

**NC Interpreter and Transliterater Licensing Board
Friday June 28, 2019 – UNC - Greensboro, NC**

1 Board Present: Jim Sewell, Jeff Trader (remotely), Donnie Dove, Jr, Kevin Earp, Lauren Pruett, Emily
2 Pope, Jaime Staley

3 Board Members Absent: Dave Litman, Pam Smith

4 Board Staff Present: John Green and Caitlin Schwab-Falzone

5 Interpreters Present: Emily Jones, Kirk Fowler, and Mark Lineberger

6 General Public Present: Lee Williamson, Pam King, Matt Baccari, Paige Sprinkle, Taylor Engleman,
7 Martha Ingel, Katlynne Boillat

8 Called to order 10: 05 am

9 *Conflict of interest statement read, no conflicts heard.*

10 With 7 voting Board members present we have a quorum.

11

Welcome and Introductions

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13 Introductions and a welcome was done by Jim.

Approval of Minutes

14

15 Caitlin asked the board for corrections to the minutes. Corrections to the February 2019 meeting
16 minutes were addressed. Kevin asked to attach the NCRID letter to the meeting minutes for a
17 reference.

**Motion June 2019-01 (Pope/Earp) I move we approve the February 22, 2019 meeting minutes with
suggested edits. No discussion. All in favor. Motion carries.**

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LRC Report

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20 Kevin gave an LRC report we have two cases that are pending and one we are waiting for feedback, and
21 the other we will address today.

October Meeting Date Change

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23 Caitlin explained due to a conflict with another client she was asking that the meeting date for October
24 be moved to a different date. The suggested date of November 22 date would work for all present
25 Board members except Emily and Jeff. November 22, 2019 is the new meeting date for the last Board
26 meeting of 2019.

27 The 2020 meeting dates were discussed.

1 Friday February 28, 2020 was discussed and determined, and the rest of the 2020 meeting dates will be
2 discussed at the August 2019 meeting.

Financial Report

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4 Emily Pope reviewed the Board's financials through May 31, 2019. She mentioned legal services were
5 up and that was due to some recent public record requests. Jaime asked a question about public record
6 requests, and John explained what public records are. Caitlin talked about what is provided to the
7 public when a request is made. Emily also pointed out net income and expenses, and that our expenses
8 are down, and our income is up.

9 Jim brought up the audit that needs to be done (required of all Occupational Licensing Boards) and that
10 we have a quote from Shelton Hawley, and he has been doing the audit for the Board since 2003. John
11 talked about the rate for the audit and brought that to the Board to review. The current bid is less than
12 \$5,000 if the bid is more than \$5,000 then we would have to put it out for public bid. Jim talked about
13 working with someone who has done audits for state Boards and this needs to be something that we
14 take into consideration.

Motion June 2019-02 (Dove/Staley) I move we accept the bid from Shelton Hawley at the quote provided to perform the 2018-219 financial audit for the Board Donnie, second Jaime. No discussion. All in favor. Motion carries.

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CDIs/DIs

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17 Jim talked about there is currently a conflict of roles with the RID CPC (duplication of roles). He has
18 been approached by someone (Craig Blevins, NCAD President), there is an issue with employees and
19 working in a dual role. Jim asked Lee Williamson for a comment from DSDHH. Lee talked about the
20 beginning of the DSDHH approved training program for Deaf interpreters to receive their provisional
21 license. Lee talked about it is explained to the Deaf interpreters about their role and how to maintain
22 their role. Lee has not heard of any specific complaints, but he understands the concern, but he does
23 not have any specific knowledge of any specific issues. Pam King also talked about the training provided
24 to the DIs and how they emphasize that they make sure there is no conflict when they interpret. Pam
25 wanted to make sure it was clear that DSDHH makes sure to reiterate this to DIs when they interact with
26 clients. Jim clarified the reason this is important and the role confusion and how that can affect a deaf
27 person and situations. Jeff also mentioned ISSs and we need to make sure that all interpreters in all
28 roles need to be aware of the RID CPC (code of professional conduct). Discussion of the role of DIs and
29 the need for DIs currently and what DSDHH is doing to make sure there are more DIs available for
30 consumers. The goal of DSDHH is to increase the pool of qualified Deaf interpreters in the state. Pam
31 King talked about the need for DIs and that they are beginning a new training program for more people
32 to become DIs. Let people know if they are interested in becoming a DI to reach out to Pam King at
33 DSDHH. Discussion of dual roles and conflict of interest ensued.

34 *Break 11:17 am*

35 *Reconvened 11:29 am*

2019 Forum

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2 Jim talked about the forum and the time it will start (6 pm). Caitlin talked about the past forums and
3 how many people came last year and the makeup of the attendees (students, interpreters, and
4 community members). John talked about what is required at the public forum and how we should
5 respond to questions, and that this is an opportunity to hear from the public.

