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Chapter 1

VIRGINIA REFUGEE RESETTLEMENT PROGRAM OVERVIEW

Acronyms Used in this Chapter

DOS	Department of State
ONS	Office of Newcomer Services
ORR	federal Office of Refugee Resettlement
SRC	State Refugee Coordinator
VDSS	Virginia Department of Social Services
USRRP	U.S. Refugee Resettlement Program
VOLAG	National Voluntary Agency
VRRP	Virginia Refugee Resettlement Program

A. Legal Base and Framework

1. Legal Base – The U.S. Refugee Resettlement Program (USRRP) is a humanitarian program. The USRRP legislative basis 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. State Plan – The Virginia Refugee Resettlement Program (VRRP) State Plan certifies that the Commonwealth of Virginia refugee service delivery follows the requirements in *45 CFR, Part 400.5(i) (4)*.
3. Program Funding – The VRRP is federally funded. Funding authority is *45 CFR, Part 400 Subpart J, Federal Funding*.
4. Program Goals – The goals are (i) to assist in the successful social integration of refugee populations into the communities where they are resettled as soon as possible after their arrival in the U.S and (ii) to do this with an emphasis on attaining the earliest durable economic self-sufficiency for individuals and families.
5. Federal Service Delivery Flow
 - a. The U.S. Department of State (DOS) contracts with national voluntary agencies (VOLAG) to provide initial services under the Refugee Reception and Placement Program. The program funding flow is directly between the VOLAG and their affiliate offices in each state. The Virginia Department of Social Services (VDSS), Office of Newcomer Services (ONS) does not administer this funding.
 - 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.

- c. ORR awards some grant funding directly to states, some directly to VOLAG, and some directly to local VOLAG affiliate offices.
 - i. ORR grants awarded to VDSS fund employment services, English language training, time limited cash and medical assistance, refugee medical screenings, and foster care services to unaccompanied refugee minors. ONS administers these programs.
 - ii. One of the ORR grants awarded to VOLAGs fund a separate employment and cash assistance program called the Matching Grant Program (MGP). VOLAG affiliate offices in Virginia provide MGP services. ONS does not administer this program; however, VOLAGs are required to coordinate with the State Refugee Coordinator on the number of planned MGP enrollments and to share MGP client outcome data with ONS.
6. Virginia Refugee Services Delivery
- a. ONS administers the VRRP. The ONS Director is the Virginia State Refugee Coordinator (SRC).
 - b. The Virginia State Refugee Coordinator
 - i. Administers federal refugee services grants.
 - ii. Monitors 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.
 - v. Consults with the DOS on the capacity of Virginia's communities to resettle the DOS proposed number of arrivals each year.
 - c. Federal grants administered by ONS
 - i. The Refugee Social Services Program grant and the Targeted Assistance Program grants fund employment services, English language training, and employment support services.
 - ii. The Refugee Cash and Medical Assistance Program grant funds the Refugee Cash Assistance Program, the Refugee Medical Assistance Program, Refugee Medical Screenings, and the Unaccompanied Refugee Minor Program.

- iii. Three ORR Set-Aside grants fund the Virginia Refugees Student Achievement Program, the Services to Older Refugee Program, and the Youth Mentoring Program.
 - iv. A discretionary grant partially funds the Refugee Health Outreach and Education Program.
- d. Refugee service providers
- i. Local departments of social services process Refugee Cash Assistance and Refugee Medical Assistance applications.
 - ii. Local health departments conduct refugee medical screenings.
 - iii. Non-profit private agencies provide case management and direct services and facilitate access to community services.
 - iv. A non-profit private agency, which provides foster care services to unaccompanied refugee minors.

B. Eligible Populations

1. To be eligible to receive VRRP benefits and services an individual must provide documentation that he or she has one of the legal immigration statuses listed in item B.3 below defined in Appendix B.
2. Appendix B, Documentation defines acceptable documentation for eligible VRRP statuses.
3. *When used in this manual, unless noted otherwise, the term refugee refers to anyone who falls into any of these statuses.*
 - a. 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 particular social group. Refugee status is granted before the person's arrival in the United States.
 - b. An *asylee* is a person who, after arrival in the U.S., applies for asylum and demonstrates that he/she qualifies under the "refugee" definition. Once granted asylum, the asylee is eligible for all services and support offered by the VRRP.
 - c. A *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. An *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. *An Afghan or Iraqi national with special immigrant visa (SIV) status whose SIV status was granted under Section 8120 of Pub. L. No. 111-118, Department of Defense Appropriations Act, 2010.*
- f. *A 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 are persons who previously held one of the statuses listed above and currently hold the immigration status of legal permanent resident (LPR).*
- h. *An Unaccompanied Refugee Minor is 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.*

Note: The federal Office of Refugee Resettlement may admit into the Unaccompanied Refugee Minor Program special immigrant juvenile or child asylees.

- 4. 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.

C. Virginia's Model for Refugee Resettlement

The VRRP Model is the framework for refugee resettlement in Virginia. The model's guiding principle is that refugees are best served through comprehensive, coordinated, responsive, and community-based services. The model's key elements are:

1. The Comprehensive Resettlement Plan (CRP) is the core of refugee service delivery.
2. A refugee's early employment promotes his/her earliest economic self-sufficiency.
3. Addressing the physical and mental health needs of refugees in a timely, coordinated and integrated way promotes and ensures the well-being and health of refugee families.
4. Community receptivity to refugees is a key factor in successful resettlement; therefore, refugee resettlement offices must take the lead in creating a welcoming environment for refugees through community dialogues involving key stakeholders to provide local awareness of and input into the resettlement process and to ensure adequate levels of local support for the resettlement effort.
5. Services, whether provided concurrently, progressively, or successively, constitute a continuum of services that begin at the time of the refugee's arrival into the U.S. and continue through self-sufficiency leading up to citizenship.
 - a. Staff providing services understand the diverse cultural and linguistic backgrounds of clients served through the VRRP.
 - b. Case management services link refugees to community service providers.
 - c. Public and private partnerships are developed and maintained that maximize community resources and to create a seamless service delivery system.
 - d. Ethnic organizations, known as Mutual Assistance Associations, bring unique strengths and cultural knowledge to the resettlement process and are included in the service network.

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. Appendix C, Forms includes a *Release of Information* form that provides permission to release case information other than the information listed in item 3.a. above.

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 or to a guardian, 'guardian ad litem', and authorized representative who has proper identification and a release of information document.

*Exception: The refugee or his representative may not review the client's personal mental health records, including psychiatric and psychological examination reports 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 that agencies maintaining records on individuals safeguard the privacy of that information.
- b. The *Principles for Disclosure* intended to safeguard individual privacy include:
 - i. Not keeping a secret the Virginia Department of Social Services data base systems that contain personal information in an 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 or neglected.

Chapter 2 ELIGIBILITY FOR PUBLIC ASSISTANCE PROGRAMS

Acronyms Used in this Chapter

LDSS	Local department of social services
MGP	Matching Grant Program
RCA	Refugee Cash Assistance Program
RMA	Refuge Medical Assistance Program
R&P	Reception and Placement Program
SNAP	Supplemental Nutritional Assistance Program
TANF	Temporary Assistance for Needy Families

Refugees are qualified aliens who are exempt from the five-year wait on eligibility for receipt of public benefits. The term refugee-eligible populations refers to refugees, asylees, Iraqis and Afghans with special immigrant visas, Cuban/Haitian Entrants, victims of human trafficking, certain Amerasians, and unaccompanied refugee minors.

A. Eligibility for Benefit Programs

1. Refugees are entitled to apply for the same benefits and services that are available to U.S. citizens. If they meet the financial and non-financial requirements of those programs, they are eligible for Temporary Assistance for Needy Families (TANF), Medical Assistance Programs, the Supplemental Nutritional Assistance Program (SNAP), Energy Assistance Program, General Relief Program, and any other benefit program administered by the Virginia Department of Social Services (VDSS).
2. Refugees who do not meet TANF or Medicaid income requirements may be eligible for time limited refugee cash assistance (RCA) and refugee medical assistance (RMA). The rules for these programs are contained in Chapters 3 and 4 of this manual.
3. The process to determine a refugee's eligibility for any of the public assistance programs, including RCA and RMA, begins with the Application for Benefits, which is completed on-line; in person at a local department of social services (LDSS); or by phone. Refugees and agencies assisting refugees to apply for benefits are encouraged to use the on-line application.
4. Refugees apply for legal permanent residency (LPR) status after being in the U.S for one year. Afghan and Iraqis with special immigrant visa status arrive in the U.S. with LPR status. Whether obtained before or after U.S. arrival, refugee-eligible populations with LPR status are categorically eligible for SNAP, TANF, Medicaid, RCA, and RMA.

