

 <p style="text-align: center;">DIVISION OF ADULT INSTITUTIONS</p> <p style="text-align: center;">POLICY AND PROCEDURES</p>	DAI Policy #: 300.00.36	Page 1 of 18
	Original Effective Date: 11/22/24	New Effective Date: 11/22/24
	Supersedes:	Dated: 00/00/00
	Administrator's Approval: Sarah Cooper, Administrator – 11/22/24	
	Required Posting or Restricted: <input checked="" type="checkbox"/> PIOC <input checked="" type="checkbox"/> All Staff <input type="checkbox"/> Restricted	
Chapter: 300 Administration		
Subject: Hearing Disabilities: Identification, Documentation and Provision of Accommodations		

POLICY

All Division of Adult facilities shall ensure PIOC who are deaf and/or hard of hearing are identified, documented and provided access to a qualified interpreter or other appropriate auxiliary aids and services to ensure effective communication and the equal opportunity to participate in services, programs and activities.

REFERENCES

DAI Policy 300.00.35 - Americans with Disabilities Act

DAI Policy 303.72.01 - Establishing Restitution for Disciplinary Dispositions

DAI Policy 500.30.49 - Initial Health Assessment

Settlement Agreement Between the United States of America and Wisconsin Department of Corrections under the Americans with Disabilities Act-DJ# 204-85-131

DEFINITIONS, ACRONYMS, AND FORMS

ACP - Advanced Care Provider

ASL - American Sign Language

Audiogram - A test recorded on a graph showing how loud sounds need to be for an individual to hear at different frequencies.

Auxiliary Aids and Service - Aids and services that include but are not limited to qualified interpreters or means to make aurally materials available to PIOC with hearing impairments such as hearing aids, assistive listening systems, closed caption decoders, open and closed captioning TDDs, or TTYs, written materials, as well as videophones, access to telephone relay services and visual alert or alarm systems.

BHS – Bureau of Health Services

Communication Plan – The individualized description of accommodations, including appropriate auxiliary aids and services that shall be provided to each incarcerated individual with hearing disabilities to ensure effective communication and access to programs, services, facilities and activities. The communication plan is based on information collected at Intake, and/or from the secondary hearing assessment. It is

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developed in coordination with the ADA Compliance Director and the facility ADA Coordinator.

Critical Interactions - Those interactions in which the risk of miscommunication or misunderstanding are high and the consequences may have serious repercussions for PIOC with hearing disabilities. Examples include, but are not limited to: medical and psychological care and appointments; disciplinary investigations and hearings; interviews or proceedings regarding protective custody, educational programs; transfer and classification meetings; release planning; religious services; prison job responsibilities; and meetings with the facility ADA Coordinator to discuss auxiliary aids and services involving the communication plan.

DAI – Division of Adult Institutions

DOC - Department of Corrections

DOC-3035 – Health Service Request and Copayment Disbursement Authorization

Effective Communication – Communication with individuals who have hearing disabilities that is as effective as communication with others. This is achieved by furnishing appropriate auxiliary aids and services where necessary to afford qualified individuals with disabilities an equal opportunity to participate in or benefit from the services, programs or activities of a public entity.

Electronic Medical Record (EMR) – Encompasses the software system used by DOC which contains PIOC health care records.

FCC – Federal Communications Commission

HCR – Health Care Record

Hearing Assessment (a.k.a. Secondary Hearing Assessment) – A hearing assessment to (1) determine whether an incarcerated individual has a hearing disability, (2) obtain additional information on the extent of an incarcerated individual's hearing disability and/or (3) help determine what auxiliary aids and services are required to ensure effective communication. It may be ordered either after the initial intake hearing screening, or when an incarcerated individual presents with a suspected hearing disability during incarceration. A hearing assessment can be ordered at any time during incarceration and may require a third-party provider.

HSU – Health Service Unit

Individual with a Hearing Disability – A person who, if unaided by hearing aids or any medical device, is unable to hear in either one or both ears to a sufficient degree to be

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able to understand spoken word. May be used to refer to PIOC who are deaf and/or hard of hearing.

