



Bridging Refugee Youth & Children's Services

**“Enhancing State Child Welfare Services for Migrating Children”
BRYCS Roundtable Discussion
15th National Conference on Child Abuse and Neglect
Boston, Massachusetts
April 20, 2005, 2:00-3:30 pm**

Introduction

Children migrate to the United States for a number of reasons: they may be escaping war or other harsh conditions, joining parents or other relatives and, sometimes, they leave their homes and families as a result of force, fraud, or coercion. Refugee, undocumented, and trafficked children from a broad range of countries represent a growing population in many of our state and county child welfare systems. Community-level child welfare service providers are often unaware of these children's backgrounds and immigration status, their resulting service eligibility, and other resources available for providing care for these children.


A joint project of



Lutheran
Immigration &
Refugee Service
700 Light Street
Baltimore, MD 21230
www.lirs.org



U.S. Conference of
Catholic Bishops
Migration &
Refugee Services
3211 4th Street, NE
Washington, DC 20017
www.usccb.org/mrs

888.572.6500
info@brycs.org
www.brycs.org

Lutheran Immigration and Refugee Service (LIRS) and the U.S. Conference of Catholic Bishops (USCCB), who have specialized in serving these children for over 25 years, convened this Roundtable during the 15th National Conference on Child Abuse and Neglect to provide an opportunity for regional, state and other child welfare providers to share their experiences and expertise. In addition to discussing the issues and challenges most systems are experiencing in providing care to these children, participants shared promising practices and recommendations for the field. LIRS and USCCB will continue to strengthen their targeted technical assistance to those public child welfare agencies serving migrating children, based on information gained from this Roundtable.

The Roundtable took place on April 20, 2005, during the 15th National Conference on Child Abuse and Neglect, “Supporting Promising Practices and Positive Outcomes: A Shared Responsibility,” in a conference room filled to standing room only. The speakers from the national offices of LIRS, USCCB, the Council on Accreditation, and Hunter College School of Social Work’s Immigrant and Child Welfare Project introduced the major topics, and participants engaged in a lively discussion. The notes outlined below are meant to capture the major comments and points made during the discussion. LIRS and USCCB trust that this will be the first step in a continuing process of collaboration to improve services and outcomes for these especially vulnerable children.

Welcome

Susan Krehbiel, Director of Children's Services, LIRS

Ms. Krehbiel introduced the Roundtable and welcomed two of the speakers, Richard Klarberg, President and CEO of the Council on Accreditation and Ilze Earner, Director, The Immigrant & Child Welfare Project and Assistant Professor, Hunter College School of Social Work. Key staff from the Office of Refugee Resettlement (ORR) joined the Roundtable by conference call, including Henley Portner, Co-Division Director Division of Community Resettlement (DCR); Sue Benjamin, DCR; Marta Brenden, Division of Refugee Assistance, Shereen Faraj, Division of Unaccompanied Children's Services and Emmet McGroarty, Trafficking Team.

- The purpose of this Roundtable is twofold, to:
 - 1) Discuss issues and challenges encountered in serving these populations, and
 - 2) Listen to what states are doing in terms of working with these children, i.e., share "promising practices"
- It is particularly appropriate that this Roundtable is taking place during the 15th National Conference on Child Abuse and Neglect, "Supporting Promising Practices and Positive Outcomes: A Shared Responsibility," since the safety of all of our children – including those who are refugees, undocumented, and trafficked – is indeed a responsibility shared by us all. Furthermore, the issue for migrating children is often more complex since we are not only concerned with safety in the U.S., but must also provide safety across international borders.

Resources Available for Migrating Children

Refugee Children, *Lyn Morland, Bridging Refugee Youth & Children's Services (BRYCS)*

Ms. Morland provided a welcome, definition of the population, and an overview of the resources that BRYCS makes available as a technical assistance provider on child welfare for the Office of Refugee Resettlement.

- BRYCS provides technical assistance through consultations and trainings, resource development, and dissemination of up-to-date information through the BRYCS website and clearinghouse (at www.brycs.org), which currently holds over 1,000 resources in refugee child welfare. One activity, especially relevant to our discussion today, is the cross-service training, through which we work together with individual communities to increase information-sharing and coordination among public child welfare and refugee-serving agencies. [See #3 on Resource List, Attachment B]
- A **refugee** is defined as someone outside of his or her country of origin who cannot return due to a well-founded fear of persecution on account of race, religion, nationality, political opinion, or membership in a particular social group. [Please refer to Attachment C] Refugees are screened overseas and approved for immigration by the U.S. Department of Homeland Security. **Asylees** are screened and approved for the same reasons *after* they enter the U.S. Some refugee children and youth arrive in the U.S. unaccompanied by any adult ("unaccompanied refugee minors") and enter a specialized foster care program provided by LIRS and USCCB affiliated agencies and funded by the Office of Refugee Resettlement.

These programs are developed under the same guidelines as public foster care programs, but have staff with specialized training and experience with refugee children and families.

- ***Separated refugee children*** are traveling with or are coming to join non-parental adults, who may or may not be related to them. *[See Attachment D]* In our years of experience, this population has been more vulnerable to family breakdown and is consequently more likely to have contact with the child welfare system due to: relatives or caretakers no longer being able or willing to care for the child; the caretaker moving and leaving the child behind; and, sometimes, an inaccurate reporting of the relationship (eg, a "daughter" may be a niece instead, or a child cared for while in a refugee camp). Abuse or neglect may be more likely to occur in these families due to a potentially weaker bond between adult caretakers and children. These refugee minors then become eligible for the specialized refugee foster care programs mentioned previously.
- It is important to keep in mind that these and other refugee-serving programs can be a tremendous resource to public child welfare agencies by providing interpreters, cultural consultants and, often, culturally-appropriate education and intervention programs that can address family needs and prevent the removal of children due to charges of abuse or neglect.

Trafficked Children, Margaret MacDonnell, USCCB

Ms. MacDonnell works for USCCB in a collaborative project with LIRS, funded by ORR, to place trafficked children into specialized foster care programs. She also provides training and technical assistance in this area.

- Under the Trafficking Victims Protection Act of 2000 (or "TVPA"), children subject to either commercial sexual exploitation or to forced labor through use of force, fraud or coercion are eligible for benefits. Victims of commercial sexual exploitation do not need to have been subject to force, fraud or coercion to be eligible for benefits but victims of forced labor do.
- Of the 600,000 to 800,000 individuals who are trafficked across international borders each year, the U.S. State Department estimates approximately one-half are under the age of 18. An estimated 14,500 to 17,500 people are trafficked to the United States every year. Since the TVPA was passed in 2000, approximately 65 children have been determined eligible for benefits and of these one-half have gone into specialized foster care. However, there is great concern over the low rates of identification so it is our hope that we can help your agencies, especially Child Protective Services, identify trafficked children when they intersect with these systems.
- Ms. Krehbiel noted that, for these children, a determination has been made that they require protection and specialized foster care services. These foster care programs are within states and are licensed like other foster care programs. Thus, these children go into local jurisdictions.

Undocumented Children, Susan Krehbiel, LIRS

- These children are in the United States without legal immigration status, are unaccompanied and under the age of 18, and have come to the attention of the U.S. Department of Homeland Security (DHS). These undocumented children are therefore in federal custody, and are currently placed in specialized programs through the Office of Refugee Resettlement (ORR)

while they are in immigration proceedings [*due to shifts in agency responsibility, the care of unaccompanied undocumented children was recently transferred from INS, now DHS, to ORR*]. These children can be placed at a variety of levels of care, with a priority of seeking the least restrictive environment for them. Placement may include a local foster care program [*USCCB and LIRS have worked together with ORR to develop a manual of policy and procedures for applying child welfare principles to the care of these children while they are in federal custody*].

