**PART 3. CERTIFICATION OF INTERPRETERS**

Section

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**12:10-13-14. Legal basis**

Title 56, Section 199.2 of Oklahoma statute directs the Department of Rehabilitation Services to establish policy and procedures for the evaluation and certification of interpreters for the deaf in Oklahoma and authorizes the Department to charge a fee to recoup costs incurred in testing and certifying interpreters.

Section History

7-1-94 PT Memo #94-1

 Permanent, new section

7-1-05 PT Memo #06-01

 Permanent, corrected the section number in OK statute

9-12-14 Updated language

**612:10-13-15. Certification levels**

Interpreter certification levels are set by the Department. **1** Each certification level should adhere to established guidelines or laws that instruct, restrict or prohibit interpreting in specified settings/environments.

INSTRUCTIONS TO STAFF

Each certification level requires an interpreter to be attentive to accepting assignments based on contingent factors and the preferred communication mode of the consumers. Each level is required to support and adhere to the NAD-RID Code of Professional Conduct relating to the Professional Development, by fostering and maintaining competence through ongoing development of knowledge and skills. In best practice, it is required for interpreters to engage in professional development and demonstrate an extensive knowledge of expanded vocabulary and specialized set of skills when accepting assignments for specific settings such as medical, mental health, education, and legal.

1. Interpreter certification levels:

(a) Level I/I is the entry level beginner who is able to expressively and receptively interpret a minimum of fifty percent (50%) of the beginner’s performance evaluation in interpreting and transliterating.

Level I should be capable of interpreting in these settings: limited one-on-one situations on a non-technical basis, limited short-term trainings, limited short-term non-technical workshops, which the interpreter has an easy and non-intrusive opportunity to stop for clarification and feedback from the consumers.

Level I is not certified to be used in: any type of courtroom or legal settings, any situation that has a legal binding contract, any type of mental health settings, any type of medical settings, any life-threatening situations/settings, employment interviews, any type of purchase or real estate agreements, K-12 public school setting unless meets the Oklahoma Education Interpreter for the Deaf Act, A & C, any Intensive platform- live emergency broadcasting, orientation sessions unless teamed with a higher-level interpreter that meets the capability level, round table meetings unless teamed with a higher-level interpreter that meets the capability level, critical situation of any kind – where impact on consumer is moderate or high.

(b) Level II/II is an intermediate level beginner who is able to expressively and receptively interpret seventy (70%) of the beginner’s performance evaluation in interpreting and transliterating.

Level II should be capable of interpreting in these settings: in settings that may or may not permit the interpreter to stop consumers for clarification in some one-on-one situations, some tutoring sessions, short-term trainings, short-term orientations, and short-term non-technical workshops.

Level II is not certified to be used in any type of courtroom or legal settings, any type of mental health settings, any type of medical settings, employment interviews, any life-threatening situations/settings, any type of purchase or real estate agreements, K-12 public school setting unless meets the Oklahoma Education Interpreter for the Deaf Act, A & C, any Intensive platform – live emergency broadcasting, orientation sessions unless there is a higher-level team interpreter that meets the capability level, round table meetings unless there is a higher-level team interpreter that meets the capability level, and/or critical situations of any kind – where impact on consumer is moderate or high. If an interpreter does not hold an II/II, must refer to the next capable level when accepting assignments.

(c) Level III/III is an advanced level beginner who is able to expressively and receptively interpret a minimum of eighty-five percent (85%) of the beginner’s performance evaluation in interpreting and transliterating.

Level III should be capable of interpreting in these settings: most one-on-one situations, most group sessions, K-12 public school settings, most technical settings, some employment training/orientation, limited basic medical settings (such as eye exam, lab work, hearing aid fitting, dental cleaning, x-rays), some limited meetings where the interpreter has opportunity to stop for clarification, most workshops that are easily handled if there is a minimum of voicing required.

Level III is not certified to be used in any type of courtroom or legal settings, any purchase or real estate agreements, any type of mental health settings, any employment interviews, any emergency life threatening settings, any medical emergency setting that is considered high risk, life or death, or specialist, and/or critical situation of any kind – where impact on consumer is moderate or high. If an interpreter does not hold an II/II, must refer to the next capable level when accepting assignments.

