

~~2015~~-2021

# STATE OF NEBRASKA



## Rules and Regulations

### Relating to

# Sign Language Interpreters

Effective August 1, 2021

## Nebraska Commission for the Deaf and Hard of Hearing

Nebraska Commission for the Deaf and Hard of Hearing  
4600 Valley Road, Ste. 420  
Lincoln, NE 68510-4844  
[www.ncdhh.ne.gov](http://www.ncdhh.ne.gov)

**~~TITLE 96 — NEBRASKA COMMISSION FOR THE DEAF AND HARD OF HEARING~~**

**~~CHAPTER 1 — REGULATIONS AND PROCEDURES FOR THE PRACTICE AND APPOINTMENT OF SIGN LANGUAGE INTERPRETERS~~**

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## TITLE 96 NEBRASKA COMMISSION FOR THE DEAF AND HARD OF HEARING

### CHAPTER 1 PRACTICE AND APPOINTMENT OF SIGN LANGUAGE INTERPRETERS

**001 SCOPE OF REGULATIONS:** These regulations apply to the licensure of interpreters, transliterators and video remote interpreting (VRI) providers as defined by Revised Nebraska Statutes §20-150 to §20-159.

#### **002 DEFINITIONS:**

~~Appointing authority: The state agency or law enforcement personnel required to provide a licensed interpreter pursuant to sections §20-150 to §20-159 of the Revised Nebraska Statutes.~~

~~ASLTA: American Sign Language Teachers Association, a national organization that evaluates and certifies teachers of American Sign Language (ASL).~~

Apprentice License: [A one-time license valid for three years allowing applicants to practice while working toward obtaining community sign language licensure requirements as outlined in 003.01.](#)

Apprentice Licensee: [A person who holds an Apprentice License.](#)

Auxiliary aid: Includes, but is not limited to, sign language interpreters, oral interpreters, tactile interpreters, ~~other~~ [deaf](#) interpreters, note takers, transcription services, written materials, assistive listening devices, assisted listening systems, videotext displays, and other visual delivery systems.

Board: The Interpreter Review Board. [A regulatory Board under the auspices of the Nebraska Commission for the Deaf and Hard of Hearing Full Commission Board.](#)

Calendar year: ~~Begins on the New Year's Day of the given calendar system and ends on the day before the following New Year's Day.~~ [A period of twelve months from January 1 to December 31.](#)

CASLI – Center for the Assessment of Sign Language Interpreters. [The principal activity of CASLI shall be the development and administration of knowledge and performance tests that](#)

measure the proficiency of an individual to interpret between deaf individuals who use sign language and individuals who speak English. This testing is conducted solely for the purpose of RID, Inc. certification.

Certificate: A formal document verifying completion of a specific sign language proficiency level, course, or training program.

Commission: The Nebraska Commission for the Deaf and Hard of Hearing.

Complaint: Any allegation against an interpreter, a VRI provider or against a hiring entity submitted to the Nebraska Commission for the Deaf and Hard of Hearing. The complaint may be submitted in any form.

Completed Application: An application with all of the information requested on the application filled in, the signature of the applicant, fees and all required documentation submitted.

Continuing Education Unit (CEU): For every ten hours of instruction, a participant receives one continuing education unit or one CEU. ~~CEUs are awarded only for Commission approved continuing education activities.~~

Deaf-Blind Interpreter person: ~~A person who interprets for a Deaf Blind individual. The degree of deafness and blindness will determine the mode of communication to be used for each person.~~ Anyone with a dual sensory loss of both vision and hearing.

Deaf or hard of hearing person: A person whose hearing ~~impairment~~, with or without amplification, is so severe that ~~he or she~~ they may have difficulty in ~~auditory~~ auditorily processing spoken language without the use of an interpreter; or a person with a fluctuating or permanent hearing loss which may adversely affect the ability to understand spoken language without the use of an interpreter or other auxiliary aid.

Formal Complaint: Written statement, prepared by legal counsel retained on behalf of the Full Commission Board, stating formal allegations ~~against an interpreter, a VRI provider and/or appointing authority and the rules or statutes violated.~~ The formal complaint is filed with the Executive Director of the Nebraska Commission for the Deaf and hard of Hearing and served on the interpreter and/or hiring entity. or violations of the Rules and Regulations and Statutes relating to Sign Language Interpreters.



Full Commission Board: The Nebraska Commission for the Deaf and Hard of Hearing Full Commission Board.

Hearing Officer: The person or persons conducting a hearing, contested case, or other proceeding pursuant to the Administrative Procedure Act, whether designated as the presiding officer, administrative law judge, or some other title designation.

Intermediary interpreter: Any deaf or hard of hearing person, who is able to assist in providing an accurate interpretation between spoken English and sign language or between variants of sign language in order to facilitate communication between a deaf or hard of hearing person and an interpreter.

Intermediary interpreting: Involves the use of sign language, gesture, mime, props, drawings, and/or other tools to enhance communication.

Intermediary License: A license that indicates proficiencies in interpretation or transliteration as described in 003.01B in these regulations and as established by the Commission for the Deaf and Hard of Hearing pursuant to ~~subsection (2) of the Nebraska Revised Statutes section~~ [Neb. Rev. Stat.](#) §20-150.

Intermediary Licensee: A person who holds an Intermediary License.

Interpreter or Transliterator: [A person who is able to interpret or transliterate accurately and impartially both receptively and expressively using any specialized vocabulary necessary.](#)

Interpreter or Transliterator License: A license that indicates proficiencies in interpretation or transliteration as described in 003.01A in these regulations and as established by the Commission for the Deaf and Hard of Hearing pursuant to ~~subsection (2) of the Nebraska Revised Statutes section~~ [Neb. Rev. Stat.](#) §20-150.

Interpreter or Transliterator Licensee: ~~A person who holds a license that demonstrates proficiencies in interpretation or transliteration as described in 003.01A in these regulations and as established by the Commission for the Deaf and Hard of Hearing pursuant to subsection (2) of the Nebraska Revised Statutes section §20-150.~~ [A person who holds an Interpreter/Transliterator License.](#)

Interpreting: Conveying what is being spoken through Sign Language and conveying what is being signed into spoken English [in an equivalent manner maintaining the speaker's intent](#).

NAD: The National Association of the Deaf. ~~The NAD previously conducted an Interpreter Assessment and Certification Program.~~

NAD Certification: ~~Any interpreter certification developed and administered by the National Association of the Deaf~~ [The National Association of the Deaf \(NAD\) Interpreter Assessment and Certification Program, established in 1991, was designed to evaluate and certify qualified candidates to serve as sign language interpreters. \(Assessment no longer offered.\)](#)

NAD-RID Code of Professional Conduct: The document adopted by members of NAD and RID to outline the high standards of professionalism and ethical conduct expected of interpreters. The driving force behind the guiding principles is the notion that the interpreter will do no harm. ~~This code became effective July 1, 2005. See Attachment A for a current copy of the NAD-RID Code of Professional Conduct.~~

National Council on Interpreting (NCI): ~~The committee that worked with the approval of the NAD and RID Boards of Directors on developing a National Interpreter Certification (NIC) test.~~

National Interpreter Certification (NIC): The interpreter certification test developed by the National Council on Interpreting.

Oral interpreter: ~~A person who interprets language through facial expression, body language, and mouthing.~~

Oral interpreting (also known as oral transliterating): ~~The process by which an oral interpreter (also known as an oral transliterator) silently rephrases a spoken English message, selecting the words that are most easily speech-readable to an oral deaf individual who uses speech and speech reading as primary forms of communication.~~

Political Subdivision: A division of government less than the State.

QAST: ~~The Mid-America Quality Assurance Screening Test, a regional sign language interpreting and transliterating assessment tool~~ [is an assessment tool used to determine an interpreter's level of proficiency. \(Assessment no longer offered.\)](#)

RID: The Registry of Interpreters for the Deaf; [Inc. \(RID\) is](#) a national organization that awards certification to interpreters and transliterators who successfully pass a national test. ~~The test assesses not only language knowledge and communication skills, but also knowledge and judgment on issues of ethics, culture and professionalism. An interpreter may hold one or more certifications.~~

RID Certification: Any interpreter certification developed and administered by the Registry of Interpreters for the Deaf.

State agency: Any state entity which receives appropriations from the Legislature and includes the Legislature, legislative committees, executive agencies, courts, and probation officials but does not include political subdivisions.

~~Tactile interpreter: A person who interprets for a deaf blind person. The degree of deafness and blindness will determine the mode of communication to be used for each person.~~

~~Tactile interpreting: The process by which a deaf blind person places his or her hands on top of the hands of the interpreter. This requires the interpreter to sign in a smaller space than usual and to incorporate visual information into the message.~~

Temporary Permit: A permit that indicates proficiencies in interpretation or transliteration as described in 003.01C in these regulations, and which allows an interpreter to practice for a limited term.

Transliterating: The process of conveying the message into an English-based ~~variety of manual communication~~ [sign system](#). ~~The transliterator stays within the English language but changes the mode of that communication.~~

Video Remote Interpreting Business License: A license held by a ~~business~~ [person or entity](#) that demonstrates their employed ~~interpreter's~~ [interpreters'](#) proficiencies as described in 004.01 in these regulations and as established by the Commission for the Deaf and Hard of Hearing pursuant to ~~subsection (2) of the Nebraska Revised Statutes section~~ [Neb. Rev. Stat. §20-150](#).

[Video Remote Interpreting \(VRI\) provider: A person or an entity licensed to provide video remote interpreting services.](#)

Video Remote Interpreting (VRI) services: The use of videoconferencing technology with the intent to provide effective interpreting services.

~~Video remote interpreting (VRI) provider: A person or an entity licensed to provide video remote interpreting services.~~

### **003 INTERPRETERS/TRANSLITERATORS;**

A license is required to practice interpreting or transliterating. In accordance with Neb. Rev. Stat. §20-150 to §20-159, except as otherwise provided in section §20-156.01, no person or entity shall (a) practice as an interpreter for the deaf or hard of hearing for compensation, (b) hold himself, herself, or itself out as a licensed interpreter for the deaf or hard of hearing, (c) provide video remote interpreting services, (d) use the title Licensed Interpreter for the Deaf or Licensed Transliterater for the Deaf, or (e) use any other title or abbreviation to indicate that the person or entity is a licensed interpreter unless licensed by the state of Nebraska.

