



**TELECONFERENCE/VIRTUAL
SIGN LANGUAGE INTERPRETERS ADVISORY COMMITTEE**

Virtual, 4822 Madison Yards Way, Madison

Contact: Christian Albouras (608) 266-2112

July 28, 2020

The following agenda describes the issues that the Committee plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Committee.

AGENDA

1:00 P.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

A. Adoption of Agenda (1-2)

B. Administrative Matters – Discussion and Consideration

- 1) Introductions
- 2) Department, Staff and Committee Updates
- 3) Advisory Committee Role and Overview **(3-7)**
- 4) Election of Officers
- 5) Committee Members – Term Expiration Dates
 - a. Pamela Sue M. Conine – 5/1/2023
 - b. Leslie DeMeyer – 5/1/2023
 - c. Lindalu Fox-Wheeler – 5/1/2023
 - d. Michael A. Maffucci – 5/1/2023
 - e. Katy M. Schmidt – 5/1/2023
 - f. Cailin R. Yorot – 5/1/2023

C. Administrative Rule Matters – Discussion and Consideration (8)

- 1) Administrative Rules Process Overview **(9)**
- 2) Consult with the Department on Amendments to the Sign Language Interpreters Rule Chapters Necessitated by 2019 Wisconsin Act 17 **(10-25)**
- 3) Pending and Possible Rulemaking Projects

D. Future Meeting Dates – Discussion and Consideration

E. Discussion and Consideration of Items Added After Preparation of Agenda:

- 1) Introductions, Announcements and Recognition
- 2) Administrative Matters
- 3) Election of Officers
- 4) Education and Examination Matters
- 5) Credentialing Matters
- 6) Practice Matters

- 7) Administrative Rule Matters
- 8) Informational Items
- 9) Division of Legal Services and Compliance (DLSC) Matters
- 10) Appearances from Requests Received or Renewed
- 11) Speaking Engagement(s), Travel, or Public Relation Request(s)

F. Public Comments

ADJOURNMENT

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED
WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 4822 Madison Yards Way, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Interpreters for the hearing impaired provided upon request by contacting the Affirmative Action Officer, 608-266-2112, or the Meeting Staff at 608-266-5439.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Megan Glaeser, Bureau Assistant, on behalf of Division of Policy Development		2) Date When Request Submitted: 21 July 2020 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Sign Language Interpreters Advisory Committee			
4) Meeting Date: 28 July 2020	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Matters Advisory Committee Role and Overview (Annual Policy Review & Travel and Expense Reimbursements)	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: Please be advised of the following Annual Policy Review items: <ol style="list-style-type: none"> 1. Attendance/Quorum – Thank you for your service and for your commitment to meeting attendance. If you cannot attend a meeting, we ask that you let us know ASAP as quorum is required for the Committee to meet pursuant to Open Meetings Law. 2. Walking Quorum – Please refrain from discussing Committee business with other members outside of legally noticed meetings so to avoid walking quorum issues pursuant to Open Meetings Law. 3. Agenda Deadlines – Please let your Executive Director know if you have items to be considered on an upcoming agenda no less than 8 business days prior to a meeting when possible. 4. Inclement Weather Policy – In the event of inclement weather the agency may change a meeting from an in-person meeting to a teleconference or take other measures as deemed appropriate to the situation at hand. 			
11) Authorization			
Megan Glaeser <hr/> Signature of person making this request		21 July 2020 <hr/> Date	
<hr/> Supervisor (if required)		<hr/> Date	
<hr/> Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date			
Directions for including supporting documents: <ol style="list-style-type: none"> 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting. 			

Timeline of a Meeting

8 business days prior to the meeting: All agenda materials are due at the Department 8 business days prior to the meeting date.

7 business days prior to the meeting: The draft agenda page is due to the Executive Director and Chair for review and approval.

5 business days prior to the meeting: The approved agenda is returned to the Bureau Assistant for agenda packet production and compilation.

4 business days prior to the meeting: Agenda packets are posted on SharePoint.

Thursday of the Week Prior to the Meeting: Agendas are published for public notice on the Department's website (<http://dsps.wi.gov>).

EXPENSES AND TRAVEL

Reimbursement Guidelines

Please note that all travel-related expenses are reimbursable within the limitations established by the Compensation Plan and the Department of Administration. All travel expense reimbursement vouchers must be submitted to the DSPS within one month of the activity in which payment is being requested.

Ethical Consideration: State statutes and Code of Ethics strictly prohibit any board member, his or her family, or co-workers from benefiting personally from free flight plans, lodging, meals, or other promotions which result from travel incurred in connection with board official business and paid from state or federal funds.

Areas Outlined in this Section:

- Lodging Accommodations
- Travel and Meal Guidelines

LODGING ACCOMODATIONS

- ❖ Lodging the night before a board meeting will be reimbursed provided the board member would have to leave home before 6:00 a.m. in order to be at the meeting site by the set meeting time.
- ❖ Hotel arrangements for board meetings are scheduled by the department for all board meetings prior to the beginning of each calendar year.
- ❖ Maximum reimbursement rate for in-state lodging is \$82, except in Milwaukee, Waukesha and Racine counties where the rate is \$92. All in-state hotel costs are tax exempt.
- ❖ Maximum reimbursement rates for out-of-state lodging are determined by the Office of State Employment Relations. In cases where a board member stays at the conference site, the conference room rate is allowable.
- ❖ Board members may make their own in-state or out-of-state travel arrangements (if not funded by the Department) but only after receiving authorization from their respective board. DSPS staff will work with the board member in obtaining travel approvals.

DEPARTMENT POLICY: HOTEL CANCELLATIONS

1. If a member is not going to use a reserved hotel room, it is the responsibility of the member to cancel the room by calling the hotel.
2. If the hotel room is not cancelled, the member may be responsible to pay the bill.
3. If a meeting is cancelled and/or rescheduled due to a lack of quorum, lack of business, or inclement weather, it is the responsibility of the Department to cancel and/or change any room reservations.

TRAVEL & MEAL GUIDELINES

Employees and board members in travel status are expected to use good judgment when incurring travel costs. Only expenses incurred while conducting official State business will be reimbursed. Reimbursement claims must represent actual, reasonable and necessary expenses.

Reimbursement Rates

- ❖ Mileage rate -- \$0.51 cents per mile
- ❖ Private Airplane-- \$0.51 cents per mile
- ❖ Meals (Maximum amounts)

	<u>In-State Travel</u>	<u>Out-of-State Travel</u>
Breakfast	\$9	\$10
You must leave home before 6:00 a.m. *		
Lunch	\$10	\$15
You must depart before 10:30 a.m. & return after 2:30 p.m. *		
Dinner	\$20	\$25
You must return home after 7:00 p.m. *		

*Distance and drive time are determinant factors in verifying eligibility for meal claims. Time guidelines are relevant to actual travel times and when a traveler would be **required** to depart in order to reach their destination on time.