(d) Level IV/IV is an accomplished level interpreter who is able to expressively and receptively interpret a minimum of eighty percent (80%) of the advanced performance evaluation in interpreting and transliterating.

Level IV/IV should be capable of interpreting in these settings: most technical situations, support group settings, employment training/orientation settings, non-emergency medical settings, platform non-threatening broadcasting, non-emergency mental health settings, entry level and sheltered workshop/ supportive employment interviews.

Level IV is not certified to be used in any mental health settings such as psychotherapy, psychiatric settings, and/or crisis counseling, any extensive medical settings, any settings considered emergency or crisis in nature, professional employment interviews, any type of courtroom or legal settings, any type of purchase or real estate agreements (unless interpreter has documented credential/specialized training), Individual Education Plan (unless interpreter has documented credential/specialized training). If an interpreter does not hold an IV/IV, must refer to the next capable level when accepting assignments.

(e) Level V/V is a master level interpreter who is able to expressively and receptively interpret a minimum of ninety (90%) of the advanced performance evaluation in interpreting and transliterating.

Level V should be capable of interpreting in most situations and use professional judgment when accepting assignments. In best practice, the interpreter should have extensive knowledge and a specialized set of skills when accepting assignments for specific settings such as medical, mental health, education, and legal.

Level V is not certified to be used in any courtroom action or legal settings that require parties to be sworn to oath. The interpreter should abide by the specific law that governs the stipulations of providing interpreting services according to the Oklahoma Legal Interpreter for the Deaf and Hard-of Hearing Act. If an interpreter does not hold a V/V, must refer to the next capable level when accepting assignments.

Section History

7-1-94 PT Memo #94-1

 Permanent, new section

7-1-11 PT Memo #12-01

 Permanent, removed descriptive material out of permanent rules.

11-30-17 Updated ITS #1 (a)-(e) replaced all language regarding interpreter certification levels and limitations.

11-2-21 Updated ITS #1 (a)-(e) revising all interpreter certification levels.

12-8-21 Reverted ITS #1 (a)-(e) to previous language for interpreter certifications and limitations that was effective 11-30-17.

9-1-22 Updated ITS #1 (a)-(e) revising all interpreter certification levels.

**612:10-13-16. Evaluation**

(a) **Evaluation components and conditions.** To be certified as an interpreter, an individual must pass a skill-based performance evaluation. The process for certification consists of a written examination and a performance evaluation. The written examination and performance interview may include items from the NAD-RID Code of Professional Conduct and the Certification Levels limitations. Interpreters who hold Level III certification in either Interpreting or Transliterating are required to take the IV/V performance evaluation, which is in compliance with the Ethical Standards. **1**

(b) **Written examination.** The written examination consists of questions designed to measure knowledge of interpreting and situational ethics. Applicants must make a passing score, as established by the program, before being allowed to take the performance evaluation. If the written test is failed, retesting may be taken again in 30 calendar days.

(c) **Performance Evaluation.** The Interpreter Certification and Resource Center (ICRC) administers two performance evaluations, certification levels for category I-III and certification levels for category IV/V. The performance evaluation consists of ethical situational questions, which is called an interview, and a skill-based proficiency test, which will test the candidate's ability to interpret and transliterate interactive settings. Individuals may request testing for category levels I-III or category levels IV/V. A candidate is eligible to apply in the same performance category, I-III or IV-V, in four months from prior testing date. A performance application can be submitted before four months and will be placed on the next available evaluation date after the four months waiting period. If an interpreter obtains a level III in either transliterating or interpreting, he/she is immediately eligible to apply for the IV/V performance. Certification will be granted to an individual whose total score falls within the acceptable range for that level.

(d) **Conflict of interest.** Interpreter certification program staff who select, manage or coordinate the certification process or select evaluators are not eligible to test for Oklahoma interpreter certification through this process.

