



**NEW YORK STATE  
DEPARTMENT OF FAMILY ASSISTANCE  
George E Pataki, Governor**

**Robert Doar**  
Commissioner  
Office of Temporary & Disability Assistance

**John A. Johnson**  
Commissioner  
Office of Children and Family Services

**Administrative Directive**

**Section 1**

<b>Transmittal:</b>	06-ADM-08
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office:</b>	OTDA Division of Employment and Transitional Supports OCFS Division of Administration
<b>Date:</b>	June 7, 2006
<b>Subject:</b>	2006-07 Combined TANF Allocation
<b>Suggested Distribution:</b>	Temporary Assistance Directors, Directors of Services, Accounting Directors and Employment Coordinators
<b>Contact Person(s):</b>	<b>OTDA – Plan</b> – Jane Wagner (518) 474-8905; Susanne Haag (518) 486-6291 <b>Fiscal – Region 1-4</b> – Carolyn Oleyourrk (518) 474-7549; <b>Region 5</b> – Michael Borenstein (631) 854-9704; <b>Region 6</b> – Marian Borenstein – (212) 961-8250 <b>Employment</b> – John James (518) 473-3123 <b>OCFS - Budget</b> – Deborah Hanor (518) 474-1361 <b>Plan</b> – Larry Pasti (518) 561-8740
<b>Attachments:</b>	Appendix A – TANF Funded State Level Contracts Attachment 1 – 2006-07 Combined TANF Allocations Attachment 2 – Combined TANF Allocation Template Front (blank) Attachment 3 – Combined TANF Allocation Template Back (blank) Attachment 4 – Combined TANF Allocation Front (sample) Attachment 5 – Combined TANF Allocation Template Back (sample) Attachment 6 – Revenue Intercept Letter Attachment 7 – Combined TANF Allocation Certification Letter Attachment 8 – TANF Services and Employment Projects Summary Form Attachment 9 – 2006-07 Child Welfare Thresholds Attachment 10 – Combined TANF Allocation Reporting on Households Served
<b>Attachment Available On – Line:</b>	<input checked="" type="checkbox"/>

**Filing References**

<b>Previous ADMs/INFs</b>	<b>Releases Cancelled</b>	<b>Dept. Regs.</b>	<b>Soc. Serv. Law &amp; Other Legal Ref.</b>	<b>Manual Ref.</b>	<b>Misc. Ref.</b>
97 ADM-23 98 ADM-03 01 ADM-10 00 LCM-20 03 OCFS-LCM-19 05 ADM-11					Ch. 53 of the Laws of 2006

## Section 2

### I. Summary of the 2006-07 Combined TANF Allocation ADM

- The Flexible Fund for Family Services (FFFS) has again been enacted in the 2006-07 State Fiscal Year (SFY) budget at a level of \$1.025 billion. Additionally another \$16.2 million has been made available through TANF re-appropriations for a total allocation of \$1.0412 billion. Throughout this Directive the term “Combined TANF Allocation” is used to refer to funding provided from the 2006-07 FFFS and TANF re-appropriations. The purpose of this Administrative Directive (ADM) is to provide local social services districts (LSSDs) with individual district allocation amounts, pertinent planning information, and the forms and procedures for implementing the Combined TANF Allocation program. It should also be noted that the Combined TANF Allocation will now operate within the context of a newly reauthorized TANF Block Grant at the federal level which requires that states meet a work participation rate of 50% as of October 1, 2006. (This rate may be reduced by any caseload reduction credit occurring between October 1, 2005, and September 30, 2006.) Failure to meet the effective work participation rate exposes New York State (NYS) and LSSDs to the risk of significant federal penalties. These work participation rates apply not only to TANF cases but also family cases under the State’s Safety Net Assistance Program. Therefore, resource allocations from the Combined TANF Allocation should be made at the LSSD level for programs, services and staffing that assist the district in meeting this increased work participation rate.

The core goal of the TANF program continues to focus on moving families into the workplace through diversion, short term training, job placement, the provision of necessary support services such as child care, transportation, food stamps and the Earned Income Tax Credit (EITC), and additional case services. These efforts constitute the best avenues to lower the TANF caseload, therefore assisting in meeting increased work participation rates and in helping families transition to self-sufficiency through a combination of wages, the EITC and other support services. The increased federal work participation rate requirements mentioned above were enacted as part of TANF Reauthorization under the Deficit Reduction Act of 2005 (P.L. 109-171) and outlined in more detail in a letter that was sent to all LSSDs by Commissioner Doar and Deputy Commissioner Sykes on January 18, 2006. These new realities will require LSSDs to reevaluate and likely direct additional resources to welfare-to-work efforts.

Therefore, when determining how to use the Combined TANF Allocation funds, LSSDs must consider the level of resources necessary to achieve the combined TANF/MOE work participation rate requirements that will be in effect as of **October 1, 2006**, in addition to increased emphasis on employment and other support services that most directly help move applicants and recipients of TANF and families receiving Safety Net Assistance into the workplace. **Those LSSDs not currently achieving the required participation rates of 50% for “All Families” and 90% for “Two-Parent” families are strongly encouraged to review their employment programs and develop a plan for continuous increases in participation to achieve these federal participation rate requirements.**

- This year the Combined TANF Allocation encompasses nearly all Temporary Assistance for Needy Families (TANF) programs administered by LSSDs which are funded with the TANF Services Block Grant. These include locally designed TANF services projects and New York Works Block Grant funded employment services, Summer Youth Employment, Community Solutions for Transportation, Statutory Drug/Alcohol assessment and monitoring, Domestic Violence Liaison, Non-Residential Domestic Violence Services, transfers to the Child Care and Development Fund (CCDF) under the New York State Child Care Block Grant (CCBG) and to Title XX and, certain child welfare services. Note that the separately funded state-level Child Care Block Grant allocations for the period April 1, 2006 to March 31, 2007 totaling \$352.82 million were issued under 06-OCFS-LCM-04 on May 12, 2006. Since there is no separate

TANF child care allocation identified in this year's Combined TANF Allocation in the enacted Budget (as there was last year) and because child care plays such an essential role in moving TANF families to employment and helping sustain the working poor, LSSDs will almost certainly need to supplement the CCBG by transferring a portion of their Combined TANF Allocation funds in order to respond to the needs of eligible clients in their local districts and to meet new increased TANF work participation rates. **The increased FFFS funding from last year's \$600 million to this year's combined total of \$1.0412 billion is more than sufficient to allow districts to keep overall child care spending at least at the previous year's level, or higher if they so choose.**

- The level of this year's Combined TANF Allocation also included funds needed to support the Summer Youth Employment Program (SYEP). A statewide value of \$30 million was made available for this summer's program, and because of the more pressing timeframes for planning and operating an SYEP, LSSDs who wished to continue the program have already had the opportunity to choose whether to allow OTDA to contract directly with local Workforce Investment Boards (WIBs) on their behalf or to retain their share of these funds in their Combined TANF Allocation to locally administer a SYEP or some other allowable TANF program. As a result, 47 LSSDs have asked the state to directly contract on their behalf with local WIBs and 11 LSSDs retained their SYEP allocations in the Combined TANF Allocation and plan to operate a SYEP locally either directly or through contracting.
- In SFY 2005-06, a number of provider based programs were directly funded at the State level and were available for LSSDs to operate and, if desired, to expand with their Combined TANF Allocation funds. The enacted 2006-07 State Budget did not contain separate funding for many State sponsored contracts/programs and so **LSSDs will need to decide whether to include such programs in their allocation decisions, depending on how important they are to the district's efforts under TANF.** A complete list of impacted programs and their scheduled end dates are included in this Directive. In some cases, these programs have funding from previous years that can carry them forward for some period of time during the state fiscal year, requiring only partial year funding using Combined TANF Allocation funds. LSSDs may choose to dedicate a portion of their Combined TANF Allocation to continue these programs by using the State level agreement as the vehicle to do so, or may decide to contract directly with these provider agencies locally.
- As LSSDs increase their focus on meeting work participation rates, many LSSDs are also re-examining the issue of independent assessments of medical barriers to employment. OTDA is currently establishing a State level contract(s) which will provide for these assessments on behalf of interested LSSDs. As such, Combined TANF Allocation funds may be used to cover the cost of these assessments for TANF and Safety Net (SN) Maintenance of Effort (MOE) recipients.
- **The core principle of the Combined TANF Allocation is that LSSDs are in the best position to identify needs and deploy TANF resources to meet the unique needs of their caseload and local labor markets.** LSSDs are required to review their Combined TANF Allocations in light of such locally identified service needs and determine the manner and amounts of funding distributions which will best respond to these needs. LSSDs should also consider the availability of non-Combined TANF Allocation resources in their planning.
- The Combined TANF Allocation planning process also provides LSSDs with a good opportunity to use the needs assessments conducted as part of the required Child and Family County Services Plan in relation to the LSSD's child care, child welfare and adult services needs. Included among the factors to be considered are: LSSD administrative costs; child welfare services historically funded by TANF EAF funds and by TANF funds transferred to Title XX (Title XX Below 200 Percent funds); other services historically funded with TANF funds transferred to Title XX (Title XX Below 200 Percent funds); child care services historically funded by a LSSD's

CCBG allocation that include funds transferred from TANF; the adequate overall level of supporting child care services necessary for LSSDs to meet federally prescribed work participation rates and to serve low income families; employment services; and the needs of individuals and families in the caseload that must be addressed to assist them to achieve self-sufficiency and personal responsibility.

