

**Alabama Licensure Board for Interpreters and
Transliterators**

**Functional Analysis
&
Records Disposition Authority**

**Revision
Presented to the
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Functional and Organizational Analysis of the Alabama Licensure Board for Interpreters and Transliterators

Sources of Information

Representatives of the Alabama Licensure Board for Interpreters and Transliterators
Code of Alabama 1975, Sections 34-16-1 through 34-16-16
Alabama Administrative Code, Sections 488-X-1-.01 through 488-X-1-.13
Code of Alabama 1975, Sections 41-20-1 through 41-20-6 (Sunset Law)
Code of Alabama 1975, Sections 41-22-1 through 41-22-27 (Administrative Procedures Act)
Alabama Government Manual (2002), page 495
Alabama Licensure Board for Interpreters and Transliterators Audit Report (2000)
Alabama Licensure Board for Interpreters and Transliterators website

Historical Context

The Alabama Legislature created the Alabama Licensure Board of Interpreters and Transliterators in 1998 to license and regulate providers of services for the hard of hearing, deaf, or speech disabled. Prior to the creation of the board, no state entity regulated these service providers for the protection of consumers.

Agency Organization

The board consists of nine members appointed by the governor. Four members of the board must be certified interpreters with a nationally recognized organization, such as the National Association of the Deaf (NAD) or the Registry of Interpreters for the Deaf (RID). The Alabama Registry of Interpreters for the Deaf (ALRID) submits three nominations for each of these four positions on the board, from which the governor may make a nomination. One of these four members must work in an educational setting. Three appointments to the board are deaf or hard of hearing individuals who are knowledgeable in the field of interpreting. The Alabama Association of the Deaf (AAD) submits three nominations to the governor for each of these three appointments. The final two at-large members of the board must have an interest and experience in interpreting. Although initial appointments served two-to four-year terms to create staggered appointments, all succeeding board members fulfill four-year terms. The board meets at least twice a year, with five members constituting a quorum. It elects a chair, vice chair, and secretary, who may serve not more than two consecutive years. The board contracts with Janice Capilouto Center for the Deaf to handle clerical, financial management, and interpreting arrangements. An organizational chart is attached.

Agency Function and Subfunctions

The mandated function of the Alabama Licensure Board for Interpreters and Transliterators (ALBIT) is to license and regulate providers of services for the hard of hearing, deaf, or speech disabled. It is one of the agencies responsible for performing the Regulatory function of Alabama government. In performance of its mandated function, the Alabama Licensure Board for Interpreters and Transliterators may engage in the following subfunctions.

- **Promulgating Rules and Regulations.** In compliance with the Administrative Procedures Act (Code of Alabama, 1975, Section 41-22-3), the board adopts rules and regulations to help fulfill its regulatory function. This subfunction encompasses activities pertaining to the development of rules, regulations, and procedures for licensure.
- **Licensing.** The board issues licenses and permits to register qualified interpreters and transliterators to work within the State of Alabama. The Code of Alabama defines interpreting and transliterating as “the process of providing accessible communication between and among consumers who do not share a common means of communication. For the purposes of this chapter, interpreting means those processes known as interpretation and transliteration and includes communication modalities, including, but not limited to, visual, gestural, and tactile channels.” Both the permit and license issued by the Alabama Licensure Board for Interpreters and Transliterators allow individuals to receive remuneration for interpreting for the hard of hearing, deaf, or speech disabled; however, the denotation permit indicates that an individual has not met all of the desired standards but is still qualified to interpret with limitations. The licenses and permits must be renewed annually.

In order for a license to be approved for the first time by the Alabama Licensure Board for Interpreters and Transliterators, an applicant must submit, an application, initial fee, affidavit indicating the individual is nationally certified by such organizations as the Registry of Interpreters for the Deaf (RID) or National Association for the Deaf (NAD), and documentation of the applicant having passed a code of ethics examination approved by the Alabama Licensure Board for Interpreters and Transliterators.

In order for a permit to be approved by the Alabama Licensure Board for Interpreters and Transliterators, an applicant must submit an application, annual fee, affidavit indicating the individual has passed one of the ALBIT approved performance tests and documentation of the applicant’s having passed a code of ethics examination approved by the board. An applicant, who does not meet the requirements for a permit or a renewable permit, may apply for a one-time provisional permit by submitting, before March 15 of each year, an application, initial fee, proof of high school diploma or GED, and three letters of recommendation from Alabama licensed interpreters. The provisional permit is valid for one year from date of issue.

