

# Illinois Deaf and Hard of Hearing Commission Interpreter Licensure Rules

## TITLE 68: PROFESSIONS AND OCCUPATIONS CHAPTER IX: DEAF AND HARD OF HEARING COMMISSION

### PART 1515 INTERPRETER FOR THE DEAF LICENSURE ACT OF 2007

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AUTHORITY: Authorized by Section 50(b) of the Interpreter for the Deaf Licensure Act of 2007 [225 ILCS 443/50(b)].

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#### **Section 1515.10 Definitions**

"Accepted Certificate" or "Acceptable Certificate" means a certificate approved by the Commission and listed in Section 1515.50.

"Act" means the Interpreter for the Deaf Licensure Act of 2007 [225 ILCS 443].

"Board" means the Interpreter Licensure Board.

"Commission" means the Illinois Deaf and Hard of Hearing Commission.

"Department" means the Illinois Department of Financial and Professional Regulation.

"Director" means the Director of the Illinois Deaf and Hard of Hearing Commission.

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"Interpreter" means a sign language interpreter for the deaf or any person defined as an interpreter by Section 10 of the Act.

### **Section 1515.20 Jurisdiction**

Any individual who is subject to the Interpreter for the Deaf Licensure Act of 2007 must abide by the Act and this Part, regardless of the employment setting, unless specifically exempted by the Act.

### **Section 1515.30 Application for Licensure**

- a) The Commission shall issue a license to an applicant who submits proof of the following:
  - 1) Certification of graduation from high school or its equivalent;
  - 2) Proof of an accepted certification as specified in Section 1515.50; and
  - 3) The required fee specified in Section 1515.70.
- b) All documents shall be submitted on forms prescribed by the Commission.
- c) If the applicant has ever been licensed in another jurisdiction, he/she shall also submit certifications, on forms prescribed by the Commission, from the jurisdiction where the applicant was originally licensed and the jurisdiction in which the applicant is currently licensed, stating:
  - 1) The time during which the applicant was licensed in that jurisdiction, including the date of the original issuance of license;
  - 2) A description of the certification or skill assessment in that jurisdiction; and
  - 3) Whether the file on the applicant contains any record of disciplinary actions taken or pending.
- d) When the accuracy of any submitted documentation or experience is questioned by the Commission because of lack of information, discrepancies or conflicts in information given, or need for clarification, the applicant seeking licensure shall be requested to:
  - 1) Provide the necessary information; and/or

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- 2) Appear for an interview before the Board, if requested, to explain the relevance or sufficiency, clarify information, or clear up any discrepancies or conflicts in information.

### **Section 1515.40 Application for Provisional Licensure**

- a) An applicant for a provisional license shall file an application on the forms prescribed by the Commission, together with:
  - 1) One of the following:
    - A) Proof of an accepted certificate under Section 1515.50(a); or
    - B) Proof that the applicant has completed, and is awaiting results of, a test required for acceptable certification under Section 1515.50; and
  - 2) The required fee set forth in Section 1515.70.
- b) A provisional license shall expire 12 months from the date of issuance and can only be renewed once for an additional 12 month period. Under no circumstances shall a provisional license be issued for a time period longer than 24 months. A provisional license shall automatically expire upon issuance of the Illinois license.

### **Section 1515.50 Accepted Certificates**

An applicant for a license as a sign language interpreter shall provide proof of a current and valid acceptable certificate. Based upon the accepted certificate, a proficiency level, as determined under Section 1515.90, will be indicated on the license.

- a) Acceptable certificates for a provisional license include any of the following:
  - 1) Educational Interpreter Performance Assessment (EIPA) 3.5 or above and/or Registry of Interpreters for the Deaf (RID) certification based on EIPA evaluation;
  - 2) Interpreter Skills Assessment Screening (ISAS) Interpreting Level 1 or 2;
  - 3) Interpreter Skills Assessment Screening (ISAS) Transliterating Level 1 or 2;
  - 4) Missouri Interpreter Certification Novice or Apprentice;
  - 5) Deaf Interpreters, with a minimum of 8 contact hours of training on the NAD-RID Code of Professional Conduct, and/or a state accredited college

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or university course including the Code of Professional Conduct and 8 contact hours on the role and responsibilities of Certified Deaf Interpreter, both completed within 3 years prior to the date of application; or

