

Office of Newcomer Services
Virginia Department of Social Services



Virginia
Refugee Resettlement
Program Manual

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Chapter 1

VIRGINIA REFUGEE RESETTLEMENT PROGRAM OVERVIEW

A. Legal Base and Framework

1. Legal Base – The legislative basis for the Refugee Resettlement Program is the U.S. Immigration and Naturalization Act and the Refugee Act of 1980 (P.L. 96-212). The regulatory basis for the program is *45 CFR, Part 400, Refugee Resettlement Program*.
2. Program Funding -- The. Refugee Resettlement Program is 100 percent federally funded. In Virginia, there are no state dollars allocated for refugee services. Funding authority is *45 CFR, Part 400 Subpart J, Federal Funding*.
3. Program Goals – The national refugee resettlement program is a humanitarian program. Its goals are (i) to assist in the successful social integration of refugee populations, as soon as possible after their arrival in the U.S., into the communities where they are resettled and (ii) to do this with an emphasis on attaining the earliest durable economic self-sufficiency for individuals and families.
4. Federal Service Delivery Flow
 - a. The U.S. Department of State contracts with national voluntary agencies to provide initial reception and placement services under the Refugee Reception and Placement Program. Funding for this program does not come through the VDSS Office of Newcomer Services. The program funding flow is directly between the national voluntary agencies and their affiliate offices in each state.
 - b. The U.S. Department of Health and Human Services, Office of Refugee Resettlement (ORR) provides funding and guidance on service delivery beyond the reception and placement period to both refugees and other eligible refugee populations.
 - i. ORR awards direct funding to state agencies to provide employment services, English language training, time limited cash and medical assistance, refugee medical screenings, and foster care services to unaccompanied refugee minors. In Virginia this funding is awarded to the Virginia Department of Social Services, Office of Newcomer Services.
 - ii. ORR contracts directly with national voluntary agencies and their affiliate offices in Virginia for an employment program called the Matching Grant Program.

5. Virginia Refugee Services Delivery

- a. The Virginia Department of Social Services, Division of Community and Volunteer Services, Office of Newcomer Services administers Virginia's Refugee Resettlement Program. The Director of the Office of Newcomer Services (ONS) is also the Virginia State Refugee Coordinator.
- b. The Virginia State Refugee Coordinator
 - i. Administers the federal refugee services grants.
 - ii. Monitors the expenditures of funds and delivery of services.
 - iii. Represents the refugee program on behalf of the state.
 - iv. Serves as the liaison between the federal Office of Refugee Resettlement and the local service providers to ensure coordination of public and private resources for the benefit of refugees.
- c. The federal grants administered by ONS are
 - i. The Refugee Social Services Program and the Targeted Assistance Program, which cover the costs for employment services, English language training, and employment support services.
 - ii. Refugee Cash and Medical Assistance, which cover the costs for the Refugee Cash Assistance Program, the Refugee Medical Assistance Program, and the Unaccompanied Refugee Minors Program.
 - iii. The Refugee Medical Assistance Program includes the costs for refugee medical screenings.
 - iv. Discretionary grants as approved and funded.
- d. Refugee Service Providers are:
 - i. Local departments of social services, which process Refugee Cash Assistance and Refugee Medical Assistance applications,
 - ii. Local health districts, which conduct refugee medical screenings,
 - iii. Local affiliates of national non-profit private agencies, which provide Refugee Social Services and Target Assistance employment services, and
 - iv. A non-profit private agency, which provides foster care services to unaccompanied refugee minors.

B. Eligible Refugee Populations

1. In order to be eligible to receive benefits and services under the Virginia Refugee Resettlement Program (VRRP), an individual must provide documentation that he or she has one of the legal immigration statuses listed below. *When used in this manual, unless noted otherwise, the term refugee refers to anyone who falls into any of these statuses.*
 - a. *Refugee* is a person outside his/her country of origin because of a well-founded fear of persecution due to race, religion, nationality, political opinion, or membership in a social group. Eligible participants hold the legal immigration status of a refugee, which is granted before their arrival in the United States.
 - b. *Asylee* is a person who, either after arrival in the U.S. or at a border, demonstrated that he/she qualified under the “refugee” definition. An asylee does not enter the United States with the legal status of refugee, but rather applies to the USCIS for asylum after arrival. Once granted asylum, the asylee is eligible for all services and support offered by the Virginia Refugee Resettlement Program (VRRP).
 - c. *Cuban/Haitian entrant* is a person from Cuba or Haiti who has been admitted (or paroled) into the United States under P.L. 96-422 or obtains that immigration status after arrival.
 - d. *Amerasian* is a person of American and Asian descent, especially one whose mother is Asian and whose father is American. Certain Amerasians from Vietnam are admitted to the United States as immigrants under the provisions of specific federal laws. These individuals were born in Vietnam after January 1, 1962, and before January 1, 1976, and were fathered by U.S. citizens. Eligible spouses, children, and parents or guardians also qualify for the program.
 - e. *Afghan or Iraqi with special immigrant visa (SIV) status* is person who was granted SIV status under Section 8120 of Pub. L. No. 111-118, Department of Defense Appropriations Act, 2010. An Afghan or Iraqi with SIV status is eligible for refugee and entitlement benefits and services for the same time period as refugees.
 - f. *Victim of Trafficking* is a person who has been certified by the federal office of Refugee Resettlement as a victim of a severe form of human trafficking. Public Law, No. 106-386, Div. A, 114 Stat.1464 (2000). Victims of trafficking are eligible for benefits and services to the same extent as refugees. The Trafficking Victims Protection Act defines trafficking as:

- i. a commercial sex act induced by force, fraud, or coercion, or such act induced on a person who has not attained 18 years of age; or
 - ii. the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
 - g. *Certain Lawful Permanent Residents* - Persons who currently hold the immigration status of permanent resident alien and who previously held one of the statuses listed above are eligible to receive the VRRP services.
 - h. *Unaccompanied Refugee Minors* - An unaccompanied minor is
 - i. a child under 18 who lawfully enters the country unaccompanied by a parent or an immediate adult relative, or who has no known immediate adult relative in the U.S. and has been classified by USCIS as a refugee unaccompanied minor and
 - ii. an unaccompanied alien child, special immigrant juvenile, or child asylee admitted into the Unaccompanied Refugee Minor Program by the federal Office of Refugee Resettlement.
2. Groups that are not eligible for refugee services include, but are not limited to:
- a. Persons who formerly held refugee status and have become naturalized citizens of the U.S.
 - b. Persons who were admitted to the U.S. as immigrants, and do not have one of the U.S. immigration status listed above.
- (Note: An exception is Trafficking Victims, whose eligibility is determined not by immigration status, but by federal Office of Refugee Resettlement certification letter.)*
- c. Persons who have been granted legal resident status under the Immigration Reform and Control Act of 1996 (P.L. 99-603).
3. Immigration status is demonstrated through appropriate documentation.

C. Virginia's Model for Refugee Resettlement

Virginia's model for refugee resettlement is intended to promote effective resettlement through attainment of self-sufficiency at soon as possible after arrival. The model is based on the following principles:

- a. Maximization of limited resources through cohesive and comprehensive coordination of community service providers.
- b. Avoidance of long-term public assistance utilization.
- c. Promotion of early employment leading to economic self-sufficiency.
- d. Development of an individualized Comprehensive Resettlement Plan (CRP) that identifies (i) each family member's education, skills, health, and English language fluency and (ii) the services that each will need to become self-sufficient and integrated into the community.
- e. Provision and facilitation of English language instruction.
- f. Provision of services in a manner that addresses the refugee's linguistic and cultural background.
- g. Inclusion of mutual assistance associations and ethnic organizations, which bring unique strengths and cultural knowledge to the resettlement process.

D. Special Federal and State Requirements

1. Access to Services by Persons With Limited English Proficiency

All state, local, and community agencies receiving funding directly and indirectly through the Office of Newcomer Services are to comply with Title VI of the Civil Rights Act, which requires that persons with limited English proficiency (LEP) have access to benefits and services for which they may be eligible. As they apply to refugee service delivery, these requirements include:

- a. Having a procedure for identifying the language needs of the refugee.
- b. Providing proficient interpreters in a timely manner during hours of operation.
- c. Having written guidance regarding interpreter and translation services.
- d. Disseminating agency LEP guidance to staff.

2. Religion & Proselytism

- a. Refugees may not be discriminated against because of their religious preference.
- b. No staff person or volunteer may apply pressure upon a refugee to convert to a specific religion.

3. Confidentiality

Disclosure of certain information about a refugee between the local resettlement agency and the local department of social services is allowed when it is directly necessary for the administration of and delivery of refugee services and entitlement services (benefit programs).

- a. The individual's name, address, and phone number as well as whether or not he or she has applied for or is receiving cash assistance may be disclosed without written consent of the refugee.
- b. Other information may be shared with the written consent of the refugee, or in the case of a minor, the refugee's parent or guardian. See Appendix A for a form that can facilitate obtaining permission to release case information other than the information listed above in item a.

4. Freedom of Information

- a. The Freedom of Information Act does not apply to case records.
- b. Case information, except medical records addressing mental health issues, can be released to the refugee, guardian, 'guardian ad liter', and authorized representative who has proper identification and a release of information documentation.

Exception: Mental records, including psychiatric and psychological examination reports, may not be personally reviewed by the refugee or his representative if the treating physician has made a written statement that a review of such records would be injurious to the refugee's physical or mental health or well-being.

5. Privacy Protection

- a. *The Virginia Privacy Protection Act of 1976* (Title 2.1, Chapter 26, *Code of Virginia*) ensures safeguards for personal privacy by agencies maintaining records on individuals.

b. The Principles for Disclosure intended to safeguard individual privacy include:

- i. Not keeping a secret the fact that there is Virginia Department of Social Services data base systems that contain personal information in the automated case file.
- ii. Not collecting case information that is not required or authorized by federal and state governmental agencies.
- iii. Entering accurate and current information into case files and electronic records.
- iv. Allowing an individual to correct, erase, or amend inaccurate, obsolete, or irrelevant information.
- v. Using client data only for the purposes related to the delivery of refugee services.

6. Reporting Suspected Abuse & Neglect

Any refugee service provider is required to immediately report to the local department of social services when the service provider has a suspicion that a child, an elderly person, or a disabled person they are serving is being abused, neglected, or

Chapter 2

ELIGIBILITY FOR PUBLIC ASSISTANCE PROGRAMS

A. Eligibility for Benefit Programs

Refugees are entitled to apply for the same benefits and service programs that are available to U.S. citizens. If they meet the financial and non-financial requirements of those programs, they are eligible for TANF, Medicaid and FAMIS, Supplemental Nutritional Assistance Program, Energy Assistance Program, General Relief Program, and any other benefit program offered through the Department of Social Service.