- Note that the column on the right-hand side of the chart [*referring to the chart in Attachment E; also see Attachment C, page 2, for numbers*]—which refers to children who are undocumented or are in immigration proceedings—includes a larger number of children than are in the other columns [*which refer to refugees, entrants, asylees, and trafficked children*]. However, this column includes children for whom we have yet to discover their protection needs, or status. So agencies should be mindful that, when working with undocumented children, they may discover asylum seekers and trafficked children among them.
- State and local child welfare agencies—whose mandate is to care for all children who are in need of protection—have the on-going challenge to provide services to all of these children, regardless of differences. For example, an immigrant child may be eligible for government funded services but cannot access them because of language difficulties or because the caseworker is unable to appropriately assess and respond to the situation due to lack of understanding of cultural or immigration issues. State and local child welfare service providers must therefore have the specialized expertise to address these differences, so that refugee, trafficked, and undocumented children receive the same level of services as do US-born children.

The Challenge

Ilze Earner, Director, the Immigrant & Child Welfare Project, and Assistant Professor, Hunter College School of Social Work

- There is good news: challenges in serving these populations are becoming recognized and documented, thus raising the level of awareness of the issues. Questions are being asked about refugee and immigrant children and families and the special needs that should be addressed when serving them in the child welfare system.
- Research is being conducted in New York City that documents many of the challenges and some of the solutions in serving this population:
 - Further work needs to be done to develop collaborations across systems. This is particularly true for child welfare, where workers tend to focus on family issues from the child welfare perspective only. It is very important to coordinate with other systems, such as school and healthcare, particularly when working with refugees and immigrants. This type of collaboration is happening in some places and we should examine it.
 - A consistent question from refugee and immigrant service providers is: “I just need to know who to call! Who can point me to identified individuals providing specialized services and resources?” Likewise, child welfare workers are asking, “Who do we call when we get families we’ve never worked with before?”

Service coordination is key to addressing issues with immigrants and refugees who come into contact with the child welfare system.

- Raising awareness among child welfare workers regarding language access and cultural differences is important. These workers need to understand the CONTEXT of the immigrant and refugee's life, their history, and experiences prior to coming to the United States.
- Finally, we must address the social climate in the U.S. Now is not a good time for immigrants. Particularly since 9/11 there has been increased suspicion and mistrust of immigrants, resulting in individual workers and agencies responding to them in a biased way.

National Perspective

Richard Klarberg, President and CEO, Council on Accreditation

- It is good that we are meeting today and it is an important meeting, but it is small and doesn't reflect the scope of the problem this country is facing. This is a very distinct population with different needs and different problems that require different resources. The Council on Accreditation is providing technical assistance, creating standards for effective practice, ensuring cultural competency and ensuring partnerships. These are difficult times because immigration is seen as a threat and not as an asset. This is especially difficult in a climate where there are fewer and fewer resources. We are being asked to do more with less, and partnerships are necessary. We need case workers with language training and experience beyond just Spanish. We need to create more public/private partnerships, where you have public organizations working together with smaller private organizations (for example, faith-based and community-based organizations, Mutual Assistance Associations).
- The Council on Accreditation is publishing new standards and we need your help. Rather than owning these standards, we document them, so what we hear from you is critically important. In addition to getting your input into these standards, we want to know: *What are you doing and how can the Council on Accreditation augment your efforts?*

Open Discussion

Facilitated by Susan Krehbiel

- *Susan Krehbiel:* How do we bring together collaborations so that we are resources for each other?
- *Ilze Earner:* Six years ago in New York City we approached child welfare regarding immigrant issues and child welfare responded, "Immigrants who? They're not a problem and nobody could identify the numbers." However, service plans for immigrants were unrealistic so that families could never get their kids back. It was clear that we needed to bring together immigrant service providers and child welfare, so that they could learn from each other. Now in NYC, there is an advisory board for public child welfare on immigrant issues that meets quarterly. Additionally, they have developed a handbook for CPS workers and a

resource manual with language cards. This is an excellent example of people coming together, using existing systems that are already in place to identify and address these needs.

- *Suzanne Matsumori, Arizona Supreme Court:* Our main concern is undocumented children. We are now working with DIF, the CPS counterpart in Mexico, in order to contact relatives. We can be a resource to other areas attempting to contact family in Mexico. *[for more information on working with the DIF, you should contact Lisa Cavazos-Barrett, Deputy Program Manager, District I, Arizona Child Protective Services at lcavazos-barrett@azdes.gov]*
- *Dianne Curran, Deputy General Counsel, Massachusetts Department of Social Services:* DSS has had a program in place for several years to obtain permanent resident status for children in state custody as special immigrant juveniles. We know that we need to do more to raise the awareness among child welfare workers of the immigration-related issues of children in foster care; doing this during a time when Immigration practice and procedures are frequently changing is a challenge. Based on our experience, there also needs to be greater understanding at USCIS of the work of child welfare agencies and of the challenges that child welfare workers face in trying to gather identity documents so that we can help children in placement replace permanent resident cards or access other immigration benefits. We need to develop a closer working relationship with USCIS to more quickly and efficiently resolve these issues to assist children. We have asked for a meeting with our Regional Office of USCIS to do this.
- *Alice Tarpley, ISS, Baltimore, MD:* L.A. County provides a good example of how to develop collaborations. Originally, county workers had to get up at 4:00 AM to wait in line in order to file paperwork for children. After networking and establishing relationships, they can now go directly to a window and file paperwork for SIJS [*Special Immigrant Juvenile Status*], without waiting in line.

ISS recently researched the training requirements for CPS workers and has just gotten results back. Of the 33 states interviewed, only 9 states provided training on immigration related information that would inform whether workers needed to address a child's immigration status (it is interesting that the interviewees tended to confuse "immigration related training" with "cultural competence training" in their responses). The haphazard and ad-hoc nature of immigration trainings is a barrier to increasing cultural competency.

We need a systematic approach, including:

- Identification of refugees and immigrants - currently, there is nothing on the intake sheet that shows if an individual is from a special population.
- Training - how can we impact the training that CPS workers receive? Immigration issues, refugees and foreign-born are often beyond the level of expertise of case workers. Within different service systems, benefits are often complex. We need to go beyond the social work practice model of just teaching case management and raise cultural competency.
- Public/Private Partnerships - as a way of best utilizing dwindling resources.
- *Tanji Donald, Massachusetts Children's Trust Fund:* The Children' Trust Fund's community-based Parenting Education and Support programs serve parents of young children 0-6 years statewide. A number of these Parenting Education and Support groups serve immigrant families in various communities throughout the Commonwealth. As part of

CTF's Parenting Education and Support library training series for these funded programs, we recently offered two series in the Boston and Western Mass area focused on the topic of supporting and engaging immigrant populations who are parenting. This particular subject has been very successful and we are planning to continue this discussion through a workshop offering at the CTF/Wheelock College sponsored conference titled " View From All Sides Parenting Education Conference" to be held on November 7, 2005 in Marlborough, MA.

Program staff continue to face numerous challenges due to language barriers, lack of information and/or understanding on the many cultural backgrounds.

- Several participants noted that the Children's Bureau and ACYF need to send a message that these are our children too. Do we have the ability to help these kids with Federal Funding? There is confusion with Title IV E foster care eligibility for these kids. We need to work with General Counsels to clarify these questions and we need a clear Federal message about this and our ability to serve these kids.

Wrap-Up and Next Steps

Susan Krehbiel, LIRS

- Catherine Nolan, Director of the Office on Child Abuse and Neglect, has provided strong leadership in promoting interagency collaboration. She is the one who had suggested holding this Roundtable. We face multiple challenges and the answers cannot lie in one agency; rather they highlight the need for interagency collaboration.
- Comments today have made it clear that we need to work on developing creative international partnerships to examine family tracing issues.
- We also need to work toward resolving the confusion over immigration status, and the lack of understanding of the background and current context of these populations.
- Concerning identifying refugee or immigrant status on intake forms, BRYCS has recommended to the Children's Bureau that they include **language spoken in the home** in the data collected by the AFCARS system – we felt that this was a more appropriate indicator of foreign-born status than asking for immigration status. This question concerning language also ties in with the Title VI civil rights legislation, requiring that recipients of all services receiving federal funding be provided with interpreters, as needed.
- Finally, we need to work on developing and improving the case management skills of professionals.
- Please note the chart given to you: "Meeting the Five Universal Needs of Foreign Born Children," adapted by LIRS from the CWLA Five Universal Needs chart. It highlights life experience issues according to immigration experience. *[see Attachment F]*

Richard Klarberg, COA

- As a next step, I would suggest that we identify two to four programs that are working successfully to create partnerships across the "cultural divide" and ask how we can replicate these efforts. Today we've heard about two possible examples, one in Arizona working with

Mexican Child Protective Service workers and another in New York. How do we use these efforts as case studies, to learn from and to replicate?