Intake – The process from the point in time at which an incarcerated individual is taken into the custody of DOC at a DOC correctional facility, through the point in time the incarcerated individual is received at, and assigned to, a unit within a maintaining DOC facility. Intake includes orientation, medical and psychological assessment, educational testing and evaluation and classification and housing assignment. This term also applies to any similar process for short-term detainees.

Intake Hearing Screening – The initial inquiry, conducted during the intake process, regarding whether an incarcerated individual may have a hearing disability. The intake hearing screening forms the basis for follow up by DOC if a hearing disability is identified, and, where a hearing disability is identified, triggers the development of an incarcerated individual's communication plan. If a hearing disability is suspected, but not identified, during the intake hearing screening, a secondary hearing assessment may be ordered to confirm or rule out a hearing disability.

PIOC - Persons in Our Care

Primary Method of Communication – The preferred method of communication PIOC with hearing disabilities use to give, receive and understand information.

Qualified Individual with a Disability – An individual with a disability who with or without reasonable modifications to policies, practices, or procedures, the removal of architectural, communication, or transportation barriers or the provision of auxiliary aids and services meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a public entity.

Qualified Interpreter – A person who interprets effectively, accurately and impartially, both receptively and expressively with an individual who is deaf or hard of hearing and shall hold the necessary certification from the National Registry of Interpreters for the Deaf or National Association of the Deaf. A DOC PIOC is not a qualified interpreter.

Secondary Method of Communication – A method of communication that may be used only in limited situations if the PIOC primary method of communication is not available.

Telecommunication Relay Services (TRS) - Services available to persons with hearing or speech disabilities through the FCC and include a variety of services to place and receive calls, which may include a trained consumer advocate/interpreter. Services include captioned telephones and video relay services (VRS). More specific information is available on the fcc.gov/consumers/guides website or via the current DAI contracted provider.

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USDOJ - United States Department of Justice

Videophone – A telephone with a camera system for visual and real-time communications.

Video Remote Interpreting (VRI) – A video telecommunication interpreting service that uses qualified interpreters for American Sign Language (ASL) and or Oral Transliteration (OTC).

PROCEDURE

I. General Guidelines

- A. All staff shall communicate with PIOC who are deaf and/or hard of hearing to the same extent as they would communicate with non-deaf and/or hard of hearing PIOC.
- B. PIOC who are deaf and/or hard of hearing who use hearing aids and cochlear implants shall not be required to remove them unless there is a documented extreme safety and security concern.
- C. Facilities housing PIOC with a hearing disability shall provide a list of communications equipment available to PIOC with a hearing disability upon their arrival at the correctional facility.
- D. DOC shall maintain all auxiliary aids and services for PIOC with a hearing disability at facilities in working condition or promptly repair them.
- E. DOC shall implement and maintain a log of calls from relatives, attorneys, persons holding powers of attorney and any persons approved on the visitor list of PIOC with a hearing disability to the facility ADA Coordinator/designee or the ADA Compliance Director and include a copy of these logs to the USDOJ upon request.
- F. DOC and its officers, employees, agents, successors and assigns shall ensure PIOC with a hearing disability are not discriminated against on the basis of disability in DOC's services, programs and activities, and shall comply with all requirements of Title II of the ADA.

II. Hearing Aids, Cochlear Processor Devices, Replacement Batteries and Battery Chargers

- A. HSU staff shall identify PIOC with a hearing disability.
- B. HSU staff shall address any medical devices necessary to accommodate PIOC needs.
 1. Hearing devices shall be free of charge through BHS.

