



**Department of
Youth & Community
Development**

Jeanne B. Mullgrav
Commissioner

September 28, 2010

Dear Community Member:

Prior to the release of a Request for Proposals (RFP) for Immigrant Services, the Department of Youth and Community Development (DYCD) has developed a Concept Paper that presents the agency's approach and addresses five areas of service: Legal Services for Immigrants, Legal Services for Immigrant Youth, Services for Victims of Domestic Violence and Trafficking, Services for Immigrant Families, and Services for Immigrant Workers.

During the past few months, DYCD has examined its current immigrant services programs and reviewed recent literature on issues affecting immigrants living in New York City. We also convened focus groups and consulted with the Mayor's Office of Immigrant Affairs and a range of providers and advocates to identify best practices and areas of need. The Concept Paper reflects this input as well as research and analysis undertaken by DYCD staff.

As we move forward to develop and finalize the RFP, constructive feedback to the Concept Paper will be an essential feature of the planning process. Therefore, I look forward to hearing from you and thank you for your careful consideration of the Immigrant Services Concept Paper.

Please email your comments to conceptpaper@dycd.nyc.gov (entering "Immigrant Services" in the subject line of the email). If you prefer, you may submit your written comments to:

Cressida Wasserman
Department of Youth and Community Development
156 William Street, 2nd Floor
New York, New York 10038

Please note that we are only able to consider written comments if they are received no later than October 20, 2010.

The Immigrant Services Concept Paper is attached and will be posted on the DYCD website at www.nyc.gov/dycd. I urge you to distribute the Concept Paper to all those who are interested in services for immigrants and to share with us your thoughts regarding this solicitation.

Sincerely,

Jeanne B. Mullgrav

**Immigrant Services
Concept Paper - September 28, 2010**

Introduction

This concept paper is the precursor to a forthcoming Request for Proposals (RFP) in which the Department of Youth and Community Development (DYCD), in its capacity as the Community Action Agency for New York City (City), will seek appropriately qualified organizations to provide services to the City's immigrant residents.

Over 3 million immigrants currently reside in the City and represent more than 36 percent of the City's overall population¹ (three times the national average) and 43 percent of the City's workforce.² Immigrants contribute in numerous ways to the New York's civic, economic, and cultural well-being, bringing energy and a vast array of talents and abilities that continue to enhance the vibrant multicultural society that defines the City. In 2008, immigrants accounted for approximately 32 percent of the gross product of the City. Immigrants are employed in all of the City's sectors and professions, comprising 43 percent of the workforce across all industries. Foreign-born workers account for 50 percent and more of all those employed in manufacturing, personal services, construction, leisure and hospitality, and health and social services. Many immigrants are employed in lower-paying jobs, such as food preparation and home health aides; many others are in higher-paying occupations, such as accounting and biomedical engineering.³ Overall, foreign-born New Yorkers have slightly lower unemployment and poverty rates compared to U.S.-born City residents, despite lower incomes and educational attainments.⁴ Nonetheless, many immigrants are especially vulnerable to employment and other abuses. Many individuals come to this country to escape dire circumstances elsewhere, without having received substantial education in their own countries. Some of the most vulnerable have been victims of human trafficking, which involves recruiting, transporting, selling, or buying of people for the purpose of various forms of exploitation. Families are often fragmented and arrive here without substantial resources or networks of support. For all new arrivals, the complexity of U.S. immigration law and regulations, and unfamiliarity with their rights and the services available to them in New York City, can compound their difficulties.

New York welcomes immigrants from across the world and has introduced policies designed to foster their successful adjustment to life in the City. Mayor Michael R. Bloomberg has signed legislation that allows all New Yorkers, including immigrants and regardless of immigration status, to access vital City services (Executive Order 41 of 2003); protects immigrants against fraudulent businesses providing immigrant services (Local Law 73 of 2004); and provides interpretation services, including

¹ The Role of Immigrants in the New York City Economy. Thomas P. DiNapoli. New York State Comptroller. Report 17-2010. January 2010. <http://www.osc.state.ny.us/osdc/rpt17-2010.pdf>; State of New York City's Housing and Neighborhoods 2009, The Furman Center for Real Estate and Urban Policy, New York University, Armstrong et al., 2010.