- The child welfare threshold that was first enacted as part of the SFY 2005-06 State Budget is continued in the SFY 2006-07 State Budget. A district should consider the threshold when determining how much of its Combined TANF 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 Combined TANF Allocation funding an LSSD 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 is to preclude an LSSD from replacing Federal funds for child welfare expenditures with State reimbursement and to encourage districts to maintain or increase total spending for these essential programs.
- Regarding transfers of TANF funds to other areas, federal requirements allow for a combined 30% or \$732 million transfer from the State's TANF Block Grant to the Child Care Development Fund and Title XX. Of this \$732 million, LSSDs may transfer a maximum of 10% of the total TANF grant or \$244 million in the aggregate from the Combined TANF Allocation to the Title XX Block Grant.

Thus, LSSD Block Grant transfers should remain within the following percentages against the \$1,041,200,000 Combined TANF Allocation for SFY 2006-07. 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.

- 70 percent to the Child Care Development Fund
  - 23 percent to the Title XX Block Grant
  - 70 percent combined to the Child Care Development Fund and Title XX Block Grant
- LSSDs must notify the Office of Temporary and Disability Assistance (OTDA) of the results of their fund distribution decisions by submitting a simple one-page front and back Combined TANF Allocation Plan, a certification letter and Combined TANF Services and Employment Projects Summary Form no later than July 15, 2006. The Combined TANF Allocation Plan will be shared with the Office of Children and Family Services (OCFS).
  - The 2006-07 Combined TANF Allocation Plans as well as the 2005-06 FFFS Plans may be amended during the course of the fiscal year as LSSDs perceive the need to make service adjustments. The exceptions to this provision are: the amount of the CCDF transfer; the Title XX transfer; and EAF Child Welfare including Child Welfare TANF Direct. The transfer amounts are fixed once submitted by OTDA to the U.S. Department of Health and Human Services. The EAF Child Welfare amount including Child Welfare TANF Direct may not be changed after March 31, 2007, in order for settlements to be processed. Each year's plan is a standalone document. The 2005-06 FFFS Plan continues to be active until all funds associated with the plan are expended and claimed. An LSSD must notify OTDA of any changes to its plan(s) within 30 days of implementing the change by submitting a revised Plan(s). The revised Plan(s) will be shared with OCFS.
  - OTDA contacts for plan development and submission issues are Jane Wagner and Susanne Haag, by phone at the numbers listed on the first page of this Directive, or by e-mail at [otda.sm.dta\\_btp@otda.state.ny.us](mailto:otda.sm.dta_btp@otda.state.ny.us). 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

(518) 561-8740, or via e-mail at [Larry.Pasti@ocfs.state.ny.us](mailto:Larry.Pasti@ocfs.state.ny.us). Contact individuals for all other issues are noted in the ADM.

## **II. Purpose**

The purpose of this ADM is to provide LSSDs with allocations (see Attachment 1), information, forms and procedures necessary to implement the Combined TANF Allocation. The Combined TANF Allocation requires the submission of a one page front and back Combined TANF Allocation Plan, a certification letter and a Combined TANF Services and Employment Projects Summary form to OTDA by July 15, 2006 for approval by OTDA and OCFS. The plan template, as well as program and fiscal guidelines, are included in this release.

In preparing their Combined TANF Allocation Plans, LSSDs are strongly urged to maintain or increase the focus on job preparation and placement supports for applicants and recipients of TANF and Safety Net MOE, and to carefully consider the level of resources necessary to achieve the combined federal work participation rates of 50% for "All Families" and 90% for "Two-Parent Families" receiving assistance funded either by TANF or through maintenance of effort (MOE) funds.

With the new challenges of TANF reauthorization and participation rate compliance, LSSDs are also urged to give child care funding a priority in developing this year's plan. Given the changes in child care funding in the SFY 2006-07 Budget, it is also important for LSSDs to evaluate their overall child care needs for this and other purposes when determining the amount of the Combined TANF Allocation to be transferred to the CCDF.

## **III. Background**

Last year, the State enacted the Flexible Fund for Family Services to provide LSSDs with flexibility in meeting the non-assistance needs of public assistance and low income families. The total funding for the Combined TANF Allocation for SFY 2006-07 is \$1,041,200,000. This figure includes \$1.025 billion from the enacted Budget, combined with a second source of re-appropriated funds in the amount of \$16.2 million statewide. Included among the services that may be funded with the enacted Budget amount are Child Care, Non-Residential DV, Transportation and Summer Youth Employment. This year's Combined TANF Allocation funding level provides LSSDs with greater control over the level of funding to assign to child care from TANF, as the previous TANF set-aside for child care funding is rolled into the Combined TANF Allocation, while permitting each LSSD to determine the amount of Combined TANF Allocation funds that will be used to supplement other child care funding.

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

In SFY 2005-06, a number of programs were directly funded at the State level and were available for LSSDs to participate in and, if desired, to expand with their FFFS funds. In the SFY 2006-07 Budget no State level set aside has been established for these programs. LSSDs will need to

identify those programs that they wish to continue to have available and identify the level of funding they wish to commit to them.

The Combined TANF Allocation does NOT include the TANF funds for temporary assistance (TA) benefit costs. LSSDs' costs for TA benefits historically have been reimbursed at 50 percent from separate TANF funds and 25 percent State, provided that the State meets the TANF Maintenance of Effort (MOE) requirements.

Certain programs that have little or no LSSD operational requirements are funded separately by TANF. These programs include Alternatives to Incarceration, Adolescent Pregnancy Prevention Services, Food Pantries, Home Visiting Program, Pregnancy Prevention and the Women, Infants and Children (WIC) nutrition program.

## **IV. Program Implications**

### **A. Description of Combined TANF Allocation Components**

The Combined TANF Allocation is designed to provide the LSSDs with maximum flexibility in determining how best to respond to identified local needs for services based on their caseload composition, local labor markets and any other unique factors. Each LSSD may use its allocation for any of the following components:

- **TANF Services and Employment Services**
  - TANF Employment Services (including assessments, job placement and retention services, job preparation activities, and employment-related transportation)
  - TANF Services (including the Transitional Opportunities Program)
  - Drug and Alcohol (Statutory D/A Assessment/Monitoring)
  - Domestic Violence (Statutory DVL Function)
  - Non-Residential Domestic Violence Services
- **Title XX Transfer**
  - Child Welfare Services
  - Other Title XX Services
- **Child Care Transfer**
  - Child Care Subsidies, including direct services and training
  - Limited Child Care Administration, including limited Child Care Fraud and Abuse Administration activities
- **Child Welfare Other Than Title XX Transfer**
  - Child Welfare (EAF and 200 percent)
  - EAF JD/PINS (foster care/tuition)
  - NYC Foster Care Tuition
  - PINS/Prevention/Detention Diversion Services
- **Other Costs**
  - State Administered Contracts

- **Administration**

- TANF Administration
- EAF Child Welfare Administration

- Any other non-assistance activities that fit within the federal TANF rules and stay within the statewide limits for administration or block grant transfers. These costs should be included on the TANF Services or TANF Employment lines for those activities intended to engage clients in job preparation and employment.

Program descriptions and associated eligibility and claiming issues for each of these components are discussed below. Reporting and plan requirements for these components are discussed in Section V.D.

