

Open Minutes
Missouri State Committee of Interpreters
January 28, 2000 – 2:00 p.m.
Hampton Inn - Magnolia Room
4800 Country Club Drive – Jefferson City, Missouri

The Missouri State Committee of Interpreters was called to order by Kimberly McEnulty; Chairperson at 2:05 p.m. on January 28, 2000 in the Magnolia Room of the Hampton Inn located at 4800 Country Club Drive, Jefferson City, Missouri. Betty Kramer, Secretary facilitated role call.

Committee Members Present

Kimberly McEnulty, Chairperson
Betty Kramer, Public Member & Secretary
Sandy Drummond
Loretto Durham (arrived at 2:30 p.m.)

Staff Present

Loree Kessler, Executive Director
Susan Wolchko, Licensure Technician
Mark Schoon, Assistant Attorney General

Interpreters

Rachael Morgan
Robert Bek
Debbie Reithmeyer, Real-Time writer

Visitors

Ula Williams, Chairperson BCI
Jean Galloway, BCI
Steve Hamerdinger, BCI
Dan Betzler, BCI
Dr. Roy Miller, Executive Director-Missouri Commission for the Deaf
Craig Jacobs, Assistant Attorney General
Roger Brown, staff member Missouri Commission for the Deaf

State Committee Chairperson Kimberly McEnulty welcomed members of the BCI and commission staff to the meeting. Ms. McEnulty explained that Ms. Durham would be late due to the inclement weather however, the state committee members and visitors could begin the discussion on permits issued by the BCI.

Temporary Restricted Permits/Restricted Permits & Licensure Issues

Meeting attendants received and reviewed a memorandum drafted by Mark Schoon general counsel to the state committee. Mr. Schoon outlined that the state committee needed to consider amending the administrative rules adding language that requires an interpreter to practice according to the level of certification and require an interpreter maintains certification.

There was considerable discussion concerning the possible rule changes. Ms. Williams (BCI) explained that the BCI would be reviewing its administrative rules to determine if amendments were needed in the area the types of permits (RPED) issued. BCI is considering changing the "permit" to a certification level. The BCI is scheduled to convene April 14th to review the administrative rule language.

The BCI requested clarification on the effective and expiration date of the license. Ms. Kessler explained licenses currently issued by the state committee expire January 31, 2001. The law allows the division to establish a biennial renewal that would probably not take place until 2002. The state committee needs to know how many new licensees it will have per year along with an approximation of the number of renewed licenses per year to determine if the renewal fee can be reduced.

Another topic of discussion concerned the approval of applications for licensure on individuals with provisional or apprentice certification that are scheduled to expire in the next few months and prior to the 2001 renewal date. The state committee indicated that licensees are reminded of the expiration of certification in the licensure approval letter. The state committee plans to send a follow up letter to individuals that are licensed but the certification has expired. It was recommended the state committee provide a list of these licenses and work with the commission office on determining if these interpreters had been tested and/or changed the level of certification or requested the certification be extended for another year.

The state committee took a fifteen-minute recess.

Miscellaneous Topics

Ms. Williams reiterated BCI's approval of printing the level of certification on the license. The state committee indicated that if an interpreter changes certification the division could print a new license with that certification at no additional charge.

Steve Hamerdinger suggested the state committee place meeting minutes on MODEAF. Ms. Drummond explained the minutes are placed on the state committees web site and copies are sent to the MCD office. However, a link to the DMH site was recommended for access to the state committee's web page. Ms. McEnulty reiterated the state committee's request for copies of commission and BCI minutes and Ms. Kessler indicated she would send a memo to the commission office as a reminder.

At approximately 4:40 p.m. the visitors, interpreters and real-time writer exited the meeting.

A motion was made by Ms. Kramer and seconded by Ms. Drummond to approve the open session agenda adding a discussion item concerning the possible rule changes and amending the agenda topic Interpreter Educators Handbook to Educational Interpreter's Handbook. Motion carried unanimously.

A motion was made by Ms. Kramer and seconded by Ms. Drummond to approve, with amendments, the open session minutes of the December 7, 1999 conference call. Motion carried unanimously.

St. Louis RID Chapter Meeting

Ms. Drummond provided an overview of the presentation for the chapter presented January 15, 2000 and indicated there may be more information forthcoming from the chapter regarding certification.

Educational Interpreters Handbook

Ms. Drummond had volunteered to review the section of the handbook dealing with licensure. The state committee received a copy of Ms. Drummond's review and changes to this area of the handbook. The state committee decided to discuss the changes at the next meeting to allow time for state committee members to read the articles.

Upcoming Presentations or Meetings

The St. Louis Special School District has requested an in-service for interpreters on March 7th & March 14th. Ms. Durham and Ms. Drummond would be available for the 14th with Ms. Drummond available March 7th. The executive director planned to attend both presentations.

Meeting Schedule

February 15 – 6 p.m. Conference call to review applications for licensure

February 25th – 10:00 a.m. face-to-face in Jefferson City to discuss rule changes and complaints

March 14th – 10:00 a.m. face-to-face in St. Louis (tentative)

April 14th – Meet with BCI to review rule changes

At 6:33 p.m., a motion was made by Ms. Drummond and seconded by Ms. Kramer to convene in closed session pursuant to section 610.021 subsection (14) and 620.010.14 subsection (7) RSMo for the purpose of discussing investigative reports and/or complaints and/or audits and/or other information pertaining to the licensee or applicant, section 610.021 subsection (14) and section 620.010.14 Subsection (7) RSMo for the purpose of discussing applicants for licensure, section 610.021 subsection (1) RSMo for the purpose of discussing general legal actions, causes of action or litigation and any confidential or privileged communications between this agency and its attorney and for the purpose of reviewing and approving closed meeting minutes of one or more previous meetings under the subsections of 610.021 which authorizes this agency to go into closed session. State committee members voting aye; Ms. McEnulty, Ms. Kramer, Ms. Durham and Ms. Drummond. Motion carried unanimously.

At 7:40 p.m. a motion was made by Ms. Drummond and seconded by Ms. Kramer to convene in open session and adjourn the meeting. State committee members voting aye; Ms. McEnulty, Ms. Kramer, Ms. Durham and Ms. Drummond. Motion carried unanimously. Meeting adjourned.

Executive Director

Approved by State Committee on February 25, 2000

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ROUGH DRAFT

MISSOURI STATE COMMITTEE OF INTERPRETERS

BOARD MEETING

held on Friday, January 28, 2000

at the Hampton Inn

Jefferson City, Missouri

1 MS. MCENULTY: I THINK WE HAVE EVERYBODY
2 HERE, SO WE'LL GO AHEAD AND CALL THE MEETING TO ORDER.
3 BETTY, DO YOU WANT TO DO ROLL CALL?

4 MS. KRAMER: KIM, BETTY, LOREE.

5 MS. MCENULTY: WE NEED THE RECORD TO
6 REFLECT ALL OF OUR GUESTS THAT WE HAVE TODAY. WE HAVE
7 BCI HERE, DAN BETZLER, STEVE HAMERDINGER, JEAN GALLOWAY,
8 ULA WILLIAMS AND WE HAVE THE MISSOURI COMMISSION FOR THE
9 DEAF HERE, THE EXECUTIVE DIRECTOR, DR. MILLER, COMMISSION
10 STAFF ROGER BROWN, REALTIME CAPTIONER DEBBIE REITHMEYER,
11 OUR COUNSEL, MARK SCHOON, THE COUNSEL FOR MCD AND BCI,
12 CRAIG JACOBS AND OUR EXECUTIVE DIRECTOR, LOREE KESSLER,
13 AND OUR LICENSURE TECHNICIAN, SUSAN WOLCHKO AND OUR TWO
14 INTERPRETERS, RACHEL MORGAN AND ROBERT BEK. I THINK
15 THAT'S EVERYBODY.

16 SO WE CAN BEGIN BY APPROVAL OF THE OPEN SESSION
17 AGENDA. MY UNDERSTANDING IS LORETTO DURHAM IS RUNNING A
18 LITTLE LATE, SO SHE WILL BE HERE SOON. SO WE'LL GO AHEAD
19 INTO THE MEETING SINCE WE HAVE EVERYBODY HERE WE'VE
20 INVITED. AND THE PURPOSE OF INVITING ALL OF YOU HERE
21 TODAY IS BECAUSE THE COMMITTEE HAS BEEN CONFRONTED WITH
22 SOME CONFLICTS IN ISSUING LICENSES FOR THE TEMPORARY
23 PERMITS AND THE RESTRICT PERMIT. WE ALSO HAVE SOME
24 CONCERNS ABOUT INTERPRETERS RECEIVING THE APPRENTICE AND
25 PROVISIONAL CERTIFICATE PERMIT AS WELL AS RECEIVING A

1 LICENSE, HOWEVER THE PROVISIONAL AND APPRENTICE
2 CERTIFICATION PERMIT HAS AN EXPIRATION DATE, SO OUR
3 CONCERN IS THAT THE EXPIRATION DATE, THE TIME EXPIRED BUT
4 THEY STILL HAVE THE LICENSE TO WORK, TO ACT AS AN
5 INTERPRETER. SO WE'VE ASKED MCD AND BCI HERE TODAY TO
6 COME TOGETHER AND DISCUSS OUR CONCERNS, ALL OF OUR
7 CONCERNS. BUT BEFORE WE GO IN AND OPEN UP THE TABLE FOR
8 DISCUSSION OR QUESTIONS OR COMMENTS, I'M GOING TO HAND
9 OVER THE FLOOR TO MARK SCHOON. HE HAS DONE A LITTLE BIT
10 MORE IN DEPTH RESEARCH AND HE IS GOING TO SHARE WITH US
11 HIS FINDINGS. AFTER HE IS THROUGH WITH THAT WE'LL GO
12 AHEAD INTO DISCUSSION.

13 MR. SCHOON: THE FIRST THING I THINK WE
14 WERE GOING TO TALK ABOUT AND DEALT WITH THE ISSUE IF
15 SOMEONE HAS A LICENSE OR A CERTIFICATION THAT EXPIRES BUT
16 THEY ALREADY HAVE A LICENSE WHAT DO WE DO? FOR EXAMPLE,
17 IF YOU GET YOUR PROVISIONAL CERTIFICATION AND GET YOUR
18 LICENSE, THE LICENSE DOESN'T EXPIRE FOR TWO YEARS BUT THE
19 CERTIFICATION MAY EXPIRE AT SOME POINT WITHIN THAT. SO I
20 THINK THE BASIC ANSWER IS IF SOMEONE IS NOT CERTIFIED WE
21 DON'T WANT THEM TO BE PRACTICING BUT IF THEY HAVE A
22 LICENSE THEY CAN STILL TELL PEOPLE THAT THEY ARE A
23 LICENSED INTERPRETER. WE CAN'T REALLY DO ANYTHING ABOUT
24 IT AS IT IS NOW. THE ONLY -- WE CAN PROHIBIT PEOPLE FROM
25 INTERPRETING WHO ARE NOT LICENSED BUT IF THEY ARE

1 LICENSED WITHOUT BEING CERTIFIED, THERE'S NOT ANYTHING
2 THAT WE CAN CLEARLY DO. AND SO THAT'S WHY I'VE
3 RECOMMENDED THAT THE COMMITTEE IMPLEMENT A COUPLE OF
4 RULES HERE TO PERMIT THEM THE POWER TO REVOKE THE
5 LICENSES OF SUCH PEOPLE AND WE'VE PASSED AROUND A MEMO
6 WHERE I'VE PUT THESE PROPOSED RULES IN IT. THE FIRST ONE
7 IS BASICALLY SAYING IF THE CERTIFICATION OF AN
8 INTERPRETER LAPSES OR EXPIRES THE INTERPRETER SHALL NOT
9 PRACTICING INTERPRETING. IT SEEMS OBVIOUS BUT IT'S
10 NEVER SAID IN THE CURRENT RULES. NEXT ONE IS AN
11 INTERPRETER SHOULD NOT PRACTICE ABOVE HIS OR HER
12 CERTIFICATION. IT IS A LITTLE BIT MORE BROAD. IT MEANS
13 IF SOMEONE IS A LEVEL 3 THEY CAN ONLY PRACTICE IT IF A
14 LEVEL 3 OR ABOVE WILL CAUSE DISCIPLINE IF THEY ARE
15 PRACTICING AT A HIGHER LEVEL. AND THEN THE FINAL ONE ON
16 THE LAST PAGE STATES THAT INTERPRETERS MUST MAINTAIN
17 CURRENT CERTIFICATION. WHAT THIS MEANS IS IF SOMEONE'S
18 CERTIFICATE HAS EXPIRED AND THEY ARE STILL LICENSED, EVEN
19 IF THEY ARE NOT PRACTICING WE CAN TAKE ACTION AGAINST
20 THEM FOR HAVING A CERTIFICATION. HOPEFULLY IT WON'T COME
21 TO THAT. HOPEFULLY WE WILL BE ABLE TO SEND THEM A LETTER
22 SAYING YOUR CERTIFICATION HAS EXPIRED UNDER THE PREVIOUS
23 TWO RULES YOU ARE NOT PERMITTED TO PRACTICE, SO DON'T
24 PRACTICE AND GIVE UP YOUR LICENSE. AS LONG AS THEY DO
25 THERE WON'T BE ANY PROBLEM. IF THEY DON'T DO THAT, THEN

1 THE COMMITTEE WOULD HAVE THE OPTION OF TAKING FORMAL
2 ACTION AGAINST THEM. AND I THINK THAT A COMBINATION OF
3 ALL OF THIS WE'LL BE ABLE TO TAKE CARE OF THIS PROBLEM.
4 THE ONLY PROBLEM IF SOMEONE DOES HAVE THEIR CERTIFICATION
5 LAPSE, I MEAN -- THEY ARE STILL A PROBLEM.

6 MS. MCENULTY: THERE IS STILL A PROBLEM IF
7 THEIR CERTIFICATION EXPIRES AND THEY HAVE A LICENSE
8 STILL?

9 MR. SCHOON: RIGHT. THE PROBLEM WOULD BE
10 BY HAVING A RULE AND A DISCIPLINARY CAUSE IT MAKES IT
11 EASY FOR US TO DO IT BUT IF THEY AREN'T AGREEABLE TO
12 SIGNING AN AGREEMENT SAYING THAT WE WOULD HAVE TO TAKE IT
13 TO THE ADMINISTRATIVE HEARING COMMISSION. THE PROCESS
14 WOULD TAKE AT LEAST SIX MONTHS. IT WOULD BE A TIME
15 CONSUMING PROCESS AND IT'S NOT RIGHT TIGHT AS FAR AS THE
16 TIMING GOES BUT IT'S A LOT BETTER THAN WHAT WE'VE GOT
17 NOW. AT LEAST THIS WAY WE'LL HAVE IT DONE THIS WAY IN
18 GETTING THIS TAKEN CARE OF. IF ANYBODY HAS GOT ANY
19 QUESTIONS OR COMMENTS ON THAT.

20 MS. KESSLER: SO FOR PEOPLE WHO ARE
21 LICENSED BUT THEIR CERTIFICATION HAS EXPIRED, THERE'S
22 REALLY NOT A LOT THAT WE CAN DO?

23 MR. SCHOON: THE PEOPLE WHO ARE LICENSED
24 WHOSE CERTIFICATION HAS EXPIRED CURRENTLY WITHOUT ANY NEW
25 RULES, IF THEY ARE STILL -- IF THEY ARE STILL PRACTICING

1 WE COULD MAKE A CASE THAT THEY ARE NOT COMPETENT OR DON'T
2 HAVE THE PROPER ABILITY TO DO WHAT THEY ARE DOING. THAT
3 WOULD GO TO MORE OF SHOWING WHAT THEIR CERTIFICATION
4 LEVEL WOULD BE, WE WOULD ACTUALLY HAVE TO PROVE IN
5 ADDITION TO NOT HAVING CERTIFICATION THAT THEY ARE NOT
6 DOING A GOOD JOB. IF THEY HAPPEN TO BE DOING A GOOD JOB
7 THERE REALLY ISN'T THAT MUCH WE CAN BE DOING. THERE IS
8 ONE PROVISION THAT SAYS IF THEY ARE VIOLATING A
9 PROFESSIONAL TRUST OR CONFIDENCE, WE COULD GO AFTER THEM
10 FOR THAT. THAT'S KIND OF A BAD THING TO DO BY ITSELF BUT
11 THERE WOULD BE SOME CAUSE FOR IT.

12 MR. HAMERDINGER: I HAVE A TWO-PART
13 QUESTION. THE FIRST PART I'M GOING TO ASK FIRST. I
14 WOULD LIKE TO HEAR THE COMMITTEE'S RESPONSE AND THEN I
15 WILL ASK THE SECOND PART. OKAY. THE FIRST PART IS WHAT
16 IS THE CRITERIA FOR GIVING A LICENSE?

17 MS. MCENULTY: CURRENTLY WE ISSUE A LICENSE
18 TO INTERPRETERS WHO ARE CERTIFIED BY THE BCI MCD. WE
19 ISSUE CERTIFICATION BASED ON THE FIVE LEVELS FROM
20 PROVISIONAL UP TO COMPREHENSIVE.

21 MR. HAMERDINGER: OKAY. NOW I'M HAVING A
22 DIFFICULT TIME FOLLOWING THE LOGIC OF THE ARGUMENT THAT
23 IF A LICENSE IS DEPENDENT ON CERTIFICATION AND YOU DON'T
24 HAVE THE CERTIFICATION YOU STILL HAVE A LICENSE. I'M
25 SORRY. THAT MAKES NO SENSE. SHOWN HERE IS THE ANSWER TO

1 THAT. YOU NEED CERTIFICATION IN ORDER TO BECOME
2 LICENSED. BUT JUST HAVING YOUR CERTIFICATION EXPIRE DOES
3 NOT MEAN YOUR LICENSE GOES AWAY. ONCE YOU HAVE GOT THE
4 LICENSE IT IS HARDER TO TAKE IT AWAY THAN IT IS TO GIVE
5 IT TO YOU.

6 MR. JACOBS: THE STATUTE HAS A SPECIFIC
7 LIST OF REASONS YOU CAN TAKE SOMEONE'S LICENSE AWAY.
8 LAPSE OF THE CERTIFICATION IS NOT ONE OF THEM.
9 DISCIPLINE OF A CERTIFICATION IS A REASON FOR TAKING THE
10 LICENSE AWAY BUT IN THIS CASE WHEN SOMETHING EXPIRES IT
11 WOULD NOT BE A DISCIPLINE. SO IT'S BASICALLY A LIST OF
12 REASONS YOU CAN DISCIPLINE THEM AND IT'S NOT ON THERE.

13 MS. WILLIAMS: SO IF I UNDERSTAND
14 CORRECTLY, YOU ARE SUGGESTING THAT THE COMMITTEE WRITE
15 SOME SORT OF A RULE THAT WOULD COVER THAT SITUATION?

16 MR. SCHOON: RIGHT. ONE OF THE REASONS WE
17 CAN TAKE SOMEONE'S LICENSE AWAY IS VIOLATION OF A RULE,
18 AN ETHICAL RULE OF THE COMMITTEE BY PUTTING SOME RULE IN
19 THERE IF THEY WOULD VIOLATE THAT, THEN WE WOULD HAVE
20 CAUSE TO DISCIPLINE OR REVOKE THEIR LICENSE.

21 MS. WILLIAMS: THAT GOES UNDER THE ETHICAL
22 RULES OF CONDUCT?

23 MR. SCHOON: YES.

24 MR. BETZLER: WE'RE TALKING A TWO-YEAR
25 CYCLE IN THE LICENSING?

1 MR. SCHOON: IT'S A TWO-YEAR CYCLE. THAT'S
2 SOMETHING DONE BY THE DIVISION.

3 MS. DRUMMOND: I THOUGHT IT WAS ONE YEAR.

4 MR. BETZLER: RIGHT NOW. SO THAT'S WHY WE
5 HAD ORIGINALLY SET UP OUR CONTINUING EDUCATION SO THAT IT
6 WOULD TAKE CARE OF THAT BECAUSE THAT WOULD BE THEIR
7 CERTIFICATION WOULD LAPSE IF THEIR CONTINUING EDUCATION
8 REQUIREMENTS WERE NOT MET. SO WE HAD SET THAT CYCLE UP
9 TO BE AN ANNUAL CYCLE FOR THAT VERY REASON SO THEN THEY
10 WOULDN'T GET A RENEWAL LICENSE ON THE BASIS OF THEIR
11 CONTINUING EDUCATION. THAT'S WHAT WE WERE UNDER THE
12 ASSUMPTION OF AN ANNUAL LICENSURE.

13 MR. SCHOON: IS THE TWO-YEAR THING DIVISION
14 WIDE.

15 MS. KESSLER: IT'S AT THE DISCRETION OF THE
16 DIRECTOR ONCE THE FUND IS IN PLACE AND ADEQUATE TO
17 SUPPORT THE COMMITTEE FOR AT LEAST TWO FIGURES.

18 MR. SCHOON: IS THAT ALL PROFESSIONS?

19 MS. KESSLER: YEAH. PROFESSIONS THAT DON'T
20 THERE'S BEEN LEGISLATION INTRODUCED TO ALLOW THE DIVISION
21 TO GO TO A BIENNIAL CYCLE.

22 MS. MCENULTY: STEVE, WAS YOUR TWO-PART
23 QUESTION ANSWERED OR COMMENTED UPON?

24 MR. HAMERDINGER: IT'S ANSWERED IN SIMPLE
25 LEGAL FASHION. ANYWAY, I'M SATISFIED THAT IF THE

1 COMMITTEE WILL INTRODUCE THE RULES THAT ALLOW FOR THE
2 LICENSE TO BE SUSPENDED IF THEIR CERTIFICATION IS OUT,
3 THEN I WILL BE SATISFIED.