² Furman Center, Ibid.

³ Role of Immigrants in the New York City Economy, Ibid.

⁴ Furman Center Op. Cit. It is notable that this is the inverse of the national pattern.

telephonic interpretation, oral or written translation services, and translation of essential public documents into the languages that are most commonly spoken in the City (Executive Order 120 of 2008).⁵ Beginning with the Mayor’s formation of a multi-agency taskforce in 2006, the City has also been in the forefront of efforts to fight human trafficking.⁶ Most recently, the City launched a multi-media public-education campaign to raise awareness, let victims know help is available and encourage New Yorkers to report potential trafficking situations. Through the Mayor’s Office to Combat Domestic Violence and in partnership with the City’s district attorneys offices, centers have been established throughout the City where victims can meet with prosecutors and receive counseling and housing and financial assistance. The City has also developed tools, such as a resource directory and training materials, for use by service providers, law enforcement, attorneys and victims of human trafficking.

DYCD has, historically, supported a range of programs to help immigrants and their families successfully meet the challenges associated with settling into a new life and a new culture. Through the upcoming RFP, DYCD will continue to support programs designed to help youth and adults attain lawful immigration status and provide a variety of services for immigrant victims of domestic violence and immigrant families. The new RFP will include the provision of legal services to immigrants who qualify under the Violence Against Women Act of 2000 (VAWA)⁷ and the Victims of Trafficking and Violence Protection Act of 2000. It will also strengthen the capacity of contractors to address the needs of immigrant youth by requiring a social worker on staff. The services for immigrant families will focus more narrowly on fostering educational achievement among foreign-born youth and involving parents in their children’s education. DYCD is also introducing a new “employment rights” service option. The anticipated requirements of the service options in the new RFP are summarized below.

Proposed Service Options/Competitions

The RFP will have five separate service options as follows:

- Service Option 1 Legal Services for Immigrants
- Service Option 2 Legal Services for Immigrant Youth
- Service Option 3 Services for Victims of Domestic Violence and Trafficking
- Service Option 4 Services for Immigrant Families
- Service Option 5 Services for Immigrant Workers

While each service option will be a separate competition, proposers will be able to submit separate proposals under more than one service option.

Funding Levels

DYCD anticipates that annual funding and per participant costs for the upcoming RFP will be as follows, although the funding allocations indicated in this concept paper are based on the availability of funds and subject to change.

⁵ See <http://www.nyc.gov/html/imm/html/executive/executive.shtml>

⁶ See <http://nyc.gov/humantrafficking>

⁷ VAWA was originally passed in 1994 and updated in 2000 by the Battered Immigrant Women's Protection Act.

Service Option	Price Per Participant	Funding Allocation	Anticipated Number of Contracts
Option 1 Legal Services for Immigrants	\$600-\$675	\$1,000,000	Up to 8
Option 2 Legal Services for Immigrant Youth	\$2,200-\$2,500	\$500,000	Up to 3
Option 3 Services for Victims of Domestic Violence and Trafficking	\$2,200-\$2,500	\$685,000	Up to 5
Option 4 Services for Immigrant Families	\$600-\$675	\$500,000	Up to 7
Option 5 Services for Immigrant Workers	\$1,000	\$300,000	Up to 3
Total Annual Allocation		\$2,985,000	

No more than 30 percent of the total budget for any of the above program areas may be allocated for subcontracted services.

Contract Term

It is anticipated that the term of the contracts awarded from this RFP will be three years, from July 1, 2011 to June 30, 2014.

Anticipated Payment Structure

It is anticipated that the payment structure will be based on line-item budget reimbursement.

