleagues appeared before the RRC and there was not much discussion on
17 the rule, and the rule was passed. The rule goes into effect on July 1. The people who are affected by
18 the moratorium will have a chance to have their license extended.

19 Bethany: Any questions about the rule update?

APPROVAL OF MINUTES

20 Pam: Any edits to the minutes?

**Motion Jun 2016-01 (Smith/ Pruett) I move we accept the minutes as written. Seconded by Lauren.
No Discussion. All in Favor. Motion Carries**

21

LRC REPORT

22 Catherine: So far we have 1 closed case, 1 open case, and I anticipate closing that after the meeting to
23 day, and have 1 renewal request which we granted, and we just received a new complaint a few days
24 ago.

25 Bethany: LRC will need to meet after this meeting.

- 1 Kevin: I have a question what are your definitions of substantiated or unsubstantiated?
- 2 Bethany: Substantiated is when we find evidence thru the course of the investigation
- 3 . Unsubstantiated is when we cannot find any evidence that they did something wrong.
- 4 Kevin: So if a complaint is about professionalism how do you find out what happened?
- 5 Bethany: We investigate and get both sides, and then make a decision after we have all the facts. If a
- 6 decision is made by the LRC the person has the right to an appeal, and if the person requests an appeal
- 7 the whole Board will hear the case.

FINANCIAL REPORT

- 8 Emily: Everyone should have a report in their packet. We do have a few items on this financial document
- 9 that are increases, legal fees, and printing. Caitlin let me know that printing has increased due to
- 10 renewal packets being printed, and legal fees increased due to the rule change items that needed to be
- 11 filed, John worked on these rule changes being submitted.

REVIEW OF ACTION ITEMS

12

	Kim	Have on going list of meetings and events that Board members can attend.	On Going	
	Bethany (chair), Pam, Catherine	Ad Hoc Committee to research how the moratorium on testing will hurt renewal of licenses.	On Going	CLOSED
	Bethany, Jeff, and Donnie	Will write up the roles of SSP compared to Interpreter and will submit their work to the board for their feedback.	June 23	On going
	Pam(chair), Catherine, Bethany	Ad hoc committee have the disciplinary actions for website details worked out, and what will be posted on the website	June 23	New Due Date August Meeting
	Catherine (chair), Kevin, Jeff	Ad Hoc committee that will research what changes are needed to the licensure law, and what changes can be made to protect the complaint process.	June 23	On going
	Pam, Lynn, Bethany	Ad hoc committee set up for work with DPI and helps go to meetings so they can work toward making the changes.	On going	
	Emily, Pam, Catherine	Ad hoc committee to look at other licensing boards and protections they have for records and complaints.	June 23	COMBINED WITH ANOTHER ITEM
	Bethany & Caitlin	Discuss Vlog options	On going	

	Bethany & Caitlin	Come up with a list of advocacy groups to send information to	June 23	Complete
	Bethany & Caitlin	Review and update the website as needed	On going	
	Caitlin	Bring current RFP to the next Board meeting for review.	June 23	Complete
	Caitlin & Bethany	Create a power point with General Board Information.	June 23	Complete
	Caitlin	Gather information about provisional licensees to present at June Board meeting	June 23	Complete

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Bethany: Catherine do you think we should reach out to the Deaf and Hard of Hearing Council and see if they would like a member of this board to attend more of their meetings. Kevin, you are on the council and would you mind reaching out to Julie and seeing if she would like us to attend the meetings more or maybe send a report.

Catherine: I am going to Camp Dogwood and I would be happy to see if they want us to attend more events.

Adhoc committee for items to be posted on the website. Will be complete at the next Board meeting in August.

Bethany: The Board it trying to find a rubric about what should be posted on the website. What exactly needs to be posted on the website. Some states post a lot of information posted, and some states have very little information, and we are just looking for the best items to post.

Adhoc committee that will research what changes need to be made to licensure law and how the changes will affect licensure.

Catherine: We are meeting today, and we will be discussing what changes we would like to be seen. We wanted to see about going around to different meetings around the state and seeing what input we get from the community.

Kevin: We have to understand its not just interpreters are not the only ones effected. We need to make sure everyone is heard, not just interpreters.

Ad hoc committee set up for work with DPI

Bethany: This is on going and we have had meetings with Rachel Ragin and this will be on going.

Roles of SSPs and interpreters

1 Jeff: I do think there is a distinction between an SSP and interpreters, and we need to find what that
2 distinction is.

3 Bethany: Our formal counsel said that we need to look at the law and see how interpreting is defined.
4 So how the law is defined would have an SSP fall under the licensure law. We have to look at what
5 these people are doing, and what the law defines as interpreting.

6 Jeff: I do not think there is a direct answer for that. It will be on an individual case by case basis.

7 Bethany: This might be something we have to involve counsel in. We have to look at everything, and
8 this is a tough issue, and we need to make sure we have all the facts.

