



NEW YORK STATE
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**OFFICE OF TEMPORARY
AND
DISABILITY ASSISTANCE**
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Commissioner

**OFFICE OF CHILDREN
AND
FAMILY SERVICES**
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Administrative Directive

Section 1

Transmittal:	07-ADM-04
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Attachments:	Attachment 1: 2007-08 District FFFS Allocations Attachment 2: FFFS 2007-08 Plan Application Attachment 3: FFFS 2007-08 Plan Instructions Attachment 4: 2007-08 Child Welfare Thresholds Attachment 5: FFFS Desk Reference Guide Attachment 6: FFFS Performance Report
Attachment Available On – Line:	<input checked="" type="checkbox"/>

Filing References

Previous ADMs/INFs		Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
97 ADM-23	03 OCFS-LCM-19		385	SSL 331, 333, 335, 335-a, 336, 339	OCFS CW Eligibility Manual, Chapter 2	Ch 53 of the Laws of 2007
98 ADM-03	04 OCFS-LCM-19				Welfare-to-Work	Ch 57 of the Laws of 2007
01 ADM-10	05-OCFS-LCM-09				Employment Manual	
05 ADM-11	06-OCFS-LCM-08				Fiscal Reference Manual	
06 ADM-08	07 OCFS-LCM-02				Volumes 2,3 and 4	
06 ADM-17	07 OCFS-LCM-07					
00 LCM-20						
06 LCM-09						
03 INF-35						

Section 2

I. Summary of the 2007-08 FFFS ADM

The Flexible Fund for Family Services (FFFS) has been enacted for a third year in the 2007-08 State Fiscal Year (SFY) Budget at a level of \$654 million. In addition, the Budget provided separate Temporary Assistance for Needy Families (TANF) funding for Child Care, Non-Residential Domestic Violence Services, Summer Youth Employment and certain State-level TANF contracts/programs. Federal TANF funding for these programs, including FFFS, totals \$1,048,300,000. This Administrative Directive (ADM) provides local social services districts (districts) with the individual district FFFS allocation amounts, pertinent planning information, the forms and instructions for completing the 2007-08 FFFS Plan, and instructions on amending plans and submitting claims. Finally, the ADM provides guidance on the collection of performance and accountability data as required by Article VII provisions in the Enacted 2007-08 SFY Budget.

II. Purpose

The purpose of this ADM is to provide districts with allocations (Attachment 1), information, forms and procedures necessary to implement the FFFS, including new requirements for submission of performance and accountability information. Districts must submit a FFFS Plan (Attachment 2) to OTDA by **Monday, July 23, 2007** for review and approval by the Office of Children and Family Services (OCFS) and the Office of Temporary and Disability Assistance (OTDA). This year, the FFFS plan is a multiple tab file in Microsoft Excel[®] that contains all required documents to complete a district's plan. Detailed instructions for completing and submitting the 2007-08 FFFS Plan are set forth in Attachment 3.

III. Background

New York State again has enacted the FFFS to provide districts with flexibility in meeting the non-assistance needs of TANF-eligible temporary assistance and low income families. The total funding for the FFFS for SFY 2007-08 is \$654 million.

The programs that may be funded in the FFFS are as follows: allowable non-assistance services such as employment services including employability assessment, employability plan, job preparation, job placement and retention services, employment-related transportation, TANF Services Projects, Transitional Opportunities Program (TOP), Child Welfare Services, New York City (NYC) Emergency Assistance to Families (EAF) Foster Care Tuition Costs, PINS/Preventive Detention Diversion Services, Pregnancy Prevention, Drug/Alcohol Assessment and Monitoring, Domestic Violence Screening and Assessment, and Title XX Services (TANF-funded portion). FFFS funds may also be used for EAF JD/PINS Foster Care and related costs, districts' administrative costs for all TANF related activities, or for any other allowable TANF purpose.

The FFFS allocation is an important resource to support employment services which help TANF-eligible families to enter the workforce (a primary goal of the TANF program) and assist districts to achieve the increased federal participation requirements enacted by the Deficit Reduction Act (DRA) of 2005 (P.L. 109-171) and outlined in 06-ADM-17. Districts must ensure that sufficient resources are allocated from the FFFS allocation for programs, services and staffing that assist the district in meeting these goals. Failure to meet the effective work participation rate exposes the State and districts to the risk of significant federal penalties.

In addition to the FFFS, the Enacted Budget included separate federal and State allocations for child care services to assist families to become self-sufficient. OCFS issued a separate Local Commissioner's Memorandum (07-OCFS-LCM-07) on May 2, 2007, that sets forth the districts' child care allocations and the rules governing those funds. However, districts may transfer a portion of their FFFS funds to the Child Care Development Fund (CCDF) to supplement their child care allocations. The Enacted Budget included separate funding for Non-Residential Domestic Violence Services Programs and various TANF Initiatives Programs. Districts may supplement these programs using FFFS funds.

Unlike last year when the Summer Youth Employment Program (SYEP) funds were part of the Combined TANF Allocation, a separate appropriation for SYEP was included in the SFY 2007-08 budget. However, in an April 13, 2007 letter, districts were advised of their ability to move up to 8.5% of their SYEP allocation to FFFS. Districts choosing this option should include this figure in the "Summer Youth Transfer In" box in their FFFS plan to have this amount become part of their total FFFS allocation. Should it be determined that a portion or all of this transfer is required for Summer Youth activities, a plan modification can be submitted moving funds back to the Summer Youth Program.

The SFY 2007-08 Enacted State Budget appropriated \$372.5 million in Child Care transfers from the State's TANF Block Grant. Therefore, in addition to this amount, districts may transfer a maximum of \$359.5 million from the \$654 million FFFS program to the CCDF and the Title XX Block Grant. Of this \$359.5 million additional amount, districts may transfer a maximum of \$244 million in the aggregate from the FFFS to the Title XX Block Grant.

Thus, district block grant transfers should remain within the following percentages against the \$654 million FFFS for SFY 2007-08 and the potential \$3 million in additional FFFS funds transferred from the SFY 2007-08 Summer Youth program. A review of the statewide total amount of the transfers will be completed when all plans are submitted and exceptions to the following percentages may be considered on an individual district basis:

- 54 percent to the CCDF
- 37 percent to the Title XX Block Grant
- 54 percent combined to the CCDF and Title XX Block Grant

All programs funded through the FFFS must serve at least one of the following four TANF Purposes:

1. Assist needy families so that children may be cared for in their own homes or in the homes of relatives;
2. Encourage the formation and maintenance of two-parent families;
3. End the dependence of needy parents on government benefits by promoting job preparation, work and marriage; or
4. Prevent and reduce the incidence of out-of-wedlock pregnancies.

Allowable services must meet the federal definition of non-assistance. FFFS funds cannot be used to provide "assistance" for expenditures other than those made as a result of transferring FFFS funds to Title XX (Title XX Below 200 Percent) or the CCDF; or for EAF for JD/PINS foster care costs funded directly with FFFS funds, and as noted in the discussion of transportation services found below.

Assistance for federal purposes consists of any payment or benefit designed to meet ongoing basic needs - food, clothing, shelter, utilities, household goods, personal care items and general incidental expenses. Assistance also includes supportive services such as transportation or child care provided to unemployed recipients. Assistance paid to a Family Assistance (FA) or Non-Cash SNA/FP recipient is counted toward the 60-month TANF time limit. Assistance counts toward the support offset. Payment types defined as assistance, when paid to a trackable person in a trackable case type (FA, Cash SNA, Non-Cash SNA/FP) will trigger time limit counts, be reported to the Department of Health and Human Services (DHHS) as assistance, be counted toward the support offset, and include the case in the calculation of the combined federal work participation rate. New York State does not have a separate diversion program. However, districts should ensure that current local procedures include information on the use of diversion payment codes, as appropriate, for families who apply for temporary assistance, are categorically eligible for TANF services and whose situation meets the circumstances required in order to be considered diversion, as described in 03 INF-35, which will also prevent such families from being included in the participation rate calculation.

Transportation is permissible for employment or other allowable activities, as long as the transportation service does not constitute assistance or, if it does constitute assistance, it can only be provided to people receiving TANF-funded Family Assistance. FFFS funds may also be used to provide a transportation benefit that is necessary to enable an eligible TANF or Safety Net MOE applicant to participate in applicant job search, since this use constitutes a diversionary activity.