1. The process to determine a refugee's eligibility for any of the public assistance programs begins when the refugee applies for benefits at the local Department of Social Service (DSS).
2. The refugee completes the "Application for Benefits" (#032-03-824) which is available at the local DSS or on the web at <http://www.dss.state.va.gov/benefit/TANF/index.cgi#forms>
3. Refugees who do not meet TANF, Medicaid, or FAMIS requirements, may be eligible for time limited refugee cash assistance and refugee medical assistance. The rules for these programs are contained in Chapters 3 and 4 of this manual.
4. When a refugee obtains legal permanent residency status, eligibility for TANF, Medicaid, SNAP, RCA and RMA does not change.

B. TANF Work Requirements

A refugee, who is receiving TANF and is not exempt from the TANF work requirements, must participate in the Virginia Initiative for Employment not Welfare (VIEW). Participation in the Refugee Social Services Employment Program (described in Chapter 5) is not a TANF work requirement exemption.

C. Eligibility for Foster Care Services

Children in the Unaccompanied Refugee Minors Program (URM) are eligible to receive the full range of services and benefits to which children in Virginia Foster Care Program are entitled. The Medicaid eligibility determination process and procedures for children in the URM program are the same as for all other foster care children.

Chapter 3

REFUGEE CASH ASSISTANCE PROGRAM

A. Program Purpose

The Refugee Cash Assistance Program (RCA) provides time limited cash assistance to eligible populations that meet the financial criteria of the Temporary Assistance for Needy Families (TANF) program, but do not meet a non-financial criterion. For example, adults with no dependent children may receive RCA. Eligible populations are defined in Chapter 1.

B. RCA/TANF Relationship

1. The RCA Program mirrors the TANF Program in that the cash payment amount is the same; the right to appeal is the same; the collection of overpayment and repayment of underpayment is the same; and case transfers are the same.
2. The RCA Program does not mirror the TANF program in that only income on the date of application is counted; there is a time limit on receipt of assistance; the first month of assistance is not prorated from the date of application; and there is no requirement for a social security number.
3. Both RCA and TANF have a work requirement. For RCA the work requirement is met through registration and participation in the Refugee Social Services Employment Program (RSSEP). RSSEP services are not provided by the local DSS. RSSEP services are provided by the local non-profit agencies under contract with the Office of Newcomer Services to provide refugee employment services. Section I below explains the RCA work requirement and the required communications with the RSSEP providers

C. Eligibility Rules

1. The application for RCA is the VDSS Application for Benefits (032-03-824-25-eng (11/10).
2. The applicant is screened for TANF eligibility.
3. An applicant is eligible for RCA if he or she meets the TANF financial requirements, does not meet one of the non-financial requirements, has documentation showing that he or she is in one of the refugee eligible groups defined in Chapter 1, and meets the RCA work requirements defined in Section I below.
4. SAVE (System for Alien Verification for Entitlement) does not contain information about victims of trafficking. If there is a problem confirming the

identity of an applicant who is a victim of human trafficking or if there appears to be a problem with the certification letter, do not deny the application. Call the federal Office of Refugee Resettlement trafficking verification line at (202) 401-5510 to confirm the validity of the certification letter or letter for children.

5. There are some financial requirements that are unique to RCA.

- a. Income on the date of application, not the average income over the application-processing period, is the criteria for eligibility for RCA.
- b. Any assets that refugees may hold in their land of origin are not considered against the limits set for TANF.
- c. Refugee populations are not 'sponsored' as that term is defined for other immigrant applicants. The income of a volunteer assisting a refugee or the resettlement office are not used in determining eligibility for the RCA program, nor are shelter or in-kind resources provided to the refugee by the refugee resettlement office.
- d. Cash payments made to the refugee under the Department of State Reception and Placement program are not counted as income or assets.

6. The application must be made within the eight month time requirements defined below.

7. The applicant cannot be a full-time student in an institution of higher education.

8. Special Considerations

- a. There is no federal requirement that RCA recipients have a social security number or show proof of application for a social security number at the time of application.
- b. If there is a situation which causes approval of a TANF application to be delayed for more than 30 days, such as a lack of a social security number or a child not meeting the school attendance requirements, RCA payments are to be made until the TANF delay is resolved.

D. Special Application Rules

- 1. The Application for Benefits serves as the application for RCA. If there is more than one person named on the application and some of the applicants are eligible for TANF and some are not, a new application for RCA is not required even if the RCA block is not checked off.

For example, if an Application for Benefits includes a parent, two children under 19 who are in school, two children over 19, and an elderly relative, there would be four cases set up for that one application. There would be one TANF case for the parent and two children and three RCA cases, one for each of the children over 19 and one for the elderly adult.

2. When one application covers multiple RCA cases, the signature of either an authorized refugee resettlement staff person or the head of the refugee family household is sufficient. Multiple signatures are not required.

E. Time Limits

1. There is an eight month time limit on the receipt of RCA. RCA recipients, who continue to meet TANF financial requirements are eligible for RCA for up to eight months.
2. The date the eight month eligibility period begins depends on the status of the applicant.
 - a. For refugees, Cuban/Haitian entrants, Afghans and Iraqis with special immigrant visas, eligibility begins the month of arrival.
 - b. For asylees, eligibility begins the month in which asylum is granted.
 - c. For victims of human trafficking, eligibility begins the month the certification letter is issued.

F. Period of Coverage

1. The period of coverage begins on the first day of the month in which the refugee submits the Application for Benefits.
2. There are no retroactive payments back to the date of entry into the U.S.

G. Cash Payment Amount

1. The RCA cash payments are the same as TANF Program cash payments. The same geographic location standards that define the payment amount for TANF define the RCA payment amount. See the TANF Manual, Need and Amount of Payment Chapter
<http://www.dss.virginia.gov/files/division/bp/tanf/manual/300.pdf> .
 - a. An adult married couple would receive the amount that a TANF assistance unit of two would receive.
 - b. An unmarried adult would receive the amount that a TANF assistance unit of one would receive.

- c. In those rare situations in which a family receives RCA, the assistance unit would receive the amount that a TANF assistance unit of the same size would receive.
2. An RCA recipient who becomes employed must report the income from employment. TANF rules regarding termination or a reduction in the amount of cash assistance apply to RCA cash payments.

H. Cash Payment and Reimbursement Process

1. There is no ADAPT code or Aide Category for RCA. The RCA Program is not part of ADAPT.
2. RCA payments are made through the local check writing system.
3. Follow local procedures for writing the check.
4. Reimbursement for the RCA payment is made through LASER budget line 819.
5. If the local agency does not have a budget line 819 allocation, estimate the amount of funds needed to cover the RCA eligibility period and make a request through the LASER Budget Request System for the amount needed to cover the RCA eligibility period.
6. Make a LASER expenditure journal entry each month an RCA payment is made. This journal entry is done the same way other expenditure entries are made. The cost code for RCA is 81901.
7. Reimbursement for the RCA expenditure is not a separate payment, but is part of the monthly LASER reimbursement. An electronic transfer is made on the last working day of the month.

I. Case Transfers

RCA case transfers are handled the same as TANF case transfers. A reapplication is not required. Since RCA cases are not in ADAPT, the sending locality is to mail the case file to the receiving agency. The receiving agency conducts a desk review to verify that there have been no changes in the case that would affect continued receipt of RCA.

J. Work Requirement

Refugee Cash Assistance is available in every Virginia locality. The RCA work requirement applies only in areas where there is a Refugee Social Services Employment Program (RSSEP).

1. Refugee Social Services Employment Program

- a. Virginia Department of Social Services' Office of Newcomer Services (ONS) administers a refugee employment program called Refugee Social Services. It is referred to in this manual as the Refugee Social Services Employment Program or RSSEP.
- b. RSSEP services are delivered by service providers under contract with ONS to provide employment services tailored to the linguistic and cultural needs of refugee populations. RSSEP services focus on self-sufficiency and include job counseling, job application assistance, job development, job placement, job orientation, job retention, and English language instruction

2. RSSEP Service and Non-Service Areas

a. RSSEP Service areas are

- i. Central Region Amelia, Caroline, Chesterfield, Fluvanna, Goochland, Hanover, Henrico, Hopewell, New Kent, Petersburg, Powhatan, Richmond City
- ii. Eastern Region Chesapeake, Hampton, Isle of Wight, James City, Newport News, Norfolk, Portsmouth, Suffolk, Surry, Virginia Beach, Williamsburg, York-Poquoson
- iii. Northern Region Alexandria, Arlington, Culpeper, Fairfax, Fredericksburg, Harrisonburg-Rockingham, Loudoun, Manassas City, Manassas Park, Orange, Prince William, Rappahannock, Shenandoah County, Spotsylvania, Stafford
- iv. Piedmont Region Albemarle, Botetourt, Charlottesville, Franklin County, Roanoke City, Roanoke County
- v. Western Region None

b. RSSEP services are not provided in the following counties and cities.

- i. Central Region: Buckingham, Charles City, Cumberland, Essex, King & Queen, King William, Lancaster, Lunenburg, Middlesex, Northumberland, Nottoway, Prince Edward, Richmond County, Westmoreland

ii. Eastern Region: Accomack, Brunswick, Dinwiddie, Franklin City, Gloucester, Greensville-Emporia, Matthews, Northampton, Prince George, Southampton, Sussex

iii. Northern Region: Clarke, Fauquier, Frederick, Greene, King George, Louisa, Madison, Page, Warren, Winchester

iv. Piedmont Region: Alleghany-Covington, Amherst, Appomattox, Bath, Bedford, Campbell, Charlotte, Craig, Danville, Halifax, Henry-Martinsville, Highland, Lynchburg, Mecklenburg, Nelson, Pittsylvania, Rockbridge-Buena Vista-Lexington, Shenandoah Valley

v. Western Region: All

c. See Appendix A, RSSEP Referral Form for the contact information for the RSSEP service areas.

3. RCA Work Registration Requirement for RSSEP Service Areas

The guidance in this section applies to RCA applicants and recipients in RSSEP service areas.

a. As a condition of eligibility for RCA, the applicant must meet one of the following requirements.

i. Be determined exempt from the RCA work registration requirement by the eligibility worker (see item 5 below), or

ii. Be registered with an RSSEP and present a copy of the registration form at the time of application. This will occur when the refugee is currently receiving services from a RSSEP service provider, or

iii. Register for the RSSEP at the time of application. This will occur both when the

a) Applicant is a client of the RSSEP, but does not have a copy of the registration form at the time of application.

b) Applicant is not a client of the RSSEP.

b. If the RCA applicant signs the registration form at the time of the RCA application, the local department of social services sends a copy of the registration form to the RSSEP within 24 hours of the application interview.

4. RCA Work Registration Exemption Criteria

An RCA applicant is exempt from the RCA work registration requirement if one of the following two exemptions is met. Any applicant who does not meet one of these two exemptions is subject to the work registration requirement. Other matters, such as disability, will be addressed by the RSSEP service provider.

- a. Geographic exemption – An RCA applicant is exempt from RCA work registration if the person does not live in one of the geographic locations served by a RSSEP provider.
- b. Age exemptions -- A RCA applicant is exempt from RCA work registration if the person
 - i. Is 65 years of age or over.
 - ii. Will not reach his 16th birthday within the eight month RCA eligibility period.
 - iii. Is between the age 16 and 18 and is a full time student at an elementary or secondary school or is a full time student at a vocational or technical school. For persons attending a vocational or technical school, full time means the person is taking course work, which the institution considers full time. The applicant's statement regarding full time school attendance is sufficient and is to be noted in the case record.