B SNAP Work Requirements

Refugees who are able-bodied adults without dependents (ABAWD) are required to meet the ABAWD SNAP work requirement unless the refugee is participating in the Refugee Social Services Employment Program (described in Chapter 5).

C. TANF Work Requirements

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

D. TANF Mandatory School Attendance and Immunization Requirements

1. Newly arrived refugees children may not be in school due to situations over which the family has no control. For example, there may be a delay in obtaining the required school medical examination or the child may arrive with medical conditions that prevent immediate school enrollment. In these instances, develop a plan as described in the TANF Manual, Section 201.3 D.
2. If a school-aged refugee child is not enrolled in school at the time of the initial TANF application, the reason is normally not truancy but due to a situation over which the applicant has no control. If the application is made in the summer, there may be no record of school attendance if the family recently arrived in the Virginia. Follow the TANF guidance at 201.3 regarding applications made during the summer months. If the household is otherwise eligible, approve the case. Set an alert in VaCMS for the month school is scheduled to begin.
3. If the TANF school enrollment requirements cannot be met following the TANF rules above, approve the case for Refugee Cash Assistance until the child meets the requirement. When the child meets the school enrollment requirements, move the case to TANF if the family continues to meet other TANF eligibility requirements.
4. If the household is otherwise eligible, the TANF application can be approved without verification of immunization. Verification of the completed immunization must be provided at the time of TANF redetermination.

E. Counting Special Payments to Refugee-Eligible Populations

1. The Reception and Placement (R&P) Program is a Department of State (DOS) funded program that provides initial resettlement services to newly arrived refugees. Local affiliates of national voluntary agencies, under contract with DOS, provide R&P Program services. The services include assistance with shelter, clothing, food, and transportation. These services are delivered in a variety of ways. Some are direct services, some are vendor payments, and some are minimal cash payments. These payments are generally for 30 days from the date of arrival in the U.S. Direct (non-cash) services may be for 30 to 180 days.

- a. For TANF, RMA, and RCA, the R&P cash payment is not counted in determining eligibility.
 - b. For Medicaid, cash payments made to the assistance unit are counted as unearned income. Payments provided directly to vendors on behalf of the assistance unit or in-kind contributions (food, clothing supplies, etc.) are not counted as income.
 - c. For SNAP, a one-time only R&P payment is excluded because it meets the definition of “an infrequent/irregular stream of money; a lump sum payment...” Whether other payments are counted as income is dependent upon (i) when the payments are issued and (ii) if the payments are provided directly to the individual household members. Payments provided directly to vendors on behalf of SNAP household members or provided as an in-kind benefit generally are not counted as income. Payments may be excluded as income if they are an infrequent/irregular stream of money; a lump sum payment; or a payment from a charitable group that is less than \$300 in a calendar quarter. Income provisions are addressed in Part 11 of the SNAP Certification Manual
2. Local non-profit organizations provide Matching Grant Program (MGP) services. MGP services include initial employment and cash assistance to newly arrived refugees determined to be immediately employable. The MGP is an alternative to TANF and RCA. The goal is the attainment of economic self-sufficiency without accessing TANF and RCA. MGP services are available to the refugee for four to six months from date of arrival into the U.S.

The MGP cash payment

- a. Is not counted for RMA
- b. Is counted for Medicaid, TANF, and RCA.
- c. Is counted for SNAP if made as a direct payment to the client.
- d. Is not counted for SNAP if made directly to a vendor on behalf of a SNAP household member

Note: LDSSs are to notify the local refugee service provider when a refugee is determined eligible for TANF or RCA. If the person is receiving MGP assistance, the resettlement agency is required to remove the person from the MGP.

3. Special Considerations

- a. If an RMA recipient is ineligible for Medicaid solely due to R&P and MGP payments, when the R&P or MGP payments end, the case is re-assessed for Medicaid eligibility. A new application is not required.
- b. If TANF or RCA is denied due to MGP Program payments, when the MGP payments end, a new TANF or RCA application is required.
- c. In rare situations, a refugee-eligible person may apply for TANF or RCA prior to learning of their eligibility for the MG Program. In these situations, the person may request that his or her application be withdrawn or the TANF or RCA case be closed.
- d. In situations where a client is receiving both MGP payments and RCA or TANF payments, an assessment is made to determine whether a fraud investigation should be made.

F. Eligibility for Foster Care Services

Children in the Unaccompanied Refugee Minor Program (URM) receive, through the Commonwealth Catholic Charities Foster Care Program, the full range of services and benefits for which all Virginia's Foster Care Program children 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. URM youth who age-out of foster care are eligible for Medicaid under the Former Foster Care category until they reach the age of 26.

Chapter 3 REFUGEE CASH ASSISTANCE PROGRAM

Acronyms Used in this Chapter

LDSS	Local department of social services
ONS	Office of Newcomer Services
RCA	Refugee Cash Assistance Program
RSSEP	Refugee Social Services Employment Program
SNAP	Supplemental Nutritional Assistance Program
TANF	Temporary Assistance for Needy Families
VDSS	Virginia Department of Social Services
VNIS	Virginia Newcomer Information System

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 Program (TANF), but do not meet non-financial requirements. For example, adults with no dependent children may receive RCA.

B. RCA/TANF Relationship

1. Some RCA rules mirrors the TANF rules. For example, the cash payment amount is the same; the right to appeal is the same; the collection of overpayment, repayment of underpayment, and case transfers are the same.
2. Some RCA rules do not mirror the TANF.
 - a. Only income on the date of application is counted.
 - b. The first month of assistance is not prorated from the date of application.
 - c. A person who quits a job or refuses employment without good cause within 30 days prior to applying for RCA is ineligible for RCA.
 - d. There is a time limit on receipt of assistance.
 - e. There is no requirement for a social security number.
3. RCA and TANF have different work requirements. RCA applicants and recipients meet the RCA work requirement through registration and participation in the Refugee Social Services Employment Program (RSSEP). The Office of Newcomer Services (ONS) administers RSSEP and contracts with local non-profit agencies to provide RSSEP services.

C. 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 from the date of arrival.

2. The date the eight-month eligibility period begins is not the same for each refugee-eligible status.
 - a. For refugees, Cuban/Haitian entrants, Afghans and Iraqis with special immigrant visas who enter the U.S. with that status, it begins the month of arrival

Note: Some Afghans and Iraqis receive SIV status after arrival in the U.S. For these individuals, eligibility begins the month the status is given.
 - b. For asylees, it begins the month asylum is granted.
 - c. For victims of human trafficking, it begins the month the certification letter is issued.

D. 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.

E. Application Rules

1. The Application for Benefits serves as the application for RCA, whether made on-line, in-person, or by phone.
2. Applications from non-citizens with a refugee-eligible status are assessed for RCA eligibility even if RCA is not checked on the paper or on-line application or is not referenced in a phone application.
3. A separate Benefit Programs Application is not required if more than one person is named on the application and some of the applicants are eligible for TANF and some are eligible for RCA.

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

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

5. Special Data Entry Reporting Rules

The reporting of RCA enrollment data is a federal reporting requirement. Local departments of social services (LDSS) are required to enter RCA case approvals and case closure dates into the Virginia Newcomer Information System (VNIS). VNIS is a web-based tool that is accessed through FUSION <https://vnis.dss.virginia.gov/VNISWeb/>.

- a. The LDSS security officer grants VNIS access. The LDSS staff requesting access would
 - i. Complete a SAMS Request Form.
 - ii. In the VNIS Access Level section, select VIEW Cases (LDSS Caseworker).
 - iii. Leave the VNIS location fields blank.
- b. Detailed instructions for entering RCA data into VNIS is available at <http://spark.dss.virginia.gov/divisions/cvs/ons/index.cgi>. The steps include:
 - i. Use Microsoft Internet Explorer.
 - ii. Log onto VNIS using LDAP ID.
 - iii. Search using either the client's name or alien number.
 - iv. If the client is in the VNIS, skip next step.
 - v. If the client is not in VNIS, click on *New Family Case*. Enter demographic information. The *Intake Date* is the date of intake at the LDSS office. Save the record. If there is more than one client on the RCA case, add additional clients to the same case by clicking on *Add Client*.
 - vi. To enter the start and end dates, click on the RCA tab.
 - The RCA Start Date is the date the Application for Benefits was approved. Select FIPS. Click Add
 - The RCA End Date is the date the RCA case is closed. Select a termination reason. Click Add to save.