#### **003.01 ELIGIBILITY CRITERIA TO OBTAIN A LICENSE;**

##### **003.01A ~~Interpreter or Transliterater License~~ Interpreter/Transliterater License**

~~1)-~~ An applicant for an Interpreter or Transliterater license to practice interpreting or transliterating for deaf or hard of hearing individuals in Nebraska must:

a) 1) Have completed one of the following:

~~1. a)~~ Hold ~~one of the~~ a valid interpreter certification ~~developed by the National Council on Interpreting (NCI) and awarded by the Registry of Interpreters for the Deaf, Inc. (RID); NIC, NIC Advanced or NIC Master; except for Ed:K-12;~~ or

~~2. —~~ Hold ~~one of the following valid interpreter or transliterater certification awarded by the Registry of Interpreters for the Deaf (RID): Certificate of Interpretation, Certificate of Transliteration, Interpretation Certificate, Transliteration Certificate, Comprehensive Skills Certificate, or Interpretation Certificate/Transliteration Certificate;~~ or

~~3. b)~~ Hold a valid Level IIIIV or higher on the Interpreter Proficiency Certificate awarded by the National Association of the Deaf (NAD); or

- 4. c) Hold a valid certification ~~Level~~ III, IV or V higher in Interpreting or Transliterating on the Mid-America Quality Assurance Screening Test (QAST) awarded by the Nebraska Commission for the Deaf and Hard of Hearing; or
  - 5. d) Hold ~~another~~ a state certification or licensure that is substantially equivalent to one of the above and approved by the Full Commission Board; and
- b) 2) Be 18 years of age or older; and
  - e) 3) Have ~~attained~~ documentation of a high school diploma or equivalent; or proof of higher education.

**003.01B Intermediary License**

- 1) ~~An applicant for an Intermediary license may be obtained by deaf or hard of hearing individuals dealing with specific communication modalities associated with the to practice of interpreting or transliterating for Deaf-Blind consumers (tactile interpreting) or assisting with the provision of accurate interpreting between spoken English and American Sign Language or any variants of such as specified in the definition in section 002 deaf and hard of hearing individuals in Nebraska must:~~
- a) 1) Have completed one of the following sets of requirements:
    - 4. a) Hold a valid interpreter certification awarded by the Registry of Interpreters for the Deaf, Inc. (RID); Certified Deaf Interpreter Certification; or

2. b) Have written documentation of the following:
- a. ~~i) Have demonstrated ability to communicate through passing a language proficiency examination at a minimum of an advance level or equivalent~~ Passed a written English language proficiency examination at the minimum of an advanced level or equivalent; and
  - b. ~~ii) Passed either the written Mid-America Quality Assurance Screening examination; or the written NAD-RID Code of Professional Conduct examination~~ Passed a written examination on ethics and ethical behavior for sign language interpreting; and
  - c. ~~iii) Completed 8 hours of training on the NAD-RID Code of Professional Conduct~~ ethics and ethical behavior for sign language interpreting, and 8 hours of training related to the role and function of a deaf or hard of hearing intermediary interpreter, which is approved by the Full Commission Board; or . ~~The 16 hours of training must be from any of the following sources, alone or in combination:~~
  - d. iv) Hold a state certification or licensure that is substantially equivalent to one of the above and approved by the Full Commission Board; and
    - i. ~~Alexander Graham Bell Association of the Deaf; or~~
    - ii. ~~American Sign Language Teachers Association (ASLTA); or~~
    - iii. ~~National Association of the Deaf (NAD); or~~

- iv. ~~Registry of Interpreters for the Deaf (RID) — Certification Maintenance Program; or~~
- v. ~~Registry of Interpreters for the Deaf (RID) — Associate Continuing Education Training; or~~
- vi. ~~Nebraska Commission for the Deaf and Hard of Hearing (NCDHH); or~~
- vii. ~~Training preapproved by the Full Commission Board; or~~

3. ~~Any Specialized Licensed Interpreter licensed prior to January 1, 2016, who maintain their license may qualify for an Intermediary License; and~~

- 4. c) Be 18 years of age or older; and
- 5. d) Have ~~attained~~ documentation of a high school diploma or equivalent; ~~or~~ proof of higher education.

**003.01C ~~Temporary Permit~~ TEMPORARY PERMIT**

~~1)~~ A Temporary Permit is valid for a maximum of ~~30~~ 14 days per calendar year. An applicant for a Temporary Permit must ~~hold a current certification~~ satisfy the requirements as specified in 003.01A or 003.01B. At the end of the calendar year, permit holders must submit a record, on a form supplied by the Commission, of interpreting service hours provided ~~to~~ in Nebraska ~~excepting~~ except for any exception outlined in ~~Nebraska Revised statutes~~ Neb. Rev. Stat. §20-156.1.

**003.01D APPRENTICE LICENSE**

An Apprentice License is a one-time license valid for three years allowing applicants to practice while working toward obtaining community sign language



licensure requirements as outlined in 003.01. In accordance with the NAD-RID Code of Professional Conduct, license holders will practice in settings where the outcomes do not have potentially serious ramifications for any parties involved. At the end of each 12-month period, license holders must submit a record, on a form supplied by the Commission, of interpreting service hours provided in Nebraska.

### **003.02 APPLICATION PROCESS FOR OBTAINING A LICENSE OR A TEMPORARY PERMIT;**

~~A license is required to practice interpreting or transliterating. In accordance with Neb. Rev. Stat. §20-150 to §20-159, except as otherwise provided in this §20-156.01, no person or entity shall (a) practice as an interpreter for the deaf or hard of hearing for compensation, (b) hold himself, herself, or itself out as a licensed interpreter for the deaf or hard of hearing, (c) provide video remote interpreting services, (d) use the title Licensed Interpreter for the Deaf or Licensed Transliterater for the Deaf, or (e) use any other title or abbreviation to indicate that the person or entity is a licensed interpreter unless licensed. The process for obtaining a license to practice interpreting or transliterating for deaf or hard of hearing individuals in Nebraska is set forth below:~~

#### **003.02A ~~Interpreter or Transliterater License~~** **INTERPRETER/TRANSLITERATOR OR INTERMEDIARY LICENSE**

- 1) ~~An applicant for a license based on an examination to practice interpreting or transliterating for deaf or hard of hearing individuals in Nebraska~~ an Interpreter/Transliterater license or Intermediary license must submit to the Commission:
  - a) Documentation that ~~he or she~~ the applicant meets the requirements as cited in 003.01A or 003.01B in these regulations; and
  - b) A completed application ~~on a form~~ supplied by the Commission. Incomplete applications will be returned ~~with a letter informing the applicant of the information necessary to complete the application;~~ and

- c) Official ~~d~~Documentation of having attained a high school diploma or equivalent; or proof of higher education; and
  - d) Copy of a valid government issued photo identification; and
  - e) The required license fee.
- 2) Applicants who are denied an ~~Interpreter or Transliterators License~~ Interpreter/Transliterators or Intermediary license may appeal this action in accordance with section 003.1009.
- 3) All Interpreter/Transliterators Licenses and Intermediary licenses shall expire on June ~~Thirtieth (30)~~ 30 of every odd-numbered years unless revoked, suspended or cancelled prior to such date.

**003.02B Intermediary License**

- 1) ~~An applicant for an Intermediary License must submit to the Commission:~~
- a) ~~Documentation that he or she meets the as cited in 003.01B in these regulations; and~~
  - b) ~~A completed application on a form supplied by the Commission. Incomplete applications will be returned with a letter informing the applicant of the information necessary to complete the application; and~~
  - c) ~~Official documentation of having attained a high school diploma or equivalent; and~~
  - d) ~~The required license fee.~~
- 2) ~~Applicants who are denied an Intermediary License may appeal this action in accordance with section 003.10.~~

- 3) ~~All Intermediary Licenses shall expire on June Thirtieth (30) of every odd year unless revoked, suspended or cancelled prior to such date.~~

**003.02C B Temporary Permit TEMPORARY PERMIT**

- 1) An applicant for a Temporary Permit ~~to practice interpreting or transliterating for deaf or hard of hearing individuals~~ must submit [the following](#) to the Commission:
  - a) Documentation that ~~he or she~~ [the applicant](#) meets the requirements as cited in ~~003.01C~~ [003.01A or 003.01B](#) in these regulations; and
  - b) A completed application ~~on a form~~ supplied by the Commission. Incomplete applications will be returned ~~with a letter informing the applicant of the information necessary to complete the application~~; and
  - c) ~~Official~~ [Documentation](#) of ~~having attained~~ a high school diploma or equivalent; [or proof of higher education](#); and
  - d) [Copy of a valid government issued photo identification](#); and
  - e) The required ~~license~~ [permit](#) fee.
- 2) Applicants who are denied a Temporary Permit may appeal this action in accordance with section 003.1009.
- 3) All Temporary Permits shall expire on December ~~Thirty-First (31)~~ [31](#) of every [the current calendar](#) year unless revoked, suspended or cancelled prior to such date.

### **003.02 C APPRENTICE LICENSE**

1) Applicants for this license must meet strict criteria and guidelines and must provide all of the following documentation:

- a. a copy of a valid government issued photo identification and be at least 18 years of age;
- b. proof of having taken and passed the RID written examination;
- c. documentation of eligibility to take the national performance exam as currently defined by RID;
- d. current RID membership card showing that the applicant is an associate member;
- e. proof of completion of an interpreter preparation or training program;
- f. a letter of recommendation, signed by the interpreter preparation program (IPP) chairperson attesting to the competency of the applicant to practice; and
- g. a completed Apprentice License application and remittance of a one-time fee.

### **003.03 FEES;**

~~The following All fees ~~have been~~ shall be set by the Full Commission Board to be paid as a condition of issuance of a license pursuant to ~~Revised Nebraska Statutes section~~ Neb. Rev. Stat. §20-156:~~

**003.03A** ~~Interpreter or Transliterators License;~~  
**INTERPRETER/TRANSLITERATOR LICENSE,  
INTERMEDIARY LICENSE, OR TEMPORARY PERMIT**

~~An applicant for an Interpreter or Transliterators License~~  
Interpreter/Transliterators license, Intermediary license, or Temporary Permit must pay at the required fee of \$150 on a biennial basis to maintain licensure.

**003.03B** ~~Intermediary License;~~ An applicant for an Intermediary License must pay a fee of \$50.

**003.03C** ~~Temporary Permit;~~ An applicant for a Temporary Permit must pay a fee of \$25 for each calendar year.

**003.03B** **APPRENTICE LICENSE**

An applicant for an Apprentice license must pay the required one-time fee.

**003.03D** **C** ~~Renewal Fee~~ **RENEWAL FEE**

An applicant for renewal of an Interpreter/Transliterators license or Intermediary license must pay the required fee on a biennial basis to maintain licensure.

