

TITLE 33
EDUCATION

CHAPTER 13
EDUCATIONAL INTERPRETERS

33-1301. SHORT TITLE. This chapter shall be known and may be cited as the "Idaho Educational Interpreter Act."

[33-1301, added 2006, ch. 173, sec. 1, p. 531.]

33-1302. LEGISLATIVE FINDINGS. The legislature hereby finds that interpreting services in Idaho public schools, kindergarten through grade twelve (12), for students who are deaf, hard of hearing or deaf-blind need to be improved. The absence of state standards for evaluating educational interpreters allows for inconsistencies in the delivery of educational information to students who are in need of such services. The legislature recognizes that educational interpreters in Idaho public schools must not only interpret the spoken word but must also convey concepts and facilitate the student's understanding of the educational material. The legislature also finds that among the many factors that influence student success, there is a correlation between the academic achievements of deaf, hard of hearing and deaf-blind students and the competency of their interpreters. Therefore, the legislature finds that Idaho educational public policy is served by establishing standards for persons employed in the Idaho public schools as educational interpreters.

[33-1302, added 2006, ch. 173, sec. 1, p. 531.]

33-1303. DEFINITIONS. The following words and phrases used in this chapter are defined as follows:

- (1) "Board" means the state board of education.
- (2) "Bureau" means the Idaho bureau of educational services for the deaf and the blind.
- (3) "Deaf" means a person who is not able to process information aurally and whose primary means of communication is visual.
- (4) "Deaf-blind" means a person who is deaf or hard of hearing and who also has significant visual impairment or is legally blind.
- (5) "Educational interpreter" means a person employed in the Idaho public schools, kindergarten through grade twelve (12), to provide interpreting services to students who are deaf, hard of hearing or deaf-blind.
- (6) "Educational interpreter performance assessment" means a statistically valid and reliable assessment tool administered by the boys town national research hospital or its successor organization.
- (7) "Hard of hearing" means a person who has a hearing deficit, who is able to process information aurally with or without the use of a hearing aid or other device that enhances the ability of the person to hear, and whose primary means of communication may be visual.
- (8) "Interpreter education program" means a postsecondary degree program of at least two (2) years in duration that is accredited by the state board of education or an equivalent program accredited by another state, district or territory or by a professional accreditation body.
- (9) "Interpreting" means the process of providing accessible communication between and among persons who are deaf, hard of hearing or deaf-blind,

and those who are hearing. The process includes, but is not limited to, communication between American sign language or other form of manual communication and English. The process may also involve various other modalities that involve visual, gestural and tactile methods.

[33-1303, added 2006, ch. 173, sec. 1, p. 532; am. 2010, ch. 191, sec. 1, p. 405.]

33-1304. QUALIFICATION OF EDUCATIONAL INTERPRETERS. (1) Except as provided in this section, no person shall act as an educational interpreter in an Idaho public school unless the person has been qualified to do so. The person shall be qualified if the person:

- (a) Has achieved a score of 3.5 or higher on the educational interpreter performance assessment or has achieved a comparable score on an equivalent test as determined by the bureau; or
- (b) Is currently certified by:
 - (i) The registry of interpreters for the deaf;
 - (ii) The national association of the deaf at a level of III or higher;
 - (iii) The registry of interpreters for the deaf, oral transliteration for oral transliterators; or
 - (iv) The testing, evaluation, and certification unit for cued language transliterators.

(2) An educational interpreter currently employed in an Idaho public school may continue in the practice of educational interpreting without meeting the requirements of subsection (1) of this section, provided that such requirements are met on or before June 30, 2009.

(3) Effective July 1, 2009, newly hired educational interpreters who have not worked in an Idaho public school as an educational interpreter in kindergarten through grade 12 prior to the enactment of this chapter may apply in writing to the bureau for emergency authorization to work as an educational interpreter for two (2) years before being required to meet the requirements of subsection (1) of this section. An educational interpreter who has received an emergency authorization under this subsection may apply in writing to the bureau for a onetime one (1) year extension of the emergency authorization. The bureau may grant such a one (1) year extension of the emergency authorization for good cause shown.

(4) A graduate of an interpreter education program may serve as an educational interpreter in Idaho public schools for persons of school age as defined in section [33-201](#), Idaho Code, before meeting the requirements of subsection (1) of this section for one (1) year following such graduation.

(5) Educational interpreters employed by an Idaho public school must complete a minimum of eighty (80) hours of training in the areas of interpreting or transliterating every five (5) years. This training must be documented and may include home study coursework, seminars, workshops and mentoring programs.

(6) The board is authorized to promulgate rules, if applicable, to implement this chapter.

[33-1304, added 2006, ch. 173, sec. 1, p. 532; am. 2010, ch. 191, sec. 2, p. 406; am. 2020, ch. 19, sec. 1, p. 55.]