F. Eligibility Rules

1. Screen the application for TANF eligibility before screening for RCA.
2. An applicant is eligible for RCA if the person meets the TANF financial requirements, does not meet one of the non-financial requirements, has documentation showing one of the refugee eligible groups defined in Appendix B, and meets the RCA work requirements.

Note: The RCA work requirement does not apply in all geographic areas of the state. It applies in those geographic areas that have non-profit service

providers under contract with ONS to provide RSSEP services. Section G identifies geographic areas where the RCA work requirement applies and the RCA work requirement rules that are specific to clients who live in those areas.

3. In most instances, RCA recipients are adult applicants without dependent children. A family with children would receive RCA when (i) there is a delay in approving the application due to TANF application system processing issues or (ii) the TANF denial reason is no social security number.
4. A new application is not required when a RCA recipient becomes eligible for TANF. The case is set up in VaCMS using the original application. For example, the TANF denial reason is no SSN and the client subsequently provides an SSN.
5. After RCA approval, recipients must follow TANF reporting requirements for income changes.
6. A new application is not required when a TANF case closes and the recipient is eligible for RCA. For example, during the eight-month eligibility period a youth turns 18 and will not graduate before his 19th birthday. Close the TANF case and open a RCA case.
7. Financial requirements unique to RCA.
 - a. Income on the date of application, not the average income over the application-processing period, is the criteria for financial eligibility for RCA.

Note: This rule applies both when the applicant applies in the month of arrival or during the eight-month period after arrival. For example, a refugee arrives in April, obtains employment, and does not apply for cash assistance. In August, the refugee becomes unemployed prior to the end of the eight-month period of eligibility. The refugee applies for cash assistance. Count only income on the date of application.

- b. Do not count cash payments made to the refugee under the Department of State Reception and Placement program as income or assets.
- c. Do not count the income of a volunteer assisting a refugee. Refugee populations are not 'sponsored' as that term is defined for other non-citizen applicants.
- d. Count cash payments made to the refugee through the Department of Health and Human Services Matching Grant Program. For example, a husband arrives in April 1 and requests MG Program services. He does not apply for cash assistance. His wife arrives in June and applies for cash

assistance. Count the husband's MG Program payments in determining the wife's eligibility for RCA. [See the TANF Manual, TANF Grant Calculations, Appendix 3, Page 1, Step 1 and Step 2 (e)]

8. The applicant who is a full-time student in an institution of higher education is ineligible for RCA.
9. 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 delays in the approval of a TANF application for more than 30 days, RCA payments are made until the TANF eligibility can be determined.
 - c. For applicants who have applied for Supplemental Security Income, RCA payments continue, within the eight-month maximum period, until the client begins receiving SSI benefits. For example, a refugee is receiving a monthly RCA payment. The person receives an SSI approval notice. Send an RCA closure notice. The SSI payment amount will increase upon notice that RCA payments have ended.

G. RCA Work Requirement

1. Background

- a. Virginia's RCA Program follows TANF application and payment rules; however, it does not follow the TANF work requirements rules. Federal RCA regulations prohibit states from applying TANF work requirements to RCA applicants and recipients. There are separate regulations that define the RCA work requirement.
- b. In Virginia, the RCA work requirement is met by registering for and participating in RSSEP. RSSEP is a federally regulated program that provides job counseling, job application assistance, job development, job placement, job orientation, job retention, and English language instruction tailored to the linguistic and cultural needs of refugee populations.
- c. ONS administers the federal grant that funds RSSEP service delivery.
- d. Non-profit agencies under contract with ONS provide RSSEP *in specific geographic locations in the state*. RSSEP services are not available in all geographic locations in the state.

e. Areas with RSSEP providers

- i. Central Region Chesterfield, Hanover, Henrico, Richmond City
- ii. Eastern Region Hampton, Newport News, Norfolk, Suffolk, Virginia Beach, Williamsburg
- iii. Northern Region Alexandria, Arlington, Culpeper, Fairfax, Fredericksburg, Harrisonburg-Rockingham, Loudoun, Manassas City, Manassas Park, Prince William, Spotsylvania, Stafford
- iv. Piedmont Region Albemarle, Charlottesville, Roanoke City, Roanoke County, Shenandoah Valley (Staunton, Augusta, Waynesboro)
- v. Western Region None

2. RSSEP Registration Requirement

Applicants, who live in an RSSEP service areas and do not meet an exemption requirement defined in Item 3 below, must either be registered for RSSEP or sign an RSSEP Registration form at the time of RCA application.

- a. Proof that the applicant is currently receiving RSSEP service is provided either:
 - i. By the applicant providing a copy of the RSSEP Registration at the time of application or.
 - ii. If the client does not have a copy of the RSSEP Registration form, the eligibility worker can verify RSSEP participation accessing VINIS and viewing the applicant's VNIS case information. See Section E 5 for instructions on accessing VNIS.
- b. If there is no proof the applicant registered for RSSEP, have the applicants sign the RSSEP Registration Form. See Appendix C for the RSSEP Registration form.

Note: If the RCA applicant signs the RSSEP Registration Form at the time of application, the LDSS gives the original to the client; sends a copy to the RSSEP agency within three business days the application interview; and maintains a copy for the case file. The contact information for the RSSEP service areas is on the Registration Form.

3. Exemption Criteria

An RCA applicant is exempt from the RCA work requirement if the applicant

- a. Does not live in an RSSEP Service Area
- b. Is 65 years of age or over
- c. Will not reach his 16th birthday within the eight-month RCA eligibility period.
- d. 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 the number of courses the institution considers full time. The applicant's statement regarding full time school attendance is sufficient. Note this statement in the case record.

4. RSSEP Participation Requirements

- a. As a condition of continued eligibility for RCA, the RCA recipient must meet the RSSEP provider participation requirements.
- b. The RSSEP service provider determines whether a recipient is meeting RSSEP participation requirements. The RSSEP rules include good-cause reasons for non-participation, such as pregnancy or disability.
- c. A RCA recipient who does not meet RSSEP participation requirements without good cause is ineligible for continued receipt of RCA.
- d. A RCA recipient is considered as participating in RSSEP unless the RSSEP provider notifies the LDSS that the client is not meeting participation requirements without good cause.

5. 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.

6. Termination of RCA due to Failure to Meet RCA Work Registration Requirements

- a. Upon written notice from the RSSEP provider to the local DSS that an RCA recipient is not meeting RCA work 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 RCA closure within 10 days of receipt of the notice.
- c. The RSSEP agency 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 RCA recipient is receiving benefits during the appeal period and the appeal period goes beyond the eight-month eligibility period, RCA assistance must be terminated at the end of the eight-month eligibility period regardless of whether the appeal period has expired.
- e. RCA sanction period mirrors TANF sanction periods. One month for the first sanction, three months for the second sanction, and six months for the third sanction.

H. Case Transfers

1. Transfer the RCA case when an RCA recipient moves from one locality to another. A reapplication is not required.
2. RCA cases are not in VaCMS. The sending locality is to mail the case file to the receiving agency. The receiving agency conducts a desk review to verify there are no changes in the case that would affect continued receipt of RCA.
3. The RCA work requirement rules for the receiving locality.
 - a. If there is no RSSEP provider in the receiving locality, the RCA recipient is exempt from the work requirement.

- b. If there is a RSSEP provider in both the sending locality and in the receiving locality, the RSSEP provider in the sending locality will transfer the refugee to the RSSEP provider in the receiving locality.
- c. If there is no RSSEP provider in the sending locality and there is a RSSEP provider in the receiving locality, the RCA applicant must meet the RCA work requirement. RSSEP registration is required. See the Section G 2 for instructions on completion of this form.

I. Cash Payment Amount

The RCA cash payment amounts are the same as TANF Program cash payment amounts. See the TANF Manual, Need and Amount of Payment Chapter.

1. An adult married couple receives the amount that a TANF assistance unit of two receives.
2. An unmarried adult would receive the amount that a TANF assistance unit of one would receive.
3. 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.
4. If one spouse arrives in the U.S. before the other spouse, add the newly arrived spouse to existing RCA case and increase the benefit level. For example, a husband arrived in U.S. in February, applied for RCA, and began receiving payments. Wife arrived in the U.S. in April and applied for RCA. Add the wife to the husband's case and increase the payment amount for an assistance unit of two. Remove the husband from the assistance unit at the end of September. Reduce the wife's payment amount to a unit of one and continue that payment for October and November, as the wife is eligible for RCA for eight months from the month of arrival. If either becomes employed, the income is counted in determining the household's eligibility for RCA.