NOTE: Alcoholic beverages may not be claimed for any meal.

- ❖ Hotel Gratuities Gratuities to hotel employees are reimbursable up to \$2 on dates of departure and arrival, and up to \$2 per night for a stay at a hotel/motel.

EXAMPLES OF NON-REIMBURSEABLE ITEMS

This list is not an all-inclusive list

- ❖ Traffic citations, parking tickets and other fines
 - ❖ Mileage charges incurred for personal reasons, e.g., sightseeing, side trips, etc.
 - ❖ Additional charges for late checkout
 - ❖ Taxi fares to and from restaurants
 - ❖ Alcoholic beverages
 - ❖ Spouse or family members' travel costs
 - ❖ Lost/stolen cash or personal property
 - ❖ Incidentals and Personal items, e.g., toiletries, luggage, clothing, etc.
 - ❖ Repairs, towing service, etc., for personal vehicle
 - ❖ Pay-for-view movies in hotel room; personal entertainment
 - ❖ Child care costs and kennel costs
- (List continued on next page)

Travel Voucher

Staple Receipts Face Up On Backside

For Agency Use Only

Safety & Professional Services					Emp ID 100012345 Z									
Department/ Division Example Examining Board					Address 2424 Happy Road									
State Officer/Employee Name Mary Sunshine					City Pleasant Prairie					State WI		Zip-Code 53158		
Mo/Yr From/To:														
FY	FUND	BUSINESS UNIT	DEPART	APPR CLASS	OBJECT	PROJECT			BALANCE SHEET ACCT	REPORTING CATEGORY	PROJECT NUMBER	AMOUNT		
2018	10000	16500	1651300200	12100	7340000	16500P1<BRD ID>						DEBIT	CREDIT	
				12800		16500P2<TRD ID>								
				22100										
											TOTALS			

Official Business		Travel Points		HDQS-TIME		Personal Vehicle	Lodging	Meals, including tips			Other Allowable Expenses		Total Allowable Expenses	
Date	Purpose of Trip	From	To	Depart	Return	Miles		Morning	Noon	Evening	Item	Amount	Taxable	Non-Taxable
Use	Board Meeting	Home base	Madison	Report times you left		Miles	P-card	\$8.00	\$10.00	\$20.00			Report	Report
separate		Madison	Home base	and returned home if		must be		Maximum in-state amounts					meal cost	meal cost
lines for	You must identify			meals are claimed		split.	Enter		or				here if there	here if there
each leg	the purpose of					Cannot	"P-card"	\$10.00	\$15.00	\$25.00			is NO	IS an
of your	your trip.					place	when hotel	Maximum out-of-state amounts					overnight	overnight
trip.						roundtrip	is provided						stay.	stay.
						total on	by DSPS	Must leave	Must leave	Must return				
						one line.		home	home	home after				
								before	before	7:00 p.m.				
								6:00 a.m.	10:30 a.m.					
									and return					
									home after					
									2:30 p.m.					
LEGEND:		Staff can fill in these areas. Board Member MUST fill in these areas												

*Item billed directly to the state agency

Sub-Totals

											Mileage Costs			
						Miles at	0.510 cents/mile				Totals			
											Total Expenditure			
											Less Travel Advance			
											Net Amount Due			

Claimant's Statement § 16.53 Wisconsin Statutes

I declare, under penalties, that all claimed travel expenses are true and correct and are in conformity with Wisconsin statute 16.53 and related agreements. This claim represents reasonable and actual expenses necessarily incurred by me personally in the performance of official duties and no portion was previously reimbursed to me by the State or any other source.

I certify that all expenses on this voucher conform to statutory, departmental or applicable collective bargaining provisions, and were necessary in the official performance of duties required by the State Expenditures are determined to be reasonable and proper, and that sufficient funds are available to pay this claim.

Date _____ Claimant's Signature _____

I certify that this travel claim is reasonable, proper, and in conformity with applicable statutes, travel schedule amounts, and/or collective bargaining agreements.

Agency Head or Authorized Representative

Date _____ Supervisor's Signature _____

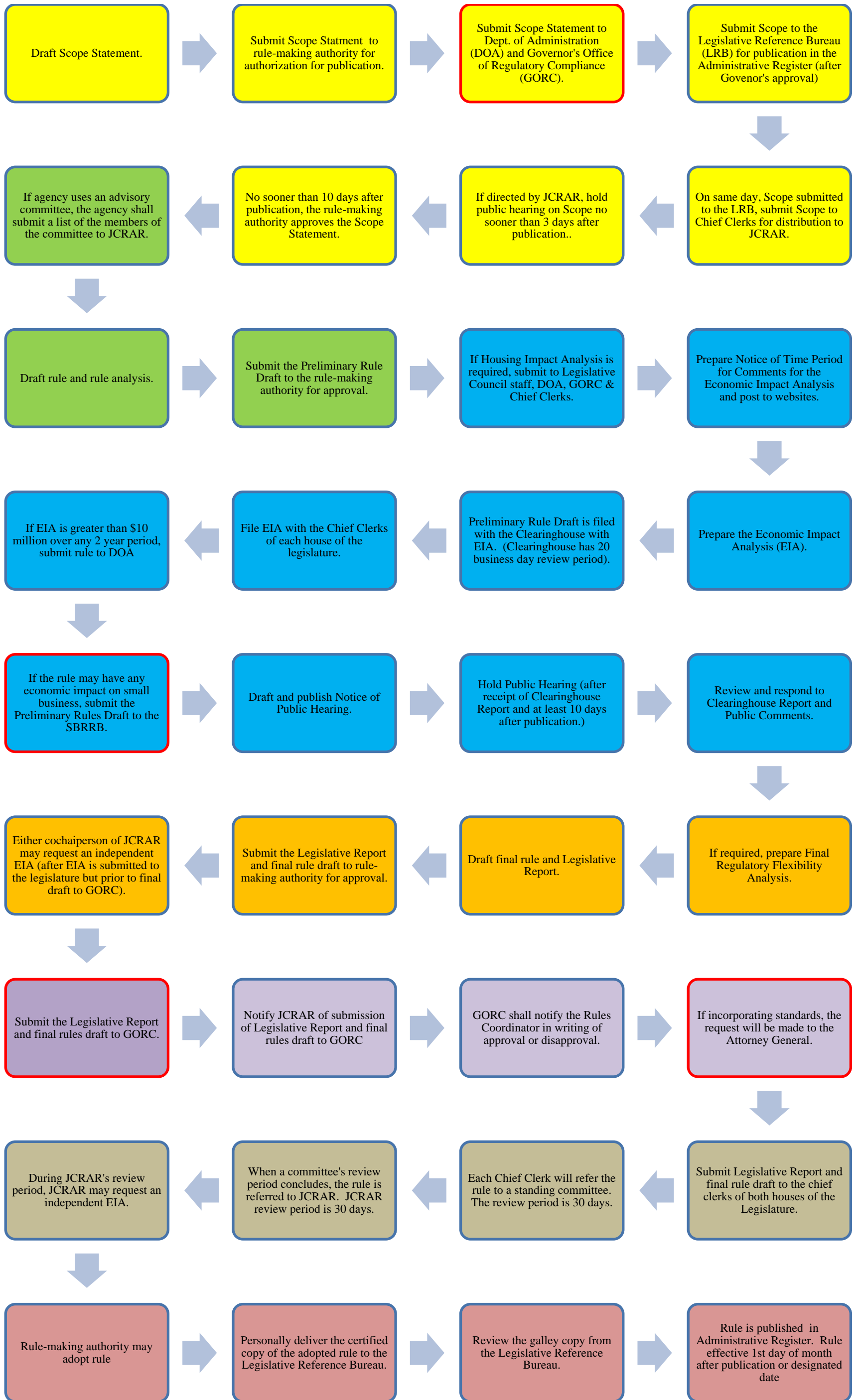
Audited in accordance with S. 16.53 Wisconsin Statutes and allowed by the provisions of chapter 20.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Jon Derenne, Administrative Rules Coordinator		2) Date when request submitted: July 15, 2020 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Sign Language Interpreters Advisory Committee			
4) Meeting Date: July 28, 2020	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? 1. Administrative rules process overview. 2. Consult with the department on amendments to the sign language interpreters rule chapters necessitated by 2019 Act 17.	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed:			
11) Authorization			
<i>Jon Derenne</i>		July 15, 2020	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date			
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PERMANENT RULE PROMULGATION