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2. Hearing aids and cochlear processor devices shall be provided in the appropriate number (1 or 2) as recommended by offsite specialists.
 3. Standard hearing aids and cochlear processor devices shall be provided to PIOC requesting them as soon as reasonably possible after a request is received from PIOC or ordered for PIOC by the treating ACP.
 4. An order shall be placed through the HSU for the hearing aids and/or cochlear processor devices within two business days of receipt of the request.
 - a. A copy of the order shall be provided to the facility ADA Coordinator/designee for tracking purposes.
 - b. Upon receipt of the hearing aids or cochlear processor devices at the facility, the item shall be provided to PIOC within three business days.
 - c. If more than 14 days elapse between ordering and providing the hearing aids or cochlear processor devices, the facility ADA Coordinator/designee shall supply PIOC with a temporary means of effective communication, investigate the delay and provide PIOC with an update on the status of the order.
 5. In the event of a disagreement about the type and number of hearing aids/cochlear implants, HSU shall seek a secondary hearing assessment and shall use the results of such assessment in its determination of the number and type of devices provided to PIOC.
 - a. Any determination that contradicts the secondary hearing assessment recommendation shall be fully documented and the rationale explained.
 - b. Any deviation may be reviewed by the ADA Compliance Director in consultation with the facility ADA Coordinator/designee.
- C. The facility ADA Coordinator/designee shall ensure all other appropriate auxiliary aids and services (e.g. pocket talkers, etc.) are provided to ensure effective communication for PIOC who are deaf and/or hard of hearing. Auxiliary aids and services necessary for effective communication shall be provided to PIOC free of charge.
- D. DOC shall provide the appropriate type and number of hearing aid and cochlear processor replacement batteries or battery chargers, free of charge, to PIOC who have been prescribed hearing aid(s) or who have cochlear implants.
1. If the type of batteries needed is available in the facility, the replacement batteries shall be provided within three business days following HSU's receipt of the request.
 2. If the type of batteries needed are not available in the facility, an order shall be placed through HSU within two business days of receipt of the request.

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3. A copy of the order shall be provided to the facility ADA Coordinator/designee for tracking purposes.
 4. Upon receipt of the replacement batteries or battery chargers at the correctional facility, the replacement item shall be provided to the requesting PIOC within three business days.
 5. If more than 14 days elapse between ordering and providing the replacement batteries, battery chargers or cochlear processor devices, the facility ADA Coordinator/designee shall:
 - a. Provide a temporary means of effective communication.
 - b. Investigate the delay.
 - c. Provide PIOC with an update on the status of the order.
 6. Facilities shall have an assorted supply of batteries available in a designated location when HSU is not onsite and there is a need for replacement.
- E. If the PIOC hearing loss warrants clinical reassessment, DOC shall ensure PIOC retain the original device (if functional) and DOC shall schedule an appointment for evaluation as soon as reasonably possible based on the availability of the third-party provider.
- F. DOC shall take additional appropriate steps to ensure effective communication with PIOC during any period in which PIOC are without their hearing aid, cochlear processor or other such device.

III. Intake Process

- A. HSU staff shall identify PIOC with a hearing disability upon intake.
- B. Intake facilities shall provide PIOC with access to qualified interpreters or appropriate auxiliary aids and services as are necessary to ensure effective communication during intake.
 1. Access to qualified interpreters or appropriate auxiliary aids and services shall be provided from the point PIOC with a hearing disability notify DOC of their disability or DOC suspects PIOC of having a hearing disability.
 2. Qualified interpreters or auxiliary aids and services shall be provided to aid in the explanation of DOC policies and procedures and understand and complete the intake process.
 3. In the event DOC is not aware, prior to intake, PIOC requires an interpreter or other auxiliary aid or service to ensure effective communication, DOC shall immediately notify the facility ADA Coordinator/designee, who shall be responsible to obtain an interpreter, either in person or by video telephone or video relay.
 4. The interpreter shall be provided within two hours of a request.