4 MS. DRUMMOND: MARK, EVERYTHING LOOKS FINE.
5 THERE'S ONE RULE THAT YOU HAD SUGGESTED AN INTERPRETER
6 SHALL NOT PRACTICE ABOVE THE LEVEL OF HIS OR HER LEVEL OF
7 CERTIFICATION. IS THAT NOT COVERED BY ONE OF THE ETHICAL
8 RULES THAT WE ALREADY HAVE.

9 IT SAYS THEY WILL NOT ACCEPT A CONTINUING
10 ASSIGNMENT FOR WHICH THEY DON'T HAVE THE EDUCATION,
11 TRAINING, BLAH, BLAH, BLAH?

12 MR. SCHOON: NO, NOT QUITE. DO YOU
13 REMEMBER WHICH ONE THAT WAS, WHICH RULE? IS IT NO. 3?

14 MS. DRUMMOND: I'M NOT SURE.

15 MR. SCHOON: ONE THAT SAYS THAT THE
16 INTERPRETER DOES NOT HAVE THE ABILITY, EDUCATION,
17 TRAINING, EXPERIENCE AND QUALIFICATIONS AS DEFINED IN
18 SECTION 209.285 SUBSECTION THREE. THAT SECTION IS JUST A
19 DEFINITION OF THE WORD CERTIFICATION. SO READ ALL
20 TOGETHER I'M NOT SURE IT PROBABLY SHOULD HAVE BEEN WORDED
21 THAT WAY BUT ONE INTERPRETATION OF THAT IS AN INTERPRETER
22 HAS TO BE QUALIFIED AND TO SEE IF HE'S QUALIFIED YOU LOOK
23 AT ALL OF THOSE THINGS, NOT JUST CERTIFICATION. I'M
24 SAYING EVEN IF THEY ARE, EVEN IF THEY DO POSSESS THE
25 ABILITY, EDUCATION, TRAINING, EXPERIENCE TO DO THE JOB

1 THEY DON'T HAVE THE CERTIFICATION, THEY CAN'T DO IT.
2 THIS IS SAYING EVEN THOUGH I DON'T HAVE THE CERTIFICATION
3 I HAVE GOT ALL OF THOSE OTHER THINGS SO I'M QUALIFIED.
4 BY SAYING THEY NEED THE CERTIFICATION EVEN WITHOUT ALL OF
5 THAT OTHER STUFF.

6 MS. DRUMMOND: I SEE.

7 MR. HAMERDINGER: THAT'S ONE OF THE
8 CONCERNS THAT BCI HAS BROUGHT TODAY. IT'S THAT WE THINK
9 THE COMMITTEE SHOULD SET UP SOME RULES THAT SAY THAT THEY
10 WILL ENFORCE THE SKILL LEVELS. THAT'S WHAT THEY ARE
11 SUGGESTING. IT'S THE SAME THING.

12 MS. MCENULTY: THAT THE STATE COMMITTEE
13 SETS UP?

14 MR. HAMERDINGER: YES.

15 MR. HAMERDINGER: THAT REQUIRES A SKILL, A
16 REQUISITE SKILL.

17 MS. WILLIAMS: SO THE SKILLS THAT ARE
18 MANDATED BY THE BCI BE REGULATED THROUGH LICENSURE.

19 MR. SCHOON: THAT'S ARE THE ONES THAT DON'T
20 GO INTO EFFECT FOR THREE MORE YEARS?

21 MR. BETZLER: YES.

22 MR. SCHOON: I DON'T THINK WE CAN SAY RIGHT
23 NOW, I DON'T THINK THE COMMITTEE CAN SAY THAT WE ENFORCE
24 SOMETHING THAT BCI SAYS CAN'T BE ENFORCED FOR THREE
25 YEARS.

1 MR. JACOBS: AS FAR AS NOW. LONG TERM.

2 MR. BETZLER: ISN'T THAT WHAT THIS IS
3 SAYING, THOUGH, PRETTY MUCH, IS THAT THEY FOLLOW THE
4 LEVEL OF CERTIFICATION, SO THIS IS PRETTY MUCH TAKING
5 CARE OF EXACTLY THAT ISSUE. SO WHEN THE YEAR 2003 DOES
6 APPROACH THEY WILL BE RECOGNIZED AS THE BCI HAS
7 RECOMMENDED.

8 MS. MCENULTY: ANY OTHER COMMENTS OR
9 CONCERNS? QUESTIONS?

10 DR. MILLER: I HAVE ONE CONCERN THERE, I
11 GUESS. I DON'T WANT TO STIR THE APPLE CART HERE, MARK,
12 BUT I READ THE LANGUAGE AS BEING A LITTLE TOO GENERIC. I
13 SEE THAT THERE'S A DESIRE IN SOMEWAY TO RELATE THE
14 LANGUAGE TO THE GUIDELINES THAT ARE ALREADY IN PLACE AND
15 TAKE SEVERAL PAGES IN THE BCI DOCUMENT. TO SIMPLY SAY
16 THAT AN INTERPRETER SHALL NOT PRACTICE ABOVE THE LEVEL OF
17 HIS OR HER LEVEL OF CERTIFICATION, I HONESTLY, IF I WERE
18 A JUDGE, I WOULD SAY I DON'T KNOW WHAT THAT MEANS. YOUR
19 LEVEL OF CERTIFICATION IS A THREE, IT'S INTERMEDIATE.
20 DOES THAT MEAN YOU CAN'T GO INTO A SCHOOL OR YOU CAN'T GO
21 INTO A THE COURTROOM? IT DOESN'T MEAN ANYTHING UNLESS WE
22 LOOK AT THE GUIDELINES ON THE SKILL REQUISITES. SO I
23 GUESS I'M CONCERNED THAT THERE'S AN IMPLICIT TIME THAT I
24 WOULD LIKE TO SEE THAT EXPLICIT BECAUSE WITHOUT THAT IT
25 DOESN'T MEAN ANYTHING TO ME.

1 MR. SCHOON: THAT WOULD INCORPORATE THE
2 SKILL LEVELS.

3 MR. JACOBS: I THINK WHAT HE IS SAYING IS
4 MAYBE THE RULES SHOULD SAY AS THE LEVEL OF CERTIFICATION
5 AS SET FORTH IN THE REQUISITE GUIDELINES ESTABLISHED.

6 MR. SCHOON: RIGHT. THIS ISN'T ANY FINAL
7 LANGUAGE. THIS IS MORE IDEAS. THERE IS NO PROBLEM
8 PUTTING A SPECIFIC REFERENCE TO THAT.

9 DR. MILLER: I THINK THAT'S MY SUGGESTION,
10 IT'S NOT FINAL LANGUAGE. WE UNDERSTAND THAT I THINK WHAT
11 STEVE WAS TRYING TO GET AT WAS THAT THERE SHOULD BE A
12 LINKAGE THERE. MY CONCERN IS THAT THE LANGUAGE IS SO
13 VAGUE THAT IT MAY NOT HAVE ANY MEANING IF IT WAS EVER
14 CHALLENGED TO BE ENFORCEABLE.

15 MR. SCHOON: THAT'S A GOOD IDEA.

16 MS. MCENULTY: MARK, I HAVE A QUESTION FOR
17 YOU. THIS RULE, IF WE SHOULD ADOPT THIS NEW RULE, WOULD
18 IT THEN NOT BE ENFORCEABLE UNTIL 2003 BECAUSE OF THE
19 REQUISITE SKILL LEVELS THAT BCI, THE GUIDELINES THAT THEY
20 HAVE SET UP?

21 MR. SCHOON: THAT'S PROBABLY THE WAY IT
22 WOULD BE. THAT ONE RULE WOULD SAY YOU CAN'T PRACTICE
23 ABOVE WHAT THESE OTHER RULES SAY YOU CAN PRACTICE BUT THE
24 OTHER RULES SAY THESE RULES AREN'T ENFORCEABLE UNTIL
25 2003. SO IF WE'RE GOING TO GO AFTER, THERE'S TWO WAYS TO

1 LOOK AT IT. FIRST ONE IF WE'RE GOING TO GO AFTER SOMEONE
2 THAT WOULD NOT BE A STRONG WAY TO GO AFTER THEM. SECOND
3 ONE IS IF SOMEONE IS TRYING TO LOOK TO SEE WHAT THEY
4 SHOULD BE INTERPRETING, THEN THEY WOULD SEE WELL, I
5 PROBABLY SHOULDN'T BE INTERPRETING AT THIS LEVEL NOW.
6 THEN WHEN IT DOES COME ON-LINE IN A COUPLE OF YEARS, THEN
7 IT WILL ALREADY HAVE BEEN THERE. RIGHT. SO OF THE THREE
8 THAT ONE IS THE ONE THAT I WOULDN'T EXPECT TO SEE AS THE
9 BASIS FOR A COMPLAINT RIGHT NOW.

10 MR. HAMERDINGER: I'M GOING TO PLAY THE
11 DEVIL'S ADVOCATE. WHAT IF BCI CAME BACK AND CHANGED MY
12 RULE TO FORCE ME TO GIVE UP MY LICENSE NOW?

13 MR. SCHOON: I DON'T UNDERSTAND.

14 MS. WILLIAMS: TO FOLLOW THE REQUISITE
15 SKILLS LEVEL NOW YOU MEAN?

16 MR. HAMERDINGER: ON THE ADVICE OF THE
17 COUNSEL, BCI WOULD CHANGE ITS RULES AND LAWS TO REFLECT
18 THE SKILLS LEVEL TO REFLECT THE RULE. IT'S A PROBLEM.

19 MR. SCHOON: I'M NOT SURE I UNDERSTAND. IF
20 YOU ARE SAYING YOU CHANGE THE 2003 DATE TO CURRENT?

21 MR. BROWN: YES. THAT'S WHAT HE IS SAYING.

22 MR. SCHOON: I DON'T SEE A PROBLEM WITH
23 THAT AT ALL.

24 MR. HAMERDINGER: IT SEEMS THAT THAT IS
25 EASIER TO FIX THAN TO TRY TO ARGUE AND TRY TO FIT THINGS

1 TOGETHER. ADVISE US, LEGAL PEOPLE TO ADVISE US TO CHANGE
2 THE RULE.

3 MR. SCHOON: I'M NOT SURE WHY THE 2003
4 LIMIT WAS PUT IN THERE IN THE FIRST PLACE. I GUESS THERE
5 WAS PROBABLY A NEED TO HAVE A PERIOD WHERE YOU ARE
6 GETTING ADJUSTED TO IT ALL. FROM THE LEGAL POINT OF VIEW
7 I DON'T PERSONALLY SEE A REASON THAT IT NEEDS TO BE THAT
8 LONG BUT CRAIG MIGHT DISAGREE. I DON'T KNOW.

9 MR. JACOBS: I DON'T KNOW. OTHER THAN THE
10 FACT IT'S BEEN REPRESENTED TO THE PUBLIC AND THE
11 INTERPRETERS THAT IT WON'T BE ENFORCED UNTIL 2003, I
12 WOULD MUCH RATHER SEE IT IN PLACE RIGHT NOW JUST BECAUSE
13 IT IS SIMPLER. THE STATUTE DIRECTS BCI TO ESTABLISH
14 GUIDELINES. YOU DON'T HAVE GUIDELINES RIGHT NOW.

15 MR. BETZLER: I WASN'T HERE AT THAT TIME
16 BUT I DON'T KNOW IF THAT WAS AN EDUCATIONAL
17 ACCOMMODATION.

18 MS. MCENULTY: HANG ON JUST A SECOND.
19 COULD I JUST ASK EVERYBODY OR REMIND EVERYBODY THAT WE'RE
20 IN OPEN SESSION. SO IF YOU COULD REFRAIN FROM SIGNED
21 CONVERSATIONS AMONGST EACH OTHER AND DO TURN TAKING FOR
22 THE BENEFIT OF THE INTERPRETERS AND EVERYBODY ELSE IT
23 WOULD GREATLY BE APPRECIATED.

24 MR. BETZLER: I DIDN'T KNOW IF THAT DATE
25 WAS SET UP FOR AN EDUCATIONAL ACCOMMODATION SINCE I WAS

1 NOT ON THE BCI AT THAT TIME. THAT WAS MY CONCERN.

2 MS. GALLOWAY: THAT WAS THE AGREEMENT THAT
3 WE MADE WITH DESE. THE BULK OF THE INTERPRETERS ARE IN
4 THE EDUCATIONAL FIELD SO WE HAD TO HAVE A GRACE PERIOD.
5 THERE WERE CONCERNS THAT WE WOULDN'T HAVE ENOUGH
6 INTERPRETERS SO IN 2003 EVERY INTERPRETER HAS TO BE AT A
7 LEVEL 3 IN ORDER TO WORK IN THE EDUCATIONAL SYSTEM SO WE
8 GAVE THEM THAT GRACE PERIOD TO GET THOSE INTERPRETERS UP
9 TO A LEVEL 3. RIGHT NOW IF IT WERE IN EFFECT THAT WE
10 DIDN'T -- IF WE DIDN'T HAVE THAT 2003 ACCORDING TO THE
11 REQUISITE SKILL LEVEL THERE WOULD BE PROBABLY ONE-THIRD
12 OR MAYBE ONE-HALF OF THE INTERPRETERS THAT ARE PRACTICING
13 ILLEGALLY BECAUSE THEY CANNOT PRACTICE IN THE EDUCATIONAL
14 SETTING BECAUSE OF THE LEVEL 3.

15 MR. SCHOON: THERE COULD BE AN EXEMPTION
16 MADE FOR THE EDUCATIONAL SYSTEM AND KEEP THE OTHER LEVELS
17 IN PLACE.

18 MS. GALLOWAY: UNTIL 2003?

19 MR. HAMERDINGER: I JUST REMEMBERED
20 SOMETHING. WHEN THE FIRST RULES IN THE PROCESS WERE
21 BEING DEVELOPED, I WAS REALLY SCREAMING ABOUT THE RULES.

22 MS. WILLIAMS: DESE WAS SCREAMING ABOUT THE
23 RULES.

24 MR. HAMERDINGER: WE DID EVERYTHING EXCEPT
25 DROP OUR PANTS AND BOW BECAUSE THEY WERE FIGHTING AGAINST

1 US. SOMETIMES I THINK WE DID THAT TOO. SO AS A RESULT,
2 THE RULES HAVE ALL KINDS OF LOOPHOLES FOR EDUCATION.
3 REALLY I DON'T CARE IF WE TIE THEM DOWN OR NOT. BUT I
4 UNDERSTAND THE LEGAL COUNSEL WILL HAVE TO FIGHT FOR US
5 BECAUSE DESE WILL SCREAM.

6 MR. BETZLER: YOU DID THAT.

7 MS. GALLOWAY: I HAVE ANOTHER QUESTION.
8 YOU SAID THAT IT WAS POSSIBLE THAT WE COULD REWRITE THE
9 RULE. I DON'T KNOW WHO IS GOING TO BE WRITING THIS. I'M
10 NOT CLEAR ON WHO IS WRITING WHAT.

11 MR. JACOBS: THEY WRITE THEIR RULES OR YOU
12 WRITE YOUR RULES.

13 MS. GALLOWAY: I DON'T KNOW WHOSE RULE THIS
14 BELONGS TO. AT THIS POINT WE'RE TALKING ABOUT THE
15 REQUISITE SKILL LEVEL AND THE LEVEL 3, 2003 IS WHAT WE'RE
16 TALKING ABOUT. THAT'S OUR RULE. BUT WE COULD CHANGE
17 THAT RULE TO EXEMPT EDUCATIONAL INTERPRETERS FROM THAT
18 UNTIL -- FROM THE NEW RULE WE WRITE, IS THAT WHAT YOU ARE
19 SAYING TO US? WE COULD WRITE A NEW RULE FOR ALL PEOPLE
20 EXCEPT EDUCATIONAL INTERPRETERS, FOR ALL INTERPRETERS
21 EXCEPT EDUCATIONAL INTERPRETERS?

22 MR. SCHOON: RIGHT. SINCE THAT'S THE RULE
23 THAT YOU GUYS WROTE YOU COULD CHANGE IT TO ANYTHING THAT
24 YOU WANT TO.

25 MR. JACOBS: YOU COULD WRITE A RULE THAT

1 SAYS THESE ARE EFFECTIVE IMMEDIATELY EXCEPT THAT WITH
2 RESPECT TO THE EDUCATIONAL SETTING THIS WON'T APPLY UNTIL
3 THE YEAR 2003.

4 MS. GALLOWAY: THANK YOU.

5 MS. MCENULTY: MARK, THEN WOULD WE ADD THIS
6 RULE THE INTERPRETERS WOULD NOT PRACTICE, WE WOULD
7 ESTABLISH THAT OR ADOPT THAT RULE.

8 MR. SCHOON: I THINK THAT COULD BE ADOPTED.
9 IT'S GOOD TO HAVE ON THERE EVEN IF YOU CAN'T USE THAT AS
10 A SOLE BASIS FOR A COMPLAINT AT THIS POINT.

11 DR. MILLER: I WOULD AGAIN CAUTION US TO BE
12 JUST A LITTLE BIT CAUTIOUS ABOUT THAT APPROACH. BECAUSE
13 IF WE DID THAT, THAT SOUNDS TO ME LIKE WE WOULD BE
14 EXEMPTING ALL OF THE EDUCATIONAL INTERPRETERS FROM BEING
15 DISCIPLINED WHICH IS WHAT WE'RE BASICALLY TRYING TO
16 ACCOMPLISH PARTLY IN THE FIRST PLACE.

17 MR. JACOBS: NOW, LET'S MAKE ONE THING
18 CLEAR. WE'RE TALKING ABOUT EXEMPTING THEM FROM THE
19 REQUISITE SKILL LEVELS. YOU HAVE NO AUTHORITY TO EXEMPT
20 THEM FROM LICENSING. EDUCATIONAL WOULD STILL NEED TO BE
21 LICENSED.

22 MR. HAMERDINGER: DR. MILLER, I WOULD LIKE
23 TO ALSO POINT OUT THAT WHAT WE'RE DOING FOR MICS IS THE
24 SAME AS WE'RE DOING FOR RCED. SO WE CAN CHANGE THE RULES
25 FOR MICS AND GIVE A GRACE TIME FOR RCED.

1 MS. WILLIAMS: ACTUALLY WE'RE JUMPING THE
2 GUN.

3 MS. KESSLER: OH, WE'RE ALREADY THERE.

4 MR. BETZLER: I WAS THINKING THE SAME
5 THING. I HAVE ONE CONCERN ABOUT THAT. MY CONCERN IS
6 THAT THIS WHOLE SEPARATION OF EDUCATIONAL INTERPRETERS
7 AND THE MESSAGE WE'RE SENDING PEOPLE IN THE EDUCATIONAL
8 FIELD OF INTERPRETERING THAT THE QUALIFICATIONS ARE LESS
9 THAN ANY OTHER INTERPRETER IN THE STATE OF MISSOURI. I
10 THINK WE'VE ALREADY SENT THAT MESSAGE FOR A LONG TIME.
11 EXCUSE ME. I'M NOT FINISHED. KEEP YOUR HANDS OFF. SO
12 THAT'S MY CONCERN, MY BIGGEST CONCERN IS IF WE SAY OKAY,
13 THEY ARE EXCUSED I KNOW UNTIL THE YEAR 2003 THAT WOULD BE
14 THE TIME THEY WOULD HAVE TO BE EQUIVALENT TO THE OTHER
15 INTERPRETERS. I UNDERSTAND THAT. GO AHEAD, STEVE.

16 MR. HAMERDINGER: I'M IN THE MENTAL HEALTH
17 PROFESSION AND I WANT TO MAKE SURE OF CONTINUED
18 EMPLOYMENT IN THE FUTURE. IF WE SCREW UP THE KIDS WHILE
19 THEY ARE IN SCHOOL THAT'S FINE WITH ME.

20 MR. BETZLER: I PLAN TO LIVE FOR A LONG
21 TIME, SO I'M SURE -- BUT I THINK THAT'S A CONCERN FOR ME.
22 I THINK WE HAVE TO CLEARLY DEFINE EVERYTHING BECAUSE
23 WE'RE TRYING TO CHANGE THAT WHOLE IDEA, THAT IMAGE THAT
24 EDUCATIONAL INTERPRETERS, THEIR SKILLS NEED TO BE LESS
25 THAN OTHER INTERPRETERS.

1 MR. HAMERDINGER: I'LL TELL YOU WHAT, DAN,
2 YOU MARCH BOLDLY INTO DESE BEHIND YOU.

3 MR. BETZLER: YEAH, WAY FAR BEHIND ME.

4 MS. KESSLER: HOLDING A NEW PAIR OF PANTS.

5 MR. BETZLER: OKAY.

6 MS. MCENULTY: OKAY. SO ANY MORE CONCERNS
7 OR QUESTIONS REGARDING -- I FORGET WHAT WE WERE TALKING
8 ABOUT NOW -- THE REQUISITE SKILL LEVEL IS WHAT WE LED UP
9 TO BUT WE WERE TALKING ABOUT LEVELS OF CERTIFICATION AND
10 THEIR CERTIFICATION EXPIRING AND THEIR STILL HAVING A
11 LICENSE.