~~1) Interpreter/Transliterators License Applicants must pay a fee of \$150 on a biennial basis ending June 30<sup>th</sup> of every odd year.~~

~~2) Intermediary License Applicants must pay a fee of \$50 on a biennial basis ending June 30<sup>th</sup> of every odd year.~~

**003.03ED** **Late Charge;** **LATE FEE** An applicant for renewal on a biennial basis of a license who fails to pay the renewal fee on or before the expiration date of his or her license will have 30 calendar days to pay an additional

fee of \$25 as a late charge. After 30 days, the license is revoked and the \$75.00 reinstatement fee applies.

An applicant for renewal of an Interpreter/Transliterators license or Intermediary license who fails to pay the renewal fee on or before the expiration date of the license will have 30 calendar days to pay the required late fee in addition to the renewal fee. After 30 days, the license is revoked and the reinstatement fee applies.

**003.03FE ~~Duplicate Original License;~~ DUPLICATE ORIGINAL LICENSE** The fee for a duplicate original license is \$10.00. This includes issuing a duplicate license due to a name change.

A request for a duplicate original license will be granted with the payment of the required fee. This includes issuing a duplicate license due to a name change.

**003.03GF ~~Certified Statement;~~ CERTIFIED STATEMENT** The fee for a certified statement that a license holder is licensed in the State of Nebraska is \$25.

A request for a certified statement that a license holder is licensed by the State of Nebraska will be granted with the payment of the required fee.

**003.03HG ~~Reinstatement Fee;~~ REINSTATEMENT FEE** An applicant for reinstatement of his or her license must pay a fee of \$75 in addition to the regular renewal fee.

An applicant for reinstatement of an Interpreter/Transliterators license or Intermediary license must pay a required fee in addition to the renewal fee.

**003.04 CONTINUING EDUCATION;**

**003.04A Continuing Education Requirements; CONTINUING EDUCATION REQUIREMENTS** All persons applying for renewal of an Interpreter or Transliterator License, or for renewal of an Intermediary License must:

1) All persons applying for renewal of an Interpreter/Transliterator license or an Intermediary license must:

- ~~1)~~ a) Have completed 24 clock hours of approved continuing education during the preceding 24 month period. A minimum of 18 clock hours must be completed in the area of Professional Studies, of which 3 clock hours must be related to interpreter ethics. Professional Studies contains content that directly affects the field of interpreting or transliterating. A maximum of 6 clock hours may be completed in the area of General Studies. General Studies includes topics that enhance the interpreter/transliterator's critical thinking skills and general ideas typically understood within the mainstream American Culture. The Commission has final approval of all continuing education activities. License holders must:
  - ~~2)~~ i) Ensure that the continuing education activity is approved by the Commission; and
  - ~~3)~~ ii) Maintain certificates of attendance or records of credit from continuing education activities; and
  - ~~4)~~ iii) Submit to the Commission documentation of continuing education hours ~~on a form supplied by the Commission. Incomplete forms will be returned with a letter informing the applicant of the information necessary to complete the form.~~
- ~~a)~~ (1) Documentation of continuing education activities must include:

1. (a) The name of the approved workshop, the title of the approved activity or the name of the approved in-service provider; and
2. (b) The date(s) of the activity; and
3. (c) The number of hours received for the activity.

2) All persons holding an Apprentice license must:

a) Complete 1.2 CEUs (12 clock hours) of approved continuing education, of which 0.3 CEUs (3 clock hours) must be related to interpreter ethics, during each 12-month period of the 3-year license cycle. The Commission has final approval of all continuing education activities.

License holders must:

i) ensure that the continuing education activity is approved by the Commission or by any RID Sponsor and continuing education activities must include:

(a) The title of the approved activity; and

(b) The date(s) of the activity; and

(c) The number of continuing education hours awarded for the activity.

ii) maintain certificates of attendance or records of credit from continuing education activities; and

iii) at the end of each 12-month period, submit to the Commission documentation of the continuing education hours.



b) If documentation of required continuing education hours is not submitted within 30 days after the end of each 12-month period, the Apprentice license will be revoked with no opportunity for appeal.

**003.04B ~~Approval of Continuing Education Activities;~~APPROVAL OF CONTINUING EDUCATION ACTIVITIES**

Continuing education activities are approved by the Commission or by any RID Sponsor for continuing education credit.

- 1) ~~The following types of activities are preapproved by the Commission for continuing education credit:~~
  - a) ~~Programs at the following State or National meetings: examples include but are not limited to, workshops or conferences hosted by the Alexander Graham Bell Association of the Deaf, the American Sign Language Teachers Association (ASLTA), the Conference of Interpreter Trainers (CIT), the National Association of the Deaf (NAD), the Nebraska Association of the Deaf (NeAD), the Nebraska Commission for the Deaf and Hard of Hearing (NCDHH), the Nebraska Registry of Interpreters for the Deaf (NeRID), or the Registry of Interpreters for the Deaf, Inc. (RID);~~
  - b) ~~Activities which are approved by an RID approved sponsor.~~
- 2) Procedure for Obtaining Approval for Continuing Education Activity; ~~The Commission will evaluate applications for continuing education activities in order to determine if approval is to be granted or denied. An application must be submitted to the Commission prior to the activity date.~~

**003.04C** ~~**Continuing Education Credit for Presenters;**~~ A presenter may apply for approval to receive credit for presenting a continuing education activity for the initial presentation. An application must be submitted to the Commission prior to the activity date.

**003.04DC** ~~**Denial of Continuing Education Activities;**~~ **DENIAL OF CONTINUING EDUCATION ACTIVITIES**

~~The Commission may grant or deny an application for approval of continuing education activities. Applicants who are denied approval of a continuing education activity may appeal this action in accordance with section 003.1009.~~

Applicants who are denied approval of a continuing education activity may appeal this action in accordance with section 003.09.

**003.05** **PROCESS FOR LICENSE RENEWAL;**

**003.05A** ~~**Expiration Date**~~ **EXPIRATION DATE**

- ~~1)~~ **1)** All ~~Interpreter or Transliterators Licenses~~ Intepreter/Transliterators and Intermediary licenses shall expire on June ~~thirtieth (30)~~ 30 of every ~~odd-numbered~~ years unless revoked, suspended, or cancelled prior to such date.
  - ~~2) All Intermediary Licenses shall expire on June thirtieth (30) of every odd year unless revoked, suspended, or cancelled prior to such date.~~
- ~~3)~~ **2)** All Temporary Permits shall expire on December 31<sup>st</sup> of the year of issuance unless revoked, suspended, or cancelled prior to such date.

**003.05B** ~~**Interpreter or Transliterators License;**~~ **INTERPRETER/TRANSLITERATOR OR INTERMEDIARY LICENSE**

- 1)** An applicant for license renewal to practice interpreting or transliterating for deaf or hard of hearing individuals in Nebraska of an

Interpreter/Transliterators or Intermediary license must submit to the Commission:

- a) ~~Official documentation of maintaining the requirements~~ Documentation that the applicant meets the requirements as cited in 003.01A ~~or 003.01B~~ in these regulations; and
- b) Documentation that the applicant meets the continuing education requirements as cited in 003.04; and
- c) A completed renewal application ~~on a form~~ supplied by the Commission. Incomplete applications will be returned ~~with a letter informing the applicant of the information necessary to complete the application; and~~
- d) ~~The required license fee~~ Copy of a valid government issued photo identification; and
- e) ~~Evidence of compliance with continuing education requirements as identified in 003.04~~ The required license fee.

- 3) 2) Applicants who are denied an Interpreter/Transliterators or Intermediary license renewal may appeal this action in accordance with section 003.09.

**003.05C Intermediary License**; An applicant for license renewal of an Intermediary License must submit to the Commission:

- ~~1) Official documentation of maintaining the requirements as cited in 003.01B in these regulations; and~~
- ~~2) A completed application on a form supplied by the Commission. Incomplete applications will be returned with a letter informing the applicant of the information necessary to complete the application; and~~
- ~~3) The required license fee; and~~

- 4) ~~Evidence of compliance with continuing education requirements as identified in 003.04.~~

~~003.05D Applicants who are denied renewal of an Intermediary License may appeal this action in accordance with section 003.10.~~

**003.06 LICENSE EXPIRATION;**

**003.06A ~~Expiration for Nonpayment of Renewal Fees;~~ EXPIRATION FOR NON PAYMENT OF RENEWAL FEES**

- 1) If a license holder fails to submit a completed application and the required renewal fee by the expiration date, a license expiration notice will be sent ~~by mail~~ from the Commission. The notice will specify:
- 1) a) That the license holder has a right to appeal the expiration notice in accordance with section 003.4009; and
  - 2) b) That the license holder has a right to request reinstatement of the license in accordance with section 003.0908.

**003.06B ~~Expiration for Failure to Maintain Required Certification or Assessment Level;~~ EXPIRATION FOR FAILURE TO MAINTAIN REQUIRED CERTIFICATION OR ASSESSMENT LEVEL**

- 1) If a license holder fails to maintain the requirements as cited in 003.01A, 003.01B and 003.01C the a license and/or permit will expire. An expiration notice will be sent ~~by mail~~ from the Commission. The ~~expiration~~ notice will specify:
- 1) a) That the license holder has a right to appeal the expiration notice in accordance with section 003.4009; and
  - 2) b) That the license holder has a right to request reinstatement of the license in accordance with section 003.0908.

**003.06C** ~~Expiration for Failure to Meet Continuing Education Requirements;~~ EXPIRATION FOR FAILURE TO MEET CONTINUING EDUCATION REQUIREMENTS

- 1) If a license holder fails to meet the continuing education requirements for license renewal as cited in 003.04, ~~the~~a license will automatically expire. An expiration notice will be sent by mail from the Commission. The expiration notice will specify:
  - 1) a) That the license holder has a right to appeal the expiration notice in accordance with section 003.4009; and
  - 2) b) That the license holder has a right to request reinstatement of the license in accordance with section 003.0908.

**003.07** ~~INVESTIGATING COMPLAINTS AND DISCIPLINARY ACTIONS~~ REPORTS OF POTENTIAL VIOLATIONS;

This rule outlines the procedures for investigating ~~complaints and taking disciplinary action against appointing authorities, and licensed or unlicensed interpreters~~ reports of conduct constituting a violation of Neb. Rev. Stat. §20-150 to §20-159, §71-4728 to §71-4732 or any regulation in section 003.07 and for taking disciplinary action against hiring entities, and licensed or unlicensed interpreters.

**003.07A**—1) The Commission will acknowledge all ~~complaints~~ reports of potential violations in writing within ~~ten~~ 10 business days after being received. At a minimum, individuals will receive notification of the facts, circumstances, and identity of the complainant, unless special circumstances exist.

