

Document No. 5319  
**STATE BOARD OF EDUCATION**  
CHAPTER 43

Statutory Authority: 1976 Code Sections 59-21-510, 59-33-10, and 59-33-120

43-243.2. Educational Interpreters for Students Who Are Deaf. (New)

**Synopsis:**

The State Board of Education proposes adding R.43-243.2, Educational Interpreters for Students Who Are Deaf. This will establish the Regulation for Code of Laws Section 59-33-120.

The Notice of Drafting was published in the *State Register* on July 26, 2024.

**Instructions:**

Print the regulation as shown below.

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Indicates New Matter

**Text:**

43-243.2. Educational Interpreters for Students Who Are Deaf.

Deaf students, pursuant to an Individualized Education Program (IEP), may be afforded an Educational Interpreter to provide access to the school curriculum and environment including their extracurricular activities by transferring meaning between spoken languages and signed language in a PreK–12 educational setting, thereby providing a free appropriate public education (FAPE). Regardless of job title, this regulation applies to any individual providing such services.

I. DEFINITIONS

A. Educational Interpreter means a person who engages in the practice of interpreting pre-kindergarten through 12<sup>th</sup> grade classroom content and discourse for students who are deaf or hard of hearing regardless of the title of the position held by the person.

B. Educational Interpreting means to facilitate communication effectively and impartially between students who are deaf or hard of hearing and hearing individuals, including but not limited to administrators, staff, teachers, service providers, parents, and peers for the purpose of providing access to the educational environment, general curriculum, social events, extra-curricular activities, and other academically related activities.

C. Educational Interpreter Performance Assessment (EIPA), offered by Boys Town National Research Hospital, is a proficiency assessment for K-12 interpreting, which assesses whether the holder:

1. Has demonstrated the ability to expressively interpret classroom content and discourse;

2. Has demonstrated the ability to receptively interpret student sign language;
3. Is not limited to any one sign language or system; and
4. Is recommended to work with students who predominately use American Sign Language (ASL) and Pidgin Sign English (PSE).

D. Educational Interpreter Performance Assessment: Written Test (EIPA:WT) evaluates the interpreter's understanding of information that is critical to performing with students in an education setting. This online test contains 176 questions covering nine domains: child language development, culture, education, English, interpreting, linguistics, literacy and tutoring, professionalism, and technology.

E. Nationally recognized certification means certification granted by a national organization that is based on a skills assessment of the applicant. These organizations include, but are not limited to, the Registry of Interpreters for the Deaf, and the National Association of the Deaf.

## II. MINIMUM QUALIFICATIONS AND REQUIREMENTS FOR EDUCATIONAL INTERPRETERS

A. Beginning with the 2026-2027 school year, no local education agency (LEA) in the State shall employ, or maintain the employment of, a person as an educational interpreter unless the person demonstrates the following qualifications:

1. Documentation of the current national certification or an Educational Interpreter Performance Assessment (EIPA) rating of 3.5 or higher is required. If the interpreter has completed the EIPA Performance Assessment and is awaiting results, the LEA may wait to verify this requirement until the results are received;

2. Evidence of a high school diploma;

3. Documentation of valid, successful completion of the Educational Interpreter Performance Assessment: Written Test (EIPA: WT);

4. A sworn statement that the applicant has read, understands, and agrees to abide by the National Association of Interpreters in Education Code of Ethics;

5. A background check pursuant to Section 59-25-115; and

6. The requirement for completing a minimum of 80 hours of continuing education every four years will begin with the 2026-2027 school year.

B. Beginning with the 2030-2031 school year, no local education agency (LEA) in the State shall employ, or maintain the employment of, a person as an educational interpreter unless the person demonstrates the following qualifications:

1. Documentation of current national certification or Educational Interpreter Performance Assessment rating at or above 3.7. If the interpreter has completed the EIPA Performance Assessment and is awaiting results, the LEA may wait to verify this requirement until the results are received;

2. Evidence of completion of an associate's degree from an accredited institution of higher education;

3. Documentation of valid, successful completion of the Educational Interpreter Performance Assessment: Written Test (EIPA: WT);

4. A sworn statement that the applicant has read, understands, and agrees to abide by the National Association of Interpreters in Education Code of Ethics;

5. A background check pursuant to Section 59-25-115; and

6. Documentation of at least 80 hours every four years of continuing education.

C. Beginning with the 2034-2035 school year, no local education agency (LEA) in the State shall employ, or maintain the employment of, a person as an educational interpreter unless the person demonstrates the following qualifications:

1. Documentation of current national certification or Educational Interpreter Performance Assessment rating at or above 4.0. If the interpreter has completed the EIPA Performance Assessment and is awaiting results, the LEA may wait to verify this requirement until the results are received;

2. Evidence of completion of a bachelor's degree from an accredited institution of higher education;

3. Documentation of valid, successful completion of the Educational Interpreter Performance Assessment: Written Test (EIPA: WT);

4. A sworn statement that the applicant has read, understands, and agrees to abide by the National Association of Interpreters in Education Code of Ethics;

5. A background check pursuant to Section 59-25-115; and

6. Documentation of at least 80 hours every four years of continuing education.

D. Exceptions: Qualification requirements shall not apply to the activities and services of an interpreter intern or a student in training who is:

1. Enrolled in a program of study in interpreting at an accredited institution of higher learning;

2. Interpreting under the supervision of a qualified interpreter as part of a supervised program of study;  
and

3. Identified as an interpreter intern or student in training.

E. Continuing Education: educational interpreters are responsible for providing documentation to the LEA that employs them that demonstrates that they have met the continuing education requirements described in this regulation.

III. The South Carolina Department of Education (SCDE) shall monitor the implementation of this Regulation through an LEA staffing review process developed and implemented by the SCDE's Office of Special Education Services and shall assist in making continuing education opportunities available to educational interpreters.

**Fiscal Impact Statement:**

No additional funding is requested. The South Carolina Department of Education (SCDE) estimates that no additional costs will be incurred by the State and its political subdivisions in complying with the proposed Regulation 43-243.2.

**Statement of Rationale:**

Code of Law 59-33-120 requires the South Carolina Department of Education to establish regulations for the conditions for employment of educational interpreters for Deaf and Hard of Hearing students in our South Carolina schools.