Legal Update

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7 *OLA Workshop*

8 John talked about the Occupational Licensing Agency (OLA) workshop he attended this year and what he
9 learned at the workshop.

10 *Regulatory Legislation*

11 John talked about two bills that are currently out there that could affect this Board. House Bill 770 has
12 two things that could affect us. Use of criminal history records, this is designed to help people with
13 criminal record convictions to make it easier for them to obtain a license. Violent criminals will not have
14 an easy a time obtaining a license. This bill is to prevent Boards from “weeding out” people with minor
15 convictions. This bill also talks about providing written confirmation to someone to let them know that
16 any past criminal convictions remain correct and unchanged, that this person would be eligible for a
17 license. This bill has bipartisan support. There is also language about apprenticeships and allowing
18 people that participate in an apprenticeship program and pass an exam, that would allow for them to
19 avoid going to school to obtain a license. John talked about HB 770 is a “one size fits all” bill. The Board
20 will have to revisit this if this bill passes to adopt rules if this bill becomes a law and what we will have to
21 do.

22 The Board discussed the first part of the bill (criminal convictions) and allowing for issuing licenses. The
23 Board also discussed the similarities between the provisional license and an apprenticeship program.

24 The other bill is Senate Bill 553, this bill would require the Board to study online CEU requirements. The
25 Board currently has an option for obtaining CEUs online. If this bill passes then the Board would have to
26 provide a report of where and when the online options are available, and there would have to be a list
27 of how these CEUs are utilized by licensees. Right now, this is still a bill and not a law, so if they become
28 law John will notify the Board so that we can meet the requirements.

29 The Board discussed the online CEU option and what is currently required for renewal. John said he
30 would expect the legislature will study this or it will have bipartisan support and will have support next
31 long session.

32 Jim asked about if there was a legislative liaison for this Board. John talked about what this Board can
33 do, they cannot lobby, but they can have a legislative liaison. John referenced the section of the general
34 statute (120C 500) that talks about legislative liaisons.

35 *Lunch break 12:05 pm*

36 *Reconvened 1:01 pm*

1 *VRS regulation*

2 We had a complaint about unlicensed activity for VRS interpreters. John has had communication with
3 the FCC about regulation of VRS Interpreters. John checked with other states about the regulation of
4 VRS interpreters, and it has been ruled that the FCC has preemption (federal laws are over state laws).
5 The FCC has preemption over VRS services, it is designed so a Deaf person can make a phone call and
6 receive a phone call as quickly as possible. The FCC calls the people interpreting the calls
7 Communication Assistants (CAs). The calls must be answered by the first available CA, and therefore it is
8 preempted, John does not see any way we can regulate these interpreters. If someone who works for
9 VRS is off work they cannot interpret in the community, they would only be able to interpret while on
10 the clock at the VRS facility. We have been informed by the FCC that we cannot regulate CAs while they
11 are working at a VRS facility and we have not authority over these CAs. The Board discussed VRS
12 interpreters and how VRS calls are made, and whether these people need to be licensed. John stressed
13 that the FCC regulates this area, and there is nothing left for the state to do. John reiterated the
14 preemption the FCC has over the Board. Jim talked about how the calling system works. John talked
15 about an option on this being to sue the FCC and said that would be an uphill battle due to the scope of
16 regulations of the FCC. The Board members discussed their experience with VRS services and these
17 types of interpreters. Sorensen does require its interpreters in NC to be licensed. John reiterated if a CA
18 gets off work and wants to do community interpreting, they must be licensed to be a community
19 interpreter. John discussed his communications with the FCC and their regulations and training of the
20 people who work for VRS. We can add language to the website to let people know that if people have
21 an issue with a VRS interpreter that they must contact the FCC. John reemphasized the VRS companies
22 are responsible to the FCC, it is the company who must make sure their employees are trained and
23 qualified to interpret. The FCC has said we are prohibited from regulating because they are the
24 regulatory authority. John recommended that we add language to the website about VRS
25 CAs/Interpreter and who to contact.

26 (Comments from the audience): Martha Ingels pointed out there are a few items in play, ADA and work
27 situations. If the federal stipulation oversees title 4 of the ADA the FCC is determining what these
28 interpreters can do. This would be a big-time uphill battle if this Board decided to try to fight the FCC.

29 John wanted to relay the professionalism of the FCC contact he talked to over the last few months
30 regarding this matter.

31 (Comment from the audience):Pam King it might be a nonissue; Sorensen has a screening test that they
32 have to pass if they work there. Sorensen has something in place that “trumps” our licensure. If Purple
33 has a similar test then the quality of interpreting services will get better, because it must get better.

34 Jim suggested added information to the website about where to send complaints about VRS
35 interpreters.

Motion June 2019-03 (Earp/Pruett) I move we add language to the website and Facebook page to direct any complaint concerning VRS calls to the complaint section on the FCC website and also include the FCC contact information Kevin, second Lauren. Discussion. All in favor.