P; 1

¹ A scope expires 30 months after the date on which it is published in the register. After it expires, an agency may not submit a proposed rule based upon that scope to the legislature for review and any rule that has not been submitted to the legislature for review before that date shall be considered withdrawn.

Chapter SPS 200

SIGN LANGUAGE INTERPRETERS; AUTHORITY AND DEFINITIONS

SPS 200.01 Authority.

SPS 200.02 Definitions.

SPS 200.01 Authority. The rules in chs. SPS 200 to 202 are adopted by the department ~~and in consultation with~~ the sign language interpreters council ~~advisory committee~~ pursuant to ~~s. ss. 440.032 (4m), (5m), (6)-(d) and (7) (b), Stats.~~

SPS 200.02 Definitions. As used in chs. SPS 200 to 205:

(1) “Advocate” means an individual who provides assistance to an individual who is deaf, deaf-blind, or hard of hearing and may provide counsel, personal opinions, advice, and assist an individual in making personal decisions.

(2) “Conflict of interest” means a conflict, either actual or perceived, between the private interests, whether personal, financial, or professional, and the official or professional responsibilities of a DSPS-licensed interpreter, deriving from a specific interpreting situation.

(3) “Consumer” means any individual or entity that is part of the interpreting situation, including individuals who are deaf, deaf-blind, hard of hearing, and hearing.

~~(4) “Council” means the sign language interpreter council. (4) “Committee” means the sign language interpreters advisory committee.~~

(5) “Department” means the department of safety and professional services.

(6) “DSPS” means the department of safety and professional services.

(7) “Family member” means the spouse, child, grandchild, grandparent, aunt, uncle, brother, sister, parent, step-parent, step-child, step-brother, step-sister, foster child, or first cousin.

(8) “DSPS-licensed interpreter” means an individual who provides sign language interpreter services, for compensation, and who is licensed under s. 440.032 (3), Stats.

(9) “Interpreting situation” means any instance of a DSPS-licensed interpreter performing interpreting services for consumers.

(10) “Interpreting” means rendering accurate and equivalent messages using sign language to facilitate cultural and linguistic communication.

(11) “Unlicensed interpreter” means an individual who uses sign language to facilitate cultural and linguistic communication who is not licensed under s. 440.032 (3), Stats.

Chapter SPS 201

SIGN LANGUAGE INTERPRETERS; UNPROFESSIONAL CONDUCT

SPS 201.01 Unprofessional conduct is prohibited.

SPS 201.01 Unprofessional conduct is prohibited.

Unprofessional conduct includes any of the following:

(1) Conduct in the practice of sign language interpretation which evidences a lack of knowledge or ability to apply professional principles or skills.

(2) Failing to notify the department in writing within 30 days of any certification, verification, or membership required for licensure being revoked, suspended, expired, or invalidated. This may include certification, verification, or membership by or in National Association of the Deaf, Registry of Interpreters for the Deaf, Inc., Wisconsin Interpreting and Transliterating Assessment, or any other certification determined to be substantially similar to certification by the National Association of the Deaf or Registry of Interpreters for the Deaf, Inc. by the department.

(3) Failing to notify the department in writing within 30 days 48 hours of being convicted of any crime.

(4) Violating the terms of any disciplinary order of the department.—SPS 201.01 (2), (3), and (4) are not included in RID/NAD standards, but are included in current rule.

(5) Disclosing any aspect of a confidential communication facilitated by the DSPS-licensed interpreter unless one of the following conditions apply:

(a) All parties to the confidential communication consent to the disclosure.

(b) A court determines that the disclosure is necessary for the proper administration of justice.

(c) Disclosure is necessary to comply with state or federal mandatory reporting requirements.—Covered by NAD/RID but not current rule.

(6) Failing to convey the content of communications accurately, using language most readily understood by consumers, accounting for their requests or needs regarding language preferences, and correcting errors discreetly and expeditiously.

(7) Failing to facilitate communication in a way that allows for meaningful and equitable access to communication that will support the full interaction and independence of consumers.

(8) Discriminating in the provision of services on the basis of the race, color, national origin, gender, religion, age, disability, or sexual orientation of any party to an interpreting situation.

(9) Providing services when not competent to do so due to physical, mental, or emotional incapacity.

(10) Providing services while the DSPS-licensed interpreter's ability to provide such services is impaired by alcohol or other drugs.

(11) Providing services which are inconsistent with the DSPS-licensed interpreter's skill levels or for which the DSPS-licensed interpreter is not qualified to perform services given the language used, communication mode and setting, or consumer needs.

(12) Failing to monitor the accuracy of the message, and correct such message as necessary, while functioning as a team member.

(13) Failing to request deaf interpreters, when necessary to fully convey the message or to address exceptional communication challenges such as may arise from cognitive disabilities, emerging or limited language proficiency, lack of formal instruction or language, or the use of foreign sign language.

(14) Failing to obtain the consent of all parties to an interpreting situation before allowing an intern to observe or participate in an assignment.

(15) Performing services in situations that involve an actual or perceived conflict of interest unless there is disclosure to all participants and agreement to proceed regardless of the conflict of interest or perceived conflict of interest. DSPS-licensed interpreters may not proceed to perform services if the party for whom the services are being provided may not have the mental capacity to appreciate the actual or perceived conflict of interest.

(16) Performing services for a family member.—Not included in RID/NAD standards but is in current rule.