- 6) Until January 1, 2011, an interpreter who cannot provide any of the certificates required by this subsection (a), but who maintained a valid and unencumbered registration with the Commission on July 1, 2007 under the Interpreters for the Deaf Act [225 ILCS 442, repealed January 1, 2009].
- b) Acceptable certificates for a license with an intermediate proficiency level include any of the following:
- 1) Interpreter Skills Assessment Screening (ISAS) Interpreting Level 3 or above;
  - 2) Interpreter Skills Assessment Screening (ISAS) Transliterating Level 3 or above;
  - 3) RID Interpretation Certificate (IC);
  - 4) RID Transliteration Certificate (TC);
  - 5) RID IC/TC;
  - 6) Testing Evaluation and Certification Unit Inc. (TECUnit);
  - 7) Missouri Interpreter Certification Intermediate;
  - 8) Deaf Interpreters with the required training under a provisional license and proof of passing a generalized knowledge based test provided by the Commission; or
  - 9) Licensure in other states based on qualifications similar to those listed in this subsection (b).
- c) Acceptable certificates for a license with an advanced proficiency level include any of the following:
- 1) Interpreter Skills Assessment Screening (ISAS) Interpreting Level 4 or above and ISAS Transliterating Level 4 or above;
  - 2) RID-CI;
  - 3) RID-CT;

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- 4) National Interpreter Certification (NIC);
  - 5) National Association of the Deaf Certificate Level 3 or 4;
  - 6) Missouri Interpreter Certification Advanced;
  - 7) Deaf Interpreters with the required training under a provisional license and proof of passing the RID-CDI knowledge based test; or
  - 8) Licensure in other states based on qualifications similar to those listed in this subsection (c).
- d) Acceptable certificates for a license with a master proficiency level include any of the following:
- 1) RID-CI/CT;
  - 2) RID-Comprehensive Skills Certificate (CSC);
  - 3) RID-Master Comprehensive Skills Certificate (MCSC);
  - 4) RID-Reverse Skills Certificate (RSC);
  - 5) RID-Certified Deaf Interpreter (CDI);
  - 6) RID Specialist Certificate: Legal (SC:L) (applies to acceptance of legal assignments only under Section 1515.90);
  - 7) National Association of the Deaf Certificate Level 5;
  - 8) Missouri Interpreter Certificate Comprehensive;
  - 9) National Interpreter Certification (NIC) Advanced or Master; or
  - 10) Licensure in other states based on qualifications similar to those listed in this subsection (d).

### **Section 1515.60 Renewals**

- a) Every license of a sign language interpreter for the deaf issued under the Act shall expire on December 31 of each year. The holder of a license may renew the license during the 60 days preceding the expiration date by providing proof of a current acceptable certificate and of completion of the continuing education hours set forth in Section 1515.80, and payment of the required fee.

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- b) Every provisional license of a sign language interpreter for the deaf issued under the Act shall expire 12 months from date of issuance. The holder of a provisional license may renew the provisional license during the 60 days preceding the expiration date by providing proof of a current acceptable certificate and of completion of the continuing education hours set forth in Section 1515.80, and payment of the required fee.
- c) It is the responsibility of each registrant to notify the Commission of any change of address. Failure to receive a renewal form from the Commission shall not constitute an excuse for failure to submit a renewal application as prescribed by the Commission and pay the renewal fee.
- d) Practicing after a license has expired shall be considered the unlicensed practice of sign language interpreting and subject to discipline pursuant to Section 20 of the Act.

### **Section 1515.70 Licensure Fees**

The following fees shall be paid to the Commission and are not refundable:

- a) **Application Fee.** The fee for the initial application for a provisional license or license of a sign language interpreter is \$50, to be submitted with the initial license fee. In addition, applicants for an examination shall be required to pay to the Commission a fee covering the cost of determining an applicant's eligibility and providing the examination. Failure to appear for the examination on the scheduled date, at the time and place specified, after the applicant's application for examination has been received and acknowledged by the Commission or the designated testing service, shall result in the forfeiture of the examination fee.
- b) **Initial License Fee.** The fee for the initial license, including a provisional license, is \$175 per year. If the renewal of initial license is required within 6 months after issuance, the initial license fee shall be \$90.
- c) **Renewal Fees.** The fee for the renewal of a license, including a provisional license, is \$150 per year.
- d) **Late Renewal Fee.** The fee for all renewal applications received within 45 days after the expiration date of a license is \$60, in addition to the renewal fees.
- e) **Inactive Status Fee.** The fee for all applications to place a license on inactive status is \$50.
- f) **General Fees.**

