

Policy on Language Access

Policy Title	Language Access
Policy #	01.111.2
Policy Owner	Office of Equal Opportunity
Contact Information	Questions regarding this policy should be directed to the Director of the Office of Equal Opportunity at (401) 874-4929
Approved By	President of the University of Rhode Island
Effective Date	December 7, 2023; Revised March 26, 2025
Next Review Date	No later than December 31, 2028
Who Needs to Know About this Policy	All Employees and University Affiliates, as well as University vendors and contractors and any other individuals benefiting from University Programs or Activities.
Definitions	<p>Employee. Any person employed by the University, including faculty and staff, regardless of the source of funds within the University.</p> <p>Hearing/Speech Impaired (“HSI”). An individual who has had a loss of hearing, e.g. is deaf or hard of hearing, and/or who is unable to speak or to speak clearly enough to be understood.</p> <p>Limited English Proficient (“LEP”). An individual who, as a result of national origin, is limited in their ability to read, write, speak, and/or understand English.</p> <p>Program or Activity. All of the operations of the University. See section 1 of this policy.</p> <p>Meaningful Access. Access to Programs or Activities and Services that are not significantly restricted, delayed, or inferior as compared to Programs or Activities provided to English-proficient persons.</p> <p>Service. A service offered by the University.</p> <p>University Affiliate. Any individual who is not a faculty member, staff, or student who otherwise has a formal relationship with the University, including but not limited to visiting scholars, visiting students, research fellows, professional program participants, club sports coaches, and volunteers as well as employees and associates of the URI Foundation and Alumni Engagement, URI Research Foundation, and members of the University of Rhode Island Board of Trustees. Vendors and contractors are not considered University Affiliates, except for those with an ongoing presence on the University campus as regular operations support staff.</p>

	University-Related Activity. Any activity undertaken by University Employees or students, by recognized student groups, or by contractors or agents of the University on behalf of the University, which relate in whole or in part to any academic, research, public service, administrative, or other function or purpose performed under the auspices of the University, or in pursuance of University employment-related obligations, University academic or curricular programs, or recognized University extracurricular activities.
Statutes, Regulations, and Policies Governing or Necessitating This Policy	<p>42 USC §2000d et seq. (Title VI of the Civil Rights Act of 1964, as amended) (“Title VI”)</p> <p>42 USC §12101 et seq. (The Americans with Disabilities Act of 1990) (“ADA”)29 USC § 794 (Section 504 of the Rehabilitation Act of 1973) (“Section 504”)</p> <p>Executive Order 13166 (Aug. 11, 2000), 65 FR 50121</p> <p>U.S. Department of Justice, Final LEP Guidance (June 12, 2002)</p> <p>Title VI guidance of each federal agency that provides Federal financial assistance to the University</p> <p>University of Rhode Island Policy on Nondiscrimination (as may be amended from time to time)</p>
Reason for Policy / Purpose	To promote meaningful access and equal opportunity for Hearing/Speech Impaired and Limited English Proficient individuals participating in University Programs or Activities and Services; set University-wide standards on how the University fulfills its organizational responsibilities and commitment to serving linguistically diverse persons; and define roles and responsibilities for all parties involved.
Forms Related to this Policy	<i>Civil Rights Complaint Form</i>

Policy Statement

The University of Rhode Island (also, “University”) is committed to maintaining an environment free from discrimination. Consistent with that commitment, the University prohibits all forms of discrimination in all University Programs or Activities and Services. No person shall be denied equal access to Services based on their ability to communicate in the English language (Limited English Proficient [“LEP”] individuals) or due to hearing/speech impairment (Hearing/Speech Impaired [“HSI”] individuals).

It is the obligation of the University and all of its component units to make good faith efforts to ensure that effective and efficient communication assistance and languages services are provided to LEP and HSI individuals. The University is committed to ensuring meaningful access and equal opportunity for qualified LEP and HSI individuals participating in Programs or Activities and Services offered by the University. Employees and University Affiliates operating on behalf of the University shall ensure meaningful language access in Programs or Activities, and Services, and must provide free language assistance services to qualified individuals.

