



ADMINISTRATION FOR
CHILDREN & FAMILIES

Office of Refugee Resettlement | 330 C Street, S.W., Washington, DC 20201
www.acf.hhs.gov/programs/orr

FIELD GUIDANCE – Revised March 17, 2022 (First Issued October 26, 2021)

RE: Field Guidance #22 – Interpreters Working with the Unaccompanied Children (UC) Program

GUIDANCE

Field Guidance 22 outlines the requirements for interpreters working with Unaccompanied Children (UC) in the care and custody of the Office of Refugee Resettlement (ORR), including Unaccompanied Afghan Minors (UAM). This field guidance is accompanied by the *Interpreter Agreement with the Office of Refugee Resettlement* form, which must be completed by interpreters who are directly involved with the following types of programs and facilities:

- Standard/licensed UC care provider programs
- Influx Care Facilities
- Emergency Intake Sites
- Temporary Processing sites (e.g., airports) and Safe Havens for Afghan Humanitarian Parolees

General Requirements for All Interpreters

- **All interpreters, including interpreters with third-party service providers (for more information on third-party service providers, see page 2), must complete all of the required background checks (including fingerprint and CA/N checks) according to ORR Policy Guide Section 4.3.3 prior to having direct unsupervised contact with unaccompanied children.** Supervising staff must have line of sight and sound of the UC and UAM interacting with interpreters who have incomplete background checks, according to **ORR Policy Guide Section 4.4.1**. Virtual interpreters are not required to undergo background checks since they will not be in the physical presence of children.
- Interpreters, including virtual interpreters, regardless of which agency they have contracted or volunteered with, if they are working with children, must sign the *Interpreter Agreement with the Office of Refugee Resettlement*. Interpreters with third-party service providers are not required to sign the agreement.
- An interpreter company may sign the *Interpreter Agreement with the Office of Refugee Resettlement* on behalf of its interpreters. ORR encourages the administrators of each UC care provider program to notify their staff which interpreter organizations or individual interpreters have signed the agreement. The administrators of each UC care provider program must provide the signed *Interpreter Agreement with the Office of Refugee Resettlement* to their ORR Project Officer (ORR/PO) or Contracting Officer's Representative (COR), as applicable.

- The role of interpreters supporting the Unaccompanied Children Program (including Operation Allies Welcome interpreters providing services to UAM) is to provide interpretation and translation services. Interpreters must remain neutral in their provision of services and maintain appropriate boundaries with children, as defined in the *Interpreter Agreement with the Office of Refugee Resettlement*, and by **ORR Policy Guide Section 4.3.5 Staff Code of Conduct**. Interpreters should follow ORR directives with regards to interpretation of ORR assessment questions and should not provide case management recommendations.
- Interpreters who have not completed background checks may be permitted to have supervised limited access to children if:
 - The interpreter has initiated background checks as required by ORR policy and state licensing requirements and there is no reasonable basis to believe the interpreter would have background check history that would make them ineligible to work with children in ORR custody. Individuals who refuse to initiate background checks are ineligible for access to the care provider or any access to children.
 - The interpreter who is pending a background check is under the direct supervision and control at all times of staff who have cleared background checks. **The supervising staff should have at least one year of experience in residential child welfare, and not be subject to any serious or pending personnel infractions that compromise their ability to safely supervise others.**
 - The standard/licensed ORR care provider, EIS or ICF has provided their assigned ORR Project Officer (or Contracting Officer’s Representative (COR), as applicable) with a plan on how the interpreter pending background checks will be prevented from direct unsupervised access to children, justify why there is a need for the pending interpreters (e.g., effects on capacity, ability to serve children in care, etc.); and the supervision plan. The ORR Project Officer (or COR, as applicable) must approve this plan. The approved plan is maintained in the affected individual’s personnel files. Please note that the ORR Project Officer may also determine whether the interpreter pending background checks may be included as part of the staffing ratio requirement under **ORR Policy Guide Section 4.4.1**, if permitted by state licensing requirements and considering facility management and physical plant.
 - The interpreter has otherwise met other ORR policy requirements and other terms of the Cooperative Agreement applicable to onboarding new staff prior to having supervised access to children including but not limited to completing required training (including reporting and boundary training) and signing the *Interpreter Agreement with the Office of Refugee Resettlement* form.
 - The arrangement is permitted by state licensing requirements.

Requirements for Interpreters (In-Person or Virtual) with Third-Party Service Providers

The following service providers are considered third-party service providers:

- Legal Service Providers (LSPs) and attorneys of record;
- Child Advocates;
- Protection and Advocacy (P&A) organizations; and
- On-site medical and mental health professionals who are not employed directly by the care provider.

Third-party service providers are responsible for verifying the background checks of their own interpreters, in accordance with **ORR Policy Guide Section 4.3.3 Employee Background Investigations**.

Interpreters with third-party service providers are not required to complete the *Interpreter Agreement with the Office of Refugee Resettlement*, however they are required to abide by the ORR Code of Conduct, in accordance with **ORR Policy Guide Section 4.3.5 Staff Code of Conduct**.

If you have any questions about this guidance, please contact the UC Policy Unit at UCPolicy@acf.hhs.gov.