



***Department of Adult Correction
Policy and Procedure***

Policy Name:	Language Access Program
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Division:	Workforce Management
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I. PURPOSE

The purpose of this policy is to ensure that offenders with Limited English Proficiency (LEP) or those who speak Languages Other Than English (LOTE) have equal access to services, programs, and activities in their preferred language within the North Carolina Department of Adult Correction (DAC). It extends this access to offenders’ families and the public, promoting equitable communication and participation.

II. APPLICABILITY

This policy applies to all DAC Divisions.

III. DEFINITIONS

A. DAC Americans with Disabilities Offender Services Office (DAC ADA Office)

A section within Operations that manages interpretation and translation services for offenders in custody and under community supervision.

B. DAC Language Access Lead

An employee who directs language access initiatives across all DAC work locations, overseeing programs and resources, guiding Language Access Liaisons, and reviewing third-party service providers to ensure effective implementation of language access throughout DAC.

C. DAC Work Locations

Any facility, office, site, or other location where DAC employees engage in DAC business related activities.

D. Digital Language Access

The ability for individuals to obtain and utilize translated language-related information, services, and resources through digital platforms such as websites, apps, and online tools.

E. Interpretation

The act of listening to communication in one language and orally converting it to another language while retaining the same meaning.

F. Language Access

The process of ensuring that LOTE or LEP individuals have access to vital documents and services in a language they can understand, either through interpretation or translation services.

G. Language Access Liaison

Employees that support the DAC Language Access Lead to coordinate and implement language access across DAC.

H. Language Access Plan

A management plan that outlines the tasks and priorities necessary to ensure individuals who are LEP or LOTE can access services and participate fully, in compliance with DAC's language access standards.

I. Languages Other Than English (LOTE)

Individuals who speak, read, write, or understand a language other than English while still maintaining proficiency in English. These individuals may not need additional language access services if their preferred language is English.

J. Limited English Proficiency (LEP)

Individuals whose primary language is not English and who have a limited ability to read, speak, write, or understand English, and have a preferred language other than English. These individuals require language access services to ensure proper understanding of information.

K. Meaningful Language Access

The ability to receive information and to participate in and benefit from public services offered by DAC.

L. Multilingual Employee

An employee who has demonstrated proficiency in English and at least one other language, as recognized by the Department, in reading, writing, speaking, or understanding.

M. Non-English-Speaking Offender

Any offender who is unable to speak or understand English well. Such offenders may have no understanding of English, a moderate understanding, or varying levels of proficiency.

N. Preferred Language

The language a person chooses to use for communication, based on comfort or proficiency.

O. Qualified Interpreter

An employee or other person who is approved or certified as qualified to provide oral interpretation between speakers of different languages. Interpretation services may include the use of approved multilingual employees, professional telephone interpreter services, or in-person interpreters from external vendors through the DAC ADA Office.

P. Translation

The replacement of written text from one language into an equivalent written text in another language.

Q. Vital Information

Any material created by DAC, regardless of format, that is intended to inform or guide offenders, their families, or the public about applying for benefits, accessing services or programs, eligibility, participation, rules, requirements, requirements, events, or instructions. This includes documents, notices, advertisements, and forms that are essential for understanding and engaging with DAC resources and services.

R. Simple Language

The use of clear and straightforward words and phrases that are easily understood by individuals with varying levels of literacy or language proficiency. It avoids complex jargon, technical terms, and ambiguous language to ensure that information is accessible to all individuals, regardless of their background.

IV. POLICY

A. DAC is committed to providing equitable access to services for all LEP and LOTE individuals by implementing language access services. DAC employees are responsible for ensuring that these individuals are provided with the necessary language assistance, facilitating meaningful access to services, programs, and activities.

B. Language Access Services

1. DAC shall provide qualified and/or approved interpreters for in-person, over-the-phone, and video communication as needed, ensuring effective interpretation during critical interactions. Approved services are available on the [Language Access Office page](#).
2. Vital documents shall be translated into the languages most commonly spoken by LEP individuals, with an emphasis on those languages most frequently requested, such as Spanish.
3. The DAC website shall use the Google Translate feature in as many areas as possible to ensure language accessibility for vital information. Online forms and PDFs shall also be translated to the extent possible.

C. Language Access Plan

DAC employees shall follow procedures outlined in the [DAC Language Access Plan](#) when providing language assistance services. This includes the use of approved interpretation and translation services, identification of language needs, and documentation of language assistance requests.

