



FACT SHEET

SUBJECT: Unaccompanied Alien Children Program

The U.S. Department of Health and Human Services (HHS) is legally required to shelter and care for unaccompanied alien children (UAC) until the children are released to a suitable sponsor, removed after their immigration proceedings, or turn 18. The children are usually referred to the Office of Refugee Resettlement (ORR) by the U.S. Department of Homeland Security.

ORR provides a safe and healthy environment for children in our shelters, one that ensures access to nutritious food, clean clothes, recreational opportunities, education and medical services.

ORR treats its responsibility for each child with the utmost care. Our focus is on the best interest of each and every child from placement in the most appropriate shelter to identifying and releasing the child to the most suitable sponsor in the U.S.

Today, HHS operates a network of just over 100 shelters in 17 states and has a proven track record of accountability and transparency for program operations, as well as being a good neighbor in the communities where shelters are located.

It's true that the challenge of caring for UAC has grown in recent years. Fewer than 8,000 children were served annually in the first several years of this program. Since Fiscal Year 2012 (October 1, 2011 – September 30, 2012), this number has jumped dramatically, with a total of 13,625 children referred to ORR by the end of FY 2012. The program received 24,668 UAC referrals from DHS in FY 2013, 57,496 referrals in FY 2014, 33,726 referrals in FY 2015, 59,170 in FY 2016, and 40,810 in FY 2017. These numbers continue to be unpredictable and the ORR program has evolved to meet the evolving challenge.

As the prominence of this program has grown, recent press reports have focused in on allegations of abuse and neglect in the ORR network of shelters. Any allegation of abuse or neglect is taken seriously and aggressively investigated by ORR. Whenever appropriate, **swift action is taken to address violations of policy, including initiating employee disciplinary action, termination, and reporting to law enforcement agencies and any relevant licensing bodies.**

The comprehensive policies and procedures for operating a UAC shelter are available online for all to review at <https://www.acf.hhs.gov/orr/resource/children-entering-the-united-states-unaccompanied>

Every child comes to ORR with individual and specific needs. ORR takes great care is taken to place the child in the least restrictive setting that is in the best interests of the child. ORR usually places children in a care provider **shelter facility, and may also place children in foster care or a group home (which may be therapeutic), a staff-secure or secure care facility, a residential treatment center,** or a special needs care facility.

Allegations have been reported against two “secure-special” facilities including Shenandoah Valley Juvenile Center (SVJC) and Shiloh Residential Treatment Center (RTC).

Although the official report documenting the outcomes of the recent Commonwealth of Virginia Child Protective Services (CPS) monitoring of their program are not yet published, CPS officials informed ORR's grantee that the abuse claims at SVJC were unfounded. This corroborates the findings of ORR's own investigations into the allegations.

While there is ongoing litigation regarding Shiloh RTC, it is important to note that all treatment occurs under the supervision of a licensed psychiatrist, and UAC that are admitted to Shiloh have performed serious acts such as suicidal attempts, or have engaged in behavior such as biting, spitting, kicking, hitting and throwing objects at peers and staff, and sexually inappropriate behavior.

ORR Actions Taken to Prevent Abuse and Neglect

- Care provider facilities must provide training to all staff, contractors, and volunteers to ensure they understand and can fulfill their responsibilities.
- ORR requires all care providers to hire staff who meet minimum requirements and qualifications. All care providers must complete a pre-employment background check on all potential staff, contractors and volunteers to ensure they are suitable to work with minors in a residential setting.
- Care providers are prohibited from hiring or using the services of any applicant, contractor or volunteer who has engaged in, attempted to engage in, or has been civilly or administratively adjudicated to have engaged in sexual abuse, sexual harassment, or any type of inappropriate sexual behavior.
- Staff must complete a number of trainings pre-employment including: training on appropriate communication with UAC, avoiding inappropriate relationships, reporting procedures, and sensitivity regarding trauma.
 - Care providers must tailor trainings to the unique needs, attributes, and gender of the children at the individual care provider facility.
 - Staff must complete refresher trainings every year or with any policy change. Additionally, ORR provides periodic trainings on topics related to preventing sexual abuse. ORR also conducts monthly calls to update care providers on issues.

In all cases of an allegation of sexual abuse care providers must:

- Report the allegation to ORR, state/local child protective services (CPS), state licensing, HHS/OIG, and the FBI.
- Report allegations of sexual abuse that involve an adult to local law enforcement.
- Suspend an employee from duties that allow them access to minors.
- Cooperate with any investigation of the allegation, including by CPS, licensing or law enforcement.
- Take immediate action to protect the victim and the safety of other children in the program (i.e., separating the victim from the perpetrator, increasing supervision, housing changes, transfers).
- Provide follow-up services, including medical or mental health services.
- Make appropriate notifications to parents, legal guardians and sponsors, attorneys, and child advocates, if applicable.

Monitoring Activities

ORR monitoring is an ongoing, multi-layered process that provides consistent oversight of all components of a care provider's program, including program design, management, services, safety and security, child protection, case management, personnel management, stakeholder relations, and fiscal management. The monitoring policies create formal accountability standards and check points at regularly scheduled intervals.

ORR monitoring activities include the following:

- Desk Monitoring: Ongoing oversight based on the HHS grants management model, which includes monthly check-ins with the care provider's Project Officer (PO), regular record and report reviews, financial/budget statements analysis, and communications review.
- Routine Site Visit Monitoring: Day long visits to every facility on a once or twice monthly basis, both unannounced and announced, to review policies, procedures, and practices and guidelines compliance. Generally, these visits are limited to review of case management services.
- Site Visits in Response to PO or Other Requests: Visits for a specific purpose or investigation, for example, in response to a corrective action plan.
- Monitoring Visits: Week long monitoring to the site not less than every two (2) years to conduct a comprehensive review of the program.

ORR is committed to protecting the UAC in its custody, and therefore, requires all care providers to report incidents affecting a child's health, well-being and safety. Care providers must report on a wide range of incidents from, for example, verbal threats by one youth against another youth to physical altercations or allegations of sexual abuse; all of these incidents are referred to as "significant incidents."

- Care providers must submit a completed Significant Incident Report to ORR within four hours of the significant incident (or within four hours of the care provider becoming aware of the incident) and maintain a copy in the child's case file.
- Care providers must report severe incidents to CPS, the state licensing agency, and/or local law enforcement in accordance with mandatory reporting laws, state licensing requirements, federal laws and regulations, and ORR policies and procedures.
- ORR elevates emergencies and serious incidents within its leadership structure to ensure children receive care and protection, and facilities and ORR field staff get support in handling the most difficult and sensitive situations.

Residential Treatment Centers

- ORR uses a Residential Treatment Centers (RTC) at the recommendation of a psychiatrist for an unaccompanied alien child who poses a danger to self or others and does not require inpatient hospitalization.
- Care providers request a transfer to an RTC only for an unaccompanied alien child who has a psychiatric or psychological issue that cannot be addressed in an outpatient setting.
- After 30 days of placement in a secure or RTC facility, UAC may request the ORR Director, or the Director's designee, to reconsider their placement.

To learn more about ORR actions on abuse click [here](#), and to report incidents of abuse please click [here](#).