

**ALABAMA LICENSURE BOARD FOR INTERPRETERS
AND TRANSLITERATORS
ADMINISTRATIVE CODE**

**CHAPTER 488-X-1
RULES AND REGULATIONS**

TABLE OF CONTENTS

488-X-1-.01	Continuing Education Program
488-X-1-.02	Fees
488-X-1-.03	Board Meetings
488-X-1-.04	Initial License
488-X-1-.05	Renewal Of License
488-X-1-.06	Initial (1st Application) Permit
488-X-1-.07	Renewal Of Permits
488-X-1-.08	Subsequent Renewal Permits
488-X-1-.09	Exemptions
488-X-1-.10	Extensions
488-X-1-.11	Complaint Procedures
488-X-1-.12	Reinstatement Of License
488-X-1-.13	Reinstatement Of Permit

488-X-1-.01 **Continuing Education Program.** A Continuing Education Program requires each Licensed or Permitted Interpreter or Transliterators to earn 2.0 CEU's per a 12month cycle, March 15th to March 15th or an aggregate of 8 CEUs in 4 years for those RID certified interpreters enrolled in the Certificate Maintenance Program (CMP). Approval will be automatically granted for all workshops endorsed by the Registry of Interpreters for the Deaf (RID) or Gallaudet University. All other workshops for the purpose of earned CEUs will be made through written request to the board for approval. Duplication of courses/workshops/independent study will not be allowed. CEU's must consist of at least 1.5 out of 2 CEU's in Professional Studies. No more than 1.5 CEUs may be earned through Independent Study per cycle. CEU subject content must be within the scope of interpreting, deaf studies, deaf culture, or linguistics.
Authors: Belinda Montgomery, Charlene Crump
Amendment Authors: Alabama Licensure Board for Interpreters & Transliterators

Statutory Authority: Code of Ala. 1975, §34-16-4.
History: New Rule: Filed June 11, 2002; effective July 16, 2002.
Amended: Filed July 17, 2007; effective October 30, 2007

488-X-1-.02

Fees.

- (1) Nonrefundable fees are as follows:
 - (a) Application fee: \$35.00
 - (b) Initial and Renewal fee for Licenses: \$175.00
 - (c) Initial and Renewal fee for Permits: \$125.00
 - (d) Returned check fee: \$25.00
 - (e) Late fee assessed on applications postmarked after March 15th : \$10.00
 - (f) Replacement of License or Permit: \$7.00
 - (g) Upgrading of Educational Permit to Renewable Permit or Permit to License: No charge
 - (h) Roster fee: \$35.00

Authors: Belinda Montgomery, Charlene Crump

Statutory Authority: Code of Ala. 1975, §34-16-4.

History: New Rule: Filed June 11, 2002; effective July 16, 2002. Revised: Filed December 16, 2008; Effective: February 24, 2009

488-X-1-.03

Board Meetings.

- (1) Meetings shall be conducted in the following manner:
 - (a) Board Administrator and Chair will set agenda.
 - (b) Items may be added to board agenda by notifying board administrator in writing including subject to be discussed-two weeks prior to said meeting.
 - (c) Comments made, by person requesting appearance, before the board will be limited to 10 minutes for each requested item on the agenda. The 10 minute limit can be delegated to 2 or more persons at the discretion of the participant.

(d) Audience comments cannot be made without being recognized by the Chair.

Authors: Belinda Montgomery, Charlene Crump

Statutory Authority: Code of Ala. 1975, §34-16-4.

History: **New Rule:** Filed June 11, 2002; effective July 16, 2002.

488-X-1-.04 **Initial License.**

(1) License limits holder to provide services in specific area for which License has been issued.

(2) Beginning in 1999 and thereafter, prior to and not later than March 15th, applicants for initial license shall submit all of the following:

(a) Notarized application for License,

(b) Payment of nonrefundable fee,

(c) Current RID certified membership card

(d) Notarized copy of documentation of applicant's passing a board approved code of ethics exam if applicant was certified after 1-1-95.