12 MR. BETZLER: SO YOU WOULD LIKE US TO
13 ADDRESS THE RULES IN REGARDS TO CERTIFICATION AND THEN IF
14 THE CERTIFICATION WAS -- THE ANNUAL CERTIFICATION WAS NO
15 GOOD, THEN YOU WOULD PROPOSE THE REMOVAL OF THE LICENSE
16 OR YOU WANT US TO DO THAT IN A RULE?

17 MR. SCHOON: NO. THE THREE RULES THAT I
18 WAS TALKING ABOUT ARE THINGS THAT THE COMMITTEE WOULD
19 NEED TO TAKE ACTION ON. THE ONLY THING THAT'S COME UP SO
20 FAR THAT YOU GUYS WOULD DEAL WITH WOULD BE WHETHER TO
21 MOVE THE 2003 DATE AND THE EDUCATIONAL EXEMPTION AND ALL
22 OF THAT.

23 MR. BETZLER: WE ARE PLEASED, I THINK, THAT
24 YOU ARE RECOGNIZING THE SUGGESTED LEVELS OF CERTIFICATION
25 AND THE REQUIREMENTS FOR THEM THAT WE'VE SUGGESTED. FOR

1 THAT WE THANK YOU.

2 MS. MCENULTY: ANY OTHER CONCERNS OR
3 COMMENTS, QUESTIONS REGARDING PREREQUISITE SKILL LEVELS?

4 MR. BROWN: WHAT WAS IT THE COMMITTEE, THE
5 STATE COMMITTEE WAS WANTING THE COMMISSION OR THE BCI TO
6 DO IN REGARDS TO THE CERTIFICATION EXPIRING IN MIDTERM OF
7 YOUR LICENSE ANNUAL RENEWAL OR BIENNIAL RENEWAL?

8 MS. MCENULTY: THAT HAS COME UP IN LENGTHY
9 DISCUSSIONS. WE'VE KIND OF COME TO -- WE'VE JUST BEEN
10 CONFRONTED WITH CONFLICTS THAT WE HAVEN'T BEEN ABLE TO
11 RESOLVE IT. WE'RE GOING TO FIND INTERPRETERS OUT THERE
12 INTERPRETING THAT WILL HAVE A LICENSE THAT STATES THAT
13 THEY CAN PRACTICE BUT THEY DON'T HAVE THE CERTIFICATION
14 ANY MORE. IF THEY DO NOT GO BACK AND REEVAL, SO ON AND
15 SO FORTH.

16 MR. BROWN: WHAT WOULD BE -- LET'S SEE,
17 WHAT'S THE PROCESS -- IS THE PROCESS TOO LONG TO TAKE
18 AWAY THEIR LICENSE ONCE THEIR CERTIFICATION HAS EXPIRED?
19 SO ARE YOU ASKING OR ATTEMPTING TO ASK THE BCI TO
20 POSSIBLY PROPOSE TO MCD MAYBE TRYING TO DO THE
21 CERTIFICATION CYCLE ALONG WITH THE LICENSURE CYCLE?

22 MS. MCENULTY: IT'S A SUGGESTION. THAT'S A
23 POSSIBILITY. I THINK SANDY HAD SOMETHING SHE WANTED TO
24 SAY.

25 MS. DRUMMOND: ONE OF THE STEPS IN OUR

1 PROCESS WHEN WE GET A LICENSE APPLICATION WE ASK THEM
2 WHAT LEVEL OF CERTIFICATION THEY HAVE AND THEY WILL PUT
3 ON THERE APPRENTICE OR PROVISIONAL. THEY ALSO HAVE TO
4 GIVE US THE EXPIRATION DATE. SO RECENTLY WE'VE APPROVED
5 LICENSES THAT WE KNOW THEIR CERTIFICATION EXPIRES A MONTH
6 LATER BECAUSE WE HAVE TO. WE HAVE NO CHOICE. SO WE
7 ALREADY HAVE A RED FLAG IN OUR FILE THAT THIS PERSON'S
8 CERTIFICATION EXPIRES IN A MONTH. PREVIOUSLY THERE WAS
9 NOTHING WE COULD DO ABOUT IT. NOW I GUESS IF WE HAVE
10 THESE RULES WE CAN GO AHEAD AND START. SHOWN THAT'S THE
11 SITUATION THAT I'M WORRIED ABOUT BECAUSE IN THAT CASE WE
12 WOULD HAVE TO GIVE THEM A LICENSE. A MONTH LATER THEY
13 WOULD HAVE NO CERTIFICATION. THEY HAVE GOT A YEAR AND 11
14 MONTHS LEFT ON THEIR LICENSE. IF THEY DON'T EVEN CHOOSE
15 TO GET RE-EXAMINED WHAT DO WE DO? HERE IS WHAT WE DO NOW
16 THAT WE KNOW THIS. WE COULD FIRST SEND THEM A LETTER
17 SAYING YOU CANNOT INTERPRET WITHOUT BEING CERTIFIED AND
18 YOU MIGHT WANT TO SEND YOUR LICENSE BACK RIGHT NOW. IF
19 THEY CHOOSE NOT TO DO THAT, THEN WE CAN FILE A CASE
20 AGAINST THEM AT THE ADMINISTRATIVE HEARING COMMISSION.
21 THE ONLY PROBLEM WITH THAT IS BETWEEN WHEN WE FILE IT AND
22 WHEN THE HEARING IS SCHEDULED FOR IS A MINIMUM OF FOUR
23 MONTHS. THAT CAN GET DELAYED REAL EASY AND THEN IT COULD
24 TAKE A COUPLE OF MORE MONTHS AFTER THAT TO GET A
25 DECISION. THEN ANOTHER MONTH OR TWO TO GET A

1 DISCIPLINARY ORDER OUT SO WE COULD BE TALKING SIX TO
2 EIGHT MONTHS WITHOUT ANY PROBLEM.

3 MR. BROWN: IS THERE NO WAY WE CAN PUT AN
4 INJUNCTION TO KEEP THEM FROM WORKING DURING THAT TIME?

5 MR. SCHOON: NO. HERE IS WHY. THIS IS THE
6 LOOPHOLE, I THINK. THEIR STANDARD INJUNCTION LANGUAGE IN
7 THE COMMITTEE STATUTES. IT SAYS IF SOMEONE IS NOT
8 LICENSED YOU CAN TAKE AN INJUNCTION. IT DOESN'T SAY YOU
9 CAN'T GET AN INJUNCTION AGAINST ANYONE HOLDS A LICENSE,
10 ONLY AGAINST NONLICENSED PEOPLE, EVEN IF THEY DON'T HAVE
11 CERTIFICATION.

12 MR. BROWN: EVEN THOUGH LICENSURE IS
13 CONTINGENT UPON CERTIFICATION?

14 MR. SCHOON: RIGHT. ONCE THEY GET THE
15 LICENSE THEY ARE EXEMPT FROM ANY KIND OF INJUNCTION.
16 THAT WOULD BE A GOOD STATUTE TO CHANGE IF THAT WAS EVER
17 GOING TO COME UP BUT THAT'S NOT THE ISSUE NOW.

18 MS. WILLIAMS: I WAS JUST GOING TO GO INTO
19 PROCEDURE. YOU WILL KNOW IMMEDIATELY THAT SOMEONE HAS
20 LOST CERTIFICATION BECAUSE THE STAFF WILL SEND YOU
21 INFORMATION RIGHT AWAY.

22 MR. JACOBS: ANOTHER ONE THAT HAS COME UP
23 IS SAYING YOU START THE DISCIPLINARY PROCESS, A PERSON
24 WHO IS BACK INTO BCI AND GETS THE CERTIFICATION, SO THEY
25 COULD CONTINUE AND THEN IT WOULD BE OKAY TO GO AHEAD AND

1 USE THEIR LICENSE. BECAUSE ACTUALLY IT'S FOR YOU TO
2 THINK ABOUT WHETHER YOU WANT TO ASK FOR LICENSES BACK OR
3 NOT OR WHETHER THEY WANT TO GIVE THEM BACK BECAUSE THEY
4 DO ACTUALLY HAVE THE ABILITY TO CURE THIS PROBLEM. SHOWN
5 IF SOMEONE'S CERTIFICATION EXPIRES AND YOU WANT TO TAKE
6 THEIR LICENSE AWAY AND THEY COME BACK AND SAY I'M REALLY
7 TRYING HARD TO GET CERTIFIED AT A HIGHER LEVEL GIVE ME
8 ANOTHER MONTH TO DO IT. YOU MAY WANT TO GIVE THEM THAT.
9 THAT'S YOUR OPTION.

10 MS. DRUMMOND: I WOULD TELL THEM DON'T
11 WORRY ABOUT IT.

12 MR. SCHOON: I'M HOPING A STRONGLY WORDED
13 LETTER FROM LOREE TELLING THEM THERE IS NO REASON TO HAVE
14 THEIR LICENSE IF THEY ARE NOT CERTIFIED WOULD TAKE CARE
15 OF MOST OF THE CASES HERE.

16 MS. DRUMMOND: I ALSO WANTED TO MENTION WE
17 SEND THOSE LETTERS NOW WHEN A APPROVE A LICENSE THAT WE
18 DON'T WANT TO APPROVE WE SEND THEM A LETTER SAYING WE
19 KNOW YOUR CERTIFICATION EXPIRES IN TWO MONTHS AND WE WANT
20 TO REMIND YOU YOU CAN'T CONTINUE TO INTERPRET IF YOU
21 DON'T HAVE CERTIFICATION. WE REMIND THEM OF THAT.

22 MR. BROWN: ONE THING MAYBE FROM THE STAFF
23 POINT OF VIEW AT THE COMMISSION. I DON'T KNOW HOW THE
24 BCI FEELS ABOUT THIS. IT WOULD DEPEND ON WHAT THE
25 LICENSURE STATE COMMITTEE DECIDES TO GO WITH AS FAR AS

1 LICENSING. ARE YOU PLANNING ON DOING ANNUAL CYCLE? DO
2 YOU PLAN TO DO BIENNIAL CYCLE. THAT WOULD HELP US IN
3 DETERMINING HOW WE WANT TO ESTABLISH EXPIRATION DATES ON
4 CERTAIN CERTIFICATES.

5 MS. MCENULTY: CAN YOU DO THAT BECAUSE IT'S
6 BASED ON WHENEVER THE PERSON TAKES THE TEST, THEN THEY
7 HAVE A YEAR FROM THE TIME THEY TAKE THE TEST SO IT WOULD
8 BE.

9 MR. BROWN: IF THAT PERSON WAS TO COME IN
10 AND YOU DO YOUR LICENSING NOW WHEN, STARTING JANUARY 1ST,
11 RIGHT OF EVERY YEAR?

12 MS. KESSLER: IT EXPIRES JANUARY 31ST.

13 MR. BROWN: SO THEREFORE THE PERSON MUST BE
14 RENEWED IN THEIR LICENSE BY FEBRUARY 1ST OF WHATEVER
15 YEAR. SO WHAT HAPPENS IF A PERSON JUST GOT CERTIFIED,
16 LET'S SAY IN AUGUST AND THEN APPLIES FOR LICENSE, DOES
17 THE LICENSE STILL EXPIRE AT THE 31ST OF OF JANUARY OF
18 THAT YEAR?

19 MS. KESSLER: YES.

20 MR. BROWN: THAT'S WHAT I'M ASKING. WHAT
21 WOULD HELP ME MAKE THE DECISION OR HELP EVEN ADVISE OR
22 TALK TO BCI IS TO KNOW EXACTLY WHAT YOU GUYS PLAN TO DO
23 WITH YOUR LICENSE, HOW LONG YOU PLAN TO HAVE IT BEFORE IT
24 EXPIRES IN ORDER TO HELP US TO ADVISE FOR CERTAIN
25 CERTIFICATES WHEN WE WANT THEM TO EXPIRE MAYBE DO ALONG

1 THE SAME THOUGHT PROCESS, IF WE DO WHAT THOSE PARTICULAR
2 CERTIFICATES THAT THEY WILL HAVE EXPIRE, THEY START THERE
3 THEY EXPIRE IN SIX MONTHS JUST LIKE YOU GUYS WILL.

4 MS. MCENULTY: SO THAT'S A POSSIBILITY.

5 MR. HAMERDINGER: I DON'T THINK THERE
6 SHOULD BE A PERSON GETTING CERTIFICATION AND A PERSON
7 GETTING THEIR LICENSE -- I THINK THE LICENSE DEPENDED ON
8 YOUR MAINTAINING YOUR CERTIFICATION. THEN IT DOESN'T
9 MATTER WHAT CYCLE THE CERTIFICATION IS ON. IF THE RULES
10 SAY THAT THE INTERPRETER MUST BE CERTIFIED AND MUST BE
11 MAINTAINING CERTIFICATION, THEN IT'S NOT CONNECTED. ANY
12 TIME THAT THE INTERPRETER PRACTICES WITHOUT A
13 CERTIFICATION IT SHOULD BE A VIOLATION OF RULES. THE
14 PROBLEM IS SOLVED. IT BECOMES THE INTERPRETER'S
15 RESPONSIBILITY TO MAKE SURE THEY MAINTAIN THEIR
16 CERTIFICATION. IT'S NOT YOURS.

17 MR. BETZLER: THE PROBLEM IS THAT IS YOU
18 HAVE TO ENFORCE WHETHER A PERSON WORKS WITHOUT A LICENSE
19 OR NOT IS THAT WHAT I'M UNDERSTANDING? SO THEREFORE,
20 ONCE YOU ISSUE A LICENSE THEY HAVE TO MAINTAIN THAT
21 LICENSE AND THAT'S ALL YOU ARE GOVERNING, THAT'S IT. SO
22 EVEN THOUGH THE CERTIFICATION WOULD BE SEPARATE IF THEY
23 MAINTAINED THAT LICENSE, WHICH IS YOUR RESPONSIBILITY,
24 THEY WOULD STILL BE ABLE TO WORK IN A SENSE THE STATUTE
25 SAYS THAT THEY HAVE TO HAVE A LICENSE AND NOTHING ABOUT

1 CERTIFICATION, WE CAN'T ENFORCE THAT, THAT'S WHAT I'M
2 GETTING, STEVE, IN REGARDS TO?

3 MS. MCENULTY: WE CAN'T GO AFTER THE
4 INTERPRETER IF THEY HAVE A LICENSE.

5 MR. BETZLER: IT WOULD BE OUR
6 RESPONSIBILITY AS THE BCI TO GO AFTER THAT PERSON WHO
7 DOES NOT MAINTAIN CERTIFICATION.

8 MR. JACOBS: NO. UNDER THEIR NEW RULES
9 THAT THEY ARE GOING TO PROPOSE THEY WILL THEN HAVE THE
10 TOOLS TO GO AFTER THE LICENSE WHEN THE CERTIFICATION
11 LAPSES. THAT'S EXACTLY WHAT MR. SCHOON'S OPINION IS.

12 MR. HAMERDINGER: YES.

13 MS. MCENULTY: COMMENTS. LOREE, YOU HAVE A
14 QUESTION.

15 MS. KESSLER: IS BCI CONSIDERING CHANGING
16 THEIR RULES ON REQUISITE SKILL LEVEL AND SEPARATING THE
17 EDUCATIONAL INTERPRETER FROM THE PRIVATE PRACTICE
18 INTERPRETER?

19 MS. WILLIAMS: NOW, YOU ARE ASKING A RATHER
20 BROAD QUESTION AND I'M NOT REAL SURE WHERE YOU ARE GOING
21 WITH THAT. I WILL ADDRESS THIS PART OF IT. WE
22 UNDERSTAND THE CONCEPT OF PERMIT BEING THE DOMAIN OF
23 LICENSURE. WE UNDERSTAND THAT WORD NOW. THEREFORE, BCI
24 WILL DISSOLVE THE WORD PERFECT MIT FROM ITS
25 ADMINISTRATIVE RULES. THIS PROCESS WILL OCCUR AS QUICKLY

1 AS WE CAN MANAGE IT. ALL OF THESE RULES THAT HAVE THE
2 WORD PERMIT IN IT, IT WILL NO LONGER BE THERE. IT WILL
3 BE CERTIFICATION.

4 MS. MCENULTY: SO FOR THE TEMPORARY
5 RESTRICTED PERMITS THAT'S ISSUED TO THE SCHOOL AND THE
6 RPED, THOSE PERMITS YOU ARE GOING TO CHANGE?

7 MS. WILLIAMS: WE'RE GOING TO GET RID OF
8 THE WORD PERMIT.

9 MR. BETZLER: WITH THE UNDERSTANDING THEY
10 ARE ISSUED TO THE INDIVIDUAL PERHAPS BY REQUEST OF THE
11 SCHOOL THEY WILL THEN BE GIVEN TO THE INDIVIDUAL, THEY
12 WILL NEED TO MAINTAIN A LICENSE AT THAT TIME.

13 MR. JACOBS: MAYBE A BETTER THING TO SAY.
14 I'M NOT SURE THEY KNOW YET WHAT IT'S GOING TO BE. BUT
15 THEY ARE GOING TO GO THROUGH A PROCESS OF REVIEWING EACH
16 OF THE PERMITS THAT ARE CURRENTLY ISSUED, RPED, TRPED, IF
17 THEY CAN CONVERTED INTO A CERTIFICATION THEY MAY BE
18 CONVERTED INTO A CERTIFICATION. IF THEY DON'T NEED THEM
19 OR THEY DON'T LIKE THEM, SO THEY ARE GOING TO GO BACK AND
20 REVIEW THEM. THEIR UNDERSTANDING THAT THEY NEED TO DO
21 CERTIFICATIONS AND NOT ISSUE THINGS THAT GIVE ANYBODY THE
22 IMPRESSION THAT THEY ARE SOMEHOW GIVING THEM THE RIGHT TO
23 PRACTICE THE INTERPRETING WITHOUT A LICENSE. WHICH THE
24 PERMITS TENDS TO GIVE THAT IMPRESSION.

25 MS. WILLIAMS: UNDER THE CURRENT RPED, IF

1 YOU LOOK AT THE ADMINISTRATIVE RULE IT TALKS ABOUT THE
2 TRPED. WHEN WE READ THIS OR THE WAY IT WAS WRITTEN
3 LOOKING AT THE LANGUAGE PRIOR TO THAT, IT LOOKS AS IF
4 THAT THE SCHOOL DISTRICT REQUESTED BUT IT ACTUALLY GOES
5 TO THE APPLICANT EVEN THOUGH IT DOES NOT SAY APPLICANT,
6 THAT'S THE WAY TO INTERPRET THAT RULE.

7 MS. MCENULTY: THAT WAS A CONFLICT THAT WE
8 WERE COMING UP AGAINST. SO THEN YOU GUYS ARE LOOKING AT
9 CHANGING THE TRPED TO A CERTIFICATION OR CERTIFICATE OF
10 SOME SORT AND ISSUING IT TO A PERSON, A BODY, AN
11 INTERPRETER.

12 MS. WILLIAMS: IT WILL BE MORE CLEAR.

13 MS. MCENULTY: THEN WITH THE RPED CHANGE IT
14 TO A CERTIFICATE.

15 MR. BROWN: YES.

16 MR. JACOBS: THEN THEY WOULD ALSO NEED TO
17 CREATE REQUISITE SKILL LEVELS TO RESTRICT WHAT THAT
18 CERTIFICATION CAN BE USED FOR.

19 MR. SCHOON: THEN UNDER THE RULE THAT I WAS
20 TALKING ABOUT EARLIER WHERE YOU CAN'T PRACTICE BEYOND
21 YOUR LEVEL OF SKILL, THE RCED WOULD BE LIMITED TO
22 EDUCATION SO THEN THE COMMITTEE COULD APPOINT SOMEONE WHO
23 HAS THAT AND IS PRACTICING OUTSIDE OF EDUCATION?

24 MS. GALLOWAY: CORRECT.

25 MR. SCHOON: THE LICENSE.

1 MS. DURHAM: THE LICENSE IS RESTRICTED BUT
2 THE SERVICES THEY CAN PROVIDE ARE RESTRICTED BY THEIR
3 CERTIFICATION.

4 MR. BROWN: EXACTLY.

5 MS. KESSLER: WHAT IF THE INTERPRETER
6 STINKS IN THE SCHOOL? WHAT IF THE PARENT IS UNHAPPY AND
7 THE CHILD ISN'T HAPPY BUT THEY HAVE A CERTIFICATE AND THE
8 COMMITTEE HAS GIVEN THEM A LICENSE AND ALL OF THESE RULES
9 ARE IN PLACE.

10 MR. SCHOON: THEN YOU WOULD FILE A
11 COMPLAINT JUST LIKE YOU WOULD AGAINST ANY INTERPRETER WHO
12 IS BAD AND JUST DOES AN INCOMPETENT JOB OR ANYTHING LIKE
13 THAT.

14 MS. KESSLER: IF YOU ARE TRYING TO PLUG
15 LOOPHOLES DON'T GIVE THEM ANOTHER ONE TO SAY BUT I'M IN
16 THE SCHOOL AND I'M HERE.