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- C. Intake facilities shall provide written notification on intake and orientation materials for PIOC with a hearing disability with information on how to request a qualified interpreter or other auxiliary aids or services for assistance in understanding information during the intake process.
- D. During the initial intake, an intake hearing screening shall be completed as part of the intake screening exam completed by HSU.
 - 1. Intake hearing screening shall occur within three business days of initial admission into the DOC.
 - 2. The screening shall include any identified hearing disability and devices used for correction and/or communication.
 - 3. The hearing disability shall be documented in the HCR and in WICS by HSU staff.
 - 4. HSU shall notify the facility ADA Coordinator/designee of PIOC with a verified hearing disability via EMR.
 - 5. The ADA Coordinator/designee shall document the disability in WICS under the Special Handling/ADA tabs.
- E. When PIOC do not have their hearing device(s) with them upon intake/transfer, facility staff shall make every reasonable effort to locate and obtain the device(s).
- F. Any PIOC with a perceived or reported (including self-reported) hearing disability who does not currently have their hearing corrected with hearing aids or cochlear implant devices at the time of intake shall have an on-site audiogram completed within three business days.
 - 1. The audiogram results shall be reviewed by an ACP.
 - 2. Upon review of the audiogram results, the ACP shall determine the need for a secondary hearing assessment and shall place the appropriate order in the HCR.
 - 3. If a secondary hearing assessment is ordered, HSU shall notify the facility ADA Coordinator/designee by sending a message via EMR.
 - 4. Scheduling of the secondary hearing assessment shall occur within 10 days of the order being placed.
- G. If hearing aids or other auxiliary devices are recommended as a result of the secondary hearing assessment, the ACP shall review and, if appropriate, order those devices, through the HSU, within seven business days upon receipt of the secondary hearing assessment results.
 - 1. A copy of the secondary hearing assessment shall be provided to the facility ADA Coordinator/designee for tracking purposes.
 - 2. Any hearing aids or auxiliary devices shall then be provided to PIOC within three business days of their receipt.

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3. If more than 14 days elapse between ordering and providing the hearing aids or other auxiliary devices, the facility ADA Coordinator/designee shall supply a temporary means of effective communication, investigate the delay and provide PIOC with an update on the status of the order.
- H. Upon notification, the facility ADA Coordinator/designee shall meet with PIOC who have a hearing disability to finalize a communication plan as soon as reasonably possible, but no later than 10 days following the intake screening, regardless whether a secondary hearing assessment is ordered.
- I. During the intake process, PIOC shall be offered the opportunity to have a lanyard or modified identification (ID) card that clearly identifies PIOC as having a hearing disability.
 1. PIOC may decline a lanyard or modified card in favor of a standard issue ID card.
 2. Declining the lanyard or modified ID card does not waive the PIOC right and/or access to eligible services.
 3. PIOC may change their preference during the period of incarceration to opt to have a lanyard or modified ID card issued at any time.
 4. Facilities shall provide the lanyard or modified ID card within 10 days of the receipt of the request from PIOC.
- J. An assessment for a hearing disability can be initiated by referrals from any facility staff member or via PIOC submittal of a DOC-3035 at any time during incarceration.

IV. Interpretation of Written Materials

- A. DOC shall provide PIOC with a hearing disability the same written materials provided to all PIOC, and upon request, provide a qualified interpreter to ensure PIOC with a hearing disability understands the contents of the written materials.
 1. DOC shall effectively communicate the contents of the inmate handbook and other written materials, and if provided, the orientation video and similar policies and publications to all PIOC who have a hearing disability, including those for whom written language is not an effective means of communication. DOC may choose to meet this obligation by providing a video of a qualified interpreter signing the contents of the inmate handbook, orientation video and similar policies, publications and videos, along with appropriate technology for viewing.
 2. A qualified interpreter may be provided to read and interpret the contents of the inmate handbook and similar policies and publications to PIOC who have a hearing disability.

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- B. All inmate handbooks and all similar publications shall contain the following statement:

“To ensure effective communication with incarcerated individuals who have a hearing disability, the Wisconsin Department of Corrections shall provide appropriate auxiliary aids and services free of charge, which may include: qualified sign language interpreters and oral transliterators, TTYs, videophones, note-takers, computer-assisted real time transcription services, written materials, telephone handset amplifiers, assistive listening devices and systems, telephones compatible with hearing aids, closed caption decoders or TVs with built-in captioning and open and closed captioning of Wisconsin Department of Corrections’ programs.”

- C. DOC shall circulate broadly and throughout DOC system the names and contact information, including telephone numbers, email addresses and office locations of each facility ADA Coordinator/designee and the ADA Compliance Director, including a TTY or videotelephone number for relatives, attorneys, persons holding powers of attorney and any persons approved on the visitor list of PIOC with a hearing disability can contact during normal business hours.