5. Intake Procedures

- a. Determine if the applicant meets the RCA eligibility requirements defined in this chapter.
- b. Determine if the applicant lives in a geographic area served by a RSSEP provider.

6. Intake Procedures for RSSEP Service Areas

- a. Determine if the applicant has a signed Refugee Social Services Employment Program Registration form. Make a copy for the case file.
- b. If the applicant does not have a signed Refugee Employment Registration form, have the person sign one during the application process. The form includes the name and address of the RSSEP service provider which the applicant must contact. Make two copies of the original.

- i. Give one copy to the applicant.
 - ii. Put the second copy in the case file.
 - iii. Send the original to the RSSEP service provider noted on the registration form within 24 hours of the application interview. This referral must be made so that the RSSEP can arrange with the applicant the provision of employment services. The RSSEP service provider will contact the refugee directly if the client does not contact the service provider.
 - c. Explain to the applicant
 - i. that he or she must take the form to the employment service provider listed on the form.
 - ii. that continued receipt of RCA cash payments is dependent on the refugee's cooperation with and participation in the refugee employment services program.
7. RCA Recipient Work Participation Requirements
- a. As a condition of continued eligibility for RCA, a work-registered RCA recipient must meet the RSSEP service provider participation requirements.
 - b. A work-registered RCA recipient who does not meet RSSEP participation requirements is ineligible for continued receipt of RCA.
 - c. The local department of social services (DSS) is to consider the RCA recipient as participating unless notified otherwise by the RSSEP.
8. Notification of Non-Participation
- a. The RSSEP service provider has the responsibility to inform the client of the participation requirements and to maintain compliance information in the RSSEP case file. (See Chapter 5.)
 - b. The RSSEP provider will send written notification to the local DSS when a RCA recipient does not meet RSSEP participation requirements without good cause.
9. Termination of RCA due to Failure to Meet RCA Work Registration Requirements

- a. Upon written notice from the RSSEP service provider to the local DSS that an RCA recipient is not meeting RCA work registration participation requirements, the local DSS will send the Advance Notice of Proposed Action Form (032-03-0018-31-eng) to the client, with a copy to the RSSEP service provider.
- b. The RCA recipient has the right to appeal the determination of non-participation in a RCA work activity within 10 days of receipt of the notice.
- c. The RSSEP has the responsibility to participate in the appeal conferences and hearing and to provide documentation to support the local DSS closure action.
- d. RCA payments will be terminated effective on the first of the month following the issuance of the notice unless the RCA recipient appeals the action within the required timeframe. In situations in which the appeal period goes beyond the eight month eligibility period, RCA assistance must be terminated at the end of the eight month eligibility period.
- e. RCA sanctioning periods mirror TANF sanctioning periods. One month for the first sanction and three months for the second sanction.

K. Notices and Appeals

1. Notification of Approval or Denial

- a. The same rules regarding timeliness of application processing, notice of application determination, and notice of termination that apply to TANF cases, also apply to RCA cases.
- b. If the individual is determined ineligible for RCA, the notice must include an explanation of the reason for the ineligibility, along with a statement about the refugee's right to appeal the decision.

2. Appeals

- a. Refugees who have applied for or are receiving RCA have a right to appeal:
 - i. A denial of assistance.
 - ii. No notice of application determination within 30 days of application.
 - iii. A notice of a reduction or termination in benefits due to employment income.

- b. The same TANF appeal rules regarding timeframes and notices apply to an appeal of RCA application, with the following exceptions
 - i. For an appeal of a reduction or termination unrelated to the eight month time period, RCA payments are to continue pending the decision of the hearing officer.
 - ii. If the hearing officer finds in favor of the agency, RCA payments made during the appeal period will be recovered following the TANF payment recovery guidance.
 - iii. If RCA payments are being made during the appeal period, the payments are stopped when the eight month eligibility period is reached.
 - iv. If the appeal is related to an RCA case closure due to the expiration of the eight month time limit, RCA payments do not continue during the appeal period. If the hearing officer finds that the eight month time period was incorrectly calculated, payments will be made after the decision is rendered.
- c. The hearing officer's decision may be appealed to the Administrative Review Panel of the Appeals & Fair Hearings Unit. A decision on the case will be made in writing within 60 days of the date that the refugee requests a hearing.
- d. The refugee should be notified that free legal advice can be obtained through the local legal aid office.

Chapter 4

REFUGEE MEDICAL ASSISTANCE (RMA) PROGRAM

A. Program Purpose

Refugee Medical Assistance (RMA) provides medical assistance to refugees who meet the Medicaid Program financial requirements, but do not meet the non-financial requirements. For example, an adult with no dependent children may receive RMA. The Medicaid Family and Children's Medically Needy Categorical rules apply for RMA.

B. RMA/Medicaid Comparison

1. The RMA Program mirrors the Medicaid Program in the types of medical services a person may receive through the program; payments from the Matching Grant Program is not counted as income; the right to appeal is generally the same; the spend-down rules are the same; the Virginia's Health Insurance Premium Program (HIPP) rules apply; and the case transfer process is the same.
2. The RMA Program does not mirror the Medicaid Program in that only income on the date of application is counted; there is a time limit on receipt of assistance; wages from employment after case approval are not counted; and there is no requirement for a social security number.

C. Special Application Rules

- a. If some persons on the Benefit Program Application are eligible for Medicaid and some are not, a new application is not required. The Benefits Program application serves as the application for Medicaid and RMA.

For example, if a Benefit Programs application includes a parent, two children under 19 who are in school, two children over 19, and an elderly relative, there would be four cases set up for that one application. There would be one Medicaid case for the parent and two children and three RMA cases, one for each of the children over 19 and one for the elderly adult.

- b. When one application covers multiple RMA cases, the signature of either the authorized refugee resettlement office case manager or the head of the refugee family household is sufficient. Multiple signatures are not required.

D. Eligibility Rules

1. The application for RMA is the VDSS Application for Benefits (032-03-824-25-eng (11/10)).

2. The applicant is screened for Medicaid eligibility following the Family and Children's Medically Needy guidance.
3. An applicant is eligible for RMA if he or she meets the Medicaid financial requirements, does not meet a categorical requirement, and has documentation showing he or she is in one of the refugee eligible groups defined in Chapter 1.
4. SAVE (System for Alien Verification for Entitlement) does not contain information about victims of trafficking. If there is a problem confirming the identity of an applicant who is a victim of human trafficking or if there appears to be a problem with the certification letter, do not deny the application. Call the federal Office of Refugee Resettlement trafficking verification line at (202) 401-5510 to confirm the validity of the certification letter or letter for children
5. Cash payments made to the refugee under the Department of Health and Human Services, Office of Refugee Assistance Matching Grant Program are not counted as income.
6. The application must be made within the eight month time requirements defined below.
7. The applicant cannot be a full-time student in an institution of higher education.
8. There are some financial requirements that are unique to RMA.
 - a. Income on the date of application, not the average income over the application-processing period, is the criteria for eligibility for RMA.
 - b. Any assets that refugees may hold in their land of origin are not considered against the limits set by Medicaid.
 - c. Refugee populations are not 'sponsored' in the legal sense that sponsorship is used for other immigrant applicants. The income of a volunteer assisting a refugee or the resettlement office are not used in determining eligibility for the RMA program, nor are shelter or in-kind resources provided to the refugee by the sponsor.
 - d. Cash payments made to the refugee under the Department of State Reception and Placement program are not counted as income.
 - e. Wages from employment received after receipt of RMA and before the end of the eight-month eligibility period do not affect RAM eligibility.

- f. A Medicaid/FAMIS eligible refugee who becomes ineligible due to employment earnings during the RMA eligibility period is automatically eligible for RMA for the remainder of the eight-month eligibility period with no further screening for financial need.

9. Special Considerations

- a. There is no federal requirement that RMA recipients have a social security number or show proof of application for a social security number at the time of application.
- b. Wages from employment received after receipt of RMA and before the end of the eight month eligibility period do not affect RMA eligibility.
- c. A Medicaid/FAMIS eligible refugee who becomes ineligible due to employment earnings during the RMA eligibility period is automatically eligible for RMA for the remainder of the eight-month eligibility period with no further screening for financial need.

E. Time Limits

- 1. There is an eight month time limit on the receipt of RMA.
- 2. The date the eight month eligibility period begins depends on the status of the applicant.
 - i. For refugees, Cuban/Haitian entrants, Afghans and Iraqis with special immigrant visas, eligibility begins the month of arrival.
 - ii. For asylees, eligibility begins the month in which asylum is granted.
 - iii. For victims of human trafficking, eligibility begins the month the certification letter is issued

F. Period of Coverage

- 1. Once a refugee has been determined eligible for RMA, any earnings from employment will not impact eligibility for medical assistance, which will continue to the end of the eight-month eligibility period.
- 2. If a refugee is entitled to receive Medicaid, then during the first eight months following arrival into the U.S. becomes ineligible because of employment earnings, the individual is directly transferred to RMA for the remainder of the eight-month eligibility period. No further screening is done to determine financial need.

3. If a refugee receiving RMA enrolls in an employer sponsored health insurance program, then the employer-sponsored insurance becomes the primary coverage and RMA becomes the secondary coverage. RMA may pick up costs that the employer-sponsored insurance will not pay.

G. Case Establishment Process

1. RMA cases are entered in into VAMIS (or ADAPT) and are coded with Aide Category 78.
2. There is an electronic communication between VAMIS/ADAPT and MMIS. MMIS automatically issues a Medicaid card to the recipient.
3. The eligibility worker makes a hand-written notation on the Notice of Action that the client was determined eligible for RMA and the date the eligibility period ends.

H. Case Transfers

RMA case transfers are handled the same as Medicaid case transfers. A reapplication is not required. The receiving agency conducts a desk review to verify that there have been no changes in the case that would affect continued receipt of RMA.

I. Notices and Appeals

a. Notification of Approval or Denial

- a. The same rules regarding timeliness of application processing, notice of application determination, and notice of termination that apply to Medicaid cases, also apply to RMA cases.
- b. If the individual is determined ineligible for RMA, the notice must include an explanation of the reason for the ineligibility, along with a statement about the refugee's right to appeal the decision.

b. Appeals

- a. Refugees who have applied for or are receiving RMA have a right to appeal:
 - i. A denial of assistance.
 - ii. No notice of application determination within 30 days of application.
 - iii. A notice of a termination in benefits due to employment income.

