

## North Carolina Interpreter & Transliterator Licensing Board

PO Box 1632 • Garner, NC 27529  
919-779-5709 Tel • 919-779-5642 Fax  
www.ncitlb.org • ncitlb@caphill.com

May 1, 2015

Elita Hill  
[REDACTED]

Re: Your April 13 and 28, 2015 and Email Requests

Dear Ms. Hill:

**You have asked** how the Board's vote to ask the General Assembly to repeal G.S. § 90D-7(b) and -8(c), which required applicants for licensure to hold at least a two-year degree from a regionally accredited institution, "aligns with the NCITLB's by-laws that were in effect at the time."

**Response:** The Board did not have any bylaws when the Board voted to ask the General Assembly to repeal G.S. § 90D-7(b) and -8(c) because the Board's counsel had advised the Board that bylaws were not necessary because the actions of the Board are governed by numerous provisions in the North Carolina General Statutes, including:

1. Chapter 90D, The Interpreter and Transliterator Licensure Act;
2. Chapter 93B, Occupational Licensing Boards;
3. Chapter 120C, Lobbying;
4. Chapter 132, The Public Records Law;
5. Chapter 138A, The State Government Ethics Act;
6. Chapter 143, Article 33C, The Open Meetings Act; and
7. Chapter 150B, The Administrative Procedure Act.

The Board complied with all applicable laws when it voted to ask the General Assembly to repeal G.S. § 90D-7(b) and -8(c)

**You have asked** how the Board's vote to ask the General Assembly to repeal G.S. § 90D-7(b) and -8(c), which required applicants for licensure to hold at least a two-year degree from a regionally accredited institution, "honors its fiduciary responsibility in upholding its mission statement that was in effect at the time."

**Response:** The Board has never adopted a mission statement because North Carolina law does not require an occupational licensing board to adopt such a statement. However, the licensure law itself identifies the purpose of the law as follows:

The practice of manual or oral interpreting and transliterating services affects the public health, safety, and welfare, and therefore the licensure of these practices is necessary to ensure minimum standards of competency and to provide the public with safe and accurate manual or oral interpreting or transliterating services. It is the purpose of this Chapter to provide for the regulation of persons offering manual or oral interpreting or transliterating services to individuals who are deaf, hard-of-hearing, or dependent on the use of manual modes of communication in this State.

G.S. § 90D-2 (2015). Throughout the Board's deliberations, it has consistently taken into consideration the impact of interpreting and transliterating services on the health, safety, and welfare of Deaf consumers. As an example, the shortage of licensed interpreters in many parts of North Carolina was identified as an important factor impacting their health, safety and welfare.

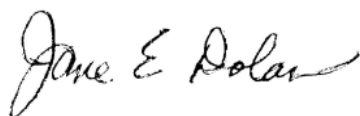
**You have asked** the Board to send you all versions of the Board's bylaws and mission statements from July 2003 to present.

**Response:** The Board cannot send you any bylaws or mission statements because there are none. The Board adopted a "Policies and Procedures" document at its February 20, 2015 quarterly meeting. A copy of that document is enclosed with this letter. A copy of G.S. § 90D-2 is also enclosed.

**Compliance with Public Records Law:** The North Carolina Public Records Law does not create a statutory deadline for the production of records in response to a request and does not authorize the person making a request to set a deadline for the agency's response. Therefore, your allegation that the Board has failed to adhere to the requirements of the law has no merit. I asked the Board's counsel to assist me in preparing this response to your requests and I mailed this response promptly upon receipt of his advice.

A copy of your April 13, 2015 email request and this response to your request will be posted on the Board's webpage.

Sincerely,

A handwritten signature in cursive script that reads "Jane E. Dolan".

Jane Dolan, Chairperson

Elita Hill  
May 1, 2015  
Page 3 of 3

Encl. NCITLB Policies and Procedures (2/20/2015)  
G.S. § 90D-2

cc: Martha Ingel  
Craig Blevins  
Donnie Dove  
Pat Hauser  
Jim Sewell  
North Carolina Interpreter Training Programs  
North Carolina Registry of Interpreters for the Deaf  
North Carolina Association of the Deaf  
North Carolina Deaf-Blind Associates  
Hearing Loss Association of America – North Carolina  
North Carolina Interpreter and Transliterator Licensing Board