(17) Performing services for an individual when the DSPS-licensed interpreter is the legal guardian for the individual.—Not included in RID/NAD standards but is in current rule.

(18) Assuming dual or conflicting roles in interdisciplinary settings.

(19) Using confidential interpreted information for personal, monetary, or professional gain or for the benefit of professional affiliations or entities.

(20) Acting as an advocate while functioning as a DSPS-licensed interpreter or as an interpreting team member.

(21) Being convicted of any state or federal crime which substantially relates to the practice of sign language interpreting, subject to ss. 111.321, 111.322, and 111.335, Stats.

(22) Failing to maintain ethical business practices whether in private practice or as an employee of an agency or other entity.

(23) Failing to accurately represent the DSPS-licensed interpreter's qualifications, such as certification, education, and experience, failing to provide documentation of the DSPS-licensed interpreter's qualifications when requested, or failing to ensure that the DSPS-licensed interpreter's qualifications are accurately represented by any agencies or entities that contract for or schedule the DSPS-licensed interpreter's services.

(24) Engaging in any harassing, intimidating, or coercive business tactics.

(25) Failing to comply with continuing education requirements as mandated for its members by the Registry of Interpreters for the Deaf, Inc., the National Association of the Deaf, or their successors, or any other certifying organization that the department determines to be substantially equivalent to the Registry of Interpreters for the Deaf, Inc., the National Association of the Deaf, or their successors.

(26) Failing to maintain a professional demeanor when working with consumers, colleagues, interns, or students.

(27) Failing to honor professional commitments or terminating assignments, unless fair and justifiable grounds exist.

(28) Failing to inform appropriate parties in a timely manner when delayed or unable to fulfill assignments.—Concepts covered by RID/NAD but not the current rules.

Chapter SPS 202

SIGN LANGUAGE INTERPRETERS; STATE RESIDENCY EXEMPTION

SPS 202.01 — Type of request.

SPS 202.02 — Requirements for request.

SPS 202.01 Type of request. State residents may request an exemption from the sign language interpreter licensure requirement pursuant to s. 440.032 (2) (e) 2., Stats., for one of the following purposes:

(1) To provide services to a specific consumer. Unlicensed interpreters applying for a temporary or permanent exemption under this subsection shall demonstrate that the individual to whom services will be provided and for which the exemption is being requested cannot reasonably obtain services from an interpreter licensed under s. 440.032 (3), Stats., to meet his or her needs due to specific language requirements, cultural requirements, or physical, mental, or emotional conditions.

(2) To provide services for a specific period of time. Unlicensed interpreters applying for a temporary or permanent exemption under this subsection shall demonstrate that it is not possible to obtain a sign language interpreter licensed under s. 440.032 (3), Stats., and the existence of a need to provide sign language interpretation services.

History: CR 11-018: cr. Register September 2011 No. 669, eff. 10-1-11; (title) created under s. 13.92 (4) (b) 2., Stats., Register September 2011 No. 669.

SPS 202.02 Requirements for request. (1) Unlicensed interpreters requesting an exemption under either s. SPS 202.01 (1) or (2) shall submit a written request to the council stating the rationale for such request, and provide any documentation that supports the request.

(2) A request submitted pursuant to s. SPS 202.01 (1) shall specify all of the following:

- (a) Information to support that the criteria stated in s. SPS 202.01 (1) has been met.
- (b) The identity of the individual to whom services will be provided.
- (c) The duration of the exemption being requested.
- (d) The setting for which the exemption is requested.
- (e) The unlicensed interpreter's educational and training background.
- (f) Where, when, and from whom the unlicensed interpreter learned sign language.
- (g) The unlicensed interpreter's knowledge of sign language and deaf culture.
- (h) Any other special training or experience of the requestor in working with persons who are deaf, deaf-blind, or hard of hearing, or with persons with other disabilities.
- (i) The unlicensed interpreter's experience with interpreting.
- (j) The unlicensed interpreter's knowledge of the code of ethics for DSPS licensed sign language interpreters.
- (k)

The unlicensed interpreter's relationship to and how long the unlicensed interpreter has known the consumer for whom services will be provided.

(L) — Where, if applicable, the unlicensed interpreter is employed.

(3) A request submitted pursuant to s. SPS 202.01 (2) shall specify all of the following:

- (a) Information to support that the criteria stated in s. SPS 202.01 (2) has been met.
- (b) The identity of the consumer to whom services will be provided.
- (c) The duration of the exemption being requested.
- (d) The setting for which the exemption is requested.
- (e) The unlicensed interpreter's educational and training background.
- (f) Where, when, and from whom the unlicensed interpreter learned sign language.
- (g) The unlicensed interpreter's knowledge of sign language and deaf culture.

(h) Any other special training or experience of the unlicensed interpreter in working with persons who are deaf, deaf-blind, or hard of hearing, or with persons with other disabilities.

(i) The unlicensed interpreter's experience with interpreting.

(j) The unlicensed interpreter's knowledge of the code of ethics for sign language interpreters.

(k) Where, if applicable, the unlicensed interpreter is employed.

(4) Documentation to support the request for exemption may include, if appropriate, any of the following:

- (a) Letter of support from the individual receiving services or their legal guardian.
- (b) Medical documentation for the individual receiving services.

(c) Letter of support from a teacher or other school personnel.

(5) The council may, in its discretion, request an appearance before the council by the unlicensed interpreter requesting the exemption to provide further information in support of the request.

(6) The council may not grant an exemption under s. SPS 202.01 for individuals who are waiting to take a test for the National Association for the Deaf, Inc., or for test results, or for certification by the Registry of Interpreters for the Deaf, or for verification from the Wisconsin Interpreting and Transliterating Assessment, or for other certification or verification required for licensure under s. 440.032 (3), Stats.

CHAPTER SPS 202

SIGN LANGUAGE INTERPRETERS; LICENSURE EXEMPTIONS

SPS 202.01 Temporary Exemption from Licensure. An individual may apply for a temporary exemption from the sign language interpreter licensing requirements under s. 440.032 (3), Stats.

(1) An application for a temporary exemption shall include:

- (a) A written statement on a form provided by the department explaining why the applicant is unable to obtain a license under s. 440.032 (3), Stats.;
- (b) Any relevant professional credentials held by the applicant;
- (c) The duration for which the applicant is seeking a temporary exemption to the licensure requirement.

(2) Requests for temporary exemptions are reviewed and approved by the department on a case by case basis in consultation with the committee.

SPS 202.02 Permanent Exemption from Licensure. An individual may apply for a permanent exemption from the sign language interpreter licensing requirements under s. 440.032 (3), Stats.

(1) An application for a permanent exemption shall include the following:

- (a) A written statement on a form provided by the department explaining why the applicant is unable to obtain a license under s. 440.032 (3), Stats.;
- (b) If the applicant for a permanent exemption will be providing sign language interpretations services to a single client only, the individual's application shall identify that client.

(2) Requests for permanent exemptions are reviewed and approved by the department on a case by case basis in consultation with the committee.

