

G.S. 150B-21.3A Report for 21 NCAC 25, INTERPRETER AND TRANSLITERATOR BOARD

Agency - Interpreter and Transliterator Board

Comment Period - Filled in by Agency

Date Submitted to APO - May 22, 2017

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
	SECTION .0100 - GENERAL PROVISIONS	21 NCAC 25 .0101	DEFINITIONS	Eff. March 21, 2005	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		21 NCAC 25 .0102	MAILING LIST	Eff. March 21, 2005	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		21 NCAC 25 .0103	CONTACT INFORMATION	Amended Eff. February 1, 2016	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0200 - LICENSING	21 NCAC 25 .0201	THE APPLICATION	Eff. March 21, 2005	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		21 NCAC 25 .0202	THE APPLICATION PACKAGE	Eff. March 21, 2005	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		21 NCAC 25 .0203	APPLICATION FEES	Amended Eff. May 1, 2011	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		21 NCAC 25 .0204	RENEWAL OF A FULL LICENSE	Amended Eff. May 1, 2011	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		21 NCAC 25 .0205	RENEWAL OF A PROVISIONAL LICENSE	Amended Eff. May 1, 2011	Necessary with substantive public interest	No	N/A	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Keep in Code - Update History Note
		21 NCAC 25 .0206	RECIPROCITY	Eff. March 21, 2005	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		21 NCAC 25 .0207	MENTORING AND TRAINING EXEMPTION	Eff. March 21, 2005	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		21 NCAC 25 .0208	GROUND FOR SUSPENSION OR REVOCATION OF A LICENSE	Eff. March 21, 2005	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		21 NCAC 25 .0209	DENIAL OF CERTAIN LICENSE APPLICATIONS	Amended Eff. January 1, 2012	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		21 NCAC 25 .0210	TIME-LIMITED, NONRESIDENT EXEMPTION	Eff. August 1, 2007	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		21 NCAC 25 .0211	SUSPENSION OF AUTHORITY TO EXPEND FUNDS	Eff. May 1, 2011	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0300 - MORAL FITNESS FOR LICENSURE	21 NCAC 25 .0301	CODE OF ETHICS	Eff. March 21, 2005	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		21 NCAC 25 .0302	CRIMINAL CONVICTIONS	Eff. March 21, 2005	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0400 - REPORTING AND DISCLOSURE REQUIREMENTS	21 NCAC 25 .0401	DUTY TO REPORT CHANGES IN PERSONAL INFORMATION	Eff. March 21, 2005	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		21 NCAC 25 .0402	DUTY TO REPORT CONSUMER COMPLAINTS	Eff. March 21, 2005	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

G.S. 150B-21.3A Report for 21 NCAC 25, INTERPRETER AND TRANSLITERATOR BOARD

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Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		21 NCAC 25 .0403	DUTY TO REPORT CIVIL SUITS	Eff. March 21, 2005	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		21 NCAC 25 .0404	DUTY TO REPORT CRIMINAL PROSECUTIONS	Eff. March 21, 2005	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		21 NCAC 25 .0405	MANDATORY DISCLOSURES	Eff. March 21, 2005	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		21 NCAC 25 .0406	EXTENSION OF REPORTING DEADLINES	Eff. May 1, 2011	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0500 – CONTINUING EDUCATION	21 NCAC 25 .0501	CONTINUING EDUCATION REQUIREMENTS	Amended Eff. May 1, 2011	Necessary without substantive public interest	No	N/A	Yes	Necessary with substantive public interest	RRC not required to review comment(s)	Necessary with substantive public interest and must be readopted	Agency must readopt
		21 NCAC 25 .0502	PRORATION OF CONTINUING EDUCATION REQUIREMENTS	Eff. August 1, 2007	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		21 NCAC 25 .0503	FAILURE TO MEET CONTINUING EDUCATION REQUIREMENTS	Eff. August 1, 2007	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		21 NCAC 25 .0504	CEU CREDIT FOR COLLEGE COURSES	Eff. August 1, 2007	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		21 NCAC 25 .0505	CEU CREDIT FOR WORKSHOPS, CONFERENCES, AND INDEPENDENT STUDY RECOGNIZED BY RID	Eff. August 1, 2007	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		21 NCAC 25 .0506	CEU CREDIT FOR WORKSHOPS, CONFERENCES, AND INDEPENDENT STUDY APPROVED BY OTHER STATUTORY PROFESSIONAL LICENSING BOARDS	Eff. August 1, 2007	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0600 – ADMINISTRATIVE PROCEDURE	21 NCAC 25 .0601	PETITIONS FOR THE ADOPTION, AMENDMENT OR REPEAL OF RULES	Eff. March 21, 2005	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		21 NCAC 25 .0602	DECLARATORY RULINGS	Eff. March 21, 2005	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		21 NCAC 25 .0603	FILING	Eff. March 21, 2005	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0700 – SANCTIONS	21 NCAC 25 .0701	SCHEDULE OF PENALTIES	Eff. August 1, 2007	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		21 NCAC 25 .0702	EVALUATION OF MITIGATING AND AGGRAVATING FACTORS	Eff. August 1, 2007	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		21 NCAC 25 .0703	IDENTIFICATION OF SEPARATE OFFENSES	Eff. August 1, 2007	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note