**003.07B** 2) Upon designation by the Full Commission Board, the Board will investigate any of the following:

- 1) a) ~~Complaints~~ Reports alleging the use of an unlicensed interpreter by ~~any appointing authority~~ in violation of ~~Nebraska Revised Statutes sections~~ Neb. Rev. Stat. §20-150 to §20-159, or complaints, as defined

in 002, alleging the violation of the Rules and Regulations of the Commission.

- 2) ~~b) Complaints~~ Reports alleging a licensed interpreter has violated any provision of sections Neb. Rev. Stat. §20-150 to §20-159, sections §71-4728 to §71-4732, or any rule or regulation of the Commission adopted and promulgated pursuant to such sections, including rules and regulations governing unprofessional conduct.
- a) ~~c) Complaints~~ Reports alleging fraud, forgery, or misrepresentation of material facts, in procuring or attempting to procure, or renewing or attempting to renew a license; or
- b) ~~d) Complaints~~ Reports alleging unethical, unprofessional, dishonorable or grossly immoral conduct evidencing unfitness or lack of proficiency sufficient to meet the standards required for the practice of interpreting or transliterating; or
- e) ~~e) Complaints of conviction~~ Convictions of a misdemeanor or felony under state law, federal law, or the law of another jurisdiction, which has rational connection with the license holder's renewal or fitness or capacity to practice ~~VRI~~ interpreting; or
- d) ~~f) Complaints of violating the NAD-RID Code of Professional Conduct currently adopted by the National Registry of Interpreters for the Deaf, Inc. (see Attachment A) or other code of ethics that is substantially equivalent~~ Reports of violating the terms or of a probation should the Commission have placed the license holder on probation; or
- e) ~~g) Complaints~~ Reports of violating the terms of a probation should the Commission have placed the license holder on probation committing any act of abusive behavior, misconduct or exploitation related to the practice of interpreting; or
- f) ~~Complaints of interpreting while impaired by alcohol,~~

~~controlled substances, narcotic drugs, or by physical, mental, or emotional disability; or~~

- ~~g) Complaints of committing any act of sexual abuse, misconduct or exploitation related to the practice of interpreting.~~

**003.07CA** ~~Evaluation and Action;~~ **EVALUATION AND ACTION**

- 1) The Board will investigate and evaluate ~~the complaints~~ reports of potential violations. In conducting an investigation, and prior to a formal hearing on ~~the complaint~~ reports of potential violations, the Board may, in its discretion, request the ~~person~~ complainant and/or the person who is under investigation to ~~answer the charges in writing or~~ appear before the Board or its designee to voluntarily and informally discuss the alleged violation.
- 1) ~~a) The Board may obtain technical or investigatory assistance. All persons appointed to assist with investigating and hearing the matter shall report their findings, in writing, to the Board for final determination by the Board. The Board or its designee will obtain technical or investigatory assistance from persons, including but not limited to, the agency Interpreter Program Coordinator, one Interpreter representative of the Board and one deaf representative from the Board.~~
- 2) ~~b) After the investigation is complete, the matter goes to the Board to determine their recommendation to the Full Commission Board. In addition to being asked to answer charges in writing, the interpreter under investigation and/or the complainant may request to meet with the Board designee and provide testimony in person.~~

- 003.07D** ~~2) The Full Commission Board will evaluate the complaint, the investigation and the Board recommendation~~ After the investigation is complete and upon determination that the report of potential violation has merit, the matter goes to the Board to determine their recommendation to the Full Commission Board.

- 1) a) If the investigation reveals that there is not good cause to believe that the interpreter has committed a violation of any Nebraska Revised Statutes sections §20-150 to §20-159, sections §71-4728 to §71-4732, or the Title 96 Rules and Regulations promulgated by the Full Commission Board, the matter will be dismissed and no formal complaint will be initiated by the Full Commission Board; or The interpreter under investigation and/or the complainant may request to appear before the Board when the report of potential violation is reviewed in Executive Session.
  
- 3) 3) If the investigation discloses a probability that the actions of the person under investigation constitutes a violation of any Nebraska Revised Statutes sections §20-150 to §20-159, sections §71-4728 to §71-4732, or the Title 96 Rules and Regulations promulgated by the Full Commission Board, the Full Commission Board will proceed with possible disciplinary action. The Full Commission Board may, at its discretion, request the person under investigation and/or the complainant to appear before the Full Commission Board to discuss the alleged violation.

**003.07E** a) The Full Commission Board may enter into a consent agreement or negotiated settlement at any time before or after filing a formal complaint. Voluntary surrender or nonrenewal of a license to avoid or expedite enforcement or disciplinary action does not preclude any enforcement action or sanction for any alleged violation and will prohibit consideration for subsequent reinstatement. The person under investigation and/or the complainant may request to meet with the Full Commission Board to provide testimony in person.

**003.07F** b) A formal complaint may be filed and served on the interpreter. Such formal complaint will specify the allegations being brought against the interpreter and set forth in general terms the facts alleged to support the allegations. If the investigation reveals that there is not good cause to believe that the interpreter has committed a violation of any Neb. Rev. Stat. §20-150 to §20-159, §71-4728 to §71-4732, or the Title 96 Rules and Regulations promulgated by the Full Commission Board, the matter



will be dismissed and no formal complaint will be initiated by the Full Commission Board; or

- 1)
  - c) If the Interpreter Issues decides to proceed with possible disciplinary action, the Executive Director will consult with the Nebraska Attorney General's office and will retain legal counsel to prosecute the disciplinary charges. A formal complaint will be prepared, filed with the Executive Director and served on the interpreter. Such formal complaint will specify the charges being brought against the interpreter and set forth in general terms the facts alleged to support the charges. If the investigation discloses a probability that the actions of the person under investigation constitutes a violation of any Neb. Rev. Stat. §20-150 to §20-159, §71-4728 to §71-4732, or the Title 96 Rules and Regulations promulgated by the Full Commission Board, the Full Commission Board will proceed with possible disciplinary action.
  - 2)
    - i) If the interpreter does not want to contest the allegations within fifteen (15) days and request a formal hearing, the following will occur: The Full Commission Board may enter into a consent agreement or negotiated settlement at any time before or after filing a formal complaint. Voluntary surrender or nonrenewal of a license to avoid or expedite enforcement or disciplinary action does not preclude any enforcement action or sanction for any alleged violation and will prohibit consideration for subsequent reinstatement.
    - a)
      - ii) The Full Commission Board will, by majority vote, make its final decision in the matter. A formal complaint may be filed and served on the interpreter. Such formal complaint will specify the allegations being brought against the interpreter and set forth, in general terms, the alleged facts to support the allegations.
- 3)
  - d) If the interpreter wants to contest the allegations, he or she must request a formal hearing in writing, within fifteen (15) days to the Executive Director of the Commission. If the Full Commission Board

decides to proceed with possible disciplinary action, the Executive Director will consult with the Nebraska Attorney General's office and will retain legal counsel to prosecute the disciplinary charges. A formal complaint will be prepared, filed with the Executive Director and served on the interpreter. Such formal complaint will specify the charges being brought against the interpreter and set forth, in general terms, the alleged facts to support the charges.

- a) i) The Commission will appoint a neutral hearing officer to schedule an evidentiary hearing within thirty (30) days. The hearing officer will preside over all proceedings in the case until completion of the hearing and submission of the hearing officer's report and recommendations to the Commission and will also serve copies of such document on the interpreter or his or her attorney and the attorney prosecuting the charges. If the interpreter does not wish to contest the allegations within 15 days and request a formal hearing, the following will occur:
- b) (1) The Full Commission Board may, but is not required to, afford the interpreter and the attorney prosecuting the matter for the Commission the opportunity to present written and/or oral argument to it in response to the hearing officer's written findings of fact, conclusions of law and recommended decision. The Full Commission Board will, by majority vote, make its final decision in the matter.
- e) ii) The Full Commission Board will, by majority vote, make its final decision in the matter. If the interpreter wishes to contest the allegation, a request for a formal hearing must be submitted, in writing, within 15 days to the Executive Director of the Commission.
- 4) iii) Notice of the Full Commission Board's final decision will be served on the interpreter or the interpreter's attorney of record promptly after it is made by regular United States mail. If the

~~allegations are substantiated, a disciplinary notice will be sent by mail from the Commission. The disciplinary notice will specify:~~ The Commission shall appoint a neutral hearing officer to schedule an evidentiary hearing within 30 days. The hearing officer will preside over all proceedings in the case until completion of the hearing and submission of the hearing officer's report and recommendations to the Commission and will serve copies of such document on the interpreter and the attorney prosecuting the charges.

~~a) iv) The specific grounds violated; and~~ The Full Commission Board may, but is not required to, afford the interpreter and the attorney prosecuting the matter for the Commission the opportunity to present written and/or oral argument to it in response to the hearing officer's written findings of fact, conclusions of law and recommended decision.

~~b) v) That the Full Commission Board has taken disciplinary action against an individual, and the nature of the disciplinary action; and~~ The Full Commission Board will, by majority vote, make its final decision in the matter.

~~e) 4) That an individual has a right to appeal the disciplinary action in accordance with section 003.10; and~~ Notice of the Full Commission Board's final decision will be served on the interpreter or the interpreter's attorney of record promptly after it is made. If the allegations are substantiated, a disciplinary notice will be sent from the Commission. The disciplinary notice will specify:

~~d) a) That a previously licensed individual has a right to request reinstatement of the license in accordance with section 003.09. The specific ground(s) violated; and~~

**003.07G** ~~b) Any individual aggrieved by the Full Commission Board's final decision in a contested case is entitled to judicial review in accordance with Neb. Rev. Stat. §84-917~~ That the Full Commission Board has taken disciplinary action against an individual, and the nature of the disciplinary action; and.

**003.07H** ~~c) The procedure for formal hearings in contested disciplinary cases before the Full Commission Board shall be in accordance with Title 53, Nebraska Administrative Code, Chapter 4 of the Nebraska Department of Justice, which chapter is hereby adopted by the Commission for this purpose~~ That an individual has a right to appeal the disciplinary action in accordance with section 003.09; and

**003.07I** ~~d) Confidentiality; All investigations or disciplinary actions that are not formally dismissed will be public information after a disposition has been determined by the Full Commission Board. The Full Commission Board and the Board will abide by Title 53, Nebraska Administrative Code, Chapter 4 of the Nebraska Department of Justice~~ That a previously licensed individual has a right to request reinstatement of the license in accordance with section 003.08.

5) Any entity aggrieved by the final Full Commission Board's decision in a contested case is entitled to judicial review in accordance with Neb. Rev. Stat. §84-917.