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- 1) The fee for the restoration of a license other than from inactive status is \$75 plus payment of all lapsed renewal fees, but not to exceed \$1500.
- 2) The fee for the issuance of a duplicate license, for the issuance of a replacement license for a license that has been lost or destroyed, for the issuance of a license with a change of name or address, or for the issuance of a license with a change in proficiency level, other than during the renewal period, is \$25. No fee is required for name and address changes on Commission records when no duplicate license is issued.
- 3) The fee for certification of a licensee's record for any purpose is \$20.
- 4) The fee for a wall certificate showing licensure is \$20.
- 5) The fee for a roster of persons licensed as sign language interpreters for the deaf in this State shall be the actual cost of producing the roster. The Commission maintains an online listing of all persons licensed as sign language interpreters for the deaf in this State.

### **Section 1515.80 Continuing Education**

- a) Continuing Education Requirements
  - 1) One Continuing Education (CE) hour shall be equal to one clock hour of attendance. After completion of the initial CE hour, credit may be given in one-half hour increments. Lunch hours, socials and breaks do not count towards CE hours.
  - 2) A prerenewal period is the 12 month period proceeding January 1 of each year.
  - 3) A renewal applicant shall not be required to comply with CE requirements for the 1<sup>st</sup> renewal period. This exemption applies only for a single renewal period, including the transition from a provisional license to a general license.
  - 4) Every licensee who applies for renewal of a license as a sign language interpreter for the deaf for 2011 shall complete within the prerenewal period 12 hours of CE relevant to the practice of sign language interpreting.
  - 5) Every licensee who applies for renewal of a license as a sign language interpreter for the deaf for 2012 shall complete within the prerenewal period 16 hours of CE relevant to the practice of sign language interpreting.

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- 6) Beginning with the 2013 license renewal, every licensee who applies for renewal of a license as a sign language interpreter for the deaf shall complete within the prerenewal period 20 hours of CE relevant to the practice of sign language interpreting.
  - 7) Interpreters licensed in Illinois but residing and practicing in other states shall comply with the CE requirements set forth in this Section.
  - 8) CE hours used to satisfy the CE requirement of another jurisdiction may be applied to fulfill the Illinois CE requirements if they meet the requirements of this Section.
  - 9) Upon proof of successful completion, courses that are part of the curriculum of an accredited university, college or other educational institution relating to interpreting shall have the following contact hours:
    - A) Semester system courses – 1 credit hour = 15 CE hours; and
    - B) Quarter system courses – 1 credit hour = 10 CE hours.
- b) Carryover of CE Hours
- 1) An interpreter may carry over a maximum of 50% of the required CE hours from the time he or she is licensed until the first renewal requiring CE; and
  - 2) If an interpreter earns more than the CE hours required during a renewal period, the interpreter can carry over into the next renewal period a maximum of 50% CE hours required for that renewal period.
- c) Certification of Compliance with CE Requirements
- 1) Applicants shall certify on the renewal application full compliance with CE requirements set forth in subsection (a).
  - 2) The Commission may require additional evidence demonstrating compliance with the CE requirements (e.g., certificate of attendance). This additional evidence may be required in the context of the Commission's random audit. It is the responsibility of each renewal applicant to retain or otherwise produce evidence of compliance.
  - 3) Applicants shall maintain for three years after the end of the relevant reporting period certificates of attendance received pursuant to subsection (d); proof of completion of continuing education required by another

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jurisdiction, if deemed sufficiently equivalent by the Commission; or transcripts indicating successful completion of a course described in subsection (e)(6) or (7) delivered by a college or university.

