

# Inclusive/Universal Design

## Principles

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The Principles established a valuable language for explaining the characteristics of Universal Design. They are in common use around the world, sometimes with slight modifications, primarily one or two principles grouped together.

1. **Equitable Use:** The design does not disadvantage or stigmatize any group of users.
2. **Flexibility in Use:** The design accommodates a wide range of individual preferences and abilities.
3. **Simple, Intuitive Use:** Use of the design is easy to understand, regardless of the user's experience, knowledge, language skills, or current concentration level.
4. **Perceptible Information:** The design communicates necessary information effectively to the user, regardless of ambient conditions or the user's sensory abilities.
5. **Tolerance for Error:** The design minimizes hazards and the adverse consequences of accidental or unintended actions.
6. **Low Physical Effort:** The design can be used efficiently and comfortably, and with a minimum of fatigue.
7. **Size and Space for Approach & Use:** Appropriate size and space is provided for approach, reach, manipulation, and use, regardless of the user's body size, posture, or mobility.

*Compiled by advocates of Universal Design in 1997. Participants are listed in alphabetical order: Bettye Rose Connell, Mike Jones, Ron Mace, Jim Mueller, Abir Mullick, Elaine Ostroff, Jon Sanford, Ed Steinfeld, Molly Story, Gregg Vanderheiden. The Principles are copyrighted to the Center for Universal Design, School of Design, State University of North Carolina at Raleigh [USA].*

# **State of Vermont Office of Racial Equity**

## **Language Access Planning**

### **Quick Reference Guide**

#### **Introduction**

Vermont's demographic profile is growing in richness and complexity. As is true in the rest of the U.S., Vermont's most racially and ethnically diverse age cohorts are the Millennial and Generation Z cohorts. As the State seeks to grow and diversify its population by supporting youth and young adults, it must couple these efforts with initiatives that embrace, celebrate, and support multicultural and multilingual people who are more likely to comprise the state's future residents and visitors.

#### **Main components of a standard Language**

##### **Access Plan (LAP)**

Needs assessment of the population served by the agency/organization.

Language services to be provided by the agency/organization.

Plans to notify clients of the availability of language services.

Training plans for agency employees on policies & procedures for providing language access.

Evaluation plans for monitoring & updating language access procedures over time.

## **Budgeting Tips**

Build language access into grants & applications. The federal government requires language access services for orgs that receive federal funds, so use that to your advantage when writing grant applications.

Estimate your clients' needs for language services.

Consider number of hours needed & also factor in whether the interpretation will be in-person, which may require paying for travel costs.

Costs are likely to increase immediately after implementing language access services as more people access services. Periodically re-evaluate your clients' needs.

See Appendix G of the 2023 Office of Racial Equity Language Access Report for more information.

## **Governing Laws**

Title VI of Civil Rights Act of 1964

Executive Order 13166

Equal Educational Opportunities Act, 1974

Americans with Disabilities Act

Supreme Court Rulings (e.g., **Lau v. Nichols** 1974)

## **Key Definitions**

**COMMUNICATIVE AUTONOMY:** Each person retains the ability to make informed decisions on their own behalf and communicate their feelings. Failing to maintain

communicative autonomy can have life-altering consequences, especially in medical and legal contexts.

## LANGUAGE SERVICES/LANGUAGE SERVICE

**PROVIDERS:** The provision of assistance to someone with communication access needs and notices about the availability of such services. May include use of interpreters, written or audio/visual translation, use of “I Speak” cards.

**LANGUAGE ACCESS PLAN:** A document that informs your agency/organization’s policy for providing language access services (when, why, to whom, and broad guidelines for how). Different from a Language Access Operations Manual, which provides detailed instructions and information needed to provide language services.

**“[C]omprehensive language access Services ... allow residents and visitors to expect consistent, predictable access to ... services no matter the region or agency in which they find themselves.”**

Find the full report, or watch/hear a video webinar, or read a plain-language summary in one of 15 languages by visiting <https://racialequity.vermont.gov/language-access/> .

