

MANUAL TRANSMITTAL

Arkansas Department of Health and Human Services
Division of Children and Family Services

Policy Form Policy Directive

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Service Programs Policy Manual

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From: Pat Page, Interim DCFS Director

Expiration Date – Until Superseded

Subj.: Executive Directive: The Division of Children and Family Service's (DCFS) Response to Children (Birth – 17 Years Old) of Actual or Suspected Illegal Aliens. It Addresses Both Providing Services and Reporting Requirements.

DCFS will provide Information and Referral, Supportive, Protective and Foster Care services to children whose parents are suspected of being or actually are illegal aliens.

Any child at immediate risk of harm or apparently in need of protection, regardless of his/her immigration status, will receive DCFS' services.

There will be special situations when DCFS will be required to respond to child welfare related emergencies that occur in the immigrant community. Therefore, the DCFS Director is providing these instructions on how the Division will respond to such emergencies.

It is essential to note that DCFS staff members are not required to verify any client's citizenship or immigration status. If a DCFS worker has any reason to suspect that a client is in the United States illegally, the worker will ask the client to verify his or her citizenship or immigration status. The DCFS staff member will accept the client's documentation or verbal response at face value without further questioning. The worker will document all information provided (documents or verbal statements) regarding the client's citizenship and/or immigration status in CHRIS.

If it is determined that a client child is an illegal immigrant, the case will be reviewed by the DCFS worker, county supervisor and Area Manager. If they believe that the child is an illegal immigrant, they will refer the case to the DCFS Program Administrator. The DCFS Program Administrator will discuss the case with the OCC attorney designated to handle SIJS cases to determine if the case is appropriate for SIJS. If the case is appropriate, the OCC attorney will prepare and submit the SIJS application to the appropriate agency.

Maltreatment Reports:

- DCFS will accept a maltreatment report regarding a suspected illegal or undocumented immigrant.

Protective Services:

- DCFS will open a case as appropriate and ask for documentation of the parent and child's birth.
- The funding source for services to illegal immigrants will be the Social Services Block Grant (SSBG) or State General Revenue (SGR).
- Staff will contact their Community Services Program Coordinator to receive approval from DCFS Administrative Services prior to any purchase of services for suspected illegal immigrants.
- Contact the Division of County Operations (DCO) and request any available information regarding the identity and citizenship or immigration status of the family members.
- If any family members involved in the case are in the United States illegally, the worker will report them through the County Supervisor and Area Manager to the DCFS Program Administrator. The Program Administrator will discuss the case with the OCC attorney designated to handle such cases. The DCFS worker will make every reasonable effort to keep the family together.

Supportive Services:

- Will be available to illegal or undocumented immigrants. Ask the client to verify his or her citizenship or immigration status and accept their documents or verbal statement without further questioning. If any family member involved in the case is in the United States illegally, report them through the County Supervisor and Area Manager to the DCFS Program Administrator. The Program Administrator will discuss the case with the OCC attorney designated to handle such cases.
- All requests for exception must go up through the supervisory chain and be referred to the DCFS Director for the same processing as a request for alternative compliance.

Foster Care:

- Document citizenship status in CHRIS.
- Address the issue of resolving alien status in the case plan.
- Judicial proceedings - If the parent of the child in foster care is deported and it is not in best interest of the child to be returned to the parent and parent's country, DCFS may request special immigrant juvenile status (SIJS) if the child is an illegal alien.
- Hold a staffing to determine if reunification is in the child's best interest or if the child's goal should be Another Planned Permanent Living Arrangement (APPLA), adoption or guardianship. If the child's goal is APPLA, adoption or guardianship, SIJS must be applied for if the child in care is an illegal alien. Contact the appropriate Community Services Program Administrator for assistance in completing the application for Special Immigrant Juvenile Status.
- Immigrant status must be verified for Chafee services.

Adoption:

- A child whose immigration status is in question may be eligible for a State Adoption Subsidy.
- If the child is granted SIJS the child will be Medicaid eligible and may be IV-E eligible.

FINS:

- Verify immigrant status on FINS cases when working with immigrant population.

CHRIS:

- Documenting citizenship in CHRIS is done on the **Client General Information Screen** for each specific client in a case. There is a field called **Citizenship/Alienage**, which has picklist choices, which are listed below. To the right of the **Citizenship/Alienage** field is a blank box called "**Alien Registration Number**". **That box** is used to input the client's specific alien registration number, if he or she has one.
- To select a **Citizenship/Alienage** picklist choice and insert an associated alien registration number, the worker must do the following:
 - Go to the workload toolbar in CHRIS to select your case and click on the **Client** button. The "select client" box will come up.
 - Highlight the correct client and click **Show**.
 - Click on the **Gen Info** button, which will bring up the **Client Information** screen for that specific client.
 - The **Citizenship/Alienage** picklist field and the **Alien Registration Number** box are at the bottom of the client information screen in the **Citizenship** grouping.
 - Click on the **Citizenship/Alienage** picklist field and select the appropriate choice. If the client has an alien registration number, type it into the **Alien Registration Number**" box.

Citizenship/Alienage: (picklist choices)

1. Alien legalized/210;
2. Alien legalized/210A;
3. Alien legalized 245A;
4. Alien legalized/902;
5. Eligible Alien;
6. Illegal Alien;
7. Ineligible Alien;
8. U.S. Citizen.

THIS EXECUTIVE DIRECTIVE IS EFFECTIVE IMMEDIATELY.

Submit Inquiries to: DCFS Policy Unit, phone (501) 682-8750

Or email at dhhs.dcf.policy.unit@arkansas.gov