INSTRUCTIONS TO STAFF

1. Evaluations Components and conditions:

The written test will be valid for three (3) years from the passing date provided an individual takes the performance portion and receives and maintains certification. If the performance portion is not taken or certification level is not achieved in the 3 years from the written passing date, an individual must re-take and pass the written test before eligible to take the performance evaluation. If certification becomes invalid for non-compliance with CEUs or maintenance fees, or failure to submit performance application 90 days prior to level expiring, then an individual must re-take and pass the written portion before being eligible for the performance portion.

If an interpreter's certification becomes invalid twice in a four (4) year period due to non-compliance with either of the requirements (satisfying 1 CEU or maintenance fee), the interpreter will not be allowed to take the written portion or performance portion until one (1) year from the date of second documented non-compliance.

Section History

7-1-94 PT Memo #94-1

 Permanent, new section

7-1-96 PT Memo #96-5

 Permanent, conditions under which interpreter candidates may retest were liberalized

7-1-04 PT Memo #05-01

 Permanent, updated language

7-1-11 PT Memo #12-01

 Permanent, updated language

9-12-14 Updated language

9-14-18 Updated language to clarify elements in the interpreter evaluation process.

 Updated ITS to reflect new application submission timeframe of 90 days prior to level expiring.

8-11-23 Revised language replacing “Oklahoma QAST Ethical Standards” with “NAD-RID Code of Professional Conduct” under Section (a).

**612:10-13-17. Evaluation team**

The evaluation team will consist of three trained evaluators, with effort given to one deaf or hard of hearing evaluator on the panel. Hearing evaluators of the evaluation team must hold a recognized national certification or an ICRC level V/V. **1** Either certification must be in good standing with the certifying body for a minimum of one year. The evaluators must attend the ICRC evaluation trainings, participate in interpreter evaluations annually, and have a current contract on file with the State Department of Rehabilitation Services. Evaluation team members will be selected from a list of qualified individuals prepared by the Department.

INSTRUCTIONS TO STAFF

1. Deaf or hard of hearing evaluators of the evaluation team should hold a nationally recognized certification and must be bilingual in ASL and English.

2. If not active, must reapply to be considered for evaluation training.

Section History

7-1-94 PT Memo #94-1

 Permanent, new section

7-1-04 PT Memo #05-01

 Permanent, updated language

7-1-11 PT Memo #12-01

 Permanent, updated language

9-14-18 Updated the interpreter evaluation team and qualifications for team members.

 Updated ITS removing hearing evaluator's certifications language. Added “hard of hearing” language.

**612:10-13-18. Fees**

A fee will be charged to each applicant who applies for the written test and performance evaluation for state certification of an interpreter for the deaf. A yearly certification renewal fee will also be charged. Individuals failing to timely pay the renewal fee must submit a reinstatement fee and the annual certification renewal fee along with the application for reinstatement. The fee structure will be based on the cost of the evaluations, materials and certificate maintenance program.

The fee for the written test is $50.00. The fee for performance evaluation is $125.00. The yearly certification renewal fee is $50.00. The certification reinstatement fee is $100. Out of state residents may take the written/performance test for double the fee.

Section History

7-1-94 PT Memo #94-1

 Permanent, new section

8-1-96 PT Memo #97-2

 Permanent, State Office address revised

11/1/02 POL Memo #03-02

 Permanent, ITS fee change

7-1-04 PT Memo #05-01

 Permanent, fees changed and put in policy as required by Legislature.

9-14-18 Updated written test fee. Fee for performance evaluation changed from $100 to $125, yearly certification maintenance fee change from $40 to $50. Added language regarding the $100 certification reinstatement fee.

8-11-23 Revised language replacing “maintenance” with “renewal” regarding certification fees under Section (a).

**612:10-13-19. Refunds**

Fees paid for performance evaluations may be refunded, provided, the request to cancel is submitted in writing at least two weeks prior to the scheduled date of the performance evaluation. An applicant may request to reschedule the date of the performance evaluation two weeks prior. The new date must be within one year of the originally scheduled performance evaluation or the fee is forfeited.

Section History

7-1-94 PT Memo #94-1

 Permanent, new section

7-1-04 PT Memo #05-01

 Permanent, updated language

**612:10-13-20. Certification maintenance**

(a) **General provisions for certification maintenance.** QAST certification in Interpreting and Transliterating, for levels I-V, are valid for a term of two years at which time the certification will expire unless the interpreter retests. The exception for re-testing applies to those that achieve a certification level in Transliterating: V and Interpreting: V; those are the only levels that will not be required to retest providing the annual CEUs and the annual renewal fee is satisfied.