V. Hearing Assessment

- A. If DOC determines a need for, or PIOC request at any time during incarceration, assessment for a hearing disability, DOC shall make a referral to an appropriate licensed professional (e.g., ENT, audiologist, licensed hearing aid dispenser), within 10 days of the determination or request, for hearing assessment.
- B. The hearing assessment may include an audiological examination or other appropriate diagnostic procedures.
1. Information from the secondary hearing assessment shall be used to augment the PIOC existing communication plan, or to develop a new communication plan for PIOC who are suspected of having hearing disabilities during incarceration.
 2. If hearing aids or other auxiliary devices are recommended as a result of the secondary hearing assessment, DOC shall review and, if appropriate, order those devices within seven business days upon receipt of the assessment results.
 3. HSU staff shall ensure the HCR alerts medical staff to a hearing disability. HSU staff may view the PIOC preferences as outlined on the intake hearing assessment form and communication plan in WICS.
 4. A copy of the secondary hearing assessment shall be provided to the facility ADA Coordinator/designee for tracking purposes.

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5. Any hearing aids or auxiliary devices shall be provided within three business days of their receipt to the PIOC.
 - a. If more than 14 days elapse between ordering and providing the hearing aids or other auxiliary devices, DOC shall supply a temporary means of effective communication, investigate the delay, and provide PIOC with an update on the status of the order.
 - b. At the same time, DOC shall notify the USDOJ of the delay and the plan to resolve it.
 - c. If DOC does not implement the recommendations of the secondary hearing assessment, DOC shall fully document and explain the rationale for doing so.
 - d. A copy of such rationale shall be retained in the PIOC records and shall be available to the USDOJ for review during the term of this settlement agreement.

VI. Communication Plan

- A. PIOC and the facility ADA Coordinator/designee shall meet to finalize the communication plan as soon as reasonably possible, but no later than 10 business days following the intake hearing screening (regardless of whether a secondary hearing assessment is ordered).
 1. The communication plan shall identify auxiliary aids and services approved for use by PIOC to ensure effective communication.
 2. All auxiliary aids and services shall be provided in a timely manner, without delay for the entire duration of the programs, services and activities addressed in the communication plan.
 3. The communication plan shall be entered in WICS.
 4. The most current version of the communication plan supersedes any previous versions and shall be updated periodically to reflect changes in the PIOC hearing status.
 5. The communication plan shall include a list of the auxiliary aids and services PIOC are entitled to for effective communication for critical interactions.
 6. DAI shall give primary consideration to the expressed choice of PIOC for auxiliary aids and services necessary to ensure effective communication.
- B. PIOC with a hearing disability may change their preferences, including modifying, adding or waiving services. PIOC with a hearing disability may request the facility ADA Coordinator/designee to supplement or modify the information contained on their communication plan at any time during their incarceration even if PIOC have previously declined services.

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VII. Unanticipated Interactions

- A. DOC shall implement policies to timely address unanticipated interactions and to resolve conflicts that arise when determining the type of auxiliary aids and services to provide to PIOC with a hearing disability.
- B. In the event an unanticipated interaction or condition arises that is not addressed in the communication plan, DOC shall construe the obligation to provide auxiliary aids and services broadly and shall use the most appropriate auxiliary aid or service that is analogous to other similar types of interactions required under the communication plan.

VIII. Telecommunication Devices

- A. DOC shall provide PIOC with a hearing disability with telecommunication devices to ensure communication with people outside of DOC that is substantially similar to the access to telecommunication services DOC provides to PIOC who do not have hearing disabilities.
 - 1. DOC may monitor communications between PIOC with hearing disabilities at DOC facilities and individuals outside of DOC to the same extent and with the same discretion applied to the monitoring of communications between PIOC that do not have hearing disabilities and individuals outside of DOC.
 - 2. PIOC with hearing disabilities at its DOC facilities are entitled to three times the amount of time to use telecommunication services such as TTY or VRI as PIOC who do not have hearing disabilities.
 - 3. DOC shall notify PIOC with a hearing disability and correctional staff of such additional time for telecommunications.
 - 4. DOC shall ensure the privacy of telephone calls by PIOC using a videophone, TTY, telephone with volume control or other telecommunication device is equal to other PIOC telephone calls.