Geographic Service Areas

Contractors funded through the Immigrant Services RFP will be encouraged to provide services in the following City community districts, which have large numbers of newly-arrived immigrants as well as high levels of poverty.⁸

<u>BRONX</u>	<u>BROOKLYN</u>	<u>MANHATTAN</u>	<u>QUEENS</u>	<u>STATEN ISLAND</u>
Bronx 4	Brooklyn 1	Manhattan 3	Queens 1	Staten Island 1
Bronx 5	Brooklyn 4	Manhattan 10	Queens 3	
Bronx 7	Brooklyn 5	Manhattan 11	Queens 4	
Bronx 9	Brooklyn 7	Manhattan 12	Queens 7	
	Brooklyn 11		Queens 12	
	Brooklyn 12			

Service Options/Scope of Services

Option 1 – Legal Services for Immigrants

DYCD seeks to fund programs that will provide effective legal assistance to enable immigrants to gain legal status and the opportunity to participate in civic life. Lawful immigration status is critical to economic and social stability. It gives immigrants a greater stake in their communities and strengthens neighborhoods. Immigrants working in the unregulated informal economy without legal status, and their families, are at

⁸ NYC Department of City Planning, ACS Three Year Averages 2006-8

higher risk for poverty and exploitation and less likely fully to participate in the lives of their communities.

Participants

Under this option, legal services will target immigrants residing in the City.

Program Services

The contractor will assess the eligibility of each participant for asylum, permanent residence, citizenship, or other legal immigration status and for significant social services needs. The contractor will provide application assistance to eligible participants, including filing of required papers and any follow-up services needed to ensure proper processing of the application. The contractor also will provide legal assistance, including preparation of legal papers and representation of participants in court and at administrative hearings and appeals.

Required Outcomes

Participants will achieve at least one of the following outcomes:⁹

- Participants file required papers to obtain citizenship, permanent residence, asylee status or other legal immigration status for which they are eligible, such as a U or T visa.
- Participants are represented, through resolution, by an attorney (or BIA-accredited representative) in any appeal or I-130 processing in a U.S. Immigration Court.

Required Staffing

The contractor will have:

- At least one attorney on staff or on retainer and at least one paralegal¹⁰ on staff.
- A case manager to identify each participant's need for social services and make referrals to an appropriate unit within the contractor's organization or to another agency.

Linkages

The contractor will have linkages with organizations and agencies that provide support services for immigrants such as assistance accessing government benefits and services and provision of health and mental health services.

Option 2 – Legal Services for Immigrant Youth

DYCD seeks to assist two particularly vulnerable groups of foreign-born young people: (1) Undocumented youth in foster care, ages 5-20, who may be subject to deportation

⁹ Contractors may provide services that result in more than one outcome per participant, but will only report on one.

¹⁰ A paralegal will be defined as someone with at least two years of experience within the last five years in the area of immigration law (specifically, knowledge and demonstrated application of the Immigration and Nationality Act). Alternatively, a paralegal will have a degree from a paralegal studies program approved by the American Association for Paralegal Education (AAfPE).

when they age out of the child welfare system and who are eligible to apply for Special Immigrant Juvenile Status (SIJS) and gain permanent residency;¹¹ and
(2) unaccompanied immigrant youth, including victims of human trafficking.

Contractors will help youth in these two categories obtain lawful immigration status by assessing their eligibility for SIJS, filing appropriate applications to legalize immigration status and represent them in the New York Immigration Courts. Since such youth commonly face significant challenges due to prior histories of deprivation and trauma, contractors will also facilitate their access to a range of critical support services that will help them thrive and become self-sufficient.

Participants

Services will target undocumented immigrant youth ages 5-20 years living in foster homes or group homes and unaccompanied youth under the age of 21 who are undocumented, including victims of human trafficking.

Program Services

The contractor will assess participants' eligibility for SIJS or other options for legalizing their immigration status, as well as their need for social services. The contractor will assist with applications of eligible participants, including filing of required papers and any necessary follow-up services. The contractor will also provide legal assistance, including preparation of papers and representation of participants in court and at administrative hearings and appeals. Through a social worker responsible for case management services, the contractor will inform participants about available government benefits and services and make referrals to providers who can address significant needs including housing, education, health and mental health care, and vocational and job training. The contractor will be expected to follow-up on any referrals made to ensure that participants receive the services they need.

Required Outcomes

Participants will achieve both the "Filing" outcome and at least one of the "Services" outcomes specified below:

Filing:

- Participants file all the required papers to attain SIJS or other legal immigration status such as a U or T visa.

Services:

- Participants secure adequate, safe housing.
- Participants enroll in educational and/or training programs.

