

North Carolina Interpreter and Transliterater Licensing Board  
August 25, 2017 Board Meeting – Paragon Bank – Raleigh , NC

- 1  
2 Board Members Present: Kevin Earp, Donnie Dove Jr, Pam Smith, Bethany Hamm-Whitfield, Emily Pope,  
3 Kim Calabretta, Lauren Pruett, Jaime Staley, Jeff Trader  
4 Board Members absent: None  
5 Board Staff Present: Caitlin Schwab-Falzone and John Green  
6 Interpreters: Mark Lineberger, Karen Magoon, Adeline Riley  
7 Public Members present: Lee Williamson, Meghan Lane, Treva Haynes, Daben Harney  
8 Called to order at 10:15 am  
9 A quorum was established with all Board members present.  
10 *Conflict of interest statement read and no conflicts heard.*

**Welcome and Introductions**

- 11 The board went around and introduced themselves to the group.  
12 Bethany did a brief introduction of Jaime.

**Approval of Minutes**

- 13 Pam: Anyone see any edits that need to be made?

**Motion Aug 2017-01 (Pope/Calabretta) I move we approve the June 22, 2017 meeting minutes as written. Seconded by Kim. No discussion. All in favor. Motion Carries**

14

**Election of Officers**

- 15 Bethany: Catherine is no longer serving on the Board in the vice chair position, so we need a new vice  
16 chair. Does anyone have anyone they want to recommend?  
17 *Caitlin discussed the vice chair duties with the Board members.*  
18 Bethany: Kevin has been appointed to the LRC due to Catherine being off the Board.

**Motion Aug 2017-02 (Pruett/Pope) I move we nominate Donnie Dove, Jr for the Vice Chair of the Board. Seconded by Emily. No Discussion. All in Favor. Motion Carries.**

19

**Meeting Dates for 2017-2018**

- 20 *There is a handout with possible meeting dates.*

1 Bethany: In years past NCRID has invited us to come to their meeting, and we have not been invited yet,  
2 but let's discuss other potential meeting dates.

3 Pam: I think we need to change the date, and we need access to the deaf community. I think either the  
4 school in the eastern part of the state or the deaf school in Morganton.

5 Bethany: I want to give some background; this board is required to have one public forum a year. NCRID  
6 started inviting the board to their conference 4-5 years ago, but the board had the forum previously in  
7 Raleigh. We have only been going to the NCRID meeting for the past 4-5 years. We have not received  
8 official word yet if they want us to attend the meeting in 2018.

9 Donnie: I had a question, has NCRID's conference been an annual conference or is it a biannual  
10 conference?

11 Bethany: In 2018 they are having the conference in Charlotte. They are going to move it to every other  
12 year after that.

13 Pam: What has been the charge that NCITLB pays to NCRID?

14 Bethany: NCRID used to cover the expense, but over the years it evolved, and it is currently \$1,000 for  
15 use to participate in the event. We do coordinate our interpreters for that forum, legal expenses for  
16 John to attend, and Caitlin's expenses to attend.

17 John: The only other legal item I wanted to bring up, the law in Raleigh is the capital where most  
18 business is to be conducted. The Board is welcome to have the forum wherever they would like.

19 Bethany: NCRID has held the conference all over the state. In the last few years the conference has  
20 been held in Charlotte. They will be in Charlotte next year.

21 Pam: Do you have a total cost for the conference for all expenses? We need to serve the deaf  
22 community as well, it is not always about the interpreters.

23 Bethany: When we used to hold the forum in Raleigh we used to have it at DSDHH, at a place where the  
24 cost was low. I want to do a cost benefit analysis.

25 Kevin: I think it is good to have the visibility. I think it is good to be available to answer questions, and  
26 be available for people to see the Board.

27 Bethany: If NCAD and NCRID partner again for the conference it could be a benefit. After the last  
28 conference and being cursed at, I feel that this needs to be a benefit for everyone, and the last forum  
29 got away from us and got very off track.