To renew the license annually, the licensee must submit an annual fee, along with proof of

an average of two credit hours of continuing education each year of the Certification Maintenance Program (CMP) cycle in the field of interpreting, deaf studies, deaf culture, or linguistics. Workshops approved or offered by the Registry of Interpreters for the Deaf or by Gallaudet University are automatically accepted. Other continuing education workshops must be presented for approval to the Alabama Licensure Board for Interpreters and Transliterators before renewal of license. The board has no established procedures for the acceptance of these credit hours but examines each case individually. The permit may be renewed annually by submitting an annual fee, documentation of the applicant having passed one of two approved code of ethics examinations approved by the Alabama Licensure Board for Interpreters and Transliterators, which are the Registry of Interpreters for the Deaf (RID) generalist examination or Jacksonville State University's interpreter knowledge skills assessment test. The renewal application must also include evidence of two credit hours of continuing education. An individual with a permit may apply for a license upon fulfillment of applicable regulations, which includes obtaining national certification.

The Code of Alabama, Section 34-16-4 requires that the board maintain a current roster of interpreters and transliterators who have been given a license or permit by the board.

- **Enforcing.** The board investigates alleged violations of its license and permit regulations to protect the public. Charges may be made within ninety days of the alleged violation. After a review of charges, the board conducts a hearing in which it may dismiss a charge, penalize with a fine of not more than \$1000, or suspend or revoke a license. Upon penalty of fine or the suspension of a license, the accused may present an appeal to the board within ninety days of the ruling. If no resolution is reached, the matter may be settled in the circuit court where the accused resides. The circuit court of the district in which the accused lives handles reported allegations of interpreting for remuneration without a license or permit, unless the work is done under exempt status as outlined in the ALBIT law.
- **Administering Internal Operations.** A significant portion of the agency's work includes general administrative, financial, and personnel activities performed to support the programmatic areas of the agency.

Managing the Agency: Activities include internal office management activities common to most government agencies such as corresponding and communicating; scheduling; meeting; documenting policy and procedures; reporting; litigating; drafting, promoting, or tracking legislation; publicizing and providing information; managing records; and managing information systems and technology.

Managing Finances: Activities include budgeting (preparing and reviewing a budget package, submitting the budget package to the state Finance Department; documenting amendments and performance of the budget); purchasing (requisitioning and purchasing supplies and equipment, receipting and invoicing for goods, and authorizing payment for products received); accounting for the expenditure, encumbrance, disbursement, and

reconciliation of funds within the agency's budget through a uniform system of accounting and reporting; authorizing travel; contracting with companies or individuals; bidding for products and services; assisting in the audit process; investing; and issuing bonds.

Managing Properties, Facilities, and Resources: Activities involved in managing properties, facilities, and resources may include the following: inventorying and accounting for non-consumable property and reporting property information to the appropriate authority; constructing buildings and facilities; leasing and/or renting offices or facilities; providing for security and/or insurance for property; and assigning, inspecting, and maintaining agency property, including vehicles.

Alabama Licensure Board for Interpreters and Transliterators

Board Members

Janice Capilouto Center for the Deaf staff members as assigned

Analysis of Record-Keeping System and Records Appraisal of the Alabama Licensure Board for Interpreters and Transliterators

Agency Record-Keeping System

The Alabama Licensure Board for Interpreters and Transliterators currently operates a hybrid record keeping system composed of paper and electronic records. The board predominantly uses Peachtree Accounting for the maintenance of its electronic financial records, which are backed up daily onto tapes.

Records Appraisal

The following is a discussion of the two major categories of records created and/or maintained by the Alabama Licensure Board for Interpreters and Transliterators: Temporary Records and Permanent Records.

I. Temporary Records. Temporary records should be held for what is considered to be their active life and disposed of once all their fiscal, legal, and administrative requirements have been met. Some of the temporary records created by the Alabama Licensure Board for Interpreters and Transliterators are discussed below:

- **Licensure Files.** A file is created for each individual who receives either a license or a permit from the Alabama Licensure Board for Interpreters and Transliterators. Included in this file is record of the individual's application process, in addition to annual renewal information, which includes continuing education evidence records. The board recommends a retention of five years after the licensee becomes inactive to fulfill audit requirements and for administrative purposes. After this retention, licensee information can be found in the annual roster or meeting minutes.
- **Investigation Files.** The Code of Alabama, Section 34-16-11 mandates that the board conduct a hearing after a review of charges to either dismiss charges, impose a fine, or suspend or revoke the individual's permit or license. Included in the board's investigation files are complaints, investigative findings, hearing proceedings, and final resolutions. The board recommends a retention of five years to fulfill administrative requirements. Summary information of investigations may be found in the meeting minutes.