D. Identification of Language Needs

1. DAC employees shall use approved tools such as the [Point to Your Language list](#) to identify language needs during interactions with offenders and their families.
2. Language needs shall be recorded, tracked, and analyzed in collaboration with the DAC ADA Office and the Language Access Lead to inform future improvements in service provision.

E. Training

DAC shall provide ongoing training to all employees based on their individual roles and needs to ensure they are equipped to request and use interpretation/translation services and are aware of the available resources. Newly hired employees shall receive training at new employee orientation on available language access resources. Annual training shall be provided for existing employees to ensure effective implementation of the policies and procedures.

F. Monitoring, Evaluation, and Annual Evaluation

Based on the annual evaluation, the Language Access Lead shall ensure the Language Access Plan is reviewed and revised as needed to ensure continued compliance with federal and state laws, as well as to meet the evolving language needs of LEP individuals. All revisions will be documented and communicated to employees.

G. Notification of Services

Digital Language Access shall inform offenders, families of offenders, and the general public about available language access services through the use of digital media, websites, apps, and online tools. Other digital resources shall include multilingual websites, digital brochures, and translation applications, all of which aim to enhance information accessibility for people, regardless of language disparities.

H. Facility Incidents

In the event of an incident at a facility that results in the threat of harm or imminent danger, once order has been restored, an interpreter shall be made available to provide simple language access to the offenders in need. Translations and interpretation services shall be provided to ensure clear communication and understanding with offenders, their families, and the public, regardless of language barriers.

I. Identification of Preferred Language for Institutions

1. The preferred language of the offender shall be used for all communication, both verbal and written, to ensure full understanding of their responsibilities, obligations, and relevant information. All materials, including forms, notices, and educational content, shall be provided in the offender's preferred language to ensure meaningful access to services, programs, and compliance with policies.
2. Non-English-Speaking Offender Program
 - a) The Deputy Secretary of Institutions or designee shall designate certain facilities to be housing locations for those offenders unable to speak or understand English. All non-English-speaking offenders shall be assigned to these facilities unless the designated facilities cannot satisfy the security, treatment, or other needs of the non-English-speaking offender.
 - b) Institutions that are designated for housing non-English-speaking offenders shall provide language access services to meet the needs of this population, to include the following at a minimum:
 - i. Facility signs that provide information and directions to the offender population shall be posted in English, Spanish, and other languages as needed.
 - a. Additionally, language access service signs shall be posted at all facilities to ensure comprehension and access to services. The Language Access Lead shall provide guidance regarding requirements for language access service signs.
 - ii. The case manager of a non-English-speaking offender shall take the action necessary to help the offender understand the information being communicated in official memoranda that are posted on offender bulletin boards. When possible, multilingual case managers shall be made available to assist these offenders, ensuring effective communication and understanding in their preferred language.
 - iii. English as a Second Language (ESL) courses shall be provided at the designated facilities on a full-time or part-time basis. These courses can be provided through the North Carolina Community College System or through contractual services with an individual instructor.
 - iv. Case management services for non-English-speaking offenders should include assignment to a case manager who has the ability to communicate in other languages or who has access to employees or language access services which will enable effective communications. Case management services for non-English-speaking offenders will have the goal of bridging any language barrier to facilitate a clear understanding by the offender of all requirements and awareness by employees of the needs of the offender.

- v. Programs and services comparable to services provided to English speaking offenders should be provided to non-English-speaking offenders. At a minimum, all non-English-speaking offenders shall receive primary services.

J. Identification of Preferred Language for Community Supervision

1. The preferred language of the offender shall be used for vital communication, both verbal and written, to ensure full understanding of their responsibilities, obligations, and relevant information. Vital material, including forms, notices, and educational content, shall be provided in the offender's preferred language to ensure meaningful access to services, programs, and compliance with facility policies.
 - a) If the offender's preferred language has not already been identified by Institutions, the employee completing the intake process shall input the offender's preferred language into the OPUS 'Maintain Offender' page.
 - b) If an offender's preferred language is identified after the intake process, the Probation/Parole Officer shall enter the offender's preferred language into the OPUS 'Maintain Offender' page.
2. Supervision of Limited English Proficient Offenders
 - a) Probation/Parole Officers shall implement language access protocols to ensure clear communication (to include a full understanding of the requirements of supervision) between themselves and the LEP offenders they supervise.
 - b) The Judicial District Manager and/or designee will ensure that all employees understand how to access language services through the DAC ADA Office.
 - c) The supervising officer of an LEP offender shall take the necessary action needed to help the offender understand the vital information being communicated pertaining to their supervision. In addition, the officer will make all reasonable efforts to assist LEP offenders in any aspect of case management.
 - d) Community Supervision will only authorize the use of interpreters approved by the North Carolina Administrative Office of the Courts, approved telephonic interpretation services, and DAC ADA Office approved services.
 - e) Local resources speaking Languages Other Than English (LOTE), including but not limited to employees, law enforcement, treatment providers, community advocacy groups, non-profit organizations, faith-based organizations, etc. may be used for general communication.
 - f) Family members, friends, acquaintances, or minors shall not be used for interpretation of official matters, especially when they involve significant consequences such as the offender's due process or treatment services. An interpreter will be provided to ensure accurate communication; however, the family member or relative may remain present.

