

**MINUTES OF  
THE ADVISORY BOARD FOR INTERPRETERS BETWEEN HEARING INDIVIDUALS AND  
INDIVIDUALS WHO ARE DEAF, DEAFBLIND, HARD OF HEARING, OR ORAL DEAF  
JULY 11, 2014  
QUARTERLY MEETING**

**MEMBERS PRESENT**

Ray James, Chairperson  
Jami Hollingsworth, Secretary  
Debbie Pearce  
Pat Nickell  
Holly Ketchum  
Melanie Thornton  
J.R. Courtright

**ADH STAFF PRESENT**

Elizabeth Pitman, Attorney  
Bethany McLaughlin, Legal Staff

**GUESTS PRESENT**

John West, Interpreter  
William Gorum, Interpreter

**WELCOME AND CALL TO ORDER**

The Quarterly Meeting of the Advisory Board for Interpreters between Hearing Individuals and Individuals who are Deaf, Deafblind, Hard of Hearing, or Oral Deaf was called to order at approximately 2:00 p.m., on Friday, July 11, 2014. Roll was called and all members being present, a quorum was established.

**APPROVAL OF MINUTES**

Mr. Courtright made a motion to approve the minutes. Ms. Nickell seconded the motion for approval. Ms. Hollingsworth stated that she made some typographical edits, but no substantial changes. The motion passed and the Minutes were approved as corrected.

**UPDATE FROM THE LICENSURE APPLICATION REVIEW COMMITTEE**

Ms. Thornton, Chairperson of the Licensure Application Review Committee, stated that, all together, the Licensure Application Review Committee has reviewed approximately 130 applications. Two are pending, one was denied. This means that 127 interpreters have been issued a license or will soon be issued a license.

Mr. James asked if the one denial was due to a lack of credentials. Ms. Thornton stated that it was a lack of credentials *submitted*. Mr. James asked about the two pending applications. Ms. Thornton responded that they are pending due to something missing in their credentials.

Ms. Nickell asked when the last group of licenses was sent out because some people in her area had not heard anything yet. Ms. Thornton stated the Committee met today to review those applications that were submitted after June 13, 2014. The ones that were just reviewed should be processed very soon.

Mr. Courtright asked, statewide, does 127 licensed interpreters reflect the number of interpreters in the state. Mr. James responded that when he was working on the legislation, there were more. He assumed that those who have yet to apply are interpreters in the public school setting.

Ms. Thornton stated that the subcommittee had a recent submission that was tabled so that the full Advisory Committee could discuss it. She asked Ms. Hollingsworth to explain that submission.

Ms. Hollingsworth stated that the Committee received its first application for licensure by an interpreter who is Deaf; however, there are a couple of issues with the application. Ms. Hollingsworth explained that there are four requirements for a provisional license: (1) a completed licensure with the appropriate required fees, (2) documentation of fifteen (15) hours of interpreter training, (3) documentation of ten (10) hours of supervised observation/interpreting with a seasoned Registry of Interpreters for the Deaf (RID) credential interpreter, and (4) two (2) letters of recommendation from seasoned credentialed RID interpreters. This individual has submitted one letter of recommendation. It is not from a seasoned RID credential interpreter. It is, however, from somebody that works in education at the Deaf School. She went on to say that, in her opinion, the recommender would be able to observe this particular applicant's language skills and ability to work from one language to another. However, because the Rules say the letters of recommendation must come from "seasoned credentialed RID interpreters," the Committee felt the full Advisory Committee should discuss what it was willing to accept for letters of recommendations. Ms. Hollingsworth further explained that she knew the applicant was in the process of obtaining a second letter of recommendation from a credentialed interpreter. Hopefully that letter will be forthcoming soon. Ms. Hollingsworth also stated that the other issue with the application was that this person was missing documentation of the fifteen (15) hours of training and the ten (10) hours of supervised observation. However, Ms. Hollingsworth reiterated that the reason this application was brought to the full Advisory Committee was to discuss the required letters of recommendation. Ms. Hollingsworth pointed out that the application form only says to provide two (2) letters of recommendation; however, the Rules say the letters have to be from RID credentialed interpreters.