NOTE: Transportation services (other than those provided to support applicant job search) provided to families receiving Safety Net Assistance must be charged as a State/local assistance cost, since such families are ineligible for TANF-funded services which constitute assistance.

FFFS funds cannot be used for medical services.

With the exception of FFFS funds used for EAF child welfare services, EAF JD/PINS foster care costs, NYC EAF foster care tuition costs, pregnancy prevention purposes, or PINS/Prevention/Detention Diversion services, FFFS-funded services may be provided only to TANF-eligible recipients of TA and to individuals and families not in receipt of TA who are at or below 200 percent of the federal poverty level, as outlined in 00 LCM-20. The income standards are as noted below:

**200% of Poverty Guidelines Chart
June 1, 2007 through May 31, 2008**

<u>Family Size</u>	<u>Monthly Income</u>	<u>Annual Income</u>
1	\$1,702	\$20,420
2	\$2,282	\$27,380
3	\$2,862	\$34,340
4	\$3,442	\$41,300
5	\$4,022	\$48,260
6	\$4,602	\$55,220
7	\$5,182	\$62,180
8	\$5,762	\$69,140

For family units with more than eight members add \$580 monthly or \$6,960 annually for each additional family member.

The FFFS planning process provides districts with a good opportunity to use the needs assessments conducted as part of the required County Child and Family Services Plan in relation to the district's child care, child welfare and adult services needs. Included among the factors to be considered are: district administrative costs; child welfare services and other services historically funded with TANF funds transferred to Title XX (Title XX Below 200 Percent funds); child care services historically funded by a district's CCDF allocation that include funds transferred from TANF; the adequate overall level of supporting child care services necessary for districts to meet federally prescribed work participation rates and to serve low income families; the availability of work activities, and other employment services which assist families to transition into the workforce and help the district to achieve the federal participation rate requirement; and the needs of individuals and families in the caseload that must be addressed to assist them to achieve self-sufficiency and personal responsibility.

In addition, it is important to inform you that Chapter 57 of the Laws of 2007 states the following: *"...the Commissioners of the Office of Temporary and Disability Assistance and Office of Children and Family Services for the programs operated by their respective agencies shall provide performance data, as well as updated allocations to providers broken down by State fiscal year, including award amounts, contract periods, program sites, locations served, and spending information that shall be made available on the respective agency website"*.

Instructions for providing performance data for OTDA programs funded through the FFFS are contained in Section V.E.

OCFS will be in contact with providers and districts regarding implementation of this new legislation as plans are developed.

IV. Program Implications

A. Description of FFFS Components

The FFFS is designed to provide districts with maximum flexibility in determining how best to respond to identified local needs for services based on their caseload composition, local labor market and other unique factors. Each district may use its FFFS for the categories described below.

1. TANF Services Projects

Districts may choose to utilize FFFS funds for innovative interventions that can prevent dependency, provide the extra support needed to prevent return to receipt of temporary assistance and help families take the next steps towards economic independence. TANF services projects include, but are not limited to, case management services, after school programs for at-risk youth, home visiting for families with multiple barriers to self-sufficiency, child-only projects and the Transitional Opportunities Program (TOP). TOP is a specialized delivery system created to ensure that participating families receive all of the ongoing assistance and services they need to remain in the workforce and improve their financial wellbeing.

2. Drug/Alcohol Assessment and Monitoring

All districts are required by statute to screen adult temporary assistance applicants and recipients for drug and/or alcohol abuse that could preclude them from working and becoming self-sufficient. Districts may use FFFS funds to pay the costs of assessing TANF clients who screen positive and for monitoring the client's attendance and progress in mandated substance abuse treatment. Districts may also use their FFFS funds to provide a variety of support services to individuals and families with substance abuse problems. These services are supplemental to the individual's actual drug/alcohol treatment and include such services as parenting programs, family counseling and intensive case management. Funding for these enhanced drug/alcohol support services projects must be included as a TANF Services Project (as noted above).

The Drug and Alcohol program assurances in accordance with 97 ADM-23 and 01 ADM-10 and subsequent releases apply.

3. Domestic Violence Screening and Assessment

Districts may use FFFS funds to meet the requirement for Domestic Violence screening and assessment. Under statute, all applicants for and recipients of temporary assistance are offered screening for domestic violence at application and recertification. The purpose of the screening is to give victims of domestic violence the option of receiving a waiver from temporary assistance requirements if these requirements would place the victim and/or the children in harm's way.

The Domestic Violence Program assurances in accordance with 98 ADM-3 and subsequent releases apply.

4. Employment Services for Households with Dependent Children

A primary goal of the TANF program continues to focus on helping low-income families enter the workforce and achieve self-sufficiency. Districts are also required to achieve the increased federal participation rate requirements enacted by the DRA which went into effect on October 1, 2006. Therefore, districts must ensure that sufficient resources have been devoted from the FFFS allocation and other sources (e.g., state funds provided via the local administration fund, local funds) to assist TANF-eligible individuals to transition into the workplace and to achieve the federal participation rate and thereby avoid significant fiscal penalties. Districts not currently achieving the required federal participation rate of 50% for "All Families" receiving assistance supported by federal or "maintenance of effort" funds are strongly encouraged to review their employment programs and develop a plan for continuous increases in participation to achieve the required federal participation rate. Given the challenges of TANF reauthorization and the increase in the number of families that have transitioned to employment, districts are also urged to give child care funding priority in developing this year's FFFS plan.

Note: Under federal regulations, the required federal participation rate of 50% for "All Families" for FFY 2007 will be reduced by the statewide caseload reduction credit achieved based on the average combined TANF and MOE monthly caseload for FFY 2006 compared to the average combined TANF and MOE monthly caseload for the base year (FFY 2005) subject to approval by the United States Department of Health and Human Services.

Employment services funded through FFFS may include, but are not necessarily limited to:

- assessments of employability, including independent employability evaluations to determine an individual's ability to work;
- establishing employment or wellness plans for individuals to determine what activities the individual will participate in to either become employable or improve employment opportunities through work, education and training. The plans also establish what support services and case management the district will provide to help individuals reach plan goals;
- monitoring compliance with employment/wellness plans;
- non-assistance transportation supports (non-assistance only unless TANF assistance case) including transportation payments, car repairs and car purchases;
- work support services such as work clothing or tools for employment;
- case management as needed to help families comply with employment/wellness plan requirements or obtain and maintain employment;
- youth employment services;
- job development and job placement and retention services;
- establishment and administration of work experience programs, job readiness programs (non-medical), education and training programs or other permissible work activities; and
- outreach for noncompliant families (as needed beyond the Intensive Case Services funding); efforts to resolve disputes over work activities including client conferences and conciliation.

Employment Program Requirements

Section 331 of the Social Services Law requires the establishment of programs which provide employment services to applicants and recipients of TA which assist individuals in achieving economic independence. Districts must operate Welfare-To-Work (WTW) employment programs which meet the requirements of applicable federal and State laws and regulations, and in accordance with the requirements outlined in 06 ADM-17 and the local plan required by Section 333 of the Social Services Law and approved by OTDA. Districts are afforded maximum flexibility in developing and implementing WTW employment programs but must meet the program's requirements established in 18 NYCRR Part 385 and the Welfare-To-Work Employment Policy Manual, including, but not limited to:

- Determine the employability status (including an assessment of medical and non-medical work limitations) of each TA client.
- Complete an employability assessment, including, but not limited to: a review of the individual's educational level, basic skills proficiency, prior work experience, training and vocational interest and child care and other supportive services needs for all temporary assistance recipients who are age 18 or older (including individuals who are 16 or 17 years old and not satisfactorily attending secondary school and have not completed high school or an equivalent program).
- Develop an employability plan consistent with the individual's employability assessment, which identifies:
 - the services that the district will provide, including child care;
 - the work activities to which the recipient will be assigned; and
 - the individual's employment goal.

- Engage TA and Food Stamp recipients in work and work preparation activities as required to achieve work participation rates and to maximize job placements.