- g) During the case planning process, LEP offenders will be made aware of ESL classes, either at their current location or virtually. However, this will not affect the offender's status or supervision.
 - h) All case management and supervision requirements shall be documented in case narratives.
- K. All Other Divisions
- 1. Internal Communication with Offenders
 - a) Employees shall be trained to recognize and address language needs, utilizing available resources such as interpreters, translated materials, and technology tools to facilitate communication with LEP offenders. Training will be provided through the Language Access Lead and the Office of Staff Development and Training (OSDT).
 - b) The DAC Communications Office shall coordinate with the Language Access Lead to ensure that all employees are informed about language access policies and procedures to provide consistent and equitable services to offenders.
 - c) All employee should use approved translated documents to provide vital information about programs, rules, and regulations. Employees may also request additional items to be translated into needed languages by submitting a request through the DAC ADA Office.
 - 2. External Communication with Families of Offenders and the Public
 - a) To ensure families of LEP offenders, as well as members of the public who are LEP, are fully informed, DAC shall communicate the availability of language access services, including interpreters, translated documents, multilingual signage, brochures, and digital platforms. Additionally, DAC shall ensure that key information such as policies, procedures, and on-demand interpretation services are provided in languages other than English as needed, to ensure clear understanding and access.
 - b) DAC shall provide information on its public facing website in simple language, allowing families of LEP offenders, as well as members of the public who are LEP, to easily utilize the Google Translate feature on as many items as possible. Additionally, vital information and translation requests will be translated to ensure clear understanding and access to essential resources.
 - i. Employees may request additional items to be translated into needed languages by submitting a request through the Language Access Lead.

V. ROLES AND RESPONSIBILITIES

A. DAC Employees

1. Identify and respond to the language needs of LEP individuals they serve.
2. Follow established procedures for requesting interpretation or translation services when interacting with LEP or LOTE individuals.
3. Participate in any required training on the Language Access Plan and maintain familiarity with language access procedures.
4. Provide feedback on language access processes and report to supervisors or the Language Access Lead any barriers or challenges encountered during service delivery.
5. All employees should use approved translated documents to provide vital information about programs, rules, and regulations. For internal language access services for offenders, employees should contact the DAC ADA Office. External language access requests for the families of offenders and the public should be directed to the Language Access Lead.

B. DAC Language Access Lead

3. Ensure that all procedures within the Language Access Plan are followed, and that employees receive the necessary guidance and resources to support compliance.
4. Oversee compliance with this policy, including monitoring the effectiveness of language access services and addressing complaints or requests for language assistance.
5. Ensure an evaluation of the Language Access Plan is conducted annually, tracking the frequency of interpretation and translation requests, reviewing demographic changes, and assessing feedback from employees and LEP individuals to identify any necessary improvements or changes. Lead the revision process as needed to reflect updated needs and legal requirements.
6. Ensure training and support is provided to employees at intake facilities concerning the process of identifying an offender's preferred language and entering it into OPUS.
7. Implement, monitor, and revise the Language Access Plan.
8. Ensure compliance with federal and State language access laws and DAC policies.
9. Direct the development and implementation of language access services, including interpretation, translation, and employee training.
10. Serve as the primary point of contact for language access-related inquiries.

11. Collaborate with all DAC Divisions and Sections to ensure the consistent application of language access procedures and promote awareness of available resources.

C. Language Access Liaisons

1. Support and assist the Language Access Lead in coordination and implementation of language access across DAC.
2. Collaborate with the DAC ADA Office to ensure timely submission and return of all language access requests.
3. Assist the Language Access Lead in developing language access training opportunities, providing additional tools, training, and resources as needed, and offering guidance on best practices for language access.
4. Track language assistance requests and report data to the Language Access Lead for monitoring and evaluation purposes.
5. Identify language access needs within their Division or Section and ensure the availability of appropriate language resources.
6. Participate in language access training and assist in training employees in their Division or Section on how to properly engage with LEP individuals.