## 1. Employment and Other TANF Services

- TANF Employment Services
- TANF Services (including the Transitional Opportunities Program)
- Drug and Alcohol (Statutory D/A Assessment/Monitoring)
- Domestic Violence (Statutory DVL Function)
- Non-Residential Domestic Violence Services

LSSDs must first consider the level of resources necessary to achieve the combined TANF/MOE work participation rate requirements that will be in effect as of **October 1, 2006** in addition to what employment services most effectively help applicants and recipients of TANF and families receiving Safety Net Assistance enter the workplace and maintain employment. An LSSD also may choose to use a portion of its Combined TANF Allocation for Employment and other TANF Services provided to families, children and non-custodial parents who are at or below 200 percent of the federal poverty level, and 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.

These programs 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.

### Services Requirements

- LSSDs are required to meet federal participation rates of 50% for “All Families” and 90% for “Two Parent Families” receiving assistance supported by federal TANF or MOE funds.
- LSSDs are required to assess all individuals 18 years of age and older (including individuals who are 16 or 17 years of age who have not completed secondary school and have not obtained a high school diploma or equivalency) in households with dependent children, in accordance with federal and State requirements, and to engage non-exempt individuals in work activities which will assist individuals to enter the workforce and move families to self-sufficiency.

- The Drug and Alcohol program assurances in accordance with 97 ADM-23 and 01 ADM-10 and subsequent releases apply.
- The Domestic Violence program assurances in accordance with 98 ADM-3 and subsequent releases also apply.
- Non-Residential Domestic Violence funding may be used for core and/or optional services provided by approved Non-Residential Domestic Violence 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](http://www.ocfs.state.ny.us). Any SFY 2006-07 combined TANF allocation funds dedicated to Non-Residential Domestic Violence may be used for expenditures made from October 1, 2005 through September 30, 2006, and claimed through March 31, 2007. LSSDs may adjust their indicated amount of the combined TANF allocation funds dedicated to Non-Residential Domestic Violence prior to March 31, 2007. After March 31, 2007, no changes to the amount of the combined TANF allocation funds dedicated to Non-Residential Domestic Violence can be made, in order for the SFY 2006-07 Adult Protective/Domestic Violence settlement to take place.
- Since the enacted Budget re-appropriated prior year funds for the Non-Residential Domestic Violence Program, any unspent amounts from previous years can now be spent until June 30, 2007 with claims submitted by August 15, 2007.
- Allowable services must meet the federal definition of non-assistance. Combined TANF Allocation funds cannot be used to provide "assistance" for expenditures other than those made as a result of transferring Combined TANF Allocation funds to Title XX (Title XX Below 200 percent) or the Child Care Development Fund; or for EAF for JD/PINS foster care costs funded directly with Combined TANF Allocation 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 an 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, LSSDs 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, 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. Combined TANF Allocation funds also may 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 as such constitutes a diversionary activity.

Note: Transportation services, (other than those provided to support applicant job search or to assist **employed** individuals) 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.

- Combined TANF Allocation funds cannot be used for medical services.
- Combined TANF Allocation services may be provided only to 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, other than Combined TANF Allocation 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. For CY 2006, the income standards are as noted below:

**2006 HHS Poverty Guidelines (effective June 1, 2006-May 31, 2007)**

<b>Persons in Family Unit</b>	<b>Poverty Level</b>	<b>200 Percent of Poverty</b>
1	\$9,800	\$19,600
2	\$13,200	\$26,400
3	\$16,600	\$33,200
4	\$20,000	\$40,000
5	\$23,400	\$46,800
6	\$26,800	\$53,600
7	\$30,200	\$60,400
8	\$33,600	\$67,200
For each additional person, add	\$3,400	\$6,800

**Additional Employment Program Considerations**

A primary goal of the TANF program continues to be helping low-income families enter the workforce and achieve self-sufficiency. The increased federal work participation rate requirements enacted by the Deficit Reduction Act of 2005 (P.L. 109-171) and outlined in a letter that was sent by Commissioner Doar and Deputy Commissioner Sykes on January 18, 2006, will require LSSDs to reevaluate and likely direct additional resources to welfare-to-work efforts. In deploying resources from the Combined TANF Allocation and other sources, helping families enter the workplace and achieving the combined federal participation rates of 50% for “All Families” and 90% for “Two-Parent Families” receiving assistance that is supported by TANF or maintenance of effort (MOE) funds to avoid significant fiscal penalties, must be priorities. LSSDs must devote the resources necessary from Combined TANF Allocation and other sources (e.g., local administration fund, local funds) to achieve the

increased participation rate requirements and to provide needed ongoing job preparation and placement services to clients.

As noted above, employment services for TANF eligible individuals and families must be supported by funding provided through the Combined TANF Allocation. Employment services provided to Safety Net Families that have exhausted their TANF eligibility must constitute non-assistance. Funds from the Local Administration Fund (LAF) allocation must be used to support the State 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. See 06 LCM-02 for each LSSD's LAF allocation. Additionally, the SFY 2006-07 Budget provides enhanced State funding (Work Incentive Funds) of up to \$11.4 million which has been allocated to LSSDs through the LAF and is contingent on LSSDs achieving the required participation rates for families receiving assistance. Fifty percent of the Work Incentive funds provided to LSSDs will be based on achievement of the fifty percent Family Assistance participation rate, and the remaining fifty percent based on achievement of the separate fifty percent participation rate for families receiving Safety Net assistance. The basis for determining whether a LSSD has achieved these required rates will be the monthly average participation rate for the period of October 1, 2006 to December 31, 2006. These enhanced State funds provide additional resources to assist LSSDs with achieving work participation rate and should be used to support additional employment services to families receiving temporary assistance.

Section 331 of the Social Services Law requires the establishment of programs which provide employment services to applicants and recipients of TA which assist participants in achieving economic independence. LSSDs 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 local plan required by Section 333 of the Social Services Law and approved by OTDA. LSSDs are afforded maximum flexibility in developing and implementing WTW employment programs but, at a minimum, 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 and assess client supportive services needs to support job entry.
- Engage TA and Food Stamp recipients in work and work preparation activities as required to achieve work participation rates and to maximize job placements.

LSSDs are strongly encouraged to consider the following questions in determining whether sufficient resources, including funds from the Combined TANF Allocation, have been committed to enable the LSSD to achieve the combined TANF/MOE federal participation rates and to retain the work incentive funds that have been provided:

- Do current procedures ensure that clients are informed that individuals who apply for or receive temporary assistance are required to work and that mechanisms are in place so clients are assessed and engaged in work activities as soon as possible (e.g., during the application period), but no later than case opening?

- Has the LSSD reviewed their process for conducting employability determinations to ensure that such determinations are accurate and based on current information?
- Is the LSSD utilizing an independent medical provider to determine employability or potential eligibility for disability benefits?
- Are temporary assistance applicants or recipients who the LSSD has determined are exempt from work requirements, but have the potential to be restored to self-sufficiency, referred to and required to participate in health care or rehabilitation which a health care practitioner has determined is needed in order to assist the individuals to restore their ability to work and participate in work activities?
- Has the LSSD developed a sufficient number and range of work activities to assist applicants and recipients to enter the workforce and to ensure that a sufficient number of individuals are engaged in countable work activities for the number of hours needed to meet federal participation rate requirements? Are additional subsidized jobs or vocational training opportunities needed?
- Are all available resources fully used? For example, LSSDs should reevaluate the extent to which State-level contracts or other community resources are used to maximize client engagement and job placements.
- Does the LSSD have a process in place to engage sanctioned clients? LSSDs may want to consider scheduled home visits to sanctioned clients to uncover any barrier to program participation or monthly eligibility meetings for those in sanction status to review case circumstances and discuss plans for self-sufficiency.
- Are LSSD job development and job placement efforts fully staffed and emphasized? Unsubsidized employment is the goal of WTW efforts and may also assist districts with meeting work participation rate requirements and maximizing the caseload reduction credit in those instances where the individual's income is sufficient to close the temporary assistance case. LSSDs with OTDA Jobs Program staff should ensure these staff receive a sufficient number of referrals and are otherwise engaged in job placement efforts.
- Do current procedures support job retention for clients who obtain employment by ensuring that individuals who obtain employment are fully informed of the available work supports and transitional benefits including the Earned Income Tax Credit (EITC), transitional child care, food stamps and ongoing medical assistance to the extent eligible?

In addition to WTW employment programs that provide employment services to applicants and recipients of TA, LSSDs should consider using funds made available through the Combined TANF 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 eligible individuals and families with gross income at or below 200 percent of the federal poverty level, including non-custodial parents.

As previously discussed, with the new challenges of TANF reauthorization and participation rate compliance, LSSDs are also urged to give child care funding a priority in developing this year's plan. Given the changes in child care funding in the SFY 2006-07 Budget, it is also important for LSSDs to evaluate their overall child care needs for this and other purposes when determining the amount of the Combined TANF Allocation to be transferred to the CCDF.