6) The procedure for formal hearings in contested disciplinary cases before the Full Commission Board shall be in accordance with Title 53, Nebraska Administrative Code, Chapter 4 of the Nebraska Department of Justice, which chapter is hereby adopted by the Commission for this purpose.

### **003.0807B TYPES OF DISCIPLINARY ACTIONS;**

**003.08A 1)** If the Full Commission Board determines that a licensed interpreter or an applicant for licensure has committed a violation of ~~Nebraska Revised Statutes sections~~ Neb. Rev. Stat. §20-150 to §20-159, or of the Rules and Regulations of the Commission, it may discipline the individual by taking one or more of the following actions which includes, but is not limited to:

~~1) Disciplinary actions that may be taken include but are not limited to:~~

a) Additional education requirements;~~or~~

- b) Letter of reprimand;~~or~~
- c) Probation;~~or~~
- d) Limit the type of practice;~~or~~
- e) Suspension;~~or~~
- f) Revocation.

**003.08B 2)** If the Full Commission Board determines that an unlicensed interpreter has committed a violation of ~~Nebraska Revised Statutes sections~~ [Neb. Rev. Stat.](#) §20-150 to §20-159, or of the Rules and Regulations of the Commission, the Full Commission Board may impose a civil penalty against the unlicensed interpreter not to exceed \$500 for each offense.

**003.08C 3)** ~~Appeals will be conducted in accordance with section 003.10~~ [Applicants who are denied renewal of a license may appeal this action in accordance with section 003.09.](#)

**003.0908 LICENSE REINSTATEMENT;**

**003.09A** ~~License Reinstatement if Expiration Due to Failure to Pay Renewal Fees, Failure to Maintain Certification or Assessment Level, and/or Failure to Meet Continuing Education Requirements;~~ An applicant whose license expired due to nonpayment of renewal fees, failure to maintain certification or assessment level, or failure to meet continuing education requirements may seek reinstatement as follows:

1) ~~A person whose license expired may seek reinstatement as follows~~ [An Interpreter/Transliterator or Intermediary license that was not renewed within 30 days of the expiration date has 2 years to submit the following to the Commission:](#)

1) ~~—~~ The applicant must submit to the Commission:

- a) ~~A completed reinstatement application on a form supplied by the Commission. Incomplete applications will be returned with a letter informing the applicant of the information necessary to complete the application; and~~
- b) ~~A renewal fee (which is to be the same as the initial license fee for each category 003.03A—003.03C), plus a \$75 reinstatement fee~~ [The required fees](#); and
- c) If license expired due to failure to maintain certification or assessment level, documentation that the applicant currently possesses the required certification or assessment level as cited in ~~003.01A, 003.01B or 003.01C~~; and ~~or~~
- d) If license expired due to failure to complete required continuing education hours as cited in 003.04, documentation of ~~or a sworn affidavit of 24 clock hours of completed approved continuing education earned in the 24 months prior to the date of application for reinstatement~~ [must be submitted; and](#) ~~Documentation of continuing education hours must be submitted on a form supplied by the Commission. Incomplete forms will be returned with a letter informing the applicant of the information necessary to complete the form; and~~
- e) A written statement [signed](#) by the applicant that contains the rationale for requesting reinstatement of the license.

~~003.09B—2)~~ An applicant whose [Interpreter/Transliterator or Intermediary](#) license has been revoked, suspended, limited or refused renewal may seek reinstatement by submitting the following [to the Commission](#):

- ~~1) a) The applicant must submit to the Commission:~~
- 2) a) A completed reinstatement application ~~on a form~~ supplied by the Commission. Incomplete applications will be returned ~~with a letter informing the applicant of the information necessary to complete the application;~~ and
- 3) b) A renewal fee (which is to be the same as the initial license fee for each category ~~003.03A — 003.03C 005.01-005.03~~), plus a \$75 reinstatement fee The required fees; and
- 4) c) A written statement signed by the applicant that contains the rationale for requesting reinstatement of the license; and
- 5) d) Evidence that the applicant has fulfilled all requirements of any disciplinary action and has met the requirements cited in 003.01.

~~003.09C~~ 3) All reinstatement applications require Full Commission Board approval.

~~003.09D~~ a) If the interpreter is denied reinstatement, ~~a letter will be sent from the Commission notifying~~ will notify the applicant. Applicants who are denied license reinstatement may appeal this action in accordance with section 003.10 09.

~~003.09E~~ 4) The reinstatement fee is nonrefundable.

~~003.109~~ **APPEAL RIGHTS FOR INTERPRETER/TRANSLITERATORS;**

The procedure to appeal any decision made by the Full Commission Board shall be in accordance with Title 53, Nebraska Administrative Code, Chapter 4 of the Nebraska Department of Justice, which chapter is hereby adopted by the Commission for this purpose.

~~003.10A~~ 1) The procedure for individuals to appeal any administrative decision(s) related to the denial of ~~any of the following:~~ an initial license, license

renewal, continuing education credits, or license expiration notice is as follows:

- 1) a) Submit to the Executive Director a letter of appeal for the Full Commission Board's review.
- 2) b) The interpreter will be notified ~~by mail~~ of the Full Commission Board's decision.

**003.10B** 2) The procedure ~~to appeal any Full Commission Board's decisions~~ for formal hearings in contested disciplinary cases before the Full Commission Board shall be in accordance with Title 53, Nebraska Administrative Code, Chapter 4 of the Nebraska Department of Justice, which chapter is hereby adopted by the Commission for this purpose.

**003.10C** 3) Any person aggrieved by the final Full Commission Board's decision in a contested case is entitled to judicial review in accordance with Neb. Rev. Stat. §84-917.

4) All investigations or disciplinary actions that are not formally dismissed will be public information after a disposition has been determined by the Full Commission Board and the Board will abide by Title 53, Nebraska Administrative Code, Chapter 4 of the Nebraska Department of Justice.



#### 004 VRI-VIDEO REMOTE INTERPRETING (VRI) PROVIDERS

A license is required to practice interpreting or transliterating. In accordance with Neb. Rev. Stat. §20-150 to §20-159, except as otherwise provided in section §20-156.01, no person or entity shall

- (a) practice as an interpreter for the deaf or hard of hearing for compensation,
- (b) hold himself, herself, or itself out as a licensed interpreter for the deaf or hard of hearing, (c) provide video remote interpreting services,
- (c) use the title Licensed Interpreter for the Deaf or Licensed Transliterator for the Deaf, or use any other title or abbreviation to indicate that the person or entity is a licensed interpreter unless licensed by the state of Nebraska.

#### 004.01 ELIGIBILITY CRITERIA TO OBTAIN A VIDEO REMOTE INTERPRETING BUSINESS LICENSE;

**004.01A** 1) Video Remote Interpreting Business License; An applicant for a business ~~license~~ license to provide VRI services for deaf or hard of hearing individuals in Nebraska must assure all employed and contracted sign language interpreters meet the following criteria:

- 1) a) Have completed one or more of the following:
  - a) i) Hold one of the a valid certification developed by the National Council on Interpreting (NCI) and awarded by the Registry of Interpreters for the Deaf, Inc. (RID): NIC, NIC Advanced or NIC Master , except for Ed:K-12; or
  - b) — Hold one of the following valid interpreter or transliterator certification awarded by the Registry of Interpreters for the Deaf (RID): Certificate of Interpretation, Certificate of Transliteration, Interpretation Certificate, Transliteration Certificate, Comprehensive Skills Certificate, or Interpretation Certificate/Transliteration Certificate; or

- e) [ii](#)) Hold a valid level ~~III~~[IV](#) or higher on the Interpreter Proficiency Certificate awarded by the National Association of the Deaf (NAD); or
  - d) [iii](#)) Hold a valid level ~~III,IV~~ or ~~V~~ [higher](#) in Interpreting or Transliterating on the Mid-America Quality Assurance Screening Test ([QAST](#)) [awarded by the Nebraska Commission for the Deaf and Hard of Hearing](#); or
  - e) [iv](#)) Hold a state certification or licensure that is substantially equivalent to one of the above [and approved by the Full Commission Board](#); and
- 2) [b](#)) Be 18 years of age or older; and
  - 3) [c](#)) Have [documentation of attained](#) a high school diploma or equivalent, [or proof of higher education](#).

**004.02 APPLICATION PROCESS FOR OBTAINING A VIDEO REMOTE INTERPRETING BUSINESS LICENSE;**

~~A business license is required to provide VRI interpreting or transliterating services. In accordance with Neb. Rev. Stat. §20-150 to 20-159, except as otherwise provided in this §20-156.01, no person or entity shall (a) practice as an interpreter for the deaf or hard of hearing for compensation, (b) hold himself, herself, or itself out as a licensed interpreter for the deaf or hard of hearing, (c) provide video remote interpreting services, (d) use the title Licensed Interpreter for the Deaf or Licensed Transliterator for the Deaf, or (e) use any other title or abbreviation to indicate that the person or entity is a licensed interpreter unless licensed. The process for obtaining a business license to provide VRI interpreting or transliterating services for deaf or hard of hearing individuals in Nebraska is set forth below: [All Video Remote Interpreting business licenses shall expire on June 30 of even-numbered years unless revoked, suspended or cancelled prior to such date.](#)~~

- 004.02A 1) Video Remote Interpreting Business License;** An applicant for a [Video Remote Interpreting](#) business license ~~to provide VRI services for deaf or hard~~

of hearing individuals in Nebraska must submit to the [following to the Commission](#):

- 1) [a\)](#) A completed application ~~on a form~~ supplied by the Commission. Incomplete applications will be returned ~~with a letter informing the applicant of the information necessary to complete the application~~; and
- 2) [b\)](#) A signed agreement stating compliance with 004.01A criteria, including all employed and contracted sign language ~~interpreter's~~ [interpreters'](#) maintenance of certification levels, any applicable state license(s); ~~and a roster of employed and contracted sign language interpreters~~; and
- 3) [c\)](#) A roster of employed and contracted sign language interpreters; and
- 4) [d\)](#) The required license fee.

~~004.02B~~ [2\)](#) Applicants who are denied a business license may appeal this action in accordance with section 004.09 [08](#).