- b. The same Medicaid appeal rules regarding timeframes and notices apply to an appeal of RMA application, with the following exceptions
- c. For appeal of RMA termination due to the expiration of the eight month time limit, the appeal is to go forward; however, RMA is terminated pending the decision of the hearing officer regarding whether the eight month time period was calculated correctly.
- d. While an appeal is pending, in no case will RMA services continue after the eight month eligibility period.
- e. For appeals of terminations that are unrelated to the eight month time period, RMA services are to continue pending the decision of the hearing officer. If the hearing office finds in favor of the agency, RMA services provided during the appeal period will be recovered following the Medicaid payment recovery guidance.
- f. The hearing officer's decision may be appealed to the Administrative Review Panel of the Appeals & Fair Hearings Unit. A decision on the case will be made in writing within 60 days of the date that the refugee requests a hearing.
- g. The refugee should be notified that free legal advice can be obtained through the local legal aid office.

Chapter 5

REFUGEE SOCIAL SERVICES EMPLOYMENT PROGRAM

This Chapter provides guidance to refugee services providers under contract with the Office of Newcomer Services to provide Refugee Social Services (RSS) and Targeted Assistance Program (TAP) services.

The term Refugee Social Services Employment Program (RSSEP) refers to employment service delivery under both the RSS and TAP Programs.

The term refugee refers to refugees, asylees, Cuban/Haitian entrants, victims of human trafficking, and Iraqis and Afghans with a special immigrant visas.

A. Program Objective

The objective of the Refugee Social Services and Employment Program (RSSEP) is to assist RSSEP participants in conducting a job search, identifying employer prospects, conducting employment interviews, accepting an offer of employment as soon as possible after RSSEP registration, and to remain employed.

B. Eligibility for Services

RSSEP services are provided to any person who

1. Has documentation from an authorized federal agency verifying that the person is a refugee, has been granted asylum, is certified as a victim of human trafficking, or meets another refugee-eligible status.
2. Has had a refugee-eligible status for less than five years from the date of RSSEP registration, with the exception that there is no time limit on when an eligible participant may apply for naturalization preparation services if offered through RSSEP.
3. Is 16 years of age or older and not a full-time student at an elementary, middle, or secondary school, with the exception that assistance with part-time and summer employment may be provided to these otherwise ineligible individuals.

C. Registration Process

The RSSEP Registration Form serves as the application for RSSEP assistance. It is completed at the time a person

- a. Who has arrived through the Department of State Reception and Placement (R&P) Program is being enrolled in RSSEP by the R&P Program service provider.

- b. Who was a Matching Grant (MG) Program participant and was unsuccessful in finding employment and is being enrolled in RSSEP by the MG Program service provider.
- c. Who has not been served by either the R&P or MG Program requests employment assistance from the RSSEP provider.
- d. Who has applied for Refugee Cash Assistance at a local department of social services (DSS) and the local DSS sends the RSSEP providers a RSSEP Registration Form.

Note: If the refugee does not provide a copy of a signed RSSEP Registration form at the time of the application for RCA, the applicant must sign a RSSEP Registration form as a condition of RCA eligibility. The eligibility worker will send a copy of the form to the RSSEP provider.

D. Special Service Delivery Rules

- 1. All refugee eligible populations must be given the opportunity to register for RSSEP services
- 2. RSSEP providers who also deliver Reception and Placement (R&P) Program and Matching Grant (MG) Program services are responsible for providing RSSEP services in a manner that
 - a. does not duplicate R&P and MG program services and
 - b. is coordinative and seamless for the client.
- 3. RSSEP services are to be provided in a manner that is culturally and linguistically compatible with the client's language and cultural background.
- 4. Both male and female registrants must be provided equal employment and job placement services.
- 5. RSSEP services may continue after a client enters employment for the purpose of assisting with job retention and job improvement.
- 6. RSSEP services may not include training or education programs that will last longer than one year.

E. Priority in Provision of Services

- 1. RSSEP service providers must plan service delivery so that services are provided to RSSEP registrants in the following order of priority

- a. RSSEP registrants who arrived in the U.S. within the past year or were granted asylee or victim of human trafficking or another refugee-eligible status within the past year
 - b. Recipients of cash assistance, either RCA or TANF
 - c. Unemployed registrants who are not receiving cash assistance RCA or TANF
 - d. Employed refugees in need of services to retain employment or increase their income to attain economic self sufficiency.
2. Exceptions to this priority order are possible. Such exceptions are made at the direction of or with the approval of the Virginia State Refugee Coordinator (SRC).

F. Initial Interview

1. Each registrant is to have an initial intake interview with RSSEP staff for the purpose of explaining the role of RSSEP, the importance of immediate employment, the participation requirements, the services available to support the employment activities, and the consequences of non-participation in the program.
2. RSSEP staff is responsible for scheduling and conducting this intake interview with every new participant within 30 days of the date the RSSEP registration form is signed.

G. Individual employment plan

An individual employment plan (IEP) is developed with each RSSEP registrant. It is to include the steps needed for the registrant to attain self-sufficiency.

1. When a RSSEP participant is receiving TANF benefits and is subject to the TANF work requirements (VIEW), the IEP must be modified to reflect a joint plan developed with the VIEW staff assigned to work with the participant.
2. If the IEP was developed prior to the RSSEP participant's receipt of TANF, updates to the IEP must be made to reflect the joint planning done with the VIEW staff.
3. When a participant is receiving eight month time-limited refugee cash assistance and refugee medical assistance, the RSSEP staff should

explain the financial consequences of not being employed when the cash and medical assistance ends.

4. The RSSEP staff assesses the effectiveness of the individual employment plan every 30 days and makes revisions as necessary.

H. Program Services

There are four categories of RSSEP services.

1. Case Management
2. Employment Services
3. English Language Training
4. Employment Support Services

I. Case Management Services

1. Case management includes:
 - a. An assessment of the participant's employment needs and the services that will be needed to move the participant to self-sufficiency.
 - b. Coordination and interaction with other community and agency resources.
 - c. The delivery of services in a manner that is both comprehensive and collaborative with the participant.
 - d. Job follow-up to determine if a participant who enters employment is still employed and if additional services are needed to maintain employment.
2. Case management requires the completion of a Comprehensive Resettlement Plan (CRP).
 - a. The plan must be updated as activities are completed and new ones begun.
 - b. If the participant does not achieve self-sufficiency within 12 months of RSSEP registration, a new CRP focusing on intensive services must be completed.
3. RSSEP staff must ensure that service delivery is done in a manner that is culturally and linguistically applicable for the participant and ensures the

participant understands the program goals, their individual comprehensive plan, and their responsibility in participating in program activities.

4. Case management requires an assessment of when a participant is experiencing dysfunctions and linking the person with the appropriate community resource.
5. Case management requires the creation, maintenance, and updating of client case file and VNIS record. The case file and VNIS record (if there is a data element for item) must contain, as applicable:
 - a. individual employment plan;
 - b. record of contacts with the participant regarding all aspects of RSSEP service delivery;
 - c. record of RSSEP employment activities including employer contacts, job referrals, entered employment;
 - d. a record of issues, concerns, and RSSEP interventions; and
 - e. the type of instruction, the hours in instruction, the name of the teacher, and the cost per student.

J. Employment Services

RSSEP employment services include the:

1. Development of an individual employability plan for each client, which (i) states employment goals; (ii) details the tasks and time frames to be taken both by the refugee and RSSEP staff to meet that those goals; and (iii) identifies known obstacles to immediate employment and the strategies to remove these obstacles.
2. Pre-employment and post employment counseling, coaching, and mentoring to assist the refugee in obtaining and maintaining employment and obtaining salary increases and job upgrades.
3. Job referral, job search, job placement, and follow-up assistance.
4. Workplace orientation, which is a formalized written curriculum that includes rules and expectations of the American workplace compared to refugee's work experiences in other countries.

5. Job development, which is direct employer contacts by RSSEP staff for the purpose of finding jobs for refugees who need direct assistance in obtaining and maintaining employment consistent with their abilities, skills, and experience in the U.S. labor market.
6. On-the-job training, which is working for an employer who provides training at the workplace on how to perform the work required and being paid a wage for the work done.
7. Apprenticeship and skills recertification that does not exceed one year's duration.
8. Aptitude assessment and employment skills testing, when necessary.

K. English Language Training

1. English language training (ELT) is provided to increase employability skills or prepare refugees for citizenship process.
2. When ELT is part of the individual employment plan, the RSSEP service provider must provide the ELT training concurrently with employment or employment activities. RSSEP delivery of ELT and vocational training is not to interfere with employment. To the fullest extent feasible, ELT and other training services are to be provided
 - a. outside the client's normal working hours, and
 - b. concurrently with employment services.
3. English language training is generally curriculum based instruction taught by certified trainers. It can be provided individually, in groups, or on-line.
4. English language training may be provided directly or purchased.

L. Employment Support Services

The RSSEP service providers may provide the following services based on what is contained in the service provider's individual contracts with the Office of Newcomer Services. The delivery of these services to an individual RSSEP registrant must be described in the individual employment plan.

1. Vocational or career training that is part of the individual employment plan and does not interfere with employment and does not exceed one year
2. Child care related to employment activities which can be either a direct or purchased service

3. Transportation related to an employment activity which can be either a direct or purchased service
4. Translation and interpreter services related to employment and case management services

M. Work Requirements

1. RSSEP participants must apply for employment and accept a job if offered unless the job does not meet the definition of suitable employment. Suitable employment means that:
 - a. The work site is not in violation of federal and state safety standards.
 - b. It is full time or part time, permanent or temporary, year-round or seasonal.
 - c. The wage is at or above minimum wage for jobs that are subject to minimum wage standards. For jobs not subject to minimum wage standards, the wage is comparable to labor market wages paid for such employment.
 - d. The hours of work do not exceed the customary hours of work for that occupation.
 - e. The position is not vacant due to a labor dispute.
2. An RSSEP participant may not voluntarily quit a job that meets the definition of suitable employment (see above).
3. In rare instances, the employment search may be delayed if the participant is in an on-the-job training program, vocational training program, or recertification program that is both approved by the RSSEP provider and is part of the participant's individual employment plan.

N. Participation Requirements

1. All RSSEP participants are subject to the RSSEP participation requirements. Participation means:
 - a. Keeping all scheduled meetings, appointments, and assignments;
 - b. Participating in the development of an individual employability plan;

- c. Participating in job search, where applicable;
 - d. Going to a job interview arranged by the RSSEP staff;
 - e. Accepting an offer of employment;
 - f. Not voluntarily quitting a job; and
 - g. Participating in any employability service program that is determined available and appropriate by the RSSEP service provider.
2. The RSSEP case of a participant who is not meeting participation requirements and does not have good cause must be closed following the case closure procedures.

O. Documentation Requirement

1. The RSSEP provider must maintain in its files documentation regarding all participation activities. This documentation is to be contained in notes and updates to the individual employment plan, which has a section for the initial employability assessment, the employment plan development, action steps, English language training, support services, progress reviews, and job follow-up.
2. If the RSSEP participant is an RCA recipient, the individual employment plan is shared with the local department of social services only in the event that the RCA case is closed due to non-participation and the RCA recipient appeals the RCA case closure.
3. If the RSSEP participant is a VIEW participant, the individual employment plan is given to the VIEW worker
 - a. at the time of the initial VIEW assessment and
 - b. when there is a change to the plan.
4. If there is an appeal of an RCA or TANF case closure due to non-participation with RSSEP, the RSSEP staff will summarize the individual employment plan facts as needed for any pre-hearing conferences or appeal hearing. This summary would include
 - a. A statement of the specific RSSEP requirement that was not met.
 - b. The reason, if any, given by the client for non-participation.
 - c. The RSSEP factual basis for the determination that there was not good cause for the non-participation.