Authors: Belinda Montgomery, Charlene Crump

Statutory Authority: Code of Ala. 1975, §34-16-4.

History: **New Rule:** Filed June 11, 2002; effective July 16, 2002. Amended: Filed March 13, 2008; Effective May 6, 2008.

488-X-1-.05 **Renewal Of License.** All licenses granted by the Alabama Licensure Board of Interpreters and Transliterators shall expire after March 15th. Prior to and not later than annual expiration date application shall include all of the following:

(a) Notarized application for License,

(b) Payment of nonrefundable fee,

(c) Current RID certified membership card

(d) Documentation of applicant earning 2.0 CEUs

within the last 12 month cycle or documentation of applicant adhering to the RID Certificate Maintenance Program by including a copy of applicant's most recent TMRID/ACET record.

Authors: Belinda Montgomery, Charlene Crump

Statutory Authority: Code of Ala. 1975, §34-16-4.

History: New Rule: Filed June 11, 2002; effective July 16, 2002.

Amended: Filed January 28, 2005; effective March 4, 2005. Filed March 13, 2008; Effective May 6, 2008.

488-X-1-.06 **Initial (1st Application) Permit.** Permit limits holder to provide services in specific area for which Permit has been issued. Applicants who do not meet the requirements for licensure shall apply for an **initial** permit. From the following options a, b, or c, the applicant may choose whichever option is applicable or available, depending on date restraints, to applicant:

(a) In 1999, the **initial** Renewable Permit may be obtained by submitting all of the following:

1. Application for permit,
2. Payment of the nonrefundable fee,
3. Documentation of GED, High School diploma, college diploma or college transcript,
4. Documentation of current employment as an interpreter submitted on letterhead of employer.

(b) The **initial** Non Renewable Provisional Permit (NRPP) which expires 12 months after issuance, may be obtained by submitting all of the following:

1. notarized application for the NRPP,
2. payment of the nonrefundable fee
3. documentation of GED, High School diploma, college diploma or college transcript,
4. board approved recommendation forms from three (3) licensed interpreters attesting to skill level of applicant.

(c) After 1999 and in all subsequent years, an **initial** Renewable Permit may be obtained, by submitting all of the following:

1. notarized application for Renewable Permit,
2. payment of the nonrefundable fee,
3. documentation applicant has passed either an RID approved ethics exam or the Jacksonville State University Interpreter Knowledge Skills Assessment,
4. documentation applicant has passed one of the following performance assessment tests:
 - (i) Georgia Quality Assessment (GAQA) Levels 3,4,5
 - (ii) Florida Quality Assessment (FLQA) Level 3
 - (iii) Educational Interpreter Evaluation (EIE) Level 3
 - (iv) Mississippi Quality Assessment (MSQA) Level 3
 - (v) Educational Interpreter Performance Assessment (EIPA) Levels 3.0 to 3.9

Authors: Belinda Montgomery, Charlene Crump

Amendment Authors: Belinda Montgomery, Melvin Walker

Statutory Authority: Code of Ala. 1975, §34-16-4.

History: New Rule: Filed June 11, 2002; effective July 16, 2002.

Amended: Filed January 28, 2005; effective March 4, 2005.

Filed December 14, 2006; effective February 26, 2007

Filed March 13, 2008; Effective May 6, 2008.

488-X-1-.07 **Renewal Of Permits.** Prior to and not later than March 15th, renewal of any *initial* permits must be done, the year following *initial* application, by submitting the following:

- (a) Notarized application for renewable Permit,
- (b) Payment of nonrefundable fee,
- (c) Documentation of earning 2.0, board approved CEUs within the previous 12 month cycle ending March 15th of year of application.