II. Permanent Records. The Government Records Division recommends the following records as permanent.

Promulgating Rules and Regulations

- **Minutes of the Board.** Meeting minutes record the decisions and actions of the board, providing key summary documentation of the board’s operation. Meeting minutes also contain any updated additions, deletions, or amendments to the board’s rules and regulations. (RDA page 3-2) **(Bibliographic Title: Meeting Minutes)**

Licensing

- **Rosters of Interpreters and Transliterators with Current Licenses or Permits.** The Code of Alabama, Section 34-16-4 (i) mandates the board “maintain a current register of licensed interpreters and a current register of permitted interpreters.” This roster, maintained by the board in a database, provides basic information on each interpreter and is key documentation of the profession of interpreting and transliterating; thus, a copy should be printed out annually for permanent retention. (RDA page 3-2) **(Bibliographic Title: Roster of Licensees)**

Enforcing

- Permanent records providing summary documentation of this subfunction are found in the board’s meeting minutes as described in the Promulgating Rules and Regulations subfunction.

Administering Internal Operations

- **Annual Reports.** The Code of Alabama requires that the board send an annual report each fiscal year to the governor, and a copy to the secretary of state. This series provides key documentation of the proceedings of the board. (RDA page 3-3) **(Bibliographic Title: State Publications)**
- **Website.** The board has a website at www.albit.state.al.us. Information on the web includes contact information and a list of board members. Applicants may download forms to apply for or renew a license or permit. These forms also include those needed to submit continuing education requirements. The website should be preserved as it serves as an important medium for communication with the public. (RDA page 3-4) **(Bibliographic Title: Website)**

Permanent Records List
Alabama Licensure Board for Interpreters and Transliterators

Promulgating Rules and Regulations:

1. Minutes of the Board

Licensing:

1. Rosters of Interpreters and Transliterators with Current Licenses or Permits

Administering Internal Operations:

1. Annual Reports
2. Website

Alabama Licensure Board for Interpreters and Transliterators Records Disposition Authority

This Records Disposition Authority (RDA) is issued by the State Records Commission under the authority granted by the Code of Alabama 1975, Sections 41-13-5 and 41-13-20 through 21. It was compiled by the Government Records Division, Alabama Department of Archives and History (ADAH), which serves as the commission's staff, in cooperation with representatives of the Alabama Licensure Board for Interpreters and Transliterators. The RDA lists records created and maintained by the Alabama Licensure Board for Interpreters and Transliterators in carrying out its mandated functions and activities. It establishes retention periods and disposition instructions for those records and provides the legal authority for the agency to implement records destruction.

Alabama law requires public officials to create and maintain records that document the business of their offices. These records must be protected from "mutilation, loss, or destruction," so that they may be transferred to an official's successor in office and made available to members of the public. Records must also be kept in accordance with auditing standards approved by the Examiners of Public Accounts (Code of Alabama 1975, Sections 36-12-2, 36-12-4, and 41-5-23). For assistance in implementing this RDA, or for advice on records disposition or other records management concerns, contact the ADAH Government Records Division at (334) 242-4452.

Explanation of Records Requirements

- This RDA supersedes any previous records disposition schedules governing the retention of the Alabama Board of Interpreters and Transliterators. Copies of superseded schedules/RDAs are no longer valid and may not be used for records disposition.
- The RDA establishes retention and disposition instructions for records listed below, regardless of the medium on which those records may be kept. Electronic mail, for example, is a communications tool that may record permanent or temporary information. As for records in any other format, the retention periods for e-mail records are governed by the requirements of the subfunctions to which the records belong.
- Some temporary records listed under the Administering Internal Operations subfunction of this RDA represent duplicate copies of records listed for long-term or permanent retention in the RDAs of other agencies.
- Certain records and record-related materials need not be retained as records under the disposition requirements in this RDA. Such materials include: (1) duplicate record copies that do not require official action, so long as the creating office maintains the original record

for the period required; (2) catalogs, trade journals, and other publications received that require no action and do not document government activities; (3) stocks of blank stationery, blank forms, or other surplus materials that are not subject to audit and have become obsolete; (4) transitory records, which are temporary records created for short-term internal purposes that may include, but are not limited to: telephone call-back messages; drafts of ordinary documents not needed for their evidential value; copies of material sent for information purposes but not needed by the receiving office for future business; and internal communications about social activities. They may be disposed of without documentation of destruction.

Records Disposition Requirements

This section of the RDA is arranged by subfunctions of the Alabama Licensure Board for Interpreters and Transliterators and lists the groups of records created and/or maintained by the agency as a result of activities and transactions performed in carrying out these subfunctions. The agency may submit requests to revise specific records disposition requirements to the State Records Commission for consideration at its regular quarterly meetings.

■ **Promulgating Rules and Regulations**

MINUTES OF THE BOARD

Disposition: PERMANENT RECORD.

Register of Administrative Rules

Disposition: Retain in office (Code of Alabama, Section 41-22-6).

Administrative Rule Files

Disposition: Temporary Record. Retain for useful life.