J. Payment and Reimbursement Process

1. There is no VaCMS code or Aid Category for RCA.
2. Make RCA payments through the LDSS local check writing system.
3. Follow local procedures for writing the check.
4. LDSS RCA allocations are in 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. LDSSs make LASER expenditure journal entries each month a 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. It is part of the monthly LASER reimbursement. An electronic transfer is made on the last working day of the month.
8. Costs associated with the administration of the RCA are part of the Virginia Cost Allocation Plan and include LDSS staff activities that contribute to both eligibility determination and any changes to RCA eligibility.

K. Check Handling Procedures

1. If a check is returned checks, verify that the check was sent to the current address on file with the agency.
 - a. If the addresses differ, resend to the current address.
 - b. If the current address is the same as the address on the returned check and the application shows that the applicant was assisted by a refugee resettlement office, contact that office to obtain a current address.
 - c. If the applicant was not assisted by a refugee resettlement office, cancel the check and update the local payment system according to local internal processes. Follow LASER/BRS procedures for returning payments.
2. For uncashed checks, follow the local procedures.

L. Overpayments and Underpayments

1. If there is an RCA overpayment, the eligibility worker is to contact the client, explain the error, and request that the client repay the agency. If the client is unable or unwilling to repay the money in full, follow the TANF Manual rules regarding collection of overpayments, Chapter 500. When the payment is repaid, enter it into the LASER/BRS system.

For example, a RCA client obtains employment and notifies the local DSS of the earned income. The LDSS inadvertently does not record the notification, and the RCA case is not closed. The client continues to receive RCA payments. This is an overpayment.

2. If a RCA payment is lower than the maximum amount allowed for the assistance unit size, within 10 days of identifying the error, notify the client and record the error in the case record.

For example, an application was received from two clients with the same last name. The worker thought it was a married couple and set up one case. It was not a couple but a father and adult daughter. Two cases should have been set up. Going forward, remove the daughter from the existing case and set up a separate case for her.

- a. Calculate the amount paid.
- b. Calculate amount that each should have received if separate checks had been written.
- c. Subtract b. from a.
- d. Divide by two and write a check for the mother and daughter for that amount.

M. Fraud

Report any potential fraud to the LDSS Fraud Unit.

For example, a RCA [or TANF] applicant is participating in the Matching Grant Program (MGP). MGP provides cash assistance; however, the applicant does not include those payments in the application and the payments are not counted in determining RCA [or TANF] eligibility. The LDSS learns of the MGP payments after the applicants has received RCA payments. The Fraud Unit determines whether the non-reporting was intentional.

N. Notices and Appeals

1. TANF rules regarding notification of case action apply to RCA cases. Notices or action must include an explanation of the reason for the action and a statement about the refugee's right to appeal the decision.
2. RCA applicants and recipients have a right to appeal any case action, including reduction of termination of benefits.
3. TANF appeal rules apply to RCA, with the following exceptions

- a. If RCA payments are made during the appeal period, stop the payments when the eight-month eligibility period is reached.
 - b. If the appeal is related to an RCA case closure due to the expiration of the eight-month time limit, do not continue RCA payments during the appeal period. If the hearing officer finds that the eight month time period was incorrectly calculated, payments would be made after the decision is rendered.
 - c. If the Advance Notice of Proposed Action was not sent within the required 10 days period prior to case closure, RCA payments beyond the eight-month period are not made.
4. The hearing officer's decision may be appealed to the Administrative Review Panel of the Appeals & Fair Hearings Unit. A decision is made in writing within 60 days of the date that the refugee requests a hearing.
5. Inform the refugee that free legal advice can be obtained through the local legal aid office and provide instructions on how to access those services.

Chapter 4

REFUGEE MEDICAL ASSISTANCE (RMA) PROGRAM

Acronym Used in this Chapter

RMA Refugee Medical Assistance Program

A. Program Purpose

The Refugee Medical Assistance (RMA) Program provides short-term health care coverage to newly arrived refugees and other eligible populations who are determined ineligible for Medicaid and meet the RMA program requirements. For example

- ◆ Refugees who meet the Medicaid financial requirements, but do not meet a categorical requirement, are eligible for RMA.
- ◆ Refugees who are Medicaid recipients, become ineligible for Medicaid due to increased earnings, and are within the RMA period of eligibility are eligible for RMA.

B. RMA/Medicaid Comparison

1. The RMA Program mirrors the Medicaid Program in that
 - ◆ medical services are the same,
 - ◆ the right to appeal is the same,
 - ◆ the spend-down rules are the same,
 - ◆ the case transfer process is the same.
2. The RMA Program differs from the Medicaid Program in that
 - ◆ only income on the date of application is counted,
 - ◆ payments from the Matching Grant Program are not counted as income,
 - ◆ there is a time limit on receipt of assistance,
 - ◆ wages from employment after case approval are not counted,
 - ◆ there is no requirement for a social security number.

C. Time Limits

1. There is an eight-month time limit on the receipt of RMA.
2. The date the eight-month eligibility period begins is not the same for each refugee-eligible status.
 - a. For refugees, Cuban/Haitian entrants, Afghans and Iraqis with special immigrant visas who enter the U.S. with that status, it begins the month of arrival.

Note: Some Afghans and Iraqis receive SIV status after arrival in the U.S. For these individuals, eligibility begins the month the status is given.

- b. For asylees, it begins the month asylum is granted.
- c. For victims of human trafficking, it begins the month the certification letter is issued.

D. Period of Coverage

The period of coverage begins on the first day of the month in which the refugee submits the Application for Benefits.

E. Special Application Rules

1. The application for Medicaid serves as the application for RMA, whether made on-line, in-person, or by phone. Refugees and agencies assisting refugees to apply for benefits are encouraged to use the on-line application.
2. Applications from non-citizens with a refugee-eligible status, whose Medicaid is denied, are assessed for RMA eligibility even if RMA is not checked on the paper or on-line application or is not referenced in a phone application.
3. A separate application is not required if more than one person is named on the application and some of the applicants are eligible for Medicaid and some are eligible for RMA. [Note: VaCMS determines the eligibility of each.]
4. When one application covers multiple RMA cases, the signature of either the authorized resettlement staff or the head of the refugee family household is sufficient. Multiple signatures are not required.

F. Eligibility Rules

1. Screen the applicant for Medicaid eligibility before screening for RMA.
2. Medicaid/FAMIS eligible refugees who becomes ineligible due to employment earnings during the RMA eligibility period are automatically eligible for RMA for the remainder of the eight-month eligibility period with no further screening for financial need.
3. An applicant is eligible for RMA if the person meets the MAGI financial requirements but does not meet a non-financial requirement and has documentation showing one of the refugee eligible groups defined in Appendix A, Documentation.

4. 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. A recipient of Refugee Cash Assistance, who is not eligible for Medicaid or FAMIS, is eligible for RMA.
- c. Once a refugee has been determined eligible for Medicaid or RMA, increased earnings from employment do not affect eligibility for RMA.
 - i. If the client is an RMA recipient, RMA continues to the end of the eight-month eligibility period.
 - ii. If the client is a Medicaid recipient, transfer the case to RMA for the remainder of the eight-month eligibility period.
- d. 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. The VaCMS RMA Aide Category is 78.
2. The eligibility worker makes a notation on the Notice of Action, under comments, that the client was determined eligible for RMA and the date the eligibility period ends.

H. Case Transfers

Handle RMA case transfers the same as Medicaid case transfers. A reapplication is not required. A desk review is conducted by the receiving agency verify there are no changes in the case that would affect continued receipt of RMA.

I. Notices and Appeals

1. Medicaid rules regarding notification of case action apply to RMA cases. Notices or action must include an explanation of the reason for the action and a statement about the refugee's right to appeal the decision.
2. RMA appeal rules apply to RMA, with the following exceptions
 - a. Close the RMA case when the eight-month eligibility period is reached.

- b. If the appeal is related to an RMA case closure due to the expiration of the eight-month time limit, do not continue RMA payments during the appeal period. If the hearing officer finds that the eight month time period was incorrectly calculated, and health services were provided during that period, arrangement will be made to cover the unpaid costs.
 - c. If the Advance Notice of Proposed Action was not sent within the required 10 days period prior to case closure, RMA payments beyond the eight-month period are not made.
 3. The hearing officer's decision may be appealed to the Administrative Review Panel of the Appeals & Fair Hearings Unit. A decision is made in writing within 60 days of the date that the refugee requests a hearing.
 4. Inform the refugee that free legal advice can be obtained through the local legal aid office and provide instructions on how to access those services.