Authors: Belinda Montgomery, Charlene Crump

Amendment Authors: Belinda Montgomery, Melvin Walker, Alabama Licensure Board for Interpreters & Transliterators

Statutory Authority: Code of Ala. 1975, §34-16-4.

History: New Rule: Filed June 11, 2002; effective July 16, 2002.

Amended: Filed January 28, 2005; effective March 4, 2005.

Filed December 14, 2006; effective February 22, 2007

Filed July 17, 2007; effective October 30, 2007

Filed March 13, 2008; Effective May 6, 2008.

488-X-1-.08 Subsequent Renewal Permits.

(1) Prior to and not later than March 15th of subsequent years, renewal of any Permits must be done annually, by submitting all of the following:

(a) Notarized application for renewal of Permit or Educational Permit,

(b) Payment of nonrefundable fee,

(c) Documentation of earning 2.0, board approved CEUs within the previous 12 month cycle ending March 15th of year of application.

Authors: Belinda Montgomery, Charlene Crump

Statutory Authority: Code of Ala. 1975, §34-16-4.

History: New Rule: Filed June 11, 2002; effective July 16, 2002.

488-X-1-.09 Exemptions.

The following persons shall be exempt from licensure or permitting pursuant to this chapter:

(1) Any student who is enrolled in a formal American sign language program, a formal interpreter training program, or a formal interpreter or transliterator internship program. The student shall be allowed to interpret or transliterate as part of his or her training for a maximum of 16 weeks in an educational setting or 120 hours in an agency or business.

(2) Any person who interprets or transliterates solely in a church, synagogue, temple, or other religious setting.

(3) Any person residing outside of the State of Alabama may provide interpreting and transliterating services for up to 14 working days per calendar year without a license.

(4) Any person desiring to interpret for remuneration where circumstances do not allow for fulfillment of the stated requirements for licensure or permitting may petition the board for exemption status.

(5) Those public education personnel and State Department of Rehabilitation personnel, who are not hired as interpreters and transliterators and who are not as a part of their job description responsible for providing interpreting or transliteration services, in circumstances that may necessitate their function as interpreters and transliterators in emergency or incidental situations.

(6) All other public education personnel hired prior to March 15, 2000, who provide interpreting and transliterating services to students. These personnel shall apply for and receive a permit specifying that their permits are restricted to interpreting and transliteration services provided in the public education setting only. The application for this permit shall be submitted to the board prior to October 1, 2000. It shall be the responsibility of the permit holder to annually renew the permit by earning continuing education units in compliance with the requirements of the interpreters and transliterators licensure law. If personnel, who have been grandfathered in pursuant to this subdivision, for any reason should allow their permits to lapse or expire, those personnel shall lose all privileges of this exemption and shall adhere to all requirements of the interpreters and transliterators licensure law to renew their permits.

Authors: Belinda Montgomery, Charlene Crump

Statutory Authority: Code of Ala. 1975, §34-16-4.

History: New Rule: Filed June 11, 2002; effective July 16, 2002.

Amended: Filed March 13, 2008; Effective May 6, 2008.

488-X-1-10 **Extensions.** In order to accommodate the volume of applications for initial testing, extensions to renew permits were granted until October 1, 2000, by written request of applicant. Further extensions after this date will not be considered.

Authors: Belinda Montgomery, Charlene Crump

Statutory Authority: Code of Ala. 1975, §34-16-4.

History: New Rule: Filed June 11, 2002; effective July 16, 2002.

Amended: Filed January 28, 2005; effective March 4, 2005.

488-X-1-11 **Complaint Procedures.**

(1) To file a complaint against an interpreter who has an Alabama license or permit but allegedly violates the Interpreter Code of Ethics, a person may use a general complaint form. The form may be completed and returned to ALBIT within 90 days of the incident. Complaints may also be

filed in the form of a letter or may be videotaped instead of using the complaint form if a cover letter with the complainant's signature is included. No anonymous complaints will be considered.