Mr. James pointed out that is a correction that needs to be made to the form. Ms. Hollingsworth stated that is what we are here to discuss. Does it have to be a credentialed interpreter, or can we make an exception to that?

Ms. Ketchum stated she thinks the Advisory Committee has always required RID credentialed interpreters. She stated that she did not think there was an exception to that, it is required.

Ms. Hollingsworth stated that this is the first application. She explained that in the Rules it says an RID credentialed interpreter. She also stated that she wants to see a Deaf interpreter.

Mr. James stated the conflict is that the application does not say RID credentialed interpreter, it only says two (2) letters of recommendation, which can be anybody. So, the applicant followed the requirements of the application.

Ms. Pitman pointed out that if you make one exception, you set a precedent for always making an exception. She explained that the standard of review when your decision is being looked at by the Board of Health or a circuit court is whether the Committee was arbitrary or capricious. If you set a precedent to do it one way and then you change that, it is arbitrary and capricious.

Mr. James asked if the individual has submitted training or supervised work. Ms. Hollingsworth stated he had not.

Ms. Pearce stated the concern they have is that on the application it says that the continuing education units (CEU) documentation is not required for the initial application. Ms. Pitman stated that it does say that. She stated she is not sure that the provisional licensure application should mention CEUs or credentials, since those things are not required. Ms. Hollingsworth clarified that the application does list out the required documentation.

Mr. James asked if a letter is sent to applicants when their application is pending or something needs clarification. He suggested sending a letter to the applicant that clarifies that the letters of recommendation must come from an RID credentialed interpreter. He also stated that the form needs to be changed immediately. Ms. Hollingsworth agreed.

Ms. Ketchum asked how long does the provisional interpreter hold the provisional license—is it up to three (3) years? Ms. Hollingsworth says it is a license like any other and it is renewed every year.

Mr. James stated that they did not set a sunset clause for the provisional being held because the only credential that can be obtained is RID and that process is grueling in itself. It would defeat the purpose of getting certified deaf interpreters (CDIs) if there was a sunset clause and the applicants were not able to meet that clause.

Ms. Ketchum asked, for example, a couple of CDIs are licensed, one who has no credentials, how can we differentiate between the two? Ms. Hollingsworth answered that if they have filled out the application and submitted all the documentation, they are licensed.

Mr. James clarified that once the individual becomes certified; he or she will not fill out the provisional application. He or she will then fill out the application for a Qualified Interpreter License. However, until that applicant becomes certified, he or she will always fill out the provisional application and will always have to show proof of fifteen (15) hours of training and ten (10) hours of supervised interpreting.

Ms. Hollingsworth asked if a CDI has submitted their application and a person who is not a CDI fills out an application, what will their licenses say. Mr. James stated the one without the CDI will say provisional.

Mr. James called for a motion to change the language on the provisional licensure application to reflect that RID credentialed interpreters must provide the letters of recommendation. Ms. Pearce made the motion. Ms. Hollingsworth seconded the motion. The motion passed.

Ms. Thornton stated that the Committee recommends sending a letter between now and the time to resubmit documentation for renewal that states very clearly that licenses will only reflect credentials supported by documentation. A lot of people have indicated they have multiple credentials on their application, but only submit documentation for one credential. Also, the

Committee would like some clarification regarding those individuals who only hold an Educational Interpreter Performance Assessment (EIPA) credential. Are those individuals only to interpret in an educational setting? Mr. James said he believed that is correct. Ms. Ketchum agreed. Ms. Thornton said that the Committee would like to make that very clear somewhere, but isn't sure where to put that. She asked for ideas.

Mr. James asked if the Committee wanted it on the application.

Ms. Hollingsworth stated it was brought up because, for example, on one application submitted the applicant wrote EIPA 4.0, but the documentation submitted was an RID card that said Ed: K-12. According to the Rules, they are recognized as a RID certified interpreter, and as such can receive a license in a variety of settings, but the card says Ed:K-12. However if they want the EIPA number, 4.0, they have to submit additional documentation that says they do have in fact have a 4.0. There has to be some kind of documentation for that. On the other hand, if somebody submits an application that says they have an EIPA and the documentation they submit is for an EIPA, they can get a license. However, that person is not considered certified by RID, because there is no documentation to support that. There is nothing from RID saying that they have applied and are a member as a certified interpreter. If a person that only has an EIPA score goes to a court room and interprets, a complaint can be filed against them. They are not licensed according to the rules in that type of setting. Ms. Hollingsworth felt that people need to know that.