17 MR. SCHOON: THIS DOESN'T EXEMPT ANYBODY
18 FROM THE SCHOOLS FROM BEING A GOOD INTERPRETER.

19 MS. DURHAM: ANY MORE THAN ANY CERTIFICATE
20 DOES.

21 DR. MILLER: EXCUSE MY IGNORANCE BUT I WANT
22 TO ASK A STUPID QUESTION WHICH I OFTEN DO. A LITTLE
23 WHILE AGO SANDY, I THINK USED THE WORDS WE DON'T HAVE ANY
24 CHOICE AND A LOT OF THIS DISCUSSION IS BROUGHT UP BY THE
25 FACT THAT THE WORD PERMITS, MAYBE NEW CERTIFICATES, THAT

1 THERE WAS A DISJUNCTURE BETWEEN THE TIME THAT ONE ENDED
2 AND ANOTHER ONE MAY HAVE ENDED. ALL OF THAT WAS BASED ON
3 THE IDEA CLEARLY OF YOUR ISSUING LICENSES FOR EITHER A
4 ONE YEAR OR A TWO-YEAR CYCLE. ROGER ASKED THE QUESTION,
5 AND I THINK IT WAS YOU WHO SAID SOMETHING ABOUT IF WE
6 KNEW THAT THE PERSON ONLY HAD ONE MONTH LEFT ON THEIR
7 CERTIFICATE WE COULDN'T DO ANYTHING. I'M GOING TO ASK A
8 STUPID QUESTION. WHY CAN'T YOU DO ANYTHING? IS THERE
9 ANYTHING IN THE LAW THAT SAYS A LICENSE HAS TO BE ISSUED
10 FOR NO LESS THAN ONE YEAR OR CAN YOU ISSUE A LICENSE FOR
11 SIX MONTHS OR THREE MONTHS OR ONE MONTH?

12 MR. SCHOON: A LICENSE IS ISSUED. IT IS
13 NOT ISSUED FOR A SPECIFIC TIME. IT IS ISSUED AND THEN
14 THE RENEWAL COMES UP AND THAT IS NOT IN STATUTE WHAT THE
15 RENEWAL PERIOD IS. BUT WHEN THEY ARE GIVEN A LICENSE,
16 THE LICENSE BY ITSELF DOES NOT EXPIRE AFTER ANY SPECIFIC
17 POINT.

18 MS. KESSLER: HIS QUESTION IS CAN THE
19 COMMITTEE PROMULGATE A RULE THAT ALLOWS THE COMMITTEE TO
20 ISSUE A LICENSE THAT CORRESPONDS WITH THE DATE OF THE
21 CERTIFICATION EXPIRATION?

22 MR. JACOBS: NO, YOU CAN'T.

23 DR. MILLER: WHAT I'M SEEING, LOREE, IS A
24 SYSTEM WHERE THERE'S A BETTER SHARING OF INFORMATION.
25 YOU SAID SOMETIMES YOU KNOW THAT THEY ONLY HAVE A MONTH

1 LEFT ON THEIR CERTIFICATE AND SOMETIMES YOU DON'T HAVE
2 THAT INFORMATION. I THINK WE COULD ARRANGE A SYSTEM
3 WHERE EVERY APPLICANT THAT CAME TO YOUR OFFICE THAT YOU
4 KNEW EXACTLY THE DATE THAT THEIR CERTIFICATION WAS GOING
5 TO EXPIRE. YOU JUST PICK UP THE PHONE AND ASK US.

6 MS. KESSLER: WE DO.

7 DR. MILLER: WE CAN GET THAT TO YOU.

8 MS. KESSLER: EVERY APPLICANT IS VERIFIED.

9 DR. MILLER: IF YOU KNEW THAT AND IF YOU
10 HAD A RULE ALLOWING IT, THEN YOU COULD ISSUE A LICENSE
11 THAT WOULD EXPIRE OR BE RENEWED ACCORDING TO AT THE EXACT
12 SAME DATE AS THEIR CERTIFICATION. WOULD THAT HELP?

13 MS. KESSLER: FIRST, TO CLARIFY. WE ALWAYS
14 KNOW WHEN A CERTIFICATE EXPIRES. WE ALWAYS VERIFY THAT
15 WITH YOUR OFFICE AND THE LEVEL OF CERTIFICATION. SECOND
16 THING IS THE DIVISION IS IN CONTROL OF THE RENEWAL, NOT
17 THE STATE COMMITTEE. RENEWAL CYCLES ARE SET IN THE LAW
18 IS EITHER ANNUAL OR AT SOME POINT THE DIVISION DIRECTOR
19 CAN MOVE THEM TO BIENNIAL ONCE YOUR FUND BALANCE IS
20 ADEQUATE. THE PROBLEM IS -- I THINK THE CONCEPT IS GOOD.
21 I DON'T KNOW IF THE COMMITTEE HAS THE AUTHORITY TO
22 PROMULGATE A RULE TO ISSUE A LICENSE THAT RUNS
23 CONGRUENTLY TO CERTIFICATIONS THAT ARE SET TO EXPIRE. I
24 TEND TO DOUBT IT. SECONDLY DO YOU WANT TO DO THAT?
25 BECAUSE NOW YOU ARE SETTING A LICENSURE SYSTEM THAT KIND

1 OF MONITORS THESE FEW AND THEN COME UP, THEIR
2 CERTIFICATION EXPIRES, DOES THAT MEAN THEIR LICENSE
3 AUTOMATICALLY EXPIRES? CAN YOU DO THAT?

4 MR. SCHOON: I AGREE WITH EVERYTHING LOREE
5 SAID. I THINK IF WE WERE STARTING FROM SCRATCH HERE ONE
6 WAY THAT WE COULD CHANGE THIS WOULD BE TO HAVE A STATUTE
7 AUTHORIZING TEMPORARY LICENSES FOR SUCH A SITUATION. BUT
8 WE CAN'T CREATE TEMPORARY LICENSES BY RULE. OTHERWISE I
9 AGREE WITH WHAT LOREE WAS SAYING.

10 MS. KESSLER: I THINK THAT WOULD BE THE
11 BEST SITUATION BUT THE WAY THE STATUTE IS WRITTEN, THE
12 COMMITTEE DOESN'T HAVE THE AUTHORITY TO DO THAT.

13 MR. BROWN: THIS WILL BE AN ONGOING PROBLEM
14 THEN BECAUSE THERE'S NO WAY THAT YOU CAN REGULATE WHEN
15 SOON TO BE INTERPRETERS, RECENT GRADUATE OF STUDENTS FROM
16 INTERPRETER TRAINING PROGRAMS WHEN THEY WILL TAKE THEIR
17 ACTUAL EVALUATION SO THEY ARE ALWAYS GOING TO START AT
18 ODD TIMES DURING THE YEAR. SO I DON'T KNOW AND MAYBE THE
19 BOARD KNOWS, BUT I DON'T KNOW HOW YOU COULD REGULATE THAT
20 TO WHERE IT WOULD BE COINCIDED WITH YOUR LICENSE.

21 MR. JACOBS: YOU COULD POSSIBLY -- THE
22 BOARD COULD POSSIBLY PROMULGATE RULES THAT DOES
23 CERTIFICATIONS IN THE SAME MANNER AS THE LICENSING DOES.
24 I MEAN YOU COULD SET A FIXED TERM FOR PROVISIONAL
25 CERTIFICATIONS THAT THEY WILL START -- THAT WOULD

1 PROBABLY BE A BAD CHOICE BECAUSE PROVISION NALS ONLY GO
2 FOR A YEAR ANYWAY. BUT OTHER ONES COULD BASICALLY LIKE
3 APPRENTICE COULD GO IN FOR A TWO-YEAR PERIOD AND YOU
4 COULD SAY ALL APPRENTICE CERTIFICATES EXPIRE ON DECEMBER
5 31ST OF EACH EVEN NUMBERED YEAR. THEN WHEN SOMEONE GETS
6 AN APPRENTICE THEY DON'T GET TWO-YEAR CERTIFICATE THEY
7 GET FOR WHATEVER PERIOD OF TIME IS LEFT IN THAT TWO-YEAR
8 PERIOD. IN THAT SENSE YOU COULD POSSIBLY DO SOMETHING
9 LIKE THAT.

10 MR. BROWN: THE EXAMPLE YOU USED IN THE
11 PERFECT WORLD THAT WOULD BE GOOD BUT THE PROBLEM IS IF
12 YOU HAVE GOT 50 SOON TO EXPIRE INTERPRETERS WHO NEED TO
13 BE CERTIFIED, RECERTIFIED OR RENEWED, WE COULDN'T DO IT
14 ALL IN THE MONTH OF DECEMBER. THERE IS NO WAY. IT WOULD
15 TAKE US THAT MUCH TIME TO GET THEM THROUGH THE SYSTEM.

16 MR. JACOBS: YOU MAY NOT WANT TO DO THAT
17 SYSTEM.

18 MR. BROWN: EXACTLY. I'M TRYING TO FIGURE
19 OUT A SYSTEM TO WORK WITH THESE GUYS.

20 MR. JACOBS: LEGALLY YOU COULD PROBABLY SET
21 IT UP LIKE THAT BUT IT MAY NOT BE WORTH IT. ALL THEY
22 NEED TO KNOW IS WHEN LICENSING COMES UP THEY NEED TO CALL
23 OVER TO YOUR OFFICE. ARE THESE PEOPLE CERTIFIED? YES OR
24 NO THEY ARE NOT.

25 MR. BROWN: I'M TRYING TO FIGURE OUT HOW TO

1 ANSWER THEIR QUESTION WHEN WE KNOW THEY ARE GOING TO
2 EXPIRE IN TWO MONTHS, WHAT DO WE DO? I DON'T KNOW.

3 MS. DURHAM: MINE WAS ON IF YOU DID SET IT
4 UP, A CYCLE LIKE THAT THAT'S NOT GIVING THOSE
5 INTERPRETERS THE TWO YEARS WORTH OF EXPERIENCE THEY NEED
6 TO BE ABLE TO MAKE IT UP TO THE NEXT LEVEL SO I DON'T
7 THINK THAT WOULD BE A GOOD SYSTEM.

8 MR. HAMERDINGER: RIGHT. I AGREE.

9 MS. DRUMMOND: I JUST WANTED TO MAKE TWO
10 POINTS THAT HAVE KIND OF HELPED ME UNDERSTAND THE BIGGER
11 PICTURE OF A LICENSE. WHEN WE HAVE A LOT OF THESE
12 DISCUSSIONS ABOUT PEOPLE HAVING LICENSES THAT MAYBE
13 SHOULDN'T HAVE THEM, MARK EXPLAINED TO ME HOW IMPORTANT
14 THE LICENSE IS TO PEOPLE AND EXPLAINED THAT IT WAS
15 CONSIDERED LIKE PERSONAL PROPERTY. IT WOULD BE LIKE
16 GOING AFTER SOMEONE'S HOUSE WHEN THEY DEFAULTED ON A
17 LOAN, YOU HAVE TO GO TO COURT AND PROVE THAT THEY DON'T
18 DESERVE TO HAVE THE HOUSE ANY MORE IN ORDER TO TAKE IT
19 AWAY SO IT'S VERY DIFFICULT TO TAKE SOMEONE'S LICENSE
20 AWAY. IT IS VERY DIFFICULT TO TAKE IT AWAY WHEN THEY
21 DON'T HAVE CERTIFICATION. IT IS ALSO VERY DIFFICULT FOR
22 US TO TAKE IT AWAY WHEN THEY NEED DISCIPLINE, WE HAVE TO
23 GO THROUGH THE SAME PROCESS. IT WILL TAKE JUST AS LONG.
24 SOMEONE WHO HAS VIOLATED ETHICAL RULES OF CONDUCT AND HAS
25 POOR PROFESSIONAL CONDUCT IT WILL TAKE US SIX TO EIGHT

1 MONTHS TO TAKE AWAY THEIR LICENSE. SOMEONE WHO LET THEIR
2 CERTIFICATION HOSPITALS MAY NOT ACTUALLY BE PRACTICING
3 YET THEY WILL HAVE A LICENSE FOR SIX TO EIGHT MONTHS.
4 FOR ME THAT KIND OF GIVES ME A PICTURE OF THE SERIOUSNESS
5 MAYBE OF WHAT WE'RE TALKING ABOUT. THERE ARE PEOPLE OUT
6 THERE WHO ARE ACTUALLY VIOLATING ALL KINDS OF RULES AND
7 THEY ARE GOING TO KEEP DOING IT FOR EIGHT MONTHS UNTIL
8 SOMEBODY TELLS THEM TO STOP IT. THERE MAY BE SOMEBODY
9 STANDING OUT THERE WITH A PIECE OF PAPER AND THEY ARE NOT
10 DOING ANYTHING WITH IT. I DON'T KNOW HOW MANY OF THOSE
11 PEOPLE THERE WILL BE. THAT'S ANOTHER THING TO CONSIDER.

12 MS. KESSLER: SANDY, I THINK WHAT ROGER IS
13 ASKING WHEN WE KNOW THAT THEIR CERTIFICATION IS GOING TO
14 EXPIRE. IF THEIR CERTIFICATION EXPIRES JANUARY 2000 AND
15 THEIR APPLICATION IS REVIEWED BY THE COMMITTEE SEPTEMBER
16 OF '99 THEY HAVE A CERTIFICATION AND IT'S CURRENT AT THE
17 TIME THE COMMITTEE REVIEWS IT, THEY ISSUE A LICENSE.

18 MR. BROWN: AND YOU DO THE REVIEWING IN
19 SEPTEMBER.

20 MS. DURHAM: WE DID FOR SOME OF THEM.

21 MR. BROWN: WHAT'S THE NORMAL PROCESS OF
22 REVIEWING TO REISSUE OR RENEW LICENSE?

23 MS. KESSLER: THERE ISN'T A REVIEW PROCESS.
24 IT IS AUTOMATIC.

25 MS. DRUMMOND: FROM NOW ON ALL THE RENEWALS

1 WILL COME IN JANUARY. OF COURSE PEOPLE WILL APPLY, NEW
2 INTERPRETERS WHO MOVE HERE, NEW STUDENTS THEY WILL BE
3 APPLYING THROUGHOUT THE YEAR AND WE HAVE THE MEETING.

4 MR. BROWN: SO THIS YEAR'S CYCLE EXPIRES ON
5 DECEMBER 31ST.

6 MS. KESSLER: JANUARY 31ST OF 2001.

7 MR. BROWN: LET'S SAY THAT I MOVED OVER
8 HERE ON JANUARY 1ST AND GOT LICENSED ON JANUARY 1ST OF
9 2001, DOES MY LICENSE TURN AROUND AND EXPIRE JANUARY 31ST
10 OF 2001? SO I ONLY HAVE A LICENSE FOR ONE MONTH AND THEN
11 I GET RENEWED?

12 MS. MCENULTY: YOU JUST SAID YOU MOVED FROM
13 OUT OF STATE SO YOU CAN APPLY FOR A TEMPORARY LICENSE FOR
14 90 DAYS.

15 MR. BROWN: I KNOW I'M GOING TO STAY HERE.

16 MS. DURHAM: JANUARY 1ST YOU WOULD GET THE
17 TEMPORARY ONE.

18 MR. SCHOON: YOU HAVE IT FOR ONE MONTH BUT
19 THEN YOU WOULD RENEW IT. I GUESS WHEN YOU GOT YOUR FIRST
20 LICENSE YOU WOULD PAY A PRORATED FEE AND ALL OF THAT SO
21 YOU WOULDN'T BE PAYING FOR THE FULL TWO YEARS. THEN YOU
22 WOULD RENEW IT.

23 MR. BROWN: SO YOU DO ISSUE PRORATED
24 LICENSE?

25 MS. MCENULTY: NO.

1 MR. BROWN: MARK, YOU HAD MY WHEELS GOING.
2 MS. KESSLER: WE COULD.
3 MR. SCHOON: SORRY.
4 MR. HAMERDINGER: THE WORD OUTLAW BY
5 DEFINITION MEANS SOMEONE WHO ACTS OUTSIDE THE LAW. THE
6 INTERPRETER DISREGARDS CERTIFICATION AND LETS IT LAPSE
7 AND IS PRACTICING ANYWAY IS BY DEFINITION OUTLAW BY HIS
8 CONDUCT. SO WE REALLY SHOULDN'T CARE. THAT IS NOT --
9 THAT'S VERY LIMITING -- IT IS A VERY LIMITED NUMBER OF
10 PEOPLE. SOME WORRY ABOUT HOW TO CONTROL THE OUTLAWS. 99
11 PERCENT OF THE INTERPRETERS WILL BE ABIDING BY THE LAWS.
12 IF THE RULES SAY YOU HAVE TO CONTINUE YOUR CERTIFICATION
13 IN ORDER TO MAINTAIN YOUR LICENSE, THEN THEY WILL
14 MAINTAIN THEIR CERTIFICATION. ONE PERCENT THAT IGNORES
15 THOSE WILL IGNORE THEM NO MATTER WHAT ANYWAY, AS AN
16 EXAMPLE. I WILL GIVE YOU AN EXAMPLE OF WHAT I MEAN. I
17 HAVE GOT A PAPER FROM ST. LOUIS WHO IS ADVERTISING
18 THEMSELVES AS AN INTERPRETER FOR THE DEAF. SHE HAD NO
19 CERTIFICATION. SHE CAN'T GET CERTIFICATION. SHE CAN'T
20 SIGN. BUT SHE ADVERTISES HERSELF OFF AS A DEAF
21 INTERPRETER FULLY KNOWING THAT SHE CAN'T GET
22 CERTIFICATION. AND I SAID SOMETHING TO HER. SHE SAID
23 WELL, SO SUE ME. THAT KIND OF PERSON IT'S NOT THE KIND
24 OF PERSON TO HAVE. WE SHOULD BE ENFORCING THESE RULES
25 THAT WE HAVE ALREADY AND WORKING TOGETHER TO STOP THESE

1 PEOPLE. BUT WE CAN'T BASE OUR RULES ON THAT PERSON.

2 MR. SCHOON: FOR SOMEONE LIKE THAT, I
3 ASSUME THE PERSON YOU ARE TALKING ABOUT WAS NOT LICENSED?

4 MR. HAMERDINGER: NO.

5 MR. SCHOON: SOMEONE LIKE THAT WE WOULD
6 HAVE THE POWER TO DO SOMETHING.

7 MR. BETZLER: QUIT TELLING PEOPLE WHERE
8 THEY LIVE. I DON'T WANT TO HEAR WHERE THEY LIVE.

9 MR. HAMERDINGER: ST. LOUIS.

10 MS. WILLIAMS: SAY THAT AGAIN, PLEASE.

11 MR. SCHOON: SOMEONE WITHOUT ANY
12 CERTIFICATION OR LICENSE WHO IS DOING THAT, WHO IS
13 HOLDING THEMSELVES OUT TO BE AN INTERPRETER AND WHO IS
14 DOING THE WORK WITHOUT HAVING THE CREDENTIALS, WE WOULD
15 HAVE THE POWER TO GET AN INJUNCTION AGAINST. THAT'S
16 DIFFERENCE FROM THE SITUATION THAT ROGER ASKED ABOUT
17 EARLIER WHERE A PERSON'S CERTIFICATION LAPSED BUT THEY DO
18 HAVE A LICENSE. AS LONG AS THERE IS NO LICENSE WE DO
19 HAVE THE AUTHORITY. IF SOMEONE MADE A COMPLAINT ABOUT A
20 SITUATION LIKE THAT WE COULD TAKE ACTION.

21 MR. HAMERDINGER: I UNDERSTAND THAT. BUT
22 I'M TRYING TO MAKE A POINT. MY POINT IS TO HAVE A PERSON
23 IGNORE ALL THE RULES AND TO IGNORE THE LAWS AND DON'T
24 EVEN CARE, FOR THAT PERSON TO CONTINUE PRACTICING WITHOUT
25 A CERTIFICATION AND LICENSE, FOR EXAMPLE I HAVE A LICENSE

1 BEFORE MY CERTIFICATION EXPIRES THEN I CAN SAY HECK WITH
2 THE CERTIFICATION BECAUSE I ALREADY HAVE A LICENSE.
3 MAYBE THEY JUST DON'T CARE. WE CANNOT MAKE OUR RULES AND
4 ESTABLISHING THEM ON THAT TYPE OF PERSON'S BEHAVIOR. WE
5 SHOULD WRITE THE RULES SAYING THE LICENSE MUST BE
6 MAINTAINED AND CERTIFICATION AS WELL SO IF THE PERSON LET
7 THEIR CERTIFICATION EXPIRE, THEN WE SHOULD RECOGNIZE THIS
8 MAN BY SENDING HIM A LETTER TOLDING THEM THEY HAD TO HAVE
9 CERTIFICATION TO MATCH THEIR LICENSE. THAT WOULD MAKE US
10 ALL HAPPY. THE PERSON WHO REFUSES AND RESISTS WE WOULD
11 HAVE TO GO AFTER THEM.

12 MS. MCENULTY: FIRST OF ALL, STEVE, I HOPE
13 THAT YOU ARE GOING TO PASS ALONG THAT NAME THAT YOU WERE
14 JUST -- THE PERSON THAT YOU WERE JUST REFERRING TO TO THE
15 STATE COMMITTEE.

16 MR. HAMERDINGER: WE WILL.

17 MS. MCENULTY: GOOD. DR. MILLER.

18 DR. MILLER: IN A WAY I WANT TO SUPPORT
19 WHAT STEVE HAS SAID. I THINK ALL OF US HAVE TO BASICALLY
20 DEAL WITH MOST OF THE PEOPLE THAT WE ENCOUNTER IS FELLOW
21 PROFESSIONALS, NOT BE SUSPECT OF THEIR MOTIVES AND NOT
22 ASSUME AT THE OUTSET THAT THEY WANT TO BE OUTLAWS OR LAW
23 BREAKERS. I'VE BEEN A LITTLE BIT KIND OF ANTSY AS I CALL
24 IT THE DISCUSSION, BECAUSE I'VE NEVER REALLY UNDERSTOOD
25 WHETHER OR NOT THIS IS A REAL PROBLEM. IS THIS A REAL

1 PROBLEM? OR ARE WE SPENDING ALL OF OUR TIME AND ALL OF
2 OUR WHEELS TILTING AT WINDMILLS THAT IN A SENSE DON'T
3 EXIST? I WOULD NOT LIKE TO SEE US SPEND THE YEAR TRYING
4 TO COME UP WITH EXACT LANGUAGE THAT WE THINK THE UNITED
5 STATES SUPREME COURT WOULD UPHOLD IF EVER IT WAS
6 CHALLENGED IF IN REALITY WE NEVER HAD A COMPLAINT OF THIS
7 NATURE AND WE NEVER HAD A REAL SITUATION OF THIS
8 CHARACTER. WITHOUT ASKING FOR NAMES ALL I WOULD REALLY
9 LIKE TO KNOW IS ARE WE TALKING ABOUT ONE, TWO, THREE
10 INSTANCES A YEAR? ARE WE TALKING ABOUT 300 PEOPLE OUT
11 THERE THAT OUR RULE IS GOING TO AFFECT?