9 John: I would be glad to sit in on those discussions.

10 Bethany: Regardless of best practice we have to work within what the law states.

11 *Ad hoc committee to look at other licensing boards to look at record and complaints. (Dissolved).*

12 *Discuss Vlog options. (On going)*

13 Caitlin: I have looked into options. There are many options, and it would come down to what the
14 website can support.

15 *RFP for the Management company contract.*

16 Caitlin: I sent the renewal letter from last year to Bethany and John to review.

17 John: We will need to do an RFP for 2017, and I would look into a sole source option.

18 Kevin: When you are extending the contract for a year do the rates stay the same?

19 Bethany: Yes, they stay the same.

20 *Create a PowerPoint with General Board information.*

21 Caitlin: I am working on this item, and I go back to it at different times, I will work on getting that
22 complete.

23 Catherine: there was talk about the last meeting about taking the how to file a compliant video and take
24 it to meetings.

25 Caitlin: I can work on that and do that for you also.

PROVISIONAL EXTENSION REQUEST FORM

26 Pam: At the last meeting we looked at what is required for an extension request, and I thought it would
27 be helpful to have a form, or a guideline of what would be a professional development plan, and I would
28 like to see a little more detail as to what the long term plan is. So there are a few forms/examples I

1 have, and these are examples and what we could come up with. (Pam passed out forms) We could
2 come up with a form based on these examples.

3 Kevin: Who would monitor this?

4 Bethany: This would all be filtered through the LRC.

5 Catherine: We have seen several requests, and they are very broad sometimes and other times they are
6 very specific. This could help to get the most information so that we can make a decision based on what
7 we are presented.

8 Kevin: Would this begin with the first renewal?

9 Pam: Probably the first extension request.

10 Bethany: Sometimes the LRC when reviewing a request, the request details strong enough to merit the
11 request, sometimes this isn't enough information. Sometimes the LRC has to go back to the person and
12 get more information, and this could help with this process.

13 John: Be sure to require what you require for one for all.

14 Jeff: Is this cutting down on the LRC leg work?

15 Bethany: No, this is to try to help streamline the process. Sometimes when we get requests we get very
16 little information and we have to reach out to them and get more information, and we have to give
17 them time, so this timeline needs to be more concise.

18 John: The legislature is looking at the law on licensure, and in the wake of the Dental board case, the
19 General Assembly (GA) will act, but we do not know when this law will be enacted. The Board can look
20 at the rules, and our rules are up for review in June 2017, and you may want to consider coming up with
21 a matrix that is in a rule, and we could get this in by next year.

22 Bethany: Pam, would you like this to be an action item?

23 Bethany: Be sure to always go to John to make sure this fits within our rules.

24 Kevin: If you could help me understand what is required for a provisional license?

25 John: *READ FROM THE LAW.*

26 Kevin: So now you are talking about granting extensions. Sometimes with the best intention in mind,
27 they could have all the book learning in the world, and the message is not clear. Maybe the LRC
28 committee can look at a performance based review.

29 Bethany: I think the LRC is looking to get better clarification on what people are doing to work toward
30 full licensure. It is not in our purview to adjudicate the persons skills. I understand your concern Kevin

1 that you want people to hone their skills, and improve that we need to know what they are working
2 toward.

3 Donnie: Kevin if you remember this we discussed this last year, in August, and we will be working on
4 getting these items standards so extensions are not given out haphazard.

5 Catherine: I think it would be good to look to the previous board members and have a open
6 conversation, about what he original Board was thinking when they came up with the rules.

CENTRAL OFFICE REPORT

7 Caitlin:

8 Licenses Issued Since Last Board Meeting (2/5/16)

9 Full License: 4 (all with RID certification)

10 Provisional License: 10 (all with 2 year degree requirement)

11 Total :14

12 Current Pending Application(s) for License

13 Full License: 2

14 Provisional License: 2 Total: 4

15 Total Current Licensees

16 Full Licenses: 330

17 Provisional Licenses: 135

18 Grandfathered Licenses: 58

19 Total for Current Licensees 523

20 Caitlin: Renewal packets are going to be going out July 1, and I will include information for
21 people who will need to ask for a discretionary renewal.

22 Donnie: Just out of curiosity when the renewal process starts. Can you start collecting stats and how
23 many are requesting a discretionary renewal and what is being asked.

24 Kevin: Can you provide that data at the next meeting?

25 Caitlin: I can compile that data. The next meeting will be in the middle of the renewal season, so I will
26 not have complete data, but I can compile what I have up to that point.

27 **Break 11:06**

28 **Reconvened at 11:50**

29 Bethany: Our agenda is almost done. There will be an LRC meeting right after this meeting.

30 Bethany: I asked for an addition to the flexible agenda, for John to give a legislative update.

31 John: On the sunseting there was a meeting on April 5th, and the committee tabled the sunseting draft
32 bill until the next legislative session. Sunseting was proposed to sunset different Boards that were on
33 the draft bill. We really don't know and won't know until we hear additional news. The Dental Board

1 case that recently came down, it has been drafted into a bill, this board has to act with in its statute, and
2 the legislature has a bill out that would let the boards know what to say when dealing with an
3 unlicensed person, that is it is not a final legal decision and one could file suit against the other one, and
4 there could be a superior court judge who would file an injunction so that if someone is practicing
5 without a license it could be a crime. It's not that this Board could not go after these people, but there
6 is a procedure in place. We are waiting what comes out of the legislature.