¹¹ SIJS provides relief for undocumented immigrant youth under age 21 at the time the SIJ petition is filed who are unmarried and whom the juvenile court has declared court dependent or committed to a state department or agency. The SIJS application must include a juvenile court finding that the child has been deemed "eligible for long-term foster care." This means that administrative or judicial proceedings have determined there was abuse, neglect or abandonment, parental reunification is not an option, and it was not in the child's best interest to be returned to the home country. For further details, see, e.g., Lisa Mendel-Hirsa. Understanding Special Immigrant Juvenile Status - An Advocates Call to Action. Empire Justice Center January 16, 2010 <http://www.empirejustice.org/issue-areas/immigrant-rights/access-to-status/understanding-special.html>; Unaccompanied Immigrant Children Representation Training Manual. The National Center for Refugee and Immigrant Children. 2005. <http://www.refugees.org/data/nationalcenter/htx/manual.pdf>

- Participants secure employment.
- Participants receive health and/or mental health services.

Required Staffing

The contractor will have:

- At least one attorney on staff or on retainer and at least one paralegal on staff.
- A case manager to identify each participant's need for social services and make referrals to an appropriate unit within the contractor's organization or to another agency.
- A staff member with a master's degree in social work (MSW) to provide direct services or supervise the case management staff. The MSW may be full time or part time (not less than .5 of the "full-time equivalent" or FTE).

Linkages

The contractor will have linkages, in particular, with the following kinds of organizations and agencies:

- The Administration for Children's Services, not-for-profit organizations contracted to provide foster care, or both.
- Health and mental health care providers with capacity to effectively address the needs of immigrant youth with prior histories of abuse, neglect and trauma.
- Schools and institutions of higher education willing to provide educational support and programming that will help participants attain their educational goals.
- Vocational and job readiness training programs.

Option 3 – Services for Victims of Domestic Violence and Trafficking

DYCD seeks to support comprehensive violence intervention and prevention services for immigrant victims of crimes, including domestic violence and human trafficking, and their families, including legal services, counseling, and access to benefits and services. Although domestic violence occurs in all socioeconomic classes, ethnic groups, and geographic areas, the circumstances of immigrant victims often make it harder for them to leave abusive relationships and move to safe environments. Similarly, victims of human trafficking are often subjugated and understandably afraid to appeal to local authorities for fear of retribution. In both cases, victims' circumstances include unfamiliarity with American cultural norms and gender roles; limited access to social services, health care services, and law enforcement; lack of employment opportunities due to limited English proficiency or educational skills; and fear of being reported to the authorities or deported or both.

Participants

Services will target immigrant victims of domestic violence (including those in same-sex relationships) residing in the City and their family members, and individuals who may be eligible applicants under the Victims of Trafficking and Violence Protection Act of 2000.

Program Services

The contractor will adopt a comprehensive, integrated approach to address the needs of program participants. This approach will include emergency services to ensure that participants are safe, including assistance with relocation and

applications for orders of protection; domestic violence prevention and intervention services, including training in violence prevention skills and education about healthy relationships; and counseling to build resilience and address psychological, emotional and practical issues.

The contractor will assess the eligibility of each participant to apply for immigration relief under VAWA or for a U or a T visa and identify their social services needs. The contractor will also provide application assistance, including help with filing required forms and documents and provision of related follow-up services as well as legal assistance, including preparation of legal papers and representation in court and at administrative hearings and appeals.

Required Outcomes

Participants will achieve both the following outcomes:

- Participants attain safe environments - for example, by securing a shelter placement or alternative housing, obtaining an order of protection or a divorce, or implementing a safety plan and attending domestic violence counseling.
- Participants file the required papers to legalize their immigration status through a self-petition under VAWA or other available options.

Required Staffing

The contractor will have:

- At least one attorney on staff or on retainer and at least one paralegal on staff.
- A case manager to identify each participant's need for social services and make referrals to an appropriate unit within the contractor's organization or to another agency. The case manager will follow-up on referrals to ensure that the participant received the services.

Linkages

The contractor will have linkages, in particular, with:

- Not-for-profit organizations that provide support services to immigrant victims of domestic violence
- Health and mental health care providers with capacity to effectively address the needs of immigrant victims of domestic violence and human trafficking.