12 MS. MCENULTY: RIGHT. AND I AGREE WITH
13 YOU. BUT I THINK AS COMMITTEE MEMBERS WE GO THROUGH EACH
14 AND EVERY APPLICATION. FROM MY -- THIS IS MY OPINION.
15 WHEN I SEE THAT THIS CERTIFICATION THAT'S GOING TO EXPIRE
16 IN A MONTH BUT I HAVE TO ISSUE THEM A LICENSE, AND IN OUR
17 MINDS KNOWING THEY MAY GO BACK FOR CERTIFICATION OR THEY
18 MAY NOT. ON THE OTHER HAND, TO RESPOND TO THE COMMENT
19 THAT YOU ARE MAKING WE ARE RECEIVING COMPLAINTS FOR
20 VARIOUS REASONS. SO THAT'S WHY IT HAS BEEN BROUGHT TO
21 THE TABLE THAT IT IS A CONCERN OF OURS, THAT WE WANTED TO
22 SHARE WITH YOU.

23 MR. HAMERDINGER: I HOPE THAT THE COMMITTEE
24 WILL AMEND THE RULE TO SAY THAT THE LICENSE IS DEPENDENT
25 UPON THE MAINTENANCE OF CERTIFICATION.

1 MS. KESSLER: JUST FOR CLARIFICATION. ON
2 THE CLOSED SESSION AGENDA THE COMMITTEE WILL BE LOOKING
3 AT 106 APPLICATIONS FOR LICENSURE. OVER 40 WILL EXPIRE
4 THEIR CERTIFICATIONS BEFORE THEIR LICENSE EXPIRES.
5 THAT'S SIGNIFICANT. ONE THING I WOULD OFFER FROM AN
6 ADMINISTRATIVE STANDPOINT IS THAT WE DO COLLECT THE
7 INFORMATION FROM THE COMMISSION OFFICE ON WHEN SOMEONE'S
8 CERTIFICATION EXPIRES, THAT WE WOULD ASK THAT IF YOU
9 WOULD LIKE WE COULD GIVE YOU THE LIST OF INDIVIDUALS
10 WHOSE CERTIFICATION ARE EXPIRED AND WHO ARE LICENSED SO
11 WHEN WE SEND OUT OUR LITTLE WARNING LETTER SAYING DID YOU
12 KNOW THAT THE COMMISSION STEPS IN AND SAYS AND BY THE
13 WAY, HERE IS WHAT YOU NEED TO DO TO GET YOURSELF
14 CERTIFIED AND REEVALUATED OR RENEW WHATEVER CERTIFICATION
15 LEVEL THEY ARE AT IF THAT'S APPLICABLE. THAT'S HOW YOU
16 CAN WORK KIND OF HAND IN GLOVE WITH BOTH GROUPS
17 ENCOURAGING COMPLIANCE WITH THE OTHER.

18 MR. BROWN: DO YOU KNOW -- WHAT WAS THAT
19 NUMBER AGAIN?

20 MS. KESSLER: OVER 40.

21 MR. BROWN: OVER 40? CAN YOU TELL ME IF
22 THEY ARE PROVISIONAL OR APPRENTICE?

23 MS. KESSLER: YEAH.

24 MS. MCENULTY: IT'S 106.

25 MR. BROWN: THAT WILL EXPIRE?

1 MS. KESSLER: 40 OUT OF 106. THE GREATEST
2 NUMBER OF THEM, HIGHEST PERCENTAGE I'M SEEING ARE AT THE
3 APPRENTICE LEVEL.

4 MR. BROWN: IF MEMORY SERVES ME CORRECTLY,
5 THAT WOULD BE ABOUT AN APPROPRIATE NUMBER BECAUSE IT'S
6 BEEN ABOUT TWO YEARS SINCE WE STARTED IT SO THEY WOULD BE
7 UP.

8 MR. JACOBS: UNDER THE CURRENT RULES IF
9 THEY COME IN AND TAKE THEIR TEST AND FAIL THEY
10 AUTOMATICALLY EXTEND.

11 MR. BROWN: UNDER CURRENT RULES. YES, IF
12 THEY FAIL THEY GET TO BE EXTENDED ANOTHER TWO YEARS UNDER
13 THE APPRENTICE LEVEL UNDER CURRENT RULE.

14 MS. MCENULTY: DR. MILLER YOU WANTED TO ADD
15 TO THAT.

16 DR. MILLER: MY LAST COMMENT. I WANT TO
17 STRONGLY URGE FOR THE FIRST RULE. I'VE NEVER QUESTIONED
18 THE DESIRABILITY OF ADDING THE WORDING ABOUT YOUR FIRST
19 RULE WHICH SAYS IF THE CERTIFICATION OF AN INTERPRETER
20 LAPSES OR EXPIRES THE INTERPRETER SHALL NOT PRACTICING
21 INTERPRETING. I THINK WE'RE ALL AGREED, I THINK WE'RE ON
22 THE SAME PLATE ON THAT ISSUE. SO I WOULD HOPE THAT THAT
23 WE MOVE FORWARD IN THE DISCUSSION REALLY AND LOOK AT THE
24 QUESTION OF THAT SECOND RULE, WHICH IS THE QUESTION OF
25 REQUISITE SKILL LEVELS AND HOW WE DO OR DO NOT INTERFACE

1 THOSE.

2 MS. MCENULTY: DOES ANYONE ELSE HAVE ANY
3 CONCERNS OR COMMENTS?

4 MS. WILLIAMS: ABOUT THIS ISSUE?

5 MR. BROWN: ABOUT THE SECOND RULE?

6 MS. MCENULTY: SECOND RULE.

7 MR. JACOBS: I THINK MARK JUST HAS TO DO A
8 GOOD JOB DRAFTING IT.

9 MS. MCENULTY: I THINK SO TOO.

10 MR. BROWN: ON THE SECOND RULE IS THERE
11 PLANS THAT THE COMMITTEE WILL ADD TO THAT PARTICULAR RULE
12 AS SUGGESTED BY WHAT DR. MILLER SUGGESTED EARLIER, NOT
13 ONLY SAYING CERTIFICATION BUT ALSO SAYING SUBJECT TO THE
14 REQUISITE SKILL LEVELS?

15 MR. SCHOON: HIS SUGGESTION WAS SIMPLY TO
16 MAKE IT INTERPRETERS SHALL NOT PRACTICE ABOVE THE LEVEL
17 OF HIS OR HER LEVEL OF CERTIFICATION AS SET FORWARD.

18 MR. BROWN: BY THAT PARTICULAR RULE?

19 MR. SCHOON: YES.

20 MS. KESSLER: SO FOR CLARIFICATION. YOU
21 WOULD PROMULGATE A SECOND RULE THAT TIES THE ABILITY OF
22 THE STATE COMMITTEE TO DISCIPLINE A LICENSE BASED ON
23 COMPLIANCE WITH THE REQUISITE SKILL LEVEL WHICH WILL GO
24 INTO EFFECT IN 2003; IS THAT CORRECT?

25 MR. SCHOON: RIGHT. OUR RULE WOULD

1 REFERENCE THEIR RULE WHICH OUTLINES THE SPECIFICS. THEN
2 IF THAT RULE WOULD EVER BE MODIFIED TO GET RID OF THE
3 2003, THEN OUR RULE WOULD -- IT WOULDN'T BE AFFECTED. IT
4 WOULD JUST BE ENFORCEABLE EARLIER.

5 MR. BETZLER: SO YOU WON'T PUT THE DATE IN
6 YOUR RULE?

7 MR. SCHOON: NO.

8 MS. KESSLER: THEN IF THE COMMITTEE
9 RECEIVES A COMPLAINT THAT A PERSON IS PRACTICING OUTSIDE
10 OF THEIR NOT SKILLS ABILITY AND CERTIFICATION AND THE
11 COMMITTEE BELIEVES THEY HONESTLY DID AND THEY WANT TO
12 TAKE DISCIPLINARY ACTION, WHAT'S THEIR BASIS?

13 MR. SCHOON: THEN WE WOULD -- OUR BASIS
14 WOULD BE SUBSECTION THREE OF OUR CURRENT ETHICAL RULES
15 WHICH SAY THAT IT'S UNETHICAL THAT THE INTERPRETER
16 ACCEPTS OR CONTINUES AN ASSIGNMENT THAT HE DOES NOT
17 POSSESS THE ABILITY, EDUCATION, TRAINING AND
18 QUALIFICATIONS FOR AND ONE OF THE THINGS WE WOULD USE AS
19 EVIDENCE IS THE SKILL LEVELS THAT HE DOES NOT MAINTAIN
20 BUT THAT WOULD ONLY BE ONE OF THE THINGS. THE OTHER
21 WOULD BE THE COMPLAINTS ABOUT THE CERTAIN INSTANCE THAT
22 IS THE SUBJECT OF THE COMPLAINT.

23 MR. HAMERDINGER: IS IT THE WISHES OF THE
24 COMMITTEE THAT BCI LOOKS AT OUR REQUISITE SKILL LEVEL
25 RULES WITH THE POSSIBILITY OF ELIMINATING DATES OF

1 ENFORCEMENT, BRING BACK THE DATE 2003, BRING IT CLOSER OF
2 ENFORCEMENT?

3 MS. MCENULTY: SO THAT AS THE BCI, THAT'S
4 WHAT YOU ARE PLANNING, THAT'S NEXT ON YOUR AGENDA?

5 MR. HAMERDINGER: I'M ASKING IS IT THE
6 WISHES OF THE COMMITTEE?

7 MS. DRUMMOND: FIRST I WANTED TO CLARIFY
8 SOMETHING. I UNDERSTOOD THAT AT THE CURRENT TIME BECAUSE
9 OF THE REQUISITE SKILL LEVELS NOT BEING ENFORCED UNTIL
10 2003 WE CANNOT PROCESS COMPLAINTS SOLELY BASED ON
11 SOMEONE'S LEVEL OF CERTIFICATION. SO IF SOMEONE FILES A
12 COMPLAINT SAYING I KNOW THERE'S A LEVEL 2 INTERPRETING IN
13 A DOCTOR'S OFFICE, SEND THAT IN WE CAN'T SAY YES, THIS IS
14 A CAUSE FOR DISCIPLINE BECAUSE WE CAN'T LOOK AT THE LEVEL
15 OF CERTIFICATION. WE HAVE TO PROVE INCOMPETENCE; IS THAT
16 CORRECT?

17 MR. SCHOON: THAT'S CORRECT. ONE OF THE
18 THINGS THAT WE WOULD USE IS THE FACT THAT WHEN YOU TOOK
19 THE TEST THEY WERE ONLY ABLE TO GET UP TO THE LEVEL 2.

20 MS. DRUMMOND: I THOUGHT WE WERE NOT
21 ALLOWED TO REFER TO THAT.

22 MR. JACOBS: YOU CAN REFER TO THE LEVEL.

23 MS. DRUMMOND: WE CAN'T USE THE REQUISITE
24 SKILL LEVEL AS A REASON FOR DISCIPLINE. WE CAN USE IT AS
25 EVIDENCE THAT THEY ARE INCOMPETENT.

1 MR. JACOBS: YOU CAN BASICALLY USE THE FACT
2 THAT THEY ARE A LEVEL 2. LEVEL 2 IS ONLY CAPABLE OF
3 DOING THESE KIND OF THINGS. IF A LEVEL 2 GOES IN WITH
4 ONLY 70 PERCENT RATE OF INTERPRETATION 30 PERCENT OF WHAT
5 THE DOCTOR IS SAYING TO THE PATIENT IS NOT BEING
6 UNDERSTOOD, THEREFORE AN EXPERT INTERPRETER WOULD SAY
7 THAT'S NOT ENOUGH. THAT'S NOT ADEQUATE.

8 MS. DRUMMOND: SO HOW IS THAT SAYING THAT
9 REQUISITE SKILL LEVELS IS NOT ENFORCEABLE UNTIL 2003.

10 MR. SCHOON: BECAUSE IN 2003 WHAT WE WOULD
11 BE ABLE TO SAY THEY WERE INTERPRET IN A DOCTOR'S OFFICE.
12 THE RULE SAYS ONLY LEVEL FIVES CAN INTERPRET IN DOCTOR'S
13 OFFICES. SHE HAS A LEVEL 2, THEREFORE THERE IS NO WAY
14 THAT THIS PERSON CAN BE QUALIFIED. WOULDN'T EVEN NEED A
15 HEARING PROBABLY. WE WOULD JUST SUBMIT THOSE FACTS TO
16 THE JUDGE AND YOU SHOULD GET A RULE ON THAT.

17 MR. JACOBS: YOU WOULD THEN REFERENCE THE
18 RULE THAT HE IS GOING TO DRAFT THAT SAYS THEY MUST
19 OPERATE ONLY AT THE LEVELS THAT ARE ALLOWED BY THE
20 REQUISITE SKILL LEVELS. THAT WOULD BE A VIOLATION OF
21 THAT RULE.

22 MS. DRUMMOND: SO TODAY IF SOMEONE FILES A
23 COMPLAINT, WE DO LOOK AT THEIR LEVEL OF CERTIFICATION TO
24 SHOW WHAT TYPES OF SKILLS, ABILITIES A PERSON OF THAT
25 LEVEL HAS?

1 MR. SCHOON: RIGHT.

2 MS. DRUMMOND: COMPARE THAT WITH THE
3 ASSIGNMENT THEY ARE IN. WE CAN USE IT AS EVIDENCE, WE
4 CAN'T USE THAT AS THE SOLE PERSON?

5 MR. SCHOON: THEY CAN COME BACK AND SAY
6 WELL, I HAD A BAD DAY WHEN I WAS TESTING. I'M REALLY
7 GOOD, THOUGH. THEN THEY CAN BRING IN A LOT OF EVIDENCE
8 ABOUT HOW GOOD THEY ARE. THAT WOULD BE CONSIDERED AFTER
9 TWO -- AFTER 2003 THAT WOULD NOT BE CONSIDERED.

10 MS. DRUMMOND: I HAVE ANOTHER QUESTION.
11 HOW LONG WOULD IT TAKE TO PROMULGATE THESE RULES TO MOVE
12 THIS 2003 DATE BACK? IS IT A SHORT ENOUGH AMOUNT OF TIME
13 THAT WOULD MAKE A SIGNIFICANT DIFFERENCE? ARE WE TALKING
14 A YEAR, TWO YEARS? BY THE TIME WE PROMULGATE THE RULE
15 WILL IT BE 2003?

16 MR. SCHOON: IT SHOULDN'T TAKE THAT LONG.

17 MR. JACOBS: IT WILL BE 2001. IT COULD
18 TAKE AWHILE.

19 MS. GALLOWAY: I THINK THAT THE BCI WILL
20 HAVE TO LOOK AT IT LONG AND HARD ABOUT WHAT WE WILL DO
21 WITH THE 2003 SIMPLY BECAUSE OF THE AMOUNT OF
22 INTERPRETERS WE HAVE IN AN EDUCATIONAL SETTING. WE HAVE
23 TO TAKE THAT INTO CONSIDERATION AND SEE HOW WE CAN
24 PROTECT THEM IN SOMEWAY. WE ALSO HAVE TO REMEMBER THAT
25 WE HAVE DESE TO CONTEND WITH. THAT'S WHERE THE BULK OF

1 THE INTERPRETERS ARE SO I'M SURE WITH LEGAL COUNSEL AND
2 ALL OF THE MEMBERS OF BCI WE'LL BE ABLE TO WORK SOMETHING
3 OUT.

4 MS. DRUMMOND: I JUST WONDER IF IT'S REALLY
5 GOING TO AFFECT ANYTHING? DOES IT MAKE OUR JOB A LITTLE
6 EASIER, IT MAKES OUR JOB A LITTLE EASIER BUT WE CAN STILL
7 DO THE SAME THINGS WE NEED TO DO. DO YOU KNOW WHAT I'M
8 SAYING? I DON'T KNOW HOW CRUCIAL IT IS.

9 MS. DURHAM: YOU CAN MAYBE MISS A HEARING
10 AND NOT GO TO HEARING. WE CAN JUST PRESENT IT TO A
11 JUDGE.

12 MR. SCHOON: IT MAKES IT A LOT EASIER
13 WHENEVER THERE'S A CONCLUSIVE REASON TO DO IT. AND IT'S
14 BY A MATTER OF LAW THEY ARE NOT ALLOWED TO DO THIS RATHER
15 THAN, YOU KNOW, WE PUT ON A WHOLE BUNCH AND MAYBE EVEN
16 HAVE TO HIRE AN EXPERT WITNESS TO SAY THAT THEY ARE NOT
17 COMPETENT AND THEY PUT ON A LOT OF EVIDENCE THAT SAYS
18 THAT AND PROVES TO SOMEBODY WHO HAS NEVER SEEN AN
19 INTERPRETER OR A DEAF PERSON WHY THIS PERSON SHOULDN'T BE
20 OUT THERE DOING IT BASED ON ALL OF THESE THINGS. YEAH,
21 IT WOULD MAKE IT A LOT EASIER.

22 MS. MCENULTY: STEVE, YOU HAD A COMMENT OR
23 A QUESTION.

24 MR. HAMERDINGER: I WAS JUST TRYING TO
25 ENCOURAGE THE COMMITTEE TO GO BACK TO ANSWER MY QUESTION.

1 I THINK THAT NOW YOU ARE STARTING IN THAT DIRECTION.

2 MS. DURHAM: IS IT OUR WISH?

3 MS. MCENULTY: IS IT OUR WISH?

4 MS. DURHAM: TO MOVE THE DATE UP CLOSER TO
5 THE CURRENT DATE.

6 MS. KESSLER: CAN I SPEAK JUST FROM
7 LISTENING TO THE COMMITTEE? YES. CAN I SPEAK FROM A
8 POLITICAL STANDPOINT? NO IS WHAT I'M HEARING. UNLESS
9 YOU SPLIT THE EDUCATIONAL SIDE YOU WILL NOT ONLY LOSE
10 YOUR PANTS YOU COULD LOSE YOUR SHIRT THIS TIME. SO I
11 KNOW THE PRESSURE IS ON THE BCI. SO THE COMMITTEE AGAIN
12 WANTS TO WORK WITH YOU ON FIGURING OUT A WAY THAT YOU
13 TALK ABOUT INTERPRETERS, WE TALK ABOUT PEOPLE THAT GET
14 THE SERVICE. I THINK THE COMMITTEE STRUGGLES EVERY TIME
15 IT GETS A COMPLAINT. THIS PERSON THROWS UP AND IN EVERY
16 COMPLAINT THEY GET I DON'T HAVE TO DO THIS UNTIL 2003. I
17 HAVE A BLAH, BLAH, BLAH FROM KANSAS AND I HAVE A THIS AND
18 THIS FROM THIS ASSOCIATION. SO I DON'T HAVE TO WORRY
19 ABOUT ALL OF THIS UNTIL 2003. SO IF IT WAS POSSIBLE TO
20 GET RID OF 2003, THAT WOULD BE NICE. BUT IF YOU CAN'T
21 IT'S UNDERSTANDABLE BECAUSE WE HAVE BEEN MARKETING
22 BASICALLY TO THE PUBLIC THIS COMMITTEE IS GOING TO LOOK
23 AT EVERYTHING YOU DO REGARDLESS OF WHAT YOUR
24 CERTIFICATION IS OR WHAT YOUR SKILL LEVEL IS WE'RE STILL
25 GOING TO LOOK AT YOU. WE'RE GOING TO DISCIPLINE IF THIS

1 COMMITTEE FEELS IT CAN PROVE THAT YOU ARE NOT PROVIDING
2 COMPETENT SERVICES. SO SANDY'S POINT ABOUT 2003 MAY
3 BE --

4 MR. BETZLER: WHEN YOU ARE SAYING IF WE DO
5 MOVE THE DATE THAT IT WILL TAKE YOU A STEP FURTHER IN
6 REGARDS TO YOU DON'T HAVE TO TAKE THAT OUTSIDE SOURCE IN
7 PROVING THE VALIDITY OF THE CLIENT, YOU CAN USE OUR
8 STANDARDS AS A BASIS, IS THAT WHAT I'M UNDERSTANDING SO
9 THEN THAT WOULD ELIMINATE THAT WHOLE ASSESSMENT OF THE
10 VALIDITY OF THE INTERPRETER PRACTICING WHATEVER AVENUE
11 THEY ARE PRACTICING. RIGHT NOW YOU CAN'T JUST USE SOLELY
12 OUR RECOMMENDED?

13 MR. SCHOON: RIGHT.

14 MS. WILLIAMS: BUT ON THE OTHER HAND, YOU
15 ARE ALSO SAYING THAT IF WE DO MOVE THE DATE, THEN IT'S
16 POLITICALLY DISTASTEFUL.