SPS 202.03 Exemption for Certain Services or Settings. Licensure is not required to perform interpreting services if the circumstances of the interpreting services provided meet the following criteria enumerated in s. 440.032 (2) (b), Stats.:

(1) A person interpreting at any school or school-sponsored event if the person is licensed by the department of public instruction as an educational interpreter.

(2) A person interpreting at a religious service or at a religious function, including educational or social events sponsored by a religious organization. This subdivision does not apply to a person interpreting for a religious organization at a professional service provided or sponsored by the religious organization.

(3) A support service provider interpreting for the purpose of facilitating communication between an individual who provides interpretation services and a client of the individual.

(4) A person who, in the course of the person's employment, provides interpretation services during an emergency unless the interpretation services are provided during a period that exceeds 24 hours.

CHAPTER SPS 203

SIGN LANGUAGE INTERPRETERS; LICENSURE APPLICATIONS

SPS 203.01 Application for sign language interpreter—intermediate hearing license. An applicant for a sign language interpreter—intermediate hearing license shall submit the following:

- (1) A completed application form.
- (2) The fee required under s. 440.03 (9) (a), Stats.
- (3) If the applicant has a pending charge or conviction record, all documentation necessary for the board to determine whether the circumstances substantially relate to the practice of sign language interpreting, subject to ss. 111.321, 111.322, and 111.335, Stats.
- (4) Documentary evidence of having met one of the following education and training requirements:
 - (a) Successful completion of each of the following:
 1. At least an associate degree in sign language interpretation, or an equivalent degree as determined by the department after receiving advice from the committee.
 2. Successful completion of an interpreter training program.
 3. Passage of the basic performance examination of and certification by the Board for Evaluation of Interpreters, or its successor, or a substantially equivalent examination, as determined by the department after receiving advice from the committee.
 - (b) Successful completion of each of the following:
 1. An associate degree in sign language interpretation before July 19, 2019.
 2. Passage of the basic performance examination and certification by the Board for Evaluation of Interpreters, or its successor, or passage of a substantially equivalent examination, as determined by the department after receiving advice from the committee.
 - (c) Passage of the basic performance examination and certification by the Board for Evaluation of Interpreters, or its successor, or passage of a substantially equivalent examination, as determined by the department after receiving advice from the committee, before July 19, 2019.

SPS 203.02 Application for a sign language interpreter— advanced hearing license. An applicant for a sign language interpreter—advanced hearing license shall submit the following:

- (1) A completed application form.
- (2) The fee required under s. 440.03 (9) (a), Stats.
- (3) If the applicant has a pending charge or conviction record, all documentation necessary for the board to determine whether the circumstances substantially relate to the practice of sign language interpreting, subject to ss. 111.321, 111.322, and 111.335, Stats.
- (4) Documentary evidence of having met one of the following education and training requirements:
 - (a) Successful completion of each of the following:
 1. At least an associate degree in sign language interpretation, or an equivalent degree as determined by the department after receiving advice from the committee.

2. Successful completion of an interpreter training program.
 3. Passage of one of the following examinations:
 - a. The advanced or master performance examination of and is certified by the Board for Evaluation of Interpreters, or its successor.
 - b. The examination for and holds the national interpreter certification issued by the Registry of Interpreters for the Deaf, Inc., or its successor.
 - c. A substantially equivalent examination, as determined by the department after receiving advice from the committee.
- (b) The applicant was issued before July 19, 2019, and maintains in good standing, any one of the following:
1. The national interpreter certification (NIC), advanced or master level national interpreter certification (NIC-Advanced or NIC-Master), certificate of interpretation (CI), certificate of transliteration (CT), comprehensive skills certificate (CSC), master comprehensive skills certificate (MCSC), interpretation certificate (IC), or transliteration certificate (TC), issued by the Registry of Interpreters for the Deaf, Inc., or its successor.
 2. The National Association of the Deaf III, IV, or V certification.
 3. The advanced or master certification of the Board for Evaluation of Interpreters or its successor.

SPS 203.03 Application for a sign language interpreter— intermediate deaf license. An applicant for a sign language interpreter—intermediate deaf license shall submit the following:

- (1) A completed application form.
- (2) The fee required under s. 440.03 (9) (a), Stats.
- (3) If the applicant has a pending charge or conviction record, all documentation necessary for the board to determine whether the circumstances substantially relate to the practice of sign language interpreting, subject to ss. 111.321, 111.322, and 111.335, Stats.
- (4) Documentary evidence of having met all the following education and training requirements:
 - (a) The applicant holds a high school diploma or its equivalent, as determined by the department after receiving advice from the committee.
 - (b) Successful completion of at least 40 hours of a deaf interpreter training curriculum approved by the department after receiving advice from the committee.
 - (c) Successful completion of at least 16 hours of sign language interpretation services-related training approved by the Registry of Interpreters for the Deaf, Inc., or its successor or the Board for Evaluation of Interpreters or its successor, or substantially equivalent training, as determined by the department after receiving advice from the committee.
 - (d) Successful completion of American sign language linguistics I and II or substantially equivalent coursework, as determined by the department after receiving advice from the committee.
- (5) Letters of recommendation from at least 2 individuals who hold a sign language interpreter—advanced deaf license, a certified deaf interpreter certification issued by the Registry of Interpreters for the Deaf, Inc., or its successor, or an equivalent certification, as determined by the department after receiving advice from the committee. Taken in the aggregate, the letters of recommendation shall verify that the applicant has successfully completed at least 25 hours of observing sign language interpretation services provided to clients.

SPS 203.04 Application for a sign language interpreter— advanced deaf license. An applicant for a sign language interpreter—advanced deaf license shall submit the following:

- (1) A completed application form.
- (2) The fee required under s. 440.03 (9) (a), Stats.
- (3) If the applicant has a pending charge or conviction record, all documentation necessary for the board to determine whether the circumstances substantially relate to the practice of sign language interpreting, subject to ss. 111.321, 111.322, and 111.335, Stats.
- (4) Documentary evidence of having met all the following education and training requirements:
 - (a) An associate degree or alternate education pathway approved by the department with advice from the committee.
 - (b) Certified deaf interpreter certification issued by the Registry of Interpreters for the Deaf, Inc., or its successor or an equivalent certification, as determined by the department after receiving advice from the committee.

CHAPTER SPS 204

SIGN LANGUAGE INTERPRETERS; IDENTIFICATION CARDS--Optional

SPS 204.01 Identification card required. Interpreters licensed by the department must carry an identification card at all times while providing sign language interpretation services to clients for compensation.

SPS 204.02 Content and Format. The identification card referenced in s. SPS 204.01 shall include all the following information:

- (a) The interpreter's full name.
- (b) The interpreter's licensure category, whether sign language interpreter—intermediate hearing, sign language interpreter—advanced hearing, sign language interpreter—intermediate deaf, or sign language interpreter—advanced deaf.
 1. Intermediate hearing and deaf licenses shall be color-coded yellow.
 2. Advanced hearing and deaf licenses shall be color-coded green.
- (c) Any applicable licensure restriction.
- (d) A statement whether the interpreter is authorized by the supreme court to act as a qualified interpreter in court proceedings under s. [885.38 \(2\)](#) and whether that authorization is provisional.