D. Supervisors and Managers

1. Ensure their employees comply with the Language Access Plan and policy and are equipped to assist LEP individuals.
2. Ensure employees are aware of language access procedures and resources, including how to request interpretation and translation services.
3. Monitor language services and address any deficiencies or non-compliance.
4. Report language access challenges or successes to the Language Access Lead for further action.
5. Designate an employee to attend the Volunteer Language Access Team meetings every two months to stay updated on the latest guidance and developments.
 - a) Institutions: At minimum, each facility shall designate one representative.
 - b) Community Supervision: At minimum, each Judicial District Manager shall designate one representative per District.

- c) All other Divisions: Each Chief Deputy Secretary, Senior Deputy Secretary, Chief Human Resources Officer and General Counsel shall designate at least one representative from their respective group.

VI. PROCEDURES

A. Institutions – Screening

1. All intake facilities shall ask offenders for their preferred language using the DAC-approved Point to Your Language list. Once the preferred language is identified, it shall be entered into OPUS under the 'Preferred Language' drop-down menu. This process ensures that information is provided in the appropriate language to the offender for full comprehension throughout the offender's stay.
2. Offenders who are observed to have difficulty understanding or speaking English shall be screened by use of a DAC approved screening instrument. For new admissions, the screening will occur in the diagnostic center. For offenders who have completed diagnostic processing, the screening will be conducted at the facility by program or educational staff.
3. Offenders who are determined by the screening instrument to be unable to speak or understand English shall be identified in the OPUS record as non-English-speaking.
 - a) Admissions Technicians shall enter the offender's preferred language during admission technician processing into OPUS online which populates the OPUS demographics page.
 - b) If the offender's preferred language has not already been identified by the Admission Technician, the Case Analyst shall input the offender's preferred language during case analyst processing into OPUS online which populates the OPUS demographics page.
 - c) If the offender receives a passing score on the screening instrument, pass is entered in the OPUS field and the offender is assigned to any facility appropriate to the offender's custody and assignment needs.
 - d) If the offender makes a failing score on the screening instrument, fail is entered in the OPUS field and the offender is assigned to a facility designated to house non-English-speaking offenders.
4. When identified as non-English-speaking, offenders should be transferred to a facility designated to house non-English-speaking offenders. Following transfer to the designated non-English-speaking housing facility, the non-English-speaking offender shall be assigned to special case management services for non-English-speaking offenders and will be placed in the ESL course as a primary assignment.
5. Non-English-speaking offenders are to be assigned, whenever possible, to available jobs, programs and services that satisfy the requirements of the facility and the essential needs of the offender.

6. Non-English-speaking offenders will remain in ESL courses and at the designated facility until a screening determines the offender has a basic ability to understand and communicate in English.
7. When offenders have gained the ability to understand and communicate in English an entry shall be documented in the OPUS record and the designation as non-English-speaking shall be removed.
 - a) Efforts shall be made to prevent large numbers of former non-English-speaking offenders from being assigned to the same facility if such assignments would cause problems with security risk groups or for other reasons.
8. Facilities designated as non-English-speaking offender housing locations and other facilities as necessary can employ interpreters to facilitate effective communication with offenders who cannot speak or understand English. The use of volunteers, paid interpreters, or associations is permitted.
9. All facilities as necessary can access the interpreter services offered through an approved DAC interpreter service which shall be maintained by DAC through vendor contract. This service provides third party interpretation over the telephone and can be used by employees who need to communicate with any non-English-speaking offender.
10. Actions shall be taken to help non-English-speaking offenders understand classification and disciplinary decisions and to give them the same opportunity for comment and input as are English-speaking offenders.
11. Case managers for non-English-speaking offenders should provide to the extent reasonably possible an orientation for non-English-speaking offenders that communicates essential information about security boundaries and issues, daily schedules and access to medical, mental health, crisis intervention and other services (5-ACI-3C-03, 5-ACI-5A-04, 5-ACI-6A-01).
12. The Non-English-Speaking Offender Program shall be coordinated at designated facilities by employees designated by the facility Warden and will be managed by DAC Education Services.

VII. REFERENCES

- A. [DAC Language Access Plan](#)
- B. [Point to Your Language](#)
- C. [Language Access Office](#)