IX. Repair and Replacement of Hearing Aids and Cochlear Implants Devices

- A. When the PIOC hearing aid, cochlear processor or other such device is inoperable or malfunctioning, the device shall be sent to out for repair as soon as reasonably possible.
- B. The facility HSU Manager/designee shall make every reasonable effort to send the device out for repair within two business days after a DOC-3035 is received from PIOC.
- C. A temporary means of effective communication shall be provided to PIOC for use during the time that the original hearing aid is out for repairs.
 - 1. DOC shall inform PIOC when the device was sent for repair and when it is expected to be returned by the repair company.

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2. DOC shall provide PIOC with a copy of any written documentation received from the repair company regarding the vendor used, the date of the repair and the specific repairs performed.

X. Repair of Equipment used for Auxiliary Aids and Services

- A. Staff shall resolve complaints about any malfunctioning equipment used for auxiliary aids and services (e.g., TTY, videophone) within one week of receiving that complaint, including initiating a work order if appropriate.
- B. If repair or replacement extends beyond one week (due to delay caused by third party vendors, delivery errors or any other issue caused by third parties or circumstances outside of DOC's control), designated staff shall identify and implement an interim solution to ensure effective communication until the device is repaired and returned to PIOC with hearing disabilities.

XI. Interpreter Services

- A. DOC shall contract with service agencies to ensure qualified interpreting services, including VRI, are available 24 hours per day, seven days a week.
- B. DAI may make other appropriate arrangements, such as contracting directly with qualified interpreters on a fee-for-service basis.
- C. To the extent an interaction, meeting or other event is not anticipated by the communications plan, or to the extent that PIOC with a hearing disability does not yet have a communications plan in place, DOC shall provide qualified interpreters as follows:
 1. DOC shall provide a qualified interpreter when necessary to ensure effective communication.
 2. The activity, service or program may be delayed until the interpreter is made available or within four hours, whichever is earlier, or the PIOC may elect to delay participation in the activity, service, or program until the interpreter is available, except in situations or circumstances involving an emergency.
 3. Unless an interpreter is scheduled in advance (e.g., for an upcoming disciplinary hearing or a scheduled medical appointment), the qualified interpreter shall be provided at the earliest reasonable time, and in all events no later than four hours from the time PIOC with hearing disabilities requests an interpreter.
 4. PIOC shall not be required to attend the event without a qualified interpreter, except in situations involving an emergency.
 5. The event, if it is specific to PIOC, may be rescheduled until a qualified interpreter can participate, but no later than 72 hours from the scheduled event, absent exigent circumstances.

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6. Staff shall use the most effective, readily available means of communicating with PIOC until such time as a qualified interpreter is present and shall notify PIOC of the status of the efforts to secure a qualified interpreter on the PIOC behalf within 30 minutes of staff making the request for the interpreter service.
 7. The facility ADA Coordinator/designee shall provide additional updates to PIOC as necessary, until a qualified interpreter is secured.
- D. When PIOC make an oral request for a qualified interpreter to staff, the employee receiving the request shall document the following within one hour from the time of the request, absent exigent circumstances on a DOC-2466 Incident Report:
1. The request.
 2. The reason for request.
 3. The action taken in response to the request, including denials of services.
 4. If the request is denied, the reason for the denial shall also be documented.
- E. Another PIOC shall not be used to interpret for PIOC who have a hearing disability unless:
1. PIOC with a disability specifically requests such assistance from another PIOC, who agrees to assist and reliance on that PIOC are appropriate under the circumstances.
 2. An emergency involving an imminent threat to the safety or welfare of PIOC or the public is present and there is no qualified interpreter available.
- F. Except for personnel hired specifically to serve as qualified sign language interpreters, DOC shall not use its personnel to serve as sign language interpreters except in appropriate circumstances, such as:
1. Informal communications.
 2. Provision of basic information to PIOC with a hearing disability while waiting for a qualified interpreter to arrive.
 3. An emergency involving an imminent threat to the safety or welfare of PIOC or the public is present and there is no qualified interpreter available.
- XII. Visual Alerts and Notification Systems**
- A. PIOC with hearing disabilities incarcerated at DOC facilities shall not miss announcements, alarms or any other auditory information from staff to the general population solely because of their disability.
1. On or before March 30, 2025, the DOC shall provide an effective visual or other notification system that shall advise PIOC with a hearing disability of

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announcements, alarms, or other auditory information provided to PIOC who do not have hearing disabilities.