(2) Receipt of Complaint

(a) When a complaint is filed an assigned ALBIT member will, within ten working days after the next meeting, notify the complainant in writing stating that:

1. their complaint has been received
2. a preliminary investigation will be done to verify the allegation(s)
3. the complainant may be contacted as part of the investigation
4. there is the possibility of a hearing before a circuit court in the jurisdiction of the residence of the interpreter, before which the complainant may be asked to appear and testify
5. the interpreter who becomes a defendant has 90 days, if found guilty, during which to appeal the decision.

(3) Defendant's Notification of Complaint

(a) The defendant who has been named in the complaint and accused of violating the Code of Ethics or the Alabama interpreter licensure law will be notified via certified mail that a complaint has been filed. The notification letter to the defendant will include the following:

1. Summary of the complaint, including dates and times of the alleged incident
2. Notification of his or her opportunity to respond in writing to the allegations
3. Notification that the deadline for responding is thirty (30) days from the date of notification.

(4) Preliminary Investigation. To determine whether any violations of the Alabama licensing law or the Registry of Interpreters for the Deaf Code of Ethics has occurred, the assigned ALBIT board member will initiate a preliminary fact-finding investigation that should be completed within 45 days after the date the interpreter was required to respond. The complainant may be

contacted for clarification and verification of the information included in the complaint. The response from the defendant becomes a part of the preliminary investigation.

(5) Witnesses. Individuals who have been named as witnesses will be notified via certified mail, with a request to provide a response regarding their recollection of the events that occurred during the alleged incident(s) cited in the complaint. The response may be submitted in written or videotaped form.

(6) Preliminary Investigation Results. After completion of the preliminary investigation, all information will be reviewed by board members and a determination will be made regarding further action.

(a) If no evidence is found to substantiate the allegations, the defendant will be notified in writing of the decision to terminate the processing of the complaint due to lack of evidence.

(b) If violations have occurred, ALBIT will proceed to act on the complaint.

(c) The ALBIT board will make recommendations of disciplinary action before the board invites the defendant to attend an informal conference on the accusations.

(d) If the offense is obvious and the evidence very clear, a recommendation for the defendant to voluntarily surrender his or her license/permit to ALBIT is an acceptable course of action.

(7) Notification of Informal Conference and/or Mediation Procedures. An informal conference and/or mediation procedures may be held to provide the opportunity for the defendant to state his or her case in person and to discuss the complaints made.

(a) The board members will notify the defendant in writing of the scheduled date, time, and location of the conference and/or mediation procedures.

(b) During the conference and/or mediation procedures the ALBIT members may present the findings from the investigation to the defendant followed by the recommendation for disciplinary action.

(c) If the defendant accepts the proposed disciplinary action by the board members, an agreement will be signed by both parties stating that the defendant waives his or her right to a formal hearing by way of accepting the terms of the disciplinary action.

(8) Notification of Formal Hearing

(a) If the defendant does not accept the board proposal, the case will be referred to the circuit court in the jurisdiction of the residence of the defendant interpreter.

(b) The board members will notify all parties involved via certified mail of the scheduled hearing date, location, and time.

(9) Legal Counsel. Legal counsel for the board or the other parties involved may be present during the court hearing.

(10) Circuit Court Resolution. After the circuit court has heard and reviewed all of the evidence presented from both parties, a written decision will be rendered. Upon receiving the decision from the judge, the members of the board will notify the parties involved of the court's decision, after which action may be required in a meeting of the board.

Authors: Peggy Estes, Gloria Chappell

Statutory Authority: Code of Ala. 1975, §34-16-4.

History: New Rule: Filed January 28, 2005; effective March 4, 2005.

Amended: Filed January 18, 2008; effective March 10, 2008.

488-X-1-.12 Reinstatement Of License.

(1) Any licensed interpreter in good standing who is one day to ten months late in renewing his or her license of the current cycle may be granted reinstatement upon submission of:

(a) Payment fee for the current cycle

(b) All required documentation

(c) Plus a late fee.