30 Jeff: I think Lexington would be a good place to have a meeting, there is a large deaf community there.

31 Bethany: What we can do is decide on the meeting dates for 2018, and then determine where the forum  
32 will be.

1 **Meeting dates for 2018 all meetings will start at 10am:**

2 Friday February 9, 2018

3 Friday June 22, 2018

4 Friday August 24, 2018

5 Friday October 26, 2018

**Motion Aug 2017-03 (Dove/Earp) I move we accept the 2018 meeting dates and will revisit as needed. Seconded by Kevin. No Discussion. All in favor. Motion Carries.**

6

**Central Office Report**

7

8 **NCITLB Central Office Report** (as of August 24, 2017 at 9:00 AM)

9 **Current Number of Licensees: 557**

10 Grandfathered: 54 (10%)

11 Full: 342 (61%)

12 Provisional: 161 (29%)

13 **Licenses issues since last Board meeting (June 22, 2017): 13**

14 **Full : 3**

15 *Qualified for licensure by:*

16 RID Certification: 3 of 3 (100%)

17 **Provisional: 6**

18 *Qualified for licensure by:*

19 EIPA score of 3 or higher: 1 of 6 (17%)

20 2 year degree: 4 of 6 (66%)

21 Accumulated Hours: 1 of 6 (17%)

22 **Licenses Pending Issue: 3**

23 1 full and 2 provisional

24 -Renewal packets went out the end of June. I have renewed 76 licenses so far for the 2017  
25 renewal season. That is 13% of all licenses. September traditionally is a very busy month for  
26 renewals.

27 - The office will be closed Monday September 4, in observance of Labor Day. Caitlin will be  
28 out of the office Friday September 15 at an all day meeting with another client.

## LRC Report

1 Donnie: We expect to be busy going forward, we have had some renewal requests.

2 Pam: We have had a few cases recently.

3 Bethany: We need to appoint an LRC chair. Only Pam or Donnie are eligible for Chair. I would like to  
4 appoint Pam for the new LRC chair. The LRC will be Pam, Donnie, and Kevin, and Pam is the New Chair.

## Financial Report

5 Emily reviewed the current balance sheet as of July 31, 2017. We are up overall for the year. Our total  
6 expenses are down slightly from last year.

7 Bethany: Are there any expenses that we foresee going up?

8 Emily: There are some notes on the budget provided.

9 Kevin: We may want to increase the Board member compensation rate.

10 Bethany: Are you talking about the line item being higher, and or the amount paid to each board  
11 member being higher?

12 John read from the General Statute 93B-5 what we can reimburse the Board.

13 Bethany: I think what Kevin is talking about is receiving reimbursement for expenses incurred while  
14 serving on this Board and fulfilling that.

15 Kevin: Yes.

16 *Break 11:16 am.*

17 *Reconvened at 11:32 am*

**Motion Aug 2017-04 (Dove/Pruett) I move we adopt the 2017-2018 budget as written and revisit as needed. Seconded by Lauren. No Discussion. All in Favor. Motion Carries.**

18

## Legal Update

19 *Request For Proposal (RFP) Update*

20 John: We need to put out an RFP for the current Board administrator. These discussions need to go into  
21 closed session. It is so that we can discuss the terms and conditions of the RFP in private. It is supposed  
22 to be done in private. Once the RFP goes out to bid it becomes public. When we are in closed session  
23 everyone must leave, except the Board members, interpreters, and legal counsel.

24 *Auditor Contract*

1 John: We do not need to go out for RFP for this because it less that \$5,000. The current auditor is in  
2 place and we can extend the contract for another year. The current auditor agreed to the terms of the  
3 current contract. Audits are required by law.

4 *Rule Readoption*

5 John: During our periodic review there were two rules that go public comment, and those rules will need  
6 to be readopted. We received public comment on the CEU rule (21 NCAC 25 .0501), and because we  
7 received public comment on the 21 NCAC 25 .0205 Renewal of a provisional license we need to readopt  
8 that rule. All of the rules have been adopted, and they do not need to be amended or changed. These  
9 two rules received public comment and that is why they need to be readopted.

10 *Federal Bill on Occupational Licensing Board*

11 John: This bill is to seriously restrict the licensing boards. The state would have more over sight of the  
12 Boards. There was recent talk about getting rid of the OLBs (Occupational Licensing Boards), and this  
13 Board was on that list. Some people feel that this board restricts trade, and we do not know if there will  
14 be an attempt to close boards. This bill talks about a procedure that calls for more state oversight.  
15 Congress is now looking to limit Occupational Licensing Boards (OLBs) authorities. This bill has been  
16 introduced, and that is all we know. They are also working though the dental board case and some of  
17 the antitrust immunity in that case. (John went into detail about anti trust law, the dental Board case,  
18 and examples of antitrust.)