## **2. Child Welfare and Social Services Other Than Foster Care Services**

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

LSSDs may choose to transfer a portion of their Combined TANF Allocations to Title XX for child welfare services, adult protective, domestic violence and/or other services. As in SFY 2005-06, there are no separate TANF allocations for these purposes. Under the SFY 2006-07 Budget, an LSSD may transfer up to 23 percent of its Combined TANF Allocation to Title XX, provided that the total amount the LSSD chooses to transfer to the Child Care Development Fund and Title XX combined may not exceed 70 percent of the LSSD's Combined TANF Allocation. As previously discussed in the Summary 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 LSSDs have not exceeded federally allowable maximums.

Any Combined TANF Allocation funds 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 Combined TANF Allocation funds 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. These Title XX Below 200 Percent Child Welfare Expenditures are reported and claimed on the RF-2 Schedule G and RF-2A Schedule D-2. Any child welfare services expenditures not reimbursed via Combined TANF Allocation funds transferred to Title XX (Title XX Below 200 Percent) for child welfare services or directly from Combined TANF Allocation funds may be eligible for 65 percent State child welfare financing reimbursement subject to the child welfare threshold provisions 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.

Any Combined TANF Allocation funds transferred to Title XX for services other than child welfare services, including adult protective and domestic violence services require additional eligibility criteria including that the household contain at least one child under the age of 18. These Title XX Below 200 Percent Other Services expenditures are reported and claimed on the RF-2 Schedule G in column 9 and column 11, and RF-2A Schedule D-2.

There is a separate set aside in the regular Title XX funds for expenditures for adult protective and domestic violence services. Any claims for adult protective and domestic violence services that exceed an LSSD's Title XX allocation and any Combined TANF

Allocation funds the LSSD 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. There is **no** State reimbursement available for other Title XX services that exceed the amount of other Title XX regular funds available to the LSSD and the amount of Combined TANF Allocation funds the LSSD chooses to transfer to Title XX for such other services. LSSDs should consider these facts when making Combined TANF Allocation decisions for these services.

The LSSD's transfer amounts are fixed once submitted by OTDA to the U.S. Department of Health and Human Services. Any SFY 2006-07 Combined TANF Allocation funds transferred to Title XX may be used for expenditures made from October 1, 2005, through September 30, 2006, and claimed by March 31, 2007.

**b. Child Welfare Services Directly Funded Under FFFS**

An LSSD may choose to use a portion of its Combined TANF Allocation funds directly to provide child welfare services without transferring the funds to Title XX. As in SFY 2005-06, there are no separate TANF allocations for TANF EAF Child Welfare Services. LSSDs continue to have greater flexibility in how they may use their Combined TANF Allocations directly for child welfare services. As in the past, these Combined TANF Allocation funds may be used directly for child welfare services for families that meet the TANF EAF child welfare eligibility criteria. In addition, Combined TANF Allocation 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 IV.A.1. for the federal income standards). LSSDs 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 Combined TANF Allocation funding.

The eligibility standards for TANF-EAF child welfare services are found in the OCFS Child Welfare Eligibility Manual Chapter 2. TANF-EAF expenditures for child welfare are claimed on the RF-2 Schedule H and the RF2A Schedule D-2. Further details can be found in the Fiscal Reference Manual Volumes 2, 3 and 4 available on the OTDA intranet site at [HTTP://otda.state.ny.net/bfdm/](http://otda.state.ny.net/bfdm/).

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 LSSD 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 LSSDs to the appropriate funding categories by the Services Random Moment Study (SRMS).

Although an LSSD may now use a portion of its Combined TANF Allocation funds 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. Instructions for using the special project claim form for this purpose are found in Section V, Required Actions, D. Claiming Instructions. The Combined TANF Allocation funds 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, 2005.

Child welfare services expenditures not reimbursed via the Combined TANF Allocation funds or Combined TANF Allocation funds 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 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 LSSDs may not use a portion of these Combined TANF Allocation funds 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 LSSD's reporting requirements. However, an LSSD may choose to transfer a portion of its Combined TANF Allocation to Title XX Child Welfare (Title XX Below 200 Percent) to use for its Preventive Housing Subsidy costs.

Any SFY 2006-07 Combined TANF Allocation funds dedicated to EAF Child Welfare and Child Welfare TANF Direct may be used for expenditures made from October 1, 2005, through September 30, 2006, and claimed through March 31, 2007. LSSDs may adjust their indicated amount of the Combined TANF Allocation funds dedicated to EAF Child Welfare Services and Child Welfare TANF Direct prior to March 31, 2007. After March 31, 2007, no changes to the amount of the Combined TANF Allocation funds dedicated to EAF Child Welfare Services or Child Welfare TANF Direct can be made, in order for the SFY 2006-07 child welfare services settlement to take place.

**NOTE: Child Welfare Threshold**

A LSSD should consider the child welfare threshold that was first enacted as part of the SFY 2005-06 State Budget and continues in the SFY 2006-07 State Budget when determining how much of its Combined TANF 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 Combined TANF Allocation funding an LSSD 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 an LSSD from replacing Federal funds for child welfare expenditures with State reimbursement. It also is intended to encourage LDSSs to maintain or increase total spending for these essential programs.

Under the threshold, an LSSD 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 Combined TANF Allocation funds it uses for such services in SFY 2006-07. However, if an LSSD wishes to receive an increase in the amount of State 65 percent child welfare services reimbursement in SFY 2006-07 over the level it received in SFY 2004-05, then the LSSD 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 LSSD chooses the first option, it must use from its Combined TANF Allocation funds (either directly and/or through transfer to Title XX) an amount that is equal to or greater than the amount of Federal reimbursement the LSSD received in SFY 2004-05 for child

welfare services from TANF EAF and TANF to Title XX combined. The State has not yet finalized the SFY 2004-05 settlements for all these funds. To facilitate LSSD planning, the State will continue to use the amount the LSSD was allocated or actually received from those two funding streams in SFY 2004-05, whichever is lower, as the LSSD's 2006-07 child welfare threshold amount. Each LSSD's SFY 2006-07 child welfare threshold is set forth in Attachment 9. For SFY 2007-08 and thereafter, each LSSD's child welfare threshold will be equal to the combined settlement amount that the LSSD received for TANF EAF Child Welfare and TANF to Title XX (Title XX Below 200 Percent) for child welfare services for SFY 2004-05. An LSSD 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 LSSD chooses the second option, it will be eligible for the same amount of State reimbursement as in SFY 2004-05. In addition, the LSSD will be able to receive State reimbursement for 65 percent of the amount the LSSD's gross child welfare claims in SFY 2006-07 exceed its gross child welfare claims for SFY 2004-05. The SFY 2006-07 child welfare settlement period is for expenditures incurred October 1, 2005, through September 30, 2006, and claimed through March 31, 2007; therefore, the threshold time frame is also October 1, 2005, through September 30, 2006, in order to be counted towards the LSSD's SFY 2006-07 threshold.

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

Pearl District's allocations for SFY 2004-05 TANF funds for Title XX Below 200 Percent and TANF-EAF combined for child welfare services was \$150.00; therefore its SFY 2006-07 threshold is \$150.00.

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.

	<b>SFY 2004-05 Threshold</b>	<b>SFY 2006-07 Maintain Gross</b>	<b>SFY 2006-07 Lower Gross</b>	<b>SFY 2006-07 Increase Gross</b>
<b>Gross</b>	\$250.00	\$250.00	\$225.00	\$300.00
<b>Federal</b>	<b>\$150.00</b>	<b>\$100.00</b>	<b>\$100.00</b>	<b>\$100.00</b>
<b>State</b>	\$ 65.00	\$ 65.00	\$ 65.00	\$ 97.50
<b>Local</b>	\$ 35.00	\$ 85.00	\$ 60.00	\$102.50

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

**c. PINS/Prevention/Detention Diversion Services**

An LSSD may choose to use a portion of its Combined TANF 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 Combined TANF 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 Combined TANF Allocation 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 Combined TANF Allocation 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. LSSDs 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 TRACS using project label "DET PREV FFFS 2006". The costs should be reported in either the non-administration or the administration columns depending on the nature of the expenditures. LSSDs 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 LSSDs may have two separate sources: FFFS funds the LSSD chose to dedicate to PINS/Prevention/Detention Diversion (DET PREV FFFS) or State funds (DET PREV ST05) allocated by OCFS. On June 28, 2005, 05-OCFS-LCM-09 announced the availability for application of \$3.8 million in SFY 2005-06 State funds to LSSDs for PINS/Prevention/Detention Diversion services. A separate LCM announcing the availability of SFY 2006-07 PINS/Prevention/Detention Diversion State funds will be issued. It is recommended that LSSDs claim against and should consider these available balances as they develop their Combined TANF Allocation fund planning strategies.

