

BOARDS AND COMMISSIONS
Board of Interpreters for the Deaf and Hard of Hearing
(Amendment)

201 KAR 39:001. Definitions for 201 KAR Chapter 39.

RELATES TO: KRS 309.300(4), 309.301(2)(a), 309.304

STATUTORY AUTHORITY: KRS 309.304(3)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 309.304(3) requires the Kentucky Board of Interpreters for the Deaf and Hard of Hearing to promulgate administrative regulations pertaining to the practice and licensure of a deaf or hearing interpreter, a deaf or hearing interpreter intern, or a deaf or hearing student in training. This administrative regulation establishes definitions for 201 KAR Chapter 39.

Section 1. Definitions.

- (1) "American Sign Language Proficiency Interview (ASLPI) as administered by Gallaudet University" means the assessment that rates the ability to use American Sign Language grammar and vocabulary in most formal and informal conversations on social and work topics.
- (2) "BEI" means the Board for Evaluation of Interpreters sponsored by the Department of Assistive and Rehabilitative Services in Texas, and the University of Arizona National Center for Interpretation Testing, Research, and Policy.
- (3) "Board-approved supervisor" means a licensed interpreter in this state or the resident of another state who meets the requirements established by 201 KAR 39:075.
- (4) "Case manager" means a member of the board appointed by the chair of the board to review complaints and investigative reports, and to participate in informal proceedings to resolve a formal complaint.
- (5) "CASLI" means the Center for Assessment of Sign Language Interpretation.
- (6) "CGKE" means the CASLI Generalist Knowledge Exam is an exam administered by CASLI to both hearing and deaf candidates.
- (7) "CGPE-NIC" means the CASLI Generalist Performance Exam-NIC administered to hearing candidates after passing the CGKE.
- (8) "CGPE-CDI" means the CASLI Generalist Performance Exam-CDI administered to deaf candidates after passing the CGKE.
- (9) "Certificate of Interpretation (CI) granted by RID" means a certificate indicating that the holder has demonstrated the ability to interpret between American Sign Language and spoken English in both sign-to-voice and voice-to-sign, without consideration of the interpreter's ability to transliterate.
- (10) "Certificate of Transliteration (CT) granted by RID" means a certificate indicating that the holder has demonstrated the ability to transliterate between English-based sign language and spoken English in both sign-to-voice and voice-to-sign, without consideration of the transliterator's ability to interpret.
- (11) "Certified Deaf Interpreter (CDI) granted by RID" means a certificate indicating the holder of this certificate is an interpreter who is deaf or hard of hearing, has passed comprehensive written and performance tests, and is recommended for a broad range of assignments where an interpreter who is deaf or hard of hearing would be beneficial.
- (12) "Chair" means the chair or vice-chair of the board.
- (13) "Charge" means a specific allegation contained in a formal complaint issued by the board alleging a violation of a specified provision of KRS 309.300 to 309.319, 201 KAR Chapter 39, or any other state or federal statute or administrative regulation.
- (14) "Complaint" means any written or videotaped allegation of misconduct by a licensed individual that might constitute a violation of KRS 309.300 to 309.319, 201 KAR

Chapter 39, or any state or federal statute regulating the practice of interpreting.

(15) "Complaint screening committee" means a committee consisting of three (3) persons on the board appointed by the chairman of the board to review complaints and investigative reports, and to participate in informal proceedings to resolve a formal complaint or recommend action to the board.

(16) "Comprehensive Skills Certificate (CSC) granted by RID" means a certificate indicating that the holder has demonstrated the ability to interpret between American Sign Language and Spoken English and to transliterate between spoken English and an English-based sign language.

(17) "Conditional Legal Interpreting Permit-Relay (CLIP-R) granted by RID" means that the holder of this conditional permit has completed a RID-recognized training program designed for interpreters and transliterators who work in legal settings, who are also deaf or hard of hearing, and who are recommended for a broad range of assignments in the legal setting.

(18) "Cued Language Transliterater National Certification Examination (CLTNCE)" means the examination which measures skills that satisfy the TECUnit minimum standard of both knowledge and skills in cued language transliteration and passage of which is required to recommend the individual for limited settings that require cued speech.