19 John: Let's start with the auditor contract.

**Motion Aug 2017-05 (Dove/Hamm-Whitfield) I move that the Board hire Shelton Hawley, CPA to conduct the fiscal year 2017-2018 audit of the Board's books and records for \$4,395, with authorization to exceed the amount up to, but not to exceed \$4,750 for additional costs and expenses. Seconded by Bethany. No Discussion. All in Favor. Motion Carries.**

20 Bethany: I think we should start the process to go into closed session.

**Motion Aug 2017-06 (Hamm-Whitfield/Pope) I move pursuant to G.S. 143-318.11 (a)(5) that the Board go into closed session to instruct the Board's legal counsel concerning the position to be taken by the Board in negotiating the price or other material terms of the RFP and resulting contract for the Board Administrator. Seconded by Emily. No Discussion. All in Favor. Motion Carries.**

21 *Closed session Caitlin left the room.*

22 **Minutes of Closed Session (Taken by John Green):**

23 Motion for the Board to go into closed session was made by Board Chair Bethany and seconded by Emily  
24 Pope. All Board Members voted in the affirmative. (See written motion)

25 The Board discussed the terms of the confidential RFP for Board Administrator with only the following  
26 persons in the meeting room: All nine Board Members, Board Counsel John Green, and the interpreters  
27 hired to interpret for Board Members. Everyone else had left the room while the Board was in closed  
28 session.

1 Motion for the Board to end its closed session was made by Board Chair Bethany and seconded by Pam  
2 Smith. All Board Members voted in the affirmative. (See written motion)

3 Resume open meeting – after lunch break

4 *The Board came out of closed session and Caitlin came back into the room.*

5 **Lunch Break 12:20 PM**

6 **Reconvened at 12:55 PM**

7 John: For those who had to leave, thank you, the RFP was reviewed during the closed session and the  
8 RFP should be public August 29, 2017. I took minutes during the closed session and I will supply them  
9 to Caitlin for the meeting minutes. If the Board decides to approve the RFP and legal counsel will work  
10 to get the RFP published.

**Motion Aug 2017-07 (Pope/Smith) I move that the Board approve the RFP for Board administrative services and that the RFP be sent to the State Office of Purchase and Contracts for Review and publication. Seconded by Pam. No Discussion. All in Favor. Motion Carries.**

11

**Motion Aug 2017-08 (Hamm-Whitfield/Trader) I move that the Board counsel be hereby empowered by the Board to send the RFP to the State Office of Purchase and Contracts for review and publication, to revise the RFP to the extent requested by State P&C, and to otherwise take all steps reasonable and necessary to prepare the RFP for review by the Boards' Evaluation Committee. Seconded by Jeff. No Discussion. All in Favor. Motion Carries.**

12 John: There needs to be an ad hoc committee to help review the RFPs. The Board can create that  
13 committee.

**Motion Aug 2017-09 (Pope/Earp) I move that the Board create the evaluation committee as an ad hoc committee for the purpose of reviewing any bids received in response to the RFP for Board Services and to take all steps necessary or reasonable to be in a position to recommend to the Board during an upcoming Board meeting, ideally the October 27, 2017 board meeting, its recommendation for winning bidder based upon the criteria contained in the RFP. Seconded by Kevin. No Discussion. All in Favor. Motion Carries.**

14

**Motion Aug 2017-10 (Hamm-Whitfield/Pruett) I move that Emily Pope, Kevin Earp, and I (Bethany Hamm-Whitfield) be confirmed to serve on the Evaluation Committee and that they be empowered to review any bids received in response to the RFP for Board Services and to take all steps necessary or reasonable to be in a position to recommend to the Board during an upcoming Board meeting, ideally the October 27, 2017 board meeting, their recommendation for winning bidder based upon the criteria contained in the RFP. Seconded by Lauren. No Discussion. All in Favor. Motion Carries.**

15 John: If any of you have any questions about the RFP process feel free to call me. The next area is the  
16 rules. A year ago the Board started the process of the rule review. The Board approved the rules and  
17 the rules review commission approved the rules, and made no changes. The general assembly have 60  
18 days to review the rules, and they did not do anything within that 60 day window. These two rules will

1 die on their own if nothing is done. The Board must approve them, reject them, or change them. These  
2 rules have been determined as necessary with public interest. As I mentioned earlier the one about  
3 provisional licenses is before you because of the amendment to the rule that was made about six  
4 months before the rules review process.