Mr. James stated the Rules do not mention EIPA in any category. It also does not mention Ed:K-12 in any category. Ms. Hollingsworth stated the Rules say RID credential, Ed:K-12 is an RID credential.

Mr. Courtright asked if that is only for schools. Are RID Ed:K-12 certified interpreters not allowed to interpret in the community or anything else? Ms. Hollingsworth stated that RID is considered a credential.

Mr. James stated that those that have passed the EIPA with a 4.0 or above and have also taken the next step to apply for RID, do receive RID credentials that say K-12. When they submit an application, they submit an RID card not EIPA documentation. Ms. Hollingsworth stated that they would be considered a certified interpreter.

Mr. James stated that with an RID credential they could do depositions or medical service interpreting. Mr. James said he would feel comfortable with those individuals interpreting in those settings. Ms. Hollingsworth clarified that the Committee wants to be sure that those who are only credentialed through EIPA understand that they can only interpret in an educational setting. Ms. Hollingsworth discussed sending this out with a letter for renewal of licensure.

Mr. James agreed that the renewal letter would be the place to do it. Ms. Pitman asked for clarification on whether the letter would go to all licensees. Mr. James stated that it would be a statement to all.

Ms. Thornton stated the Committee thought it would be helpful to send a letter to the ARID membership and let them know a little about the process. She went onto explain that there are a lot of questions about documentation submitted and when they will hear back about their offices. Ms. Thornton explained that the public does not know the Committee has to meet so often to review the applications. She feels that process should be outlined to them. Mr. James agreed to submit a letter to ARID.

## **REPORT ON THE ARKANSAS STANDARDS FOR EDUCATIONAL INTERPRETERS AND TRANSLITERATORS**

Mr. James stated that he, Debbie Pearce, and Elizabeth Pitman worked on a Committee to establish standards for Educational Interpreters and Transliterators in Arkansas. What is currently being held out by the Arkansas Department of Education (ADE) as the standard is the 2000 Edition. In 2007, an updated Edition was written that was never adopted by ADE. The Committee took those two (2) documents and looked at them and debated on the revisions. Based on that, the Committee developed a final draft that must be approved by the heads of ADE before it is actually released for the public schools to use.

Mr. James stated he felt the Committee made headway in two (2) major areas. The first one is that there will no longer be a loophole that allows the schools to hire someone to interpret that does not have at least a QAST 1/1. For years, schools could hire anybody, as long as they had a high school diploma. That hopefully will stop. There were some Deaf Education directors and liaisons from the school district serving on the Committee. These individuals were very vocal in asking about what a school would do if they could no longer hire someone with just a high school diploma. But, after looking at the law, ADE's standard, and what has been going on, these individuals came to the realization that interpreters have to be licensed. Regardless of what credential they hold, interpreters have to be licensed to practice under the new law.

The second area where headway was made is the determination of what credential would be appropriate for educational interpreters. The minimum standard in the 2000 Edition was a QAST 3/2; it contained the loophole where you could practice without any credential. The preferred was an RID or QAST. It did not mention the EIPA at all in the 2000 Edition. The 2007 Edition had many issues as well. It was much more stringent and not realistic compared with what was actually going on out in the schools. Mr. James stated that he felt the Committee came to a happy medium between the two (2) Editions.

The minimum standard that is going forward is a QAST 3/3 or a EIPA 3.0. The preferred is anything above that or RID credentials. The provisional standard is still there, but it is twofold. If you hold a QAST 2/2 or and EIPA 2.5 or above, you have two (2) academic years to meet the minimum standard. If you hold a QAST 1/1 or EIPA 2.0-2.4, then you have three (3) academic years to meet the standard. Wording was added to the provisional standard stating that time to achieve the minimum was cumulative and carried over if the interpreter changed schools. The goal was to ensure that individuals in the school have at least at QAST 1/1 or EIPA 2.0 and then continue to work to meet the minimum standard.