17 MR. BETZLER: UNLESS WE SEPARATE THE
18 EDUCATIONAL SETTING.

19 MS. GALLOWAY: IF WE DO MOVE THE DATE THEN
20 PROBABLY HALF OF THOSE INTERPRETERS WILL BE WORKING
21 ILLEGALLY BECAUSE THEY ARE JUST AT A LEVEL 2. THE
22 MAJORITY OF THEM ARE AT A LEVEL 2. THEY ARE NOT THERE
23 YET. THEY THINK THEY HAVE KNOWLEDGE 2003 TO GET TO A
24 LEVEL 3 AND IT WILL TAKE THEM THAT LONG TO GET THERE.

25 MR. SCHOON: BUT THE LEVEL 2 COULD EXPIRE

1 BEFORE 2003 ANYWAY.

2 MS. GALLOWAY: THEY CAN STILL GET ANOTHER
3 LEVEL 2.

4 MR. SCHOON: DEPENDING WHERE THEY ARE AT.

5 MS. GALLOWAY: RIGHT. MOST OF THEM HAVE
6 TWO MORE YEARS ON THE LEVEL 2, CORRECT? THAT'S FOUR
7 YEAR, ISN'T IT? I THINK MOST OF THEM HAVE TWO MORE YEARS
8 TO GET TO THAT LEVEL.

9 MR. SCHOON: SO THAT WOULD BE 2000, 2001.

10 MS. DURHAM: THEN 2001 THEY CAN COME BACK,
11 IF THEY FLUNK THE TEST THEY CAN GET A TWO-YEAR EXTENSION.

12 MR. SCHOON: SO MOST OF THEM ARE AT THE
13 VERY BEGINNING OF THEIR FOUR-YEAR PERIOD?

14 MS. GALLOWAY: THEY ARE IN THE FIRST TWO
15 YEARS, AREN'T THEY?

16 MR. BROWN: IF MEMORY SERVES ME CORRECTLY
17 THEY SHOULD BE ENDING THEIR CYCLE NOW THE FIRST TWO
18 YEARS. YES, WHOEVER WAS TALKING ABOUT TWO YEARS 2003
19 YES, THAT DEADLINE IS COMING FOR THOSE INDIVIDUALS.
20 SHOWN IF THEY HAVEN'T UPGRADED BY THEN ANYWAY THEY ARE
21 OUT.

22 MR. BROWN: UNDER CURRENT RULES THOSE
23 INDIVIDUALS I'M SURE HALF OF THEM YOU ARE TALKING ABOUT
24 IN THE 40 ARE THE APPRENTICE UNDER CURRENT RULE HAVE TO
25 BE COMING IN TO BE RECERTIFIED. IF THEY ARE NOT ABLE TO

1 MOVE UP FEN THEY WOULD BE EXTENDED THE APPRENTICE LEVEL
2 FOR ANOTHER TWO YEARS AT THAT TIME IT WILL BE 2003. AT
3 THAT TIME IF THEY ARE NOT MOVED UP THEY ARE OUT OF THE
4 SYSTEM.

5 MS. DURHAM: SO THAT WILL BE 2002 THE
6 MAJORITY OF THEM?

7 MS. GALLOWAY: THOSE WHO GRANDFATHERED IN
8 THAT'S WHAT'S COMING UP RIGHT NOW.

9 MS. DURHAM: I JUST REMEMBER A LOT OF THE
10 EXPIRATION DATES WERE 2002.

11 MS. GALLOWAY: THEN THOSE WHO CAME IN AND
12 TOOK THE TEST THEN THEY WILL BE LIKE 2002, 2003. IT'S
13 THE GRANDFATHER NOW THAT'S COME UP.

14 MS. MCENULTY: SOMEBODY HAD THEIR HAND UP.
15 GOT FIXED.

16 MS. DRUMMOND: I WAS GOING TO SAY THAT'S
17 WHY THEY DEVELOPED THAT CYCLE THAT ENDED IN 2003 WAS
18 GOING TO START OUT IF YOU ARE LOW WHEN YOU START THIS
19 YEAR, PLUS TWO YEARS.

20 MR. BROWN: THAT'S HOW THE 2003 CAME ABOUT
21 WAS THE SIX YEARS, YOU ARE RIGHT.

22 MS. KESSLER: I THINK EVEN IF YOU WENT TO A
23 SPLIT SXM DEALT WITH THE EDUCATIONAL INTERPRETERS I KNOW
24 IF I WERE A PRIVATE PRACTICE INTERPRETER I WOULD BE VERY
25 UPSET BECAUSE YOU NOW AGAIN HAVE THAT ISSUE OF THIS IS

1 HOW WE HAVE TOLD PEOPLE AND PUBLICLY DISCLOSED HOW WE'RE
2 GOING TO -- HOW THE COMMITTEE PROCEEDS ON HOW WE'RE GOING
3 TO REVIEW THE COMPLAINT. NOW WE'RE GOING TO ADD ANOTHER
4 THING TO THE MIX AND CONFUSE THEM, EVEN THOUGH A LOT OF
5 INTERPRETERS DON'T UNDERSTAND THAT CERTIFICATION AND
6 LICENSURE ARE DIFFERENT. SO THAT'S ANOTHER THING THAT
7 YOU HAVE TO CONSIDER WHEN YOU LOOK AT THESE TYPES OF
8 CHANGES IS HOW YOU GET THEM INTO THE PUBLIC THAT WHAT ARE
9 YOU -- THE COMMENTS YOU ARE GOING TO GET ON THEM, THOSE
10 TYPES OF THINGS TOO.

11 MR. BROWN: I FEEL THE INTERPRETING
12 COMMUNITY WILL START TO APPRECIATE THAT WE CAN ACTUALLY
13 NARROW IT DOWN AND GIVE THEM A STRAIGHT ANSWER AND NOT
14 THE VAGUE ANSWER THAT'S BEEN GIVEN OUT BECAUSE WE WEREN'T
15 SO SURE. NOW THAT WE HAVE LEGAL COUNSEL ADVISING THE
16 COMMISSION AND ALSO THE STATE COMMITTEE EXACTLY THE
17 INTERPRETATION OF THE LAW NOT SO MUCH WHAT THE INTENT IS
18 BUT WHAT THE TECHNICALITIES OF THE LAW IS I THINK
19 INTERPRETERS IN THE COMMUNITY WOULD APPRECIATE THAT. SO
20 I THINK WE CAN BUY INTO THAT. ST. LOUIS IS A WHOLE
21 DIFFERENT MATTER. WE ALL KNOW THAT.

22 MS. KESSLER: WHERE HAVE YOU BEEN?

23 DR. MILLER: I WOULD LIKE TO ASK THAT REAL
24 HARD QUESTION AGAIN. HERE WE'RE TALKING ABOUT AN ISSUE
25 WHERE SOMEBODY IS POTENTIALLY FILING A COMPLAINT AGAINST

1 AN INTERPRETER BECAUSE THEY DON'T THINK THEY ARE QUOTE,
2 COMPETENT, QUALIFIED OR WHATEVER. HOW MANY OF THESE
3 INSTANCES ARE WE REALLY EXPECTING IN THE NEXT THREE
4 YEARS? IS IT WORTH IT AGAIN FOR US TO DEAL EXTENSIVELY
5 WITH THIS QUESTION OR IS THAT A THING THAT EFFECTIVELY
6 CAN CAUSE THE POLITICAL PROBLEMS, WE BASICALLY JUST OUGHT
7 TO LEAVE OUR HANDS OFF FOR TWO YEARS AND LET IT GO AWAY?
8 HOW MANY KINDS OF COMPLAINTS OF THIS NATURE ARE YOU
9 REALLY ANTICIPATING?

10 MS. DRUMMOND: I WOULD SAY THE MAJORITY OF
11 OUR COMPLAINT ARE BASED ON COMPETENCE. THE DEAF CONSUMER
12 NOT GETTING THE SERVICES THEY THOUGHT THEY WERE SUPPOSED
13 TO GET.

14 MS. KESSLER: IT IS SPLIT ABOUT 50/50
15 PRIVATE PRACTICE, SCHOOL.

16 MS. GALLOWAY: THAT WAS MY NEXT QUESTION.

17 MS. KESSLER: RIGHT NOW IT IS.

18 MS. WILLIAMS: SO YOUR PROBLEM IS YOU NEED
19 TO FIND EVIDENCE, HARD EVIDENCE TO SHOW THAT THIS PERSON
20 IS NOT WORKING AND DOING THE JOB THAT'S REQUIRED, WE'RE
21 NOT TALKING ABOUT THE REQUISITE SKILL LEVELS, JUST NOT
22 BEING ABLE TO DO IT.

23 MS. KESSLER: WHEN YOU TALK TO A
24 SUPERINTENDENT ON THE PHONE WHO HAS TALKED TO THE
25 COMMISSION OFFICE AND HAS TALKED TO DESE AND HAS

1 INDIVIDUALS WITHIN THEIR SCHOOLS UNDER THE TRPED THEY
2 REALLY FEEL THEY ARE DOING THE MOST THAT THEY CAN TO
3 COMPLY AND THAT THIS INTERPRETER IS BETTER THAN NONE EVEN
4 THOUGH I CAN'T.

5 MR. JACOBS: I DON'T KNOW HOW THAT ARGUMENT
6 WILL FLY IF YOU HAVE A TRPED. YOU HAVE AUTHORIZED THEM
7 TO GO INTO THAT CLASSROOM YOU ARE NOT GOING TO SAY THEY
8 ARE NOT GOOD ENOUGH. THEIR ANSWER WILL BE GOOD ENOUGH.
9 THEY WILL BE ASKED TO PROVE THAT. THAT'S WHY IT WAS AN
10 EMERGENCY THING. I DON'T KNOW THAT YOU WILL BE ABLE TO
11 DISCIPLINE THAT PERSON FOR NOT PERFORMING AT A LEVEL
12 HIGHER THAN THEY OBVIOUSLY CAN'T PERFORM.

13 MS. MCENULTY: DR. MILLER, YOU HAD A
14 COMMENT.

15 DR. MILLER: I'M GOING TO PROBABLY ECHO
16 STEVE HAMERDINGER'S ECHO, PLEASE ANSWER MY QUESTION. I
17 WASN'T REALLY ASKING ABOUT WHAT PERCENTAGE ARE THIS OR
18 PERCENTAGE ARE THAT, I WAS REALLY LOOKING TO A RAW
19 NUMBER. IF IT'S 50/50 AND WE'VE ONLY GOT FOUR COMPLAINTS
20 THAT'S ONE SITUATION. IF IT'S 50/50 AND YOU ANTICIPATED
21 100 COMPLAINTS AND YOU ARE REALLY TALKING ABOUT 50
22 INSTANCES THAT'S A DIFFERENT SITUATION. CAN YOU GIVE ME
23 A FEEL FOR HOW MANY COMPLAINTS OF THIS NATURE YOU ARE
24 REALLY ANTICIPATING?

25 MS. KESSLER: I WOULD SAY 30 ANNUALLY.

1 ALSO BECAUSE LICENSURE IS JUST COMING INTO PEOPLE'S MIND
2 SET NOW THAT THE COMMITTEE IS ACTUALLY LICENSING
3 INTERPRETERS, THE HISTORY OF THE DIVISION HAS BEEN IT
4 TAKES THREE TO FIVE YEARS FOR EVERYTHING TO CATCH UP IN
5 ITS CYCLE. SO THAT NUMBER COULD GO UP.

6 MR. SCHOON: THAT'S 30 COMPLAINTS THAT YOU
7 ARE GOING TO RECEIVE OR 30 COMPLAINTS THE COMMITTEE WOULD
8 TAKE ACTION ON.

9 MS. KESSLER: 30 COMPLAINTS PROBABLY THAT
10 WE WOULD RECEIVE. I WOULD SAY TWO OR THREE WOULD HAVE A
11 DISCIPLINARY ACTION ON THEM. BASED ON WHAT SOME OF OUR
12 OTHER BOARDS OF SIMILAR SIZE THAT ARE NEW HAVE
13 EXPERIENCED. I THINK YOU ARE GOING TO GET A LOT MORE
14 COMPLAINTS THAN MAYBE THE COMMITTEE IS GOING TO BE ABLE
15 TO DO ANYTHING ABOUT.

16 MR. HAMERDINGER: I WANT TO SEE IF I CAN
17 SUMMARIZE THAT IN A DIPLOMATIC WAY. I WANT TO REINFORCE
18 WHAT WAS SAID. THE REASON WHY WE HAVE TRPED IS BECAUSE
19 WE NOTICE AND RECOGNIZE THAT THE EDUCATIONAL SYSTEM CAN'T
20 CONTROL THE GROUP IN THE CLASSROOM. THAT'S A FAILURE,
21 IT'S A DESE'S TO PROVIDE AN INTERPRETER AND I THINK THAT
22 THE COMMITTEE -- THE PROBLEM AND THE FAULT IS ON DESE'S
23 REPLACEMENT FOR AN INTERPRETER. I THINK THE COMMITTEE.

24 MS. WILLIAMS: THE REIMBURSEMENT RATE FOR
25 AN INTERPRETER.

1 MR. HAMERDINGER: THE BOARD SHOULD COUNSEL
2 THE PARENTS TO FILE A COMPLAINT, THEN HOUR HANDS ARE TIED
3 BECAUSE DESE CHOSE TO FIGHT THIS. YOU RECOGNIZE THE
4 PROBLEM AND WE ENCOURAGE YOU TO TAKE IT UP WITH THE
5 PEOPLE WHO BEING FIX IT, DESE.

6 MS. DRUMMOND: THIS TRPED IS A BIG ISSUE
7 AND I KNOW IT'S THE NEXT ON THE AGENDA. BUT FIRST I
8 WANTED TO ASK HAVE WE ALREADY DECIDED WHAT TO DO WITH THE
9 REQUISITE SKILL LEVELS? THAT WE WILL RECOGNIZE IT BUT
10 YOU GUYS NEED TO MAKE THE FINAL DECISION.

11 MR. BETZLER: ARE YOU TALKING ABOUT THE
12 DATE?

13 MS. DRUMMOND: WE DISCUSSED ALL THE
14 PROBLEMS THAT ARE ASSOCIATED WITH IT?

15 MS. WILLIAMS: WE WILL INVESTIGATE IT AND
16 WE WILL MAKE A DETERMINATION. YES OR NO IF WE CHANGE IT
17 OR NOT.

18 MS. DRUMMOND: NOW DO WE WANT TO DISCUSS
19 THE TRPED? I KNOW THAT DOES SOMEONE HAVE A MISSOURI --
20 DID MARK HAVE SOME SUGGESTIONS ABOUT THE TRPED?

21 MS. MCENULTY: I THINK TRPED AND THE RPED
22 YOU GUYS HAVE KIND OF TAKEN CARE OF THAT AND RESOLVED
23 THAT FOR US BY CHANGING THE TERM PERMIT TO CERTIFICATION.
24 ONCE THEY CHANGE THAT THEN AS A LICENSING ENTITY WE SEE
25 CERTIFICATION, THEREFORE WE CAN GRANT A LICENSE. THEY

1 WERE TALKING ABOUT CHANGING THE WORD PERMIT, RPED --
2 SORRY -- SO RESTRICTED CERTIFICATION FOR EDUCATIONAL
3 INTERPRETERS, RIGHT? DIDN'T CAN HE MENTION THAT AWHILE
4 BACK?

5 MS. GALLOWAY: YES.

6 MS. MCENULTY: THAT HELPS US RESOLVE THE
7 ISSUES THAT WE'VE BEEN CONFRONTED WITH.

8 MS. DRUMMOND: I DIDN'T REALIZE WE HAD
9 ISSUES WITH THE RPED ANYWAY? WE WERE GIVING LICENSES
10 THOSE PEOPLE.

11 MS. KESSLER: THEY HAD.

12 MR. SCHOON: THEY PROBABLY TALKED ABOUT IT
13 EARLIER AND YOU WOULDN'T HAVE BEEN AROUND FOR. YOU MUST
14 HAVE A LICENSE IN ORDER TO INTERPRET. THE COMMITTEE
15 GIVES THE LICENSES. THEY ONLY GIVE CERTIFICATIONS. YOU
16 CAN GET A LICENSE ONCE YOU HAVE GOT THE CERTIFICATION BUT
17 WHEN YOU HAVE PERMITS WHICH SEEM TO PERMIT SOMEONE TO
18 LICENSE WITHOUT A LICENSE THAT IS WHAT THE PROBLEM IS AND
19 THAT IS NOT ALLOWABLE. THAT'S WHY THEY WERE TALKING ABOUT
20 CHANGING PERMITS TO CERTIFICATIONS AND USING THAT.

21 MR. JACOBS: YOU HAVE TO HAVE A LICENSE TO
22 INTERPRET. THEY ARE NOT GOING TO TELL ANYBODY IN THE
23 TEACHING PROFESSION BECAUSE YOU HAVE AN RPED OR BECAUSE
24 YOU HAVE A TRPED YOU THEREFORE WILL NOT BE LICENSED.

25 MR. SCHOON: JUST THEIR LIMITED

1 CERTIFICATION.

2 MS. DRUMMOND: MY UNDERSTANDING THE ISSUE
3 WITH THE TRPED WAS NOT IT WAS A PERMIT THAT IT WAS A
4 TEMPORARY PERMIT.

5 MR. JACOBS: YOU MAY STILL HAVE THAT
6 PROBLEM BECAUSE IF THEY DECIDE THEY WANT TO ISSUE IT ON A
7 TEMPORARY BASIS, IT WILL BE PROVISIONAL OR APPRENTICE.
8 THEN YOU WILL HAVE TO TURN TO MARK UNDER THE RULES HE IS
9 DOING TO TAKE THE LICENSE AWAY.

10 MS. DRUMMOND: I SEE. SO NOW THE TRPED
11 WILL BE A COMPLETELY NEW ONE.

12 MS. MCENULTY: IT WILL BE GIVEN TO A BODY,
13 A PERSON. BEFORE IT WAS GIVEN TO THE SCHOOL DISTRICT.

14 MS. WILLIAMS: OTHER PEOPLE WERE THINKING
15 THAT IT WAS BUT REALLY THE INTENT WAS TO GIVE IT TO THE
16 INDIVIDUAL BUT IT HAD TO BE REQUESTED BY THE SCHOOL
17 DISTRICT.

18 MR. SHOON: IT SHOULD HAVE SOMEONE'S NAME
19 ON IT.

20 MR. BROWN: IT IS SUPPOSED TO HAVE
21 SOMEONE'S NAME ON IT. SO I DON'T SEE -- IF YOU HAVE ONE
22 THAT DOESN'T HAVE A PERSON'S NAME ON IT THEN IT'S
23 INVALID.

24 MS. MCENULTY: BUT WHO ISSUES THAT?

25 MR. BROWN: MCD, BCI.

1 MS. MCENULTY: DO YOU PUT A NAME ON IT WHEN
2 YOU ISSUE IT?

3 MR. BROWN: PAST ADMINISTRATION, PAST
4 PRACTICE, YES. CURRENT ADMINISTRATION, DON'T KNOW.

5 MS. MCENULTY: FAIR ENOUGH. SO SANDY, YOU
6 HAVE SOME CONCERNS.

7 MS. DRUMMOND: YES. I HAVE SOME CONCERNS.
8 MY UNDERSTANDING IS THAT WE LICENSE PEOPLE BASED ON
9 APPROVAL BY THE BCI. BCI IS SAYING THIS PERSON IS
10 QUALIFIED TO BE AN INTERPRETER AND THEREFORE WE CAN
11 LICENSE THEM TO PRACTICE. BCI'S OWN ADMISSION IS SOMEONE
12 WHO HAS A TRCED IS NOT QUALIFIED TO INTERPRET IN THE
13 CLASSROOM. THAT MAKES ME VERY UNCOMFORTABLE ABOUT
14 GRANTING THAT PERSON IS A LICENSE BECAUSE YOU ARE
15 LICENSING AN UNQUALIFIED PERSON TO DO INTERPRETING WORK.

16 MR. BETZLER: ESTABLISH IT AS AN EMERGENCY
17 -- GO AHEAD, STEVE.

18 MR. HAMERDINGER: YOU HAVE A SOLUTION FOR
19 THAT DON'T GIVE THEM A LICENSE, THEY CAN'T PRACTICE. WE
20 WILL BE JUMPING UP AND DOWN BECAUSE THE PROBLEM WILL BE
21 OFF OUR BACKS.

22 MS. DURHAM: YOU WANT DESE TO COME AFTER
23 US.

24 MR. BETZLER: WE'LL SEND DESE AFTER YOU.

25 MS. MCENULTY: PLEASE. CURRENTLY WE'RE NOT

1 GIVING THESE PEOPLE A LICENSE, WE CAN'T. SO VIOLATING A
2 LAW.

3 MR. HAMERDINGER: THIS IS VERY SERIOUS.
4 YOU ARE ESTABLISHING A POSITION YOU CAN'T DO IT AND THAT
5 WE ARE, THE DIVISION OF PROFESSIONAL REGISTRY OF THE
6 RULES THAT'S AGAINST THE RULES. YOU CAN'T GIVE IT ANY
7 MORE. IF THE AGENCY SAYS WE CAN'T DO IT, THEN OUR
8 AGREEMENT IS NULL AND VOID, THEN WE WILL STOP.