CHAPTER SPS 205

SIGN LANGUAGE INTERPRETERS; SCOPE OF PRACTICE

SPS 205.01 Definitions. In this chapter:

- (1) “Medical setting” means any interpretation situation involving involving the diagnosis, treatment, or prevention of illness or injury, not including treatments designed to bring about rehabilitation of a mentally ill person.

(2) “Mental health treatment setting” means any interpretation situation involving psychological, educational, social, chemical, medical or somatic techniques designed to bring about rehabilitation of a mentally ill person.

(3) “Legal setting” means any interpretation situation involving the provision of legal services or which takes place within the courts of the State of Wisconsin.

(4) “Team interpreting” means the practice of using two or more interpreters who work together to provide interpretation for an individual with limited English proficiency, either due to a speech impairment, hearing loss, deafness, deaf-blindness, or other disability, so that the individual can adequately hear, understand, or communicate effectively in English.

SPS 205.02 Provision of services in a medical setting.

Only persons who meet one of the following criteria may provide sign language interpretation services in a medical setting:

(1) Holds a license under either ss. 440.032 (3) (d), (e), or (f), Stats.

(2) Holds a license under s. 440.032 (3) (c), Stats., and is team interpreting with a person licensed under either ss. 440.032 (3) (d) or (f), Stats.

SPS 205.03 Provision of services in a mental health treatment setting.

Only persons licensed under ss. 440.032 (3) (d) or (f), Stats. may provide sign language interpretation services in a mental health treatment setting.

SPS 205.04 Provision of services in a legal setting.

Only persons who meet both of the following criteria may provide sign language interpretation services in a legal setting:

(1) Holds a license under either ss. 440.032 (3) (d), (e), or (f), Stats.

(2) Is authorized by the supreme court to act as a qualified interpreter in court proceedings under s. 885.38 (2), Stats.

*****SPS 205.05 Any other restrictions the committee suggests adding**

revoke a certificate of registration granted under par. (a) or a license granted under the rules promulgated under par. (am) if the department finds that the applicant or certificate or license holder has violated this subsection or any rule promulgated under par. (d).

(f) A person who is registered under par. (a) or holds a license granted under the rules promulgated under par. (am) who violates this subsection or any rule promulgated under par. (d) may be fined not more than \$200 or imprisoned for not more than 6 months or both.

(15) The department shall promulgate rules that establish the fees specified in ss. 440.05 (10) and 440.08 (2) (d).

(17) (a) In this subsection:

1. “Disqualified offender” means any of the following:

a. A person who is required to comply with the reporting requirements under s. 301.45 (1g).

b. A person who has been convicted of a violation of s. 940.01 or a violation of the law of another state or the United States that would be a violation of s. 940.01 if committed in this state.

2. “Martial arts instruction” means instruction in self-defense or combat, but does not include instruction in the use of a firearm, bow and arrow, or crossbow.

(b) No person may, for a fee, provide martial arts instruction to a minor if the person is a disqualified offender.

(c) No person may, for a fee, provide martial arts instruction to a minor unless the person has been issued a permit under this subsection.

(d) Except as provided in par. (e), the department shall grant a juvenile martial arts instructor permit to a person if the person pays the fee specified in s. 440.05 (1).

(e) Pursuant to s. 440.03 (13) (b), the department shall investigate an applicant for a permit under this subsection. Notwithstanding ss. 111.321, 111.322, and 111.335, the department may not issue a juvenile martial arts instructor permit to a person who is a disqualified offender and shall revoke a permit issued to a person under this subsection if, after the permit is issued, the person becomes a disqualified offender.

(f) If a person who holds a permit under this subsection becomes a disqualified offender, the person shall notify the department within 14 days of the date of the conviction.

(g) The department may conduct periodic audits to determine whether any person who holds a permit under this subsection is a disqualified offender.

History: 1977 c. 418 ss. 24, 792; 1979 c. 34, 221, 337; 1981 c. 94; 1985 a. 29, 340; 1989 a. 31, 340; 1991 a. 39; 1993 a. 16, 102, 107, 443, 445, 490, 491; 1995 a. 27 ss. 6472g, 6472j, 9126 (19); 1995 a. 233; 1997 a. 27, 75, 79; 1997 a. 191 ss. 312, 313, 318; 1997 a. 231, 237; 1997 a. 261 ss. 1 to 4, 7, 10, 13; 1997 a. 311; 1999 a. 9, 32; 2001 a. 16, 66, 80; 2003 a. 151; 2005 a. 25; 2007 a. 20 ss. 3449 to 3462, 9121 (6) (a); 2007 a. 153, 189; 2009 a. 28, 130, 276, 282, 355; 2011 a. 32, 146, 160, 190, 255; 2013 a. 20, 36, 124, 244, 288, 358; 2015 a. 55, 116; 2015 a. 197 s. 51; 2015 a. 258; 2017 a. 59, 82, 113, 135, 278, 319, 329, 331; 2017 a. 365 ss. 79, 112; 2019 a. 49 ss. 1 to 3; 2019 a. 100.

Cross-reference: See also SPS, Wis. adm. code.

Notwithstanding the absence of any state statute limiting eligibility for professional licenses or credentials to persons who are in the country legally, federal law is controlling so that the Department of Regulation and Licensing is prohibited from granting any professional license or credential to an alien who is present in the United States illegally. Because the department is prohibited from issuing professional licenses or credentials to illegal aliens, the department must put in place some procedure practicably designed to reasonably insure that it does not issue licenses or credentials in violation of federal law. OAG 3–07.

440.032 Sign language interpreting. (1) DEFINITIONS. In this section:

(a) “Client” means a deaf or hard of hearing person for whom a person provides interpretation services.

(am) “Committee” means the sign language interpreters advisory committee established under sub. (6m).

(bm) “Interpreter training program” means any postsecondary educational program that prepares individuals to provide sign language interpretation services to a client.

(c) “Support service provider” means an individual who is trained to act as a link between a person who is deaf and blind and the person’s environment.

(d) “Wisconsin interpreting and transliterating assessment” means a program administered by the department of health services to determine and verify the level of competence of communication access services providers who are not certified by the Registry of Interpreters for the Deaf, Inc., or its successor, the National Association of the Deaf or its successor, or other similar nationally recognized certification organization, or a successor program administered by the department of health services.

(2) LICENSE REQUIRED. (a) Except as provided in pars. (b) and (c), no person may, for compensation, provide sign language interpretation services for a client unless the person is licensed by the department under sub. (3).

(b) No license is required under this subsection for any of the following:

2. A person interpreting at any school or school-sponsored event if the person is licensed by the department of public instruction as an educational interpreter.