PINS/Prevention/Detention Diversion services expenditures not reimbursed via the Combined TANF Allocation may be eligible for 65 percent State child welfare financing reimbursement subject to the child welfare threshold provisions set forth above. (Note: However, the amount of TANF funds an LSSD received in SFY 2004-05 for PINS/Prevention/Detention Diversion Services is not included in the calculation of the LSSD's child welfare threshold nor will the amount of the Combined TANF Allocation funds that an LSSD chooses to use in SFY 2006-07 for such services count toward the LSSD meeting its child welfare threshold.) Those LSSD 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 Settlement**



The SFY 2006-07 child welfare services settlement is based on child welfare expenditures made from October 1, 2005, through September 30, 2006, claimed by March 31, 2007. The amount an LSSD chooses to dedicate out of its Combined TANF Allocation funds 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, 2007. 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 LSSD's expenditures for these services from October 1, 2005, through September 30, 2006, claimed by March 31, 2007, these expenditures are eligible for 65 percent State reimbursement, subject to the child welfare threshold.

Also settled during this time are SFY 2006-07 Title XX Adult Protective/Domestic Violence, Title XX All Eligible Services, Title XX All Eligible Services Below 200% Adult Protective/Domestic Violence, and Title XX All Eligible Services Below 200% non-Adult Protective/Domestic Violence. In regards to Adult Protective/Domestic Violence, after the appropriate Federal funding is applied against the LSSD's expenditures for these services from October 1, 2005 through September 30, 2006, claimed by March 31, 2007, these expenditures are eligible for 50 percent State reimbursement. In regards to All Eligible Services, after the appropriate Federal funding is applied against the LSSD's expenditures for these services from October 1, 2005 through September 30, 2006, claimed by March 31, 2007, these expenditures are not eligible for State reimbursement. During the settlement process, and in order to maximize Federal reimbursement to an LSSD, the State may request an LSSD to make a plan amendment.

### **3. Foster Care Services**

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

An LSSD may use a portion of its Combined TANF Allocation funding for expenditures for the care, maintenance, supervision and tuition of Juvenile Delinquents (JDs) and 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 Combined TANF Allocation funds 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.

Claiming for these expenditures is made on the RF-2 Schedule H.

SFY 2006-07 Combined TANF Allocation funds may be used to reimburse EAF JD/PINS foster care and tuition expenditures made from October 1, 2005, through September 30, 2006, and claimed through March 31, 2007.

Any expenditures that an LSSD opts not to reimburse with Combined TANF Allocation funds will be subject to State reimbursement to the extent of the LSSD's Foster Care Block Grant (FCGB) allocation. In previous years, 50 percent of a LSSD's Federal

TANF-EAF JD/PINS funds were used to offset the LSSD's FCBG allocation. As in SFY 2005-06, there no longer are any offsets taken against the FCBG appropriation for any portion of an LSSD's EAF JD/PINS foster care costs reimbursed under the Combined TANF Allocation in SFY 2006-07. Therefore, the full \$382.5 million allocation is available under the FCBG for the LSSDs, as well as the amounts the LSSDs opt to use out of their Combined TANF Allocations to cover these associated expenditures.

**b. New York City EAF Foster Care Tuition Costs**

New York City may use a portion of its Combined TANF 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 Combined TANF 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. Any expenditures that NYC opts not to reimburse with Combined TANF Allocation funds will be subject to State reimbursement to the extent of NYC's FCBG allocation. As in SFY 2005-06, there is no offset against NYC's FCBG allocation for any portion of its EAF Foster Care Tuition costs reimbursed under the Combined TANF Allocation in SFY 2006-07.

Claiming for these expenditures is made on the RF-2 Schedule H.

NYC may use its SFY 2006-07 Combined TANF Allocation funds to reimburse EAF foster care tuition expenditures made from October 1, 2005 through September 30, 2006, and claimed through March 31, 2007.

**NOTE: Separate TANF Reimbursement for EAF Foster Care Services**

An LSSD may NOT use its Combine TANF Allocation for any other EAF Foster Care Services. Instead, the TANF foster care swap provisions continue in the SFY 2006-07 Enacted State Budget. The TANF funds that are available to LSSDs for TA benefits will be used to reimburse the LSSDs 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 Combined TANF Allocation funds. 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 that process may continue when needed in order to ensure TANF Maintenance of Effort is met. LSSDs need to include that possibility as part of their evaluation of the use of the Combined TANF Allocation dollars.

**4. Other TANF Eligible Programs**

**a. Child Care**

The SFY 2006-07 enacted State Budget includes separate federal (CCDF) and State allocations for child care services. OCFS issued a separate Local Commissioners Memorandum (LCM), 06-OCFS-LCM-04 on May 12, 2006, that sets forth the LSSDs' child care allocations and the rules governing these funds. An LSSD may choose to supplement its child care allocation by transferring a portion of its Combined TANF

Allocation to the CCDF. In SFY 2005-06, as a benchmark for such decisions, \$371.1 million was specifically earmarked for child care subsidies and LSSDs chose to transfer an additional \$9.9 million for a total of \$381 million for child care subsidies. LSSDs may want to ensure that on a LSSD basis they transfer at least the amount of funding required to maintain the level of total allocations in 2005-06 or more if they so choose. Under federal statute, an LSSD may transfer up to 70 percent of its Combined TANF Allocation to the CCDF and Title XX combined, with no more than 23 percent of its Combined TANF Allocation being transferred to Title XX. As previously discussed in the Summary 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 basis.

An LSSD may only fund child care costs with Combined TANF Allocation funds by transferring a portion of the Combined TANF Allocation funds to the CCDF. Any Combined TANF Allocation 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 Child Care Block Grant claims.

Any funds transferred to the CCDF from an LSSD's SFY 2006-07 Combined TANF Allocation may be used for expenditures for the period October 1, 2005 through September 30, 2006 (FFY 2005-06) and/or for the period October 1, 2006 to September 30, 2007 (FFY 2006-07). Any FFY 2005-06 funds transferred to the CCDF must be claimed by March 31, 2007. Any FFY 2006-07 funds transferred to the CCDF will be subject to the claim deadlines for the FFY 2006-07 NYSCCBG.

#### **b. State Administered Programs**

In past years the State Budget included special appropriations to support a variety of programs and services administered at the State level. These included, but were not limited to, Education for Gainful Employment (EDGE), the Bridge Program and Wheels for Work. The Enacted SFY 2006-07 State Budget did not contain separate appropriations for many of these programs. In the absence of other resources, these programs will end once funding from prior years' budgets has been expended. LSSDs may decide to use a portion of their Combined TANF Allocation to continue these programs depending on their importance to the core goals of TANF to help families become employed and self-sufficient and, in the process of doing so, meet federal work participation rates.

1. Summer Youth Employment Program (SYEP) – LSSDs have been advised that funds to support the SYEP were included in calculating the Combined TANF Allocation. Because the success of this program depends heavily on timely funding decisions, OTDA has already surveyed LSSDs to determine their interest in supporting SYEP. LSSDs could:
  - Request that OTDA retain a portion of your Combined TANF Allocation and redirect these funds to the local workforce investment area to operate this summer's program. An LSSD can designate its share of the statewide value of the \$30M, or an amount that is less or greater than that share;
  - Retain the funds and choose to operate SYEP itself or through a direct agreement with local provider agencies using the guidance material we sent to you previously as the basic reference material for operating a SYEP; or

- Decide not to support a SYEP with Combined TANF Allocation and use these funds for another eligible purpose under the Combined TANF Allocation.

A total of 47 local districts chose the first option and 11 local districts elected to contract directly for SYEP. The revenue intercept letter discussed below is not required for SYEP purposes.

2. OTDA Welfare to Work (WTW) Administered Programs – Like the options listed above, LSSDs may also decide to use Combined TANF Allocation funds to support their continuation of other State administered programs. A list of these programs, funding amounts and scheduled end date is contained in Appendix A. In addition, a county specific provider list is under development and will be sent to LSSDs. Please keep in mind that the duration of how long funds will last often depends on performance. **Some providers may run out of funds prior to the end of the contract term, while others may have funds available to operate beyond this date.** To obtain more specific information about a particular contract, LSSDs should contact the appropriate OTDA representative listed below.