Employment services for TANF-eligible individuals and families must be supported by funding provided through the FFFS allocation. Districts are reminded that employment services provided to Safety Net Families that have exhausted their 60 month limit for receiving federally-funded assistance, but remain eligible for TANF services, must constitute non-assistance. While virtually all employment services constitute non-assistance, certain services such as transportation benefits for unemployed Safety Net families must not be funded with FFFS. Funds from the Local Administration Fund (LAF) allocation may be used to support the non-federal share of costs for employment services provided to families receiving Family Assistance or Safety Net Assistance and non-TANF eligible applicants and recipients of Safety Net Assistance.

Note: Although certain two-parent households are removed from the federal TANF/MOE work participation rate because they are funded as SN non-MOE, two-parent families are subject to temporary assistance work requirements in the same manner as any other household with dependent children and funding from the FFFS allocation may be used to support non-assistance employment services provided to TANF-eligible two-parent families. Refer to 06 LCM-09 for additional information on the claiming of expenditures for this population.

Locally-Developed Employment Services

Districts may also elect to use funds made available through the FFFS allocation to continue employment-related programs previously supported through the New York Works Block Grant program or other initiatives that have been used to expand the employment services available to TANF-eligible individuals and families with gross income up to 200 percent of the federal poverty level, including non-custodial parents and those who otherwise meet the TANF categorical eligibility standards including the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), U.S. citizenship or qualified alien requirements.

5. Child Welfare and Social Services Other Than Foster Care Services

a. Title XX Transfer (Title XX Below 200 Percent)

Districts may choose to transfer a portion of their FFFS allocation to Title XX for child welfare services, adult protective, domestic violence and/or other services. As in SFY 2005-06 and SFY 2006-07, there are no separate TANF allocations for these purposes. Under the SFY 2007-08 Budget, a district may transfer up to 37 percent of its FFFS allocation to Title XX, provided that the total amount the district chooses to transfer to the CCDF and Title XX combined may not exceed 54 percent of the district's FFFS allocation. As previously discussed in the Background section of this ADM, a review of the statewide total amount of the transfers will be completed when all plans are submitted, and exceptions to the maximum percentages may be considered on an individual district basis to the degree that aggregate transfers from all districts have not exceeded federally-allowable maximums.

Any FFFS allocation transferred to Title XX (Title XX Below 200 Percent) must be expended for services to children and their families with incomes below 200 percent of the federal poverty level for the family size. Recipients of Title XX Below 200 Percent funds also must be either U.S. citizens or qualified aliens as defined by PRWORA. All Title XX rules apply to these funds, including the prohibition against the use of the funds for foster care maintenance payments.

No additional eligibility criteria are required for child welfare services funded with FFFS allocations transferred to Title XX (Title XX Below 200 Percent). A complete discussion of the eligibility requirements for this expenditure type is found in the OCFS Child Welfare Eligibility Manual, Chapter 3. Any child welfare services expenditures not reimbursed via FFFS allocations transferred to Title XX (Title XX Below 200 Percent) for child welfare services or directly from FFFS funds may be eligible for 65 percent State child welfare financing reimbursement subject to the child welfare threshold provisions and performance or outcome based provisions for child preventive services requirements set forth below. The expenditures that are subject to 65 percent State reimbursement will also assist the State in meeting the MOE requirement for Federal Title IV-B, Subpart 1 and 2 funds for child welfare services.

Any FFFS funds transferred to Title XX for services other than child welfare services, including adult protective and domestic violence (AP/DV) services, require additional eligibility criteria including that the household contain at least one child under the age of 18.

There is a separate set aside in the regular Title XX funds for expenditures for AP/DV services (07-OCFS-LCM-02). Any claims for AP/DV services that exceed a district's Title XX allocation and any FFFS funds the district chooses to transfer to Title XX for such purposes are eligible for 50 percent State reimbursement.

There is a separate set aside in the regular Title XX funds for expenditures for services other than child welfare services (07-OCFS-LCM-02). There is **no** State reimbursement available for other Title XX services that exceed the amount of other Title XX regular funds available to the district and the amount of FFFS funds the district chooses to transfer to Title XX for non-AP/DV services. Districts should consider these facts when making FFFS allocation decisions for these services.

The district's transfer amounts are fixed once submitted by OTDA to the U.S. Department of Health and Human Services. Any SFY 2007-08 FFFS funds transferred to Title XX are to be used for expenditures made from October 1, 2006 through September 30, 2007, and must be claimed by March 31, 2008.

b. Child Welfare Services Directly Funded Under FFFS

A district may choose to use a portion of its FFFS allocation directly to provide child welfare services without transferring the funds to Title XX. As in SFY 2005-06 and SFY 2006-07, there are no separate TANF allocations for TANF EAF Child Welfare Services. Districts continue to have greater flexibility in how they may use their FFFS allocations directly for child welfare services. As in the past, these FFFS funds may be used directly for child welfare services for families that meet the TANF EAF child welfare eligibility criteria. In addition, FFFS funds may be used directly to fund child welfare services for

families with incomes up to 200 percent of the federal poverty level based on family size. See Section III for the federal income standards. Districts are advised that the authorization form for TANF 200 percent and the OCFS authorizations for TANF-EAF and Title XX Below 200 Percent support eligibility for FFFS funding.

The eligibility standards for TANF-EAF child welfare services are found in the OCFS Child Welfare Eligibility Manual Chapter 2.

Certain Child Protective Investigative activities are eligible for TANF-EAF without an authorization for TANF-EAF being made, as the activity is considered the first step in making a TANF-EAF authorization. As such, even if the investigation results in an unfounded determination or the district determines it is not necessary to open a services case, the activity can be claimed as a TANF-EAF program cost even though no authorization for TANF-EAF was made. These costs are allocated for districts to the appropriate funding categories by the Services Random Moment Study (SRMS).

Although a district may now use a portion of its FFFS allocation directly to provide child welfare services for families with incomes up to 200 percent of the federal poverty level regardless of whether the family is eligible for EAF, the child welfare claim forms and RMS observations currently do not support such claiming. Special claims forms (LDSS-3922) must be used for FFFS Child Welfare Services for families with incomes up to 200 percent; the project name should be FFFSCW Direct 2007. The FFFS allocation may be used directly for EAF or TANF for families within 200 percent of the federal poverty level Child Welfare Services expenditures retroactive to October 1, 2006.

Child welfare services expenditures not reimbursed via the FFFS allocation or FFFS allocation transferred to Title XX (Title XX Below 200 Percent) for child welfare services may be eligible for 65 percent State child welfare financing reimbursement subject to the child welfare threshold provisions and performance or outcome based provisions for child preventive services requirements set forth below. The expenditures that are subject to 65 percent State reimbursement will also assist the State in meeting the MOE for Federal Title IV-B, Subpart 1 and 2 funds for child welfare services.

It should be noted that districts may not use a portion of these FFFS allocations directly for Preventive Housing Subsidy costs. These costs are considered assistance under the federal TANF rules, which impact on a family's five-year funding limitation and the district's reporting requirements. However, a district may choose to transfer a portion of its FFFS allocation to Title XX Child Welfare (Title XX Below 200 Percent) to use for its Preventive Housing Subsidy costs.

Any SFY 2007-08 FFFS funds dedicated to EAF Child Welfare and Child Welfare TANF Direct are to be used for expenditures made from October 1, 2006 through September 30, 2007, and must be claimed by March 31, 2008. Districts may adjust their indicated amount of the FFFS allocation dedicated to EAF Child Welfare Services and Child Welfare TANF Direct **prior to March 31, 2008**. After March 31, 2008, **no** changes to the amount of the FFFS allocation dedicated to EAF Child Welfare Services or Child Welfare TANF Direct can be made, in order for the SFY 2007-08 child welfare services settlement to take place. However, during the settlement process the State may request the district to make a plan amendment in order to maximize federal reimbursement.

c. PINS/Prevention/Detention Diversion Services

A district may choose to use a portion of its FFFS allocation to initiate program modifications and/or to provide services to avoid or reduce detention for juvenile delinquents (JDs) and Persons in Need of Supervision (PINS) of any age. It also may use a portion of its FFFS allocation to provide services to PINS 16 to 17 years of age. Allowable services include, but are not limited to:

- Substance abuse and mental health counseling;
- Services to divert youth at risk of placement in detention programs;
- Services to reduce the length of placement of youth receiving detention services; and
- Preventive and other supportive services to alleged or adjudicated PINS 16 and 17 years of age.