(1) Level V certification: An interpreter holding a certification level V in either Transliterating or Interpreting, but not both, will be required to retest. Testing will include the ethical situation interview and the performance section the interpreter does not hold a level V in. The interpreter must pass the ethical situation interview with 80% before a level is granted. If a level V is not obtained, the interpreter will be required to retest until a V/V is achieved.

(2) Level I-IV certification: An interpreter with levels I, II, III, IV are required to take the ethical situation interview, Interpreting and Transliterating. The interpreter must pass the ethical situation interview with at least an 80% before a level is granted.

(3) Certification will remain valid for an interpreter who has applied for evaluation and cannot be scheduled for testing prior to his/her certificate's expiration date, provided the application is received no later than 90 calendar days before the expiration date. However, any certification will lapse if the annual renewal fee is not paid and/or continuing education requirements are not met by stipulated due dates, and/or if the application is not submitted 90 days before levels expire. Individuals who have allowed certification to lapse due to non-compliance with requirements must take and pass the ICRC/QAST written portion before they are eligible for the performance evaluation.

(4) An interpreter that holds only one QAST level V in either Interpreting or Transliterating, and holds a nationally recognized certification in good standing, CI and CT or NIC, can be exempted from the requirement of retesting for the mode they do not have a level V in. The exemption is only valid providing the interpreter satisfies the annual ICRC CEUs by due date, the annual renewal fee by due date, and provides a current copy of their national certification card. If any of the stated requirements are not satisfied, the exemption is voided, and the interpreter will be required to take QAST to meet the V/V certification requirements.

(b) **Continuing education requirements.** QAST certified interpreters are required to satisfy one (10 hours) Continuing Education Unit (CEU) annually, with .1 (1 hour) of this in the category of Ethics. It is the interpreter's responsibility to ensure all supportive CEU documentation is submitted to the Interpreter Certification Resource Center (ICRC) staff before or on December 31st, to avoid certification becoming invalid. If certification becomes invalid, the individual must apply to test, and will be required to take and pass the written ICRC/QAST test before becoming eligible for the performance portion. **1**

(c) **Certification renewal fee.** A certification renewal fee and renewal form are due by January 31st each year. The renewal form must be postmarked on or before January 31st to avoid certification becoming suspended.

(d) **Certification suspension and reinstatement**. If the certification renewal fee and renewal form are submitted after January 31st, the interpreter will become suspended, but has an option to make application for reinstatement. The reinstatement application, a $100 reinstatement fee and payment of the annual certification renewal fee will be required for reinstatement. The reinstatement fee and certification renewal fee are due before or on February 28th to avoid certification becoming invalid. If certification becomes invalid, the individual must apply to test, must take and pass the written ICRC/QAST test before becoming eligible for the performance portion.

(e) **Expiration of certification.** If an interpreter does not submit an application for testing 90 days prior to the level(s) expiration date, the interpreter's level(s) will be considered invalid on the expiration date. If level(s) become invalid, the individual must apply to test, must take and pass the ICRC/QAST written test before becoming eligible for the performance portion. If an interpreter's certification becomes invalid twice in a four (4) year period due to non-compliance with either, the CEU or annual renewal fee requirements, the interpreter will not be allowed to take the written portion or the performance portion of the ICRC/QAST test until one (1) year from the date of the second documented non-compliance.

(f) **Modification of requirements**. Requirements for certification renewal of any level may be changed or modified by future amendments to this section or the rules of this subchapter.

INSTRUCTIONS TO STAFF

1. QAST certified interpreters are required to satisfy 1 CEU and a maintenance fee annually. Failure to satisfy one or either of the requirements will result in certification becoming invalid.

The 1 (10 hrs) CEU, with .1 (1 hr) of this in the category of Ethics, is due by December 31st. It is the interpreter's responsibility to ensure all supportive CEU documentation is submitted to the QAST Administrator before or on December 31st to avoid certification becoming invalid. If certification becomes invalid, the individual will be required to take the written portion before eligible for the performance portion.