Mr. James explained that the new Edition also mentions the need for ten (10) hours of CEUs to adhere to the licensure law. The roles and responsibilities and working conditions were left in the document, and the Professional code of conduct was added. The students' roles and responsibilities were removed. Therefore, the document only addresses teachers and administrators.

Mr. James then said that as soon as the new standard is approved by ADE, it will be sent out to school superintendents, principals, and special education directors. Petra Bland, the school program manager, pushed for this document to be finalized before school begins.

Ms. Ketchum stated that it might increase the number of students in the Deaf School, if schools cannot meet the standard. Mr. James stated that he mentioned to the Committee that when a school could not find an interpreter that meets the minimum standard, the student could be referred to the Deaf School.

Ms. Pearce stated that a concern she has had all along is who is going to oversee this and ensure that everyone meets the standard? She said that after the second meeting, she got the impression that ADE was working on that issue. However, Ms. Pearce said that it puts the burden back on the community to file grievances if the school's interpreter does not meet the standard.

Mr. James stated that it was brought to light that since school interpreter is now a licensed position, the position will be put on a checklist that mandates the district to do follow up and investigate what credentials they have. The District will have to keep records on interpreters that include a copy of their credentials or license. That concluded the report.

### **APPROVAL OF WEBSITE**

Ms. Pitman gave a report on the progress of the Advisory Board for Interpreters webpage on the Arkansas Department of Health website. Ms. Pitman asked that Advisory Board members check the personal information given for them on the website for accuracy.

Ms. Pearce stated that her term expiration is incorrect. She drew the one year slot.

Ms. Ketchum asked if a complaint form and the Rules could be added to the Arkansas Registry for the Deaf (ARID) website, so that the community can understand the Rules. Ms. Hollingsworth recommended putting a link on the ARID website to the ADH website.

Mr. James asked where, when you go to ADH website would it be? Ms. Pitman stated it will be under program and services. She explained you go to the top of the ADH page and click on "Programs and Services". The Advisory Board for Interpreters will be listed on that page. Ms. Pitman explained that it may also be listed on the page for "Certificates, Licenses and Permits".

Ms. Hollingsworth recommended putting a flow chart or timeline on the webpage. Ms. Pitman said she could talk to the webmaster about linking to a document created by the Advisory Board.

Ms. Pearce asked eventually will there be a way see who is licensed on the webpage? Ms. Pitman stated she would look into how to get that done.

Mr. Courtright asked, since the complaint form is being done in English, is there a way to have a video clip of that form translated into ASL for a Deaf person to access. Ms. Ketchum agreed that would be a really good idea.

Ms. Thornton stated that the Advisory Board may be able to create a YouTube video of someone translating the form. Ms. Pitman again said she would talk to the webmaster about this. Mr. James suggested that there are several programs you could tape and upload.

Ms. Hollingsworth asked for clarification about whether Mr. Courtright wanted the form translated into ASL or if he wanted to set it up so a Deaf individual could file a complaint. Mr.

Courtright stated that he wanted it done so that a Deaf individual who is not fluent in English would be able to file a complaint in ASL.

Ms. Ketchum stated that we can go ahead with the video. She mentioned that the Arkansas Association for the Deaf (AAD) could work on creating something signed that could be linked to the website for the Deaf community at large.

Mr. James stated that the goal was to make this a paperless process eventually. So, from a Deaf perspective, either typing or linking a video should be available by linking the video to the complaint form. Mr. James stated that he felt the first step was trying to sign the instructions.

Ms. Hollingsworth stated she wanted to see AAD put something on their website like instructions and a link that connects someone from AAD with the Deaf person and assists them in filing the complaint. Also where to go and who to contact to help them to type up a complaint? Ms. Ketchum stated they could do that.

Ms. Pitman stated the video is a good idea, but we have no money to make it. The Advisory Board discussed a Board member volunteering their time and helping to make the video. Ms. Pearce asked if there needs to be any special permission to add a video to the ADH website. Ms. Pitman stated there probably does.

