



## NOTICE OF TEXT

### [Authority G.S. 150B-21.2(c)]

**OAH USE ONLY**

VOLUME: 38

ISSUE: 11

CHECK APPROPRIATE BOX:

- Notice with a scheduled hearing
- Notice without a scheduled hearing
- Republication of text. Complete the following cite for the volume and issue of previous publication, as well as blocks 1 - 4 and 7 - 14. If a hearing is scheduled, complete block 5.  
Previous publication of text was published in Volume: Issue:

1. Rule-Making Agency: [Interpreter and Transliterator Licensing Board](#)

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2. Link to agency website pursuant to G.S. 150B-19.1(c): <https://ncitlb.org/>

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3. Proposed Action -- Check the appropriate box(es) and list rule citation(s) beside proposed action:

ADOPTION:

AMENDMENT: [21 NCAC 25 .0501-.0503, .0505](#)

REPEAL:

READOPTION with substantive changes:

READOPTION without substantive changes:

REPEAL through READOPTION:

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4. Proposed effective date: [04/01/2024](#)

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5. Is a public hearing planned? [Yes](#)

If yes:

| Date                       | Time               | Location  |
|----------------------------|--------------------|---|
| <a href="#">12/19/2023</a> | <a href="#">10</a> | <a href="https://us02web.zoom.us/j/83687326900?pwd=RGJjcWU5cklrcU1qaFBleGpyVWRIUT09">https://us02web.zoom.us/j/83687326900?pwd=RGJjcWU5cklrcU1qaFBleGpyVWRIUT09</a> <span style="float: right;"><a href="#">am</a></span> |

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6. If no public hearing is scheduled, provide instructions on how to demand a public hearing:

**7. Explain Reason For Proposed Rule(s):**

The reason for proposed rules, 21 NCAC 25 .0501(a); 21 NCAC 25 .0502 (1), (2), (3), (4); and 21 NCAC 25 .0503(a)(3) is due to COVID-19 restrictions decreasing in-person offering for Continuing Education Units (CEU), licensees reported difficulty obtaining in-person CEU offerings to satisfy annual CEU requirements under current administrative rules. Therefore, the Board having jurisdiction to adopt and amend its administrative rules, is proposed an amendment to remove the requirement of in-person CEUs for licensees.

The reason for proposed rule change 21 NCAC 25 .0505(c)(2) is to change what is needed to be submitted to confirm attendance at a workshop for CEU credit. Submitting a copy of an advertisement for a course does not confirm that the licensee attended the course.

**8. Procedure for Subjecting a Proposed Rule to Legislative Review:** If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or email. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 984-236-1850.

**Rule(s) is automatically subject to legislative review. Cite statutory reference:**

**9. The person to whom written comments may be submitted on the proposed rule(s):**

Name: Caitlin Schwab-Falzone  
Address: PO Box 98328  
Raleigh, NC 27624  
Phone (optional): 919-779-5709  
Fax (optional):  
EMail (optional) [ncitlb@caphill.com](mailto:ncitlb@caphill.com)

**10. Comment Period Ends: 02/01/2024**

**11. Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.**

No fiscal note required

**12. Rule-making Coordinator:**

Name: Caitlin Schwab  
919-779-5709  
[ncitlb@caphill.com](mailto:ncitlb@caphill.com)

**Agency contact, if any:**

Name: Caitlin Schwab-Falzone  
Phone: 919-779-5709  
Email: [ncitlb@caphill.com](mailto:ncitlb@caphill.com)

**13. The Agency formally proposed the text of this rule(s) on**

**Date:** 11/07/2023

21 NCAC 25 .0501 is amended as published in NC register 38:11 as follows:

**SECTION .0500 – CONTINUING EDUCATION**

**21 NCAC 25 .0501 CONTINUING EDUCATION REQUIREMENTS**

(a) A licensee shall earn at least two continuing education units ("CEUs") each licensure year. At least 1.0 of those CEUs shall be earned in professional studies ~~studies, and at least 1.0 of those CEUs shall be earned in a setting in which three or more persons come together at the same location at the same time as a group to listen to a lecture, to view a demonstration, to participate in group discussions, or to learn through any combination of these or similar activities.~~

(b) A licensee may carry over up to two surplus CEUs earned in one licensure year to the next licensure year to meet the requirements of Paragraph (a) of this Rule. The licensee shall demonstrate that he or she earned the CEU credits sought to be carried over in the licensee's license renewal application packet submitted for the carry over year in order to receive credit therefore. Surplus CEUs shall only be carried forward from the licensure year in which they were earned to the next subsequent licensure year and not beyond.

(c) A licensee may not earn CEUs while interpreting, whether or not the licensee is compensated for his or her services.