9 MS. MCENULTY: AND YOU ARE GOING TO SUFFER
10 THE CONSEQUENCES OF DESE?

11 MR. BETZLER: YOU CAN'T TELL US WE CAN'T DO
12 IT.

13 MS. DURHAM: DO YOU KNOW HOW MANY YOU HAVE
14 ACTUALLY GIVEN OUT AT THIS TIME?

15 MR. BROWN: TO MY KNOWLEDGE AS OF RIGHT NOW
16 I CAN ONLY THINK OF TWO TRPED'S THAT'S BEEN ISSUED.

17 MS. MCENULTY: THAT'S MY UNDERSTANDING TOO
18 IS TWO.

19 MR. BROWN: TO MY KNOWLEDGE UNLESS DR. ROY
20 MILLER HAS CONTRARY INFORMATION.

21 DR. MILLER: WE HAVE FIVE TEMPORARY.

22 MS. MCENULTY: FOR THE YEAR 2000, SCHOOL
23 YEAR? THEY WILL BE FINISHED IN MAY?

24 DR. MILLER: I THINK SO.

25 MS. DRUMMOND: ONE THING THAT WE HAD

1 DISCUSSED IN A PREVIOUS MEETING. LORETTO HAD SUGGESTED
2 THIS. I THOUGHT IT WAS A WONDERFUL SUGGESTION AT THE
3 TIME. THE FACT THAT WE HAVE TECHNOLOGY TODAY THAT WE
4 DIDN'T HAVE WHEN THE CERTIFICATION RULES WERE FIRST BEING
5 DEVELOPED SUCH AS DISTANCE INTERPRETING, THINGS LIKE THAT
6 THAT WASN'T IN EXISTENCE BACK THEN. DESE HASN'T PROBABLY
7 CONSIDERED SOME OF THESE OTHER OPTIONS. AND I STRONGLY
8 FEEL THAT THEY NEED TO BE FORCED TO TAKE A LOOK AT THOSE
9 OPTIONS. I KNOW IT'S NOT A PERFECT WORLD.

10 MR. BROWN: I WAS GOING TO SAY SO MOVE.
11 YOU HAVE MY PERMISSION TO GO TALK TO DESE AND ISSUE THAT
12 TO THEM.

13 MS. DRUMMOND: I DO FEEL VERY STRONGLY
14 ABOUT THIS.

15 MS. GALLOWAY: I'M NOT SURE WHAT YOU FEEL
16 STRONGLY ABOUT.

17 MS. DRUMMOND: NOT ALLOWING UNQUALIFIED
18 PEOPLE TO INTERPRET IN THE CLASSROOM. IF SOMEONE CAN'T
19 PASS A TEST AT 50 PERCENT, I DON'T THINK THEY SHOULD BE
20 ALLOWED TO INTERPRET.

21 MR. JACOBS: LET'S MAKE ONE CORRECTION
22 HERE. PART OF THE CONCEPT IS THEY WOULD HAVE TO CREATE A
23 CERTIFICATION LEVEL. THERE WOULD HAVE TO BE SOME
24 QUALIFICATION. THAT PERSON WOULD HAVE TO PASS SOME FORM
25 OF LEVEL OF CERTIFICATION IN ORDER TO GET THE TRCED.

1 THEY MAY CREATE A NEW THING AND THEY MAY SAY FOR TRCED
2 THEY COULD PASS FOR 10 PERCENT.

3 MS. DURHAM: THIS IS FOR THE NEW ANIMAL.

4 MS. DRUMMOND: I NEED A DESCRIPTION OF WHAT
5 THE NEW ANIMAL LOOKS LIKE.

6 MR. JACOBS: THEY CAN'T DESCRIBED IT YET.
7 THEY CAN'T ISSUE A TRPED UNTIL SOMEBODY IS LICENSED AND
8 THEY ALSO UNDERSTAND THAT THE CURRENT ONE HAS MAJOR
9 PROBLEMS WITH IT AND THAT IT DOESN'T DETAIL SPECIFICALLY
10 WHAT NEEDS TO HAPPEN. SO THEY ARE GOING TO REVISIT ALL
11 OF THAT. THEY ARE TRYING TO FIGURE OUT WHAT LEVEL WOULD
12 BE APPROPRIATE BUT I THINK THE WHOLE BASIS OF A TRPED
13 WHICH I DON'T THINK YOU CAN PROBABLY IGNORE IS THAT THERE
14 ARE SCHOOL DISTRICTS THAT CAN'T FIND LEVEL 3S IN THEIR
15 SCHOOL DISTRICT SUPPOSEDLY.

16 MR. BROWN: CAN I ADD TO YOU? UNDER THE
17 OLD ADMINISTRATION TRPED WAS ISSUED TO THE INDIVIDUAL IT
18 WAS REQUESTED BY THE SCHOOL BUT THE INDIVIDUAL RECEIVED
19 IT MUST HAVE BEEN EVALUATED. IT WASN'T ISSUED TO SOMEONE
20 WHO JUST WALKED OFF THE STREET.

21 MS. DRUMMOND: YOU HAD TO TAKE THE TEST AND
22 FAIL IT.

23 MR. BROWN: THEY HAD TO TAKE THE TEST,
24 EITHER GOT A PROVISIONAL OR APPRENTICE, THEY COULD NOT
25 RECEIVE THE INTERMEDIATE OR COULD NOT QUALIFY FOR THE

1 RPED UNDER OLD RULES, SO, THEREFORE, THEY GOT ONE OF
2 THESE TWO LEVELS AND THAT'S WHAT THEY ARE OPERATING UNDER
3 IN ORDER TO OPERATE FOR THE TRPED.

4 MS. DRUMMOND: I THOUGHT THERE WERE PEOPLE
5 OUT THERE DOING THIS NOW WITHOUT A TRPED ON LEVEL ONES
6 AND TWOS BECAUSE THEY DON'T HAVE TO COMPLY UNTIL 2003?

7 MR. BROWN: YOU ARE CORRECT. THE ONLY WAY
8 A SCHOOL CAN ASK, REQUEST UNDER OLD ADMINISTRATION WAS
9 THEY WOULD APPLY ON BEHALF OF THE INDIVIDUAL BECAUSE THEY
10 COULD NOT FIND THE APPROPRIATE PERSON TO HIRE, WHICH
11 WOULD BE THE LEVEL 3 OR RPED. SO THEY WOULD HIRE EITHER
12 ONE OR TWO.

13 MS. DRUMMOND: OKAY. MAYBE I'M
14 MISUNDERSTANDING.

15 MR. JACOBS: GIVEN THE REQUISITE SKILL
16 LEVELS THAT ARE NOT IN EFFECT IF THEY HAVE A PROVISIONAL
17 OR APPRENTICE WHY WOULD THEY NEED A TRPED?

18 MR. BROWN: I DON'T KNOW. AGAIN I'M SAYING
19 THAT'S UNDER OLD ADMINISTRATION. NEW ADMINISTRATION IS
20 OPERATING DIFFERENTLY BUT UNDER OLD ADMINISTRATION POLICY
21 IN THE OFFICE WAS THAT'S HOW IT WAS TO BE OPERATED BASED
22 ON.

23 MS. MCENULTY: JEAN, YOU WANTED TO SAY
24 SOMETHING.

25 MS. GALLOWAY: I'VE CHANGED MY MIND.

1 MR. HAMERDINGER: YOU ARE RIGHT. I THINK
2 WE'RE A LITTLE BIT CONFUSED, APPLES AND ORANGES. THE
3 RULE FOR A LEVEL 1 AND 2 IF THEY ARE WORKING IN A SCHOOL
4 THEY ARE PRETTY LIMITED. THAT'S UNDER THE PRESENT RULE.
5 UNDER YOUR ADVISEMENT OF YOUR COMMITTEE WE NEED TO
6 REVISIT THAT AGAIN AND LOOK AT THE ISSUES OF
7 INTERPRETERS. WE HAVE TO LOOK AT THEM SEPARATELY, TRPED
8 DESE ACCEPTS BASICALLY TWO REQUIREMENTS. WE COULD PUT
9 TWO REQUIREMENTS ON THE TRPED INTERPRETERS THAT THEY MUST
10 PASS THE WRITTEN TEST AND THEY HAVE TO BE BREATHING.
11 THAT WAS IT. WE COULD NOT PUT ANY SKILL LEVEL
12 REQUIREMENT ON THEM.

13 MS. GALLOWAY: AND THAT WAS A SUBSTITUTE.
14 THAT WAS OUR COMPROMISE FOR AN OFF THE STREET. THEY WERE
15 TAKING PEOPLE OFF THE STREET. THAT'S WHAT THEY CALLED
16 THEM OFF THE STREET INTERPRETERS. THEY WOULD TAKE ANYONE
17 SO THAT'S WHAT WE CAME TO COMPROMISE WITH THE TRPED.
18 THERE HAD TO BE SOME SORT OF ACCOUNTABILITY. I THINK
19 IT'S TIME WE LOOKED AT IT AGAIN. MAYBE WE HAVE OUTLIVED
20 THE TRPED BUT I THINK WE CAN LOOK AT IT AGAIN AND SEE
21 WHAT WE CAN DO WITH IT.

22 MR. SCHOON: WHAT YOU WERE SAYING EARLIER
23 ABOUT LICENSING PEOPLE THAT WERE NOT AT ALL CAPABLE, EVEN
24 IF THEY HAVE GOT A CERTIFICATION, THE COMMITTEE HAS
25 STATUTORY AUTHORITY TO DENY ANYBODY IT FEELS IS

1 INCOMPETENT. SO IF THERE IS SOMEONE THAT YOU BELIEVE IS
2 INCOMPETENT OR IF THEY LOWER THEIR RULES SO THEY PERMIT
3 CERTIFICATION FOR SOMEONE WHO JUST SHOWS UP AND DOESN'T
4 GET ANYTHING RIGHT, YOU STILL HAVE THE AUTHORITY TO DENY
5 THEM A LICENSE IF YOU FEEL YOU CAN PROVE THAT THEY ARE
6 INCOMPETENT.

7 MR. HAMERDINGER: THE PROBLEM IS SOLVED.
8 YOU SAID NO. TRPED DIED BECAUSE YOU COULDN'T WORK. BCI
9 WOULD BE WITH WOULD BE SMILED MOURNERS AT THE FUNERAL.

10 MS. MCENULTY: I HAVE A REALLY AS DR.
11 MILLER SAID A STUPID QUESTION. IN THE YEAR 2003 LET'S
12 SAY THE SCHOOL DISTRICT NEEDS TO HIRE AN INTERPRETER AND
13 THERE'S NOT AN INTERMEDIATE INTERPRETER TO BE FOUND AND
14 WE HAVE A PROVISIONAL AND AN APPRENTICE LEVEL OUT THERE
15 BUT WE CAN'T FIND ANYBODY ELSE TO FILL THAT SLOT, WOULD
16 THIS COME BACK AS SOME KIND OF A TEMPORARY?

17 MR. BROWN: NO. WE WOULD SEND SANDY TO
18 TALK TO ASSISTANT COMMISSIONER OF THE DIVISION OF SPECIAL
19 EDUCATION TO RESOLVE THAT DISTANT LEARNING THING.

20 MS. MCENULTY: I SEE. WE'LL KEEP THAT IN
21 MIND FOR SANDY. I THINK RIGHT NOW, STEVE, LAST THING AND
22 WE'RE GOING TO TAKE A BREAK.

23 MR. HAMERDINGER: SERIOUS. I THINK THAT
24 SANDY HAS A POINT. FORCING THE SCHOOL TO USE VIRTUALLY
25 ANY INTERPRETER, DON'T LET THEM TAKE INCOMPETENT PEOPLE,

1 DON'T LET ME GET ON MY SOAPBOX.

2 MR. BROWN: JUST A QUICK COMMENT BEFORE YOU
3 GO TO BREAK. DR. MILLER DEFINITELY IS LOOKING INTO
4 TECHNOLOGY AND DEVELOPING VRI OUT OF OUR OFFICE SO WE
5 COULD BE ABLE TO ASSIST DESE ON THAT PARTICULAR ISSUE.

6 MS. MCENULTY: GOOD. DR. MILLER.

7 DR. MILLER: I WAS GOING TO MENTION WHEN
8 SANDY MADE THE COMMENT THAT I WANT YOU TO BE AWARE OF TWO
9 THINGS THAT ARE GOING ON THAT MAY OR MAY NOT AFFECT THIS
10 SITUATION, POSITIVELY WE HOPE. WE WANT YOU TO KNOW THAT
11 WE HAVE A NEW INTERPRETERS COORDINATOR JOINING OUR STAFF
12 IN THE VERY NEAR FUTURE AND WE'LL BE REVISITING THE
13 ISSUES WITH THE CI AND OUR NEW COORDINATOR'S ASSISTANCE,
14 ETC. BUT MORE IMPORTANTLY IS THE SECOND POINT. I DO HAVE
15 A VERY STRONG INTEREST IN THE USE OF TECHNOLOGY TO
16 BENEFIT PEOPLE WHO ARE DEAF OR HARD OF HEARING. I INTEND
17 AND HAVE IT ON MY AGENDA, IN FACT, TO TALK WITH DESE IN
18 THE NEAR FUTURE. THE QUESTION IS CAN I GET ENOUGH
19 INFORMATION WHERE I CAN DEVELOP AN ARGUMENT THAT IT'S, IN
20 FACT, MORE COST EFFECTIVE FOR SOME OF THESE OUTLYING
21 RURAL SCHOOL AREAS WHO ARE HARD PRESSED TO FIND
22 INTERPRETERS FOR THE STATE TO BASICALLY MOVE THAT MONEY
23 AROUND WHERE WE CAN DEVELOP A TECHNOLOGY NETWORK AND MAKE
24 IT WORK WITH LEVEL 3 INTERPRETERS, SO I'M AWARE OF THIS
25 ISSUE, SANDY, WE'RE GOING TO TRY AND HOPEFULLY GET THIS

1 HAVE GOT A COUPLE.

2 MS. MCENULTY: COMMENTS, QUESTIONS, DR.
3 MILLER.

4 DR. MILLER: I HAVE A QUESTION ABOUT THAT
5 THIRD RULE. I BASICALLY DON'T UNDERSTAND WHAT IT'S FOR.
6 THE IDEA THAT A PERSON HAD A CERTIFICATION AND THEY THEN
7 GOT A LICENSE, THEY THEN PRACTICED FOR SIX MONTHS OR
8 WHATEVER, THEN THEY STOPPED, FOR WHATEVER REASON. MAYBE
9 THEY HAD A BABY, MAYBE THEY BECAME A DENTIST, I DON'T
10 KNOW WHY THEY STOPPED BUT THEY STOPPED INTERPRETING. BUT
11 THEY STILL HAVE A LICENSE. THEY ALLOWED THEIR
12 CERTIFICATION TO EXPIRE AND THEY STOPPED WORKING BUT THEY
13 STILL HOLD A LICENSES. WHY IN THE WORLD WOULD YOU EVER
14 WANT TO DISCIPLINE THAT PERSON FOR NOT PRACTICING THEIR
15 PROFESSION? THAT'S THEIR CHOICE. I'M CONFUSED.

16 MR. SCHOON: BECAUSE IF A PERSON IS
17 LICENSED TER LEGALLY PERMITTED TO PRACTICE. IN HIS
18 EXAMPLE EARLIER, IF YOU ARE NOT CERTIFIED, EVEN IF YOU
19 ARE NOT PRACTICING YOU COULD BE HASSING OUT BUSINESS
20 CARDS SAYING THAT YOU ARE A LICENSED INTERPRETER OR YOU
21 COULD BE HOLDING YOURSELF OUT ANYWHERE SAYING YOU ARE A
22 LICENSED INTERPRETER. THE COMMITTEE COULD NOT DO
23 ANYTHING WITHOUT THIS RULE UNLESS THERE WAS AN ACTUAL
24 COMPLAINT WE WAITED FOR AN INTERPRETING ASSIGNMENT.

25 DR. MILLER: I UNDERSTAND. BASICALLY THE

1 DEAL WITH THE SITUATION WHERE SOMEBODY ISN'T ACTIVELY
2 INTERPRETING BUT IN ONE WAY OR ANOTHER THEY ARE PUTTING
3 THEMSELVES OUT TO THE PUBLIC AS HAVING THAT SKILL OR THAT
4 QUALIFICATION?

5 MR. SCHOON: RIGHT. I THINK IF YOUR
6 EXAMPLE IF THE PERSON WANTS TO BE A DENTIST, YOU WOULD
7 HAVE TWO OPTIONS. EITHER MAINTAIN A CERTIFICATION IF HE
8 WANTS TO KEEP HIS INTERPRETING CREDENTIALS OR
9 ALTERNATIVELY HE COULD JUST GIVE UP HIS INTERPRETING
10 CREDENTIALS BUT HE SHOULD NOT KEEP HIS LICENSE IF HE DOES
11 NOT PLAN ON KEEPING CERTIFIED.

12 MR. JACOBS: JUST THE OTHER ISSUE IS AGAIN
13 THERE MAY BE TIMES WHERE THEY ARE INTERPRETING BUT FOR
14 WHATEVER REASON MAYBE HAVE A HARD TIME GATHERING THE
15 FACTS TO PROVE THAT THEY ARE INTERPRETING, PROVING THAT
16 THEY ARE INTERPRETING IS MUCH HARDER THAN JUST PROVING
17 THEY HAVE A LICENSE IN THEIR CERTIFICATION. SO AGAIN FOR
18 US IT'S A MUCH EASIER CASE IF WE FEEL LIKE WE NEED TO GO
19 AFTER SOMEBODY AND WE HAVE TO ESTABLISH YOU HAVE NO
20 CERTIFICATION AND YOU ARE INTERPRETING. I THINK IT'S THE
21 KIND OF RULE THAT THE COMMITTEE WOULD QUITE OFTEN DECIDE
22 NOT TO PURSUE IF THEY ABSOLUTELY KNEW THE PERSON WAS NOT
23 PRACTICING, LEFT THE STATE AND THEY WOULD JUST SAY IT'S
24 NOT WORTH IT TO TRY TO GO AFTER THIS PERSON. BUT IT
25 GIVES THEM FOR SOME REASON THAT PARTICULAR SET OF FACTS

1 COMES UP THAT THEY WANTED TO GO AFTER SOMEBODY AND THEY
2 CAN'T ESTABLISH WHETHER THEY ARE INTERPRETING IT GIVES
3 THEM A LEVERAGE TO GO AFTER THEM.

4 MS. DRUMMOND: I HAVE AN ODD QUESTION. SO
5 LET'S SAY SOMEONE HAS A LICENSE AND TIME COMES FOR
6 RENEWAL, THEY DON'T RENEW. WHAT HAPPENS TO THEIR
7 LICENSE? IS IT IN LIMBO?

8 MS. KESSLER: IT'S NOT CURRENT.

9 MS. DRUMMOND: FOUR MONTHS LATER ALL OF A
10 SUDDEN THEIR APPLICATION SHOWS UP, WHAT HAPPENS?

11 MS. KESSLER: THEY PAY THE RENEWAL FEE,
12 LATE FEE AND THE LICENSE IS REINSTATED CURRENT TO DATE.

13 MR. JACOBS: IS THERE SOME EMPLOYMENT IN
14 ORDER TO RENEW DO YOU HAVE THE AUTHORITY TO GO BACK AND
15 VERIFY CERTIFICATION.

16 MS. KESSLER: DO WE HAVE THE AUTHORITY?

17 MR. JACOBS: CAN YOU DENY THE RENEWAL IF
18 THE CERTIFICATION IS NOT CURRENT?

19 MR. SCHOON: YES.

20 MS. MCENULTY: TO ADD ON TO SANDY'S
21 QUESTION OR CONCERN, FOUR MONTHS DOWN THE ROAD THEY APPLY
22 FOR A RENEWAL FOR THE LICENSE WE WOULD VERIFY AGAIN THEIR
23 CERTIFICATION. ANYONE ELSE? ULA, I'M GOING TO DIRECT
24 THIS QUESTION TO YOU AS CHAIR FOR THE BCI. IF WE'RE ALL
25 THROUGH OF SHARING CONCERNS AND EVERYTHING WHAT HAS THE

1 BCI COMMITTEE, WHAT ARE YOUR PLANS ARE FOR THE NEXT TWO
2 MONTHS, WHAT DO YOU ANTICIPATE DOING?

3 MS. WILLIAMS: LET ME BACK STEP A MINUTE.
4 YOU SAID EXPRESSING OUR CONCERNS. I THOUGHT WE WERE
5 EXPRESSING OUR CONCERNS ABOUT THESE THREE ISSUES. SO IF
6 THERE'S SOME OTHER ISSUES THAT WE WANT TO TALK ABOUT, WE
7 CAN BRING THEM UP.

8 MS. MCENULTY: YOU BET.

9 MS. WILLIAMS: ARE THERE ANY OTHER ISSUES
10 THAT THE BCI WOULD LIKE TO BRING UP?

11 DR. MILLER: I DON'T HAVE ANOTHER ISSUE. I
12 WANT TO GO BACK TO THE DISCUSSION ON THE THIRD RULE FOR
13 JUST A MINUTE. THIS SAYS ALL INTERPRETERS MUST MAINTAIN
14 CURRENT CERTIFICATION. ALL I WANT TO DO IS AGAIN
15 CAUTIONING MARK TO BE SURE THAT THAT LANGUAGE IS SPECIFIC
16 TO OUR SYSTEM. FOR EXAMPLE, DOES THAT MEAN THAT SOMEBODY
17 HAS RID CERTIFICATION THEY ARE OKAY?