(19) "Deaf Interpreter" means an individual who is deaf or hard of hearing and holds licensure or temporary licensure indicating the holder is an interpreter who is deaf or hard of hearing, has submitted proof of qualification to the board, and is recommended for a broad range of assignments where an interpreter who is deaf or hard of hearing would be beneficial.

(20) "Deaf or Hard of Hearing Individuals" means individuals who have hearing disorders and who cannot hear and understand speech clearly through the ear alone with or without amplification, as verified by a licensed medical professional specializing in the provision of services to the deaf and hard of hearing.

(21) "Education Interpreter Performance Assessment (EIPA) granted by Boys Town National Research Hospital" means a proficiency assessment for K-12 interpreting only, which indicates that the holder:

- (a) Has demonstrated the ability to expressively interpret classroom content and discourse;
- (b) Has demonstrated the ability to receptively interpret student sign language;
- (c) Is not limited to any one sign language or system; and
- (d) Is recommended to work with students who predominately use American Sign Language (ASL), Manually-Coded English (MCE), or Pidgin Sign English (PSE).

(22) "Educational Certificate: K-12 (Ed: K-12) granted by RID" means that the holder has demonstrated:

- (a) The ability to interpret classroom content, discourse, and student sign language; and
- (b) Proficient expressive and receptive interpreting skills in all elementary and secondary school classroom settings.

(23) "Formal complaint" means a formal administrative pleading authorized by the board which:

- (a) Sets forth charges against a licensed individual or other person; and
- (b)
 1. Commences a formal disciplinary proceeding pursuant to KRS Chapter 13B; or
 2. Requests the court to take criminal or civil action.

(24) "Informal proceedings" means the proceedings instituted at any stage of the disciplinary process with the intent of reaching a dispensation of any matter without further recourse to formal disciplinary procedures under KRS Chapter 13B.

(25) "Interpretation Certificate (IC) granted by RID" means that the holder has demonstrated the ability to interpret between American Sign Language and spoken English.

(26) "Interpreting Certificate/Transliteration Certificate (IC/TC) granted by RID" means that the holder has demonstrated the ability to transliterate between English and a signed code for English and the ability to interpret between American Sign Language and spoken English.

(27) "Investigator" means an individual designated by the board to assist the board in the investigation of a complaint.

(28) "Licensure year" means the period between July 1st of each year and June 30th of the following year or the time from which a license or temporary license was granted until the next June 30th.

(29) "Master Comprehensive Skills Certificate (MCSC) granted by RID" means that the holder has demonstrated a higher standard of performance than holders of the CSC and is recommended for a broad range of interpreting and transliterating assignments.

(30) "NAD" means the National Association of the Deaf.

(31) "NAD Level III (Generalist)" means that the holder has demonstrated average voice-to-sign skills, good sign-to-voice skills, and the minimum competence needed to meet generally accepted interpreter standards, except that this individual is not qualified for all situations.

(32) "NAD Level IV (Advanced)" means that the holder has demonstrated excellent voice-to-sign skills and above average sign-to-voice skills, and this individual is recommended for most situations.

(33) "NAD Level V (Master)" means that the holder has demonstrated superior voice-to-sign skills and excellent sign-to-voice skills, and this individual is recommended for a broad range of interpreting assignments.

(34) "National Interpreter Certification (NIC)" means a certification indicating that the holder has passed the NIC Knowledge exam and has scored within the standard range on the interview and performance portions of the test.

(35) "National Interpreter Certification (NIC Advanced)" means a certification indicating that the holder has passed the NIC Knowledge exam, scored within the standard range on the interview portion, and scored within the high range on the performance portion of the test.

(36) "National Interpreter Certification Master (NIC Master)" means a certification indicating that the holder has passed the NIC Knowledge exam and has scored within the high range on both the interview and performance portions of the test.

(37) "Nationally Recognized Organization" means an organization that owns or administers an interpreting skills assessment that has been adopted by law or regulation by two (2) or more state agencies or state regulatory boards.