5 Bethany: What we have to do now is formally accept or not accept these rules going forward. As John  
6 was saying when we changed the provisional license renewal item it was because of the RID  
7 moratorium. I am starting with this one because it is the easier one. The rule is 21 NCAC 25 .0205.

8 *The Board reviewed the rule and discussed the language in the rule.*

9 John: If the Board wants to change anything is this rule now is the time to do that.

**Motion Aug 2017-11 (Earp/Hamm-Whitfield) I move that we readopt the 21 NCAC 25 .0205 as written. Seconded by Bethany. No Discussion. All in Favor. Motion Carries.**

10

**Motion Aug 2017-12 (Hamm-Whitfield/Smith) I move the Board to authorize staff and legal counsel to submit the proposed rule, Rule 21 NCAC 25 .0205, to the Office of Administrative Hearings for publication in the N.C. Register, publish it on the Boards' website, and otherwise act as needed to accomplish the steps required until the matter returns to the Board for review of the public comments by the Board. Seconded by Pam. No Discussion. All in Favor. Motion Carries.**

11

**Motion Aug 2017-13 (Hamm-Whitfield/Pruett) I move the Board hold a public hearing on the proposed revised rule, Rule 21 NCAC 25. 0501, on the 27<sup>th</sup> day of October 2017 or as soon thereafter as if can be scheduled by staff. Seconded by Lauren. No Discussion. All in Favor. Motion Carries.**

12

13 Bethany: The second rule up for readoption 21 NCAC 25 .0501. This rule has been looked at several  
14 times, and many of the previous Board members have felt that way.

15 *The Board reviewed the rule and discussed the language in the rule. John read from the statute and rules*  
16 *on clarification on the language currently in place.*

17 Donnie: NCAD feels that the rule is important to stay as it is.

18 Bethany: This discussion is about readopting this rule. The Board needs to see about making some  
19 motions and voting and seeing how we all feel. We may need to table this until the next Board meeting.

**Motion Aug 2017-14 (Dove/Smith) I move the Board table the discussion of rule 21 NCAC 25 .0501 until the October 2017 meeting, and make a final decision on that rules language on that day. Seconded by Pam. No discussion. All in Favor. Motion Carries.**

20

**Motion Aug 2017-15 (Dove/Trader) I move that our legal counsel review rule 21 NCAC 25 .0501 and help with possible changes to the wording to allow for banking of CEUs. Seconded by Jeff. No Discussion. All in Favor. Motion Carries.**

1 *Break at 1:57 pm*

2 *Reconvened at 2:16 pm*

3 John: I just wanted to see if the Board would allow for me to look into some insurance for the Board.

4 Bethany: John can you update the Board with the information at the next meeting.

#### Alternative Complaint Resources

5 Jeff: Donnie, John, and myself all met to discuss this alternate complaint process. A few options we  
6 discussed were, maybe going to any regional resource center to file a complaint, and then have it  
7 compiled and transcribed by a staff member at that resource center. Number 2 a complainant can  
8 record the complaint and send it off to the regional resource center or to Caitlin. Number 3 we could  
9 put a video phone (VP) in Caitlin's office and maybe she can make appointments for people to file a  
10 complaint. We discussed polycom to polycom. We talked about filing your complaint by uploading to  
11 YouTube.

12 John: Complaints need to be transcribed in writing; there is a written requirement for complaints.

13 Bethany: it sounds like some of these are very easy to implement. These ideas can evolve over time.  
14 For example the one where people can go into the regional resource centers and file the complaint.

15 John: We have to look at the specifics and see what the best options are.

16 *Donnie called on Lee Williamson for his input.*

17 Lee: My only thoughts are I'm picturing our regional centers and we do a lot of education, and there  
18 maybe a role conflict with the regional centers, and staying in an objective role while helping with this.  
19 The FCC now has a way to file a complaint by video phone. They do it by having someone deaf to  
20 answer the phone. You are putting the RFP that you require a person fluent in sign language available to  
21 answer deaf consumer call lines. This would be another staff person, but that could be a solution.