- d. The dates of contact with the client regarding non-participation.

P. Good Cause Reasons for Non-Participation

1. The RSSEP provider will determine good cause for non participation with RSSEP requirements based on the following factors.
 - a. A job offer is refused because it does not meet the RSSEP's definition of suitable employment.
 - b. A participant is age 16 or 17 and is attending elementary, secondary, vocational, or technical school as a full-time student.
 - c. A participant is age 18 and is a full-time student in a secondary school or in the equivalent level of vocational or technical training and is expected to complete this program before reaching age 19.
 - d. A participant has medical evidence that he or she has an injury or medical condition that is serious enough to temporarily prevent entry into employment or training.
 - e. A participant has a physical or mental impairment that a doctor or psychologist has determined prevents the individual from engaging or participating in employment or training on an on-going basis.
 - f. A participant is caring for a household member who has been determined by a physician or psychologist to have a physical or mental impairment which requires care in the home on a substantially continuous basis and neither the participant nor the RSSEP provider has been able to arrange for care for the family member.
 - g. A participant has a child under the age of 12 months.
 - h. There is a break in full time employment that is expected to last a minimum of 30 days.
 - i. A refugee is working in unsubsidized employment at least 30 hours a week.
 - j. Transportation is unavailable as determined by the RSSEP staff.
 - k. A participant is in an emergency situation that is verified by the RSSEP provider.

- l. The schedule of the RSSEP activity conflicts with mandatory judicial proceedings.
 - m. An impediment beyond the participant's control is documented by the participant and accepted by the RSSEP provider.
- 2. Inability to communicate in English is not considered a good-cause reason for nonparticipation nor is it sufficient reason to not accept an offer of employment.

Q. Consequences of Non-Participation

- 1. Case Closure RSSEP participants who do not meet participation requirements and do not have good cause are no longer eligible for RSSEP employment services, employability services, English language training, or other service paid for with Refugee Social Services Program or Targeted Assistance Program federal funding. The RSSEP case is to be closed.
- 2. Notification to the Local DSS The RSSEP staff must notify the local DSS within 24 hours of the date the RSSEP case is closed if the participant is receiving RCA or is a VIEW participant. The local DSS has responsibility for any action related to the RSSEP case closure.
 - a. For VIEW participants, the notice is sent to the VIEW staff.
 - b. For RCA recipients, the notice is sent to the TANF staff.
- 3. Cash Assistance Sanction Period
 - a. The term sanction, as used in this Chapter, refers to the stoppage of cash assistance for a specified period of time due to non-participation in an RSSEP activity. There is no RSSEP sanction period for non participation.
 - b. RCA sanctioning periods mirrors the TANF sanctioning periods. One month for the first for the first occurrence of non-participation and three months for the second occurrence of non-participation. The sanction applies to the all persons that are part of the RCA case.

R. Notice of Case Closure

- 1. When the RSSEP provider determines that the case documentation supports the determination of non-participation, the RSSEP provider sends a Notice of RSSEP Case Closure and closes the case in VNIS.

2. If the participant is a TANF recipient, a copy of the RSSEP Case Closure Notice is sent to the VIEW staff.
3. If the participant is a RCA recipient, a copy of the RSSEP Case Closure Notice is sent to the local DSS staff.

S. Re-opening a Case

When the RSSEP service provider closes the RSSEP case for non-participation without good cause, the participant may request RSSEP services again at any time. A new RSSEP Registration Form is required. A discussion of the RSSEP requirements is again discussed. The individual employment plan is updated. While a new employment plan is not required, if one is not developed the existing plan must be updated.

T. Refugee Cash Assistance Work Requirement

1. Recipients of Refugee Cash Assistance (RCA) are required to register for and participate in RSSEP as a condition of continued eligibility for RCA.
2. As part of the Virginia Department of Social Services Benefit Programs application process, an applicant for Refugee Cash Assistance (RCA) who is not exempt from the RCA work registration requirement must either:
 - a. Present a signed RSSEP Work Registration Form at the time of RCA application, or
 - b. Sign an RSSEP Work Registration Form at the time of RCA application.
3. The Virginia Department of Social Services Benefit Programs refugee cash assistance payments rules require that RCA payments be terminated if the RSSEP case of an RCA recipient, who is not exempt from the RCA work registration requirement, is closed due to non-participation in RSSEP activities.

U. Referral of RCA Recipients to Program Providers

1. When the RSSEP Work Registration form is signed at the time of the RCA application, the local DSS will give a copy of the form to the applicant and will send the original to the RSSEP provider.
2. The RSSEP staff is responsible for contacting the individual and conducting the initial intake interview which will include completion of the RSSEP Comprehensive Resettlement Plan and Individual Employment Plan.

V. TANF Work Requirement

1. A TANF recipient who does not meet one of the TANF work exemption must participate in the Virginia Initiative for Employment not Welfare (VIEW) Program.
2. Under federal and state TANF regulations, VIEW participation requirements apply to all work mandatory TANF recipients. A refugee who is both an RSSEP participant and a VIEW participant must meet the participation requirements of both programs.
3. Work requirements of the two programs must be coordinated by the VIEW and RSSEP case workers to ensure that each agency's case record contains required participation documentation.

W. TANF Coordination

1. The TANF application intake process and the VIEW assessment interview occur at different times. The VIEW assessment interview must occur within 10 to 30 days after the TANF application is approved.
2. Work requirements of the two programs must be coordinated by the VIEW and RSSEP case workers to ensure each agency's case record contains required participation documentation
3. RSSEP staffs are required to coordinate with the VIEW staff in each local DSS where RSSEP participants reside. A face-to-face meeting is recommended and the following issues be discussed:
 - a. Understanding the local DSS VIEW assessment process. While the basic assessment requirements are the same for each local DSS, the implementation and processes vary.
 - b. Establishing what role the RSSEP staff will have in the initial VIEW interview.
 - c. Establishing the method by which required RSSEP documentation will be provided to the local DSS.

4. The RSSEP staff must provide the VIEW worker with
 - a. A copy of the RSSEP participant's Comprehensive Resettlement Plan and Individual employment plan.
 - b. A monthly verification of continued participation,
 - c. Immediate notice of entered employment or non-participation.

X. TANF and RCA Sanctions for Non-Participation

1. The local department of social services will take the action to sanction a TANF or RCA recipient when it receives the RSSEP Case Closure Notice stating the case was closed due to non-participation without good cause.
2. When the local DSS receives Notice of the RSSEP Case Closure for a RCA recipient, the worker will follow TANF procedures for determining appropriate case closure action.
3. When the local DSS receives a Notice of the RSSEP Cash Closure for a TANF recipient, the TANF case closure will be handled according to VIEW/TANF case closure processes.
4. If the TANF or RCA recipient appeals the action taken by the local DSS, the RSSEP staff is required to assist the local DSS staff with any appeals conferences, hearings, and written arguments.
5. If the participant signs a new RSSEP Registration Form and participates as required, the individual will be eligible for TANF or RCA at the end of the sanctioning period.

Y. Required Forms

1. RSSEP forms are required for the following purposes
 - a. Registration Form
 - b. Mutual Responsibility Agreement
 - c. RSSEP/Local DSS Communication Form
 - d. Release of Information Form
2. The RSSEP forms used must be the forms provided by the Office of Newcomer Services (ONS).

Chapter 6

UNACCOMPANIED MINORS PROGRAM

A. Introduction

The Virginia unaccompanied minors program is one of the largest of 14 programs in the nation providing services to vulnerable refugee children from war-torn countries around the globe. These children, by definition, arrive in the United States unaccompanied by a parent or other close adult relative. Through a contract with a licensed child-placing agency, Virginia ensures that culturally and linguistically appropriate child welfare services are provided to these children and that the provider agency equips them with the skills needed to become well-adjusted, self-sufficient members of Virginia's communities.

The Unaccompanied Minors Program operates under the standards and requirements that govern the larger framework of Virginia's foster care system, including the level of foster care maintenance payments. These can be found in the Code of Virginia, Chapter 10: Child Welfare, Homes, Agencies and Institutions and the foster care regulations established by the Virginia Department of Social Services (*VDSS Policy Manual*, V. 7, sect. 3, ch. B). Refugee minors are eligible to receive the full range of services and benefits to which any child in foster care in Virginia is entitled: foster care maintenance, medical assistance, and support services.

B. Background

1. **Establishment of the Program** - The Unaccompanied Minors (UM) Program began in 1978 following the Vietnam War, which brought an influx of refugee minors into the United States. A priority admission system was put in place, with the provision that these UM children would be cared for despite the fact that they did not arrive with parents or guardians. The United States Catholic Conference and the Lutheran Immigration and Refugee Services were the two national voluntaries agencies that agreed to administer the Unaccompanied Minors program in various states. Throughout much of the life of the program, the majority of the participants have been from South Asia, with smaller numbers from other regions of the world.
2. **Present Program** – Beginning in the late 1990s, the Office of Refugee Resettlement called upon states with unaccompanied minors programs to begin making preparations for a downsizing of operations, because of a decline in processing of minors overseas and a decrease in the number of unaccompanied minors entering the United States.

However, Virginia's UM program has continued as a viable resource to the Office of Refugee Resettlement in those instances in which refugee youth have unexpectedly suffered the loss of their parents, for unaccompanied asylee youth, and youth in extreme situations who have already entered the United States. New youth have been added to the program through these kinds of circumstances, and as a result, the number of youths in the program, after years of decline, actually increased during the year 2000. The ethnic diversity in the program has also increased.

Another factor contributing to the growth and diversity of the UM program in Virginia is the increased processing of minors in refugee camps over the past couple of years. The primary effort has been in the Kakuma Refugee Camp in Kenya, where a large number of youth, primarily males from Sudan, have been encamped for many years. Approximately 3,300 of these youth (some minors, and some young adults over 18) have been resettled in the United States, including 40 through Virginia's Unaccompanied Minors Program.

Though it is uncertain whether these two international trends will continue, the UM program in the state will remain strong for at least a few years while it serves the large number of youth who are presently being served in the program.

C. Eligibility for the Program

1. Establishing Eligibility

- a. Some refugees arrive in the U.S. with the status of Unaccompanied Refugee Minor, which is granted overseas by INS and the State Department before departure. When they arrive, these youth are placed directly into the Unaccompanied Minors program so that they can immediately be placed into foster care and provided the services and benefits of the program.
- b. Other refugee minors enter into the U.S. with a parent, guardian, or relative, but for some reason after arrival are unable to stay with them. These children may be eligible for the Unaccompanied Minors Program through what is known as "reclassification" (see section VI.F.2 below for details).
- c. A third group of minors comes to the U.S. unaccompanied by a parent or legal guardian with the hope of attaining asylum status from the Immigration and Naturalization Service. Though under the present system this process often causes many difficulties and a long waiting period for the child, if the minor is granted asylum he/she may also be reclassified by ORR as a Refugee Unaccompanied Minor.