These FFFS-funded services may be provided without regard to the family's income, thereby eliminating the need to determine the family's financial eligibility. However, all such services must be related to TANF Purpose 3 – Reduction of Out-of-Wedlock Pregnancy. Pregnancy prevention may be bolstered in a variety of ways, all of which may be components of these in-home services and intervention strategies. For example, pregnancy prevention can be supported by keeping youth in school, increasing educational achievement, obtaining or maintaining employment, expanding independent living skills, counseling and building self-esteem. Youth and family members receiving these FFFS-funded services must be citizens or qualified immigrants. In cases involving U.S. citizens, an attestation of citizenship is sufficient. However, for cases involving qualified immigrants, documentation of that status must be secured. Districts may refer to the OCFS *Eligibility Manual for Child Welfare Services, Appendix B, "Immigration Status List"* for definitions of qualified immigrants and acceptable documentation.

PINS/Prevention/Detention Diversion services expenditures must be claimed through the TANF Reporting and Control System (TRACS) using project label DET PREV FFFS 07. The costs should be reported in either the non-administration or the administration columns depending on the nature of the expenditures. Districts may also have PINS/Prevention/Detention Diversion funds allocated pre-FFFS, from SFY 2004-05 (04-OCFS-LCM-19) that must be claimed on an LDSS 3922 labeled DET PREV. In SFY 2005-06, districts may have two separate sources: FFFS funds the district chose to dedicate to PINS/Prevention/Detention Diversion (DET PREV FFFS) or State funds (DET PREV ST05) allocated by OCFS. For more information on the SFY 2005-06 State funds, please refer to 05-OCFS-LCM-09. In SFY 2006-07, districts may have two separate sources: FFFS funds the district chose to dedicate to PINS/Prevention/Detention Diversion (DET PREV FFFS 2006) or State funds (DET PREV-ST 06) allocated by OCFS. For more information on the SFY 2006-07 State funds please refer to 06-OCFS-LCM-08. A separate LCM announcing the availability of SFY 2007-08 PINS/Prevention/Detention Diversion State funds will be issued. It is recommended that districts claim against and consider these available balances as they develop their FFFS allocation planning strategies.

PINS/Prevention/Detention Diversion services expenditures not reimbursed via the FFFS allocation or the State 100 percent allocations may be eligible for 65 percent State child welfare financing reimbursement subject to the child welfare threshold provisions and performance or outcome based provisions for child preventive services set forth below. (Note: The amount of TANF funds a district received in SFY 2004-05 for PINS/Prevention/Detention Diversion Services is not included in the calculation of the district's child welfare threshold nor will the amount of the FFFS allocation that a district chooses to use in SFY 2007-08 for such services count toward the district meeting its child welfare threshold.) Those district expenditures for PINS/Prevention/Detention Diversion services that become subject to 65 percent State reimbursement also will assist the State in meeting the MOE for federal Title IV-B, Subpart 1 and 2 funds for child welfare services.

NOTE: Child Welfare Threshold

A district should consider the child welfare threshold that was first enacted as part of the SFY 2005-06 State Budget and continues in the SFY 2007-08 State Budget and performance or outcome based provisions for child preventive services requirements (see below) when determining how much of its FFFS allocation it wishes to transfer to Title XX or to use directly for child welfare services. The child welfare threshold relates to the amount of FFFS allocation a district must use for child welfare services if it wishes to receive an increase in 65 percent State child welfare services funding for child protective, preventive, after care, independent living and adoption services and administration costs over the amount it received in SFY 2004-05. The intent of the child welfare threshold language is to preclude a district from replacing federal funds for child welfare expenditures with State reimbursement. It also is intended to encourage districts to maintain or increase total spending for these essential programs.

Under the threshold, a district may receive 65 percent State reimbursement for child welfare services up to the level it received in SFY 2004-05, as long as it has expenditures to support the same level of 65 percent State reimbursement regardless of the amount of federal FFFS allocation it uses for such services in SFY 2007-08. However, if a district wishes to receive an increase in the amount of State 65 percent child welfare services reimbursement in SFY 2007-08 over the level it received in SFY 2004-05, then the district either must: (1) maintain the level of specified Federal funding for such services at the same or higher level than it had for SFY 2004-05 and have sufficient child welfare claims to support an increase in 65 percent State reimbursement; or (2) increase its gross child welfare services claims.

If a district chooses the first option, it must use from its FFFS allocation (either directly and/or through transfer to Title XX) an amount that is equal to or greater than the amount of the assigned child welfare threshold amount. Each district's SFY 2007-08 child welfare threshold is set forth in Attachment 4. For SFY 2007-08 and thereafter, each district's child welfare threshold will be equal to the amount originally issued in SFY 2005-06. A district meeting this requirement will be eligible for 65 percent State reimbursement for all of its child welfare expenditures, net of the available federal funding. However, if a district chooses the second option, it will be eligible for the same amount of State reimbursement as in SFY 2004-05. In addition, the district will be able to receive State reimbursement for 65 percent of the amount the district's gross child welfare claims in SFY 2007-08 exceed its gross child welfare claims for SFY 2004-05.

The SFY 2007-08 child welfare settlement period is for expenditures incurred October 1, 2006 through September 30, 2007, and claimed by March 31, 2008; therefore, the threshold timeframe is also October 1, 2006, through September 30, 2007, in order to be counted towards the district's SFY 2007-08 threshold.

The following example has been developed to demonstrate how the threshold applies:

Pearl District's child welfare threshold was \$150.00 with the inception of FFFS in SFY 2005-06; therefore its child welfare threshold remains \$150.00 in SFY 2007-08 and thereafter.

Pearl District's Gross child welfare services claims for SFY 2004-05 totaled \$250.00; therefore it received \$150.00 in federal TANF EAF and TANF to Title XX reimbursement combined and \$65.00 in State reimbursement. The chart below reflects three scenarios if Pearl District chose to decrease the amount of federal funds dedicated to child welfare services from \$150.00 to \$100.00.

	SFY 2004-05 Reimbursement	SFY 2007-08 Maintain Gross	SFY 2007-08 Lower Gross	SFY 2007-08 Increase Gross
Gross	\$250.00	\$250.00	\$225.00	\$300.00
Federal	\$150.00	\$100.00	\$100.00	\$100.00
State	\$ 65.00	\$ 65.00	\$ 65.00	\$ 97.50
Local	\$ 35.00	\$ 85.00	\$ 60.00	\$102.50

In the last example, the district would receive \$97.50 in State reimbursement: \$65.00 as the base amount from the SFY 2004-05 reimbursement, plus \$32.50, which is 65 percent of the \$50.00 increase in the gross amount.

NOTE: Performance or Outcome Based Provisions for Child Preventive Services

In addition to the child welfare threshold, part H of Chapter 27 of the Laws of 2007 enacts performance or outcome based provisions proposed by the Governor for preventive services provided by districts which require performance or outcome based provisions for Social Services Law (SSL) §409-a preventive services beginning January 1, 2008. In the absence of performance or outcome provisions, OCFS may by (emergency) regulation limit any increase in reimbursement over the amount claimed by the district for the period October 1, 2005 through September 30, 2006 (as claimed through March 31, 2007). There are waiver provisions for districts with current contracts that extend past January 1, 2008 that cannot be amended. It is anticipated that these emergency regulations will be issued by August 15, 2007. More details will be released from OCFS under separate correspondence.

NOTE: Child Welfare Settlement

The SFY 2007-08 child welfare services settlement is based on child welfare expenditures made from October 1, 2006, through September 30, 2007, claimed by March 31, 2008. The amount a district chooses to dedicate out of its FFFS allocation for Title XX Below 200% child welfare services, EAF Child Welfare and Child Welfare TANF Direct Services will be applied to eligible expenditures claimed by March 31, 2008. Other available federal funds for the child welfare settlement include Title IV-E Chafee Independence Act funding, Title IV-E, Title IV-B Subpart 1, and Title IV-B Subpart 2, where the expenditure has been deemed eligible. After the appropriate federal funding is applied against the district's expenditures for these services from October 1, 2006 through September 30, 2007, that are claimed by March 31, 2008, these expenditures are eligible for 65 percent State reimbursement, subject to the child welfare threshold and performance or outcome based provisions for preventive services.