Mr. James also stated that the webpage should link to ARID and AAD, particularly since those are the organizations that nominate Advisory Board members.

Mr. James asked when someone clicks on the complaint form rather than it going directly to the form will it go to another window that gives the options of submitting it by print or by sign. Ms. Pitman stated that she thinks it would be two separate links the Complaint Form and the Complaint Form in ASL. Ms. Pitman asked for clarification on the reason why the form needed to be in ASL. Mr. James stated that since English is not a Deaf person's first language, he or she may not understand the grammar of the forms, get frustrated and not file a complaint.

Ms. Nickell asked will there be a link to the Rules on the website as well. Ms. Pitman stated that the Rules are already on the ADH website under "Current Rules and Regulations". Ms. Nickell asked for a quicker way to get to the Rules.

Ms. Nickell also pointed out that the webpage said "Arkansas Interpreters for the Dead". Ms. Pitman stated she will get this corrected.

Mr. James asked if the link to the Letter from the Chair linked to the letter currently on the ARID website. Ms. Pitman stated yes it does. Mr. James pointed out there is a spelling error on that. Ms. Pitman said just send me an email and I will correct it.

Ms. Pitman stated the link "contact us for additional questions" will go to her. The Advisory Board said that was okay.

Ms. Hollingsworth asked does the second paragraph "together we will ensure" come from the law. Ms. Pitman stated no. Also, the term "people with hearing disabilities," where did that come from? Mr. Courtright stated he saw that and it didn't set well with me. He felt that "people who communicate in ASL" would be a better way to say that.

Ms. Pitman asked if the Advisory Board wanted to limit it to people who communicate in ASL. Mr. James stated it could say "individuals who are Deaf or Hard of Hearing." Ms. Pitman recommended using the language out of the act. Mr. James read from the act "Deaf, Deafblind, Hard of Hearing, or Oral Deaf." Ms. Ketchum agreed with that language.

Ms. Thornton asked if the second paragraph could be rewritten to change the language. The Advisory Board agreed that they do not like that second paragraph. Ms. Hollingsworth suggested striking the language after reliable interpreting services. Ms. Pitman confirmed that the Advisory Board wanted the website to read that "together we will ensure that individuals who are Deaf, Deafblind, Hard of Hearing, and Oral Deaf and those they communicate with may depend upon competent, reliable interpreting services."

Ms. Thornton recommended dividing the links into two (2) sections: 1) rules and forms and 2) additional resources. Ms. Pitman said she would talk to the webmaster about that.

Mr. James opened the floor for a motion to approve the website with the recommend changes. A motion was made to approve the website as corrected. Ms. Ketchum seconded the motion. The motion carried.

### **OTHER MATTERS**

Mr. James asked about the wording on the licensure cards. He stated that the wording on the cards is not standardized; the first set is different from the second set. Mr. James also pointed out that the first set misspelled the word interpreter. He then stated that the second set has a grammatical error, it says "a interpreter" instead of "an interpreter".

Ms. Pitman explained that the formatting change was the result of a delay in finishing the programming for the licenses to be printed. The legal division printed the first batch of licenses to prevent a delay in people receiving their license. Because of this, there was a formatting difference. The first batch of licenses is being reprinted in the correct format and the word "interpreter" will be spelled correctly.

Ms. Pitman also explained that the IT office was working to correct the "a" versus "an" issue. She stated that the same program that creates all licenses for the Department creates the Interpreters' licenses and the default is "a."

Mr. James asked about when interpreters will be able to fully apply online. Ms. Pitman stated she is not sure how that would work. Ms. Thornton stated that the Licensure Application Review Committee discussed this and decided that if the Advisory Board did get a process that allows online payment, it would be acceptable to allow applicants to sign the code of conduct with an electronic signature.

Ms. Hollingsworth stated a correction has been made so that an applicant cannot submit an application that does not have supporting documentation uploaded.

Ms. Thornton asked if the online application could still be used with the new website. Ms. Pitman stated that it could be linked.