All such reinstated licenses will be retroactive to the original license cycle of March 16th to March 15th of the year of reinstatement.

(2) Any licensed interpreter in good standing who is more than ten months but less than two years late in renewing his or her license of the current cycle may be granted reinstatement upon submission of:

(a) Payment of prior reinstatement fee for each year in arrears plus current reinstatement fee, and

- (b) All required documentation, and
- (c) Late fee per year in arrears, and
- (d) Documentation of meeting continuing education requirements during the year before application for restoration of license. License will not be retroactive but will be made current within the year and cycle of application.

(3) Any person in good standing who seeks restoration of a license that has been expired more than two but less than three years shall file an application for review by the Board and must submit:

- (a) Current fee plus all past due renewal and late fees, up to two years prior to application for restoration, and
- (b) All required documentation for application, and
- (c) Proof of meeting continuing education requirements for two years prior to restoration and
- (d) Letters of verification of skill level by three licensed interpreters (as defined by Alabama Licensure Law).

(4) Any person in good standing and who seeks restoration of a license that has been expired for more than three years may be reinstated by submission of "First Time License" application form and the required accompanying documentation. License will not be retroactive but will be made current within the year and cycle of application.

Authors: Belinda Montgomery, Charlene Crump

Statutory Authority: Code of Ala. 1975, §34-16-4.

History: New Rule: Filed January 28, 2005; effective March 4, 2005.

Amended: Filed June 21, 2006; effective July 26, 2006; Filed March 13, 2008; Effective May 6, 2008.

488-X-1-.13. Reinstatement Of Permit.

(1) Any permitted interpreter in good standing who is one day to ten months late in renewing his or her permit of the current cycle may be granted reinstatement upon submission of:

- (a) Payment fee for the current cycle,

- (b) All required documentation,
- (c) Plus a late fee.

All such reinstated permits will be retroactive to the original license cycle of March 16th to March 15th of the year of reinstatement.

(2) Any permitted interpreter in good standing who is more than ten months but less than two years late in renewing his or her permit of the current cycle may be granted reinstatement upon submission of:

- (a) Payment of prior reinstatement fee for each year in arrears plus current reinstatement fee, and
- (b) All required documentation, and
- (c) Late fee per year in arrears, and
- (d) Documentation of meeting continuing education requirements during the year before application for restoration of permit. Permit will not be retroactive but will be made current within the year and cycle of application.

(3) Any person in good standing who seeks restoration of a permit that has been expired more than two but less than three years shall file an application for review by the Board and must submit:

- (a) Current fee plus all past due renewal and late fees, up to two years prior to application for restoration, and
- (b) All required documentation for application, and
- (c) Proof of meeting continuing education requirements for two years prior to restoration and
- (d) Letters of verification of skill level by three licensed interpreters (as defined by Alabama licensure law).

(4) Any person in good standing and who seeks restoration of a permit that has been expired for more than three years may be reinstated by submission of "First Time Permit" application form and the required accompanying documentation. Permit will not be retroactive but will be made current within the year and cycle of application.

Authors: Belinda Montgomery, Charlene Crump
Statutory Authority: Code of Ala. 1975, §34-16-4.

History: New Rule: Filed January 28, 2005; effective March 4, 2005.
Amended: Filed June 21, 2006; effective July 26, 2006. Filed March 13, 2008;
Effective May 6, 2008.

Appendices I
Forms List

First Time License Application
License Renewal Application
Non-Renewable Permit Application
First Renewable Permit Application
Subsequent Renewable Permit
Renewable Education Permit
Consumer Complaint Form

Authors: The Alabama Licensure Board for Interpreters & Transliterators
Statutory Authority: Code of Ala. 1975, §34-16-4.
History: New Rule: Filed January 18, 2008; effective March 10, 2008