Option 4 – Services for Immigrant Families

More than 40 percent of students in the New York City public school system have a home language other than English, and 13 percent are English Language Learners (ELLs).¹² Compared to other students, ELLs are less likely to succeed in high school, with nearly 20 percent dropping out (compared to 12 percent of black students, 8.4 percent of white students, and 5.9 percent of Asian students), and fewer than 45 percent graduating (compared to nearly 58 percent of black students, more than 76 percent of white students, and 80 percent of Asian students).

¹² Defined as students who speak a language other than English at home and score below a state-designated level of proficiency in English upon entering the City public school system. See, New York City Department of Education, Division of Teaching and Learning, Office of English Language Learners, www.nycenet.edu.

Parents of ELLs often have a lower level of English proficiency than their children, making it even more difficult for them to become involved in their children's education. In some cases, the child (often the first to acquire English-language skills) may become the family's "ambassador" with the role of negotiating systems and acting as translator, a reversal of the usual parent/child relationship. At the same time, foreign-born students, especially ELLs, may be contending with problems in school that increase their risk of truancy and dropping out, while the family as a whole is faced with legal and financial difficulties. In addition, family reunification can create stress that compounds all such issues.

To address these complex circumstances, and based on research indicating that family engagement contributes to the success of immigrant students in middle and high school, DYCD seeks to support specific efforts to help immigrant parents understand the requirements of the school system and to encourage their involvement in their children's education.¹³

Participants

Services will target immigrant families with ELL students enrolled in City public middle and high schools.

Program Services

The contractor will provide educational workshops that teach youth and parents about school rules concerning attendance, requirements for high school graduation and college, and supportive services that help students stay on track. The contractor will provide training to ensure that program participants have information about the school's Parent Coordinator¹⁴ and the Department of Education's Achievement Reporting and Innovation System (ARIS) and instruction in how to use these resources.¹⁵

The contractor also will hold meetings with parents and school representatives to foster positive relationships between the school and immigrant parents, and employ a variety of approaches to encourage parental involvement in their children's education.

Required Outcomes

Participants will achieve both the following outcomes:

- Parents increase their involvement in their children's education by, for example, attending parent-teacher conferences, events, Open House Night, PTA and other school meetings.
- Immigrant youth remain enrolled in and attend school regularly.

¹³ See for example, Family Involvement in Middle and High School Students' Education. Family Involvement Makes a Difference. HFRP Volume 3 Spring 2007. <http://www.hfrp.org/family-involvement/publications-resources/family-involvement-in-middle-and-high-school-students-education>; Eileen Gale Kugler and Olga Acosta Price. Helping immigrant and refugee students succeed: it's not just what happens in the classroom. Center for Health and Health Care in Schools. November 2009.

<http://www.healthinschools.org/~media/Files/PDF/FINAL%20Revised%20Kappan%20article%2011-13-09.ashx>; Creating Successful Programs for Immigrant Youth. Maud Easter and Dina Refki. Practice Matters December 2004. Act for Youth Upstate Center for Excellence. http://www.actforyouth.net/documents/prACTice_Dec04.pdf.

¹⁴ See <http://schools.nyc.gov/Offices/District75/Parent+Services/ParentCoordinators/default.htm>.

¹⁵ The ARIS Parent Link makes available to parents important information that enables them to work with their child, their child's teacher and with the school principal to improve student learning outcomes. See <https://arisparentlink.org/parentlink/?language=en>.

Staffing

- Staff will be capable of providing services in the languages of the immigrant groups targeted for services.
- A case manager will advocate on behalf of and empower the parents vis-à-vis the school system. The case manager will identify each family's need for social services, conduct home visits as needed, and make appropriate referrals to other units within the contractor's organization or to another agency.

Linkages

The contractor will have linkages, in particular, with:

- Schools serving significant numbers of ELL students for the purpose of referring students and families to the contractor's program as well as sharing information about student progress.
- Community-based organizations offering support services to immigrant families to address health, mental health and other needs.

Service Option 5: Services for Immigrant Workers

DYCD will seek to provide information, educational, and legal services to address employment rights. Large numbers of New York City immigrants work in low-wage occupations where employment rights tend to be violated more frequently.¹⁶ In addition, low-wage foreign-born workers are likely to be more vulnerable to violations of their employment rights compared to U.S. born workers, including illegal employer retaliation or threats of retaliation in response to complaints. All workers, regardless of immigration status, have the right to be paid minimum wage and overtime, the right to workplace safety and health protections, and the right to organize to improve work conditions.¹⁷

Participants

Services will target low-wage immigrant workers.