Also settled during this time are SFY 2007-08 Title XX Adult Protective/Domestic Violence Services, Title XX All Eligible Services, Title XX All Eligible Services Below 200% Adult Protective/Domestic Violence Services, and Title XX All Eligible Services Below 200% non-Adult Protective/Domestic Violence Services. In regard to Adult Protective/Domestic Violence Services, after the appropriate federal funding is applied against the district's expenditures for these services from October 1, 2006 through September 30, 2007, that are claimed by March 31, 2008, these expenditures are eligible for 50 percent State reimbursement. In regard to All Eligible Services, after the appropriate federal funding is applied against the district's expenditures for these services from October 1, 2006 through September 30, 2007, that are claimed by March 31, 2008, these expenditures are not eligible for State reimbursement. However, during the settlement process, the State may request a district to make a plan amendment in order to maximize federal reimbursement.

6. Foster Care Services

a . EAF JD/PINS (Foster Care/Tuition)

A district may use a portion of its FFFS allocation for expenditures for the care, maintenance, supervision and tuition of Juvenile Delinquents (JDs) and Persons in Need of Supervision (PINS) who are placed in residential programs operated by authorized agencies and who are eligible for EAF. These expenditures may be made under PRWORA's "grandfather" provisions that allow payments for programs previously paid under the Title IV-A program in effect in 1995. Payments under the FFFS allocation for JDs and PINS in foster care are only eligible for cases authorized as EAF pursuant to the instructions in the OCFS Child Welfare Eligibility Manual, Chapter 2. The non-federal share of these EAF JD/PINS expenditures may not be counted towards TANF-MOE.

Any SFY 2007-08 FFFS funds dedicated to EAF JD/PINS foster care and tuition are to be used to reimburse expenditures made from October 1, 2006 through September 30, 2007, and claimed by March 31, 2008. After March 31, 2008, **no** changes to the amount of FFFS allocation dedicated to EAF JD/PINS foster care and tuition can be made.

Expenditures that a district opts not to reimburse with FFFS funds will be subject to State reimbursement to the extent of the district's SFY 2007-08 Foster Care Block Grant (FCGB) allocation (07-OCFS-LCM-03).

b. New York City EAF Foster Care Tuition Costs

New York City may use a portion of its FFFS allocation to fund EAF-eligible foster care tuition expenditures under PRWORA's "grandfather" provisions that allow payments for programs previously paid under the Title IV-A programs in effect in 1995. Payments under the FFFS allocation for NYC EAF foster care tuition expenditures are eligible only for cases authorized as EAF pursuant to the instructions in the OCFS Child Welfare Eligibility Manual, Chapter 2. Foster care tuition expenditures are not counted towards TANF-MOE. Expenditures that NYC opts not to reimburse with FFFS funds will be subject to State reimbursement to the extent of NYC's FCBG allocation.

Any SFY 2007-08 FFFS funds NYC dedicates to reimburse EAF foster care tuition is to be used for expenditures made from October 1, 2006 through September 30, 2007, and claimed by March 31, 2008. After March 31, 2008, **no** changes to the amount of FFFS allocation dedicated to EAF JD/PINS foster care and tuition can be made.

NOTE: Separate TANF Reimbursement for EAF Foster Care Services

A district may **NOT** use its FFFS allocation for any other EAF Foster Care Services. Instead, the TANF foster care swap provisions continue in the SFY 2007-08 Enacted State Budget. The TANF funds that are available to districts for TA benefits will be used to reimburse the districts for 100 percent of their EAF foster care services expenditures other than their EAF JD/PINS expenditures and NYC EAF foster care tuition costs. These TANF funds are separate from the FFFS allocation. Federal financial participation in the costs of eligible temporary assistance expenses will be reduced dollar for dollar to the extent TANF funds are provided for these EAF foster care services costs.

Since TANF related administration is used when necessary to complete the TA/Foster Care swap, there is a possibility that the process may continue when needed in order to meet TANF MOE. Districts need to include that possibility as part of their evaluation of the use of the FFFS dollars.

7. Other TANF Eligible Programs

a. Child Care

The SFY 2007-08 Enacted State Budget includes separate federal and State allocations for child care services. OCFS issued a separate Local Commissioners Memorandum, 07-OCFS-LCM-07 on May 2, 2007, that sets forth the districts' child care allocations and the rules governing those funds. However, a district may choose to supplement its child care allocation by transferring a portion of its FFFS allocation to the CCDF. A district may transfer up to 54 percent of its FFFS allocation to the CCDF and Title XX combined, with no more than 37 percent of its FFFS allocation being transferred to Title XX. As previously discussed in the Background section of this ADM, a review of the statewide total amount of the transfers will be completed when all plans are submitted and

exceptions to the maximum percentages may be considered on an individual district basis.

A district may only fund child care services costs with FFFS funds by transferring those funds to the CCDF. Any FFFS funds that are transferred to the CCDF are governed by the Federal and State rules for such funds, including the five percent cap on funding for administrative activities. Eligibility is determined and expenditures are reported and claimed in the same manner as CCDF Claims.

Any FFFS funds transferred to the CCDF from a district's SFY 2007-08 FFFS Allocation may be used for expenditures for the period October 1, 2006 through September 30, 2007 (FFY 2006-07) and/or for the period October 1, 2007 through September 30, 2008 (FFY 2007-08). Any FFY 2006-07 funds transferred to the CCDF must be claimed by March 31, 2008. Any FFY 2007-08 funds transferred to the CCDF will be subject to the claim deadlines for the FFY 2007-08 New York State Child Care Block Grant (NYSCCBG).

b. Non-Residential Domestic Violence Services

The SFY 2007-08 enacted State Budget includes a separate State allocation for Non-Residential Domestic Violence Services. OCFS issued a separate Local Commissioners Memorandum that sets forth the district's Non-Residential Domestic Violence Services allocations and the rules governing those funds (07-OCFS-LCM-04). However, a district may choose to supplement its Non-Residential Domestic Violence Services allocation by dedicating a portion of its FFFS allocation to Non-Residential Domestic Violence Services. Additional Non-Residential Domestic Violence Services funding may be used for core and/or optional services provided by approved Non-Residential Domestic Violence Services Programs only. For a complete list of approved non-residential domestic violence services programs, refer to the OCFS website at www.ocfs.state.ny.us. Any SFY 2007-08 FFFS allocation dedicated to Non-Residential Domestic Violence Services are to be used for expenditures made from October 1, 2006 through September 30, 2007, and claimed by March 31, 2008. Districts may adjust their indicated amount of the FFFS allocation dedicated to Additional Non-Residential Domestic Violence Services prior to March 31, 2008. After March 31, 2008, no changes to the amount of the FFFS allocation dedicated to Additional Non-Residential Domestic Violence Services can be made, in order for the SFY 2007-08 Adult Protective/Domestic Violence Services settlement to take place.

c. State-Administered Program/Contracts

The SFY 2007-08 Enacted Budget includes additional funds to continue most State-administered programs and contracts, but did not for certain Welfare To Work (WTW) initiatives.

1. Programs/Contracts Not Receiving Additional SFY 2007-08 Funds – The following chart lists the OTDA program that did not receive additional State funding and the impact this will have on the program's continuation.

Program/Contract	Impact
EDGE	69 contracts are scheduled to end on 6/30/07. Those contractors supported with district's FFFS remain open until 12/31/08.

The Education for Gainful Employment (EDGE) contracts are scheduled to end on June 30, 2007. Thirteen (13) districts elected to use a portion of their 2006-07 FFFS to support EDGE contracts beginning January 1, 2007. In light of the educational and training needs of the TANF-eligible population and with participation rate requirements in mind, districts should consider continuing these currently operational programs.

2. Programs Receiving Additional SFY 2007-08 Funds – The following chart lists each contract/program, its status and the additional funds that have been appropriated. While the additional funding is sufficient to continue these programs well into 2008, districts can use FFFS to expand current service levels.