Chapter 5

REFUGEE SOCIAL SERVICES EMPLOYMENT PROGRAM (RSSEP)

Acronyms Used in this Chapter

CRP	Comprehensive Resettlement Plan
ELT	English language training
IEP	Individual Employment Plan
LDSS	Local department of social services
ONS	Office of Newcomer Services
RCA	Refugee Cash Assistance Program
RSSEP	Refugee Social Services Employment Program
SNAP	Supplemental Nutritional Assistance Program
TANF	Temporary Assistance for Needy Families
VNIS	Virginia Newcomer Information System

This Chapter provides guidance to Refugee Social Service Employment Program (RSSEP) providers under contract with the Office of Newcomer Services (ONS) to provide services funded through two federal grants, Refugee Social Services and Targeted Assistance.

A. Program Objective

RSSEP objective is to assist clients in obtaining employment as soon as possible after RSSEP registration, remaining employed, and obtaining job upgrades.

B. Eligibility for Services

RSSEP services are provided to any person who requests these service and

1. Has documentation from an authorized federal agency verifying that the person is a refugee, asylee, Cuban/Haitian entrant, Afghan or Iraqi with a special immigrant visa, or victim of human trafficking. See Appendix A, *Documentation Requirements for Refugee Programs*.
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 person may apply for naturalization preparation services.
3. Is 16 years of age or older and not a full-time high school student, with the exception that assistance with part- time and summer employment may be provided to students.

C. Registration Process

The RSSEP Registration Form is the application for RSSEP assistance. The client completes the form either:

1. At an agency under contract with ONS to provide RSSEP services.
2. At a local department of social services (LDSS) when a person applies for Refugee Cash Assistance and does not have a copy of the RSSEP Registration Form or the LDSS cannot confirm RSSEP Registration through the Virginia Newcomer Information System (VNIS).

Note: When the client signs the RSSEP Registration Form at the LDSS, the original is given to the client and a copy is sent to the RSSEP service provider.

D. Service Delivery Requirements

1. RSSEP contract agencies that provide Department of State Reception and Placement Program (R&P) and Matching Grant Program (MGP) services must ensure that services are coordinated and that RSSEP services do not duplicate services provided through R&P and MGP.
2. RSSEP service delivery must be culturally and linguistically compatible with the client's language and cultural background.
3. RSSEP providers must provide employment and job placement services equally to both male and female clients.
4. RSSEP services may continue after a client enters employment to assist with job retention and job improvement.

E. Priority in Provision of Services

1. RSSEP service providers must plan service delivery so that services are provided in the following order of priority
 - a. Clients who arrived in the U.S. within the past year and clients who were granted asylee, victim of human trafficking or another refugee-eligible status within the past year
 - b. Recipients of cash assistance, either RCA or TANF

- c. Unemployed clients who are not receiving RCA or TANF cash assistance.
 - d. Employed clients in need of services to retain employment or increase their income to attain economic self-sufficiency.
2. Exceptions to this priority order are possible if made at the direction of or with the approval of the Virginia State Refugee Coordinator. For example, RSSEP eligible individuals who are homeless or are in situations which may lead to homelessness.

F. Program Services

1. Case Management
2. Employment Services
3. Skills Training for Enhanced Earnings Potential
4. English Language Training
5. Employment Support Services

G. Case Management Services

A Comprehensive Resettlement Plan (CRP) is developed with each RSSEP client. The CRP includes an Individual Employment Plan (IEP). The IEP is the basis of RSSEP case management activities.

1. RSSEP case management requires:
 - a. An assessment of the client's current and future employment needs and the services needed to assist the client in becoming self-sufficient.
 - b. Coordination and interaction with other community and agency resources.
 - c. Comprehensive service delivery done in collaboration with the client.
 - d. Job follow-up to verify job retention and to identify if there is a need for additional job retention services.
2. RSSEP Initial Interview

An initial intake interview is conducted with each client to explain the importance of immediate employment, services available to support employment activities, participation requirements, and the consequences of non-participation in the program

3. On-going RSSEP Case Management Requirements
 - a. Culturally and linguistically appropriate service delivery that ensures clients understand the program goals; their IEP; and how their IEP relates to the CRP; and their responsibility to participate in program activities.
 - b. On-going assessment to identify when a client is experiencing challenges and linking the person with the appropriate community resource is required.
 - c. Updating the IEP section of the CRP as explained in the ONS CRP Standard Operation Procedures.
 - d. Updating the client's VNIS record and case notes to record
 - i. All contacts with the client regarding all aspects of RSSEP service delivery;
 - ii. All employment activities including employer contacts, job referrals, entered employment;
 - iii. Issues, concerns, and RSSEP interventions; and
 - iv. Types of instruction, hours in instruction, name of the teacher, and cost.

H. Employment Services

1. The development of an IEP for each client that
 - a. specifies employment goals;
 - b. details the tasks and time frames to be taken both by the client and RSSEP staff to meet those goals; and
 - c. identifies known obstacles to immediate employment and outlines the strategies to remove these obstacles.
2. Pre-employment and post-employment counseling, coaching, and mentoring to assist the client in obtaining and maintaining employment and obtaining salary increases and job upgrades.
3. A formalized written American workplace orientation, which includes expectations that may differ from a client's work experiences in other countries.
4. Job referral, job search, job placement, and follow-up assistance.
5. Job development, which is direct employer contacts by RSSEP staff for the purpose of finding jobs for clients who need direct assistance in obtaining and maintaining employment consistent with their abilities, skills, and experience in the U.S. labor market.
6. Apprenticeship and skills recertification. [Note RSSEP funding for this is limited to one year.]
7. Aptitude assessment and employment skills testing, when necessary.

I. English Language Training

1. English language training (ELT) both increases employability skills and prepares clients for applying for citizenship.
2. When ELT is part of the IEP, 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. ELT is generally curriculum-based instruction taught by certified trainers and is provided individually, in groups, or on-line.
4. ELT may be provided directly by the RSSEP provider staff or purchased.

J. Employment Support Services

Each RSSEP client's IEP must describe the need for these services.

1. Vocational or career training which does not interfere with employment and does not exceed one year
2. Childcare related to employment activities, if specified in the contract between ONS and the RSSEP service provider
3. Transportation related to an employment activity, if specified in the contract between ONS and the RSSEP service provider
4. Translation and interpreter services related to employment and case management services, if specified in the contract between ONS and the RSSEP service provider

K. Skills Training for Enhanced Earnings Potential (STEP)

1. STEP provides RSSEP clients, whose professional skills are specialized and not immediately transferable to U.S. jobs, with opportunities for obtaining comparable employment in the U.S. Clients receive specialized services including professional assessments and testing and assistance in accessing training, certifications, and courses related to their prior careers.

2. Participation in STEP is assessed during the development of the CRP/IEP.
3. The CRP/IEP must include short term and long-term employment and training objectives developed in consultation with the client. The consultation is to include an explanation of types of technical training and other options available.
4. Whenever possible, arrange for one-stop workforce centers, community colleges, and professional associations and organizations to conduct assessments, training, and skills development services.
5. As part of the short term objectives, each client will
 - a. Be provided job referral services with the expectation that the client will be employed while receiving training leading to long-term employment goals.
 - b. Be informed of and referred to the appropriate level English Language Training.
6. Each STEP client will receive training in financial literacy, basic computer skills, and interview skills unless determined proficient in these areas during the CRP/IEP assessment.
7. Each STEP client must complete the Workforce Development Pre-Employment Training or an equivalent program.
8. Consistent with available and practicable services, STEP clients are provided assistance in
 - a. Procuring and initiating forms required by licensing agencies,
 - b. Applying for validation of credentials,
 - c. Researching educational options for recertification in a primary field or affiliated field,
 - d. Applying for programs at local community colleges and accessing financial aid, if eligible,
 - e. Identifying work and volunteer opportunities in the professional sector while researching certification and educational options,
 - f. Re-assessing educational and career goals.

L. Participation Requirements

1. RSSEP clients must apply for employment and accept a job if offered unless the job does not meet the definition of suitable employment.

2. Suitable employment means:
 - 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 the occupation.
 - e. The position is not vacant due to a labor dispute.
3. An RSSEP client may not voluntarily quit a job that meets the definition of suitable employment.
4. In rare instances when the client's IEP includes on-the-job training, vocational training program, or recertification program approved by the RSSEP provider and part of the client's individual employment plan, the employment search may be delayed.
5. RSSEP clients must
 - a. Keep all scheduled meetings, appointments, and assignments;
 - b. Participate in the development of an IEP;
 - c. Participate in job search, where applicable;
 - d. Go to job interviews arranged by the RSSEP staff;
 - e. Accept an offer of employment;
 - f. Not voluntarily quit a job; and
 - g. Participate in any available employability service program the RSSEP service provider determines is appropriate

M. Good Cause Reasons for Non-Participation

1. The RSSEP provider will determine good cause for non-participation with RSSEP requirements.
2. When the provider determines good cause for non-participation, the client's RSSEP case is closed.