- 4) When there appears to be a lack of compliance with CE requirements, an applicant shall be notified in writing. At that time, the Commission may refuse to renew an interpreter's license or refer the application to the Department of Financial and Professional Regulation for disciplinary action as allowed by Section 115 of the Act.
- d) **Approved Continuing Education**  
CE hours shall be earned by verified attendance (e.g., certificate of attendance or certificate of completion) at or participation in a program or course that is offered or sponsored by an approved CE sponsor that meets the requirements set forth in subsection (e), except for those activities provided in subsection (a).
- e) **Approved CE Sponsors and Programs**
  - 1) **Approved sponsor, as used in this Section, shall mean:**
    - A) Approved CMP sponsors for the Registry for Interpreters for the Deaf (RID);
    - B) Illinois Deaf and Hard of Hearing Commission; and
    - C) Any other person, firm, association, corporation or group that has been approved and authorized by the Commission pursuant to subsection (e)(2) of this Section, upon the recommendation of the Board, to coordinate and present CE courses or programs.
  - 2) Entities seeking approval as a CE sponsor pursuant to subsection (e)(1) shall file a sponsor application, along with the required fee of \$150. (State agencies and State colleges and universities shall be exempt from paying this fee.) The applicant shall certify to the following:
    - A) That all programs offered by the sponsor for CE credit will comply with the criteria in subsection (e)(3) and all other criteria in this Section. A sponsor shall be required to submit a CE program with course materials for review prior to being approved as a CE sponsor;
    - B) That the sponsor will be responsible for verifying attendance at each program and provide a certificate of attendance as set forth in subsection (e)(10);

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- C) That, upon request by the Commission, the sponsor will submit evidence (e.g., certificate of attendance or course materials) as is necessary to establish compliance with this Section. Evidence shall be required when the Commission has reason to believe that there is not full compliance with this Section and that this information is necessary to ensure compliance.
- 3) All programs shall:
- A) Contribute to the advancement, extension and enhancement of the professional skill and knowledge of the licensee;
  - B) Foster the enhancement of general or specialized interpreting practice and values;
  - C) Be developed and presented by a person with education and/or experience in the subject matter of the program;
  - D) Specify the course objectives, course content and teaching methods to be used; and
  - E) Specify the number of CE hours that may be applied to fulfilling the Illinois CE requirements for license renewal.
- 4) To maintain approval as an approved sponsor, each sponsor shall submit to the Commission by each odd-numbered year a renewal application, the renewal fee of \$100 and a list of courses and programs offered within the last 24 months. The list shall include a brief description, location, date and time of each course given.
- 5) Presenters of workshops or training can receive CE hours equal to 1 hour for each hour of presentation. CE hours can only be earned for the initial presentation of a workshop. A presentation abstract must be submitted and approved by an approved CE sponsor 30 days prior to the event.
- 6) Each CE program shall provide a mechanism for evaluation of the program by the participants.
- 7) All programs given by approved sponsors shall be open to all licensed sign language interpreters for the deaf and not be limited to members of a single organization or group.
- 8) It shall be the responsibility of a sponsor to provide each participant in a program with a certificate of attendance or participation. The certificate shall contain:

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- A) The name, address and license number of the sponsor;
  - B) The name and license number of the participant;
  - C) A brief statement of the subject matter;
  - D) The number of contact hours attended in each program;
  - E) The date and place of the program; and
  - F) The signature of the sponsor.
- 9) The sponsor shall maintain attendance records for not less than 5 years.
- 10) The sponsor shall be responsible for assuring that a renewal applicant does not receive CE credit for time not actually spent attending the program.
- 11) Upon the failure of a sponsor to comply with any of the requirements of this Section, the Commission, after notice to the sponsor and hearing before and recommendation by the Board (see 68 Ill. Adm. Code 1110), shall refuse to accept attendance at or participation in any of that sponsor's CE programs until such time as the Commission receives assurances of compliance with this Section.
- 12) Notwithstanding any other provision of this Section, the Commission or the Board may evaluate any sponsor of any approved CE program at any time to ensure compliance with the requirements of this Section.
- f) **Restoration of Nonrenewed License.** Upon satisfactory evidence of compliance with CE requirements, the Commission shall restore the license upon payment of the fee required by Section 1515.70.
- g) **Waiver of CE Requirements**
- 1) Any applicant seeking renewal of a license without having fully complied with the CE requirements of this Section shall file with the Commission a renewal application, along with the fee required by Section 1515.70, a statement setting forth the facts concerning non-compliance, and a request for waiver of all or part of the CE requirements on the basis of those facts. A request for waiver shall be made prior to the renewal date. If the Commission, upon the written recommendation of the Board, finds from the application or any other evidence submitted that extreme hardship has been shown for granting a waiver, the Commission shall waive

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enforcement of the CE requirements for the renewal period for which the applicant has applied.