Program/Contract	Status of Program Based on Prior Years Funding	SFY 07-08 TANF Funds
Summer Youth Employment	2006 SYEP ran from 5/1/06 to 9/30/06	\$35M
Wage Subsidy	15 organizations funded until 9/30/07	\$4M
Educational Resources for Adult and Family Literacy	30 organizations funded through 12/31/07	\$4M
Local Interagency VESID Employment Services (LIVES)	13 contracts are funded through 6/30/07	\$1.5M
Wheels for Work	33 organizations funded through 8/31/07	\$4M
RGRTA	Currently funded through April 2008	\$2M
Community Solutions for Transportation	39 districts funded through 6/30/08	\$2.2M
Centro of Oneida	Currently funded through 6/30/07	\$.1M
Bridge	21 projects funded through 12/31/07	\$6.503M
ATTAIN Technology Labs	29 labs funded through 3/31/08	\$7.0M
Build NY	Contract with B&C Trades Council of LI ends 6/30/07	\$1M
AFL-CIO WDI	Contract currently runs through 3/31/08	\$.4M
Advantage Schools	Contract end dates range from 9/30/07 to 11/30/07	\$28.2M
Home Visiting	Contract end dates range from 5/31/07 to 9/30/07	\$21.6M
Adolescent Pregnancy Prevention Services (APPS)	Funding ran through 3/31/07	\$7.32M
TANF Preventive Services	Currently funded through 12/31/08	\$20.5M
Caretaker Relative	Currently funded through 5/29/08	\$1.15M
Intensive Case Management Services	53 districts funded through 6/30/08 Note: All districts will be eligible to submit a proposal to use SFY 2007-08 allocation, which will be provided via a separate LCM.	\$14M

3. Options for Using FFFS to Support State Contracts/Programs - Districts interested in expanding and/or continuing these initiatives may do so in one of two ways:
 - a. Local Agreement – districts may enter into an agreement directly with an existing provider.
 - b. Revenue Intercept – districts can request that OTDA withhold a portion of their FFFS to support the State program/contract. OTDA or OCFS, as appropriate, will

consult with the districts and make the necessary modifications to the State contract documents. Any FFFS funds used are subject to the same terms and conditions outlined in the RFP that these organizations were selected through. OTDA or OCFS staff, as appropriate, will continue to be responsible for monitoring the contract and will provide districts with the results of monitoring visits, reports and performance activity.

Districts opting to support State-Administered contracts with FFFS funds identified in line 9 of the Plan must complete the Revenue Intercept Authorization. This Authorization is no longer a separate document and it has been incorporated into the FFFS Plan file in Microsoft Excel[®]. The Authorization must list the programs, providers, and the amount of funding to be reserved for each contract. It is not necessary to print, sign, and fax or mail the completed Authorization to OTDA, but it is necessary to complete the Authorization prior to sending the Plan for approval. Please refer to the FFFS Plan instructions for additional details regarding completion of the Revenue Intercept Authorization.

4. FFFS Plan Completion – districts choosing the revenue intercept option would complete the State-Administered Contract List in the FFFS Plan file.
5. State Program/Contract Listing – in an 5/22/07 e-mail to local district commissioners and employment coordinators from Russell Sykes, specific provider information by county was provided.
6. Questions – to obtain more specific information about a particular contract please contact the appropriate representative below:

Program/Contract	Contact
<ul style="list-style-type: none"> • Displaced Homemaker • Wage Subsidy • Build NY • LIVES • AFL-CIO 	Peter Lansburg (518) 473-2513 Peter.Lansburg@otda.state.ny.us
<ul style="list-style-type: none"> • Wheels for Work • Utica Food Resources • Hamilton & Metropolitan College 	Gloria Hessell (518) 473-2552 GloriaA.Hessell@otda.state.ny.us
<ul style="list-style-type: none"> • EDGE • Educational Resources • Bridge • ATTAIN 	Kathleen Dougherty (518) 473-2552 Kathleen.Dougherty@otda.state.ny.us
<ul style="list-style-type: none"> • Summer Youth Employment 	Anthony DeCrescenzo (518) 473-3056 Tony.DeCrescenzo@otda.state.ny.us

Program/Contract	Contact
<ul style="list-style-type: none"> Intensive Case Management Services 	Wendy DeMarco (518) 486-6107 Wendy.Demarco@otda.state.ny.us
<ul style="list-style-type: none"> Advantage After School 	Matt Murell (518) 402-3830 Matt.Murell@ocfs.state.ny.us
<ul style="list-style-type: none"> Home Visiting 	Joy Griffith (518) 474-3166 Joy.Griffith@ocfs.state.ny.us
<ul style="list-style-type: none"> TANF Preventive Services 	Renee Bradley (518) 474-9444 Renee.Bradley@ocfs.state.ny.us
<ul style="list-style-type: none"> Adolescent Pregnancy and Prevention Services Caretaker Relative 	Robert Resnick (518) 402-6775 Robert.Resnick@ocfs.state.ny.us

7. Department of Health (DOH) funded program - Several DOH programs received TANF funding as follows: Food Pantries (\$12,500,000); Pregnancy Prevention (\$12,100,000); and Women, Infants and Children (WIC) (\$5,000,000). Any district interested in supplementing these programs should contact the OTDA Plan contact listed on the first page of this ADM.
8. TANF Administration

A district may use a portion of its FFFS Allocation for administrative costs associated with TANF benefit assistance and services subject to the following guidance. (Note: Districts also will receive separate State share allocations from the LAF that may be used for these costs. A separate LCM with each district's LAF allocation will be issued.) Districts need to ensure costs are allocated to benefiting programs when more than one program is involved in a particular activity whether done by district staff or contractor staff. Cost allocation rules are contained in the Fiscal Reference Manual, Volume 3 and Volume 4 for NYC and in Federal Circular OMB A-87 for districts, OMB Circular A-122 for non-profit organizations other than hospitals and institutions of higher education, or those specifically excluded, are governed by OMB Circular A-122 or OMB Circular A-21 for Education Institutions and for-profit organizations by 48 CFR 31.

Guidance on Administrative Costs 15 Percent Rule

The maximum amount the **State** can spend on administration is 15 percent against the TANF Block Grant after transfers to other block grants. When plans are received, the total amount that the 58 districts intend to transfer to other block grants will be calculated and an amount for State administrative costs will also be considered in determining whether plans can be accepted or revisions are necessary for the State to remain within the statewide administrative limit. Since FFFS represents only a portion of the amount subject to the 15% Federal limit, the total administrative costs funded with FFFS (TANF and Child Welfare Administration) can be

greater than 15% of the FFFS allocation. However, plan approvals will be based on the projection for **Statewide** TANF-funded administrative costs.

Fiscal Reference Manual Volumes 3 & 4, Chapters 5 & 10 contain additional information related to the distinction between TANF program and administration. In addition, a matrix illustrating these distinctions is contained in 05 ADM-11 and 06 ADM-08.

TANF Services Administrative Costs

FFFS Allocations may be used to pay for administration claims beginning with the April – June 2007 quarter. Claims are applied to FFFS allocations based on the effective dates established by the districts in their FFFS plans. The criteria defining the claims that liquidate each category of the FFFS allocation on the FFFS ceiling report are contained in claim schedule mappings that will be sent to local district Finance offices once the revised ceiling report for SFY 07-08 is available.

Child Welfare Administrative Costs

Any SFY 2007-08 FFFS funds dedicated to Child Welfare Administration are to be used for expenditures from October 1, 2006 through September 30, 2007, and must be claimed by March 31, 2008. Districts may adjust their indicated amount of the FFFS allocation dedicated to Child Welfare Administration prior to March 31, 2008. After March 31, 2008, no changes to the amount of the FFFS allocation dedicated to Child Welfare Administration can be made, in order for the SFY 2007-08 child welfare services settlement to take place. However, during the settlement process the State may request a district to make a plan amendment in order to maximize federal reimbursement.

If districts choose to engage contractors to provide services, they are reminded that they need to obtain assurances from providers that costs being charged to TANF are done pursuant to an appropriate cost allocation methodology.