Participant Suggestions

- We also need to include outreach to Child Advocacy Centers and Court Appointed Special Advocates (CASA) programs or other groups that hold their own conferences and are advocating for abused or neglected children.
- Another good example is TAPESTRI in Atlanta, GA (Immigrant and Refugee Coalition Challenging Gender Based Oppression) that is a coalition of ethnically diverse advocates working on issues of violence against women. There are 23 different languages represented in this group.
- The BRYCS website (www.brycs.org) is a wonderful resource for information on these issues, and a useful resource for increasing coordination.
- As Richard said, we need to start where we can start - a good starting point may be to look for existing collaborations around similar issues in your community and begin to work together with them.

Lyn Morland, BRYCS

- BRYCS collects program descriptions and "promising practices" for our clearinghouse, and we plan to add to these by documenting some of the current efforts toward increased coordination, such as those we have discussed here today. Please contact us and let us know about any other efforts we should document.
- We will be following up this Roundtable by distributing the notes from our discussion, including copies of the charts and other materials provided today. This Roundtable is just the first step of what we hope will be an on-going process of working together toward "shared responsibility."

Henley Portner, ORR

- The discussion today has been an important one, and a number of good suggestions have been raised. Congratulations and thank you to BRYCS for convening this Roundtable.

ATTACHMENTS:

Attachment A	<i>List of Participants</i>
Attachment B	<i>Resource List</i>
Attachment C	<i>Foreign Born Populations of Concern to ORR and Child Public Welfare</i>
Attachment D	<i>Table: Separated Refugee Children</i>
Attachment E	<i>Table: Unaccompanied Foreign Born Children in the United States</i>
Attachment F	<i>Meeting the Five Universal Needs of Foreign Born Children in the U.S</i>
Attachment G	<i>NCWAB: Outreach and Coordination Working Group Notes</i>

Attachment A

"Enhancing State Child Welfare Services for Migrating Children" BRYCS Roundtable Discussion April 20, 2005

List of Participants

1. **Alvarez, Alfonso**, Massachusetts General Hospital - Chelsea Healthcare Center, Pediatric Clinical Social Worker
2. **Burds, Ann**, ACF DHHS Region VII, Child Welfare Program Specialist
3. **Burnette, Emaline**, South Carolina Dept of Social Services
4. **Cook Heffron, Laurie**, MSW, Center for Social Work, University of Texas at Austin, Program Coordinator
5. **Curran, Dianne**, Massachusetts Department of Social Services, Deputy General Counsel
6. **Davidson, Howard**, JD, ABA - Center on Children & the Law, Director
7. **Donald, Tanji**, Massachusetts Children's Trust Fund (CTF), P.E.S.P. Grants Manager
8. **Earner, Ilze**, PhD – Hunter College School of Social Work, Assistant Professor and Director, The Immigrant and Child Welfare Project
9. **Fong, Rowena**, EdD, MSW, Center for Social Work, University of Texas at Austin, Professor and Director, Center for Asian American Studies
10. **Gottlieb, Bridget**, Healthy Family Center, Midwifery Service, Mishawaka/Michiana, IN
11. **Grosdidier, Kim**, Florida Dept of Children & Families, SMA Supervisor, Protective Investigations, Department of Children and Families
12. **Haile, Eden**, Salem State College, Student
13. **Kenerson, Marilyn**, ACF DHHS Region VIII, Program Manager Child Welfare
14. **Kirschke, Juanita**, Bridging Refugee Youth & Children's Services (BRYCS), Technical Assistance Organizer/LIRS
15. **Klarberg, Richard**, Council on Accreditation, President & CEO
16. **Koch, Gary**, ACF Reg. III DHHS, Regional Child Welfare Manager
17. **Krehbiel, Susan**, M.A., Director of Children's Services, Lutheran Immigration & Refugee Service (LIRS)
18. **Landry, Aimee**, Southern New Hampshire Services, Inc (SNHS), Head Start, Family Worker
19. **Lavery, Jessica**, SNHS, Head Start, Manchester NH, Education Coordinator

20. **Lipton, Susan**, Massachusetts General Hospital, Child Protection Program Coordinator
21. **Mason, Mitch**, County of Los Angeles DCFS, Children's Services Administrator
22. **Matsumori, Suzanne**, Arizona Supreme Court, Court Improvement Program Coordinator
23. **McQuarter, Ralph**, M.A., Minnesota DHS, Community Partnerships Division, Community Capacity and Planning Director.
24. **Montoya, Melissa**, St. Joseph Health Center, Intern
25. **Morland, Lyn**, MSW, MA, Bridging Refugee Youth & Children's Services (BRYCS), Program Officer/USCCB
26. **Osborne, Carol L.**, ACF DHHS Region IV, Director Division of State Programs
27. **Rhone, Janet**, TMC- KCMO Healthy Start, Family Advocate
28. **Rose, Jen**, MA, Bridging Refugee Youth & Children's Services (BRYCS), Outreach & Information Coordinator/USCCB
29. **Schmidt, Laura**, MSW, Bridging Refugee Youth & Children's Services (BRYCS), Program Coordinator/LIRS
30. **Tarpley, Alice**, Ph.D., MSW, International Social Service - USA, Director of Programs
31. **Walker, Ruth**, ACF DHHS Region IV, Program Manager
32. **Williams, Cassandra**, CPM, Florida Dept of Children & Families, CBCAP Program Manager, Community Based Child Abuse Prevention

Attachment B

"Enhancing State Child Welfare Services for Migrating Children" BRYCS Roundtable Discussion April 20, 2005

Resource List

1. **Bridging Refugee Youth and Children's Services (BRYCS) (2005). *BRYCS April Homepage*. Retrieved April 14, 2005 from <http://www.brycs.org>**

Available on the BRYCS Web site at <http://www.brycs.org/clearinghouse/clearinghouse-resource.cfm?docnum=2814>

2. **Bridging Refugee Youth and Children's Services (BRYCS) (2005). *BRYCS Publications Page*. Retrieved April 14, 2005 from http://www.brycs.org/brycs_resources.htm**

Available on the BRYCS Web site Publications page at <http://www.brycs.org/publications/index.cfm>

3. **Bridging Refugee Youth and Children's Services (BRYCS) (2003). *Building Bridges: A Guide to Planning and Implementing Cross-Service Training*. Baltimore MD and Washington DC: Author.**

Available in PDF on the BRYCS Web site Publications page at <http://www.brycs.org/clearinghouse/clearinghouse-resource.cfm?docnum=0701>

Outlines a training program for service providers concerning the special needs of refugee families, with an emphasis on increasing coordination of services among public child welfare agencies, refugee-servicing agencies, and refugee community associations. Developed by Bridging Refugee Youth & Children's Services (BRYCS), this guide reinforces the concept of establishing mechanisms of ongoing communication and collaboration among all service providers through cross-service training, with the ultimate goal of creating and sustaining a comprehensive continuum of care for the refugee population. The guide covers key steps in the process of cross-service training, including: (1) determining how local resettlement agencies, mutual assistance associations, public child welfare agencies, and mainstream organizations interact with one another; (2) establishing a task force to spearhead the development and implementation of cross-service training; (3) defining the focus of the training itself; (4) estimating both timelines and budget needs; (5) outlining the training agenda and preparing materials; and (6) evaluating the training program. Also contains numerous charts, worksheets, and case studies as well as a list of background reading.

4. **Bridging Refugee Youth and Children's Services (BRYCS) (2003). Appendix 1 - Developing Refugee Foster Families: A Worthwhile Investment". In *Serving Foreign-Born Foster Children: A Resource for Meeting the Special Needs of Refugee Youth and Children*. Baltimore MD and Washington DC: Author.**

Available in PDF on the BRYCS Web site Publications page at
<http://www.brycs.org/clearinghouse/clearinghouse-resource.cfm?docnum=0717>

Refugee and other foreign-born children in foster care have many special needs. As they adjust to living in a new family or another setting, they are also adjusting to a whole new culture in America and sometimes a new language. In addition to processing their personal tragedies and experience with persecution or war, refugee children may struggle to develop a healthy and positive sense of self.