22 John: The part about public records. If we get public records requests we have to hand all public records  
23 over. We have preservation of record requirements. Anything that is done we have to be able to keep  
24 it and retrieve that record if needed. We have to be concerned about the expense in storing it. Cost is  
25 an issue.

**Motion Aug 2017-16 (Dove/Earp) I move that Caitlin investigate the potential of having a mechanism added to the NCITLB website so people can file a complaint in ASL directly on the website. Seconded by Kevin. No Discussion. All in Favor. Motion Carries.**

26

#### Community Events

27 Donnie: We had a meeting this morning with DSDHH and they said they would contact Me (Donnie) for  
28 the West and Kevin for the East to go do a presentation when people request this. They are going to let  
29 the regional resource managers know about this option so they can reach out to us directly. I have been

1 contacted by Asheville and Morganton already, and we are seeking approval for these  
 2 visits/presentations.

3 Kevin: It will be similar to a workshop, DSDHH will host this, and either Donnie or I will present at this  
 4 meeting. We have a PowerPoint that was created and we will use that as a guide.

5 Donnie: This is not specifically for deaf consumers, hearing people are welcome to attend the meeting  
 6 as well.

7 Bethany: I think that is a great idea, please send the PowerPoint you will use to the office so Caitlin can  
 8 archive it. Anytime we are requested by the public to come we try to make it work. If you are never  
 9 able to attend let Caitlin know and she will send it out to everyone else.

**DPI Update**

10 Pam: We had our last meeting on August 11, we discussed many items, and different options for  
 11 improving educational interpreters standards in different states. Interpreter Support Specialist (ISS) will  
 12 be working and being trained across the state. Something needs to be done about the pay. The next  
 13 meeting is in October and I will give an update at our October meeting. They are looking into having  
 14 their interpreters licensed.

**Review of Action Items**

#	Owner	Description	Due date	Status
1	Pam(chair), Bethany & John	Ad hoc committee have the template for the disciplinary actions and how it will be posted on the website	August 25, 2017	See Below
2	Donnie and Jeff w/John	Ad hoc committee to work with John about how to receive alternative complaint resources, and also process for having the complaint transcribed.	August 25, 2017	See Below
3	Bethany and Donnie	Bethany and Donnie sub committee to have open communication with DSDHH for community outreach.	On Going	On going
4	Bethany & Caitlin	Update the Website as needed	On Going	On going
5	Kim	Compile a list of meetings and events for Board members to attend.	On Going	On going
6	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.	On Going	On going
7	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.	On Going	On going
8	Pam & 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	On going

- 1 #1: Tabled until October.
- 2 #2: Caitlin will take over and look at the tech aspect of that.
- 3 #3: on going
- 4 #4: on going
- 5 #5: on going
- 6 #6: on going, Donnie, Jeff, and Bethany (replacing Catherine on this committee) will be meeting to
- 7 discuss this.
- 8 #7: on going
- 9 #8: on going

**DSDHH Question**

10

11 Bethany: DSDHH is going to be doing this training and there is a person who is not nationally certified  
12 and that is a requirement of the short term interpreting registration. We wanted to bring it to the  
13 Board to see if the person could provide services, in case there is an option that I am missing. Lee is this  
14 a training program?

15 Lee: We are having some people come in from out of state to provide this training, and it will include  
16 interpreters and deaf blind people to help communicate in the deaf blind way. This is an initial train the  
17 trainer session. I am not facilitating this training.

18 *John read from the Statute.*

19 Lee: The program the Board approved in June will have some people at this upcoming training, and this  
20 could be covered under that program.

**Motion Aug 2017-17 (Trader/Earp) I move we approve the protractile training program provided by DSDHH at the end of October 2017. Seconded by Kevin. No Discussion. All in Favor. Motion Carries.**

21

**Motion Aug 2017-18 (Pope/Pruett) I Move we adjourn the meeting. Seconded by Lauren. No discussion. All in Favor. Motion Carries.**

22

23 **Adjourn 3: 15 pm.**

24

25