(38) "Nonresident Interpreter" means a person who resides in another state and engages in the practice of interpreting for less than twenty (20) days without a Kentucky license.

(39) "Nonresident Interpreter Registry" means the registry required for tracking the number of days of service a nonresident interpreter provides in Kentucky which is authorized without a license.

(40) "One (1) continuing education hour" means sixty (60) contact minutes of participating in continuing education experiences.

(41) "Oral Interpreting Certificate. Comprehensive (OIC:C) granted by RID" means a certificate indicating that the holder has demonstrated the ability to transliterate a spoken message from a person who hears to a person who is deaf or hard-of-hearing and the ability to understand and repeat the message and intent of the speech and mouth movements of the person who is deaf or hard-of-hearing.

(42) "Oral Interpreting Certificate. Spoken to Visible (OIC:S/V) granted by RID" means a certificate indicating that the holder has demonstrated the ability to transliterate a spoken message from a person who hears to a person who is deaf or hard-of-hearing.

(43) "Oral Interpreting Certificate. Visible to Spoken (OIC:V/S) granted by RID" means a certificate indicating that the holder has demonstrated the ability to understand the speech and silent mouth movements of a person who is deaf or hard-of-hearing and to repeat the message for a hearing person.

(44) "Oral Transliteration Certificate (OTC) granted by RID" means a certificate indicating that the holder has demonstrated ability to transliterate a spoken message from a person who hears to a person who is deaf or hard-of-hearing and the ability to understand and repeat the message and intent of the speech and mouth movements of the person who is deaf and hard-of-hearing.

(45) "Reverse Skills Certificate (RSC) granted by RID" means a certificate indicating that the holder:

(a) Is deaf or hard of hearing; and

(b) Has demonstrated the ability to:

1. Interpret between American Sign Language and English-based sign language; or

2. Transliterate between spoken English and a signed code for English.

(46) "Revoked" means the process by which the board terminates all rights and privileges associated with that license, in settlement of a disciplinary action initiated by the board.

(47) "RID" means Registry of Interpreters for the Deaf, Inc.

(48) "Sign Language Proficiency Interview (SLPI) as developed by National Technical Institute for the Deaf" means the assessment that rates the ability to communicate expressively and receptively in a video-taped one-on-one interview or conversation with a trained interviewer.

(49) "Specialist Certificate: Legal (SC:L) granted by RID" means a certificate indicating that the holder has demonstrated specialized knowledge of legal settings and greater familiarity with language used in the legal system and is recommended for a broad range of assignments in the legal setting.

(50) "Specialist Certificate: Performing Arts (SC:PA) granted by RID" means a certificate indicating that the holder has demonstrated specialized knowledge in performing arts interpretation and is recommended for a broad range of assignments in the performing arts setting.

(51) "TECUnit" means the National Training, Evaluation, and Certification Unit.

(52) "Transliteration Certificate (TC) granted by RID" means a certificate indicating that the holder has demonstrated the ability to transliterate between spoken English and a signed code for English.

(53) "Voluntary surrender" means the process by which a person who holds a license issued by the board, knowingly and willingly, returns the license to the board, forfeiting all rights and privileges associated with that license, in settlement of a disciplinary action initiated by the board.

MARVA JOHNSON, Chair

APPROVED BY AGENCY: June 12, 2024

FILED WITH LRC: June 12, 2024 at 4:20 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on August 27, 2024, at 11:00 a.m., at the Mayo-Underwood Building, Room 127CW, 500 Mero Street, Frankfort, Kentucky. Individuals interested in being heard at this hearing shall notify this agency in writing by five (5) workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the

public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through August 31, 2024. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person by using the PPC public comment portal at the address listed below.

CONTACT PERSON: Sara Boswell Janes, Staff Attorney III, Department of Professional Licensing, Office of Legal Services, 500 Mero Street, 2 NC WK#2, phone (502) 782-2709, fax (502) 564-4818, email Sara.Janes@ky.gov, link to PPC public comment portal: https://ppc.ky.gov/reg_comment.aspx.