3. Good cause for non-participation is based on the following factors.
 - a. The job the client refused does not meet the RSSEP's definition of suitable employment.
 - b. A client is age 16 or 17, is not in school, and is in vocational or technical school as a full-time student.
 - c. A client is age 18 and is a full-time high school student or in the equivalent level of vocational or technical training and is expected to complete this program before reaching age 19.
 - d. A client has an injury or medical condition that temporarily prevent entry into employment or training.
 - e. A client has a physical or mental impairment a doctor or psychologist has determined prevents the individual from engaging or participating in employment or training on an on-going basis.
 - f. A client is caring for a household member who has been determined by a physician or psychologist to have a physical or mental impairment requiring care in the home on a substantially continuous basis and neither the client nor the RSSEP provider has been able to arrange for care for the family member.
 - g. A client has a child under the age of 12 months.
 - h. There is a break in full time employment expected to last a minimum of 30 days.
 - i. A client is working in unsubsidized employment at least 30 hours a week.
 - j. Transportation is unavailable as determined by the RSSEP staff.
 - k. The RSSEP provider verifies a client is in an emergency situation.
 - l. The schedule of the RSSEP activity conflicts with mandatory judicial proceedings.
 - m. The RSSEP provider accepts a client's documentation of an impediment beyond the client's control.
4. Inability to communicate in English is not a good-cause reason for nonparticipation and is not a reason for not accepting an offer of employment.

N. Consequences of Non-Participation

A client, who is not meeting work participation requirements and does not have good cause, is not eligible for any of the services offered through RSSEP and may not be eligible for RCA and TANF.

1. The RSSEP case is closed. The RSSEP provider is to send the client a notification of the case closure.
2. The LDSS follows RCA and TANF rules in closing the RCA or TANF cases. One of the reasons for RCA or TANF closure is a client's non-compliance with a work requirement. The case closure rules applies to all RCA and TANF case members.
3. The RSSEP staff is to notify the LDSS within 24 hours of the date the RSSEP case is closed.
 - a. Send the LDSS VIEW staff notice of a TANF recipient's RSSEP case closure due to non-participation.
 - b. Send LDSS TANF staff notice of a RCA recipient's RSSEP case closure due to non-participation.

O. Reasons for Case Closure

1. Client is employed 90 days after date of employment and requests no additional RSSEP services
2. Client has reached five-year RSSEP eligibility period
3. Client has failed to participate without good cause
4. Client requests case closure
5. Client has moved from agency service area
6. Unable to contact client for 30 days after five or more attempts

P. Re-opening a Case

When the RSSEP case is closed for any reason, including non-participation without good cause, the person may request RSSEP services again at any time. A new RSSEP Registration Form is signed and a new CRP/IEP is completed.

Q. Cash Assistance Work Requirement and Coordination with Local Departments of Social Services

Unless determined exempt, a person receiving TANF or RCA cash assistance must meet either the TANF or RCA work requirement. The work requirement for each program is different and the RSSEP provider's responsibility in coordinating and communicating with the local DSS is different.

1. RCA Work Requirements

RCA clients, who are not exempt from the RCA work requirement, are required to register for RSSEP and meet the RSSEP participation requirements as a condition of continued eligibility for RCA.

- a. An RCA applicant is exempt from the RCA work requirement if the applicant
 - i. Does not live in an RSSEP Service Area
 - ii. Is 65 years of age or over
 - iii. Will not reach his 16th birthday within the eight-month RCA eligibility period.
 - iv. 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 the number of courses the institution considers full time. The applicant's statement regarding full time school attendance is recorded in case notes.

- b. RCA clients, who do not meet a *LDSS RCA work requirement* exemption, may meet an RSSEP good cause reason for non-participation. The service provider makes the determination that an RSSEP client has good cause for not meeting RSSEP participation requirements. Section M defines good-cause for non-participation, for example pregnancy or disability.

- c. RCA applications are made at the LDSS. At the time of application, the client, must
 - i. Present a signed RSSEP Work Registration Form at the time of RCA application, or
 - ii. Be identifiable in VNIS as an RSSEP client.
 - iii. Sign an RSSEP Work Registration Form at the time of RCA application.
 - When the RCA applicant signs the RSSEP Work Registration form at

- the time of application, the local DSS gives the original to the applicant and sends a copy to the RSSEP provider.
- The RSSEP staff is responsible for contacting the individual and conducting the initial intake interview and completion of the RSSEP CRP and IEP.
- d. The local DSS terminates RCA payments when the RSSEP contract agency notifies the agency of RSSEP non-compliance without good cause.

2. TANF Work Requirement and Coordination with Local DSSs

- a. 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.
- b. Under federal and state TANF regulations, VIEW participation requirements apply to all work mandatory TANF recipients. A client who is both an RSSEP client and a VIEW client must meet the participation requirements of both programs.
- c. The RSSEP caseworker must communicate with the VIEW caseworker to ensure coordination regarding the client's work activities and document those activities.
- d. 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
- e. 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
- f. RSSEP staffs are required to coordinate with the VIEW staff in each local DSS where RSSEP staffs reside. A face-to-face meeting is recommended to discuss the following:
 - i. The local DSS VIEW assessment process. While the basic assessment requirements are the same for each local DSS, the implementation and processes vary.
 - ii. What role the RSSEP staff will have in the initial VIEW interview.
 - iii. How the RSSEP provider will provide the local DSS with required RSSEP documentation.

- g. The RSSEP staff must provide the VIEW worker with
 - i. A copy of the RSSEP client's Comprehensive Resettlement Plan and Individual Employment Plan.
 - ii. A monthly verification of continued participation,
 - iii. Immediate notice of entered employment or non-participation.

R. Sanctions for Non-Participation

1. When the RSSEP provider notifies the local DSS that the RSSEP case closure due to non-participation, the local DSS will take the action to sanction a TANF or RCA recipient following that agency's case closure procedures.
2. 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. This includes a summary of
 - a. The reason, if any, given by the client for non-participation.
 - b. The RSSEP factual basis for the determination that there was not good cause for the non-participation.
 - c. The dates of contact with the client regarding non-participation.
3. If the client 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.

S. Required Forms

1. Comprehensive Resettlement Plan
2. RSSEP Registration Form
3. Mutual Responsibility Agreement
4. RSSEP Communication Participation Form
5. Release of Information Form

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

DOCUMENTATION REQUIREMENTS FOR REFUGEE PROGRAMS

(Refugee Cash Assistance; Refugee Medical Assistance; Refugee Medical Screenings; Refugee Social Services Employment Program, Virginia Refugee Student Achievement Program, Refugee Health Education and Outreach Program and Services for Older Refugees)

In order to access Refugee Resettlement program benefits, individuals must provide acceptable documentation of one of the statuses eligible for ORR benefits and services. The following lists include documents that provide proof of these statuses. These documents may or may not provide proof of identity, nationality or entry date.

The source for this information is the HHS Office of Refugee Resettlement (ORR). It shows statuses conferring eligibility for ORR funded programs. Due to the complexity of certain categorical definitions, documentation alone may not definitively confirm eligibility in some cases. Agencies are to review documentation of immigration status as outlined in the charts below.