3. A person interpreting at a religious service or at a religious function, including educational or social events sponsored by a religious organization. This subdivision does not apply to a person interpreting for a religious organization at a professional service provided or sponsored by the religious organization.

4. A support service provider interpreting for the purpose of facilitating communication between an individual who provides interpretation services and a client of the individual.

5. A person who, in the course of the person’s employment, provides interpretation services during an emergency unless the interpretation services are provided during a period that exceeds 24 hours.

(c) 1. The department may grant, on a case-by-case basis, a temporary exemption from the licensure requirement under par. (a) to an individual applying for a temporary exemption, subject to the following:

a. An individual’s application for a temporary exemption under this subdivision shall be in writing, shall describe the reasons why the individual cannot obtain a license under sub. (3) and describe any professional credential the individual does possess, and shall specify the dates the individual intends to provide sign language interpretation services.

b. The department shall approve or deny a temporary exemption under this subdivision within 10 business days after receiving the application.

2. The department may grant, on a case-by-case basis after receiving advice from the committee, a permanent exemption from the licensure requirement under par. (a) to an individual applying for a permanent exemption, subject to the following:

a. An individual’s application for a permanent exemption under this subdivision shall describe the reasons why the individual cannot obtain a license under sub. (3).

b. If the applicant for a permanent exemption will be providing sign language interpretations services to a single client only, the individual’s application shall identify that client.

(3) LICENSURE REQUIREMENTS. (c) *Sign language interpreter—intermediate hearing licenses.* The department shall grant a sign language interpreter—intermediate hearing license to an applicant who submits an application on a form provided by the department, pays the fee determined by the department under s. 440.03 (9) (a), and satisfies any of the following:

1. The applicant satisfies all of the following:

a. The applicant has received at least an associate degree in sign language interpretation, or an equivalent degree, as determined by the department after receiving advice from the committee.

b. The applicant provides evidence satisfactory to the department that the applicant has successfully completed an interpreter training program.

c. The applicant has passed the basic performance examination of and is certified by the Board for Evaluation of Interpreters, or its successor, or the applicant has passed a substantially equivalent examination, as determined by the department after receiving advice from the committee.

2. The applicant satisfies all of the following:

a. The applicant earned an associate degree in sign language interpretation before July 19, 2019.

b. The applicant has passed the basic performance examination of and is certified by the Board for Evaluation of Interpreters, or its successor, or the applicant has passed a substantially equivalent examination, as determined by the department after receiving advice from the committee.

3. The applicant satisfies all of the following:

a. Before July 19, 2019, the applicant passed the basic performance examination of and is certified by the Board for Evaluation of Interpreters, or its successor, or before July 19, 2019, the applicant passed a substantially equivalent examination, as determined by the department after receiving advice from the committee.

b. The department approves the applicant's licensure after review of all of the circumstances and receiving advice from the committee.

(d) *Sign language interpreter—advanced hearing licenses.* The department shall grant a sign language interpreter—advanced hearing license to an applicant who submits an application on a form provided by the department, pays the fee determined by the department under s. 440.03 (9) (a), and satisfies any of the following:

1. The applicant satisfies all of the following:

a. The applicant has received at least an associate degree in sign language interpretation, or an equivalent degree as determined by the department after receiving advice from the committee.

b. The applicant provides evidence satisfactory to the department that the applicant has successfully completed an interpreter training program.

c. The applicant has passed the advanced or master performance examination of and is certified by the Board for Evaluation of Interpreters, or its successor; the applicant has passed the examination for and holds the national interpreter certification issued by the Registry of Interpreters for the Deaf, Inc., or its successor; or the applicant has passed a substantially equivalent examination, as determined by the department after receiving advice from the committee.

2. The applicant was issued before July 19, 2019, and maintains in good standing any of the following:

a. The national interpreter certification (NIC), advanced or master level national interpreter certification (NIC—Advanced or NIC—Master), certificate of interpretation (CI), certificate of transliteration (CT), comprehensive skills certificate (CSC), master comprehensive skills certificate (MCSC), interpretation certificate (IC), or transliteration certificate (TC), issued by the Registry of Interpreters for the Deaf, Inc., or its successor.

b. The National Association of the Deaf III, IV, or V certification.

c. The advanced or master certification of the Board for Evaluation of Interpreters or its successor.

(e) *Sign language interpreter—intermediate deaf licenses.* The department shall grant a sign language interpreter—intermediate deaf license to an applicant who submits an application on a form provided by the department, pays the fee determined by the department under s. 440.03 (9) (a), and satisfies all of the following:

1. The applicant holds a high school diploma or its equivalent, as determined by the department after receiving advice from the committee.

2. The applicant submits evidence satisfactory to the department of the applicant's successful completion of at least 40 hours of a deaf interpreter training curriculum approved by the department after receiving advice from the committee.

3. The applicant submits evidence satisfactory to the department of the applicant's successful completion of at least 16 hours of sign language interpretation services—related training approved by the Registry of Interpreters for the Deaf, Inc., or its successor or the Board for Evaluation of Interpreters or its successor, or substantially equivalent training, as determined by the department after receiving advice from the committee.

4. The applicant submits evidence satisfactory to the department of the applicant's successful completion of American sign language linguistics I and II or substantially equivalent coursework, as determined by the department after receiving advice from the committee.

5. The applicant provides to the department letters of recommendation satisfactory to the department from at least 2 individuals who hold a sign language interpreter—advanced deaf license, a certified deaf interpreter certification issued by the Registry of Interpreters for the Deaf, Inc., or its successor, or an equivalent certification, as determined by the department after receiving advice from the committee. Taken in the aggregate, the letters of recommendation shall verify that the applicant has successfully completed at least 25 hours of observing sign language interpretation services provided to clients.

(f) *Sign language interpreter—advanced deaf licenses.* The department shall grant a sign language interpreter—advanced deaf license to an applicant who submits an application on a form provided by the department, pays the fee determined by the department under s. 440.03 (9) (a), and satisfies all of the following:

1. The applicant holds at least an associate degree or satisfies an alternate pathway for education, as determined by the department after receiving advice from the committee.

2. The applicant holds a certified deaf interpreter certification issued by the Registry of Interpreters for the Deaf, Inc., or its successor or an equivalent certification, as determined by the department after receiving advice from the committee.

(3m) EXAM ADMINISTRATION IN WISCONSIN. The department of health services shall administer in this state the performance examinations of the Board for Evaluation of Interpreters or its successor, unless the department [of safety and professional services] approves another administrator of the examinations.

NOTE: The full agency name is shown in brackets. Corrective legislation is pending.

(4) NOTIFICATION REQUIRED. A person who is licensed under sub. (3) shall notify the department in writing within 30 days if the person's certification or membership specified in sub. (3) that is required for the license is revoked or invalidated. The department shall revoke a license granted under sub. (3) if such a certification or membership is revoked or invalidated.

