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New York Never Said Who Can Interpret

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New York defines educational interpreting services but sets no credential or score for interpreters. NDEDI's New York file shows the gap.

Contents

1. The definition that stops
2. What a posting accepts when the state sets nothing
3. How other states set a floor
4. What the file can and cannot say
5. What closes the gap
6. Sources

New York's regulations define what an educational interpreter does and never say who may do it. A Capital Region BOCES posting shows what fills that silence.

IN BRIEF

- New York's special education regulation, 8 NYCRR 200.1(nnn), defines interpreting services by type and sets no credential, assessment score or registry for the person providing them.
- A live Capital Region BOCES posting for an Educational Interpreter accepts a high school diploma, four years of experience and one college ASL course. It names no certification.
- Nebraska, Michigan, Maryland, Massachusetts and Maine each write an interpreter floor into law or rule. New York, with 3,644 students identified under Deafness or Hearing Impairment, writes none.
- The state also publishes no count of interpreters working in its schools, so no outside party can measure the gap.

New York regulates what an educational interpreter does and says nothing about who may do it. Section 200.1(nnn) of the Commissioner's regulations defines interpreting services as oral transliteration, cued language transliteration, sign language transliteration and interpreting, transcription services such as CART, C-Print and TypeWell, and special interpreting services for students who are deaf-blind. The definition ends there. It names no credential, no assessment score, no registry and no minimum level of skill, and the National Deaf Education Data Index found no Department guidance that supplies one.

The definition that stops

The Index's New York state file, version 2.0, audited all 746 education agencies in the state: 685 operating districts, New York City as one unit, 37 BOCES, the eleven state-supported and chapter 1060 schools, the two state-operated schools and four state agencies. Its workforce block asks three questions of every state: what qualification the state requires of a K-12 educational interpreter, how many interpreters work in its schools, and where they are trained. New York answers none of them on the public record. The qualification is recorded as not found, the interpreter workforce as not published, and the preparation programs as a re-run target.

The population this leaves unprotected is not small. The State Education Department's count as of 2 October 2024 identifies 1,008 students under Deafness, 2,636 under Hearing Impairment and 28 under Deaf-Blindness. Not every one of those students uses an interpreter, and the count cannot say how many do. But every one who does is placed with an interpreter whose skill the state has never defined, and only 36 of the 746 agencies the Index read publish any interpreting service or interpreter at all.

What a posting accepts when the state sets nothing

Where the state is silent, each employer writes its own floor, and the floor can sit very low. Capital Region BOCES, read on 12 October 2026, is recruiting a full-time, ten-month Educational Interpreter. The posting accepts any one of three routes: a bachelor's degree in an interpreter education program or a closely related field; an associate's degree in the same plus two years of interpreting experience; or a high school diploma or GED, four years of experience interpreting for deaf and hard of hearing people, and one college-level course in American Sign Language. It lists no certification. It does not mention the Educational Interpreter Performance Assessment, the Registry of Interpreters for the Deaf, or the National Interpreter Certification. The one screening it requires is a fingerprint background check.

None of those three routes measures whether the person can interpret. A degree shows coursework, years show employment, and a single ASL course shows that a course was taken. A district that hires through the third route has met every published requirement in New York while placing in a classroom someone whose interpreting has never been assessed by anyone. This is not a criticism of Capital Region BOCES, which published more than most. The Index found four other BOCES describing their own interpreters (Dutchess, Hamilton-Fulton-Montgomery under Co-Ser 324, Orange-Ulster under Co-Ser 714, and Monroe 1 under the title K-12 Educational Interpreter), and none of them prints a required credential either. The pattern is the state's, not the employer's.

How other states set a floor

Each of the states below writes its interpreter floor into law or rule; New York writes none. The five other states were audited in earlier releases of the Index, and each file cites the rule from the state's own code.



