Artificial Intelligence (AI) use for Language Access, Translation, and Interpreting in MESD K-12 Education

1. Purpose

This policy establishes standards for the responsible, ethical, and legally compliant use of artificial intelligence (AI) tools in language access, translation, and interpreting services within K–12 educational settings. It is designed to:

- Ensure meaningful access to education for multilingual students and families.
- Protect student and family rights, privacy, and confidentiality.
- Maintain quality, accuracy, and cultural appropriateness in language services.
- Align AI use with professional translation and interpreting standards, including guidance from the American Translators Association (ATA).
- Reflect longstanding language access guidance in education, civil rights law, and special education statutes.

AI is a **supporting tool**, not a replacement for qualified human translators and interpreters in educational contexts.

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2. Scope

This policy applies to:

- All K–12 instructional, administrative, and family-facing communications.
- Written translation (text to text), oral interpreting (speech to speech), sight translation (text to speech interpreting), and multimedia accessibility.
- All staff, contractors, vendors, and partners who provide or manage language services.
- Any AI-powered or automated language technology used for these purposes.

3. Legal and Ethical Foundations

3.1 Title VI and OCR/DOJ Guidance

Language access obligations in K–12 education are grounded in federal civil rights law and enforcement guidance, including:

- **Title VI of the Civil Rights Act of 1964**, which prohibits discrimination based on national origin.
- **U.S. Department of Education Office for Civil Rights (OCR)** guidance affirming that failure to provide meaningful language access to English Learner students and Limited English Proficient (LEP) parents or guardians constitutes national origin discrimination.
- **U.S. Department of Justice (DOJ)** guidance on language access obligations for recipients of federal financial assistance.

Under Title VI, schools must take *reasonable steps* to ensure that communications with LEP parents and guardians are:

- Accurate.
- Timely.
- Understandable.
- Equivalent in meaning and intent to English-language communications.

The use of artificial intelligence **does not satisfy Title VI obligations on its own**. Machine-only translation or interpreting, without qualified human review, is not considered meaningful access.

3.2 Equal Educational Opportunities Act (EEOA)

The Equal Educational Opportunities Act requires school districts to take appropriate action to overcome language barriers that impede equal participation. AI tools may not be used in ways that delay, replace, or dilute required language services.

3.3 Americans with Disabilities Act (ADA) in Education

The **Americans with Disabilities Act (ADA) of 1990** and Section 504 of the Rehabilitation Act require schools to provide effective communication for students, parents, and guardians with disabilities. AI use must not impede accessibility or replace qualified services for students with disabilities (e.g., captioning, braille translation, or sign language interpreting) without human oversight.

3.4 Individuals with Disabilities Education Act (IDEA)

The **Individuals with Disabilities Education Act (IDEA)** requires schools to provide a Free Appropriate Public Education (FAPE) in the least restrictive environment. Language access must be provided for all IDEA-related processes, including:

- Individualized Education Program (IEP) meetings.
- Eligibility determinations.
- Evaluations and assessments.
- Procedural safeguards notifications.

AI may **support** documentation or drafting but cannot replace qualified human interpreters or translators in IDEA-related meetings or communications.

3.5 Professional Standards

This policy aligns with:

- American Translators Association (ATA) Code of Ethics and Professional Practice.
- Established best practices in educational interpreting and translation.
- Longstanding guidance emphasizing accuracy, completeness, confidentiality, and cultural responsiveness.

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4. Guiding Principles for AI Use

4.1 Human Accountability

- Humans remain fully accountable for all translated or interpreted content. AI cannot be used during an educational meeting as an interpreter.
- Interpreters have been, and continue to be, permitted to use tools they deem useful to prepare for interpreting sessions.

- AI-generated output must be reviewed, edited, and approved by qualified language professionals before use.

4.2 Appropriateness to Context

- High-stakes content (e.g., special education, discipline, health, safety, legal rights, enrollment, consent, and grievance procedures) **must not rely on AI**.
- AI may support low-risk, routine, or internal draft materials when human review is guaranteed.

4.3 Accuracy and Completeness

- AI tools must not omit, summarize, simplify, or alter meaning.
- Output must convey the full meaning, tone, and intent of the source message.

4.4 Equity and Cultural Responsiveness

- AI outputs must be evaluated for bias, inappropriate register, and cultural inaccuracies.
- Language choices must respect families' linguistic preferences, literacy levels, and cultural contexts.

4.5 Confidentiality and Privacy

- AI tools must comply with FERPA, ADA privacy protections, IDEA confidentiality, and state student privacy laws.
- Confidential or personally identifiable information must not be entered into AI systems that retain, reuse, or train on user data without explicit authorization.

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5. Permitted Uses of AI

AI tools **may be used** under the following conditions:

- Drafting initial translations for **non–high-stakes** written materials, followed by professional human review and editing.
- Supporting terminology consistency (e.g., glossaries, translation memory suggestions).

- Assisting qualified translators with productivity tools, consistent with ATA guidance.

In all cases, AI output must be reviewed by a qualified translator or language access professional prior to dissemination.

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6. Prohibited and Restricted Uses of AI

AI tools **must not be used** for:

- Replacing qualified human interpreters in live meetings, hearings, IEPs, or conferences.
- Providing real-time interpreting for families in instructional or decision-making contexts.
- Translating high-stakes documents without professional human review.
- Communicating directly with families through unreviewed AI-generated messages.
- Processing confidential student or family information in non-approved AI systems.

Machine-only translation or interpreting is **not considered meaningful access** in K–12 education.

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7. Translation Standards When Using AI

When AI supports translation work:

- A qualified translator must conduct full post-editing, not cursory review.
- Post-editing must meet professional quality standards, not "good enough" thresholds.
- Translators must have subject-matter competence in education, including IDEA-related terminology.
- Final translations must be equivalent in meaning, tone, and purpose to the source text.

The use of AI does not reduce timelines, compensation standards, or quality expectations for professional translators.

Note

Translation: The final translation must be compared line by line with the source document to verify accuracy and completeness.

Localization: The final localized content must be reviewed against the source document to ensure accuracy of meaning, intent, and required information.

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8. Interpreting Standards and AI

- AI tools may not be a substitute for educational interpreters.
- Automated captioning or speech-to-text may be used **only as an accommodation supplement**, not as the primary language access service.
- Any technology-assisted interpreting must be evaluated for accuracy, lag, register, and accessibility.

Human interpreters are required for:

- Special education meetings, IEP meetings, eligibility determinations.
- Discipline and due process.
- Parent-teacher conferences involving academic or behavioral decision-making.
- Health, safety, and crisis and/or emergency communication.

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9. Vendor and Tool Approval

All AI language tools must:

- Be reviewed and approved by the organization's language access, communications, and technology teams.
- Clearly disclose data usage, storage, and training practices.
- Allow opt-out from data retention where required.

Vendors must demonstrate alignment with professional translation standards and education-specific language access requirements.

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10. Training and Capacity Building

Staff involved in language access must receive training on:

- Appropriate and inappropriate uses of AI.
- Risks of overreliance on machine translation.
- Civil rights implications of language access failures, including Title VI, ADA, and IDEA obligations.
- How to request qualified translation and interpreting services.

Training should emphasize that AI is a tool—not a shortcut or substitute—for equity.

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11. Monitoring, Evaluation, and Continuous Improvement

The organization will:

- Periodically review AI use in language services.
- Solicit feedback from families, educators, and language professionals.
- Update this policy as laws, guidance, and technology evolve.

Any language access complaints or errors linked to AI use will be reviewed promptly and corrected.