State WTW Program	Contact	Telephone/E-Mail
<ul style="list-style-type: none"> <li>• Wheels for Work</li> <li>• Centro of Oneida</li> <li>• Rochester Genesee Regional Transportation Authority (RGRTA)</li> <li>• Displaced Homemaker Program</li> <li>• Wage Subsidy Program</li> <li>• Build NY</li> <li>• LIVES</li> </ul>	Peter Lansburg	(518) 486-1042 <a href="mailto:Peter.Lansburg@otda.state.ny.us">Peter.Lansburg@otda.state.ny.us</a>
<ul style="list-style-type: none"> <li>• EDGE</li> <li>• Educational Resources</li> <li>• Bridge</li> <li>• Access &amp; Welfare to Careers</li> <li>• AFL-CIO Workforce Development Institute</li> <li>• ATTAIN</li> </ul>	Kathleen Dougherty	(518) 473-9253 <a href="mailto:Kathleen.Dougherty@otda.state.ny.us">Kathleen.Dougherty@otda.state.ny.us</a>
<ul style="list-style-type: none"> <li>• Summer Youth Employment Program</li> </ul>	Tony DeCrescenzo	(518) 473-3209 <a href="mailto:Tony.Decrescenzo@otda.state.ny.us">Tony.Decrescenzo@otda.state.ny.us</a>

3. OCFS and OTDA State Administered Programs – LSSDs may also allocate a portion of their Combined TANF Allocation funds to other State level programs that have been funded separately in the past but are not funded in this year's enacted Budget and are not listed above. A list of these programs is contained in Appendix A. To obtain more specific information, LSSDs should contact the appropriate representative listed below.

State Program	Contact	Telephone/E-Mail
<ul style="list-style-type: none"> <li>• Preventive Services Initiative (OCFS)</li> <li>• Caretaker Relative Services (OCFS)</li> </ul>	Deborah Hanor	(518) 474-1361 <a href="mailto:Deborah.Hanor@ocfs.state.ny.us">Deborah.Hanor@ocfs.state.ny.us</a>
<ul style="list-style-type: none"> <li>• Supplemental Homeless Assistance (OTDA)</li> <li>• Emergency Homeless (OTDA)</li> <li>• Supportive Housing for Families</li> </ul>	Jane Wagner	(518) 474-8905 <a href="mailto:Jane.Wagner@otda.state.ny.us">Jane.Wagner@otda.state.ny.us</a>

and Young Adults		
<ul style="list-style-type: none"> <li>Disability Advocacy Program (OTDA)</li> </ul>	Edward Hennessy	(518) 473-0866 <a href="mailto:Ed.Hennessy@otda.state.ny.us">Ed.Hennessy@otda.state.ny.us</a>

- Other State Administered Programs – In addition to the State level programs described above, this year's final enacted Budget contained funding for a number of State level programs. (See Appendix A.) These include the Home Visiting Program (OCFS), Food Pantries (DOH), Community-Based Pregnancy Prevention (DOH), Adolescent Pregnancy Prevention Services (APPS) (OCFS), Women, Infants and Children Program (WIC) (DOH), and Alternatives to Incarceration (ATI) (Division of Probation and Correctional Alternatives). LSSDs may choose to supplement these programs using their Combined TANF Allocation funds. The OCFS contacts for these programs are: Home Visiting – Joy Griffith (518) 474-3166 and Adolescent Pregnancy and Prevention Services – Robert Resnick (518) 402-6775. Any LSSD that wishes to supplement the DOH programs should contact Jane Wagner at (518) 474-8905 to be referred to the appropriate contact person. Any LSSD that wishes to supplement the Alternatives to Incarceration Program should contact Bernard Wilson at (518) 485-5137.
- Revenue Intercept Letter (Attachment 6) – LSSDs that decide to support a State administered program that is identified on line 8 of the Plan must complete the revenue intercept letter listing the programs and the amount of Combined TANF Allocation being reserved for each. The letter must be signed by the LSSD commissioner or his or her designee. The letter must be sent to Richard Radzynski, NYS OTDA, Office of Budget, Finance and Data Management, 40 N. Pearl Street 14C, Albany, NY 12243. The LSSD's Combined TANF Allocation Plan (Section 8) should reflect the portion of the Combined TANF Allocation funds that will be used to continue/expand each State administered program. We will attempt to accommodate all LSSDs' requests. Please note that the manner in which these funds are used must be consistent with the terms and conditions of the contract or program agreement. The program contacts listed previously can provide guidance in this regard.

## 5. TANF Administration

An LSSD may use a portion of its Combined TANF Allocation for administrative costs associated with TANF benefit assistance and services subject to the following guidance. (Note: LSSDs also will receive separate State share allocations from the LAF that may be used for these costs. See 06 LCM-02 for each LSSD's LAF allocation.)

LSSDs need to ensure costs are allocated to benefiting programs when more than one program is involved in a particular activity whether done by local 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 LSSDs, 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. Since OTDA will not know

until July 15, 2006 how much will actually be transferred to other block grants, OTDA must assume the maximum amounts will be transferred. This translates to a statewide maximum (including State administrative costs) of \$256 million. This is calculated as follows: (\$2.44B - \$732M potential transfers to other block grants = net TANF Block Grant of \$1.71B) x 15 percent = \$256M. When plans are received, the total amount that the 58 LSSDs intend to transfer to other block grants will be calculated and an amount for State administrative costs will also be considered. At that point, a determination can be made as to whether plans can be accepted or revisions are necessary for the State to remain within the statewide administrative limit. We would like to provide LSSDs with the maximum flexibility in regard to limits on administrative expenditures. Imposing such a limit prior to receiving information on block grant transfers could result in the State arbitrarily imposing a lower limit on administrative expenditures than is absolutely necessary.

- The federal definition of administration is different from the State definition, and when TANF costs are claimed to the federal government, they are claimed according to the federal definition. Federal regulations clarify the definition of “administrative costs” by including language specifying the type of cost not included in the definition. Excluded are the direct costs, including salaries and benefits costs for staff providing program services and the direct administrative costs associated with providing these program services (e.g., supplies, equipment, travel, postage, utilities, rental costs, and maintenance). For example, the cost of providing diversion benefits and services, providing program information to clients, screening and assessment, development of employability plans, work activities, post-employment services, work supports, and case management services, including those involving child welfare case management, except for performing the eligibility determinations, are all excluded from the federal definition of administration. Also excluded are costs for contracts devoted entirely to program activities.

The federal definition of administrative costs specifically includes contract costs (except those excluded totally or in part as program activities), all indirect and overhead costs, and activities related to eligibility determinations. Examples of administrative costs included in the regulations are:

- Salaries and benefits of staff performing administrative and coordination functions;
- Preparation of program plans, budgets, and schedules;
- Monitoring programs and projects;
- Fraud and abuse units;
- Procurement activities;
- Public relations;
- Services related to accounting, litigation, audits, management of property, payroll, and personnel;
- Costs for the goods and services required for administration of the program (supplies, equipment, travel, postage, utilities, office rent and maintenance), provided that such costs are not excluded as program services;
- Travel costs incurred for official business and not excluded as program costs;
- Management information systems not related to tracking and monitoring (such as State payroll staff);
- Preparing reports and other documents; and
- Overhead and A-87 costs must be budgeted for any program for which local district staff is budgeted.

To assist LSSDs in determining administrative vs. non-administrative costs (program), the following matrix is provided to aid in filling out the attached template and preparing claims. LSSDs are reminded that employment activities need to be broken out between program and administrative activities in the Combined TANF Allocation submittal and when claiming employment activity costs. Many employment activity costs and contracts would be excluded from the definition of TANF administration.

	<u>Non-Administrative (Program)</u>	<u>Administrative</u>
<u><i>TANF Services or TANF Employment</i></u>		
<u><i>Services (example #1)</i></u>		
Direct Staff	X	
Direct Non-Salary	X	
Overhead		X
A-87		X
Contractor (if providing services to client)	X	
Contractor, if not providing services to client, but instead responsible for monitoring program evaluation.		X
<u><i>TANF Services (example #2)</i></u>		
District Planning Coordinator		X
Claims Preparation, Contractor Monitoring/Evaluation		X
RFP Development		X
Overhead		X
A-87		X
<u><i>Child Welfare Services (example #3)</i></u>		
Direct Staff	X	
Direct Non-Salary	X	
Overhead		X
A-87		X
Purchased Services	X	
EAF Eligibility		X

### **TANF Services Administrative Costs**

Combined TANF Allocations may be used to pay for administration claims beginning with the April – June 2006 quarter including prior period supplementals accepted after May 2, 2006, the Quarterly Expenditure Report deadline for the January – March quarter.