7 Bethany: The bill that is afoot now that 1500 members or less, where is that now?

8 John: Caitlin just let me know about that, but a lot of bills die in committee, so there is a lot that is still
9 up in the air.

10 Pam: Thank you for keeping us updated on what is going on in the GA.

11 Bethany: Can we have a legislative liaison?

12 John: I need to check with state ethics.

13 Bethany: I know if have been asked I have been asked previously about the distinction between
14 lobbying and informing. Do all the board members understand the distinction or do you have any
15 questions at this point?

16 Pam: I am slightly confused, I went to the April 5th meeting, and I want to know what the Board
17 members can do as a Board member.

18 John: An individual is welcome to send a letter, or if the GA is hearing from the consumers of the
19 licensees of these boards, and there were a number of people who spoke on behalf of this board. What
20 we can't do is hire a lobbyist, and Caitlin and I(John) cannot lobby of this Board. We can not serve as a
21 legislative liaison, but if a Board member wanted to do it, they would have to register with the secretary
22 of state, and they could not be paid for that. You can't lobby but you can write your congress person.

23 Bethany: Any more updates?

24 Kevin: NCAD is trying to work with lobbyists, and we are working with someone who works with a group
25 who have people with disabilities. NCAD has contacted NCRID to work on a partnership in this.

26 John: I was contacted by someone that wanted to go out and lobby on behalf of this Board on their own.
27 The Grassroots support is always more valuable. The word got out very quickly (about the sunseting
28 draft bill), and the General Pubic stepped up and supported us. But, no other bills at this time.

29 Bethany: NCAD is doing a lot of grassroots activity to help, and NCRID is also helping in these efforts.
30 John and I had an opportunity to go to best practice workshop for occupational licensing boards. There
31 is a "feel" that they do not want any barriers to the profession.

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RECORDS RETENTION SCHEDULE

1 Caitlin: John and I worked with Emily from state archives to come up with the retention schedule. The
2 Board would have to vote on this draft and approve it, and I can let Emily at state archives know to push
3 those along to her superiors to review, and then the records retention schedule could be put in place
4 after that review.

5 Donnie: I have a question about unsubstantiated complaints, why wouldn't we want to keep that
6 information?

7 John: If they are unsubstantiated then they are "dead", and there are no findings. There are rules that
8 are in the Rules of Evidence regarding habit, custom, and practice, however if it is unsubstantiated it
9 would be improper to use it against the person if nothing has ever be substantiated.

**Motion Jun 2016-02 (Johnson/Smith) I move we accept the records retention schedule as written.
Seconded by Pam. No Discussion. 7 in favor, 1 abstention. Motion Carries.**

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RID UPDATE

11 Bethany: The update on the moratorium will be lifted in July 2016, to begin taking applications for the
12 NIC. I do not know about the EIPA level 4's, and they are sunseting the legal interpreting, and the oral
13 interpreting. I'm not sure if the LLC is going to be providing the exam. RID has named an LLC, CASLI. I
14 think they are trying to figure out their internal structure. It looks like they will be administering the NIC
15 and the CDI.

16 Donnie: Why are they sunseting the legal certification?

17 Bethany: I think they are doing the NIC short term, but might adopt the BEI which has a legal component
18 to it. But I don't have a 100% concrete answer. In RID's viewpoint is costs a large amount of money to
19 have all the tests for all of these different certifications. I know people are not happy. I do know NAD is
20 trying to break ties with RID. If I hear anything else I will let you know at the August meeting.

21 Donnie: I was at an NAD regional 2 meeting, and I remember at that meeting they are cutting ties with
22 RID.

23 Bethany: Yes, that is correct.

24 Kevin: Thinking of the system here in North Carolina, as far as the court system needing legal
25 interpreters, is the court required to give that person a legal certified interpreter?

26 Bethany: I don't have any Intel about that, and I am unsure of the standards.

27 John: I know they have to have a license but beyond that certification I don't know.

FORUM AGENDA

28 Bethany: I have asked Kevin and Jeff to present with me tomorrow, and we will go through a power
29 point presentation, and I expect the Board to be there and be seated on the stage. After the

1 presentation we will take questions. We will have more time for feedback from licensees, and
2 document any questions that we get, and post on our website about our responses. I think it's good for
3 the licensees to hear from us, and there are no other workshops at that time, and anyone from the
4 public can come. I do appreciate NCRID's support in this matter. We'll have fun.

Motion Jun 2016-03 (Johnson/Trader) I move that we adjourn the meeting. Seconded by Jeff. All in favor. Motion Carries.

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6 **Adjourned at 12:32 PM.**