Program Services

The contractor will assess participants to determine the nature of the employment-rights issue(s), inform them of their options to resolve the issue(s), and assist them in attaining a beneficial resolution. In pursuit of resolution, the contractor will provide advocacy services, legal assistance, including mediation, alternative dispute resolution, arbitration and preparation of proceedings (e.g., in Small Claims Court), representation in court or administrative proceedings, and referrals to arbitration.

The contractor will also provide employment-rights workshops, legal clinics, trainings, and forums.

¹⁶ See Working Without Laws – A Survey of Employment and Labor Law Violations in New York City. Annette Bernhardt, Diana Polson, and James DeFillippis. 2010. http://nelp.3cdn.net/990687e422dcf919d3_h6m6bf6ki.pdf

¹⁷ New York City Office of Immigrant Affairs

<http://www.nyc.gov/html/imm/html/employment/authorization.shtml>. Also see, Final Report, Temporary Commission on Day Laborer Job Centers, April 16, 2009, http://www.nyc.gov/html/imm/downloads/pdf/report_day_laborer_job_centers.pdf.

Required Outcomes

Participants will achieve the “Education” outcome and at least one of the “Employment Rights” outcomes specified below:

Education:

- All participants will gain knowledge of their employment rights and advocacy strategies through participation in workshops, legal clinics, trainings or forums that educate immigrants on employment rights.

Employment Rights:

- Issues are resolved through advocacy efforts.
- Issues are resolved through additional steps such as transmittal of a formal letter from the contractor, settlement negotiations or mediation.
- The contractor initiates appropriate legal proceedings, conducted by licensed attorneys, which will provide the basis for a determination of the issue by a court of law.

Staffing

The contractor will have:

- Access to legal services either through an attorney on staff or retainer or through a linkage agreement.
- A client advocate to identify each participant’s employment rights issue and assist in resolving that issue.

Linkages

The contractor will have linkages with organizations that can respond effectively to the legal, health, mental health and social services needs of immigrants.

Common Program Elements: All Service Options

Referral and Advocacy

Programs will include referral assistance and advocacy¹⁸ to facilitate participants’ access to government benefits and services such as the Earned Income Tax Credit, food stamps, subsidized housing, after school programs, health services, ESOL classes, and other essential services.

Cultural Sensitivity

All program staff, including volunteers, will be linguistically and culturally competent and ensure that services are provided to the target participants in a manner sensitive to their heritage and life experiences.

Translation services

Programs will provide all necessary interpretation and translation services (directly or through subcontractors). Whenever possible, services will be provided in the language spoken by the target population.

Experience

DYCD anticipates that selected contractors and key staff will have at least three years of experience in the last five years in providing the services relevant to the proposed

¹⁸ Advocacy for the purpose of the RFP means activities such as intervening and negotiating through telephone calls; accompanying participants to school suspension/truancy meetings, discrimination or entitlement hearings, administrative proceedings, and other meetings.

competition and target population. Program staff will be qualified and appropriately trained.

Basis of Award

It is anticipated that proposals will be evaluated pursuant to the evaluation criteria set out in the RFP. These criteria will include the quality and quantity of successful relevant experience, including a record of achieving program outcomes and working successfully with linked organizations, demonstrated level of organizational capability, and quality of proposed program approach and design.

Contract award shall be subject to demonstration that a proposer is tax-exempt and incorporated as a not-for-profit in New York State.

Procurement Timeline

It is anticipated that DYCD will release an RFP for this procurement by Fall 2010. The proposal submission deadline will be approximately one month from the release of the RFP. DYCD anticipates entering into three-year contracts for programs to begin July 1, 2011.

Feedback to Concept Paper

DYCD invites comments on this concept paper. Please email comments no later than October 20, 2010 to conceptpaper@dycd.nyc.gov indicating “Immigrants Services” in the subject line of the email. Alternatively, written comments may be mailed to:

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New York, New York 10038