All faculty, staff, students; Affiliates; visitors to campus; guests on campus; and the agents, representatives, and employees of vendors, suppliers, and contractors are strictly prohibited from engaging in discrimination on the basis of national origin (including language) and disability. The University will investigate all allegations of discrimination

relating to language access under the University's Policy on Nondiscrimination and will take immediate responsive action. In addressing allegations of discrimination, the University complies with Title VI, which prohibits discrimination on the basis of race, color, and national origin (including language), in Programs or Activities receiving federal financial assistance, and the ADA and Section 504, which prohibit discrimination on the basis of disability.

This policy applies regardless of an individual's race, color, ethnicity, or national origin (including language), disability status, veteran status, immigration status, or citizenship status.

1 Scope of Policy

In accordance with 42 USC §2000d-4a, Programs or Activities covered by Title VI encompass the entire institution and not just the part of the institution that receives federal financial assistance. This policy applies to all Programs or Activities carried out by the University and intends to:

- Establish effective guidelines, consistent with Title VI, the ADA, Section 504, and Executive Order 13166, for Employees and University Affiliates acting on behalf of the University to follow when providing Services to, or interacting with, LEP and HSI individuals;
- Set forth reporting obligations relating to meaningful language access as outlined in the Language Access Plan accompanying this policy; and
- Identify resources available to help Employees and University Affiliates acting on behalf of the University to comply with federal laws and regulations pertaining to meaningful access.

The focus of this policy relates to Programs, Activities, and Services offered by the University, but does not interfere with admissions eligibility standards for which English proficiency is required. The LEP focus of this policy applies to qualified LEP participants who may come into contact with University Programs, Activities, and Services. The LEP portion of this policy does not affect classroom instruction. With the exception of foreign language courses, University courses are and will continue to be taught in English. This policy does not alter the essential functions of employment positions at the University where English proficiency may be an essential function.

2 Meaningful Access

Meaningful Access is defined as access to Programs or Activities and Services that are not significantly restricted, delayed, or inferior as compared to Programs or Activities and Services provided to non-LEP or non-HSI individuals. Meaningful language access refers to language assistance that results in accurate, timely, and effective communication at no cost to the impacted individual.

Examples of meaningful language access include, but are not limited to, the following:

- Language assistive services: mechanisms used to facilitate communication with HSI or LEP individuals.
- Assistive listening devices, closed captioning, hearing or induction loops, and Communication Access Realtime Translation (CART) for HSI individuals.
- American Sign Language (ASL) Interpreter.
- Translation of written materials, which is defined as the communication of the meaning of a source-language text using an equivalent target-language text.
- Interpretation by means of a qualified interpreter. A qualified interpreter is an individual who has been assessed for professional skills, demonstrates a high level of proficiency in at least two (2) languages, and has the appropriate training and experience to interpret with skill and accuracy while adhering to industry standards.

2.1 Meaningful Language Access Under Title VI

Under Title VI, providing meaningful access to Programs and Activities might involve some combination of services for oral interpretation and written translation of vital documents, or live interactions. Title VI prohibits discrimination on the basis of national origin for LEP individuals.

2.2 Meaningful Language Access Under The ADA

The ADA requires that public entities communicate effectively with individuals who have communication disabilities. Per the United States Department of Justice Civil Rights Division, the goal is to ensure that communication with people with these disabilities is equally effective as communication with people without disabilities.

Under Title II of the ADA, public entities must provide auxiliary aids and services when needed to communicate effectively with people who have communication disabilities. Public entities are responsible for establishing effective communication rules to ensure that persons with a vision, hearing, or speech disability can communicate with, receive information from, and convey information to, the public entity.

3 Administration of this Policy and Accompanying Language Access Plan

The Director of the Office of Equal Opportunity, in consultation with the Assistant Vice President for Enterprise Risk Management and relevant campus stakeholders, is responsible for developing, publishing, and revising the Language Access Plan needed to implement this policy in compliance with applicable laws and regulations.

The training and communications plan, as well as instructions to report complaints relating to language access, and monitoring and evaluation obligations, are outlined in the Language Access Plan accompanying this policy and are under the purview of the Office of Equal Opportunity.

