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| LOCAL COMMISSIONERS MEMORANDUM |  
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Transmittal No: 92 LCM-9

Date: January 13, 1992

Division: Family & Children  
Services

TO: Local District Commissioners

SUBJECT: Foster Care: Tuition Reimbursement for Educationally Handi-  
capped Foster Children Placed in Child Care Institutions

ATTACHMENTS: SED Computerized Report (not available on-line)

I am writing to request 1990/91 tuition information for educationally handicapped children which you report to us in accordance with Article 81 of the Education Law and 82 ADM-36. This process is the same as the procedure we used in our previous mailing of November 28, 1990 in 90 LCM-191.

As you know, Article 81 of Education Law states that the tuition costs for a foster child placed in a child care institution are the responsibility of the social services district placing the child. These costs are reimbursed on a 50% local and 50% state funding basis. Section 4004 of Article 81 provides a mechanism for social services districts to obtain additional reimbursement to offset some of the 50% local share of tuition costs for an educationally handicapped foster child placed in a child care institution. This additional reimbursement represents the transfer of the local school district's share of the cost of educating the child had the child continued in that school district. This is explained in 82-ADM 36.

The procedure outlined in 82-ADM 36 and the additional requirements specified below are an effort by this Department to reduce tuition costs to social services districts through this transfer of funds. We encourage all social services districts to participate in this process. Local districts that do not report this information are foregoing potentially significant revenue. Thus, you should consider the opportunity for additional reimbursement through this process.

Local district participation in this effort results in tangible rewards. Over the last three years, the Department reimbursed 40 participating local districts with payments totaling \$2,897,041. This represented an annual average of \$24,142 for each county; though there was a wide range of

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payments (between \$1,000 and \$200,000) depending on the size of the county's institutional population and the local district's effort to maximize this reimbursement process.

Please share this memorandum with your Director of Services and Accounting Supervisor for purposes of completing the information required below.

Enclosed is a computerized report listing the educationally handicapped children whose eligibility may provide you additional reimbursement for the 1990/91 school year cycle beginning September 1990 and ending June 1991. The data printed on the left side of the report comes from DSS-3424 forms which you completed and sent to us. The blank areas shown by the dotted lines require information that must be completed at this time. You may keep a copy of the entire listing for your records.

**\*\*Note\*\*** If you have not participated in this process, to date, or did not submit any DSS-3424 records for the 1990/91 school year, you may not have a computerized report enclosed. You may, however, still participate in the 1990/91 process by submitting the required forms and data. Please call the state contact immediately for technical assistance.

Each district must verify the preprinted information and complete the following data for the children listed:

- o H/C (Handicapping Condition) - Indicate only one handicapping condition (see report for list of conditions).
- o R/C (Racial/Ethnic Category) - Indicate only one category (see report for list of categories).
- o School (to whom tuition was paid) - This is the education provider which may or may not be the same as the maintenance provider.
- o Program - Specify the name of the child care institution or RTF.
- o Dates of education enrollment - Specify dates of enrollment.
- o Total educational cost paid - Specify amount of tuition paid.

Following are additional comments from the staff of the State Education Department based on their experience with previous submissions:

- o If the child was discharged from care (i.e., returned home, aged out of program, etc.) the discharge-related data must be entered on the report.
- o It is required that the preparer in each local district enter his/her name, title, telephone number and date of completion at the

end of his/her district's report. This is necessary in the event the STAC Processing Unit in the State Education Department requires further input for processing.

- o Each district section of the report includes three "Add" sheets which are printed in the same format, but have no child data preprinted on them. They are to be used for additional entries, i.e., children for whom there were no DSS-3424 records on file when the report was generated. If additional children are placed on this report, completed DSS-3424 forms must be included for those children. No new entries will be processed without the appropriately completed forms.

As you know, eligibility to receive a school district basic contribution pursuant to SSL 153.11 is based on three primary factors:

1. The child must be placed in a child care institution or residential treatment facility after July 1, 1981 by a public agency (i.e., social services district, DFY or the Family Court).

**\*\*Note\*\*** The State Education Department has clarified that reimbursement for placements out-of-state will be approved for educational facilities included in the "Approved List" published by the SED.

2. The child must be determined handicapped by a public school district's Committee on Special Education (CSE).
3. The school district where the child resided at the time the public agency assumed care and custody must be notified of its financial responsibility using DSS-3424 as prescribed by 82 ADM-36.

Please return forms by February 15, 1992 to:

Daniel Zeidman  
Bureau of Resource Management  
Department of Social Services  
11th Floor Section "A"  
40 North Pearl Street  
Albany, New York 12243

If you are not able to return forms by the specified date, please request an extension. Failing to do so may result in the loss of reimbursement for that school year.

If you have any questions regarding the above procedures, please feel free to contact Daniel Zeidman of this office. The telephone number is 1-800-342-3715, extension 4-9572.

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Joseph Semidei  
Deputy Commissioner  
Division of Family and  
Children Services