This information sheet compiles suggestions for recruiting, training, licensing, and retaining refugee foster families. Developing refugee foster families can be an important strategy for serving refugee children. Including refugee families in the pool of foster care placement options increases the likelihood of being able to make an appropriate placement if a refugee child is found to have special needs relating to his or her language, culture or ethnicity. It can help such refugee children draw on their cultures, languages, ethnic affiliations, and religious faith as supportive and protective factors while they adjust to life in the United States.

5. **Bridging Refugee Youth and Children's Services (BRYCS) (2003). Appendix 2 - Serving Refugee Children in Foster Care: Fundamental Considerations. In *Serving Foreign-Born Foster Children: A Resource for Meeting the Special Needs of Refugee Youth and Children*. Baltimore MD and Washington DC: Author.**

Available in PDF on the BRYCS Web site Publications page at
<http://www.brycs.org/clearinghouse/clearinghouse-resource.cfm?docnum=4191>

Refugee and other foreign-born children in foster care have many special needs. This information sheet contains suggestions for meeting the special needs of these children in out-of-home care; that is, ways to help them draw on their culture, language, ethnic tradition, and religious faith as supportive and protective factors while they adjust to a new life in the United States. Topics addressed include: "Factors Affecting Refugee Children's Adjustment to Foster Care", "Key Components of Successful Child Welfare Services for Refugee Children", "The Importance of Ethnic Identity Formation: Helping Children Maintain and Integrate their Two Cultural Identities".

6. **Bridging Refugee Youth and Children's Services (BRYCS) (2003). Directions in Service Provision: Findings From Needs Assessments of Refugee Youth, Children, and Parents - Cuyahoga County, Ohio; DeKalb County, Georgia; St. Louis, Missouri. Baltimore MD and Washington DC: Author.**

Available in PDF on the BRYCS Web site Publications page at
<http://www.brycs.org/clearinghouse/clearinghouse-resource.cfm?docnum=0758>

This report combines findings and recommendations from needs assessments conducted in Georgia, Missouri and Ohio. The needs assessments identified critical issues and challenges confronting refugee youth, children and parents and suggest important recommendations for service provision. Various service agencies and community

representatives were involved in implementing each assessment; together, they created a detailed picture of challenges at the local level. BRYCS's intention is to disseminate this report widely to increase awareness of the needs of refugee youth, children, and parents.

7. Bridging Refugee Youth and Children's Services (BRYCS) (2003). Foster Care at a Cultural Crossroads: Refugee Children in the Public Foster Care System, Roundtable Report. Baltimore MD and Washington DC: Author.

Available in PDF on the BRYCS Web site Publications page at <http://www.brycs.org/documents/upload/roundtable.pdf>

Focuses on the establishment of cultural competence within organizations so that professionals can work effectively in cross-cultural situations. Cultural competence is defined as the integration of knowledge about different individuals and groups of people into standards, policies, practices, and attitudes used in appropriate cultural settings to increase the quality of services. Sponsored by the Center for Effective Collaboration and Practice, this web site explains the 5 essential elements that contribute to a system's ability to become more culturally competent: to value diversity, to have the capacity for cultural self-assessment, to be conscious of the dynamics inherent when cultures interact, to institutionalize cultural knowledge, and to develop adaptations to service delivery reflecting an understanding of diversity between and within cultures. The Web site provides answers to a number of key questions, including why cultural competence is important and how it differs from cultural awareness or sensitivity; what research has been conducted; what organizations are addressing cultural competence through policy, education, or interagency collaboration; how cultural competence is integrating into education; and how cultural competence benefits children. Visitors to the site also are directed to numerous resources, including training workshops, conferences, reading lists, and a calendar of events.

8. Bridging Refugee Youth and Children's Services (BRYCS) (2003). Guardianship Fact Sheet for Staff Assisting Refugee Families. Baltimore MD and Washington DC.

Availability: Available in PDF on the BRYCS Web site Publications page at <http://www.brycs.org/clearinghouse/clearinghouse-resource.cfm?docnum=0527>

Provides basic background information for those assisting refugee families to understand and/or establish guardianship for non-biological children (such as grandchildren, nieces, nephews, cousins, siblings, or friends). These children have sometimes been referred to as "guardianship cases" (meaning an adult caregiver serves as the child's guardian since the child's parent cannot), or "attached minors" (meaning they are attached to an adult other than their parents). Increasingly, they are being referred to as "separated children" (meaning they are separated from their parents). In this document we will use the term "separated children," since this is the internationally recognized description of these children. Separated children are among the most vulnerable of refugee children, since their parents are not present to provide protection and care.

This information is intended for use by agencies which assist in the resettlement of separated children, as well as other service providers, such as Mutual Assistance Associations, which may assist separated children and their caregivers after their initial period of resettlement services has ended. It may also be of use to State Coordinators of Refugee Resettlement and others who are responsible for planning assistance to refugee families in their jurisdictions.

9. Bridging Refugee Youth and Children's Services (BRYCS) (2003). *Guardianship Summary Sheet*. Baltimore MD and Washington DC: Author.

Available in PDF on the BRYCS Web site Publications page at
<http://www.brycs.org/clearinghouse/clearinghouse-resource.cfm?docnum=0528>

Summarizes basic information, in a question-and-answer format, about guardianship issues specific to refugee families. Prepared by Bridging Refugee Youth and Children's Services (BRYCS), this 2-page sheet answers such questions as (1) what guardianship is and why it is important; (2) why cases of children separated from their parents are treated differently; (3) what the benefits and responsibilities of guardianship are and how it is different from adoption; and (4) what is involved in the process of becoming a guardian.

10. Bridging Refugee Youth and Children's Services (BRYCS) (2004). *Separated Refugee Children in the United States: Challenges and Opportunities*. Baltimore MD and Washington DC: Author.

Available in PDF on the BRYCS Web site Publications page at
<http://www.brycs.org/clearinghouse/clearinghouse-resource.cfm?docnum=0856>

This paper is intended to provide an introduction to the use of the term separated children and to help the reader consider the needs of this population within the context of the U.S. refugee resettlement program. It provides examples of relevant current practices with separated children in the international refugee services arena and within U.S. child welfare practice, and it concludes with questions regarding service areas to be strengthened in meeting the needs of this vulnerable population in the United States. This paper was written in the hope that the ideas it presents will stimulate communications among relevant public and private entities in order to enhance services to resettled refugee children outside the care of a parent.

11. Bridging Refugee Youth and Children's Services (BRYCS) (2003). *Serving Foreign-Born Foster Children: A Resource for Meeting the Special Needs of Refugee Youth and Children*. Baltimore MD and Washington DC: Author.

Available in PDF on the BRYCS Web site Publications page at
<http://www.brycs.org/clearinghouse/clearinghouse-resource.cfm?docnum=0759>

This document addresses the special challenges in serving foreign-born children in U.S. foster care systems. It is intended for administrative and casework staff of child welfare agencies and other public and private organizations that work with refugee children and families. The document draws on the experiences of existing foster care programs to suggest practical means of meeting the assessment and placement needs of foreign-born children in foster care. In addition, the paper highlights potential areas for collaboration between public and private entities and identifies the laws, policies and professional standards relevant to serving refugee and immigrant children. The appendix includes resources on topics such as developing refugee foster families, identifying the particular service needs of refugee children in foster care, and assisting trafficked children.

12. Bridging Refugee Youth and Children's Services (BRYCS) (2003). *Suitability Assessment Tips: Safeguarding Refugee Children Who Arrive Without Parents*. Baltimore MD and Washington DC: Author.

Available in PDF on the BRYCS Web site Publications page at

<http://www.brycs.org/clearinghouse/clearinghouse-resource.cfm?docnum=0545>

Assists local resettlement agencies in assessing whether the prospective adult caregiver is willing and able to care for a given child who has been separated from his or her parents and also can provide a safe and appropriate living environment. Tips cover preparing for the suitability assessment, evaluating the relationship between the separated child and responsible adult or adults, meeting other household members, determining whether sleeping arrangements are acceptable, and identifying high risk situations.