The maintenance fee and maintenance fee renewal form is due by January 31st. The renewal form or postage must have the postmark of January 31st to avoid certification becoming suspended. If maintenance fee and renewal form is past January 31st, the interpreter will become suspended and has an option to make application for reinstatement and pay the maintenance fee and a $100.00 reinstatement fee. The reinstatement fee and maintenance fee are due before or on February 28th to avoid certification becoming invalid. If certification becomes invalid, the individual will be required to take the written portion before eligible for the performance portion.

If an interpreter's certification becomes invalid twice in a four (4) year period due to non-compliance with either of the requirements; satisfying 1 CEU or maintenance fee, the interpreter will not be allowed to take the written portion or performance portion one (1) year from the date of second documented non-compliance.

Section History

7-1-94 PT Memo #94-1

 Permanent, new section

3-1-97 PT Memo #97-5

 Emergency, liberalized certification testing policy

7-1-97 PT Memo #97-9

 Permanent, supersedes emergency rules issued 3-1-97

7-1-04 PT Memo #05-01

 Permanent, updated language

7-1-11 PT Memo #12-01

 Permanent, adjustments to certification rules

9-14-18 Updated language modifying certain interpreter certification maintenance provisions and clarified the process for maintaining and renewing certification.

8-26-21 Revised language to include QAST certification in Interpreting and Transliterating and requirements for certification levels I-V.

8-11-23 Language clean-up, removed Section (a) (3) relating to V/V testing requirements, added section (4) under defining exemptions with retesting, added section (f) Modification of requirements.

**612:10-13-21. Code of ethics**

The interpreter/transliterator shall agree to abide by the National Association of the Deaf (NAD) and the Registry of Interpreters for the Deaf, Inc. (RID) Code of Professional Conduct. Federal, state, or other laws or regulations may supersede the NAD-RID Code of Professional Conduct if a conflict is present between existing law or regulations and the Code of Professional Conduct. The interpreter/transliterator will abide the rule of the law.

Section History

7-1-94 PT Memo #94-1

 Permanent, new section

7-1-04 PT Memo #05-01

 Permanent, updated language

7-1-11 PT Memo #12-01

 Permanent, code of ethic changes

9-12-14 Updated language

9-11-20 Revisions removed of antiquated language.

**612:10-13-22. Grievance procedures**

(a) Individuals who are dissatisfied with certification testing procedures or performance of a certified interpreter may file a written complaint with the designated Oklahoma interpreter certification program official, Department of Rehabilitation Services, within thirty (30) days of the grieved incident.

(b) The Department will accept jurisdiction only for those incidents directly related to the evaluation and certification of interpreters for the deaf in Oklahoma and those incidents involving the performance of State Certified Interpreters that allege a specific violation of interpreting standards or ethical behavior.

(c) Each complaint must be in writing and must provide:

(1) The date of the incident;

(2) The name(s) of the person(s) involved;

(3) The location of the incident;

(4) A description of the specific action or actions in question; and

(5) The specific policy or procedure in question or the NAD-RID Code of Professional Conduct ethical tenet(s) and/or the ICRC Certification of Levels, and/or governing State or Federal law in possible violation.

(d) Upon receipt of a properly executed complaint, the Department will review the complaint and within thirty (30) days notify the parties that a complaint has been filed. The respondent will have thirty (30) days from the date they receive notification to respond in written form.

(e) Upon the receipt of a written response, the designated Oklahoma interpreter certification program official and Department will review the information presented and make an initial decision regarding the merit of the complaint based on facts presented. The designated Oklahoma interpreter certification program official has thirty (30) days from the submission of the grievance to provide a decision. All parties concerned will be notified of the decision in writing. If there has not been sufficient information provided, from either party, the Oklahoma Interpreter Certification program official can request more information, in writing, to make a determination.

(f) The Department can seek the assistance from a merit panel to determine if there is a direct violation against (c) 5.

(1) The function of the merit panel is to assist the Department in determining if there is founded merit to the claimed violation(s) set forth in (c) 5. The names of the parties will be anonymous when presented to the merit panel. The panel can recommend a course of action.