2. Beginning and Ending Dates for the Program

- a. Program eligibility begins on either the day of arrival in the United States (if the child has been granted Unaccompanied Refugee Minor status while still overseas) or the day that Unaccompanied Refugee Minor status is granted (as a result of a petition for reclassification from “accompanied” to “unaccompanied”) by the Office of Refugee Resettlement.
- b. A refugee unaccompanied minor remains eligible for benefits and services in the program until he/she:
 - 1) is reunited with a parent,
 - 2) is united with a non-parental adult willing and able to care for the child to whom legal custody and/or guardianship is granted under state law, or
 - 3) attains the age of 21. In Virginia, a child in foster care before the age of 18 may remain in foster care between the ages of 18 to 21 if the youth is in permanent foster care; requires continuing foster care assistance to participate in an educational, training, or treatment program; and wishes to remain in foster care. (§ 63.1-206.1, *Code of Virginia*).

D. Program Goals

1. **Dual Emphasis of the UM Program** – The goals of the program for unaccompanied minor refugees and entrants are:
 - a. To reunify unaccompanied refugee children with their parents or, within the context of Virginia child welfare practice, with non-parental adult relatives.
 - b. To help unaccompanied minors develop appropriate skills to enter adulthood and to achieve economic and social self-sufficiency through delivery of child welfare services in a culturally sensitive manner.
2. **Developing Independence** - Preparation for living on their own and eventual emancipation are viewed as critical elements in the planning for minors. At a minimum, the provider agency will take the following specific steps to assist the minors in achieving self-sufficiency:
 - a. Provide training in life skills such as language competency, budgeting, banking, job readiness, vocational exploration, and self care.
 - b. Assist minors in locating living arrangements and employment.
 - c. Involve community resources and service providers in planning with the minors.

- d. Follow-up on the minor's adjustment to emancipation for six months.
- 3. **Adoption** - Since a primary goal in providing services to the minor is reunification with family, refugee/entrant minors are not eligible for adoptions except as provided in 45 CFR §400.115 (c). These cases are rare.

E. Services

1. Parallel Services

- a. The Unaccompanied Minors Program must provide the same services and benefits to the refugee minor that are provided to any minor that is in foster care in the state of Virginia.
 - b. These may include foster care maintenance payments (i.e. room, board, and clothing), medical assistance, and support services. For a full description of the benefits and services offered to children in foster care in the Commonwealth see the *Virginia Department of Social Services Manual*, V. 7, section 3, ch. B.5.4.1.
2. **Foster Care Options** - A continuum of care with culturally sensitive placement options is available to meet the developmental needs of minors and is consistent with those provided to all children in foster care in Virginia. These options include:
- a. Reunification with family or relative
 - b. Ethnically matched foster home
 - c. Foster home
 - d. Teaching/specialized foster home
 - e. Therapeutic group home care
 - f. Transitional independent living arrangement
 - g. Independent living placement
 - h. Residential facility
3. **Note:** *If the provider agency cannot place the minor in an ethnic or bilingual option, those services are added by the service provider through bilingual staffing and linkages with the ethnic community.*

F. Administration

1. Guide

- a. The private child placing agency under contract should petition the court in the jurisdiction where the minor will reside to establish legal custody within 30 days after arrival in Virginia, in accordance with §63.1-204 of the Code of Virginia.

- b. The agency must follow all of the requirements for opening a case for foster care as established by *Virginia Department of Social Services Manual*, V. 7, section 3, ch. B.5.
- 2. **Reclassification** – If the child needs to be reclassified as an unaccompanied refugee minor, the protocol that the Office of Refugee Resettlement (ORR) established should be followed, including:
 - a. The child placing agency must submit an ORR-3 Placement Report (OMB No. 0960-0309) for the child to the State Refugee Coordinator. It should complete all sections of the report. If portions of the actions required by the report are pending, this should be indicated in the appropriate section.
 - b. Unlike with non-refugee foster children, the parents of unaccompanied minors need not necessarily be contacted in order for custody to be granted to the child-placing agency. Section 400.114.b of the Code of Federal Regulations says that, “in establishing legal responsibility, including legal custody and/or guardianship under State law, as appropriate, the minor’s natural parents should not be contacted in their native country since contact could be dangerous to the parents.”
 - c. If the child was not classified as an unaccompanied minor because of a clerical error, details about how and why this occurred must be fully explained in the report. Any accompanying documents that may more clearly illustrate that an error occurred should also be submitted. For a request for reclassification based on a re-determination of age, special steps must be followed.
 - d. The child placing agency should submit to ONS an assurance that the minor does not have, and has not had at any time since his or her arrival in the U.S., a parent living in the United States. In addition, the whereabouts of the natural parents should be specified if known and the name of the adult person with whom the minor entered the United States, or whom the minor entered the United States to join, should be supplied.
 - e. Assurance that the child is not living in the home of the non-parental or non-related adult with whom he or she entered the United States or the non-parental relative or other non-parental adult whom he or she entered the United States to join should be submitted to ONS.
 - f. The child-placing agency must demonstrate to ONS that it has been granted legal custody of the child by the appropriate court.

- g. Upon receipt of the appropriate documents and information described in sections a-e above, the State Refugee Coordinator will send a formal request for reclassification, including a narrative explanation of the circumstances under which the state believes the child to be "unaccompanied," to ORR.
- h. If ORR grants the request for reclassification, the minor will be eligible for all of the benefits and services provided under the Unaccompanied Minors Program.

3. Case Plan

- a. After custody and/or reclassification have been established and the initial steps are taken to open a case, the placing agency must immediately develop a case plan for the refugee minor. This should be done in accordance with the requirements set forth in 45 CFR §400.118 and the *Virginia Department of Social Services Manual*, V. 7, section 3, ch. B.6-8.
 - b. The case plan should be tailored to the individual strengths, abilities, and temperament of each child and must address the following areas:
 - 1) Social adjustment
 - 2) English language training
 - 3) Career planning
 - 4) Education/training as appropriate
 - 5) Health needs
 - 6) Suitable mode of care in the least restrictive setting
 - 7) Development of socialization skills
 - 8) Family reunification
 - 9) Preservation of ethnic, cultural, and religious heritage
 - 10) Mental health needs, if necessary.
 - c. The child-placing agency should follow the VDSS policy on service delivery with regard to the areas listed above. See *VDSS Policy Manual*, V. 7, section 3, ch. B.9-11. Additionally, the agency must review every six months the appropriateness of the minor's living arrangement and services.
4. **Interstate Movement** – When an unaccompanied minor is placed in Virginia and then moves to another state, the same guidelines that govern the interstate movement of a non-refugee child in foster care apply. For details about the various requirements and responsibilities see the *Virginia Department of Social Services Manual*, v. 7, section 3, ch. E, the *Virginia Code 63.1-219.1-5*, and *Virginia's Guide to the Interstate Compact on the Placement of Children*.

5. **Reporting Suspected Abuse/Neglect** – In order to ensure that refugees in the Unaccompanied Minors Program are given adequate protection, it is essential that the personnel of the child placing agency are informed of their responsibilities as mandated reporters. Virginia has established mandatory reporting statutes with regard to suspected cases of abuse and neglect, which can be found in the Code of Virginia 63.1-248.3 and 63.1-55.3. See section II.E.3 of this manual for more details about these requirements.

Monitoring and Reporting – It is expected that the child-placing agency will comply with monitoring and reporting requirements that are established through contractual agreement with the Office of Newcomer Services. See 45 CFR 400.120 for a description of the minimum requirements in these areas - though the contractual agreement may add additional requirements.

Appendix A

Refugee Social Services Employment Program (RSSEP) WORK REGISTRATION FORM

The Virginia Refugee Social Services Employment Program assists eligible refugees, asylees, Cuban/Haitian entrants, Afghan and Iraqi with special immigrant visas, victims of human trafficking, and certain Amerasians become employed.

In the United States adults work and earn an income to pay for their food, housing, and clothing needs. You will hear the term 'personal responsibility.' It means that the individual and not the government is responsible for paying for food and shelter. The refugee employment program goal is to help you find a job so that you can pay for your food and your shelter.

The kind of job you find will depend on how well you speak the English language and the experience and skills you gain as you work for U.S. employers. Your first job will be at an entry-level salary. If you want a higher salary or a different job, you will need to do two primary things: improve your skills in speaking the English language and get experience in working in U.S. jobs.

Your cooperation with the RSSEP staff and participation in RSSEP activities is very important. RSSEP staff will give you information about looking for a job, interviewing for a job, and keeping a job once you find it. Your cooperation and participation is critical to your success in finding a job.

To receive services from the RSSEP staff, you must first sign this RSSEP Work Registration Form. Your signature means you understand that your cooperation with the RSSEP staff and participation with RSSEP activities is very important. Cooperation and participation means that you

- ✓ keep all scheduled appointments
- ✓ go on job interviews
- ✓ accept a job offer
- ✓ tell the RSSEP staff if you move or find a job

If you do not cooperate and participate, the RSSEP staff may not be able to continue to provide you with employment assistance. The program staff may close your RSSEP case. If your RSSEP case is closed, here is what will happen:

1. You will not be eligible to continue to receive RSSEP services, which may include English language training.
2. If you are receiving cash payments from the Refugee Cash Assistance Program, those payments will stop.

| <u>RSSEP WORK REGISTRATION SIGNATURE REQUIREMENT</u> | | |
|---|----------------------|----------------------|
| _____ Client first name | _____ middle name | _____ last name |
| _____ CLIENT SIGNATURE | | _____ DATE SIGNED |

IF THIS FORM IS SIGNED AT THE TIME OF RCA APPLICATION AT THE LOCAL DEPARTMENT OF SOCIAL SERVICES (LDSS), THE LDSS IS TO

1. DETERMINE THE RSSEP PROVIDER THAT IS CLOSEST TO THE APPLICANT'S HOME ADDRESS AND CHECK THAT OFFICE ON THE RSSEP REFERRAL FORM
2. GIVE THE ORIGINAL OF THIS FORM TO THE RCA APPLICANT AND TELL THE APPLICANT THAT HE OR SHE MUST CONTACT THE RSSEP AGENCY THAT IS CHECKED ON THE REFERRAL FORM.
3. SEND A COPY OF THIS FORM TO THE RSSEP AGENCY
4. MAINTAIN A COPY OF THIS FORM IN THE RCA APPLICANT'S LDSS CASE FILE.