13. Earner, Ilze (2004). *The Immigrants & Child Welfare Project*. Permanency Planning Today. 2002 Winter, p.10-11.

Available free in PDF at the National Resource Center for Foster Care & Permanency Planning at the Hunter College School of Social Work Web site at:

<http://www.brycs.org/clearinghouse/clearinghouse-resource.cfm?docnum=0024>

14. Lutheran Immigration and Refugee Service (LIRS) and United States Conference of Catholic Bishops/Migration and Refugee Services (USCCB/MRS) (2005). *Assistance for Trafficked Children: Information for Social Service Providers*. Baltimore, MD and Washington, DC: Author

Available in PDF on the USCCB/MRS Web site at

<http://www.brycs.org/clearinghouse/clearinghouse-resource.cfm?docnum=1895>

Also available in Spanish at USCCB Migration and Refugee Services Trafficking, 3211 4th St., NE, Washington, D.C. 20017-1194, Phone: 202/541-3352, Fax: 202/722-8747

Provides information to social service providers and others on the definition of trafficking, services available to trafficked children, and steps to take if a service provider thinks a child might have been trafficked.

15. Lutheran Immigration and Refugee Service (LIRS) and United States Conference of Catholic Bishops/Migration and Refugee Services (USCCB/MRS) (2005). *Frequently Asked Questions About Services to Trafficked Children*. Baltimore, MD and Washington, DC: Author

Available in PDF on the USCCB/MRS Trafficking Web site at

<http://www.brycs.org/clearinghouse/clearinghouse-resource.cfm?docnum=0003>

Provides detailed information on child trafficking related to specific issues such as accessing benefits, immigration issues, and foster care placements.

16. Lutheran Immigration and Refugee Service (LIRS) and United States Conference of Catholic Bishops/Migration and Refugee Services (USCCB/MRS) (2005). *Guidance for Identifying a Child Victim of Trafficking*. Baltimore, MD and Washington, DC: Author

Available in PDF on the USCCB/MRS Trafficking Web site at

<http://www.brycs.org/clearinghouse/clearinghouse-resource.cfm?docnum=1869>. Also available in Spanish from USCCB Migration and Refugee Services, 3211 4th Street, NE, Washington, D.C. 20017-1194, Phone: 202/541-3352, Fax: 202/722-8747

This document suggests questions to ask and issues to look for when assessing whether a child may have been trafficked.

17. Lutheran Immigration and Refugee Service (LIRS) and United States Conference of Catholic Bishops/Migration and Refugee Services (USCCB/MRS) (2004). *Meeting the Five Universal Needs of Foreign Born Children in the U.S.*, adapted from CWLA's *Making Children a National Priority*, 2003. Baltimore, MD: Author.
18. Lutheran Immigration and Refugee Service (LIRS) and United States Conference of Catholic Bishops/Migration and Refugee Services (USCCB/MRS) (2004). *Table: Unaccompanied Foreign Born Children in the United States*, from the National Child Welfare Advisory Board's *In Search of Safe Haven: Reaching for Excellence in Providing Care for Migrating Children*. Baltimore, MD and Washington DC: Authors.
19. United States Conference of Catholic Bishops/Migration and Refugee Services (USCCB/MRS) and Lutheran Immigration and Refugee Service (LIRS) (2004). *Foreign Born Populations of Concern to ORR and Public Child Welfare*, from the National Child Welfare Advisory Board's *In Search of Safe Haven: Reaching for Excellence in Providing Care for Migrating Children*. Washington DC and Baltimore, MD: Authors.
20. United States Conference of Catholic Bishops/Migration and Refugee Services (USCCB/MRS) and Lutheran Immigration and Refugee Service (LIRS) (2004). *Outreach and Coordination Working Group Notes*, from *The National Child Welfare Advisory Board's In Search of Safe Haven: Reaching for Excellence in Providing Care for Migrating Children*. Washington DC and Baltimore, MD: Authors.
21. United States Conference of Catholic Bishops/Migration and Refugee Services (USCCB/MRS) and Lutheran Immigration and Refugee Service (LIRS) (updated 2005). *Refugee Foster Care for Unaccompanied Refugee Minors: Frequently Asked Questions*. Washington DC and Baltimore, MD: Authors.

Available in PDF on the BRYCS Web site Publications page at

<http://www.brycs.org/clearinghouse/clearinghouse-resource.cfm?docnum=0525>

Provides basic information, in a question-and-answer format, about the fostering of unaccompanied refugee minors, including the locations of current refugee foster care programs and telephone numbers for further information. Questions address (1) who unaccompanied refugee minors are; (2) who is eligible for refugee foster care programs and for how long; (3) what services are available; (4) how the programs are funded and monitored; (5) what kind of foster family or other care arrangements are provided to the minors; (6) how these children respond to foster care and how they fare in the American educational system; (7) who can become a foster parent; and (8) whether unaccompanied minors are ever reunited with their families.

22. United States Conference of Catholic Bishops/Migration and Refugee Services (USCCB/MRS) and Lutheran Immigration and Refugee Service (LIRS) (2004). *Table 2: Separated Refugee Children*, from the *National Child Welfare Advisory Board's In Search of Safe Haven: Reaching for Excellence in Providing Care for Migrating Children*. Washington DC and Baltimore, MD: Authors.

Attachment C***Foreign-Born Populations of Concern to the Office of Refugee Resettlement (ORR) and to Public Child Welfare***

Public child welfare providers working with foreign-born children in need of services can best assist them by identifying as soon as possible whether they fit into any of the following categories:

Asylees: Asylees request refugee status after entry into the United States, in contrast to refugees, who receive this status before U.S. entry. An asylum seeker is someone who has come to the United States seeking protection; he or she must go through a legal process to gain asylum. Asylum is granted by either the Bureau for Immigration and Customs Enforcement (ICE) of the U.S. Department of Homeland Security or by the Executive Office for Immigration Review (EOIR) of the U.S. Department of Justice. Like refugees, asylees must be found "unable or unwilling to return to his or her country of origin because of past persecution or a well-founded fear of persecution, based on the person's race, religion, nationality, membership in a particular social group, or political opinion."

Amerasians: Children who were born in Vietnam between January 1, 1962, and January 1, 1976, and fathered by a U.S. citizen. They were eligible for the ORR-funded refugee foster care program and other federal benefits.

Child Victims of a Severe Form of Trafficking: Under the Trafficking Victims Protection Act of 2000 a child involved in a sex act induced by force, fraud, or coercion, or the recruitment, harboring, transportation, provision, or obtaining of a child 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.

Cuban/Haitian Entrants: Special legal status has been accorded to Cubans who entered the United States illegally between April 15 and October 10, 1980, and Haitians who entered the country illegally before January 1, 1981. Members of those groups who have continuously resided in the United States since before January 1, 1982, and who were known to the INS before that date are eligible to adjust to permanent residence status under the law. -

Reclassified Minors: Refugee minors who arrive in the United States accompanied by adult relatives but who later are abandoned, neglected, or otherwise separated from their caregiver can be reclassified by ORR to unaccompanied refugee minor (URM) status. URM's are eligible for specialized refugee foster care services. .

Refugee: Someone who is outside his or her country of origin and cannot return due to a well-founded fear of persecution on account of his or her race, religion, nationality, political opinion, or membership in a particular social group. Refugees in the United States are people who fit this description and have received legal status as a refugee from the U.S. Department of Homeland Security prior to resettling in this country.

Separated refugee child: The International Committee for the Red Cross defines a separated child as a child younger than age 18 or the legal age of majority who is separated from both parents, but not necessarily from other relatives. Other organizations, such as the United Nations High Commissioner for Refugees, use the term "separated children" instead of "unaccompanied children" to include any child separated from parents, whether cared for by other relatives or alone.

Special Immigrant Juvenile Status (SIJS): An immigration visa available to foreign- born children in the United States who are deemed eligible for long-term foster care, have been declared dependent upon a juvenile court, and for whom it is not in their best interest to be returned to their country of origin.

