



David A. Paterson  
Governor

NEW YORK STATE  
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE  
40 NORTH PEARL STREET  
ALBANY, NY 12243-0001

David A. Hansell  
Commissioner

## Local Commissioners Memorandum

### Section 1

<b>Transmittal:</b>	09-LCM-03
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office:</b>	Center for Employment and Economic Supports
<b>Date:</b>	May 12, 2009
<b>Subject:</b>	2009 TANF Summer Youth Employment Program (SYEP) Allocations
<b>Contact Person(s):</b>	Cindy Briggs (518) 473-3018 <a href="mailto:lucinda.briggs@otda.state.ny.us">lucinda.briggs@otda.state.ny.us</a>
<b>Attachments:</b>	Attachment A – 2009 SYEP Award Allocations Attachment B – 2009 SYEP Local District Designation Form Attachment C – LDSS - 3922 Claim Form for 2009 SYEP
<b>Attachment Available On – Line:</b>	yes

### Section 2

#### I. Purpose

The SFY 2009-10 Enacted Budget provides \$35 million to support the 2009 Temporary Assistance for Needy Families (TANF) Summer Youth Employment Program (SYEP). The purpose of this Local Commissioners Memorandum (LCM) is to provide local districts with their 2009 TANF Summer Youth Employment Program (SYEP) allocations, and to request each local district to make certain decisions regarding the administration of this summer's program and the use of their allocation.

#### II. Background

The SYEP provides summer employment and educational experience that will enable youth to acquire work skills, gain income, and participate in activities that support their occupational goals. Since 2000, TANF funding has been used to support SYEP, and beginning in 2005 the state agency administration for the TANF SYEP became the responsibility of the Office of Temporary and Disability Assistance (OTDA). Since that time, TANF SYEP funds have been allocated to each county Department of Social Services (districts). Districts may opt to retain their allocation and use local mechanisms (i.e., local contracts, transfer funds between county agencies) to run the program or can assign the funds to their local Workforce Investment Board (WIB) to operate the program. Budget appropriation language has also allowed for districts to transfer a portion of their allocation to their Flexible Fund for Family Services (FFFS) for non-

SYEP purposes, as long as a statewide minimum of \$32 million is used for the Summer Youth program. Therefore, districts will initially be allowed to transfer up to 8.5 percent of their TANF SYEP funds to the FFFS. A review of the statewide total amount of the transfers will be completed when all transfer requests are submitted and final claims have been processed. At that time, exceptions to this percentage may be considered on an individual district basis.

### **III. Program Activities and Services**

The purpose of the TANF SYEP is to provide eligible youth with a quality employment and educational experience during the summer months. For many youth, this is their first introduction to the world of work. Valuable lessons which center around employment, including work ethic, appropriate workplace behavior, interaction with co-workers and supervisors, receiving a paycheck and money management are learned. To augment the work component of the TANF SYEP, providers include educational and/or career exploration activities which will better prepare youth as they continue their education and transition to the world of work. Allowable activities and services for the TANF SYEP include work subsidies for youth (payment to employer or third party), education and training as well as supportive services such as transportation, counseling and incentive payments.

Earlier this month, a joint letter from the Commissioners of Labor, OTDA and OCFS was sent to you asking that special efforts be made to increase the participation of foster care, juvenile justice and runaway and homeless youth in this summer's program. Please make the inclusion of these youth a priority as you move forward with the planning process.

### **IV. Allocations**

The 2009 Enacted State budget includes \$35 million to support the 2009 TANF SYEP. Eighty percent of each district's allocation was based on their 2008 allocation, with the balance distributed based on each district's share of the statewide number of 14 to 20-year-olds with income under 200% of the federal poverty level. District allocations are provided on Attachment A.