~~004.02C~~ ~~All Video Remote Interpreting Business Licenses shall expire on June Thirtieth (30) of every even year unless revoked, suspended or cancelled prior to such date.~~

#### **004.03 FEES;**

~~The following fees have been set by the Full Commission Board to be paid as a condition of issuance of a license pursuant to Revised Nebraska Statutes section §20-156:~~ [All fees shall be set by the Full Commission Board to be paid as a condition of issuance of a license pursuant to Neb. Rev. Stat. §20-156.](#)

**004.03A** ~~An applicant for a business license must pay a fee of \$150.~~ [\*\*VRI Business License\*\*](#)  
[An applicant for renewal of a Video Remote Interpreting business license must pay the required fee on a biennial basis to maintain licensure.](#)

- 004.03B**      **Renewal Fee**; ~~An applicant for a business license must pay a fee of \$150 on a biennial basis ending June 30<sup>th</sup> of every odd year.~~  
[An applicant for renewal of a Video Remote Interpreting business license must pay the required fee on a biennial basis to maintain licensure.](#)
- 004.03C**      **Late Charge Fee**; ~~An applicant for renewal on a biennial basis of a business license who fails to pay the renewal fee on or before the expiration date of the license will have 30 calendar days to pay an additional fee of \$25 as a late charge. After 30 days the business license is revoked and the \$75.00 reinstatement fee applies.~~  
[An applicant for renewal of a Video Remote Interpreting business license who fails to pay the renewal fee on or before the expiration date of the license will have 30 calendar days to pay the required late fee in addition to the renewal fee. After 30 days, the license is revoked and the reinstatement fee applies.](#)
- 004.03D**      **Duplicate Original Business License**; ~~The fee for a duplicate original license is \$10.00. This includes issuing a duplicate license due to a name change.~~  
[A request for a duplicate original business license will be granted with the payment of the required fee. This includes issuing a duplicate business license due to a name change.](#)
- 004.03E**      **Certified Statement**; ~~The fee for a certified statement that a business license holder is licensed by the State of Nebraska is \$25.~~  
[A request for a certified statement that a business license holder is licensed by the State of Nebraska will be granted with the payment of the required fee.](#)
- 004.03F**      **Reinstatement Fee**; ~~An applicant for reinstatement of the business license must pay a fee of \$75 in addition to the regular renewal fee~~  
[An applicant for reinstatement of a business license must pay a required reinstatement fee in addition to the renewal fee.](#)

**004.04 PROCESS FOR VIDEO REMOTE INTERPRETING BUSINESS LICENSE RENEWAL;**

**004.04A EXPIRATION DATE**

All Video Remote Interpreting ~~B~~business ~~L~~licenses shall expire on June ~~Thirtieth (30)~~ 30 of every even-~~numbered~~ years unless revoked, suspended or cancelled prior to such date.

**004.04B VIDEO REMOTE INTERPRETING BUSINESS LICENSE RENEWAL**

- 1) ~~A VRI provider applying for a business license renewal must submit a complete renewal application on a form supplied by the Commission. Incomplete applications will be returned with a letter informing the applicant of the information necessary to complete the application~~ An applicant for renewal of a Video Remote Interpreting business license must submit to the Commission:
  - a) A completed application supplied by the Commission. Incomplete applications will be returned; and
  - b) A signed agreement stating compliance with 004.01 criteria, including all employed and contracted sign language interpreters' maintenance of certification levels, any applicable state license(s); and
  - c) A roster of employed and contracted sign language interpreters; and
  - d) The required license fee.

- ~~004.04C~~ 2) Applicants who are denied renewal of a ~~Video Remote Interpreting Business License~~ may appeal this action in accordance with section ~~004.09~~08.

**004.05 LICENSE EXPIRATION;**

~~004.05A~~ **Expiration for Nonpayment of Renewal Fees;** ~~If a business license holder fails to submit a completed application and renewal fee by the expiration date, a license expiration notice will be sent by mail from the Commission. The notice will specify:~~

- 1) If a business license holder fails to submit a completed application and the required renewal fee by the expiration date, a license expiration notice will be sent from the Commission. The notice will specify:
  - 1) a) That the business license holder has a right to appeal the expiration notice in accordance with section ~~004.09~~08; and
  - 2) b) That the business license holder has a right to request reinstatement of the business license in accordance with section ~~004.08~~07.

**004.06 INVESTIGATING COMPLAINTS AND DISCIPLINARY ACTIONS;**  
**REPORTS OF POTENTIAL VIOLATIONS**

This rule outlines the procedures for investigating ~~complaints~~ reports of potential violations and taking disciplinary action against ~~appointing authorities~~ hiring entities, and licensed or unlicensed ~~VRI~~ Video Remote Interpreting providers.

- ~~004.06A~~ 1) The Commission will acknowledge all ~~complaints~~ reports of potential violations in writing within ten business days after being received.
- ~~004.06B~~ 2) Upon designation by the Full Commission Board, the Board will investigate any of the following:
- 3) ~~a) Complaints~~ Reports alleging the use of an unlicensed ~~VRI~~ Video Remote Interpreting provider by any ~~appointing authority~~ hiring entity in violation of ~~Nebraska Revised Statutes sections~~ Neb. Rev. Stat. §20-

150 to §20-159, or ~~complaints-reports~~, as defined in 002, alleging the violation of the Rules and Regulations of the Commission.

- 4) ~~b) Complaints~~ Reports alleging a licensed ~~VRI~~ Video Remote Interpreting provider has violated any ~~Nebraska Revised Statutes sections~~ Neb. Rev. Stat. §20-150 to §20-159, ~~sections~~ §71-4728 to §71-4732, or of the Title 96 Rules and Regulations promulgated by the Commission pursuant to such sections, including rules and regulations governing unprofessional conduct.
- 5) ~~c) Complaints~~ Reports alleging fraud, forgery, or misrepresentation of material facts; in procuring or attempting to procure, or renewing or attempting to renew a business license; or
- 6) ~~d) Complaints~~ Reports alleging unethical, unprofessional, dishonorable or grossly immoral conduct evidencing unfitness or lack of proficiency sufficient to meet the standards required for the practice of interpreting or transliterating; or
- 7) ~~e) Complaints~~ Conviction(s) of a misdemeanor or felony under state law, federal law, or the law of another jurisdiction, which has rational connection with the license holder's renewal or fitness or capacity to provide ~~VRI~~ Video Remote ~~i~~nterpreting services; or
- ~~a) ——— Complaints of employed or contracted interpreters violating the NAD-RID Code of Professional Conduct currently adopted by the National Registry of Interpreters for the Deaf, Inc. (see Attachment A) or other code of ethics that is substantially equivalent; or~~
- b) ~~f) Complaints~~ Reports of violating the terms of a probation should the Full Commission Board have placed the license holder on probation; or
- e) ~~g) Complaints~~ Reports of employed or contracted interpreters interpreting while impaired by alcohol, controlled substances, narcotic drugs, or by physical, mental, or emotional disability; or committing

any act of abusive behavior, misconduct or exploitation related to the practice of interpreting.

- ~~d) Complaints of employed or contracted interpreters committing any act of sexual abuse, misconduct or exploitation related to the practice of interpreting.~~

**004.06CA Evaluation and Action;**

~~The Board will investigate and evaluate the complaints and make a recommendation to the Full Commission Board. In conducting an investigation, and prior to a formal hearing on the complaint, the Board may, in its discretion, request the business which is under investigation to answer the charges in writing or appear before the Board or its designee to voluntarily and informally discuss the alleged violation.~~

1) The Board will investigate and evaluate reports of potential violations. In conducting an investigation, and prior to a formal hearing, the Board may, at its discretion, request the Video Remote Interpreting business that is under investigation answer the charges in writing or appear before the Board or its designee to voluntarily and informally discuss the alleged violation(s).

a) The Board may obtain technical or investigatory assistance. All persons appointed to assist with investigating and hearing the matter shall report their findings, in writing, to the Board for final determination by the Board.

~~1)~~ b) In addition to being asked to answer charges in writing, the Video Remote Interpreting business under investigation and/or the complainant may request to meet with the Board designee and provide testimony in person.

~~2)~~ 2) After the investigation is complete, the matter goes to the Board to determine their recommendation to the Full Commission Board.

~~3)~~ a) The Video Remote Interpreting business under investigation and/or the complainant may request to appear before the Board when the report of potential violation is reviewed in Executive Session.



~~004.06D~~ 3) The Full Commission Board will evaluate the ~~complaint~~ report of potential violation, the investigation and the Board recommendation. The Full Commission Board may, at its discretion, request the business under investigation and/or the complainant to appear before the Full Commission Board and discuss the alleged violations.

1) a) The business under investigation and/or the complainant may request to meet with the Full Commission Board and provide testimony in person.

2) b) If the investigation reveals that there is not good cause to believe that the ~~VRI provider~~ Video Remote Interpreting business has committed a violation of any ~~Nebraska Revised Statutes sections~~ Neb. Rev. Stat. §20-150 to §20-159, ~~sections~~ §71-4728 to §71-4732, or of the Title 96 Rules and Regulations promulgated by the Full Commission Board, the matter will be dismissed and no formal complaint will be initiated by the Full Commission Board; or

3) c) If the investigation discloses a probability that the actions of the ~~VRI provider~~ Video Remote Interpreting business under investigation constitutes a violation of ~~the Nebraska Revised Statutes sections~~ any Neb. Rev. Stat. §20-150 to §20-159, ~~sections~~ §71-4728 to §71-4732, or of the Title 96 Rules and Regulations promulgated by the Full Commission Board, the Full Commission Board will proceed with possible disciplinary action.

~~004.06E~~ i) The Full Commission Board may enter into a consent agreement or negotiated settlement at any time before or after filing a formal complaint. Voluntary surrender or nonrenewal of a ~~business~~ license to avoid or expedite enforcement or disciplinary action does not preclude any enforcement action or sanction for any alleged violation and will prohibit consideration for subsequent reinstatement.

~~004.06F~~ ii) A formal complaint may be filed and served on the ~~VRI provider~~ Video Remote Interpreting business. Such formal complaint

will specify the alleged violations allegations being brought against the ~~VRI provider~~ Video Remote Interpreting business and set forth in general terms the facts alleged to support the alleged violations allegations.