2. The visual notification system shall include notification of emergencies, evacuations, education, work assignments, and daily prison activities, such as wake-up calls, mealtimes, recreational time and other announcements.
- B. DOC shall provide personal pagers, watches or another similar device that include visual, as well as, vibrating functions in all DOC facilities to PIOC with hearing disabilities.
1. These personal devices shall be used as supplemental notification systems to aid in daily notification of routine announcements and protocols, including wake-up calls, mealtimes, recreational times, and other normal and customary notifications.
 2. PIOC with hearing disabilities may opt to forgo the use of these personal devices, in which case this information shall be documented in the PIOC WICS profile.
- C. Facility staff shall be properly trained in how to use the personal devices available to PIOC and shall be responsible for transmitting messages and alerts to the devices at the same time messages and alerts are broadcast to PIOC without hearing disabilities.

XIII. Audio/Visual Media

- A. DOC shall ensure PIOC who have hearing disabilities have access to captioned audio-visual media and television programming that is available to other PIOC in the general population.
- B. DOC shall ensure all audio-visual media purchased for PIOC for use in facilities housing PIOC with hearing disabilities include open or closed captioning and that captioning shall be turned on for PIOC who have hearing disabilities upon request.

XIV. Medical Care

- A. Medical emergencies
1. If PIOC who have a hearing disability and require a qualified interpreter for effective communication have a medical need that cannot wait for the assistance of a qualified interpreter to facilitate communication, DOC shall not delay in providing medical care, treatment, evaluation or service that would be provided to other persons under similar circumstances.
 2. DOC shall use the most effective, readily available means of communicating with PIOC and shall provide a qualified interpreter as soon as possible, but within two hours.

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3. DOC shall require the contracted qualified interpreter service used for VRI to provide a qualified interpreter within two hours.
- B. Onsite medical care
1. DOC shall provide auxiliary aids and services, including qualified interpreters, for scheduled appointments between PIOC with hearing disabilities and medical personnel at DOC facilities consistent with the communication plan.
 2. This includes, but is not limited to:
 - a. Review of medical history.
 - b. Medical appointments.
 - c. Follow-up meetings or appointments.
 - d. Treatment meetings.
 - e. Telemedicine appointments.
- C. HSU staff at each facility shall be responsible for ensuring that qualified interpreters are scheduled for all medical appointments requiring them, and any other appropriate auxiliary aids and services are provided, consistent with the communication plan.
- D. Emergency events
1. Facilities shall use VRI for medical emergencies if an in-person qualified interpreter would have otherwise been the appropriate auxiliary aid or service for that PIOC in that context.
 2. If VRI is not appropriate in the situation, staff shall work with medical staff to secure an in-person qualified interpreter or other auxiliary aids or services as soon as possible.
 3. Life-saving and other emergency medical care shall never be delayed because qualified interpreter services are not available.
- E. Scheduled offsite medical care
1. HSU staff shall promptly inform all offsite medical providers that PIOC with a hearing disability requires a qualified interpreter or other auxiliary aid or service for medical care offsite.
 2. HSU staff shall confirm with the offsite medical provider that a qualified interpreter or appropriate other auxiliary aids and services shall be provided before transporting PIOC to the appointment.
- F. Emergency offsite medical care
1. In an emergency, HSU staff/designee shall inform the offsite medical provider that PIOC with a hearing disability who require an in-person, qualified interpreter or other auxiliary aid or service, is being transported to the offsite care provider.

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2. HSU staff/designee shall notify the offsite medical care provider as soon as possible.
3. Notification shall include the estimated time of arrival.