(4m) SCOPE OF LICENSES. The department, after receiving advice from the committee, may promulgate rules defining the scope of practice of each license granted under sub. (3), subject to the following:

(a) *Sign language interpreter—intermediate hearing.* 1. Subject to subd. 2., a sign language interpreter—intermediate hearing licensee may not provide sign language interpretation services to clients in any medical setting, as determined by the department after receiving advice from the committee, unless he or she is team interpreting with a sign language interpreter—advanced hearing or sign language interpreter—advanced deaf licensee.

2. A sign language interpreter—intermediate hearing licensee may not provide sign language interpretation services to

a client in any legal setting or setting related to treatment, as defined in s. 51.01 (17), involving mental health, as determined by the department after receiving advice from the committee.

(b) *Interpretation in legal settings.* No sign language interpreter—advanced hearing, sign language interpreter—intermediate deaf, or sign language interpreter—advanced deaf licensee may provide sign language interpretation services to a client in any legal setting, as determined by the department after receiving advice from the committee, unless he or she is also authorized, including under a provisional status, by the supreme court to act as a qualified interpreter in court proceedings under s. 885.38 (2).

(c) *Interpretation in mental health settings.* 1. No sign language interpreter—intermediate deaf licensee may provide sign language interpretation services to a client in any setting related to treatment, as defined in s. 51.01 (17), involving mental health, as determined by the department after receiving advice from the committee.

2. Beginning on September 1, 2023, no sign language interpreter—advanced hearing or sign language interpreter—advanced deaf licensee may provide sign language interpretation services to a client in any setting related to treatment, as defined in s. 51.01 (17), involving mental health, as determined by the department after receiving advice from the committee, unless the licensee satisfies requirements established by the department by rule after receiving advice from the committee.

(5) LICENSE RENEWAL. The renewal dates for licenses granted under sub. (3) are specified in s. 440.08 (2) (a) 68c. Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee determined by the department under s. 440.03 (9) (a) and evidence satisfactory to the department that the person's certification or membership specified in sub. (3) that is required for the license has not been revoked or invalidated.

(5m) IDENTIFICATION CARDS. The department, after receiving advice from the committee, may promulgate rules requiring all interpreters licensed under sub. (3) to have an identification card with them at all times while providing sign language interpretation services to clients for compensation. The department shall issue the identification card in the format determined by the department. The identification card issued to a licensee for purposes of this subsection shall satisfy all of the following conditions:

(a) Include all of the following:

1. The interpreter's full name.
2. The interpreter's licensure category, whether sign language interpreter—intermediate hearing, sign language interpreter—advanced hearing, sign language interpreter—intermediate deaf, or sign language interpreter—advanced deaf.
3. Any applicable licensure restriction.
4. A statement whether the interpreter is authorized by the supreme court to act as a qualified interpreter in court proceedings under s. 885.38 (2) and whether that authorization is provisional.
5. Any other information required by the department.

(b) Be color-coded based on the interpreter's licensure category identified under par. (a) 2. An intermediate license shall be yellow. An advanced license shall be green.

(6m) SIGN LANGUAGE INTERPRETERS ADVISORY COMMITTEE.

(a) The secretary shall appoint an advisory committee under s. 440.042 that shall be called the sign language interpreters advisory committee. The committee shall consist of the secretary or a designee and the following 8 members:

1. Five deaf or hard of hearing individuals who are or have been clients of a sign language interpreter, at least one of whom is a graduate of a residential school for the deaf or hard of hearing and at least one of whom is a graduate of a private or public school that is not a residential school for the deaf or hard of hearing.
2. Two interpreters licensed under this section, at least one of whom holds a license under sub. (3) (c) to (f).

3. One individual who is not deaf or hard of hearing and who has obtained, or represents an entity that has obtained, sign language interpreter services for the benefit of another who is deaf or hard of hearing.

(b) The committee shall do all of the following:

1. Advise the department on all of the following:
 - a. Matters related to the department's enforcement of this section.
 - b. Granting exemptions under sub. (2) (c).
 - c. Licensure requirements under sub. (3).
 - d. Promulgating the rules defining the scope of practice under sub. (4m).
 - e. Promulgating the rules relating to identification cards under sub. (5m).
 - f. Promulgating the rules governing professional conduct under sub. (7) (b).
2. Consult with the department concerning investigations under sub. (8).

(c) The committee shall submit to the secretary, upon request of the secretary not more often than annually, a report on the operation of the committee.

(7) RULE MAKING. (a) The department may not promulgate rules that impose requirements for granting a license that are in addition to the requirements specified in sub. (3).

(b) The department, after receiving advice from the committee, may promulgate rules governing the professional conduct of individuals licensed under sub. (3). The rules shall incorporate the rules of professional conduct adopted by the National Association of the Deaf, or its successor, and the Registry of Interpreters for the Deaf, or its successor, or a substantially equivalent organization, as determined by the department after receiving advice from the committee.

(7m) SUBMITTING COMPLAINTS. The department shall facilitate the submission of complaints concerning alleged violations of this section or rules promulgated under this section, including by accepting complaints submitted by mail.

(8) DISCIPLINARY PROCEEDINGS AND ACTIONS. Subject to the rules promulgated under s. 440.03 (1), the department may make investigations and conduct hearings to determine whether a violation of this section or any rule promulgated under this section has occurred and may reprimand a person who is licensed under sub. (3) or may deny, limit, suspend, or revoke a license granted under sub. (3) if it finds that the applicant or licensee has violated this section or any rule promulgated under this section.

(9) PENALTY. A person who violates this section or any rule promulgated under this section may be fined not more than \$200 or imprisoned for not more than 6 months or both.

History: 2009 a. 360; 2019 a. 17; s. 35.17 correction in (3) (c) (intro.).

Cross-reference: See also chs. SPS 200 to 202, Wis. adm. code.

440.035 General duties and powers of examining boards and affiliated credentialing boards. (1m) Each examining board or affiliated credentialing board attached to the department or an examining board shall:

(a) Independently exercise its powers, duties and functions prescribed by law with regard to rule-making, credentialing and regulation.

(b) Be the supervising authority of all personnel, other than shared personnel, engaged in the review, investigation or handling of information regarding qualifications of applicants for credentials, examination questions and answers, accreditation, related investigations and disciplinary matters affecting persons who are credentialed by the examining board or affiliated credentialing board, or in the establishing of regulatory policy or the exercise of administrative discretion with regard to the qualifications or discipline of applicants or persons who are credentialed by the examining board, affiliated credentialing board or accreditation.



CODE OF PROFESSIONAL CONDUCT

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.

Registry of Interpreters for the Deaf
333 Commerce Street
Alexandria, VA 22314
703/838-0030 (V)
703/838-0459 (TTY)
703/838-0454 (Fax)
www.rid.org



CODE OF PROFESSIONAL CONDUCT

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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 to confidentiality 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).



CODE OF PROFESSIONAL CONDUCT

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- 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.



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- 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.



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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.