North Carolina Interpreter & Transliterators Licensing Board

PO Box 20963 • Raleigh, NC 27619
919-779-5709 Tel • 919-779-5642 Fax
www.ncitlb.org • ncitlb@caphill.com

December 6, 2016

COPY

Paul Gillispie
4830 Wilgrove-Mint Hill Rd
Charlotte, NC 28227

Re: Public Comment

Mr. Gillispie:

Thank you for submitting a public comment. Your concern is duly noted, and considered by the Board. The Board will gather more public input to later determine a potential amendment to this rule.

Yours very truly,

Caitlin Schwab
NCITLB Administrator



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December 6 , 2016

COPY

Martha L. H. Ingel
9124 Castle Gardens Lane
Charlotte, NC 28215

Re: Public Comment

Ms. Ingel:

Thank you for submitting a public comment. Your concern is duly noted, and considered by the Board. The Board will gather more public input to later determine a potential amendment to this rule.

Yours very truly,

Caitlin Schwab
NCITLB Administrator



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December 6, 2016

COPY

Jamie Marshall Staley
5637 Marblestone Drive
Granite Falls, NC 28630

Re: Public Comment

Ms. Marshall Staley:

Thank you for submitting a public comment. Your comments were duly noted and considered by the Board. We are researching your suggestions currently.

Yours very truly,

Caitlin Schwab
NCITLB Administrator



North Carolina Interpreter & Transliterators Licensing Board

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December 6, 2016

COPY

Craig Blevins
C/O NCAD
P.O Box 1385
Cary, NC 27512-1385

Re: Public Comment

Mr. Blevins:

Thank you for submitting a public comment. Your comments were duly noted and considered by the Board. We are researching your suggestions currently.

Yours very truly,

Caitlin Schwab
NCITLB Administrator

Caitlin Schwab

From: Craig Blevins [craigluvsasl@gmail.com]
Sent: Friday, October 28, 2016 2:35 PM
To: NCITLB
Cc: Christa Copley; Christina Bryant; Donna Platt; Donnie Dove; Jaime Marshall; Kyle Skiser; Moore-reid, Shirley; Tina Hanford
Subject: NCAD

To: Bethany Hamm-Whitfield, Chair,

I plan to attend NCITLB board meeting on Friday, November 18th. I would like to make comments and have 4 suggestions. Please let me know if I can be on agenda on Friday, November 18th.

Here is NCAD's suggestions to the NCITLB were:

- 1) would love the idea of mandating all Licensed Interpreters to add information on how to file a complaint on the back of their business cards along with their License #. It should also be a mandatory that Interpreters are to submit their business card to every client they serve.
- 2) there is no information in their website on what tests Interpreters took (NIC, EIPA level, SC:L, et cetera). That information should be available.
- 3) Interpreters need to be CATEGORIZED on their website. Ex: Educational Interpreters only, RID certified Interpreters only, Legal Interpreters only.

Because courts use EIPA interpreters in the court rooms! It did happened! Clerks looked up NCITLB website and automatically think all interpreters are qualified. There are NO "categories" in NCITLB website.

- 4) Violations should be shared with the public (posted on their website). RID EVEN publishes violations in their quarterly magazine, the VIEW.

Thank you,
Craig Blevins, President
North Carolina Associations of the Deaf

Caitlin Schwab

From: Jaime Marshall [luckyjaimelynn@gmail.com]
Sent: Thursday, October 27, 2016 7:11 PM
To: NCITLB
Subject: Public comments

Hi,

I saw an email from your office, asking for "public comments regarding rule objections."

While I have trouble reading lengthy pages of "rules" I do have some comments.

1) Almost ALL Deaf clients are clueless to where and how they can file a complaint.

I strongly recommend these all licensed Interpreters add information on how to file a complaint on the back of their business cards along with their License #.

It should be required that Interpreters are to submit their business card to every client they serve.

2) There is no information in NCITLB's website on what tests Interpreters took (NIC, EIPA level, SC:L, et cetera). That information must be made available.