## **Where do I start?**

Data! You'll need baseline data of who you're serving and what communication access needs they have. See Appendix C of ORE's report for an overview of VT demographic/language data. Community outreach and engagement is a key part of needs assessment and required per federal guidelines.

Staff capacity: Do you have enough staffing to meet the need?

See Appendix D of ORE's report for a model policy for State agencies. See also the Migration Policy Institute's 2022 Report appendix with list of state/municipal LAPs.

Phased strategy: What is most important to provide meaningful access to the people you serve?

Review the Four-Factor Test.

Provide a Notice of Language Assistance Services.

Make website upgrades toward language access. Google Translate is not enough! See example of good practices on websites: Vermont Legal Aid ([www.vtlegalaid.org](http://www.vtlegalaid.org)).

Perform an accessibility audit to include people who are D/deaf, DeafBlind, or Hard of Hearing.

# VCRD Universal Accessibility Panel Supplemental Information: Use of “A.I.” or Large Language Models (LLMs) for Providing Language Services

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Office of Racial Equity personnel are preparing a report summarizing the equity concerns with the use of large language models (LLMs). It will be similar to this document, but with research citations and additional resources. Check the Office of Racial Equity’s website at the end of September 2024 for the full report on LLMs and language access. Office of Racial Equity websites where the report will likely be posted: <https://racialequity.vermont.gov/reports-documents/> or <https://racialequity.vermont.gov/language-access>.

## Summary of Concerns with Technology Marketed as “Artificial Intelligence”:

Large language models (LLMs) are not capable of providing equitable language services. The following is a non-exhaustive list of concerns with the use of LLMs and Automated Speech Recognition (ASR) for providing language services.

- Current LLMs do not understand the meaning of words or concepts. They cannot translate idioms, jokes, tone, subtext, or cultural context.
- LLMs exhibit bias against “non-standard” English in all uses of LLMs. The idea of “standard” or “non-standard” English reflects a history of classism and racism in linguistics.
- Technology including LLMs and automated speech recognition reflects societal bias. Automated speech recognition is best at recognizing the speech of people who use “non-accented” North American English. “Standard” or “non-accented” English sounds like a television news broadcaster or public radio announcer.
- This bias towards “standard” North American English means automatic speech recognition does not work as well for people who speak English with a “non-standard” accent. ASR also does not work as well for people who speak a dialect of English like African American Vernacular English.
- Automated speech recognition cannot recognize or generate captions from signed language. Current ASR technology changes audio to written text. Signed languages do not generate audible information. As a result, LLMs cannot be used to provide sign language translation or interpretation.
- “Cost savings” from using automated tools instead of human language service providers means less compensation for language services providers. Many language service providers are people of color, refugees/asylees, immigrants, and/or are Deaf or Hard of Hearing. Using LLMs to replace human language service providers directly decreases their income and financial security.
- Be aware of the ethical issues with the companies producing LLMs and similar technology. Decide if you feel comfortable supporting companies



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developing LLMs given the ethical issues. Examples of ethical issues:

- Using people’s work as training data to create LLMs or other “AI” tools without compensating the authors and creators.
- Inadequately compensating people who are helping to help train algorithms – for more information, read Chapter 7. Show Your Work, “Data Feminism” by Catherine D’Ignazio and Lauren Klein. <https://data-feminism.mitpress.mit.edu/pub/0vgzaln4/release/3>

### Tips for More Ethical Use of LLMs:

If you are already using tools that incorporate large language model-based “AI Assistants” to help edit or write documents, here are some tips for more ethical use of these tools.

- Have a policy in place for when to use or not use LLMs.
- Be transparent when an LLM has been used and disclose which LLM was used.
- Human language services professionals must always check translations produced by LLMs for accuracy and cultural relevance.
- Personal relationships and trust are key to effective communication. Using an impersonal messenger means less effective communication and loss of trust in the message.