

8 VAC 20-80-45

E. Educational interpreting services.

1. The qualification requirements for personnel providing interpreting services are as follows:
 - a. Personnel providing educational interpreting services for children using sign language shall have a Virginia Quality Assurance Screening (VQAS) Level III, any Registry of Interpreters for the Deaf Certificate (excluding Certificate of Deaf Interpretation) or any other state or national certification recognized by the Virginia Department for the Deaf and Hard-of-Hearing as equivalent to or exceeding the VQAS Level III.
 - b. Personnel providing educational interpreting services for children using cued speech or cued language shall have a Virginia Quality Assurance Screening Level III for cued speech or hold a Transliteration Skills Certificate from the Testing, Evaluation and Certification Unit (TECUnit).
 - c. Personnel providing educational interpreting services for children requiring oral interpreting shall meet minimum requirements for competency on the Virginia Quality Assurance Screening's written assessment of the Code of Ethics.
2. Personnel who provide interpreting services for children who use sign language or cued speech or cued language and who do not hold the required qualifications may be employed in accordance with all of the following criteria:
 - a. Personnel shall have a Virginia Quality Assurance Screening Level I, or its equivalent, as determined by the Virginia Department for the Deaf and Hard-of-Hearing, upon hiring date in any local educational agency in Virginia;
 - b. Personnel shall achieve the qualification requirements by the third anniversary of their hiring date in any local educational agency in Virginia; and
 - c. The local educational agency shall annually inform the Virginia Department of Education of: (i) the person's name, social security number, and hiring date; (ii) the person's progress toward meeting the qualification requirements; and (iii) the person's development plan.
3. Waiver of qualification requirements for personnel providing interpreting services.

- a. Conditions for requesting a waiver.
- (1) The local educational agency superintendent or director of a private special education school that is licensed or has a certificate to operate shall request a waiver of the qualification requirements for personnel who do not meet the qualification requirements for providing interpreting services. The request shall include a statement certifying that the local educational agency or private special education school has recruited personnel who meet the qualification requirements and has not had three or more applicants who hold at least a VQAS Level I.
 - (2) A waiver may be provided for personnel who do not hold the qualifications in subdivision 2 a of this subsection, who hold interpreting credentials from another state or have registered to take the VQAS, and who take the assessment as scheduled. The waiver shall be in place only until the local educational agency receives the notice of equivalency of the out-of-state credential or of the attainment of the VQAS level. The waiver shall not be extended if a VQAS Level I, or higher, is not obtained.
 - (3) A waiver may be provided for one year for individuals who have not attained the qualification requirements in subdivision 2 b of this subsection and who hold a VQAS Level II. This waiver may be provided for one additional year if the individual continues to hold a VQAS Level II and has shown improvement in percentage scores.
- b. Timeline for requesting a waiver. A request to waive the qualification requirements shall be submitted to the Virginia Department of Education within 30 days of the person's initial or continuing assignment to provide interpreting services, using a form authorized by the Virginia Department of Education.