Refugee Social Services Employment Program (RSSEP) Work Registration REFERRAL Form

This RESSEP Referral Form is completed by the local departments of social services when a RCA applicant does not have a copy of an RSSEP registration form at the time of application. Its purpose is to inform the applicant who to contact for refugee employment services.

| IF THERE ARE TWO RSSEP PROVIDERS, THE APPLICANT IS ASKED TO CHOSE ONE THE LOCAL DSS INTAKE WORKER MARKS THE APPLICANT'S CHOICE | | |
|---|--|--|
| LOCAL DSS | RSSEP PROVIDER NAME AND CONTACT INFORMATION | RSSEP PROVIDER NAME AND CONTACT INFORMATION |
| Central Region Amelia Fluvanna Hopewell New Kent Petersburg | <input type="checkbox"/> Refugee Resettlement Program of the Commonwealth Catholic Charities Richmond Office 1512 Willow Lawn Drive, Suite A Richmond, VA 23230 (804) 545-6289 | |
| Caroline | <input type="checkbox"/> Migration and Refugee Services Catholic Charities of the Diocese of Arlington Fredericksburg Office 24 Butler Road Fredericksburg, VA 22405 540) 899-6507 | <input type="checkbox"/> Refugee Resettlement Program of the Commonwealth Catholic Charities Richmond Office 1512 Willow Lawn Drive, Suite A Richmond, VA 23230 (804) 545-6289 |
| Chesterfield Goochland Hanover Henrico Powhatan Richmond City | <input type="checkbox"/> Virginia Council of Churches Refugee Resettlement Program Richmond Office 1214 W. Graham Road, Suite 3 Richmond, VA 23220 (804) 321-3305, ext.109 | <input type="checkbox"/> Refugee Resettlement Program of the Commonwealth Catholic Charities Richmond Office 1512 Willow Lawn Drive, Suite A Richmond, VA 23230 (804) 545-6289 |
| Eastern Surry York-Poquoson | <input type="checkbox"/> Refugee Resettlement Program of the Commonwealth Catholic Charities Hampton Office 1615 Kecoughtan Road Hampton, VA 23661 Phone: (757) 247-3600 | |
| Chesapeake Hampton Isle of Wight Newport News Norfolk Portsmouth | <input type="checkbox"/> Refugee Resettlement Program of the Commonwealth Catholic Charities Hampton Office 1615 Kecoughtan Road Hampton, VA 23661 | <input type="checkbox"/> Virginia Council of Churches Refugee Resettlement Program Newport News Office 372 Hiden Blvd., P.O. 6154 Newport News, VA 23606 |

| | | |
|--|---|--|
| Suffolk Virginia Beach Williamsburg | Phone: (757) 247-3600 | Phone: (757) 265-8605 |
| Northern Virginia Alexandria Arlington Fairfax Falls Church, Loudoun Manassas City Manassas Park Rappahannock Shenandoah | <input type="checkbox"/> Migration and Refugee Services Catholic Charities of the Diocese of Arlington Arlington Office 80 North Glebe Road Arlington, VA 22203 Phone: (703) 841-3876 | <input type="checkbox"/> Lutheran Social Services of the National Capital Area Refugee Employment and Training Program Falls Church Office 7401 Leesburg Pike Falls Church, VA 22043 Phone: (703) 698-5026 |
| Culpeper Fredericksburg Orange Prince William Spotsylvania Stafford | <input type="checkbox"/> Migration and Refugee Services Catholic Charities of the Diocese of Arlington Fredericksburg Office 24 Butler Road Fredericksburg, VA 22405 Phone: (540) 899-6507 | |
| Harrisonburg/Rockingham | <input type="checkbox"/> Virginia Council of Churches Refugee Resettlement Program Harrisonburg Office 250 E. Elizabeth Street, Suite 109 Harrisonburg, VA 22802 Phone: (540) 433-7942 | |
| Piedmont Albemarle Charlottesville | <input type="checkbox"/> International Rescue Committee Charlottesville Office 609 East Market Street, Suite 104 Charlottesville, VA 22902 Phone: (434) 979-7772 | |
| Botetourt Franklin Roanoke City Roanoke County | <input type="checkbox"/> Refugee Resettlement Program of the Commonwealth Catholic Charities Roanoke Office 820 Campbell Ave. SW Roanoke, VA 24016 Phone: (540) 342-7561 | |
| Western None | n/a | n/a |

Refugee Social Services Employment Program (RSSEP) MUTUAL RESPONSIBILITY AGREEMENT PLAN OF ACTION REQUIREMENTS

This form is to be completed by the RSSEP agency and the RSSEP applicant and kept with the RSSEP Work Registration Form.

Client Name _____ Phone Number _____
Worker Name _____ Phone Number _____
VNIS Case Number _____
RCA/TANF Cash Number, if applicable _____

Client Responsibilities

The client and worker are to initial each item. The worker's initial attests to the fact that the worker explained the responsibility to the client. The client's initial attests to the fact that the client understands the responsibility.

1. I will contact my RSSEP worker immediately if a change occurs that prevents me from completing an assigned activity

worker initials

client initials

2. I will follow up on job referrals I am given by the RSSEP worker

worker initials

client initials

3. I will accept any reasonable job offered to me.

worker initials

client initials

4. I will not quit a job without *first* discussing the situation with the RSSEP worker.

worker initials

client initials

Plan of Action: FULL PLAN CONTAINED IN EMPLOYMENT SECTION OF COMPREHENSIVE RESETTLEMENT PLAN

Employment Goal:

Signatures

Client

Date

RSSEP Worker

Date

**REFUGEE SOCIAL SERVICES EMPLOYMENT PROGRAM
RSSEP PARTICIPATION COMMUNICATION REPORT Form**

- ☐ TANF Recipient
☐ RCA Recipient

| | |
|--|--|
| To: _____ — LOCAL DSS AUTHORIZED PERSON From: _____ RSSEP AUTHORIZED PERSON Date Submitted _____/_____/_____ | To: _____ — RSSEP Authorized Person From: _____ — Local DSS Authorized Person Date Submitted _____/_____/_____ |
|--|--|

=====

☐ RSSEP Participation Information

Name _____
RCA Case # _____
RCA Client ID # _____
TANF Case # _____
TANF ID# _____
RSSEP Case # _____
RSSEP Case ID # _____

=====

☐ Entered Employment

Will enter or did enter employment on ____/____/____
Place of employment _____
Scheduled # of hours/week _____
Rate of pay \$ _____ per _____
Frequency of pay: _____
Expected date of first pay: ____/____/____

=====

☐ Non-Compliance with RSSEP Participation Requirement

Please take action to close the RCA or TANF case due to non-compliance with RCA work registration requirement. The RSSEP conducted a review of the case facts and determined there was not good cause for non-participation. Attached is a summary of findings of this review.

☐ This is the 1st non-participation (3 mo RCA ; 1 mo TANF sanction and until person complies)

☐ This is the 2nd non-participation (6 month RCA; 3 mo TANF sanction and until person complies)

=====

☐ **Compliance with RSSEP Participation Requirement**

Please reinstate the RCA or TANF payments when the sanction period has ended. The person has complied with the RCA work requirements.

=====

☐ **Appeal of Determination of Non-Participation**

☐ Client appealed case closure action. Case remains open until appeal resolved.

☐ Pre-hearing conference scheduled for ____/____/____ at ____ a.m./p.m.

☐ Appeal hearing conference scheduled for ____/____/____ at ____ a.m./p.m.

NOTE: LOCAL DSS MUST COMMUNICATE DIRECTLY WITH RSSEP TO CONFIRM SPECIFIC DETAILS OF TIME AND PLACE OF THE HEARING AS THE RSSEP IS RESPONSIBLE FOR PRESENTING CASE FACTS.

=====

☐ **RSSEP Hours of Participation Report**

☐ **RSSEP and Local DSS Client Update**

Instructions

REFUGEE SOCIAL SERVICES EMPLOYMENT PROGRAM

RSSEP PARTICIPATION COMMUNICATION REPORT

PURPOSE OF FORM This form provides a method for authorized local DSS eligibility worker and the authorized RSSEP worker to exchange information about an RCA and TANF recipient's work activities.

USE OF FORM The form is originated

- As needed by the RSSEP job counselor when an RCA or TANF recipient becomes employed, fails to participate in RSSEP program activities without good cause,
- Monthly, by the RSSEP job counselor to provide hours of participation documentation for the VIEW worker
- As needed by the appropriate local DSS staff when there is an appeal hearing of a TANF or RCA closure action that is based on an RSSEP report of non-participation.
- As needed by the VIEW worker to communicate information regarding an RSSEP participant.

NUMBER OF COPIES

The original is sent is to the agency to which the form is addressed. One copy is put in the case file of the agency initiating the form.

INSTRUCTIONS FOR PREPARTION OF FORM

The persons authorized to originate and receive the form are those designated by the management staff of each agency.

The originator of the form completes the section with the client's name, case number, and other listed identifying information.

The originator will check whichever block communicates the information being communicated to the other agency.

SPECIAL INSTRUCTIONS FOR RSSEP

When the form is communicating non-participation in RSSEP, attach a summary of the reasons for the non-participation determination.

SPECIAL INSTRUCTIONS FOR LOCAL DSS

As the facts regarding the client's non-participation in RSSEP work activities must be presented by the RSSEP, the local DSS must have direct communication with the RSSEP confirming the date, time, and place of both the pre-conference hearing and the appeal hearing.

Virginia Refugee Resettlement Program
Release of Information Form

Name of Refugee: _____ Alien number: _____

I authorize these organizations and individuals

- Refugee Resettlement Organizations
- Immigration and Naturalization Services
- Employers
- Physicians and Other Medical Institutions
- Law Enforcement Officers
- Schools, Colleges, and Universities
- Mutual Assistance Associations
- Property Managers/Landlords
- Virginia Housing Development Authority
- Public Service Agencies
- Social Security Administration
- Financial Institutions
- Health Insurance Company
- Area Agencies on Aging

to provide information to these refugee service agencies/organizations:

- Eligibility Workers
- Office of Newcomer Services
- Division of Adult & Family and Services
- Local Department of Social Services
- Catholic Charities (only when holding custody of refugee)
- Foster Care Agency (providing care to refugee)

including the following records:

- Family History
- Employment/Unemployment
- Education Reports
- Alcohol/Drug Treatment
- Mental Health Records
- Medical/Psychiatric Treatment
- Benefit/Services Needed, Planned, and/or received
- Financial Information
- Criminal Justice Records
- Other: _____

I understand and agree that:

- The individuals and organizations listed above may share information about me and my family.
- The information shared will only be used to help me receive services and benefits that will help me to achieve self-sufficiency.
- This form and my permission for these agencies to share information will expire in one year.
- I can cancel this at any time.
- Any information shared must be kept confidential unless I give written permission to release it to someone else.
- I have not been forced to sign this form.

Signature of Refugee: _____ **Date:** _____

Signature of Case Worker: _____ **Date:** _____

Appendix B

Glossary of Terms

Affiliate Agency or Local Resettlement Agency: An affiliate of a national VOLAG that is responsible for the resettlement and placement of a certain number of refugees in the state of Virginia. Under contract with the Department of State, the agency must provide a number of services to the refugee (e.g. housing, clothing, furniture, food, cultural orientation, and case management) during the first 90 days following his or her arrival into the United States

Alien: A person who is not a citizen or a national of the U.S.