36

Review of Action Items

37

#	Owner(s)	Description	Due date	Status
1	Caitlin	Caitlin to research more options for uploading at the next meeting. Caitlin will look into automatic upload options for videos, have a “hotlink” to submit videos automatically.	June 28, 2019	Complete
2	Pam and Donnie	Explore with DSDHH about trying to get mediation as an option started, what would that look like? How would the process work?	June 28, 2019	Report at August Meeting
3	Jeff and Lauren	Ad hoc committee to determine what other options to revise in the statute to recognize for full licensure. Pam King, Jim Sewell, and Pat Hauser will help with that committee.	June 28, 2019	Report at August Meeting
4	Pam and Dave	Committee to work with NCRID about their conference and see about co-locating with them, work on the specifics, working with NCRID and where the NCITLB Forum should be.	June 28, 2019	Report at August Meeting
5	Dave and Caitlin	Look into mobile options for having the licensure cards for interpreters to have	June 28, 2019	Report at August Meeting
6	Jim, Pam, and Caitlin	Research types of learning options for obtaining CEUs and determine options to open up ways for licensees to get the CEUs needed for renewal.	June 28, 2019	Report at August Meeting
	Kevin and Donnie	Sub committee to have open communication with DSDHH for community outreach.	On Going	On Going
	Caitlin	Update the Website as needed	On Going	On Going
	Jaime, Kevin, Pam	Ad Hoc committee that will research what changes can be made to the rules to protect the complaint process.	On Going	Complete - Remove
	Pam and Lauren	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
	Caitlin	Caitlin to compile information about how many of each provisional years there are, and to track the schools that they are from and just have that information to track the schools people are coming from.	On going	On going

1

2 #1 Caitlin will add a link to the website to upload videos.

3 #2 Donnie said they met with DSDHH in the fall and have not followed up since. Lee Williamson
4 explained they had met to discuss the possible mediation process. Lee said they are seeking legal
5 counsel with their attorney at DSDHH. They still need to meet with their attorney. Trying to have an
6 update by the August meeting.

7 #3 Jeff, Lauren, and Pam had an email back and forth about this action item. They have been
8 researching other options for testing, BEI and VQAS, if there are any more options please let me know.
9 The more options we have for people to become licensed when moratoriums are in place. Jeff talked
10 about having a formal presentation in August.

11 #4 neither committee member are present to report.

1 #5 Caitlin talked about an option being take a picture of your license and have it in your phone. The
2 Board asked that this be talked about again in August when Dave is here.

3 #6 There is a bill that could affect this right now. We will hold off until the next meeting as well.

4 *Ongoing action items*

5 No recent requests for Kevin or Donnie to do a presentation. Pam King sent out reminder email to let
6 resource centers know about this resource.

7 Website is updated as needed.

8 Donnie asked a question about the renewal process and surplus CEUs and Caitlin talked about surplus
9 CEUs and how the process works. Donnie talked about having a signed explanation of the form put on
10 the website also.

11 Pam and Lauren are going to the DPI meetings that are held for educational interpreters. They are
12 discussing what is happening with the EIPA tests, and the different levels. DPI wants to bring this back
13 to the Board so that licensure can be held "under the same roof". The next meeting is August 13 and
14 Lauren will be at that meeting. Jim gave background on the beginning of licensure and educational
15 interpreters.

16 Jim let the Board know that Earl Elkin had approached him about doing anything for the Board that he
17 can. He questioned about what it takes to be on the Board.

18 **Central Office Report**

19 **NCITLB Central Office Report** (as of June 27, 2019 at 8:15 AM)

Type of License	Current Number of Licensees	Percentage
Full	346	63.5%
Grandfathered	47	8.5%
Provisional	156	28%
Total Number of Current Licenses	549	100%

20
21 **Licenses issued since last Board meeting** (February 22, 2019): **15**

22 **Full: 5**

23 *Qualified for licensure by:*

24 RID Certification: 5 of 5 (100%)

25
26 **Provisional: 10**

27 *Qualified for licensure by:*

28 2-year degree: 4 of 10 (40%)

- 1 Accumulated Hours: 1 of 10 (10%)
- 2 DSDHH Mentor Program: 1 of 10 (10%)
- 3 EIPA score of 3 or above: 3 of 10 (30%)
- 4 Recognized Credential from another State: 1 of 10 (10%)

5 **Licenses Pending Issue: 4** (2 provisional and 2 full)

6 **Comments:**

- 7 We are receiving one to two applications a week for licenses.
- 8 Renewal packets were mailed out on Monday June 24.

Motion June 2019-04 (Dove/Earp) I move we adjourn the meeting Donnie, second Kevin. All in favor. Motion carries.

- 9
- 10 Adjourned 2:20 pm