- 2) Extreme hardship shall be determined on an individual basis by the Board and be defined as an inability to devote sufficient contact hours to fulfilling the CE requirements during the applicable prerenewal period because of:
  - A) Full-time service in the armed forces of the United States of America during a substantial part of the prerenewal period;
  - B) An incapacitating illness documented by a statement from a currently licensed physician;
  - C) A physical inability to travel to the sites of approved programs documented by a currently licensed physician; or
  - D) Any other similar extenuating circumstances.
- 3) Any renewal applicant who, prior to the expiration date of the license, submits a request for a waiver, in whole or in part, pursuant to the provisions of this Section shall be deemed to be in good standing until the final decision on the application is made by the Commission.

### **Section 1515.90 Proficiency Levels**

- a) Upon request of any consumer or hiring entity, an interpreter shall show proof of his or her Illinois license indicating proficiency level.
- b) As sign language interpreters' credentials are based on proficiency level, in order to protect the health, welfare and safety of the deaf and hard of hearing consumers, interpreters shall only accept assignments appropriate for their proficiency level based upon accepted certifications for licensure. Interpreters should accept, refuse or withdraw from assignments based upon their experience, capabilities and credentials.
- c) Provisional License Interpreters with a valid provisional license may appropriately interpret in the following settings:
  - 1) Vocational Rehabilitation
    - A) Job Coaching
    - B) Employment Training/Workshops

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- 2) Community Education
  - 3) Recreational/Educational Programs
  - 4) Entertainment/Social Events (not including live, professional stage performances)
- d) Interpreters with a valid license with an intermediate proficiency level may appropriately interpret in the following settings:
- 1) Law Enforcement Education
  - 2) Community Health Education
  - 3) Post-Secondary Education
  - 4) Educational Conferences
    - A) Workshops
    - B) Training
    - C) Professional Development
  - 5) Employment Maintenance
    - A) Staff Meetings
    - B) Training
  - 6) Government Services
  - 7) Correctional Education
  - 8) Medical
    - A) Nursing and Personal Care (nursing homes)
    - B) Routine, Non-clinical
    - C) 12 STEP Programs/Group Homes/Day Programs
  - 9) Video Relay Services
  - 10) All settings appropriate to a provisional license

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- e) Advanced Proficiency Level Interpreters with a valid license with an advanced proficiency level are appropriate to interpret the following settings:
- 1) Professional Stage Performances – Live
  - 2) Medical
    - A) Routine Clinical Appointments
    - B) Emergency Room
    - C) Obstetrics
    - D) Life Threatening
  - 3) Mental Health and Psychiatry
    - A) Routine Clinical
    - B) Crisis Intervention
    - C) Hospitalization
  - 4) Employment
    - A) Interviews
    - B) Hiring
    - C) Firing
    - D) Performance Evaluations
    - E) Discipline
  - 5) Government/Government Services
    - A) Administrative Proceedings/Hearings
    - B) Social Services
      - i) Department of Children and Family Services
      - ii) Social Security

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## iii) Financial Assistance

- 6) VR Counseling
  - 7) Financial Management
    - A) Purchasing
    - B) Tax Preparation
    - C) Real Estate
    - D) Insurance
  - 8) Legal
    - A) Criminal Misdemeanor (non-trial only)
    - B) Civil (minor)
    - C) Correctional
    - D) Attorney-Client Meetings
  - 9) All settings appropriate for provisional licensees and licensees with intermediate proficiency levels.
- f) Master Proficiency Level Interpreters with a valid license with a master proficiency level may appropriately interpret in the following settings:
- 1) Legal
    - A) Trials
    - B) Criminal (Felony)
    - C) Civil (Major)
    - D) Juvenile/Family Court
    - E) Law Enforcement
  - 2) All settings appropriate for provisional licensees and licensees with intermediate and advanced proficiency levels

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### **Section 1515.100 Supervision**

Section 25(3) of the Act states that students enrolled in a course of study leading to a certificate or degree in interpreting shall engage only in activities and services that constitute a part of a supervised course of study. The following protocols shall be followed:

- a) A written or oral consent shall be procured from the deaf consumer (if present); and
- b) The student shall be clearly identified as a student, trainee or intern.