Status Requirements Individuals with the following statuses are eligible for Refugee Resettlement Program benefits (See 45 CFR § 400.43(a) (1)-(6) or statutory provisions cited below):

1. Individuals paroled as refugees or asylees under § 212(d)(5) of the Immigration and Nationality Act (INA)
2. Refugees admitted under § 207 of the INA
3. Asylees whose status was granted under § 208 of the INA
4. Cuban and Haitian entrants, in accordance with the requirements in 45 CFR § 401.2*
 - a. Any individual granted parole status as a Cuban/Haitian Entrant (Status Pending) or granted any other special status subsequently established under the immigration laws for nationals of Cuba or Haiti, regardless of the status of the individual at the time assistance or services are provided
 - b. A national of Cuba or Haiti who was paroled into the United States and has not acquired any other status under the INA and with respect to whom a final, nonappealable, and legally enforceable order of removal, deportation or exclusion has not been entered
 - c. A national of Cuba or Haiti who is the subject of removal, deportation or exclusion proceedings under the INA and with respect to whom a final, nonappealable, and legally enforceable order of removal, deportation or exclusion has not been entered

Note: Eligibility workers should determine the date on which the Cuban or Haitian *first* became a Cuban or Haitian Entrant. For example, a Cuban presenting with evidence of a recent parole might have been granted parole previously. In such a scenario, the date of grant of the *initial* parole and not the date of the subsequent parole is the entry date for eligibility for ORR benefits and services. Or in a case where the Cuban or Haitian was initially paroled, then later placed in removal proceedings, the date of the initial parole and not the date of placement in removal proceedings is the entry date for eligibility for ORR benefits and services.
 - d. A national of Cuba or Haiti who has an application for asylum pending with DHS/USCIS or Department of Justice (DOJ)/EOIR and with respect to whom a final, nonappealable, and legally enforceable order of removal, deportation or exclusion has not been entered
5. Lawful permanent residents provided the individuals previously held one of the statuses identified above (Note that this does not refer to Amerasians who are admitted as lawful permanent residents. See #6 below.)
6. Certain Amerasians from Vietnam who are admitted to the United States as immigrants pursuant to § 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1988 (as contained in § 101(e) of Public Law 100-202), as amended (8 U.S.C. § 1101 note).
7. Iraqi and Afghan Special Immigrants per section 1244(g) of Div. A of Pub. L. 110-181, as amended (8 U.S.C. § 1157 note) and section 602(b) (8) of Div. F of Pub. L. 118-8, as amended (8 U.S.C. § 1101 note).
8. Victims of a severe form of trafficking in persons per the Victims of Trafficking and Violence Protection Act of 2000, Pub. L. No. 106-386, as amended, 22 U.S.C. § 7105(b) (1) (A) and (C).
9. In addition to unaccompanied minors in the above categories, the following are eligible for the ORR Unaccompanied Refugee Minors (URM) Program:

- a. Unaccompanied Minor with Special Immigrant Juvenile Status (SIJS) under 8 U.S.C. § 1101(a)(27)(J), who was in the custody of the Secretary of Health and Human Services at the time the dependency order was granted for such child or was receiving services pursuant to section 501(a) of the Refugee Education Assistance Act of 1980 (8 U.S.C. § 1522 note) at the time such dependency order was granted.
- b. Unaccompanied Minor who has been granted U status per section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. § 1101(a)(15)(U)).

Refugees. Acceptable documents for refugees admitted under § 207 of the INA

Documents/Codes	Comments
I-94 Arrival/departure record noting that the individual has been admitted under §207 of the INA	Notations may include references to employment authorization, indefinite status, and the requirement to obtain permission before leaving the United States ⁶
RE-1 admission code on the I-94	Principal Refugee
RE-2 admission code on the I-94	Spouse of principal refugee
RE-3 admission code on the I-94	Child of principal refugee
RE-4 admission code on the I-94	Collateral relatives of principal refugee
RE-5 admission code on the I-94	Certain Haitian refugees
I-766 Employment Authorization Document with the code A03	None
DHS Form I-571	United States Refugee Travel Document ⁷
I-730 Approval Letter	The I-730 Approval Letter may be used as proof of refugee status for derivatives
Visa 93 (or V-93) on the I-94 Arrival/departure card	May be accompanied by the words "section 207"; Individual is the spouse or minor child of a previously admitted refugee ⁸

Asylees. Acceptable documents for asylees whose status was granted under §208 of the INA

Documents/Codes	Comments
I-94 Arrival/departure record referencing §208 of the INA	Notations may include references to employment authorization, indefinite status, and the requirement to obtain permission before leaving the United States ⁹
AS-1 admission code on the I-94	Approved asylee principal
AS-2 admission code on the I-94	Approved spouse of an asylee principal
AS-3 admission code on the I-94	Approved child of an asylee principal
DHS Form I-571	United States Refugee Travel Document ¹⁰
I-766 Employment Authorization Document with the code A05	None
Order of an Immigration Judge Granting Asylum under §208 of the INA	An Order of an Immigration Judge will serve as proof of asylee status if DHS has waived the right to appeal the case. See Note 2 below for information about cases where DHS reserves the right to appeal ¹¹
Asylum Approval Letter from a USCIS Asylum Office	Letter will note that the individual has been granted asylum pursuant to § 208 of the INA and may include information concerning date of asylum, refugee and asylee relative petition, work authorization, and the refugee travel document
Written decision from the Board of Immigration Appeals (BIA)	None
I-730 Approval Letter	The I-730 Approval Letter may be used as proof of asylee status for derivatives
Visa 92 (or V-92) on the I-94 Arrival/departure record	May be accompanied by the words "section 208"; Individual is the spouse or minor child of a previously granted asylee ¹²

Paroled as a Refugee or Asylee. Acceptable documents for individuals paroled as refugees or asylees under § 212(d)(5) of the INA⁴

Documents/Codes	Comments
I-94 Arrival/departure record ⁴ noting that the individual has been paroled as a refugee or asylee under §212(d)(5) ⁵	To be eligible under this provision, the I-94 must note that the individual is a refugee or asylee
I-766 Employment Authorization Document with the code A04	None

Iraqi and Afghan Special Immigrants. Acceptable documents for Iraqi and Afghan Special Immigrants

Applicant	Documentation
Principal Applicant Iraqi or Afghan Special Immigrant	Iraqi or Afghan passport with an immigrant visa stamp noting that the individual has been classified under IV (Immigrant Visa) Category SI1 or SQ1 and DHS stamp or notation on passport or I-94 showing date of admission
Spouse of Principal Applicant Iraqi or Afghan Special Immigrant	Iraqi or Afghan passport with an immigrant visa stamp noting that the individual has been classified under IV (Immigrant Visa) Category SI2 or SQ2 and DHS stamp or notation on passport or I-94 showing date of admission
Unmarried Child Under 21 Years of Age of Iraqi or Afghan Special Immigrant	Iraqi or Afghan passport with an immigrant visa stamp noting that the individual has been classified under IV (Immigrant Visa) Category SI3 or SQ3 and DHS stamp or notation on passport or I-94 showing date of admission
Principal Applicant Iraqi or Afghan Special Immigrant Principal Adjusting Status in the United States	DHS Form I-551 (“green card”) with an IV (immigrant visa) code for category SI6 or SQ6
Spouse of Principal Applicant Iraqi or Afghan Special Immigrant Principal Applicant Adjusting Status in the United States	DHS Form I-551 (“green card”) with an IV (immigrant visa) code for category SI7 or SQ7
Unmarried Child Under 21 Years of Age of Iraqi or Afghan Special Immigrant	DHS Form I-551 (“green card”) with an IV (“immigrant visa”) code for category SI9 or SQ9

Principal Applicant Adjusting Status in the United States

Cuban and Haitian Entrants, Acceptable documents for Cuban and Haitian entrants, in accordance with the requirements in 45 CFR § 401.2

Any individual granted parole status as a Cuban/Haitian Entrant (Status Pending) or granted any other special status¹³ subsequently established under the immigration laws for nationals of Cuba or Haiti, regardless of the status of the individual at the time assistance or services are provided

Documents/Codes	Comments
An I-94 Arrival/departure record with a stamp showing parole at any time as a "Cuban/Haitian Entrant (Status Pending)"	I-94 may refer to § 212(d)(5) ^{13 14 15}
CH6 adjustment code on the I-551	Even after a Cuban/Haitian Entrant (Status Pending) becomes a permanent resident, he/she is still considered to be a Cuban and Haitian entrant
An I-94 Arrival/departure record showing parole into the United States on or after April 21, 1980 (Cubans only) or on or after October 10, 1980	I-94 may refer to § 212(d)(5) ^{13 14 15}
A Cuban or Haitian passport with a §212(d)(5) stamp dated on or after October 10, 1980 ^{13 14 15}	None

A national of Cuba or Haiti who was paroled into the United States and has not acquired any other status under the INA and with respect to whom a final, non-appealable, and legally enforceable order of removal, deportation or exclusion¹⁶ has not been entered

Documents/Codes	Comments
An I-94 Arrival/departure record showing parole into the United States	I-94 may refer to §212(d)(5), humanitarian or public interest parole ^{17 18}
I-766 Employment Authorization Document with the code A04	None
I-766 Employment Authorization Document with the code C11	None

A national of Cuba or Haiti who is the subject of removal, deportation or exclusion proceedings¹⁹ under the INA and with respect to whom a final, non-appealable, and legally enforceable order of removal, deportation or exclusion²⁰ has not been entered

Documents/Codes	Comments
DHS Form I-221	Order to Show Cause and Notice of Hearing
DHS Form I-862	Notice to Appear
DHS Form I-220A	Order of Release on Recognizance
DHS Form I-122	Notice to Applicant Detained for a Hearing Before an Immigration Judge
DHS Form I-221S	Order to Show Cause, Notice of Hearing and Warrant for Arrest
Copy of DHS Form I-589 date stamped by the Executive Office for Immigration Review (EOIR)	Application for Asylum and Withholding of Removal; Individual is subject of removal, deportation or exclusion proceedings.
Copy of DHS Form I-485 date stamped by EOIR	Application to Register Permanent Residence or to Adjust Status; Individual is subject of removal, exclusion or deportation proceedings.
EOIR-26	Notice of Appeal from a Decision of an Immigration Judge, date stamped by the Board of Immigration Appeals
I-766 Employment Authorization Document with the code C10	Application for suspension of deportation/cancellation of removal submitted to DHS or EOIR

Other applications for relief that have been date stamped by EOIR

None

Other documentation pertaining to an applicant's removal, exclusion or deportation proceedings

Example: a notice of a hearing date before an Immigration Judge or a case appeal filing receipt from the Board of Immigration Appeals

A national of Cuba or Haiti who has an application for asylum pending with the DHS/USCIS or with an EOIR Immigration Court or the Board of Immigration Appeals and with respect to whom a final, non-appealable, and legally enforceable order of removal, deportation or exclusion²¹ has not been entered.

