



STATE OF ALABAMA

ALABAMA LICENSURE BOARD FOR INTERPRETERS AND TRANSLITERATORS

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Board Meeting June 28, 2018 Minutes

The Alabama Licensure Board for Interpreters and Transliterators held its regularly scheduled Board meeting on Thursday, June 28, 2018 at the Board's office located at 2777 Zelda Road in Montgomery. The following Board members were present: Mr. Ben Hollingsworth (Board Chair), Mr. Sam Feibelman (Board Vice Chair), Ms. Belinda Montgomery (Board Secretary), Ms. Sharon Canada-Emann (member), Ms. Nancy Hayes (member), and Mr. Melvin Walker. Board members absent were Ms. Patricia Smartt, Ms. Nancy Adams and Ms. Tammy Adams. Others present were Mr. Keith Warren (Executive Director), Ms. Leigh Moorer (Board Administrator), Mr. Bill Garrett (Assistant Attorney General), Ms. Jennifer Love (Legal Assistant), Ms. Renee' Reames (recording secretary at this meeting and Executive Secretary to Keith Warren) and two interpreters.

- I. The meeting was called to order at 10:38 a.m. by Mr. Hollingsworth, Board Chair, and a quorum was present. The meeting was advertised in advance on the Board's website, www.albit.alabama.gov, and the Secretary of State's website, www.sos.alabama.gov, in accordance with the Alabama Open Meetings Act.
- II. Chairman Hollingsworth presented the February 15, 2018 Board meeting minutes for the Board's review and approval. A copy of the February minutes was provided to the Board members prior to the meeting.
MOTION 2018-14: Ms. Emann made a motion to accept the February 15, 2018 meeting minutes, with corrections to Ms. Hayes' name on page 3, motions 2018-11 and 2018-12. The motion was seconded by Mr. Feibelman. The Board Chair called for a vote from the Board. Voting "aye" were Mr. Feibelman, Ms. Montgomery, Ms. Emann, Ms. Hayes and Mr. Walker. The motion passed unanimously.
- III. Mr. Warren announced that the agenda had been modified to include the approval of the meeting agenda by the Board. He explained that this would allow members an opportunity to submit agenda items for discussion at the meeting and the Board's concurrence. Ms. Emann

inquired about an email concerning a complaint that was submitted after the 90-day deadline. Mr. Garrett indicated that he planned to address the matter in his report. There were no additions to the agenda.

MOTION 2018-15: Ms. Emann made a motion to accept the meeting agenda as presented. The motion was seconded by Mr. Walker. The Board Chair called for a vote from the Board. Voting “aye” were Mr. Feibelman, Ms. Montgomery, Ms. Emann, Ms. Hayes and Mr. Walker. The motion passed unanimously.

IV. Reports

- A. Board Chair Report: Chairman Hollingsworth reported that he had the honor of meeting with representatives of the Walker County school system to discuss activities of the Board. He indicated that the meeting was positive and future meetings to continue the dialogue are planned.

Chairman Hollingsworth encouraged the Board members to be cautious in stating the Board rules and statute and suggested that these questions be directed to the Executive Director or Board Chairman. He asked that the Board plan to discuss at this meeting or future meetings the Board’s statute, changes and recommendations.

- B. Executive Director Report: Mr. Warren presented the Executive Director Report, which included financial activities of the Board for the period ending May 31, 2018, along with the current number of licensees, expired licenses and number of complaints received. He also presented the Administrator’s Report listing activities accomplished by the staff since the last Board meeting (a copy of the Executive Director and Administrator’s report are available for review in the Official Book of Minutes).

- C. Legal Counsel Report: Mr. Garrett presented the Legal Counsel Report which included 2 complaints regarding one Respondent. The incident cited by the two complaints (case #2018-05 and 2018-06) occurred on the same day in a school setting. The reported that the Respondent was an unlicensed person providing interpreting services was hired by the school. Mr. Garrett reported that the unlicensed person has agreed to cease and desist providing services until properly licensed and the school has sent out an official notice to the individual and staff concerning licensure. He recommended that the case be dismissed since the individual has agreed to comply with licensure rules. The Board discussed at length having consistency in disciplinary actions by the Board, in considering non-licensed individuals, duration of the violations, reoccurrences, assessment of fines, injunctions filed with circuit courts, notifying interested parties/employers of Board action, and making improvements in the Board’s statute for stronger enforcement and authority.

MOTION 2018-16: Mr. Walker made the motion to dismiss the two complaints case due to compliance with licensure requirements. The motion was seconded by Ms. Hayes. The Board Chair called for a vote from the Board. Voting “aye” were Mr. Feibelman, Ms. Montgomery, Ms. Emann, Ms. Hayes and Mr. Walker. The motion passed unanimously.

Mr. Garrett also reported that a complaint involving another interpreter had been received 91 days after the occurrence of the incident and the complaint was rejected by the Board

due to the time period. He explained that the complainant had asked the Board to reconsider their decision and he recommended that they adhere to the Board's statute since it did not allow the Board discretion in these matters.

MOTION 2018-17: Ms. Emann made the motion to deny reconsideration of the Board's earlier decision in this matter based on the Board's statute and the Legal Counsel notify the complainant in writing of the Board decision. The motion was seconded by Mr. Walker. The Board Chair called for a vote from the Board. Voting "aye" were Mr. Feibelman, Ms. Montgomery, Ms. Emann, Ms. Hayes and Mr. Walker. The motion passed unanimously.

