DEPARTMENT OF CORRECTIONS

Limited English Proficiency (LEP)

Date: 03/13/2024

To: Wardens, Associate Wardens, Captains, Lieutenants, Directors, field services, Risk Assessment, Community Notification, Reentry, and Hearing Release Unit, Managers, and Supervisors

From: Safia Khan, Deputy Commissioner and Nanette Larson, Deputy Commissioner

RE: Statutes Update and Resource Guide

Background: During the 2023 legislative session, the legislature passed Minn. Stat. § 241.021 subd. 4e requiring the Department to take reasonable steps to provide meaningful access to programs and services to LEP individuals. Any individual who does not speak English as their primary language and has limited ability to read, write, speak, or understand English can be limited English proficient or "LEP." The new law requires the DOC to develop written policy and annual training to implement language access for LEP individuals.

LEP is considered in connection with Title VI of the Civil Rights Act of 1964 that prohibits discrimination in federally assisted programs pertaining access to service, benefit, or encounter. In addition, Executive Order 13166 mandates that state agencies develop and implement a system focused on language access. Federal and state laws already mandate state agencies to establish and implement procedures to review, assess, and provide meaningful access to programs and services to individuals who have limited proficiency in English.

Resources: This memo provides an update on Limited English Proficiency (LEP) requirements in accordance with the new law and federal and state mandates. Please review the attached documents and disseminate to all staff. Meanwhile, DOC policy and records staff are working to identify additional ways to support staff in complying with this new law, including information sharing and policy development. More information will be shared as this work continues. In addition, the Equity, Inclusion, and Access (EAI) Unit will be offering training opportunities on this topic in Summer of 2024.

Attached are two resource documents:

- Copy of Sec. 6. Minnesota Statutes 2022, section 241.021
- Language Access Best Practices

Thank you for your work to ensure that individuals with limited English proficiency have meaningful access to all DOC services and programs.

CC: Mai Vang, Director of Equity, Access, and Inclusion
Amy Lauricella, Director of Policy and Rulemaking