4 Reporting Allegations of Discrimination Under Title VI or the ADA

4.1 Internal Reporting

The University's Policy on Nondiscrimination prohibits students, Employees, contractors, Affiliates, volunteers, visitors, Service recipients, and program participants from engaging in discrimination and harassment based on an individual's race, color, creed, national or ethnic origin, gender, gender identity, or expression, religion, disability, age, sexual orientation, genetic information, marital status, citizenship status, veteran status, and any other legally protected characteristic. This prohibition applies to all Programs or Activities—including admissions and all employment actions, such as hiring and recruitment, promotion, demotion, compensation, transfers, and benefits.

Please refer to the University's Policy on Nondiscrimination and the Language Access Plan for details. For specific questions regarding this policy or its associated Language Access Plan, or to file a complaint of discrimination relating to language access, please contact:

Dorca P. Smalley, Language Access Coordinator
Director of the Office of Equal Opportunity
75 Lower College Road
Kingston, Rhode Island 02881
Dorca_paulino@uri.edu

4.2 External Enforcement Agencies

Office of Civil Rights, Region I
United States Department of Education
5 Post Office Square, 8th Floor
Boston, MA 02109-3921
(617) 289-0111

United States Equal Employment Opportunity Commission
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
1-800-669-4000

Rhode Island Commission for Human Rights
180 Westminster Street, 3rd Floor
Providence, Rhode Island 02903
401-222-2661 or 401-222-2664

U.S. Department of Agriculture
Director, Center for Civil Rights Enforcement
1400 Independence Avenue, SW
Washington, DC 20250-9410
(866) 632-9992

5 Roles and Responsibilities

5.1 Language Access Coordinator

The Director of the Office of Equal Opportunity is the University's designated Language Access Coordinator. It is the responsibility of the Language Access Coordinator to: (1) receive complaints alleging discrimination on the basis of national origin or disability under the University's Policy on Nondiscrimination; (2) investigate all complaints of discrimination; (3) oversee the application of this policy; (4) oversee the Title VI Compliance training programs; (5) identify and address any patterns or systemic problems that arise during the review of discrimination complaints relating to language access or disability status; (6) assist members of the University community in understanding that language access discrimination is prohibited by this policy; (7) answer questions about this policy; (8) work with relevant stakeholders to ensure individuals benefiting from University Programs or Activities are aware of the procedures for reporting and addressing complaints of discrimination; (9) monitor full compliance with the requirements and timelines specified in the Procedures adopted under this policy; (10) conduct periodic surveys; and (11) compile an annual report on incidents reported under the Policy on Nondiscrimination.

The Language Access Coordinator will consult with others, including the Assistant Vice President for Enterprise Risk Management, the Office of General Counsel, and relevant University officials as necessary, to carry out duties under this policy.

5.2 Administrators, Deans, and Other Managers

It is the responsibility of administrators, deans, and other managers (i.e., those that formally supervise other Employees) to:

- Inform Employees under their direction or supervision of this policy;
- Work with the Language Access Coordinator to implement education and training programs for Employees; and
- Implement any corrective actions that are imposed as a result of findings of a violation of this policy.

5.3 Employees and University Affiliates

It is the responsibility of all Employees and University Affiliates who host Programs or Activities, or offer Services, to: (1) review this policy and comply with it and (2) review the Language Access Plan accompanying this policy and comply with it.

5.4 Individuals Benefiting From Programs or Activities

It is the responsibility of all individuals benefiting from Programs or Activities and Services to: (1) review this policy and comply with it; (2) report complaints of discrimination; and (3) request a reasonable accommodation when necessary by contacting the person hosting a Program or Activity on behalf of the University.

6 Review

This policy is maintained by the Director of the Office of Equal Opportunity. The Director will review this policy regularly, in consultation with the Assistant Vice President for Enterprise Risk Management and the Office of General Counsel. The review will capture evolving legal requirements, evaluate the supports and resources available to the parties, and assess the effectiveness of the procedures accompanying this policy. The review will incorporate an aggregate view of reports, resolutions, and climate.

7 Distribution

This policy will be disseminated widely to the University community through email communication, the University's website, inclusion in orientation programs for Employees, and through other appropriate channels of communication.

Exceptions

None

Policy Review and Revisions

Policy #	Effective Date	Reason for Change	Changes to Policy
01.111.1	December 7, 2023	New policy	n/a
01.111.2	March 26, 2025	Non-Material Update at Request of OEO	Ministerial Clarifications