3) Interpreters need to be CATEGORIZED on NCITLB's website. Examples: Educational Interpreters only, RID certified Interpreters only, Legal Interpreters only.

Because there are EIPA interpreters interpreting in the court rooms! Clerks looked up NCITLB website and automatically think all interpreters are qualified and hold CS:Legal. There are NO "Interpreter categories" in the NCITLB website.

4) Violations should be shared with the public (posted on the website). RID EVEN publishes violations in their quarterly magazine, the VIEW. And that is on a national level! NC RID needs to do the same.

Jaime Marshall Staley

Martha L.H. Ingel, M.S. Ed., CI/CT
NCITLB Licensed Interpreter/Transliterater
License #2005255
9124 Castle Garden Lane
Charlotte, NC 28215
704-778-1614
mlhingel@me.com



From: Martha L.H. Ingel, M.S.Ed., CI/CT, NCITLB License #2005255
To: Caitlin Schwab, Board Administrator of NCITLB
Date: October 27, 2016
Re: Public Comment during the Required Periodic Review of Existing Rules of the NCITLB.

Regarding section .05000 – Continuing Education
21 NCAC 25.0501 Continuing Education Requirements (a)

It is recommended that the NCITLB strike the second half of the second sentence as shown below:

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 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.~~

Rationale:

In 2016, online learning has become a highly effective means of learning and professional development. Online delivery of pedagogy has come a long way since the implementation of licensure and many online programs offer the opportunity for virtual networking and participant interaction via webcams and other technology. For example, it is possible to network and interact virtually face to face with interpreters from all over the globe in virtual learning formats such as FUZE, Go To Meeting, etc. Because of limited numbers of attendees in various regions, a significant amount of high quality, advanced interpreting pedagogy is delivered through online means and applications including specialty legal interpreting and medical interpreting workshops. It is now possible to obtain a Master's degree in Interpreting through online instruction at a variety of high quality accredited institutions. Requiring in-person attendance for education is not a reasonable way to foster interaction amongst attendees. It is possible for interpreters to attend in-person trainings and not speak to or sign with anyone. Requiring face to face attendance directly assumes that professional interpreters will not interact with colleagues without being required to do so as a condition for licensure maintenance. RID does not have an in-person requirement for their certification renewal. Many interpreters have had to forego better training programs than those offered in-person because of the requirement that at least 10 hours (1 CEU) be conducted in a setting in which three or more persons come together at the same location. It seems reasonable to allow regulated practitioners the professional autonomy to determine which setting will best serve their ongoing professional development, time availability, and learning style.

Caitlin Schwab

From: The Person [thepersonyoucontacted@gmail.com]
Sent: Thursday, October 27, 2016 5:59 PM
To: NCITLB
Subject: Public Comment during the Required Periodic Review of Existing Rules of the NCITLB.

From: Paul M Gillispie, BBA, CI/CT, SC:L, NIC:Master, NAD, NCITLB License #2005346
To: Caitlin Schwab, Board Administrator of NCITLB
Date: October 27, 2016
Re: Public Comment during the Required Periodic Review of Existing Rules of the NCITLB.

Regarding section .05000 – Continuing Education
21 NCAC 25.0501 Continuing Education Requirements (a)

It is recommended that the NCITLB strike the second half of the second sentence as shown below:

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 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.

Rationale:

In 2016, online learning has become a highly effective means of learning and professional development. Online delivery of pedagogy has come a long way since the implementation of licensure and many online programs offer the opportunity for virtual networking and participant interaction via webcams and other technology. For example, it is possible to network and interact virtually face to face with interpreters from all over the globe in virtual learning formats such as FUZE, Go To Meeting, etc. Because of limited numbers of attendees in various regions, a significant amount of high quality, advanced interpreting pedagogy is delivered through online means and applications including specialty legal interpreting and medical interpreting workshops. It is now possible to obtain a Master's degree in Interpreting through online instruction at a variety of high quality accredited institutions. Requiring in-person attendance for education is not a reasonable way to foster interaction amongst attendees. It is possible for interpreters to attend in-person trainings and not speak to or sign with anyone. Requiring face to face attendance directly assumes that professional interpreters will not interact with colleagues without being required to do so as a condition for licensure maintenance. RID does not have an in-person requirement for their certification renewal. Many interpreters have had to forego better training programs than those offered in-person because of the requirement that at least 10 hours (1 CEU) be conducted in a setting in which three or more persons come together at the same location. It seems reasonable to allow regulated practitioners the professional autonomy to determine which setting will best serve their ongoing professional development, time availability, and learning style.

Paul M Gillispie, BBA, CI/CT, SC:L, NIC:Master, NAD,
NCITLB License #2005346
Private Practice Interpreter