

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.