Documents/Codes	Comments
USCIS receipt for filing Form I-589	Application for Asylum and Withholding of Removal
I-766 Employment Authorization document with the code C08	None

Victims of Human Trafficking. Acceptable Documents for Victims of a Severe Form of Trafficking in Persons

Applicant	Documentation
	Certification Letter, Eligibility Letter, or Interim Assistance Letter from ACF Office On Trafficking in Persons (OTIP) ^{25 26}
Victim of a Severe Form of Trafficking in Persons	Call the trafficking verification line at (866) 401-5510 to confirm the validity of the Certification Letter Certification and Eligibility Letters do not expire Derivative T status:T-2, T-3, T-4, T-5 or T-6
Family member of Victim of a Severe Form of Trafficking in Persons:	The date of eligibility for benefits and services is the Notice Date on the I-797, Notice of Action of approval of that individual's Derivative T status.
Family member already in United States on date T status granted	Persons with derivative T status do not receive and are not required to present a Certification Letter or Eligibility Letter to demonstrate eligibility for benefits and services Derivative T visa: T-2, T-3, T-4 T-5 or T-6 visa
Family member of a Victim of a Severe Form of Trafficking:	The date of entry for benefits and services is the date of admission stamped on that individual's passport or I-94 Arrival Record.
Family Member enters the United States on the basis of a derivative T Visa	Persons with derivative T visas do not receive and are not required to present a Certification Letter or Eligibility Letter to demonstrate eligibility for benefits and services

Lawful Permanent Residents. Acceptable documents for lawful permanent residents who previously held one of the above identified statuses (Note that this does not refer to Amerasians or Iraqi and Afghan Special Immigrants, who are admitted as lawful permanent residents. See [Amerasians](#) for all documents pertaining to that population.)

Form I-551 Permanent Resident Card (or Resident Alien Card) with the following codes:	Comments
RE6	Adjusted Principal Refugee
RE7	Spouse of Principal Refugee
RE8	Child of Principal Refugee
RE9	Collateral Relatives of Principal Refugee
AS6	Adjusted Principal Asylee
AS7	Spouse of Principal Asylee
AS8	Child of Principal Asylee
CH6	Adjusted Cuban/Haitian Entrant (Status Pending)
HA6	Adjusted Cuban and Haitian Entrant (Haitian national who had applied for asylum)
HB6	Adjusted Cuban and Haitian Entrant (Haitian national who had been paroled)
GA6	Adjusted Iraqi asylee
GA7	Spouse of GA6
GA8	Child of GA6
ST6	Victim of a Severe Form of Trafficking
ST7	Spouse of a ST6
ST8	Child of a Victim of a ST6
ST0	Parent of a Victim of a ST6
ST9	Sibling of a Victim of a ST6

Foreign Passport with unexpired, temporary I-551 stamp and the following codes:

Foreign Passport with unexpired, temporary I-551 stamp and the following codes:	Comments
RE6	Adjusted Principal Refugee
RE7	Spouse of Principal Refugee
RE8	Child of Principal Refugee
RE9	Collateral Relatives of Principal Refugee
AS6	Adjusted Principal Asylee
AS7	Spouse of Principal Asylee
AS8	Child of Principal Asylee

Employment Authorization Documents

Employment Authorization Documents	Comments
Form I-766 Employment Authorization Document with the code A10 (This code only confirms eligibility for Cuban or Haitian nationals.)	Withholding of Deportation or Removal

Unaccompanied Refugee Minors. Acceptable Documents for the ORR Unaccompanied Refugee Minors (URM) Program ²²

Applicant	Documentation
Unaccompanied Minor who holds one of the following statuses: Refugee, Asylee, Cuban/Haitian Entrant, Victim of Trafficking with an Eligibility Letter from OTIP, LPR who has held one of those statuses, Amerasian, Iraqi/Afghan Special Immigrant	See corresponding chart above for description of documentation for status
Minor with Special Immigrant Juvenile Status (SIJS)	I-797 Notice of Action indicating SIJS status, i.e. evidence of approved I-360, or evidence of approved I-360 and approved I-485 or Visa indicating SIJS status with SL class of admission code or I-551 indicating SIJS status with SL class of admission code and evidence that at the time a Dependency Order was issued, was either: in the custody of the ORR Unaccompanied Children’s (UC) Program or receiving federal benefits or services as a Cuban/Haitian Entrant ²³
Unaccompanied Minor who holds U status or U visa	I-797 Notice of Action indicating U status U Visa I-94 Arrival/departure record showing admission in U status ²⁴

Amerasians. Acceptable documents for certain Amerasians (see definition above)

Documents/Codes	Comments
AM-1 admission code on the I-94	Amerasian born in Vietnam after Jan. 1, 1962 and before Jan. 1, 1976 who was fathered by a U.S. citizen
AM-2 admission code on the I-94	Spouse or child of Amerasian
AM-3 admission code on the I-94	Mother, guardian or next-of-kin of Amerasian
AM-6 adjustment code on Form I-551	Permanent Resident Card (or Resident Alien Card) Amerasian (see above)
AM-7 adjustment code on Form I-551	Permanent Resident Card (or Resident Alien Card) Spouse or child of Amerasian
AM-8 adjustment code on Form I-551	Permanent Resident Card (or Resident Alien Card) Mother, guardian or next-of-kin of Amerasian
Vietnamese Exit Visa with codes AM-1, AM-2 or AM-3	"Laissez Passer"; may have temporary I-551 stamp
Vietnamese passport with codes AM-1, AM-2 or AM-3	May have temporary I-551 stamp
United States passport with codes AM-1, AM-2 or AM-3	None

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.

Case Management Services: The determination of client service need, assistance with services including 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. The CRP is prepared with the refugee

Refugee Medical Screening: The initial medical health assessment 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): Virginia's health care program that replaced the Children's Medical Security Insurance Plan (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).

Matching Grant Program: Funded by Congress since 1979, this program provides an alternative approach to State-administered resettlement assistance. The program's goal is to assist refugees attain self-sufficiency within four months after arrival without accessing public cash assistance. National voluntary resettlement agencies that agree to match the Office of Refugee Resettlement (ORR) grant with cash and in-kind contributions provide Matching Grant Program services.

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 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, Division of Community and Volunteer 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, Program, the Refugee Cash Assistance Program, Refugee Social Services Program, the Targeted Assistance Program, the Refugee Medical Screening Program, the Unaccompanied Refugee Minor Program, two set-aside grant programs, and one discretionary grant program.

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 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 (i) who meet the income eligibility standards for Medicaid or FAMIS but do not meet a categorical requirement and (ii) who become ineligible for Medicaid due to increased employment income and are with the eight-month RMA eligibility period.

Refugee Social Services Employment Program (RSSEP): 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. Services are provided by local non-profit agencies under contract with the Virginia Department of Social Services, Office of Newcomer Services

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

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.

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). URM services mirror states' domestic foster care programs.

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

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

Voluntary Agency (VOLAG): A national non-profit organization that enters into a cooperative agreement with the Department of State, Bureau of Population, Refugees, and Migration to provide initial reception and placement services to refugees.

Appendix C Forms

- RSSEP Registration Form, Contract Agencies
- Mutual Responsibility Agreement, Contract Agencies
- RSSEP Registration Form, Central Region
- RSSEP Registration Form, Eastern Region
- RSSEP Registration Form, Northern Virginia Region
- RSSEP Registration Form, Piedmont Region
- RSSEP Participation Communication Report
- Release of Information Form