18 MR. SCHOON: NO.

19 DR. MILLER: YOU MEAN THAT CERTIFICATION
20 UNDER MICS OR AT LEAST I'M ASSUMING THAT, CORRECT?

21 MS. KESSLER: YES.

22 MR. SCHOON: CORRECT.

23 DR. MILLER: DEPENDING ON WHERE YOU PUT IT
24 IN YOUR RULES WHETHER OR NOT THAT LANGUAGE NEEDS TO BE
25 EXPLICIT.

1 MR. SCHOON: RIGHT. THE WAY THE RULES HERE
2 ARE MEANT FOR DISCUSSION AND THIS IS NOT MEANT TO BE A
3 FINAL FORM OF THE RULE. THAT MEANS MAINTAIN THE
4 CERTIFICATION THAT WOULD BE REQUIRED TO GET THE LICENSE
5 IN THE FIRST PLACE.

6 MS. WILLIAMS: IF THERE'S NOTHING ELSE FROM
7 YOU ALL THERE WAS ONE OTHER THING THAT YOU ALL, THAT THE
8 COMMITTEE HAD REQUESTED THAT THE BCI WHEN I CAME HERE TO
9 YOUR MEETING, AND I CAN'T REMEMBER FOR SURE WHETHER I
10 TOLD YOU THIS OR NOT BUT THE BCI DID GIVE YOU ALL THE
11 AUTHORITY OR THE OKAY OR THE PERMISSION TO PUT ON THE
12 BACK OF THE LICENSES WHAT THE CERTIFICATION OF THAT
13 INDIVIDUAL IS.

14 MS. KESSLER: IT WILL BE ON THE FRONT.

15 MS. WILLIAMS: WHEREVER IT IS, IT'S OKAY
16 WITH US. I COULDN'T REMEMBER. DID I TELL YOU ALL
17 BEFORE?

18 MS. KESSLER: YEAH YOU DID.

19 MS. WILLIAMS: I COULDN'T REMEMBER IF IT
20 WAS INFORMAL OR FORMAL SO THIS IS FORMAL.

21 MS. DRUMMOND: I TOLD THEM. THAT'S HOW
22 THEY KNEW.

23 MR. JACOBS: SOMEONE THEN TESTS AT A HIGHER
24 LEVEL CAN THEY TEN COME BACK TO THE COMMITTEE AND ASK FOR
25 A RECERTIFICATION OR A NEW LICENSE.

1 MS. KESSLER: IT WON'T COST THEM A DIME,
2 WILL IT?

3 MR. BROWN: OH, REALLY? WHY?

4 MS. WILLIAMS: BEFORE YOU WERE TALKING
5 ABOUT HOW SOMETIMES PEOPLE REALLY HAVE DIFFICULTY
6 UNDERSTANDING THAT THERE IS A DIFFERENCE BETWEEN THE
7 ACTIVITIES OF THE BCI AND THE ACTIVITIES OF LICENSURE,
8 THE COMMITTEE. ON THIS CARD WILL THERE BE REFERENCE TO
9 THE MCD AND REFERENCE TO LICENSURE AT ALL?

10 MS. KESSLER: IT WILL BE THE LICENSE AND
11 THEN ON A LINE ON THE LICENSE IT WILL HAVE THEIR LEVEL OF
12 CERTIFICATION. WE CAN'T PUT MCD OR BCI OR ANYTHING LIKE
13 THAT. IT WILL SAY LICENSED INTERPRET THE WAY YOU HAVE
14 THE LICENSE NOW AND THERE IS A SPACE WHERE IT WILL LIST
15 YOUR LEVEL.

16 MR. BROWN: DOES THAT LEND TO CONFUSION TO
17 THE INTERPRETING COMMUNITY OF WHAT THE FUNCTIONS OF THE
18 TWO, BEING THE BOARD AND THE STATE COMMITTEE?

19 MS. KESSLER: I THINK WE WERE LOOKING YOU
20 CAN PRESENT ONE CARD AND ONE CREDENTIAL WHEN YOU ARE ON
21 AN ASSIGNMENT. BECAUSE REALLY WE ARE A COMMITTEE LOOKED
22 AT THE WAY OF SAYING THIS IS YOUR LEVEL. THIS IS YOUR
23 SCOPE OF PRACTICE, THIS IS WHAT YOU ABIDE BY SO IT KIND
24 OF FITS TOGETHER.

25 MS. WILLIAMS: THAT WAY THE INTERPRETERS

1 KNOW WHERE THESE THINGS ARE COMING FROM BUT THE POTENTIAL
2 CONSUMER LIKE AN AGENCY IN THE HEARING COMMUNITY WOULD
3 LOOK AT THAT AND SAY OH, CERTIFIED AND LICENSED.

4 MS. DRUMMOND: I HAVE A FEW MORE QUESTIONS.
5 FIRST OF ALL THE ISSUE WE BROUGHT UP IN THAT MEETING THAT
6 WE HAD IN OCTOBER WAS THE ISSUE OF TEMPORARY PERMITS AND
7 THE FACT THAT WE COULDN'T GIVE LICENSES PEOPLE WHO HAD
8 TEMPORARY PERMITS. DID WE DECIDE HOW TO RESOLVE THAT?

9 MS. GALLOWAY: THOSE HAVE EXPIRED.

10 MS. MCENULTY: IT IS NULL AND VOID AS OF
11 DECEMBER.

12 MS. GALLOWAY: DECEMBER 31ST, 1999.

13 MS. MCENULTY: THEY ARE NO LONGER ISSUING
14 THEM.

15 MS. GALLOWAY: IF YOU MOVE INTO THE STATE,
16 ISN'T IT?

17 MR. JACOBS: THAT'S DIFFERENT.

18 MS. DRUMMOND: OKAY. GREAT. THEN ALSO IN
19 THAT MEETING WE TALKED ABOUT THE FACT THAT WE'RE GETTING
20 SOME COMPLAINTS FROM DEAF PEOPLE AND THEY ARE CITING A
21 RULE THAT THEY BELIEVE WAS PROMULGATED BY THE BCI ABOUT
22 IF A CONSUMER BELIEVES THAT THE INTERPRETER DOES NOT
23 REALLY POSSESS THE SKILL THAT'S DESCRIBED BY THEIR LEVEL
24 OF CERTIFICATION, THAT THEY CAN ASK THAT PERSON TO BE
25 REEVALUATED, THAT BCI CAN ASK FOR THAT PERSON TO BE

1 REEVALUATED, SO I HAD ASKED IN THAT MEETING FOR SOMEONE
2 TO RESEARCH THAT.

3 MS. KESSLER: I COULDN'T FIND ANYTHING.

4 MR. JACOBS: WE DON'T HAVE THE RIGHT TO DO
5 THAT.

6 MS. MCENULTY: BCI DOES NOT HAVE THE RIGHT
7 TO REEVALUATE.

8 MR. JACOBS: THERE ARE CERTAIN
9 CIRCUMSTANCES THEY CAN DO EVALUATIONS AS THEY DO NOW BUT
10 JUST BECAUSE SOMEBODY SAYS.

11 MS. DRUMMOND: I DON'T REMEMBER WHAT THE
12 CIRCUMSTANCES WERE BUT I DO REMEMBER THAT RULE BEING
13 DISCUSSED WHEN THE RULES WERE PROPOSED. I DON'T KNOW IF
14 IT EVER MADE IT INTO THE PROPOSED RULES OR IF IT WAS
15 DELETED FROM PROPOSED RULES OR WHAT. BUT I REMEMBER
16 JERRY COVELL GIVING SPEECHES ABOUT THAT PARTICULAR TOPIC.
17 A LOT OF DEAF PEOPLE DO TOO. THEY ARE WRITING COMPLAINTS
18 AND THEY ARE CITING THAT SO I DIDN'T KNOW IF IT WAS STILL
19 THERE OR NOT.

20 MR. JACOBS: I HAVEN'T SEEN IT.

21 MS. DRUMMOND: I'VE NEVER FOUND IT EITHER
22 SO I'M THINKING IT'S NOT THERE. I WANTED TO CHECK WITH
23 BCI.

24 MR. BROWN: THERE IS SOMETHING IN REGARDS
25 TO WHAT YOU ARE TALKING ABOUT. LET ME TRY TO FIND IT.

1 MS. GALLOWAY: IF THEY LOSE THEIR
2 CERTIFICATION.

3 MR. JACOBS: IT DOES SAY IN THE
4 CERTIFICATION VALIDATION ON INTERMEDIATE AND ADVANCED AND
5 COMPREHENSIVE THEY HAVE THIS PHRASE THAT IF THE APPLICANT
6 IS REQUIRED TO BE REEVALUATED BUT THERE'S NOWHERE THAT
7 SETS ANY KIND OF CRITERIA.

8 MS. DRUMMOND: WHETHER IT WOULD BE
9 REQUIRED.

10 MR. JACOBS: WHETHER THEY WOULD BE
11 REEVALUATED.

12 MS. WILLIAMS: I THINK WE WERE TALKING
13 ABOUT THAT.

14 MR. JACOBS: I THINK YOU COULD POSSIBLY PUT
15 THAT IN THE FORM -- THEY COULD POSSIBLY DO A RULE THAT
16 WOULD REQUIRE REEVALUATION, FOR EXAMPLE, IN THE CASE OF
17 DISCIPLINE. LICENSING OR DISCIPLINE FOR INCOMPETENCE OR
18 WHATEVER, IT COULD BE A CONDITION OF PROBATION, IT COULD
19 BE A REEVALUATION. THERE MIGHT BE SOMEWAY TO DO THAT.

20 MR. HAMERDINGER: AS I RECALL THE
21 CHRONOLOGY OF BCI THE REASON THAT THE RULE CAME UP WAS
22 BECAUSE WE HAD EXPECTED A LARGE NUMBER OF GRAND PEOPLE OR
23 GRANDFATHERED -- IT WAS VERY SIMPLE. IT WAS NOT
24 APPROPRIATE. WE ANTICIPATED THAT THE LICENSE WOULD SEND
25 THEM TO BE REEVALUATED IN THE GRANDFATHER CLAUSE, THEY

1 WERE GRANDFATHERED IN. SO WE PUT THE MECHANISM INTO
2 ORDER THAT THEY WOULD DO THAT. SO IF YOU HAVE A
3 GRANDFATHERED INTERPRETER WHO SEEMS THAT THEIR
4 CERTIFICATION LEVEL DOES NOT MATCH THEIR COMPETENCY THEN
5 THEY WOULD BE REEVALUATED AND WE CAN DO THAT.

6 MS. MCENULTY: ONLY ON THE GRANDFATHERED
7 CERTIFIED PEOPLE?

8 MR. HAMERDINGER: THE RULE DID NOT LIMIT
9 US. YOU HAVE A RIGHT TO TELL ANY INTERPRETER YOU NEED TO
10 BE RECHECKED AND IT COULD BE ONE OF YOUR DISCIPLINARY
11 ACTIONS.

12 MS. DRUMMOND: IS THAT RIGHT, MARK, WE
13 COULD DEMAND THAT SOMEONE BE REEVALUATED AS PART OF
14 DISCIPLINARY?

15 MR. SCHOON: I DON'T SEE A PROBLEM WITH
16 THAT.

17 MR. JACOBS: WE PROBABLY NEED A RULE THAT
18 THEN SAYS THE NEW TESTING WILL PRECLUDE CERTIFICATION.

19 MS. DRUMMOND: THOSE ARE THE ONLY QUESTIONS
20 I HAD.

21 MS. DURHAM: I JUST HAD A QUESTION. HAVE
22 YOU ALL DECIDED WHEN THE DEADLINE IS FOR THE PEOPLE TO
23 GET THEIR CPMS.

24 MS. GALLOWAY: OCTOBER 31ST.

25 MS. WILLIAMS: IT GIVES US ENOUGH TIME TO

1 GIVE THE INFORMATION TO YOUR COMMITTEE SO YOU WILL HAVE
2 TIME TO WORK ON IT. I CAN'T REMEMBER.

3 MS. GALLOWAY: IT'S IN THE MINUTES.

4 MR. BROWN: IT IS NOT A RULE, IT'S OFFICE
5 POLICY TO THE STAFF IN THE OFFICE TORE TO THE COORDINATOR
6 SPECIFICALLY AND I THINK IT'S NOVEMBER 30TH.

7 MS. GALLOWAY: I WILL LOOK AND SEE. I
8 CAN'T REMEMBER.

9 MR. BROWN: IF I REMEMBER RIGHT YOU ALL
10 TRIED TO SCHEDULE IT SO IT WOULD BE RIGHT AFTER THE
11 INTERPRETERS' CONVENTION.

12 MS. MCENULTY: OCTOBER 31ST, IT IS THE
13 PRIOR YEAR.

14 MR. BROWN: IT IS OCTOBER 31ST.

15 MS. WILLIAMS: WE HAD IT. WASN'T IT
16 WRITTEN DOWN?

17 MR. BETZLER: IT IS ON THE MINUTES ON THE
18 POLICY. BCM CYCLE IS THROUGH OCTOBER 31ST. THIS POLICY
19 TAKES EFFECT NOVEMBER 1ST, 1999.

20 MS. WILLIAMS: GOING BACK TO WHAT YOU ASKED
21 ME ORIGINALLY, WHAT ARE WE GOING TO BE DOING IN THE NEXT
22 COUPLE OF MONTHS. THERE IS A COMMITTEE THAT'S BEEN
23 ESTABLISHED AND THIS COMMITTEE WILL BE DOING SOME
24 REWRITING AND THEN WE WILL HAVE A MEETING THREE MONTHS
25 FROM NOW. DO YOU NEED THE DATE?

1 MS. MCENULTY: THAT WOULD BE GREAT IF YOU
2 GUYS HAVE IT.

3 MR. BETZLER: APRIL 14TH.

4 MS. WILLIAMS: SO THAT'S THE PLAN.

5 MS. MCENULTY: AND ALSO I THINK IN KEEPING
6 THE COMMUNICATION LINES OPEN AND TALKING BACK AND FORTH
7 ABOUT OUR CONCERNS AND WORKING TOGETHER TO RESOLVE SOME
8 OF THESE ISSUES, IF WE COULD HAVE MINUTES FROM YOUR
9 MEETINGS THAT WOULD KIND OF HELP US TO KNOW WHAT
10 EVERYBODY IS DOING AND STUFF. I WOULD LIKE TO REQUEST
11 THAT FROM MCD AS WELL. IS THAT OKAY?

12 MS. WILLIAMS: IT'S OPEN.

13 MS. MCENULTY: WE JUST WANT OPEN SESSION SO
14 EVERYBODY KNOWS WHAT EVERYBODY IS DOING AND WHERE WE'RE
15 GOING.

16 MR. JACOBS: THE ONLY QUESTION I HAVE
17 BEFORE ON THAT IS IF THEY SEND IT OUT BEFORE THEY HAVE A
18 CHANCE TO REAPPROVE IT THEN THEY SHOULD STAMP DRAFT ON
19 IT. OTHERWISE THEY NEED TO WAIT UNTIL THE NEXT MEETING.

20 MS. WILLIAMS: WE DON'T APPROVE THEM UNTIL
21 THE FOLLOWING MEETING. MAY I ASK A QUESTION?

22 MS. MCENULTY: YOU BET.

23 MS. WILLIAMS: I'M GOING TO THROW THE SAME
24 THING BACK TO YOU ALL. WHAT ARE YOU ALL GOING TO BE
25 DOING IN THE NEXT SEVERAL MONTHS TO HELP US FIT TOGETHER?

1 MS. MCENULTY: PRESENTLY THIS EVENING WHEN
2 WE'RE THROUGH WE'RE JUST GOING TO CONDUCT OUR MEETING AND
3 GO ON AND WE WILL SCHEDULE OUR MEETINGS. WE WILL HAVE
4 ONE NEXT MONTH AND THEREAFTER FOR THE LICENSING AND THAT
5 KIND OF THING. WHAT WE WILL DO IS REVIEW THESE RULES AND
6 PROBABLY CHANGE THE WRITING. WE'LL GET THOSE AND WE'RE
7 GOING TO GO AHEAD WITH THAT AND IF WE WORK WITH YOU GUYS
8 TO MAKE SURE WE'RE ALL INTACT AND ON THE SAME PAGE.
9 WE'LL LET YOU KNOW WHEN OUR MEETINGS ARE AS SOON AS
10 TONIGHT IS OVER.

11 MS. DURHAM: STILL LOOKING FOR NEW MEMBERS,
12 ACCEPTING APPLICATIONS.

13 MR. HAMERDINGER: I WANT TO SUGGEST THAT
14 WE'LL BE MEETING ON THE 14TH. IF YOU WOULD LIKE TO HAVE
15 A BOARD OR A COMMITTEE THAT AFTERNOON ON THE 14TH TO JOIN
16 IN AND LOOK AT THE NEW RULES TO MAKE SURE THAT THERE WILL
17 BE NO CONFLICTS OR ANYTHING, THAT WAY BOTH CAN APPROVE
18 OUR NEW RULES.

19 MS. WILLIAMS: YOURS AND OURS.

20 MS. MCENULTY: I'M JUST GOING TO ASK THE
21 COMMITTEE MEMBERS IF EVERYBODY IS OKAY WITH THAT?

22 MS. DRUMMOND: I HAVE A BIG WORKSHOP THAT
23 DAY, THE 14TH AND 15TH. BUT I CAN BE THERE IN THE
24 AFTERNOON.

25 MS. MCENULTY: I THINK WE HAVE TO HAVE

1 EVERYBODY THERE IF WE STILL ONLY HAVE FOUR PEOPLE.

2 MS. DRUMMOND: WE CAN SEND A REPRESENTATIVE
3 THERE.

4 MS. KESSLER: IF THREE PEOPLE GO TO THE
5 MEETING, THREE PEOPLE GO TO THE MEETING.

6 MS. MCENULTY: WE'LL DO THAT BECAUSE WE
7 HAVE SOME MEMBERS THAT HAVE CONFLICTS WITH THAT DATE BUT
8 WE'LL JUST SEND SEVERAL COMMITTEE MEMBERS, IS THAT OKAY,
9 THAT WILL WORK FOR YOU GUYS?

10 MS. WILLIAMS: YOU WILL BE BRINGING YOUR
11 PROPOSED RULES AND WE'LL HAVE OURS NOT COMPLETED BUT IN
12 THE WORKS AND LOOK AT THEM AND COMPARE THEM.

13 MS. DRUMMOND: LOREE, YOU SENT COPY OF OUR
14 MEETING MINUTES AND AGENDA OVER TO THE MCD AND BCI AND
15 ALL OF THAT.

16 MS. KESSLER: UH-HUH.

17 MR. HAMERDINGER: ONE MORE OFFER. YOU CAN
18 FEEL FREE TO PRINT YOUR MEETING MINUTES ON MO DEAF IF YOU
19 WANT TO.

20 MS. MCENULTY: TELL ME HOW WE SUBSCRIBE?

21 MS. DURHAM: HOW DO YOU GET CONNECTED TO
22 THAT?

23 MR. HAMERDINGER: EASIEST WAY IS TO SEND ME
24 E-MAIL SAYING PUT ME ON THE LIST. THE BEST WAY -- THAT'S
25 THE EASIEST WAY IS TO SEND ME E-MAIL THAT SAYS PUT ME ON

1 THE LIST OR OUR WEB SITE HAS A LINK TO A DISCUSSION
2 GROUP. IT CLEARLY EXPLAINS HOW TO SUBSCRIBE TO VARIOUS
3 LISTINGS THAT WE RUN.

4 MS. MCENULTY: MO DEAF WEB SITE OR DMH.

5 MR. HAMERDINGER: DMH, OFFICE OF DEAF
6 SERVICES WEB SITE.

7 MS. MCENULTY: OKAY. I THINK THAT'S GOING
8 TO ABOUT WRAP IT UP. DO YOU HAVE ANYTHING ELSE?

9 MS. KESSLER: NO.

10 MS. WILLIAMS: I HATE TO BRING THIS UP BUT
11 DID YOU ALL HAVE SOME INFORMATION ABOUT THE EDUCATIONAL
12 HANDBOOK THAT YOU WANTED TO TALK ABOUT?

13 MS. DRUMMOND: I CAME UP WITH A DRAFT FIRST
14 AND SOME REVISIONS. I COULD GIVE THAT TO YOU.

15 MS. WILLIAMS: YES.

16 MS. DRUMMOND: I HAVEN'T SHOWN THESE TO THE
17 COMMITTEE FIRST.

18 MS. MCENULTY: WE HAVEN'T HAD A CHANCE TO
19 SIT DOWN AND DISCUSS IT AND LOOK AT IT AS A COMMITTEE.

20 MS. WILLIAMS: WE'LL WAIT.

21 MS. MCENULTY: SO MAYBE ON THE MEETING ON
22 THE 14TH.

23 MS. WILLIAMS: NO PROBLEM.

24 MS. MCENULTY: OKAY. I THINK IF EVERYBODY
25 IS OKAY AND DOESN'T HAVE ANY MORE CONCERNS OR QUESTIONS,

1 THAT WE'LL GO AHEAD AND WRAP THIS PART OF THE MEETING. I
2 DO WANT TO THANK ALL OF YOU FOR TAKING THE TIME TO COME
3 OUT AND HAVE THE MEETING WITH US. WE GREATLY APPRECIATE
4 IT AND FOR ALL THE FEEDBACK AND COMMENTS AND SUPPORT WE
5 REALLY APPRECIATE IT, ESPECIALLY FROM OUR COUNSEL. THANK
6 YOU.

7 MR. JACOBS: WE CAN BE ADJOURNED BACK TO
8 THE OTHER MEETING.

9 MS. WILLIAMS: SO THE BCI WILL READJOURN
10 BACK TO THE OTHER FACILITY.

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