UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES
REHABILITATION SERVICES ADMINISTRATION

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DCL-25-01

Dear Colleagues:

As individuals with disabilities seek to achieve and excel in competitive integrated employment (CIE), assistive technology (AT), from low-tech communication aids to sophisticated software, has helped level the playing field. In addition to advances in AT, the field of vocational rehabilitation (VR) is now navigating the impact that artificial intelligence (AI)[1] can have in supporting individuals with disabilities to achieve CIE. As President Biden said in his landmark Executive Order 14110: Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence (EO 14110), responsible AI use has the potential to help solve urgent challenges, while making our world more prosperous, productive, innovative, and secure. Responsible AI use and innovation, as explained in EO 14110, involves mitigating the risks of AI in order to realize its benefits. Irresponsible or uninformed use could exacerbate societal harms such as discrimination, bias, and disempowered workers. Recognizing this risk, EO 14110 tasked the U.S. Access Board and other Federal agencies with identifying and developing possible solutions to potential or existing civil rights concerns, accessibility barriers, and risks of AI, as well as promoting and creating safe, equitable, and accessible AI.[2]

As the landscape of AI continues to evolve, I urge us all to commit to ensuring with outspoken intention that individuals with disabilities are early and active participants in AI developments. History has proven that in the technology industry's rush to be first to market, accessibility for individuals with disabilities is often an afterthought, a luxury to be added on later. In honor of October's National Disability Employment Awareness Month, I am pleased to celebrate the value and talent individuals with disabilities add to America's workplaces and economy, including instances in which AI propels such opportunity.

The purpose of this Dear Colleague Letter is to encourage states to drive responsible AI innovation focused on better serving individuals with disabilities. The Rehabilitation Services Administration has identified three ways that AI has the potential to support individuals with disabilities in achieving CIE and to solve urgent challenges in the field:

1. The VR program should intentionally support the AI literacy of individuals with disabilities and prepare interested individuals with disabilities for careers in AI.

[1] The term "artificial intelligence" or "AI" has the meaning set forth in 15 U.S.C. 9401(3): a machine-based system that can, for a given set of human-defined objectives, make predictions, recommendations, or decisions influencing real or virtual environments. Artificial intelligence systems use machine- and human-based inputs to perceive real and virtual environments; abstract such perceptions into models through analysis in an automated manner; and use model inference to formulate options for information or action.
[2] U.S. Access Board Memorandum of Understanding on Artificial Intelligence, https://www.access-board.gov/ai-mou/; retrieved October 11, 2024.

2. The VR program should be intentional in the ways it uses responsible AI to support CIE in any career field that an individual with disabilities chooses.
3. States may use responsible AI to create efficiencies in the operation of the VR program.

Intentionally Supporting AI Literacy and Preparing for Careers in AI

VR agencies should provide the services and supports necessary for individuals with disabilities to gain the technical skills to achieve CIE in AI careers, such as machine learning or systems engineering, if that is the individual's choice. VR agencies play a key role in the skills training and career development opportunities, including internships and apprenticeships, needed to prepare individuals with disabilities to be competitive in this evolving job market.

Using Responsible AI to Support CIE in Any Career Field

AI has the potential to remove longstanding barriers to CIE in self-selected careers for individuals with disabilities by providing needed accommodations and individualized support. As examples, AI-enabled software applications using speech synthesis and braille, universal design of AI tools that all employees use, and reasonable accommodations that leverage AI are now available. AI may also serve as a tool to address known challenges, offer additional support that may unlock an employee's potential by reducing unknown barriers, and create expanded opportunities for success.

Responsible AI use is already benefiting individuals with disabilities. As examples:

- The Employer Assistance and Resource Network on Disability Inclusion (EARN) article, Use of Artificial Intelligence to Facilitate Employment Opportunities for People with Disabilities, notes a variety of ways that AI can facilitate employment opportunities for individuals with disabilities.
- Representative Jennifer Wexton uses an AI voice on the floor of the U.S. House of Representatives.
- Johns Hopkins University researchers have developed a navigation system that enables blind or visually impaired users to navigate their surroundings.

Using Responsible AI to Create Efficient Program Operations

AI presents an opportunity to maximize the quality and efficiency of VR services. This can include improvements to VR counseling and case management with the support of AI. An article in The Rehabilitation Professional provides several examples, including that "AI algorithms have been shown to enhance assessment and planning, resulting in more targeted and effective service plans."[3] Washington State's Department of Social and Health Services AI chatbot tool illustrates opportunities for resources to improve customer service (DSHS' Division of Vocational Rehabilitation introduces Innovative Artificial Intelligence Tool). Other examples include remote VR service delivery (Enhancing Remote VR Services with Smart Tech and AI).

[3] Davenport, T. & Kalakota, R. (2019), as cited in Skerritt, C., & Wolstein, D. (2023). Use of Artificial Intelligence to enhance case management and job development practices in rehabilitation counseling. The Rehabilitation Professional, 31(2), 19-25.

It is critical that VR agencies, advocacy groups, and individuals with disabilities are co-creators of policies, plans, and products that impact them. Similarly, these same individuals should be involved in the ongoing refinement and implementation of these policies, plans, and products. We have urgent challenges, and the individuals who we serve can benefit from responsible AI innovation that aims to provide the support they need to be prosperous and productive. However, this will only happen if we all work together to ensure that these emerging technologies are developed and used in a safe and inclusive manner.

We expect to discuss this Dear Colleague letter and anticipate working together on responsible AI use to support individuals with disabilities in the VR program at future gatherings with stakeholders. I look forward to championing the inclusion of individuals with disabilities at the forefront of the AI revolution. May we all draw on the words of inventor Lewis Howard Latimer: "[w]e create our future, by well improving present opportunities."

Sincerely,

/s/

Danté Q. Allen
Commissioner

Enclosure

Additional Resources

- AI and Employment: Emerging Experiences and Resources in Vocational Rehabilitation (U.S. Department of Education, Vocational Rehabilitation Technical Assistance Center for Quality Employment)
- Accelerating Research on Generative Artificial Intelligence (U.S. Department of Education, Institute of Education Science)
- Accessible & Inclusive Technology (U.S. Department of Labor, Office of Disability Employment Policy)
- Algorithms, Artificial Intelligence, and Disability Discrimination in Hiring (U.S. Department of Justice)
- Blueprint for an AI Bill of Rights (The White House)
- Let's Explore the Emergence of Artificial Intelligence Work Tools (U.S. Department of Health and Human Services, The Disability Employment Technical Assistance Center)
- Tips for Workers: The Americans with Disabilities Act and the Use of Software, Algorithms, and Artificial Intelligence (The U.S. Equal Employment Opportunity Commission)