Unaccompanied refugee minor (URM): A refugee who is younger than age 18 and is outside the care of a parent or guardian; URM's are eligible for specialized foster care and child welfare services.

Undocumented minors: Children under age 18 who enter the United States without any legal status or permission. The Office of Refugee Resettlement has responsibility for the care and welfare of undocumented children who are unaccompanied by a parent or guardian and who are in federal custody.

Victims of torture: The Office of Refugee Resettlement funds a program providing services to victims of torture, regardless of their immigration status; services may include mental or psychological services, legal and social services, and research and training for health care providers.

Statistics on Unaccompanied Children in the United States

Table I: Undocumented Unaccompanied Children placed in care by the Office of Refugee Settlement, Division of Unaccompanied Children's Services (DUCS)	
FY 2004 (Oct. 2003 through Sept. 2004)	6,475
FY 2003* (March 2003 through Sept. 2003)	3,086
TOTAL	9,561

* DUCS initiated services in March of 2003

Source: From data provided to USCCB on April 14, 2005 by ORR/ACF/DHHS.

Table II: FY97-FY04 Resettlement Data for Separated Children Coming to the United States to Join Relatives, Parents or Other Adult Caregivers

Category	FY97	FY98	FY99	FY00	FY01	FY02 (Oct. 1-July 9)	FY03	FY04 (Through 7/04)	Total
M2	260	416	755	609	523	74	315	737	3,689
M3	2	0	5	9	1	3	24	36	80
M5	555	504	672	794	742	148	17	29	3,461
M6	33	33	45	69	44	5	328	362	919
Total	850	953	1,477	1,481	1,310	230	684	1,164	8,149

Note: M2 = minors attached to, traveling with, and resettling with non-parental blood relatives; M3 = minors traveling with or coming to join a non-related adult; M5 = minors coming to join a biological or legally adoptive parent; M6 = minors coming to join a non-parental relative already in the United States. This table does not include numbers for M1 cases (minors traveling with parents), M4 cases (minors destined for foster care), and M7 cases (married minors).

Source: From data provided in July 2004 to USCCB/MRS by Jessica Yutacom of the U.S. Department of State, Bureau of Population, Refugees, and Migration (DOS/PRM). These numbers reflect only separated children entering the United States through the U.S. Resettlement Program. Other separated children entering the United States and of interest to the Office of Refugee Resettlement, but not reflected in these numbers, include Cuban/Haitian entrant children, alien children in immigration proceedings, and children who are victims of severe forms of trafficking.

Table III: Certification Letters issued by the Office of Refugee Resettlement (ORR/ACF/DHHS) to Victims of Severe Forms of Trafficking since the Inception of the Trafficking Victims and Protection Act of 2000

	FY2001	FY2002	FY2003	FY2004	FY2005	Total
<i>Adults</i>	194	80	145	144	94	657
<i>Minors</i>	4	19	6	19	19	67
Total	198	99	151	163	113	724
<i>Male</i>	22	20	81	57	33	213
<i>Female</i>	176	79	70	106	80	510
Total	198	99	151	163	113	724

Source: From Data provided to USCCB on April 14, 2005 by ORR/ACF/DHHS

Table – Separated Refugee Children

Separated Refugee Children *	
Eligibility Category	Refugee
Relevant Federal Agency	Department of State/ Population, Refugees, & Migration (DOS/PRM)
Immigration Status	Refugee under §207 of INA
Custody	No person or agency, unless child is joining parent/s in the U.S. – Accompanying refugee family may file for legal guardianship or custody
Length and Type of Services Available	<p>“Core Services” required by DOS/PRM for all arriving refugee families:</p> <ul style="list-style-type: none"> • Sponsorship assurance prior to arrival (a guarantee that a relative or community group is ready to assist the family upon arrival) • Pre-arrival resettlement planning • Airport reception • Basic needs support for at least 30 days, including provision of decent, safe, sanitary housing; essential furnishings; food or food allowance; necessary clothing; other basic necessities • At least one home visit within first 30 days by affiliate staff, co-sponsor, or other designated representative • Case management, including counseling, adjustment, and referral services throughout initial 90-day reception and placement (R&P) period • Community orientation • Referral to physical and mental health services <p>Specialized services required by DOS/PRM for separated children:</p> <ul style="list-style-type: none"> • “Suitability Determination” / home evaluation conducted <i>before</i> arrival (if caretaker relatives already live in the United States) or <i>after</i> arrival (if caretaker relatives are resettling in the United States along with the child) <ul style="list-style-type: none"> Goal: assess prior relationship between child & caretaker; caretaker’s willingness and ability to care for the child; explanation of relevant state guardianship or custody laws (e.g., legal procedures required for child to remain in household); caretaker’s understanding of and intentions toward pursuit of legal guardianship or custody for child • regular and personal contact with the minor for at least 90 days (submit 90-day follow-up report to Department of State) • in some locations, follow up may be longer because of additional services funded by the state or by DHHS/ACF/ORR, but this is by no means uniform.
Education	Placed in the public school system; often ESL training
Medical Care Coverage (and other benefits)	8 months of Refugee Cash Assistance (RCA) and Refugee Medical Assistance (RMA) [<i>comparable to Temporary Assistance for Needy Families (TANF) and Medicaid – available to all refugee families following arrival</i>]
Authorizing Legislation	INA (Refugee Act 1980)
VolAg Contacts	LIRS: Children’s Services Tel: 410-230-2757 Fax: 410-230-2723 USCCB: Migration & Refugee Services Tel: 202-541-3170 Fax: 202-722-8747 Email: Info@brycs.org

* According to the USRP, **separated refugee children** are those who are separated from their parents but accompanied by some other adult (such as a sibling, extended family member, or friend) who is a refugee [has fled his or her country, has been recognized by the United Nations High Commissioner for Refugees (UNHCR) as a refugee, and accepted by the US for resettlement].

Unaccompanied Foreign Born Children in the United States						
Issues	With Legal Status in U.S. or Immigration Process and Specialized Federally-funded Programs					Applicants for legal status or without legal status
Eligibility Category	Refugee	Cuban/Haitian Entrant	Asylee	Victim of Trafficking and derivatives	Unaccompanied Alien Children (in custody while in proceedings)	Children not in custody with temporary immigration status, seeking immigration status or undocumented
Immigration Status	Refugee under §207 of INA	Cuban or Haitian paroled under §212(d)(5) and other	Asylum under §208 of INA	Various-may be eligible for T Visa or other	In immigration court proceedings – may be eligible for immigration status	Various – including applicants, temporary status, in immigration court proceedings, undocumented
Relevant HSS/ORR Division(s)	Office of Refugee Resettlement Division of Refugee Assistance (ORR/DRA)			ORR Trafficking Team ORR/DRA	ORR Division of Unaccompanied Children's Services (ORR/DUCS)	N/A
Who determines Unaccompanied Minor eligible for ORR funded foster care	Overseas – U.S. Department of State Bureau of Population, Refugees, and Migration (DOS/BPRM) In US – ORR/DRA	Department of Homeland Security (DHS) /U.S. Immigration and Customs Enforcement (ICE)	ORR/ DRA	ORR Trafficking Team	Referred to ORR/DUCS by DHS/ICE	Not eligible for ORR funded foster care; may be eligible for state/local foster care
Custody	Local/State				Federal	With families or in local or state custody
Length and type of Services available	Specialized foster care in Unaccompanied Refugee Minor (URM) Programs (federally funded foster care) Length of foster care/independent living services varies by State Law, for minors in school can extend to 21 or 22 years of age				Group, Shelter or Foster Care placement until the age of 18; release to family or return to country of origin.	May be eligible for state/local services; some may be eligible for Title IV-E funding
Education	Placed in the public school system; English language education				Initial education provided in-house, foster care children in public school	Eligible for the public school system
Medical Care Coverage	Refugee Medical Assistance (RMA), Medicare A, Medicaid, State Children's Health Insurance Program (SCHIP)				Public Health Service (PHS)	Emergency Medicaid, Community Health Centers, SCHIP (varies by state)
Authorizing Law	INA (Refugee Act 1980)			TVPA 2000 & TVPRA 2003	Homeland Security Act 2002 §462	8 USC 1601 and other; PRUCOL (court authorized)
Voluntary Agency Contacts	LIRS: Children's Services 410-230-2757 or childrenservices@lirs.org USCCB: Migration & Refugee Services 202-541-3352 or mrsrp@usccb.org					

Meeting the Five Universal Needs of Foreign Born Children in the U.S.