B. TANF Maintenance of Effort (MOE) Requirements

Under the Federal TANF legislation, New York State must continue to meet its requirement to spend State and local dollars (75% of State spending as of the 1994 base year or \$1.7 billion annually as long as work participation rate requirements are met, but increasing to 80% of base year spending or by \$114 million if the State fails to meet work participation rate requirements). Further, State appropriation language requires that local plans show gross amounts spent related to the FFFS Allocation programs. For these reasons, the FFFS Plan has columns for gross and federal shares. The inclusion of MOE-countable State and local shares, along with the federal share in the gross column, will assist OTDA in projecting MOE-countable expenditures.

The local and State funded portions of the following programs are eligible to be MOE-countable:

- TANF Programs such as Family Assistance (including child support pass-through);
- TANF Services and Employment Services;
- Child Care;
- Administration (up to 15 percent);
- Safety Net Assistance FFP; and

- Safety Net Assistance for former Family Assistance recipients who exceed the Five Year Time Limit and Safety Net Assistance for Aliens who lost Eligibility Solely Due to PRWORA.

C. FFFS Liquidation Requirements

While districts have three years to fully liquidate their FFFS allocation, they must submit claims according to the Federal and State deadlines applicable to the expenditure period and category. For example, expenditures for the period October 2006 through September 2007 must be obligated by September 30, 2007 and liquidated by September 30, 2008. In order for the State to determine the amount of unliquidated FFY 07 obligation which must be re-obligated against FFY 08 TANF funds, applicable claims must be finalized by June 30, 2008. Therefore, FFFS plan revisions for expenditure periods prior to October 1, 2007 cannot be approved after June 30, 2008. Consequently, claims for expenditures prior to October 1, 2007 must be submitted by June 30, 2008. However, SFY 2007-08 FFFS allocations may still be used for subsequent expenditure periods until the final allocation liquidation deadline of March 31, 2010. Any SFY 2007-08 FFFS funds dedicated to Child Welfare, Title XX Transfer, Foster Care Services, and Non-Residential Domestic Violence Services are to be used for expenditures made from October 1, 2006 through September 30, 2007, and claimed by March 31, 2008.

Please note that districts must liquidate the full amount of their SFY 2005-06 FFFS allocations by March 31, 2008, the SFY 2006-07 FFFS allocations by March 31, 2009, and the SFY 2007-08 FFFS allocations by March 31, 2010.

D. TANF Prior Years' Rollover Funds

While not specific to the discussion of FFFS planning and implementation requirements, districts are reminded that they may have rollover funds from prior years' TANF Block Grants. Districts are notified by OTDA's Finance Division of the amounts and restrictions related to these funds. The availability of such funds will be a factor for districts to consider when planning for use of their 2007-08 FFFS funds. In addition, please note that these funds have been re-appropriated allowing for services to be provided to TANF-eligible families/individuals with incomes up to 200 percent of the federal poverty level. Due to the re-appropriation of certain appropriations in the SFY 2007-08 budget, districts can continue to claim against available balances in the following programs: TANF Services Block Grant (BG CY2004-05), Domestic Violence Liaison (DV CY 2004-05), Drug Alcohol (Drug Alcohol CY2004-05), PINS/Prevention/Detention Diversion Services (DET PREV), New York Works Block Grant (NYWBG 5), Community Solutions for Transportation (CST 7) program, Intensive Case Services (Intensive Case Services) and the Youth Engagement Program (YES). These funds will not be combined with the FFFS Allocation. They will remain open and separate until such time that they are either completely spent or no longer re-appropriated. It is recommended that districts claim against and should consider these available balances as they develop their FFFS Allocation planning strategies. Districts should continue to use current claiming mechanisms for rollover funds. It is unknown how long the existing older appropriations will remain open. In the event that these funds are not re-appropriated in next year's enacted SFY 2008-09 budget, districts may incur expenditures for the above-mentioned programs through June 30, 2008 with claims received by August 15, 2008.

V. Required Action

A. The FFFS Plan File

For 2007-08, a file was developed in Microsoft Excel[®] which allows for the completion of the FFFS Plan (see Attachment 2). The application incorporates the required documents into one file and automatically transfers data from a single source to the different pages of the plan. This increases the efficiency of the plan process, eliminates the need for repetitive data entry, and reduces the potential for error. The file contains a data entry section for district information, allocations and program periods, Summary and Detail FFFS Plan reports, a listing of State-Administered Contracts, a project report for TANF Services, an authorization for Revenue Intercept(s), and the Plan Certification. Instructions for completing the FFFS Plan file are contained in Attachment 3. The district must submit the 2007-08 FFFS Plan electronically by **July 23, 2007** to the OTDA mailbox at otda.sm.dta_btp@otda.state.ny.us.

OTDA contacts for plan completion and submission issues are Jane Wagner and Susanne Haag, by telephone or e-mail at the numbers or e-mail addresses listed on the first page of this Directive. Plan development and submissions for OCFS-related costs are through the Integrated County Planning or Consolidated Service Planning requirements found in 03 OCFS-LCM-19. For questions on OCFS plan issues, please contact Larry Pasti at the telephone number or e-mail address listed on the first page of this Directive. Contact individuals for all other issues are noted on the first page or in the body of the ADM.

B. District Certification

As part of the FFFS Plan, each district is required to provide a certification which constitutes the district's assurances that the programmatic and fiscal requirements that are necessary for proper program administration and accountability will be maintained. This certification constitutes an acceptance by the district to be bound by the assurances, including the provision of all statutorily required services and activities, and an agreement to bear full responsibility for the implementation of programs in accordance with the applicable federal and State statutory and regulatory requirements. This year the certification is contained in the FFFS Plan workbook.

Statutorily required services and activities include, but are not limited to:

- basic eligibility;
- substance abuse and domestic violence screening and assessments;
- services for victims of domestic violence;
- child support referrals;
- employment requirements, including conducting employability determinations and assessments and achieving federal work participation rate requirements;
- proper notices;
- conferences and fair hearings;
- determining eligibility within application timeframes;
- special allowances;
- emergency and immediate needs;
- guaranteed child care services;
- foster care services;

- mandated child prevention services; and
- child protective services.

C. Claiming Instructions

Districts will continue to report their expenditures via the RF-2 and RF-2A claiming packages in the Automated Claiming System, the LDSS-3922 (rev date 12/01) Reimbursement Claim for Special Projects, or TRACS. Claiming instructions are contained in Fiscal Reference Manual Volumes 2, 3 and 4 available on the OTDA intranet site at <http://otda.state.ny.net/bfdm/>. Fiscal Reference Volume 3 is “Rest of State” and Volume 4 is “NYC”. The FFFS ceiling reports are available in each district’s county folder (go to this link and select your county: [\\mscotda0a1ah\country](http://mscotda0a1ah/country)).

Revisions are being made for 2007-08 to combine the information from the ceiling report and the plan summary report into one report which will incorporate all pertinent information needed. As in previous years, the Title XX and the CCBG transfers will be reflected on those individual ceiling reports. The reports are updated periodically and reflect the amounts available at the time the report is created.

A reference desk guide is provided as Attachment 5 which provides programs, claiming methods, TRACS labels, dates for claiming, and Plan revision submission dates.

D. FFFS and Plan Amendments

The 2007-08 FFFS Plans, as well as the 2005-06 and 2006-07 FFFS Plans, may be amended during the course of the fiscal year as districts perceive the need to make service adjustments. The exceptions to this provision are the amount of the CCDF and Title XX transfers. Any SFY 2007-08 FFFS funds dedicated to reimburse EAF JD/PINS, NYC foster care tuition, EAF Child Welfare, including Child Welfare TANF Direct, and Non-Residential Domestic Violence Services is to be used for expenditures made from October 1, 2006 through September 30, 2007, and claimed by March 31, 2008. After March 31, 2008, **no** changes to the amount of FFFS allocation dedicated to EAF JD/PINS, NYC foster care tuition, EAF Child Welfare, including Child Welfare TANF Direct, nor Non-Residential Domestic Violence Services can be made.

Please note that districts must liquidate the full amount of the SFY 2005-06 FFFS allocations by March 31, 2008, the SFY 2006-07 FFFS allocations by March 31, 2009, and the SFY 2007-08 FFFS allocations by March 31, 2010. Each year’s plan is a standalone document and continues to be active until all funds associated with that plan are expended and claimed. A district must notify OTDA of any changes to its plan(s) within 30 days of implementing the change by submitting a revised Plan(s) to the OTDA mailbox at otda.sm.dta_btp@otda.state.ny.us. The revised Plan(s) will be reviewed jointly by OCFS and OTDA.