Chairman Hollingsworth called a recess of the Board at 11:40 a.m. for approximately 5 minutes.

Chairman Hollingsworth reconvened the business meet at 11:47 a.m.

- D. The Board inquired about an earlier email concerning action by the Board on the EIPA examination. Mr. Warren distributed a copy of the email to the members concerning a question about the Board action in Motion 2017-09. Mr. Warren recommended that the matter be assigned to the established Rules Committee to make a recommendation to the Board and the Legal Counsel agreed.

ACTION: 2018-18: Chairman Hollingsworth assigned the matter to the established Rules Committee.

V. Old Business

- A. Approval of Revised Complaint Rule: Mr. Warren presented to the members a copy of the revised Complaint rule for their approval. Following a review of the blacklined documents, Rule 488-X-1-.12, Mr. Garrett explained that 488-X-1-.12(2) referred to the Board's Legal Counsel taking appropriate action like filing an injunction in civil court as discussed earlier as an option in dealing with unlicensed persons providing interpreting services. Mr. Warren recommended the Board approve the proposed Rule to be publicized for public comments. MOTION 2018—19: Ms. Montgomery made a motion to approve the revised proposed rule as presented. The motion was seconded by Mr. Walker. The Board Chair called for a vote from the Board. Voting "aye" were Mr. Feibelman, Ms. Montgomery, Ms. Emann, Ms. Hayes and Mr. Walker. The motion passed unanimously.
- B. Proposed Use of BOE Funds: Mr. Warren asked for an update on the status of BOE funding to the Board. Chairman Hollingsworth indicated that he had received a report from Ms. Billie Thompson, who reported that the BOE funds were still available, but the remaining time period was not known. Mr. Warren stated that he was ready to proceed with the educational project and the Board's website could be updated with video uploads which would be an easy process. Chairman asked the Executive Director to proceed in getting the project underway.
- C. Rules Committee Report: Mr. Walker reported that the Rules Committee planned to meet on July 31, 2018 at 10:30 a.m. at the Board's office. Mr. Warren explained that the meeting was open to the public and would be posted on the Secretary of State's website and Board's website. The Rules Committee will consider changes to the Board's statute, as well as changes to the rules concerning licensure examination and response to the inquiry about Board motion 2017-09.

Chairman Hollingsworth indicated that he had made inquiries about possible changes to the Board's statute by contacting various representatives in the interpreting community. Mr. Warren indicated that he and the Board's Legal Counsel would meet prior to the Rules Committee and draft recommendations for discussion by the Rules Committee. He indicated that recommended changes could be forwarded to him and that he and the Legal Counsel would participate in the Rules Committee meeting.

- D. Mr. Warren reported that he had not received any appointment confirmations from the Governor's office but would follow up with them before the next Board meeting.

VI. New Business

- A. Annual Renewal of Administrative Services Contract: Mr. Warren presented for the Board's approval the annual renewal of the Administrative Services Contract.

MOTION 2018-20: Ms. Hayes made a motion to approve the Administrative Services contract with Warren & Company for another year, without changes to the contract. The motion was seconded by Ms. Emann.

MOTION 2018-21: Ms. Montgomery made a motion to amend the motion to include 5% increase in the administrative fee. The motion was seconded by Mr. Walker.

The Board Chair called for a vote from the Board on Motion 2018-21 amending the motion. Voting "aye" were Mr. Feibelman, Ms. Montgomery, Ms. Emann, Ms. Hayes and Mr. Walker. The motion passed unanimously.

The Board Chair called for a vote from the Board on Motion 2018-20, as amended. Voting "aye" were Mr. Feibelman, Ms. Montgomery, Ms. Emann, Ms. Hayes and Mr. Walker. The motion passed unanimously.

- B. Certification of Board Rules: Mr. Warren distributed to the members a copy of LSA communications on certifying board rules adopted prior to July 1, 2013 (available for viewing in the Board's Official Book of Minutes).

MOTION 2018-22: Ms. Hayes made a motion to certify the Board Rules currently in effect and the Executive Director notify LSA in writing of the Board's action. The Board Chair called for a vote from the Board. Voting "aye" were Mr. Feibelman, Ms. Montgomery, Ms. Emann, Ms. Hayes and Mr. Walker. The motion passed unanimously.

VII. Announcement

- A. Chairman Hollingsworth announced that the next Board meeting was scheduled on August 16, 2018.
- B. 2019 Meeting Schedule: Mr. Warren reported that the 2019 meeting scheduled would be proposed at the next Board meeting on August 16, 2018 and the Board was scheduled to meet again on November 15, 2018.

VIII. Adjournment:

MOTION 2018-23: Mr. Walker made a motion to adjourn the meeting. The motion was seconded by Ms. Montgomery. The Board Chair called for a vote from the Board. Voting “aye” were Ms. Sharon Canada-Emann, Ms. Belinda Montgomery, Ms. Tammy Hayes, Ms. Nancy Hayes and Mr. Sam Feibelman. The motion passed unanimously and Chairman Hollingsworth adjourned the meeting at 12:20 p.m.

Respectfully submitted,

Ben Hollingsworth, Board Chair

Keith E. Warren, Executive Director

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