(d) The Board shall waive the continuing education requirements in this Rule for any individual who is currently licensed by and in good standing with the Board if the individual is serving in the armed forces of the United States and if G.S. 105-249.2 grants the individual an extension of time to file a tax return. The waiver shall be in effect for any period that is disregarded under Section 7508 of the Internal Revenue Code in determining the taxpayer's liability for a federal tax.

(e) For the 2020-21, 2021-22, 2022-23, and 2023-24 licensure years only, the Board waives the in-person course requirements of Paragraph (a) of this Rule and licensees may take all of their CEUs for those licensure years electronically. However, this waiver shall not apply to any surplus CEUs earned during the 2023-24 licensure year and sought by the licensee to be carried over to the 2024-25 licensure year.

*History Note: Authority G.S. 90D-6; 90D-8; 90D-11; 93B-15;  
Eff. March 21, 2005;  
Amended Eff. May 1, 2011; August 1, 2007;  
Readopted Eff. June 1, 2018;  
Temporary Amendment Eff. June 26, 2020;  
Temporary Amendment Expired Eff. April 11, 2021;  
Amended Eff. July 1, 2021.  
Amended Eff. April 1, 2024*

21 NCAC 25 .0502 is amended as published in NC register 38:11 as follows:

**21 NCAC 25 .0502 PRORATION OF CONTINUING EDUCATION REQUIREMENTS**

The CEU requirements specified in Rule .0501 of this Chapter shall be prorated as follows during a licensee's initial licensure year:

- (1) If the licensee receives his or her initial license in the months of October, November or December, the licensee shall be required to earned at least 2.0 CEUs by the following October 1. At least 1.0 of those CEUs shall be earned in professional ~~studies studies.~~ ~~and at least 1.0 of those CEUs shall be earned in a traditional classroom setting;~~
- (2) If the licensee receives his or her initial license in the months of January, February, or March, the licensee shall be required to earned at least 1.5 CEUs by the following October 1. At least 1.0 of those CEUs shall be earned in professional ~~studies studies.~~ ~~and at least 1.0 of those CEUs shall be earned in a traditional classroom setting;~~
- (3) If the licensee receives his or her initial license in the months of April, May, or June, the licensee shall be required to earned at least 1.0 CEUs by the following October 1. At least 0.5 of those CEUs shall be earned in professional ~~studies studies.~~ ~~and at least 0.5 of those CEUs shall be earned in a traditional classroom setting;~~
- (4) If the licensee receives his or her initial license in the months of July, August, or September, the licensee shall be required to earned at least 0.5 CEUs by the following October 1. At least 0.5 of those CEUs shall be earned in professional ~~studies studies.~~ ~~and at least 0.5 of those CEUs shall be earned in a traditional classroom setting.~~

*History Note: Authority G.S. 90D-6; 90D-8; 90D-11;  
Eff. August 1, 2007;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017.  
Amended Eff April 1, 2024*

21 NCAC 25 .0503 is amended as published in NC register 38:11 as follows:

**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; and
- (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 31<sup>st</sup> 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.

*History Note: Authority G.S. 90D-6; 90D-8; 90D-11;*

*Eff. August 1, 2007;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017.*

*Amended Eff April 1, 2024*

21 NCAC 25 .0505 is amended as published in NC register 38:11 as follows:

**21 NCAC 25 .0505 CEU CREDIT FOR WORKSHOPS, CONFERENCES, AND INDEPENDENT STUDY RECOGNIZED BY RID**

(a) A licensee may earn CEUs by attending workshops and conferences recognized by The Registry of Interpreters for the Deaf, Inc. ("RID"). In order to receive CEU credit for attendance at a workshop or conference recognized by RID, the licensee must submit to the Board a copy of the licensee's RID CEU transcript. RID shall be the sole judge of the number of CEUs earned by attendance at the workshop or conference.

(b) A licensee who is either a certified member of RID or an associate member of RID participating in the Associate Continuing Education Tracking ("ACET") Program may earn CEUs by independently studying instructional materials in any format -- including, but not limited to, videotapes, audiotapes, web sites, DVDs, CDs, and books and other printed materials -- so long as the materials have been recognized by RID. In order to receive CEU credit for such independent study, the licensee must submit to the Board a copy of the licensee's RID CEU transcript. RID shall be the sole judge of the number of CEUs earned by the completion of any independent study recognized by RID.

(c) If a licensee does not have an RID CEU transcript because the licensee is neither a certified member of RID nor an associate member of RID participating in the ACET Program, the licensee may receive CEU credit for attendance at the workshop or conference by submitting to the Board a certificate of completion signed by the workshop or conference sponsor, provider, or presenter.

- (1) ~~a certificate of completion signed by the workshop or conference sponsor, provider, or presenter;~~  
and
- (2) ~~a copy of the advertisement or flyer that shows that attendance at the workshop or conference qualifies for RID CEUs.~~

*History Note: Authority G.S. 90D-6; 90D-8; 90D-11;*

*Eff. August 1, 2007;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017.*

*Amended eff April 1, 2024*