Eligibility Category Prior to LPR or Citizenship	With Legal Status in the U.S. and Specialized Federally-Funded Programs				Applicants for Legal Status/Children without Legal Status	
	Refugee	Cuban/Haitian Entrant	Asylee	Victim of Trafficking	Unaccompanied Children In Federal Custody by reason of Immigration Status	Children not in custody with Temporary Immigration Status, seeking immigration status or Undocumented
Basic Needs	Children from these categories retain the legal right to remain in the U.S. because it has been determined that it is unsafe to return to their country of origin. Basic needs include replacing shelter, food, education, health care etc. due to loss in flight. Many of these children may also suffer medical conditions resulting from malnutrition or deprivation of other basic needs during flight.				These children may be in immigration proceedings and do not retain the right to remain in the U.S., but may be eligible if such an application is made. They may be involuntarily returned to their home country. However, basic needs of shelter, food, education and health care remain the same. Many of these children may have suffered separation from family, including living as street children in their home country and traumatic experiences during migration.	
Safety	A family and child centered approach should be used. Children should be protected from situations that caused them to flee their country of origin and protected from other forms of exploitation. Efforts should be made to ensure long term placement and minimize disruption in order to provide a stable environment.		Children who have been victims of trafficking are especially vulnerable and require special attention in the development of a safety plan both while in the U.S. and in considering if it is in their best interest to return to their country of origin.		Provide assistance for survival in U.S. or country of origin. While in custody, these children should be protected from situations involving violence, environmental harms or other hazards that could cause injury or accidental death. These children are especially vulnerable due to the uncertainty of their status.	
Nurturing Relationships	Provide substitute caregivers and the opportunity for children to form new relationships with significant adults. Consider foster care, safe group homes or reunification where appropriate. Where children are with their family of origin, consideration should be given to providing support for their caregivers.		Victims of trafficking also need the opportunity to form relationships with significant adults, whether in current placement or upon return to country of origin. It will be important to complete an assessment to determine if reunification with family of origin is safe.		Provide opportunity for nurturing relationships through appropriate care arrangements. Consider least restrictive environment.	
Opportunities	Provide developmental opportunities including educational & social development & the ability to reclaim childhood. Provision of a stable and least restrictive environment will ameliorate previous interruptions in development, as well as assist these children in regaining skills that may have been stunted or did not develop due to the experience of trauma.					
Healing	Efforts should be made to ease the impact of harm due to the traumatic migrating experiences of these children. Helping children from these categories heal will include: “ensuring their ongoing safety, supplying emotional support, assessing the need for and providing medical, mental health and other needed services and in some cases making amends through restorative justice practices.”					



Attachment G

***In Search of Safe Haven:
Reaching for Excellence in Providing Care
for Migrating Children***

**National Child Welfare Advisory Board
Lutheran Immigration and Refugee Service
United States Conference of Catholic Bishops**

Introduction

Each year thousands of children enter the United States unaccompanied by adult family members or guardians. Some of these children are legal refugees; some have been trafficked for purposes of exploitation; and some are undocumented, seeking to join parents or other family members or simply to escape abuse, violence, or severe poverty. The care of unaccompanied undocumented children following apprehension by the Immigration and Naturalization Service (now the U.S. Immigration and Customs Enforcement, or ICE, under the Department of Homeland Security, or DHS) has been an area of deep concern within the immigration community for decades. Due to recent shifts in agency responsibility, the care of unaccompanied undocumented children has been transferred from DHS to the Office of Refugee Resettlement (ORR), Administration for Children and Families, Department of Health and Human Services. As a result of this shift, there is a widespread movement to incorporate child welfare principles into the care of undocumented children. In addition, for several decades, ORR has worked to provide high quality child welfare services to unaccompanied refugee minors, and now is also responsible for providing services to trafficked children. Refugee, trafficked, and unaccompanied undocumented children are all referred to as *migrating children* in this brief.

ORR funds various private organizations, including voluntary resettlement agencies such as the U.S. Conference of Catholic Bishops/Migration and Refugee Services (USCCB/MRS) and Lutheran Immigration and Refugee Service (LIRS), to provide the following services:

- For unaccompanied, undocumented children, USCCB/MRS and LIRS provide several services to facilitate provision of a safe and appropriate environment for these children during the interim period between their transfer into ORR's "Unaccompanied Alien Children's Program" until the child's release from federal custody to their family members or friends or removal from the United States.
- The Trafficking Victims Protection Act of 2000 defines child trafficking victims as children who have been subject to commercial sexual exploitation or forced labor, domestic servitude, and other slavery-like situations. Due to the passage of the Act, trafficked children now have additional care options available. However, few children have been identified to date, in part due to the lack of awareness on behalf of those likely to come into contact with trafficked children. Additionally, these children's unique and intensive needs continue to provide challenges for service providers working with them. Child welfare

professionals can play a key role in working with this special population by educating their staff about trafficking issues, learning appropriate questions that should be asked to make a determination if a child is a victim of trafficking, and publicizing the trafficking hotline phone number.

- Bridging Refugee Youth and Children's Services (BRYCS) is a national program of technical assistance addressing the special challenges that face refugee youth and children. Despite increased stress experienced by many newcomers—such as pre-migration trauma, separation from family members, interrupted schooling, and cultural adjustment—these children and youth often lack access to appropriate and needed services. As the technical assistance provider in refugee child welfare, BRYCS strengthens the capacity of local, state, and federal agencies to serve these children and their families through targeted training, consultations, presentations, resource development, and access to up-to-date information through a web-based clearinghouse.

The National Child Welfare Advisory Board

USCCB/MRS and LIRS have historically provided leadership in serving migrants and refugees. As a part of these agencies' on-going work in this field, and together with ORR, USCCB/MRS and LIRS convened a 50-member National Child Welfare Advisory Board (NCWAB) in September 2004 to help guide the development of standards of care for migrating children.

The NCWAB was created in order to:

- Review and develop operational policies and procedures and provide guidance concerning “best practices” to programs serving undocumented unaccompanied children in federal custody for immigration violations.
- Assist in the development of efforts to identify trafficked children and provide best practice input relevant to services for this population.
- Provide guidance on the development of technical assistance for programs addressing the special strengths and needs of refugee children and youth.

The NCWAB convened approximately 50 experts in the child welfare and refugee/immigrant fields from September 13-15, 2004, including Working Groups on Family Reunification, Quality of Care, Assessment and Treatment, and Outreach and Coordination. Notes from the Outreach and Coordination Working Group are particularly pertinent to this Roundtable, and selected pages are attached here, for your information.

National Child Welfare Advisory Board
Outreach and Coordination Working Group
September 13-15, 2004

This working group addressed outreach and coordination to three sub-groups of children, all at different levels: children that nobody knows about at the community level, children involved at the state/county level, and children that have involvement at the federal level. There are different needs at each level. With children in federal custody, a distinction needs to be made between undocumented and trafficked children. Trafficked children need to be identified once they are in the program, an appropriate procedure needs to be established to appoint them guardians, and they need appropriate follow-up for services.