(2) Possible course of action(s) is set forth as defined in 612:10-13-23 in (1) through (8) of that subsection.

(g) If it is determined that no violation of rules related to evaluation and certification or violation of interpreting standards and ethical behavior has occurred, the involved parties will be notified, and the complaint will be dismissed. If the complaint is dismissed, the complainant or respondent may appeal and request a formal hearing. The appeal must be in written form and submitted within thirty (30) days of receiving the notification. The request for formal hearing must be in writing and addressed to the designated Oklahoma interpreter certification program official at the Department of Rehabilitation Services. **1**

INSTRUCTIONS TO STAFF

1 . Designated Oklahoma Interpreter Certification Program Official:

 Interpreter Certification Program Specialist

 Services to the Deaf and Hard of Hearing

 5005 N. Lincoln Blvd, #205

 Oklahoma City, Oklahoma 73105

Section History

7-1-94 PT Memo #94-1

 Permanent, new section

7-1-95 PT Memo #95-2

 Permanent, deleted word 'formal'

8-1-96 PT Memo #97-2

 Permanent, State Office address updated

9-12-14 Updated to reflect name change of QAST Administrators to Designated Oklahoma Interpreter Certification Program Official

8-11-23 Revised (a) (5) to include NAD-RID and ICRC Certification of Levels language.

2-29-24 Updated ITS #1, address revised.

**612:10-13-23. Formal hearing**

(a) A formal hearing may be requested by the complainant by contacting the designated Oklahoma interpreter certification program official. **1** The hearing will be scheduled at a time and place convenient to all parties concerned. All parties will receive two weeks’ notice of the hearing date.

(b) The complainant and/or respondent may invite a representative (including legal) to assist during the proceedings. Either party may present witnesses, affidavits or other written documentation related to any relevant aspect of the charge or defense.

(c) The hearing will be conducted by a grievance board selected by the Oklahoma interpreter certification program Advisory Committee and the Department. At least one member must be deaf or hard of hearing and must be either a former or current Oklahoma interpreter certification test evaluator; one member must be an interpreter holding national or Oklahoma State Level V certification; one member will be selected at the discretion of DRS and may be from a profession other than interpreting for the deaf but must be knowledgeable of interpreter skills. The grievance board will review information presented and make a determination of the facts. Based upon this determination, the grievance board will recommend the appropriate action the Oklahoma interpreter certification program should take. Possible actions are set forth in (1) through (8) of this Subsection.

(1) The complaint be dismissed;

(2) A written warning be issued;

(3) A written reprimand be issued indicating unsatisfactory performance;

(4) Probation a trial period for a specific length of time during which the interpreter is required to fulfill a set of conditions to improve work performance or work behavior;

(5) Supervision - removal of the individual from the list of certified interpreters for a specified period of time, not to exceed six (6) months;

(6) Revocation - removal of the individual from the list of certified interpreters for an extended period or permanently;

(7) The complainant may be retested using a different evaluation team at no cost to the individual; and

(8) A change in policy or procedures in the interpreter evaluation process.

(d) The decision of the Oklahoma interpreter certification program grievance board will be reviewed by the designated interpreter certification program official who will notify all parties involved in writing of the decision within thirty (30) days. If a party is dissatisfied with the outcome of a formal hearing, an appeal may be made to the Director of the Department of Rehabilitation Services. The Director shall have forty-five (45) days to render a decision. The Director's decision shall be final.

INSTRUCTIONS TO STAFF

Designated Oklahoma interpreter Certification Program Official:

Oklahoma Interpreter Certification Program Specialist

c/o Oklahoma Department of Rehabilitation Services

5005 N. Lincoln Blvd, #205

Oklahoma City, Oklahoma 73105

Section History

7-1-94 PT Memo #94-1

 Permanent, new section

8-1-96 PT Memo #97-2

 Permanent, State Office address updated

9-12-14 Updated to reflect name change of QAST Administrators to Designated Oklahoma Interpreter Certification Program Official.

Updated to reflect name change of Assurance Test Evaluator to Interpreter Certification Test Evaluator.

2-29-24 Updated ITS #1, address revised.