1) ~~4) If the VRI provider does not contest allegations within fifteen (15) days and request a formal hearing, the following will occur: If the Full Commission Board decides to proceed with possible disciplinary action, the Executive Director will consult with the Nebraska Attorney General's office and will retain legal counsel to prosecute the disciplinary charges. A formal complaint will be prepared by the Attorney General's office, filed with the Commission and served on the Video Remote Interpreting business. Such formal complaint will specify the charges being brought against the Video Remote Interpreting business and set forth, in general terms, the alleged facts to support the charges.~~

~~a) The Full Commission Board will, by majority vote, make its final decision in the matter If the Video Remote Interpreting business does not want to contest the allegation(s) within 15 days and request a formal hearing, the following will occur:~~

~~2) i) If the VRI provider does contest the allegations with the Executive Director within fifteen (15) days and request a formal hearing, the following will occur: The Full Commission Board will, by majority vote, make its final decision in the matter.~~

~~a) b) The Commission will appoint a neutral hearing officer to schedule an evidentiary hearing within thirty (30) days. The hearing officer will preside over all proceedings in the case until completion of the hearing and submission of the hearing officer's report and recommendations to the Full Commission Board and will also serve copies of such document on the VRI provider or provider's attorney and the attorney prosecuting the charges If the Video Remote Interpreting business wants to contest the allegation(s), a request for a formal hearing must be submitted in writing within 15 days to the Executive Director of the Commission.~~

~~b) i) The Full Commission Board may, but is not required to, afford the VRI provider and the attorney prosecuting the matter for the~~

~~Commission the opportunity to present written and/or oral argument to it in response to the hearing officer's written findings of fact, conclusions of law and recommended decision~~  
The Commission shall appoint a neutral hearing officer to schedule an evidentiary hearing within 30 days. The hearing officer will preside over all proceedings in the case until completion of the hearing and submission of the hearing officer's report and recommendations to the Commission and will also serve copies of such documents on the Video Remote Interpreting business and the attorney prosecuting the charges.

- e) ~~ii) The Full Commission Board will, by majority vote, make its final decision in the matter.~~ The Full Commission Board may, but is not required to, afford the Video Remote Interpreting business and the attorney prosecuting the matter for the Commission the opportunity to present written and/or oral arguments to it in response to the hearing officer's written findings of fact, conclusions of law and recommended decision.

(1) The Full Commission Board will, by majority vote, make its final decision in the matter.

- ~~3) 5) Notice of the Full Commission Board's final decision will be served on the VRI provider~~ Video Remote Interpreting business or the Video Remote Interpreting business's provider's attorney of record promptly after it is made ~~by regular United States mail~~. If the allegations(s) are substantiated, a disciplinary notice will be sent ~~by mail~~ from the Commission. The disciplinary notice will specify:

- a) The specific grounds violated; and
- b) That the Full Commission Board has taken disciplinary action against ~~an provider~~ the Video Remote Interpreting business, and the nature of the disciplinary action; and

- c) That ~~an provider~~ [the Video Remote Interpreting business](#) has a [the](#) right to appeal the disciplinary action in accordance with section 004.0908; and
- d) That a previously licensed ~~provider~~ [Video Remote Interpreting business](#) has ~~a~~[the](#) right to request reinstatement of the license in accordance with section 004.087.

**004.06G** [6](#)) Any entity aggrieved by the final Full Commission Board’s decision in a contested case is entitled to judicial review in accordance with Neb. Rev. Stat. §84-917.

**004.06H** [7](#)) The procedure for formal hearings in contested disciplinary cases before the Full Commission Board shall be in accordance with Title 53, Nebraska Administrative Code, Chapter 4 of the Nebraska Department of Justice, which chapter is hereby adopted by the Commission for this purpose.

**004.06I** ~~Confidentiality: All investigations or disciplinary actions that are not formally dismissed will be public information after a disposition has been determined by the Full Commission Board. The Full Commission Board and the Board will abide by Title 53, Nebraska Administrative Code, Chapter 4 of the Nebraska Department of Justice.~~

**004.076B TYPES OF DISCIPLINARY ACTIONS;**

**004.07A** 1) If the Full Commission Board determines that a licensed ~~VRI provider~~ [Video Remote Interpreting business](#) or an applicant for business licensure has committed a violation of ~~Nebraska Revised Statutes sections~~ [Neb. Rev. Stat. §20-150 to §20-159, sections §71-4728 to §71-4732](#), or of the Title 96 Rules and Regulations of the Commission, it may discipline the ~~VRI provider~~ [Video Remote Interpreting business](#) by taking one or more of the following actions [which includes, but is not limited to](#):

- ~~1) Disciplinary actions that may be taken include but are not limited to:~~

- a) Additional education requirements;~~or~~
- b) Letter of reprimand;~~or~~
- c) Probation;~~or~~
- d) Limit the type of practice;~~or~~
- e) Suspension;~~or~~
- f) Revocation.

~~004.07B~~ 2) If the Full Commission Board determines that an unlicensed ~~VRI provider~~ Video Remote Interpreting business has committed a violation of ~~Nebraska Revised Statutes sections~~ Neb. Rev. Stat. §20-150 to §20-159, or of the Rules and Regulations of the Commission, the Full Commission Board may impose a civil penalty against the unlicensed ~~VRI provider~~ Video Remote Interpreting business not to exceed \$500 for each offense.

~~004.07C~~ 3) Appeals will be conducted in accordance with section ~~004.098~~.

~~004.0807~~ **VIDEO REMOTE INTERPRETING BUSINESS LICENSE REINSTATEMENT;**

~~004.08A~~ An entity whose business license has expired may seek reinstatement as follows:

- 1) A Video Remote Interpreting business license that was that has not renewed their business license within 30 days ~~following~~ after the expiration date has ~~one year~~ 2 years to submit the following:
  - a) A completed reinstatement application ~~on a form~~ supplied by the Commission. Incomplete applications will be returned ~~with a~~

~~letter informing the applicant of the information necessary to complete the application; and~~

- b) ~~A \$150 renewal fee, plus a \$75 reinstatement fee~~ [A signed agreement stating compliance with 004.01 criteria, including all employed and contracted sign language interpreters' maintenance of certification\(s\), any applicable state license\(s\); and](#)
- c) ~~A written statement by the applicant that contains the rationale for requesting reinstatement of the business license~~ [A roster of employed and contracted sign language interpreters; and](#)
- d) [The required fees; and](#)
- e) [A written statement, signed by the applicant, that contains the rationale for requesting reinstatement of the business license.](#)

**004.08B** 2) An entity whose business license has been revoked, suspended, or refused renewal may seek reinstatement by submitting the following:

- 1) ~~a) A completed reinstatement application on a form supplied by the Commission. Incomplete applications will be returned with a letter informing the applicant of the information necessary to complete the application; and~~
- 2) ~~b) A \$150 renewal fee; plus a \$75 reinstatement fee~~ [A signed agreement stating compliance with 004.01 criteria, including all employed and contracted sign language interpreters' maintenance of certification\(s\), any applicable state license\(s\); and](#)
- 3) ~~c) A written statement by the applicant that contains the rationale for requesting reinstatement of the business license~~ [A roster of employed and contracted sign language interpreters; and](#)

- 4) d) Evidence that the applicant has fulfilled all requirements of any disciplinary action and has met the requirements cited in 004.01. [The required fees; and](#)
- 5) e) A written statement, signed by the applicant, that contains the rationale for requesting reinstatement of the Video Remote Interpreting business license.
- 6) f) Evidence that the applicant has fulfilled all requirements of any disciplinary action and has met the requirements cited in 004.01.

**004.08C** 3) All reinstatement applications require Full Commission Board approval.

**004.08D** 4) If the [Video Remote Interpreting](#) business license is denied reinstatement, a letter will be sent from the Commission ~~notifying the applicant~~. Applicants who are denied license reinstatement may appeal this action in accordance with section 004.0908.

**004.08E** 5) The reinstatement fee is nonrefundable.

**004.0908** **APPEAL RIGHTS FOR ~~VRI PROVIDERS~~ VIDEO REMOTE INTERPRETING BUSINESSES;**

**004.0908A** **APPEAL PROCEDURE** ~~The procedure for VRI providers to appeal any administrative decision related to the denial of an initial application or renewal of a business license is as follows:~~

The procedure to appeal any decision made by the Full Commission Board shall be in accordance with Title 53, Nebraska Administrative Code, Chapter 4 of the Nebraska Department of Justice, which chapter is hereby adopted by the Commission for this purpose.

- 1) The procedure for Video Remote Interpreting businesses to appeal any administrative decision related to the denial of an initial application or renewal of a Video Remote Interpreting business license is as follows:

- 1) a) Submit to the Executive Director a letter of appeal for the Full Commission Board's review.
- 2) b) The ~~VRI provider~~ Video Remote Interpreting business will be notified ~~by mail~~ of the Full Commission Board's decision.

~~004.09B~~ 2) The procedure for ~~VRI providers to appeal any~~ formal hearings in contested disciplinary cases before the Full Commission Board's ~~decisions~~ shall be in accordance with Title 53, Nebraska Administrative Code, Chapter 4 of the Nebraska Department of Justice, which chapter is hereby adopted by the Commission for this purpose.

~~004.09C~~ 3) Any entity aggrieved by the final Full Commission Board's decision in a contested case is entitled to judicial review in accordance with Neb. Rev. Stat. §84-917.

4) All investigations or disciplinary actions that are not formally dismissed will be public information after a disposition has been determined by the Full Commission Board. The Full Commission Board and the Board will abide by Title 53, Nebraska Administrative Code, Chapter 4 of the Nebraska Department of Justice.



**Title 96 – Nebraska Commission for the Deaf and Hard of Hearing CHAPTER 1–  
PRACTICE AND APPOINTMENT OF SIGN LANGUAGE INTERPRETERS**

**Attachment A NAD-RID Code of Professional Conduct**

**SCOPE**

The National Association of the Deaf (NAD) and the Registry of Interpreters for the Deaf, Inc. (RID) uphold high standards of professionalism and ethical conduct for interpreters. Embodied in this Code of Professional Conduct (formerly known as the Code of Ethics) are seven tenets setting forth guiding principles, followed by illustrative behaviors.

The tenets of this Code of Professional Conduct are to be viewed holistically and as a guide to professional behavior. This document provides assistance in complying with the code. The guiding principles offer the basis upon which the tenets are articulated. The illustrative behaviors are not exhaustive, but are indicative of the conduct that may either conform to or violate a specific tenet or the code as a whole.

When in doubt, the reader should refer to the explicit language of the tenet. If further clarification is needed, questions may be directed to the national office of the Registry of Interpreters for the Deaf, Inc.

This Code of Professional Conduct is sufficient to encompass interpreter roles and responsibilities in every type of situation (e.g., educational, legal, medical). A separate code for each area of interpreting is neither necessary nor advisable.

**PHILOSOPHY**

The American Deaf community represents a cultural and linguistic group having the inalienable right to full and equal communication and to participation in all aspects of society. Members of the American Deaf community have the right to informed choice and the highest quality interpreting services. Recognition of the communication rights of America's women, men, and children who are deaf is the foundation of the tenets, principles, and behaviors set forth in this Code of Professional Conduct.