Recommendations and concerns for principles and procedures:

- The real difficulty is how to make child welfare principles apply to children with no legal guardian, or those for whom the government is legal guardian.
- How are trafficked children defined? Most often the Trafficking Victims Protection Act definition is used, but that leaves some gray areas, especially with forced labor. Whether a child has been trafficked depends on the case, and must be determined on a case-by-case basis. Clarity on definition is very important and it is important to debate how to best reach that definition and make sure that this definition reaches those involved.
- There is a need to have someone with child welfare expertise to work with children from the moment of identification throughout the course of the case, although this is not currently done.
 - The identification of trafficked children needs to be improved because so few have been identified. There is also a need to improve identification of those already in federal custody. Amongst the pool of children in federal custody, there is a strong likelihood that some have been trafficked. These children are more easily identified because they are in custody and more accessible than those children in the community.
- How do the federal government and advocates work with local child welfare agencies to make sure that they see trafficked children within their mandate? Presently, undocumented children are not served by local child welfare systems.
- How can collaboration be established with local child welfare agencies to make sure that they see trafficked children within their mandate? Presently, undocumented children may not be served by local child welfare system
- For trafficked children there is a real lack of immediate care. SIJS (Special Immigrant Juvenile Status) applicants suffer because of lack of clarity about who is responsible for their care. There is no clear allocation of the already quite limited resources between the state and federal levels. Children must not fall into the “twilight zone” of no care available.

There are three levels to address:

- 1.) Children in the community**
- 2.) Children in state care (CPS, juvenile justice, foster care)**
- 3.) Children in federal custody**

In each of these categories it is important to:

- Establish who to contact for outreach/coordination;
- Establish a method of data collection;
- Ensure interpretation and cultural competence;
- Establish how to conduct outreach/coordination with regard to data collection, interpretation, and cultural competence;
- Determine what needs to be conveyed (include clarity of definitions);
- Establish roles and responsibilities;

A plan to carry this out would include:

- Needs Assessment;
- Strategies;
- Coordination;
- Outreach.

This plan would give a complete picture of the gaps in the system that are impeding the availability or proper care. It would identify the link between domestic and international organizations that could be used as a resource. Furthermore, it would show how to build those linkages in order to reap the benefits from the each of the segments. With migrant children there are a number of different organizations doing different things that could be targeted.

Additional issues to consider:

- State vs. federal roles;
- state statutory limits;
- lack of clarity on state vs. federal role in regard to the SIJS issue.

Issues to consider in regard to guardianship/custody:

- Who speaks for the child; who is the final decision maker?
- What is the child's voice in the process?
- Is there enough outreach to the home country?
- How to ensure a guardian ad litem?

Possible areas to focus on:

- CPS/Juvenile Justice/State Systems;
- CBO and MAAs, and NGOs;
- The legal community.

Children in Federal Custody

When ORR obtained control from INS, one of the main concerns was that more lenient policies would open a floodgate. While this has turned out not to be the case, there is still great concern about immigration pressures.

1.) Improved data collection is necessary.

- What would this data collection entail? It would need to cover all the basic demographics. A law passed in 1997 that requires the federal agencies to collect the information.
- What are the circumstances of release of the child?
- It is important to be wary of the potential misuse of data.
- A better statistical map of how many kids are apprehended at each point of the border is needed.
- Data that shows how many children attend their immigration hearings is necessary.
- The number of children needs to be understood in the context of the greater undocumented population and the conditions existing in the home country. The collection of this data would allow for a better response to the situation in the home country that causes migration

2.) Existing Service providers (Outreach) – Targets:

- Legal service providers
- Community based organizations
- Mutual assistance association
- International associations

At the federal level, there is a Federal Inter-Agency Committee on Migrants which can help us find out if the federal agencies are willing to address these issues. This Committee's role is, in part, creating linkages between agencies providing services to migrants. It is important to learn the full mandate of the committee and determine whether NGOs may join or advise in some way.

- More opportunities for training and information exchange among federal agencies is necessary. There is a lack of coordination between the agencies: DHS, Border Patrol, ICE, and CIS don't communicate enough with each other.
- Given the complexity of issues and the number of people that are involved at the different agencies, it may be worthwhile to have an ombudsman or liaison that deals specifically with child welfare issues.
- There needs to be more coordination and collaboration among government players and the NGO world on available services.
- The government needs to define the responsibilities and roles of its agencies more clearly. One way to do so could be through distribution of a chart similar to the one distributed at this meeting documenting agency roles and responsibilities.
- ORR needs to always have the best interest of the child in mind. This concept needs to be tied to the fact that, with the right coordination, it is possible to meet both the interest of the child and that of law enforcement.

- The federal government needs to coordinate with the state level, especially on jurisdiction changes. The juvenile and family Law Courts need to be aware of what is going on in the immigration proceedings.
- The states need to work towards developing a common model that would provide a level of consistency across states, especially when it comes to the engagement of Family Courts.
- There are certain gray areas that need special attention, namely the passing from federal to state jurisdiction through obtaining SIJS or being released to the family. The Los Angeles model on SIJS could be used as best practice.
- The American Bar Association needs to take into account the immigration status when handling the prosecution of criminal cases.

Issues at the State Level (still some federal context applies):

The Child Welfare System needs training on migration issues. A better model of legal education is necessary for case-workers at the state level. This training would need to explain to them what the different groups of children are, what their needs are, and what they are eligible for. It is important to stress that immigration status is not a static concept but might change while the child is still receiving their services. For kids that are coming into state and county levels of child welfare, discussing immigration status should be part of the treatment, not a law enforcement procedure. Confidentiality considerations must be taken into account, therefore it is necessary to balance between going through the appropriate legal channels and yet at the same time not betraying the child's trust. Please note that the upcoming social security legislation might provide the opportunity for funding to serve children moving from federal custody to state custody and to fund services for trafficked children before they are determined eligible for federal benefits. Especially, as the "gray area" when obtaining the SIJS is concerned, the Social Security Act could amend Titles IVB and IVE to allow for funding for these undocumented children who leave federal custody to go into the state system once dependency is granted but before they receive SIJS. New legislation from Senator Feinstein may also address SIJS funding issues.

Children in State Systems

The lack of cultural competence must be addressed. A shortage of qualified interpreters often impedes progress with children at the state level. Title VI of the most recent review on state child welfare services pinpoints these weaknesses. These issues should be built into the performance review that agencies are required to present. Perhaps it will be best if the federal government leaves data collection to the state level. The statistics necessary are: country of Birth, language of the child, language of the parents, and statistics on the different dialects spoken at the country of origin. *It may also be helpful to look at the NYC protocol for undocumented/immigrant children and families as a model.*

The availability of the following must be ensured:

- Culturally competent care, especially interpreters;
- Screening models for identifying trafficking victims;
- Using AFCARS (Adoption) Data Collection Model, in which states submit data to the federal government so federal government knows what children are in foster care;
- State Shared Funding;

- Education on the different types of immigration statuses;
- Coordination regarding different jurisdictional differences, at the Federal level with the split between ORR and DHS, and at the State level;
- A National Conference of judges where family court and juvenile court judges can exchange information and training with immigration courts judges.
 - Most states have court training programs in place; an immigration aspect must be added to these trainings;
 - Annual Immigration Judges Meeting - immigration judges need sensitivity training;
 - Specialized Periodicals: Today Magazine, Case Law Digest, The Journal, NCJFCJ.org, etc.
- Access to State Agencies such as State Legislatures, State Counties, State Governors. These organizations can advocate for funding for services, including for children granted dependency but who have not yet gotten SIJS and for trafficked children who are not yet eligible for federal benefits.
- More collaboration with universities and other research centers;
- Increasing media awareness of these issues;

Children in the Community

These are undocumented children in the community who have aged out, escaped, been released to family members or never fallen into federal or state custody.

- The goal of finding these children would be to ensure safety, permanency, and well-being.
- Refugee children reunified with family and undocumented children released from federal custody to family may have time-limited or no follow-up. Research on these groups' long-term well-being could be beneficial.
- Suggest some form of simple follow-up with children who are still in custody to see what insights they can offer in regard to this group.
- Some benefits would not be available to children once they age out of the system.
- Regular follow-up procedures would have a positive impact on the community where children are located.
- It is important to aim for more outreach and education of community organizations and mutual assistance associations on how to help with the identification of trafficking victims (e. g. community partnerships, referrals); education on what the different immigration statuses of children mean in terms of their eligibility for benefits or services; where to go to access benefits or help a child with their legal status.
- Consider linkages between U.S. and countries of origin, including education in country of origin.
- Build a closer relationship between ORR and Migrant Education.
- Identify and make available immediate aid and referral sources, such as:
 - Farm workers legal services
 - AILA
 - Child labor organizations
 - Welfare Reform Act restrictions