

# Providing Access to Effective Communication

## Guide for Educational Interpreting

### The ADA, IDEA, and Rehab Act of 1973 (Section 504)

The Americans with Disabilities Act Title II regulations specifically address the obligation of school boards and local educational agencies to remove communication barriers for deaf individuals (such as **students, parents, employees, and event attendees**).<sup>1</sup>

The Individuals with Disabilities Education Act makes a free appropriate education available to children with disabilities throughout the nation and ensures special education and related services to those children.<sup>2</sup>

Section 504 of the Rehabilitation Act requires programs which receive federal financial assistance to provide accommodations to people with disabilities when necessary to ensure effective communication. Public school systems receive substantial federal financial assistance, so this law applies to them.<sup>1</sup>

### Interpreter Qualification Requirements for Virginia

Virginia Code § 8VAC20-81-40 E. 3 requires that personnel providing educational interpreting services for children using sign language shall hold:

- (a) A valid Virginia Quality Assurance Screening (VQAS) Level III; **or**
- (b) A passing score on the Educational Interpreter Performance Assessment (EIPA) Written Test along with a minimum of a Level 3.5 on the EIPA Performance Test or any other state qualification **or** national certification (excluding Certificate of Deaf Interpretation) recognized by the Virginia Department for the Deaf and Hard of Hearing as equivalent to or exceeding the VQAS Level III.
- (c) Under no circumstances shall local educational agencies or private special education schools hire interpreters who hold qualifications below a VQAS Level II, EIPA Level 3.0 or the equivalent from another state.
- (d) Interpreters hired with a VQAS Level II, EIPA Level 3.0 or the equivalent shall have two years from the date of hire to reach the required qualifications.<sup>3</sup>

### Hiring an ASL Interpreter

School districts can hire qualified interpreters directly as employees of that district, or they can use the services of interpreter referral agencies. Below are links to VDDHH's Directory of Interpreters and Directory of Services to use as a resource to help find qualified interpreters if none have been successfully hired through job postings.

- VDDHH Directory of Certified Interpreters, RID Directory of Certified Interpreters
- VDDHH Directory of Qualified Interpreters
- VDDHH Directory of Services, interpreter referral agencies on pages 22-24

Questions?

Please contact us at [isp@vddhh.virginia.gov](mailto:isp@vddhh.virginia.gov).

For a digital copy of this document with clickable hyperlinks, please use the QR code or go to <https://www.vadsa.org/apps/DocumentRepository/Viewer/fileviewer/3436>.



<sup>1</sup>Section 504 and Ada Obligations of Public Schools. National Association of the Deaf. <https://www.nad.org/resources/education/k-12-education/section-504-and-ada-obligations-of-public-schools/>

<sup>2</sup>Individuals with disabilities education act (IDEA). Individuals with Disabilities Education Act. <https://sites.ed.gov/idea/>

<sup>3</sup>Va. Code § 8VAC20-81-40 E. 3 <https://law.lis.virginia.gov/admincode/title8/agency20/chapter81/section40/>