

DET Policy on Translation of Vital Documents

Background:

This policy ensures the systematic review of all DET forms and publications, to determine whether they are vital documents or not. This policy is in keeping with the department's agreement, which by accepting federal funds, states that we will ensure language (equal) access by Limited English Proficient (LEP) customers to all programs and services funded by such funds.

Policy:

- All DET created forms and publications will be reviewed to determine if they meet the definition of vital documents.
- All documents identified as vital will be translated into, at minimum, Spanish and Hmong. (Additionally, other translations will be considered based upon the population guidance, offered by U.S. Department of Health and Human Services (DHHS), Office of Civil Rights).
- The translated version of these documents will be available to customers, within 30 days of the publication of the document in English.

Definition: Vital Documents - A document, paper or electronic, that contains information that is critical for accessing the provider/agency services and/or benefits; letters or notices that require a response from the customer; and documents that inform customers of free language assistance.

Requirement for Translation of Vital Documents: Under the "Safe Harbor" guidance all recipients of federal and/or state funds are required to provide written translations, free of cost to the customer, for all documents identified as vital. These written translations must be provided for each eligible language group that constitutes at least 5% or 1,000 LEP individuals, whichever is less, of the population of persons served or likely to be served by programs in the service area. DET is responsible for the costs related to translation of vital documents that are issued by the Division.

If there are fewer than 50 persons in a language group, the funding recipient is not required to translate document in writing but is required to provide written notice, in the primary language of the LEP group/customer of their right to oral interpretation of those written materials, free of cost to them.

NOTE: A document would also be required to be translated if the information contained in the document is designed to help raise awareness about available program and services, to ensure equal access.

References:

- [Executive Order 13166](#) (Improving Access to Services for Persons with Limited English Proficiency)
- [Title VI: Civil Rights Act of 1964](#)