### **Section 1515.110 Inactive Status**

- a) Licensed sign language interpreters who notify the Commission may place their licenses on inactive status by submitting the request on forms prescribed by the Commission and paying the fee required by Section 1515.70. Interpreters shall be excused from paying renewal fees until they notify the Commission in writing of the intention to resume active practice.
- b) Any licensed sign language interpreter for the deaf seeking restoration from inactive status shall do so in accordance with Section 1515.120 of this Part.
- c) Any sign language interpreter for the deaf whose license is on inactive status shall not use the title "sign language interpreter for the deaf" or any of the other designations listed in Section 15 of the Act in the State of Illinois. Any person violating this subsection (c) shall be considered to be practicing without a license and shall be subject to the disciplinary provisions of the Act.

### **Section 1515.120 Restoration**

- a) Any sign language interpreter for the deaf whose license has expired or has been placed on inactive status for 5 years or less may have the license restored by paying the fees required by Section 1515.70 and providing proof of completion of 20 CE hours during the 2 years prior to submitting the restoration application. Acceptable proof of completion shall be certificates of attendance provided by sponsors of approved CE programs or other documentation allowed by Section 1515.80(c)(3).
- b) Any person seeking restoration of a license that has been expired or placed on inactive status for more than 5 years shall file an application, on forms supplied by the Commission, for review by the Board, together with the fee required by Section 1515.70 of this Part. In addition, the applicant shall submit one of the following:

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- 1) Sworn evidence of active practice in another jurisdiction. The evidence shall include a statement from an appropriate board or licensing authority in the other jurisdiction that the licensee was authorized to practice;
  - 2) An affidavit attesting to military service as provided in Section 80 of the Act; or
  - 3) Other proof acceptable to the Commission of the applicant's fitness to have the certificate restored.
- c) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Commission because of lack of information, discrepancies or conflicts in information given, or a need for clarification, the licensee seeking restoration shall be requested to:
- 1) Provide the necessary information; and/or
  - 2) Appear for an interview before the Board, if requested, to explain the relevance or sufficiency, clarify information, or clear up any discrepancies or conflicts in information.
- d) Upon recommendation of the Board and approval by the Director, an applicant shall have the license restored or be notified in writing of the reason for denying the application.

### **Section 1515.130 Standards of Professional Conduct**

In order to establish and maintain a high standard of integrity in the practice of sign language interpreters, the following Standards of Professional Conduct shall be binding on all applicants for licensure and every person holding a license as a sign language interpreter.

- a) Pursuant to Section 115 of the Act, dishonorable, unethical or unprofessional conduct in the practice of interpreting shall include, but not be limited to:
- 1) Interpreting or offering to interpret beyond one's competency or skill level, as indicated by his or her certification or proficiency level;
  - 2) Accepting and performing professional responsibilities that the licensee knows, or has reason to know, that he or she is not competent to perform;
  - 3) Interjecting personal opinion during an assignment or on matters pertaining to the assignment;

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- 4) Delegating an assignment to a person who is not qualified or does not possess the appropriate certification, as defined in Section 1515.50, for the services to be provided;
  - 5) Extending or lengthening an assignment for the sole purpose of financial gain;
  - 6) Engaging in an exploitive relationship with a consumer. An exploitive relationship is any relationship between the interpreter and consumer that may take advantage of, or cause harm to, the consumer.
- b) The Commission hereby incorporates by reference "NAD-RID Code of Professional Conduct" of the Registry of Interpreters for the Deaf, 333 Commerce Street Alexandria VA 22314, July 2005, with no later amendments or editions.

### **Section 1515.140 Granting Variances**

- a) The Director may grant variances from this Part in individual cases when he/she finds that:
- 1) The provision from which the variance is granted is not statutorily mandated;
  - 2) No party will be injured by the granting of the variance; and
  - 3) The rule from which the variance is granted would, in the particular case, be unreasonable or unnecessarily burdensome.
- b) The Director shall notify the Board of the granting of the variance, and the reasons for granting the variance, at the next meeting of the Board.