■ **Licensing**

ROSTERS OF INTERPRETERS AND TRANSLITERATORS WITH CURRENT LICENSES OR PERMITS

Disposition: PERMANENT RECORD.

Licensure Files

Disposition: Temporary Record. Retain 5 years after the licensee becomes inactive.

Licensure Database

Disposition: Temporary Record. Retain until superseded or obsolete.

Unused Pre-numbered Blank Licenses

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

■ **Enforcing**

Investigation Files

Disposition: Temporary Record. Retain 5 years after the licensee becomes inactive.

■ **Administering Internal Operations**

Managing the Agency:

ANNUAL REPORT

Disposition: PERMANENT RECORD.

Sunset Committee Review Records

Disposition: Temporary Record. Retain until completion of subsequent sunset review.

Board Appointment Letters

Disposition: Temporary Record. Retain 5 years after the end of the fiscal year in which the records were created.

Routine Correspondence

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Copy of RDA

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the RDA was superseded.

WEBSITE

Disposition: PERMANENT RECORD. PRESERVE A COMPLETE COPY OF WEBSITE ANNUALLY OR AS OFTEN AS SIGNIFICANT CHANGES ARE MADE.

System Documentation (hardware/software manuals and diskettes, warranties)

Disposition: Temporary Record. Retain documentation of former system 3 years after the end of the fiscal year in which the former hardware and software no longer exists in the agency and all permanent records have been migrated to a new system.

Managing Finances:

Records documenting the preparation of a budget request package and reporting of the status of funds, requesting amendments of allotments, and reporting program performance

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting the requisitioning and purchasing of supplies and equipment, receipting and invoicing for goods, and authorizing payment for products

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records of original entry such as journals, registers, and ledgers; and records of funds deposited outside the state treasury

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting requests for authorization from supervisors to travel on official business and other related materials, such as travel reimbursement forms and itineraries

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting contracts for services or personal property

Disposition: Temporary Record. Retain 6 years after expiration of contract.

Records documenting the bid process, including requests for proposals and unsuccessful responses

Disposition: Retain in Office (Code of Alabama 1975, Section 41-16-24).

Agency Audit Reports

Disposition: Temporary Record. Retain 6 years after the end of the fiscal year in which the records were created.

Managing Properties, Facilities, and Resources:

Insurance Policies / Risk Management Records

Disposition: Temporary Record. Retain 6 years after termination of policy or membership.

Requirement and Recommendations for Implementing the Records Disposition Authority

Under the Code of Alabama 1975, Section 41-13-21, “no state officer or agency head shall cause any state record to be destroyed or otherwise disposed of without first obtaining approval of the State Records Commission.” This Records Disposition Authority constitutes authorization by the State Records Commission for the disposition of the records of the Alabama Licensure Board for Interpreters and Transliterators (hereafter referred to as the agency) as stipulated in this document.

One condition of this authorization is that the agency submit an annual Records Disposition Authority (RDA) Implementation Report on agency records management activities, including documentation of records destruction, to the State Records Commission in October of each year. In addition, the agency should make every effort to establish and maintain a quality record-keeping program through the following activities:

- The agency should designate a records liaison, who is responsible for: ensuring the development of quality record keeping systems that meet the business and legal needs of the agency, coordinating the transfer and destruction of records, ensuring that permanent records held on alternative storage media (such as microforms and digital imaging systems) are maintained in compliance with national and state standards, and ensuring the regular implementation of the agency’s approved RDA.
- Permanent records in the agency’s custody should be maintained under proper intellectual control and in an environment that will ensure their physical order and preservation.
- Destruction of temporary records, as authorized in this RDA, should occur agency-wide on a regular basis--for example, after the successful completion of an audit, at the end of an administration, or at the end of a fiscal year. Despite the RDA’s provisions, no record should be destroyed that is necessary to comply with requirements of the state Sunset Act, audit requirements, or any legal notice or subpoena.
- The agency should maintain full documentation of any computerized record-keeping system it employs. It should develop procedures for: (1) backing up all permanent records held in electronic format; (2) storing a back-up copy off-site; and (3) migrating all permanent records when the system is upgraded or replaced. If the agency chooses to maintain permanent

records solely in electronic format, it is committed to funding any system upgrades and migration strategies necessary to ensure the records' permanent preservation and accessibility.

The staff of the State Records Commission or the Examiners of Public Accounts may examine the condition of the permanent records maintained in the custody of the agency and inspect records destruction documentation. Government Records Division archivists are available to instruct the agency staff in RDA implementation and otherwise assist the agency in implementing its records management program.

The State Records Commission adopted this records disposition authority on October 26, 2005.

Edwin C. Bridges, Chairman, by Tracey Berezansky
State Records Commission

Date

Receipt acknowledged:

Cynthia Frey, Chair
Alabama Licensure Board for Interpreters and Translitterators

Date