Amerasian Act: Public Law 97-359 (Act of 10/22/82) provides for the immigration to the United States of certain Amerasian children. In order to qualify for benefits under this law, an alien must have been born in Cambodia, Korea, Laos, Thailand, or Vietnam after December 31, 1950, and before October 22, 1982, and have been fathered by a U.S. citizen.

Amerasian (Vietnam): A person of American and Asian descent, especially one whose mother is Asian and whose father is American. The term is used primarily with reference to children fathered in Asia by American servicemen. Amerasians born in Vietnam after January 1, 1962, and before January 1, 1976, who were fathered by a U.S. citizen, are eligible for benefits and services from the VRRP program. These Amerasians – along with their spouses, children, and parents or guardians when they arrive with them in the United States, who also qualify for VRRP – are issued immigration visas under the authority of Public Law 100-202 (and the amendments to it in P.L. 100-461, P.L. 101-167, P.L. 101-513, and P.L. 101-649).

Applicant for Asylum: A person living in the United States who does not want to return to his/her country because of fear of persecution and has requested, but has not yet received, asylum from the United States by filing form I-589 with the Immigration and Naturalization Service. An applicant for asylum is not eligible to receive benefits and services from the VRRP program until he/she has received an official letter granting asylum status.

Asylee: An individual who has been granted asylum by an immigration court or by the Department of State Citizenship and Immigration Services,

Asylum: Protected status given to non-citizens who are in the U.S. or at a border and demonstrate that they qualify under the refugee definition. A person granted asylum is referred to as an “asylee,” or more generally as a “refugee.”

Case Management Services: The determination of which services to refer a refugee to, the referral to such service(s), and tracking of the refugee’s participation in such service(s).

Comprehensive Resettlement Plan (CRP): A plan required for all refugees receiving services from contract service providers that includes an assessment of the refugee’s overall needs, interests and aptitudes, present abilities, previous education, work experiences, language ability, and potential barriers to self-sufficiency. In addition, the plan includes service strategies to address needs and overcome barriers to the

achievement of self-sufficiency, including employment services, English language training, transitional cash and medical assistance, and other support services. Additionally, the CRP includes input from the refugee being served

Cuban/Haitian Entrant Program: A program created by Congress under the Title V of the Refugee Education Assistance Act of 1980 that provides federal reimbursement to participating States for cash and medical assistance to Cuban and Haitian entrants under the same conditions and to the same extent as such assistance and services are made available to refugees. Also considered entrants for the purposes of federal reimbursement are Cuban and Haitian nationals who are paroled into the U.S. or are subject to exclusion or deportation proceedings, or applicants for asylum.

Discretionary Grant Program: Funds from the Office of Refugee Resettlement (ORR) for social service programs that address critical unmet needs and/or benefit refugees throughout the state by strengthening economic self-sufficiency, family stability, or community integration. ORR designates discretionary money for specific purposes and relies on the Office of Newcomer Services to administer the funds in Virginia. These grants have allowed ONS and its contract service providers to be more flexible and creative in order to meet needs that are not covered by other categorical Office of Refugee Resettlement funds.

Domestic Health Assessment: The initial medical screening that a refugee receives at a local health department within the first thirty days of arrival in the United States. It is designed to eliminate health-related barriers to successful resettlement while protecting the health of the U.S. population.

Economic Self Sufficiency: The ability of a refugee or refugee family unit to earn an income that will allow the family unit to support itself without the receipt of a cash assistance grant.

Employment Authorization Document (EAD): A document issued by United States Citizenship and Immigration Services that proves as evidence that the holder is authorized to work in the United States. U.S. citizens, lawful permanent residents, and conditional residents do NOT require an EAD to work in the U.S.

English Language Training (ELT): Any type of training program or tutoring service which is designed to help the refugee improve his/her English speaking, reading, writing, comprehension, and cultural competency skills. In the Refugee program, the primary goal and focus of ELT is employment and job readiness. ELT is sometimes referred to as English as a Second Language (ESL), however, ELT is broader in scope, including a wider variety of methods for language acquisition, than the typical ESL classroom setting.

Family Access to Medical Insurance Security Plan (FAMIS): The new health care program in Virginia that has replaced the Children's Medical Security Insurance Plan (CMSIP). Like CMSIP, FAMIS is designed to meet the health care needs of Virginia's uninsured children between the ages of 0 through 18 years, in working families that earn too much to qualify for Medicaid, but not enough to afford private health insurance. Some of the components of FAMIS are: a simplified eligibility process,

a new benefits package with cost sharing, employee sponsored health insurance, and a centralized processing site. The program is administered by the Department of Medical Assistance Services (DMAS).

Immigrant: An alien who is lawfully granted the privilege of residing in the U.S.

Matching Grant Program: Funded by Congress since 1979, this program provides an alternative approach to State-administered resettlement assistance. Matching grants of \$2,000 per refugee are awarded to national voluntary resettlement agencies that agree to match the Office of Refugee Resettlement (ORR) grant with \$1,000 of cash and in-kind contributions with a minimum of 20 percent in cash. The program's goal is to help refugees attain self-sufficiency within four months after arrival without accessing public cash assistance.

Medicaid: A medical assistance program established under Title XIX of the Federal Social Security Act to enable states to provide medical care to public assistance recipients and medically needy persons: i.e. persons of low income who can meet their maintenance needs but have insufficient income to provide the cost of medical care. The program is financed by state and federal funds.

Mutual Assistance Association (MAA): An incorporated refugee organization that addresses the social service needs of the refugee population. An MAA is based upon the principle of self-help. It is intended to fill gaps in existing community services. An MAA serves as a bridge in promoting the refugee's successful resettlement and acculturation in the American community. The composition of the organization or governing board is comprised of not less than 51 percent refugees or former refugees and includes both refugee men and women.

Non-citizen: Any person who is not a citizen of the U.S., regardless of his/her specific immigration status.

Office of Newcomer Services (ONS): The office within the Department of Social Services that is responsible for the administration and oversight of the Refugee Resettlement Program in the state of Virginia.

Office of Refugee Resettlement (ORR): The agency within the federal Department of Health and Human Services responsible that is responsible for the administration of the U.S. Refugee Resettlement Program. ORR manages the grants that provide the funding for refugee programs administered by ONS. These include the Refugee Medical Assistance (RMA) Program, the Refugee Cash Assistance (RCA) Program, Refugee Social Services (RSS) Program, the Targeted Assistance Program (TAP), the Refugee Medical Screening Program, the Unaccompanied Refugee Minor Program, and two discretionary grant programs.

Parolee: For the purposes of the Refugee Resettlement Program, this usually refers to a Haitian or Cuban who has been paroled into the United States or granted parole status as a Cuban/Haitian Entrant.

Reception and Placement: The first phase of the resettlement process after a refugee arrives in the United States. Each refugee is assigned to an American private voluntary agency that, working under a cooperative agreement with the Department of State, provides sponsorship and initial resettlement services during the first three

months following the refugee's arrival. These services include housing, essential furnishings, food and other basic necessities, clothing, and additional orientation to life in America.

Refugee: A person who is outside his/her country of nationality and who is unable or unwilling to return to, and is unwilling to avail him/herself of the protection of that country because of persecution or a well-founded fear of persecution due to race, religion, nationality, political opinion, or membership in a particular social group. The generic term "refugee" includes asylees, parolees, Cuban-Haitian entrants, and persons paroled into the country for humanitarian reasons or otherwise inadmissible aliens allowed to enter the U.S. under emergency conditions, or because entry serves an overriding public interest.

Refugee Act of 1980 (Public Law 96-212): The legislation that created the refugee resettlement program to provide for the effective resettlement of refugees and to assist them to achieve economic self-sufficiency as quickly as possible after arrival in the United States.

Refugee Cash Assistance (RCA): A time-limited cash assistance program for refugees who meet the TANF program income eligibility standards but do not meet a categorical requirement.

Refugee Medical Assistance (RMA): A time-limited medical assistance program for refugees who meet the income eligibility standards for Medicaid or FAMIS but do not meet a categorical requirement.

Refugee Social Services (RSS): Refugee specific employment services provided to refugees to assist them in becoming self-sufficient. Services include employment counseling, English language training, job placement and vocational training, and limited support services.

Secondary Migrant: A refugee or entrant who moves into Virginia after initial resettlement in another state in the U.S.

Service Contract Provider: An agency or organization under contract with the Virginia Department of Social Services, Office of Newcomer Services, to provide specified services to refugees/entrants.

Spend down (Incurred Medical Expense Spend down): A provision of the Medicaid and RMA programs for those who meet all of the eligibility requirements except for income. Similar to an insurance policy deductible, an applicant can make up for the difference between their countable income and the medically needy income limit by listing any medical bills that they incur during the "spend-down period." If the entire difference is met, then the individual is determined to be eligible for the remainder of the period.

State Refugee Coordinator(SRC): The individual designated by the Governor to administer and guide the Virginia Refugee Resettlement Program. The SRC has coordinative and oversight responsibility for all activities related to the delivery of federally funded refugee services in Virginia.

Supplemental Security Income (SSI): A federal income supplement program funded by general tax revenues that is designed to help aged, blind, and disabled people whose income and resources are below a certain level. It provides cash to meet basic needs for food, clothing, and shelter.

Targeted Assistance Program (TAP): A federal refugee employment program offered in geographic areas with unusually large refugee populations in relation to the overall population and high use of public assistance.

Temporary Assistance to Needy Families (TANF): A program that provides temporary financial assistance to eligible families with children. The family receives a monthly cash payment to meet their basic needs. To be eligible, a family must be financially needy and must meet certain other requirements.

Unaccompanied Refugee Minor (URM): A refugee child who arrives in the U.S. unaccompanied by a parent, legal guardian, or other close adult relative. URM children are placed in foster care programs managed by either Lutheran Immigration and Refugee Services (LIRS) or the United States Conference of Catholic Bishops (USCCB) and receive services that mirror states' domestic foster care programs.

Victim of Human Trafficking: The Trafficking Victims Violence Prevention Act of 2000 (TVPA) defines and classifies human trafficking into two main categories: sex trafficking and labor trafficking.

- Sex trafficking involves the recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act in which a commercial sex act is induced by force, fraud, or coercion, or in which the person forced to perform such an act is under the age of eighteen years old.
- Labor trafficking is defined as the recruitment, harboring, transportation, provision, or obtaining of a person for labor services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage or slavery. Such violations might include domestic services, manufacturing, construction, migrant laboring and other services obtained through subjection to involuntary servitude, peonage, debt bondage or slavery.

Virginia Initiative for Work Not Welfare (VIEW) The TANF work component

Virginia Newcomer Information System (VNIS): A computer data base that contains refugee demographic data; ONS contractor service delivery data; and program outcome data, such as entered employment.

Voluntary Agency (VOLAG): A national non-profit organization that enter into a cooperative agreement with the Bureau of Population, Refugees, and Migration of the Department of State to provide initial reception and placement services to refugees. Affiliates of five of the national VOLAGs resettle refugees in Virginia: Church World Services, Episcopal Migration Ministries, International Rescue Committee, Lutheran Immigration and Refugee Service, and the United States Conference of Catholic Bishops.