Note: Please refer to the 2007-08 FFFS Plan instructions for details regarding how to clear previously entered plan information and how to prepare the file for submitting an amendment. The plan amendment process and forms to be used for 2005-06 and 2006-07 FFFS plans are set forth in 05-ADM-11 and 06-ADM-08, respectively.

E. Reporting and Accountability

1. SFY 2007-08 Performance and Accountability Requirements

As noted in the Background section, Chapter 57 of the Laws of 2007 requires OCFS and OTDA to provide quarterly performance and expenditure data for programs funded through FFFS and to include this information by county on both agency's web-site. The performance and accountability requirements also apply to TANF-funded contract programs administered at the State level as well as the Intensive Case Management allocations made to districts. In order to meet this mandate, OTDA will use existing reporting mechanisms whenever possible. However, districts will be required to submit a monthly report to OTDA which provides outcomes against performance goals for SFY 2007-08 for TANF Services Projects and Drug/Alcohol Services. OTDA will work with districts to refine the outcome measures and performance goals during the year in order to provide the most appropriate measures and reporting for future funding cycles. Aggregate quarterly expenditure data from local district claim submissions will be posted on the OTDA website.

OCFS will provide direction to districts on Chapter 57 requirements in separate correspondence.

OTDA has developed Performance and Accountability Matrices that will be posted on the OTDA website. The Matrices will be updated quarterly based upon monthly data. OTDA staff will maintain the Matrices using information provided by districts. Each program area's goals, outcomes and source of outcome data is described below.

TANF Services

TANF Services Projects are designed to provide districts with flexibility in delivering services to families in receipt of temporary assistance and low-income families below 200% of poverty. Depending on local needs districts may direct TANF funding to a variety of projects as specified in their FFFS Plan. Each district that allocates funds to a TANF Services project or projects must indicate the number of projects and estimated number of families to be served on the TANF Services Project Summary page of the Plan. To meet the reporting requirement, districts will submit a monthly report on the number of projects and number of families served for that month (broken out by TA or 200% of Poverty) for each project funded through FFFS on the FFFS Performance Report (Attachment 6). Beginning April 1, 2007, this report must be submitted monthly by the 15th of the following month to the OTDA mailbox at otda.sm.dta_btp@otda.state.ny.us. This is the same mailbox that is used for submitting the district's FFFS Plan. Please note that performance/outcome results are for the activity that occurs during the reporting month, and does not necessarily reflect use of 2007-08 TANF funds.

In order to have consistent reporting, the number of families reported each month is to be unduplicated within each project. A family that is served more than once per month in a project should be counted only once. A family that receives services from more than one project in a month should be counted once per month in each project.

Districts that do not use FFFS funds for any TANF Services Projects will not enter any numbers in the TANF Services Project section of the FFFS Performance Report.

Drug and Alcohol Assessment and Monitoring

Many districts utilize FFFS funds for the costs of assessing TANF clients for drug and alcohol abuse and for monitoring the client's attendance and progress in mandated substance abuse treatment. Since provision of assessments are based upon the number of individuals identified as appropriate for assessment there is no established goal. Performance data for Drug and Alcohol Assessment and Monitoring will come from the FFFS Performance Report and from WMS employability codes. (Please note that Safety Net drug and alcohol assessments are to be reported on the FFFS Performance Report. These numbers will not be included in the Performance and Accountability Matrices).

The FFFS Performance Report replaces the "Drug and Alcohol Quarterly Assessment Report". (See Drug/Alcohol Coordinator letters dated 7/20, 11/15 and 12/1/06.) Any questions should be directed to Mark Madden at 518-473-8870 or Mark.Madden@otda.state.ny.us.

Statutory Domestic Violence Liaison

Districts often use FFFS funds for the costs associated with screening temporary assistance applicants and recipients for domestic violence. The purpose of the screening is to give victims of domestic violence the option of receiving a waiver from eligibility requirements that would place the victim and/or children in danger. Performance of this function is the goal. Performance data will come from the DV reporting subsystem of WMS.

TANF Employment Services

Participation in employment services, including work activities, for the purpose of calculating the federal participation rate must continue to be reported using existing reporting mechanisms (e.g., Welfare-To-Work Caseload Management System for all districts other than NYC and the New York City Work, Accountability and You (NYCWAY) system for NYC). Requirements for documenting and reporting hours of participation in work activities for households with children are detailed in 06-ADM-17.

The following aggregated participation-related data for households with children receiving temporary assistance, as generated by the State Participation Rate Reporting Logic (sample based data for NYC) will be summarized with the claiming for TANF employment services, by district in accordance with the requirements of Chapter 57 of the Laws of 2007.

- Number of employability assessments completed.
- Number of adults engaged by work activity.
- Number of participating countable cases.
- Combined federal participation rate. (TANF/SN MOE)
- Number of engaged, but not countable cases.
- Combined engagement rate. (TANF/SN MOE)

2. Non-custodial Parents Participating in Work Activities

Section 411(a)(4) of the Personal Responsibility and Work Opportunities Reconciliation Act (PRWORA) requires states to report, on a monthly basis, the number of non-custodial parents participating in TANF or MOE funded federal work activities, as defined in section 409(d) of the Act.¹ Failure to report in an accurate and timely way on this and other data elements can result in large financial penalties that could severely limit the amount of TANF funding for programmatic purposes.

As a result of this requirement, and because most or all districts use some of their FFFS allocation to support federal work activities, districts are required to include on the FFFS Performance Report the monthly unduplicated number of non-custodial parents participating in work programs funded through FFFS. If a non-custodial parent is served in more than one month, include them for every month they are served. If no non-custodial parents are served in a month, enter zero for that month. Information on non-custodial parent status can be obtained directly from the program participant or from the LDSS-4726 *TANF Services Application/Certification*, either from the cover sheet or from question F in Section 1. In the latter instance clients may not be required to answer section F if they qualify for services in some other way.

Note that there are two situations where a district does not need to include a participating non-custodial parent in the report. First, it is not necessary to include non-custodial parents who are verified as active in a Family Assistance or Safety Net Assistance case containing a minor child. Second, districts do not have to report non-custodial parents who are served by state-contracted providers you are allocating funds to – these providers will be required to report directly to the state on the number of non-custodial parents they serve.

3. Other Reporting Requirements

For programs funded as Title XX Below 200 Percent, FFFS Direct Child Welfare Services, Child Care, EAF JD/PINS, EAF NYC Tuition and PINS/Prevention/Detention Diversion Services, the planning requirements will be met through the district's Child and Family Services Plan. Please refer to 06-OCFS-LCM-05, Guidelines and Instructions for Preparing Child and Family Services Plans, which was issued on May 23, 2006, for further information on these plan requirements and deadlines.

After March 31, 2007, districts should no longer submit Attachment 6, "Sample Reporting on Households Served" from 05-ADM-11 or Attachment 10, "Combined TANF Allocation Reporting on Households Served" from 06-ADM-08. Included on these attachments is reporting for TANF Services, Drug/Alcohol Assessments and Non-Custodial parents participating in work activities. All of these reporting categories are included in the new FFFS Performance Report.

¹ Include non-custodial parents participating in any of the following activities: (1) unsubsidized employment; (2) subsidized private sector employment; (3) subsidized public sector employment; (4) work experience (including work associated with the refurbishing of publicly assisted housing) if sufficient private sector employment is not available; (5) on-the-job training; (6) job search and job readiness assistance; (7) community service programs; (8) vocational educational training (not to exceed 12 months with respect to any individual); (9) job skills training directly related to employment; (10) education directly related to employment, in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency; (11) satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence, in the case of a recipient who has not completed secondary school or received such a certificate; and (12) the provision of child care services to an individual who is participating in a community service program.

VI. Systems Implications

None

VII. Effective Date: Immediately

Issued By:

Name: Russell Sykes
Title: Deputy Commissioner, Division of Employment and Transitional Supports
Division/Office: NYS Office of Temporary and Disability Assistance

Issued By:

Name: William T. Gettman, Jr.
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