XV. Work Assignments

- A. Facilities shall provide opportunities for work assignments for PIOC with hearing disabilities that are equal to opportunities provided to hearing PIOC.
- B. PIOC with hearing disabilities shall not be prohibited from having a work assignment based on their disability.

XVI. Recreational Activities

- A. DOC shall provide opportunities for recreational activities for PIOC with hearing disabilities that are equal to opportunities provided to hearing PIOC.
- B. PIOC with hearing disabilities shall not be prohibited from recreational activities based on disability.
- C. Facilities shall make reasonable modifications to rules, practices and procedures for PIOC with hearing disabilities (e.g. allowing them to wear a headband to secure a hearing aid or cochlear processor) when exercising or engaging in recreational activities.

XVII. Reasonable Modification of Handcuffing Policies

Unless legitimate safety concerns dictate otherwise, when PIOC who have hearing disabilities are handcuffed or restrained, they shall be handcuffed or restrained in a manner that permits effective communication (e.g. cuffing PIOC in the front so they can sign; having one hand free in order to write).

XVIII. Interfacility Transfers

- A. Communication devices required by PIOC including hearing aids, cochlear implants, cochlear implant processing devices and other auxiliary aids necessary for communication shall remain in the possession of PIOC and not be packed in their property during transfer.
- B. PIOC with hearing disabilities shall be provided with a list of communications equipment available to individuals with hearing disabilities upon their arrival at any facility.

XIX. ADA Training

- A. On or before June 30, 2025, and at least once per calendar year, DOC shall provide training to all personnel who have contact with PIOC. The training shall be sufficiently detailed to enable DOC to effectively implement all provisions of this policy, and shall also specifically address prohibitions

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against discrimination, coercion, intimidation, or retaliation with respect to persons who have complained or opposed any practice made unlawful by Title II of the ADA, or who have made or participated in any complaint or investigation under Title II of the ADA, or who may have requested, sought, or obtained the enforcement of any right, benefit, aid, or service under or required by Title II of the ADA.

- B. The training shall include instruction on interactions with PIOC who have a hearing disability and on the effective communication measures required under this DAI policy. The training shall include information regarding the types of auxiliary aids, such as cochlear implants and hearing aids, on which PIOC may rely for communication, and the differences between them.
- C. DOC shall maintain records of each training and include attendance, dates and times of training.
- D. DOC shall provide appropriate instruction regarding this DAI policy to contractors and volunteers who shall have contact with PIOC with hearing disabilities.
- E. On or before June 30, 2025, DOC shall incorporate ADA training into the curriculum at the Wisconsin Correctional Academy for all new personnel who shall have contact with PIOC.

XX. ADA Grievance Procedures

DOC shall use Wisc. Admin. Code DOC 310.10(8) and 310.12(8), to process ADA grievances, in consultation with the ADA Coordinator for each facility. DOC shall distribute and publish grievance procedures to all wardens; post copies of the procedures in conspicuous locations at each facility; and include the procedures in all future publications, including online, of the inmate handbook. DOC shall amend the inmate handbook and similar materials to describe the requirements of this policy and the ADA Grievance Procedure. PIOC with disabilities, including, but not limited to hearing disabilities, shall use the Inmate Complaint Review System to raise those grievances. DOC shall make reasonable modifications to the grievance process to accommodate PIOC disabilities.

DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES

Facility: Name		
Original Effective Date:	DAI Policy Number: 300.00.36	Page 18 of 18
New Effective Date: 00/00/00	Supersedes Number:	Dated:
Chapter: 300 Administration		
Subject: Hearing Disabilities: Identification, Documentation and Provision of Accommodations		
Will Implement <input type="checkbox"/> As written <input type="checkbox"/> With below procedures for facility implementation		
Warden's/Center Superintendent's Approval:		

REFERENCES

DEFINITIONS, ACRONYMS, AND FORMS

FACILITY PROCEDURE

- I.
 - A.
 - B.
 - 1.
 - 2.
 - a.
 - b.
 - c.
 - 3.
 - C.

II.

III.

RESPONSIBILITY

I. Staff

II. Inmate

III. Other