### **Child Welfare Services Administrative Costs**

The Combined TANF allocation may be used to pay for Child Welfare administration claims submitted for expenditures from October 1, 2005 through September 30, 2006. These claims will be accepted through March 31, 2007. LSSDs may adjust their indicated amount of the Combined TANF Allocation funds dedicated to Child Welfare administration prior to March 31, 2007.

If LSSDs 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 1995 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 for either the all families or Two Parent rate). Further, State appropriation language requires that local plans show gross amounts spent related to the Combined TANF Allocation programs. For these reasons, the Combined TANF Allocation Plan template (Attachments 2 and 3) have 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 (this amount is captured through claiming);
- 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

LSSDs must liquidate, that is claim to the State, the full amount of their SFY 2006-07 Combined TANF Allocations by March 31, 2009. Claims will be applied against the 2006-07 allocation based on the dates in their plans, with the exception of TANF Services claims and PINS/Prevention/Detention Diversion Services Combined TANF Allocation claims for SFY 2006-07, which should be identified in TRACS as FFFS 2006 and DET PREV FFFS 2006, respectively.

LSSDs must liquidate the full amount of their SFY 2005-06 FFFS allocations by March 31, 2008. Claims will be applied against the 2005-06 allocation based on the dates in their plan, with the exception of TANF Services claims and PINS/Prevention/Detention Diversion Services claims for SFY 2005-06, which should be identified in TRACS as FFFS 2005 and DET PREV FFFS, respectively.

**Note:** These liquidation dates do not apply to the Child Welfare Services and Non-Residential Domestic Violence Services funding categories and the TANF funds transferred to Title XX and the Child Care Development Fund. Please see Sections IV. A.1, IV.A.2(a), IV.A.2(b) and IV.A. 4(a) for the liquidation dates that apply to these programs.

## D. TANF Prior Years' Rollover Funds

While not specific to the discussion of Combined TANF Allocation planning and implementation requirements, LSSDs are reminded that they may have rollover funds from prior years' TANF Block Grants. LSSDs will be notified from OTDA's Finance Division of the amounts and restrictions related to these funds. The availability of such funds will be a factor for LSSDs to consider when planning for use of their 2006-07 Combined TANF Allocation

funds. In addition, please note that these funds have been re-appropriated allowing for services to be provided to families/individuals with incomes up to 200 percent of the federal poverty level.

Due to the re-appropriation of certain appropriations in the SFY 2006-07 budget, LSSDs 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), Non-Residential Domestic Violence (Non Res DV 4 and Non Res DV 5) and PINS/Prevention/Detention Diversion Services SFY 2004-05 (DET PREV). These funds will not be combined with the Combined TANF 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 LSSDs claim against and should consider these available balances as they develop their Combined TANF Allocation planning strategies. LSSDs should continue to use current claiming mechanisms for rollover funds. It is unknown how long the existing older appropriations (BG CY2004-05, DV CY 2004-05, Drug Alcohol CY2004-05, and Non-Res DV 4) will remain open. In the unlikely event that these funds are not re-appropriated in next year's enacted SFY 2007-08 budget, LSSDs may incur expenditures for the above-mentioned programs through June 30, 2007 with claims received by August 15, 2007.

The SFY 2006-07 Budget re-appropriated funds to support the continuation of the New York Works Block Grant (NYWBG) and Community Solutions for Transportation (CST) program. LSSDs should follow existing procedures to expend/claim any remaining funds by the following deadlines:

Allocation	Expenditure Deadline	Claiming Deadline
NYWBG 4	6/30/07	8/15/07
NYWBG 5	6/30/07	8/15/07
CST 4 & 6	6/30/07	8/15/07
Youth Engagement Services (YES)	6/30/07	8/15/07

## V. Required Action

### A. The Combined TANF Allocation Plan Template

Each LSSD must submit a completed one page front and back Combined TANF Allocation Plan to the following address: [otda.sm.dta\\_btp@otda.state.ny.us](mailto:otda.sm.dta_btp@otda.state.ny.us). The Front Page (Attachment 2) is identical to last year's template, with the exception of lines 4 and 10. Line 4 is to be used to indicate the level of funding provided for Non-Residential Domestic Violence Services. Line 11 is to be completed by LSSDs that have chosen to have OTDA administer the Summer Youth Employment Program for the LSSD for SFY 2006-07. The Back Page (Attachment 3) requires a breakout of administrative and program expenditures and the timeframes for expending the funds. Examples of a completed Plan are included as Attachments 4 and 5. The Combined TANF Allocation Plan will be shared with OCFS. The Plan will provide OTDA and OCFS with the distribution of Combined TANF Allocation funds that the LSSD chooses to utilize in SFY 2006-07, and will serve as a summary table for decision points in the LSSD's development of its Combined TANF Allocation. Note that LSSDs will not be limited by the claiming system to the 15 percent maximum for administrative costs. LSSDs are responsible to ensure that they do not exceed the maximum.

Listed below are detailed instructions for the completion of the Combined TANF Allocation.

## Front Page (Attachment 2):

The Gross and TANF portion of the project must be listed for each noted item. In calculating Gross amounts, LSSDs should only include TANF or MOE countable expenditures.

- In order to arrive at final allocations, the following topics should be considered **in whatever order is most appropriate to your LSSD's circumstances:**

Sections 1, 2 and 3: Assess the LSSD's family caseload, including families receiving Family Assistance or Safety Net Assistance to determine the amount of funding that is needed for employment programs to achieve increased federal work participation rates effective **October 1, 2006**, and to fund other service projects, including services which help individuals enter and retain employment. Review service levels for meeting requirements for drug and alcohol assessment and monitoring and domestic violence screening referral and DVL function. LSSDs can also choose to designate a portion of their Combined TANF Allocation funds for Community Solutions for Transportation under TANF Employment Services. Enhanced Drug and Alcohol and Enhanced Domestic Violence Services should be shown as part of TANF service projects in Section 1. Furthermore, should a LSSD chose to operate a LSSD level Summer Youth Employment program, it should be shown under TANF Employment Services.

- Section 4: Determine the amount of funding needed for Non-Residential Domestic Violence Services. Funds may be used for families, children and non-custodial parents who are at or below 200% of the Federal poverty level and otherwise meet the TANF categorical eligibility standards, including the PRWORA U.S. citizenship or qualified alien requirements. Allowable services must meet the federal definition of non-assistance. Funds cannot be used for medical services, DV hotline services, DV outreach/educational services or capital expenditures.
- Section 5: Determine the amount the LSSD wishes to transfer to Title XX for Title XX Below 200 Percent Services based on program needs and the amount available for transfer taking into consideration the proposed child care transfer amount in Section 7 and the child welfare threshold discussed on pages 14 and 15. Under Federal statute, an LSSD may transfer up to 70 percent of its Combined TANF Allocation to the Child Care Development Fund and Title XX combined with no more than 23 percent of its Combined TANF Allocation being transferred to Title XX. As previously discussed in the Summary 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.

Separately designate the amount of the Title XX transfer the LSSD wishes to be used for Child Welfare, Adult Protective/Domestic Violence (AP/DV) and Non-Adult Protective/Domestic Violence (Non-AP/DV) categories on the appropriate lines. Any Combined TANF Allocation funds transferred to Title XX may be used for expenditures from October 1, 2005 through September 30, 2006 and claimed through March 31, 2007. Transfer amounts for a single State Fiscal Year typically span two or more Federal TANF Grant years. As such, the State will assign transfer amounts across Federal Fiscal Years as permitted. OTDA will notify an LSSD if its proposed transfer amount exceeds an allowable percentage.

- Section 6: Determine other Child Welfare Services needs and EAF JD/PINS Foster Care costs, NYC EAF Tuition costs and PINS/Prevention/Detention Diversion Services costs, and enter on the appropriate lines. Any Combined TANF Allocation funds dedicated to

other Child Welfare Services, EAF JD/PINS foster care and tuition claims may be used for expenditures from October 1, 2005 through September 30, 2006 and claimed through March 31, 2007.