Mr. James asked if a person decided to upgrade their credentials at the end of the year when they were renewing their license, would the cost be \$90.00 for renewal or will they also have to pay the upgrade fee of \$35.00. Ms. Pitman stated that, according to the Rules they would only

have to pay the renewal fee of \$90.00. She stated that the \$35.00 upgrade fee was charged to cover the cost of reprinting a card in the middle of the year.

Mr. James asked if ARID or AAD created a pamphlet, could the ADH logo be used without permission. Ms. Pitman stated Cathy Flanagan is in charge of Communications at ADH, and you would need permission from her to use the logo.

Ms. Nickell stated that the table of contents in the Rules does not match the page numbers. Ms. Pitman stated that would be changed during the next Rule change. Several Board members have asked about changing the Rules. Ms. Pitman stated that she would recommend reviewing the Rules at the next meeting in October. The recommended rules would go to the Board of Health at the January meeting of the Board of Health.

Ms. Nickell asked if we have changed our Rules to allow people credentialed in other states to be licensed. Ms. Pitman said no, we need to formally change the Rules. The Act itself allows for "other credentials" to be approved by the Advisory Board, but the Rule must be changed to reflect that.

There was more discussion about when to vote on recommended rules. Ms. Pearce stated that she sees no need to put it off. Ms. Pitman recommended that the Advisory Board have the Rules exactly the way it wants them before going to the Board of Health for approval.

Ms. Thornton asked if the Advisory Board is limiting itself by requiring Provisional Interpreters have two letters of recommendation from RID Certified Interpreters. Ms. Pearce expressed concern on how the Advisory Board would decide who was qualified to give a letter of recommendation. Ms. Pearce explained that RID Certified Interpreters have gone through a process to become credentialed. Ms. Hollingsworth stated the application does say that the two (2) RID Certified Interpreters write the letters of recommendation, not that they have worked with the applicant. So, if the deaf person knew somebody that was a RID certified but has never worked for them, the certification says he can write a letter.

Ms. Ketchum asked about who the Advisory Board needs to contact regarding how to use funds to support actions of the Advisory Board. For example, could a CAF, a communication accessibility fund--which means a doctor, psychiatrist, and psychologist, or an agent that is required to pay for interpreters, be set up. Something has been popping up almost every day about places not providing interpreters for doctors' appointments, appointments with attorneys, or whatever. She asked who can we get in touch with about see about getting or setting a CAF for the deaf community. Where would that money go?

Mr. James stated if we had a Commission for the Deaf in this state, that would be the place it would be, but we do not have such. He explained that the closest thing we have is the new program you run, Ms. Ketchum, for community outreach in Deaf services and education.

Ms. Ketchum stated you could have a licensure fee, for example, \$5.00 of the fee could be moved to that CAF. There are several other states that are looking at enacting that. Ms. Pitman stated that would require a legislative change.

Ms. Pearce asked, if a doctor refuses to provide an interpreter, does that fall under our grievance form. Mr. James stated that is strictly ADA. If the doctor hires a non-licensed individual that would fall under our act. Ms. Pitman clarified that the doctor would have to be an

“interpreting agency.” Ms. Pearce stated that the unqualified interpreter would be held responsible under our Rules.

### **2015 MEETING DATES**

Mr. James asked the Advisory Board to set the 2015 meeting dates.

Ms. Pitman stated that the next meeting was going to be at the Department of Health, 4815 West Markham, Room 2508, Little Rock, Arkansas 72205, at 2:00 p.m., on October 10, 2014.

Ms. Pitman asked if everyone liked the second Friday for the meeting date. Everyone stated they liked that day. Ms. Pitman stated that would put the meetings on:

January 9, 2015  
April 10, 2015  
July 10, 2015  
October 9, 2015

Ms. Pearce clarified that the meetings would still be at 2:00 p.m.

Ms. Ketchum made a motion to accept those meeting dates. Ms. Nickell seconded. The motion passed.

There were no public comments.

The meeting was adjourned at 3:31 p.m.

Respectfully submitted,

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Jami Hollingsworth, Secretary  
The Advisory Board for Interpreters between  
Hearing Individuals and Individuals who are Deaf,  
Deafblind, Hard of Hearing, and Oral Deaf