K-12 educational interpreter floors in six Index states

State (Index file)	K-12 educational interpreter floor	Where it sits
Nebraska (27)	EIPA 4.0; 3.5 grandfathered, 3.0 provisional	Rule 51, 010.06
Michigan (22)	EIPA 4.0 since 1 September 2016; 3.5 for substitutes	R 393.5026 and 393.5027
Maryland (20)	EIPA 4.0 educational specialty license, enacted 2023; compliance moved to 1 July 2027	2023 licensure act; Ch. 196 of 2026
Massachusetts (21)	Registry held by the Commission for the Deaf and Hard of Hearing, EIPA 3.5	MCDHH registry, 120 registrants in 2025-26
Maine (19)	State interpreter license required	32 MRSA ch. 22; MUSER
New York (32)	None found	8 NYCRR 200.1(nnn) defines the service only

Source: National Deaf Education Data Index state files 19, 20, 21, 22, 27 and 32

The comparison is not flattering to the others in every respect. Maryland's standard was enacted and then paused under pressure from school boards and superintendents, and Nebraska exempts K-12 interpreters from its commission's licensure while setting the EIPA floor in education rule. A floor on paper is not a floor in practice. But each of those states has written down a number that a parent, an advocate or an auditor can hold a district to. New York, with 3,644 students identified under Deafness or Hearing Impairment, has not.

What the file can and cannot say

The Index records the qualification as not found on the pages it read, not as an absence in law, and the distinction matters. A standard could sit in a Department memorandum, a field advisory or a contract term that is not on the public record. If one exists, it is unpublished, and a requirement that a parent cannot find is a requirement a parent cannot enforce. The correction route is open to the Department on the same terms as anyone: a citation to a rule or guidance document that sets a floor would change the finding in the next version.

The gap is not new. A 2012 survey of state interpreter rules by the University of Northern Colorado recorded a call to New York City's Office of Sign Language Interpreting Services, which said the city had its own internal screening and that New York State had no standard. The city still runs that office, and it serves the largest single share of the population: 1,931 of the 3,644 identified students, or 53.0 percent, sit in the city. Whatever screening the city applies, it is the city's own, published nowhere the Index could read, and it does not reach the other 1,713 identified students who live in the rest of the state.

The file also cannot say how many interpreters work in New York schools. The State Education Department publishes no personnel table by title, and the federal Section 618 personnel file for New York was not read in this cycle. That leaves a state with no published floor and no published count, which means no outside party can tell how many students are being served by interpreters who would not meet the floor of any other state in the table above.

What closes the gap

The fix is one sentence of regulation and one table of data, and neither appears to need new legislation: Part 200 is the Commissioner's regulation, adopted by the Board of Regents, and the table would be a Department publication. The first is a qualification added to Part 200: a minimum score on a named assessment for any person providing sign language interpreting under 200.1(nnn), with a grandfather period and a provisional tier so that districts are not left without staff overnight. Nebraska and Michigan have run tiered versions of that structure for years, and Maryland's pause shows what happens when the transition is not funded or phased: the standard is enacted and then deferred. The second is a count. The State Education Department

already publishes students by disability and district through its SEDCAR files; a companion table of interpreters by district, with their credential level, would let anyone measure the distance between the students who need an interpreter and the interpreters who can serve them.

Until either exists, the burden falls on families. A parent of a deaf child in New York can ask the committee on special education, in writing, what assessment the assigned interpreter has passed and at what score, and can ask for the answer in the IEP. The district is not required by state rule to have an answer. That is the gap, stated as plainly as the file can state it: New York funds the service and defines the service, and on the public record it sets nothing about the person who delivers it. NDEDI's state release schedule is at ndedi.org.

Sources

- National Deaf Education Data Index, New York state file version 2.0, SY 2025 (School Year 2024-2025), Novara Consulting Group LLC, DOI 10.5281/zenodo.23305369. Frame, coverage codes, workforce block, BOCES interpreter titles and the publication measure.
- New York State Education Department, SEDCAR, Students with Disabilities by Disability, County and School District, as of October 2, 2024 (dis_by_county2025.xlsx), as read and hashed in the Index file, source 2.
- 8 NYCRR 200.1(nnn), definition of interpreting services, retrieved October 12, 2026.
- Capital Region BOCES, Educational Interpreter (FT/10M Position), job posting, retrieved October 12, 2026.
- University of Northern Colorado, OSEP Project 2014, state regulations: New York, dated March 2012.
- National Deaf Education Data Index state files 19 Maine, 20 Maryland, 21 Massachusetts, 22 Michigan and 27 Nebraska, version 1.0, for the interpreter rules in the comparison table.

TIPS

Know something about a sign language AI system that the public should know? Send it to tips@novaracg.com. Every tip is read by me and kept confidential. If you work in the UK, writing to us is not by itself a protected disclosure under the Public Interest Disclosure Act 1998, so before you share employer information, check your options with Protect (protect-advice.org.uk), the free whistleblowing advice line.

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