- Section 7: LSSDs may designate Combined TANF Allocation funds in this section to be transferred to the Child Care Development Fund for child care services. See Section IV. A. 4 regarding the statutory limitations on the transfers to the Child Care Development Fund and Title XX. LSSDs must specify how much of the transfer to child care in SFY 2006-07 is for services in FFY 2005-06 (April 1, 2006 through September 30, 2006) and FFY 2006-07 (October 1, 2006 through March 31, 2007).
- Section 8: Determine when State administered programs in your LSSD will expire and if Combined TANF Allocation funds will be used to support a program's continuation. Enter the program name (i.e. EDGE, Bridge, Wheels) and the amount designated for each program. Upon receipt of your plan, a State representative will contact you to find out the individual provider, the amount allotted for each, and begin the State contract amendment process. Please note that the funds for the SYEP should not appear in this section.
- Sections 9 & 10: Determine administrative needs, including EAF Child Welfare Administration using TANF (to 15 percent federal limit), the State share Local Administrative Fund and local resources. Other costs include staffing and services needed to determine eligibility for TA and prevent fraud and abuse.
- Section 11: Please list here the amount of Combined TANF Allocation that you requested OTDA to retain and redirect to the local workforce investment area to operate this year's Summer Youth Employment program in your district. If you elected to run a Summer Youth Employment Program, the planned funding amount must be included as part of your TANF Employment Services in Section 1.

**Back Page (Attachment 3):**

- Please use the Front Page of the Plan as the basis for completing the Back Page of the Combined TANF Allocation Plan. Unlike the Front Page, however, please show the administrative and program expenditures separately where requested. For example if TANF Services program totals \$435,000 and is comprised of \$425,000 in administration and \$10,000 in program, while the Front Page will show the entire amount under TANF Services, the Back Page will show \$425,000 under line 1a and \$10,000 under line 1b.
- Please list the start and end dates for each program.
- Timeframes

Each LSSD must submit its Combined TANF Allocation Plan (Attachments 2 and 3) to OTDA. The Plan will be shared with OCFS. The Plan must include the amount of its Combined TANF Allocation funds, if any, it wants to have transferred to the Title XX and Child Care Development Fund programs. The Plan, certification letter and TANF Services and Employment Services Summary form must be submitted together, via e-mail to [otda.sm.dta\\_btp@otda.state.ny.us](mailto:otda.sm.dta_btp@otda.state.ny.us), by **July 15, 2006**. OTDA and OCFS will jointly review the plans and issue approval letters to LSSDs.

**B. Local District Certification**

Local District Assurance Letter: Along with the Combined TANF Allocation Plan, each LSSD is required to submit a certification assurance letter signed by the Commissioner as contained in Attachment 7. This letter constitutes the LSSD's assurances that the programmatic and fiscal requirements that are necessary for proper program administration and accountability will be maintained. This letter constitutes an acceptance by the LSSD 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.

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. The 2006-07 TANF Services/Employment Projects Summary**

LSSDs are required to submit a 2006-07 Combined TANF Services/Employment Projects Summary (Attachment 8) along with their Combined TANF Allocation Plan Template and their Local District Certification. This summary only will need to be submitted with the initial plan. Amended plans will not require an updated summary. The summary will reflect the projects included in Section 1 of the template. Only those projects using the 2006-07 Combined TANF Allocation funding should be included. The summary is divided into TANF Services and TANF Employment Services. For each appropriate project type listed, enter the total of the budgets for that project type, the number of projects of that project type, the expected number of families to be served by those projects. Finally, indicate with an X if projects are run by the LSSD or a Contractor. The total of the budgets must equal the amount listed on the template for Section 1. Please indicate a contact person and date the form.

### **D. Claiming Instructions**

LSSDs will continue to report their expenditures via the RF-2 and RF-2A claiming packages, the LDSS-3922 (rev date 12/01) Reimbursement Claim Form for Special Projects, or the TANF Reporting and Control System (TRACS). Claim forms allow entry of the amount of funds to be applied against applicable TANF expenditures in the Automated Claiming System for the RF2 and RF2A package; additional ACS revisions are planned for 10/06 to assist in the tracking of expenditures against FFFS allocations reported on the FFFS ceiling reports available in each district's county folder (go to this link and select your county: [\\mscotda0a1ah\county](http://mscotda0a1ah\county)).

Two reports are available in the folder for the 2005-06 and 2006-07 allocations. There is the FFFS Plan SFY (05-06 or 06-07) which is in the format of the FFFS plan and shows the total

allocated per your approved plan for each component along with the total Federal share of expenditures applied against that component and the remaining balance (with the exception of the Title XX and CCBG transfers). The second report is the FFFS SFY (05-06 or 06-07) report which is the ceiling report which shows each claim applied against the individual FFFS components (other than Title XX and CCBG which appear on those individual ceiling reports). These reports are updated periodically and reflect the amounts available at the time the report is created (applicable date appears at the top of each report).

TRACS must be used for PINS/Prevention/Detention Diversion Services, the project name should be DET PREV FFFS for the SFY 2005-06 allocation and DET PREV FFFS 2006 for the SFY 2006-07 allocation. TRACS must be used for the Non-Residential Domestic Violence Services for the SFY 2006-07 allocation; the project name should be Non Res DV FFFS 06.

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 2006.

## **E. FFFS and Combined TANF Allocation Plan Amendments**

The 2005-06 Flexible Fund Plan and the 2006-07 Plan for the Combined TANF Allocation funds that remain after the Title XX and Child Care Development Funds transfers EAF Child Welfare and Child Welfare Direct may be amended at any time by a LSSD as it deems necessary. Each year's plan is a stand-alone document. The 2005-06 FFFS Plan continues to be active until all funds associated with the plan are expended and claimed. An LSSD must notify OTDA (a copy will be shared with OCFS) within 30 days of any change by submitting a revised Plan(s). The revised plans should be labeled with an amended date.

LSSDs are not required to submit a new certification or TANF Services and Employment Program Summary when submitting a revised Plan. LSSDs must submit revised plans via e-mail to [otda.sm.dta\\_btp@otda.state.ny.us](mailto:otda.sm.dta_btp@otda.state.ny.us).

## **F. Contact Person**

Each LSSD must provide an LSSD contact person who will be responsible for responding to any questions concerning the LSSD's Combined TANF Allocation program. The name, telephone number and e-mail address should be included with the LSSD's submission.

## **G. Reporting and Accountability**

Regular ongoing reporting: LSSDs are reminded that monthly reports on service activity in projects funded with the Combined TANF Allocation are still required. The following guidelines must be adhered to:

- LSSDs must report monthly to OTDA via the Combined TANF Allocation Reporting on Households Served (Attachment 10) on the total number of households served in TANF Services, Employment Services, and Drug and Alcohol Services projects and the number of non-custodial parents participating in work activities supported by the Combined TANF Allocation funds each month. In addition to reporting on the numbers served in any drug and alcohol projects, LSSDs must also report on this form the number of drug and alcohol assessments conducted monthly. These numbers should be reported via an e-mail message sent to [otda.sm.dta\\_btp@otda.state.ny.us](mailto:otda.sm.dta_btp@otda.state.ny.us) by the 15<sup>th</sup> of each month following the report month.
- Employment activity for the purpose of calculating work participation rates must continue to be reported using existing reporting mechanisms (e.g., Welfare-to-Work Caseload

Management System). Additional information on documenting and reporting hours of participation will be provided after the Department of Health and Human Services (DHHS) has promulgated regulations as required by the "Deficit Reduction Act of 2005" (S1932).

- Data entry on Domestic Violence (DV) Family Violence Option activities must continue to be reported on the DV reporting subsystem of WMS.
- For Combined TANF Allocation EAF Child Welfare; Title XX transfers (Title XX Below 200 Percent for both Child Welfare, Adult Protective/Domestic Violence and Other Services); CCDF transfers; and EAF JD/PINS and NYC EAF foster care tuition: families and children served reporting will continue to come from claims submissions.
- TRACS must be used for PINS/Prevention/Detention Diversion Services, the project name should be DET PREV FFFS for the SFY 2005-06 allocation and DET PREV FFFS 2006 for the SFY 2006-07 allocation. 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 2006.
- For programs funded as Title XX Below 200 Percent, Combined TANF Allocation 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 LSSD'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.

## **VI. Systems Implications**

None

## **VII. Effective Date**

April 1, 2006

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### **Issued By**

**Name:** Russell Sykes

**Title:** Deputy Commissioner, Division of Employment and Transitional Services

**Division/Office:** NYS Office of Temporary and Disability Assistance

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### **Issued By**

**Name:** Susan A. Costello

**Title:** Deputy Commissioner for Administration

**Division/Office:** NYS Office of Children and Family Services