



INTERNAL MANAGEMENT POLICY & PROCEDURE


Applicability: Adult Operation Only JUVENILE Operations Only DEPARTMENT-WIDE

IMPP #: 10-138D

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PROGRAMS AND SERVICES: Assistance for Residents and/or Victims with Limited English Proficiency

Original Date Issued: 02-01-16 Replaces IMPP Issued: 02-01-16 CURRENT EFFECTIVE DATE: 02-07-23

Approved By:  , Secretary Next Scheduled Review: 02/2026

POLICY

Staff within the Kansas Department of Corrections shall take all reasonable steps to provide Limited English Proficient individuals with meaningful access to Departmental facilities, programs, activities, and information. KDOC staff shall ensure that language or other communication barriers do not prevent staff from communicating effectively with LEP residents, detainees, and others to ensure safe and orderly operations. Limited English proficiency will not prevent residents, detainees, victims, or parolees from accessing important programs and information; understanding rules; participating in proceedings; or gaining eligibility for parole, probation, treatment programs, alternatives to revocation, or classifications.

DEFINITIONS

Bilingual Staff: Individuals who are proficient in English and another language and who communicate directly with an IWLEP in their common language. This term is intended to be read broadly to include individuals who are proficient in multiple languages.

Frequently Encountered Language: A language other than English that is the primary language of five percent (5%) or more of the designated target populations accessing any KDOC service.

Individual With Limited English Proficiency (IWLEP): Someone who, while in the process of learning English, may have difficulty in reading, speaking, and/or understanding certain basic elements of the English language. An individual's limited English proficiency may be context specific – an individual may have sufficient English language skills to communicate basic information (name, address etc.) but may not have sufficient skills to communicate detailed information (e.g., medical information, eyewitness accounts, information elicited in an interrogation, etc.) in English.

Interpretation: The unrehearsed transmitting of a spoken or signed message from one language to another.

Interpreter Services: The services provided by professional, competent interpreters.

Translation: Converting written text from one language into written text in another language. The source of the text being converted is always a written language.

Translator Services: The services provided by professional, competent translators.

PROCEDURES

I. Determination of Population to be Served

- A. Staff of each KDOC facility and each parole field office shall, to the extent possible, attempt to determine the identity of any resident held within the facility or offender served by the parole field office who may be included within the definition of IWLEPs as set forth within this policy.
 - 1. Procedures shall be put in place within each facility and parole field office to identify new arrivals and/or additions to caseloads that may fit the definition of IWLEPs set out above.
 - 2. Procedures shall be put in place to identify related non-resident individuals, such as resident family members, and/or visitors, etc., who may require the provision of linguistic services.
- B. Staff throughout the KDOC shall, to the extent possible, attempt to determine the identity of any victim, community member or other individual seeking services from the agency who may be included within the definition of IWLEP as set out above.

II. Identification of Critical Areas of Interaction with IWLEPs

- A. Staff shall endeavor to determine the frequency of contact that the different aspects of the agency's programs and activities have with IWLEPs, or would have if IWLEPs were afforded access to those programs, services, and/or activities.
 - 1. The nature and importance of the various aspects of the agency's programs and activities should be determined with a focus on prioritizing assistance to IWLEPs in achieving access to those services deemed most important for their identified needs.

III. Identification of Resources

- A. Based upon their identification of the client base to be served, and the programs and activities to be given priority for access, staff shall determine the most cost-effective means of providing necessary linguistic services to affected IWLEPs.
 - 1. Such linguistic services shall be given priority in terms of placement within agency budgets, and shall be operated continuously throughout the budgetary cycle.

IV. Translator and Interpreter Services

- A. KDOC staff may utilize one (1) of the following options for oral interpretation:
 - 1. KDOC bilingual employee.
 - 2. Outside interpreter service.
 - a. The department has established access codes and interpretations services with Language Line. The access codes and instructions for Language Line are located on the Power DMS site under Interpreter Services.
- B. The agency shall not rely on resident interpreters, resident readers, or other types of resident assistants during investigations of sexual violence, staff sexual misconduct, or sexual harassment, except in limited or exigent circumstances, where an extended delay in obtaining an effective interpreter could compromise the resident's safety, the performance of first-response duties, or the investigation of the allegation(s).

- V. **This IMPP must serve as final policy in all departmental facilities, and no General Orders shall be developed or implemented on this subject.**

NOTE: The policy and procedures set forth herein are intended to establish directives and guidelines for staff, residents, and residents and those entities that are contractually bound to adhere to them. They are not intended to establish State created liberty interests for employees, residents, or residents, or an independent duty owed by the Department of Corrections to employees, residents, residents, or third parties. Similarly, those references to the standards of various accrediting entities as may be contained within this document are included solely to manifest the commonality of purpose and direction as shared by the content of the document and the content of the referenced standards. Any such references within this document neither imply accredited status by a Departmental facility or organizational unit, nor indicate compliance with the standards so cited. The policy and procedures contained within this document are intended to be compliant with all applicable statutes and/or regulatory requirements of the Federal Government and the state of Kansas. This policy and procedure is not intended to establish or create new constitutional rights or to enlarge or expand upon existing constitutional rights or duties.

REPORTS

None.

REFERENCES

None.

HISTORY

02-01-16 Original
01-04-19 Policy Memorandum 1
02-07-23 Revision 1

ATTACHMENTS

None.