## **VOTING PROTOCOL**

~~This Code of Professional Conduct was presented through mail referendum to certified interpreters who are members in good standing with the Registry of Interpreters for the Deaf, Inc. and the National Association of the Deaf. The vote was to adopt or to reject.~~

## **ADOPTION OF THIS CODE OF PROFESSIONAL CONDUCT**

~~Interpreters who are members in good standing with the Registry of Interpreters for the Deaf, Inc. and the National Association of the Deaf voted to adopt this Code of Professional Conduct, effective July 1, 2005. This Code of Professional Conduct is a working document that is expected to change over time. The aforementioned members may be called upon to vote, as may be needed from time to time, on the tenets of the code.~~

~~The guiding principles and the illustrative behaviors may change periodically to meet the needs and requirements of the RID Ethical Practices System. These sections of the Code of Professional Conduct will not require a vote of the members. However, members are encouraged to recommend changes for future updates.~~

## **FUNCTION OF THE GUIDING PRINCIPLES**

~~It is the obligation of every interpreter to exercise judgment, employ critical thinking, apply the benefits of practical experience, and reflect on past actions in the practice of their profession. The guiding principles in this document represent the concepts of confidentiality, linguistic and professional competence, impartiality, professional growth and development, ethical business practices, and the rights of participants in interpreted situations to informed choice. The driving force behind the guiding principles is the notion that the interpreter will do no harm.~~

~~When applying these principles to their conduct, interpreters remember that their choices are governed by a “reasonable interpreter” standard. This standard represents the hypothetical interpreter who is appropriately educated, informed, capable, aware of professional standards, and fair minded.~~

## **CODE OF PROFESSIONAL CONDUCT**

### **Tenets**

1. ~~Interpreters adhere to standards of confidential communication.~~
2. ~~Interpreters possess the professional skills and knowledge required for the specific interpreting situation.~~
3. ~~Interpreters conduct themselves in a manner appropriate to the specific interpreting situation.~~
4. ~~Interpreters demonstrate respect for consumers.~~
5. ~~Interpreters demonstrate respect for colleagues, interns, and students of the profession.~~
6. ~~Interpreters maintain ethical business practices.~~
7. ~~Interpreters engage in professional development.~~

#### **APPLICABILITY**

- A. ~~This Code of Professional Conduct applies to certified and associate members of the Registry of Interpreters for the Deaf, Inc., Certified members of the National Association of the Deaf, interns, and students of the profession.~~
- B. ~~Federal, state or other statutes or regulations may supersede this Code of Professional Conduct. When there is a conflict between this code and local, state, or federal laws and regulations, the interpreter obeys the rule of law.~~
- C. ~~This Code of Professional Conduct applies to interpreted situations that are performed either face to face or remotely.~~

#### **DEFINITIONS**

~~For the purpose of this document, the following terms are used:~~

~~**Colleagues:** Other interpreters.~~

~~**Conflict of Interest:** A conflict between the private interests (personal, financial, or professional) and the official or professional responsibilities of an interpreter in a position of trust, whether actual or perceived, deriving from a specific interpreting situation.~~

~~Consumers: Individuals and entities who are part of the interpreted situation. This includes individuals who are deaf, deaf-blind, hard of hearing, and hearing.~~

### ~~1.0—CONFIDENTIALITY~~

~~Tenet: Interpreters adhere to standards of confidential communication.~~

~~Guiding Principle: Interpreters hold a position of trust in their role as linguistic and cultural facilitators of communication. Confidentiality is highly valued by consumers and is essential to protecting all involved.~~

~~Each interpreting situation (e.g., elementary, secondary, and post-secondary education, legal, medical, mental health) has a standard of confidentiality. Under the reasonable interpreter standard, professional interpreters are expected to know the general requirements and applicability of various levels of confidentiality. Exceptions include, for example, federal and state laws requiring mandatory reporting of abuse or threats of suicide, or responding to subpoenas.~~

#### ~~Illustrative Behavior—Interpreters:~~

- ~~1.1—Share assignment-related information only on a confidential and “as-needed” basis (e.g., supervisors, interpreter team members, members of the educational team, hiring entities).~~
- ~~1.2—Manage data, invoices, records, or other situational or consumer-specific information in a manner consistent with maintaining consumer confidentiality (e.g., shredding, locked files).~~
- ~~1.3—Inform consumers when federal or state mandates require disclosure of confidential information.~~

### ~~2.0—PROFESSIONALISM~~

~~Tenet: Interpreters possess the professional skills and knowledge required for the specific interpreting situation.~~

**Guiding Principle:** ~~Interpreters are expected to stay abreast of evolving language use and trends in the profession of interpreting as well as in the American Deaf community.~~

~~Interpreters accept assignments using discretion with regard to skill, communication mode, setting, and consumer needs. Interpreters possess knowledge of American Deaf culture and deafness-related resources.~~

**Illustrative Behavior – Interpreters:**

- ~~2.1 Provide service delivery regardless of race, color, national origin, gender, religion, age, disability, sexual orientation, or any other factor.~~
- ~~2.2 Assess consumer needs and the interpreting situation before and during the assignment and make adjustments as needed.~~
- ~~2.3 Render the message faithfully by conveying the content and spirit of what is being communicated, using language most readily understood by consumers, and correcting errors discreetly and expeditiously.~~
- ~~2.4 Request support (e.g., certified deaf interpreters, team members, language facilitators) when needed to fully convey the message or to address exceptional communication challenges (e.g. cognitive disabilities, foreign sign language, emerging language ability, or lack of formal instruction or language).~~
- ~~2.5 Refrain from providing counsel, advice, or personal opinions.~~
- ~~2.6 Judiciously provide information or referral regarding available interpreting or community resources without infringing upon consumers' rights.~~

**3.0 CONDUCT**

**Tenet:** ~~Interpreters conduct themselves in a manner appropriate to the specific interpreting situation.~~

**Guiding Principle:** ~~Interpreters are expected to present themselves appropriately in demeanor and appearance. They avoid situations that result in conflicting roles or perceived or actual conflicts of interest.~~

**Illustrative Behavior – Interpreters:**

- ~~3.1 Consult with appropriate persons regarding the interpreting situation to determine issues such as placement and adaptations necessary to interpret effectively.~~
- ~~3.2 Decline assignments or withdraw from the interpreting profession when not competent due to physical, mental, or emotional factors.~~
- ~~3.3 Avoid performing dual or conflicting roles in interdisciplinary (e.g. educational or mental health teams) or other settings.~~
- ~~3.4 Comply with established workplace codes of conduct, notify appropriate personnel if there is a conflict with this Code of Professional Conduct, and actively seek resolution where warranted.~~
- ~~3.5 Conduct and present themselves in an unobtrusive manner and exercise care in choice of attire.~~
- ~~3.6 Refrain from the use of mind-altering substances before or during the performance of duties.~~
- ~~—3.7 Disclose to parties involved any actual or perceived conflicts of interest.~~
- ~~3.8 Avoid actual or perceived conflicts of interest that might cause harm or interfere with the effectiveness of interpreting services.~~
- ~~3.9 Refrain from using confidential interpreted information for personal, monetary, or professional gain.~~
- ~~3.10 Refrain from using confidential interpreted information for the benefit of personal or professional affiliations or entities.~~

**4.0 – RESPECT FOR CONSUMERS**

**Tenet: Interpreters demonstrate respect for consumers.**

**Guiding Principle:** ~~Interpreters are expected to honor consumer preferences in selection of interpreters and interpreting dynamics, while recognizing the realities of qualifications, availability, and situation.~~

**Illustrative Behavior – Interpreters:**

~~4.1 Consider consumer requests or needs regarding language preferences, and render the message accordingly (interpreted or transliterated).~~

~~4.2 Approach consumers with a professional demeanor at all times.~~

~~4.3 Obtain the consent of consumers before bringing an intern to an assignment.~~

~~4.4 Facilitate communication access and equality, and support the full interaction and independence of consumers.~~

**5.0 RESPECT FOR COLLEAGUES**

**Tenet:** ~~Interpreters demonstrate respect for colleagues, interns and students of the profession.~~

**Guiding Principle:** ~~Interpreters are expected to collaborate with colleagues to foster the delivery of effective interpreting services. They also understand that the manner in which they relate to colleagues reflects upon the profession in general.~~

**Illustrative Behavior – Interpreters:**

~~5.1 Maintain civility toward colleagues, interns, and students.~~

~~5.2 Work cooperatively with team members through consultation before assignments regarding logistics, providing professional and courteous assistance when asked and monitoring the accuracy of the message while functioning in the role of the support interpreter.~~

~~5.3 Approach colleagues privately to discuss and resolve breaches of ethical or professional conduct through standard conflict resolution methods; file a formal grievance only after such attempts have been unsuccessful or the breaches are harmful or habitual.~~

~~5.4 Assist and encourage colleagues by sharing information and serving as mentors when appropriate.~~

~~5.5 Obtain the consent of colleagues before bringing an intern to an assignment.~~

## ~~6.0 BUSINESS PRACTICES~~

~~**Tenet: Interpreters maintain ethical business practices.**~~

~~**Guiding Principle:** Interpreters are expected to conduct their business in a professional manner whether in private practice or in the employ of an agency or other entity. Professional interpreters are entitled to a living wage based on their qualifications and expertise. Interpreters are also entitled to working conditions conducive to effective service delivery.~~

~~**Illustrative Behavior – Interpreters:**~~

~~6.1 Accurately represent qualifications, such as certification, educational background, and experience, and provide documentation when requested.~~

~~6.2 Honor professional commitments and terminate assignments only when fair and justifiable grounds exist.~~

~~6.3 Promote conditions that are conducive to effective communication, inform the parties involved if such conditions do not exist, and seek appropriate remedies.~~

~~6.4 Inform appropriate parties in a timely manner when delayed or unable to fulfill assignments.~~

~~6.5 Reserve the option to decline or discontinue assignments if working conditions are not safe, healthy, or conducive to interpreting.~~

~~6.6 Refrain from harassment or coercion before, during, or after the provision of interpreting services.~~

~~—6.7 Render *pro bono* services in a fair and reasonable manner.~~



~~6.8—Charge fair and reasonable fees for the performance of interpreting services and arrange for payment in a professional and judicious manner.~~

## **7.0 PROFESSIONAL DEVELOPMENT**

**Tenet: Interpreters engage in professional development.**

**Guiding Principle:** ~~Interpreters are expected to foster and maintain interpreting competence and the stature of the profession through ongoing development of knowledge and skills.~~

**Illustrative Behavior—Interpreters:**

~~—7.1—Increase knowledge and strengthen skills through activities such as:~~

- ~~• pursuing higher education;~~
- ~~• attending workshops and conferences;~~
- ~~• seeking mentoring and supervision opportunities; □ participating in community events; and~~
- ~~• engaging in independent studies.~~

~~—7.2—Keep abreast of laws, policies, rules, and regulations that affect the profession.~~

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