### **V. Claiming Instructions and Forms for Local Districts**

For districts opting to assign all or a portion of the SYEP 2009 allocation to WIBs, the districts will be held liable for funds not used in a manner consistent with the purpose of the SYEP allocation or where funds are due from the WIB. Instances which may result in a payment to OTDA may include overpayment of claims or disallowances of claims resulting from audits performed by OTDA and other agencies. WIBs will have 30 days from the end of the program (or after final notification of an audit finding) to repay OTDA. After two attempts, these payments will be recouped by bottom line adjustment. We will keep the local districts' accounting offices apprised of our attempts to reach the WIBs.

For 2009, SYEP payments will consist of 3 monthly advances of 15%, 35%, and 35% of the allocation for the months of June, July and August. These funds will be sent on, or near, the first of each month. The last 15% of the allocation will be paid as claims are submitted to substantiate payment.

Final TANF federal regulations have set a 15% spending limitation on administrative costs. These regulations define program and administrative costs as follows:

- Program costs are the direct salaries and fringe benefit costs of the staff providing direct services, providing program information to clients, developing employability plans, providing work activities, providing post-employment services, providing work supports, and performing case management services. Contracts, whose main purpose is to provide services defined as program costs as above, should be considered program as well.
- Administrative costs are the salaries and fringe benefits of staff performing activities related to eligibility determinations, preparing program plans, budgets and schedules, monitoring programs and projects, performing procurement activities, providing public relations, performing accounting, legal, payroll and personnel activities, providing management of property, preparing reports and other documents.

Note: Expenditure claims for 100% Federal reimbursement under this program cannot be funded by other sources of revenue nor used as match for other programs.

Attachment C is an updated LDSS-3922 claim form specifically for SYEP DSS 2009.

Project expenditures should be identified as F17 functional costs and reported on Schedule D-17 “Distribution of Allocated Costs to Other Reimbursable Programs” (LDSS-3274) in a column labeled Summer Youth. These costs will carry forward to “Reimbursement Claim for Special Projects” (LDSS-3922) and labeled as SYEP DSS 2009 in the Project Name box. These costs should be reported in the Administration Costs column on the appropriate lines. Any client related program costs should be reported on the LDSS-3922 under the Non-Administration Costs column on the appropriate lines. Any costs associated with the payment of wage subsidies to participants should be reported under Non-Administration Costs, line 12 – Assistance Direct to Clients.

Consistent with the definition at 45 CFR 260.31(b)(2) and at 45 CFR 286.10(b)(2), work subsidies means payments to employers or third parties to help cover the costs of employee wages, benefits, supervision, and training; include all expenditures related to operating a subsidized employment program, including the cost of overseeing the program, developing work sites, and providing training to participants. This includes any costs submitted to districts as contractual costs; the amount of work subsidies must be entered on line 12, with the balance of the contracted services entered on line 4 – Contractual Costs.

Any costs in excess of the allocation should be claimed on the Schedule D-3 “Allocation and Claiming for Administration Costs for Employment Programs” (LDSS-2347-B1). LDSS-3922 and LDSS-2347-B1 reports should be completed and submitted 30 days after the end of the month.

Please refer to the Fiscal Reference Manual (FRM) Volume 2, Chapter 3 for further LDSS-3922 instructions. Instructions for Schedule D-3 are found in Volume 3 (Volume 4 for New York City) of the FRM, Chapter 10.

For districts opting to transfer Summer Youth funds to the Flexible Fund for Family Services, expenditures for those funds should be claimed in accordance to the requirements of those projects.

SYEP related claims must be for services provided during the period May 1, 2009 through September 30, 2009. Expenditures for such services must be made by October 31, 2009, and claims for these expenditures must be submitted no later than December 15, 2009.

Only claims with an original signature will be considered for reimbursement; faxed or e-mailed claims will not be accepted. Complete LDSS-3922 forms should be sent to the following address:

New York State Office of Temporary and Disability Assistance  
Bureau of Financial Services – Claims Unit  
40 North Pearl Street, Floor 14C  
Albany, NY 12243

Fiscal/Claiming Contacts:

- Regions 1 – 4 Contact:  
Jim Carroll 1-800-343-8859, extension 4-7549 or (518)474-7549  
[James.Carroll@otda.state.ny.us](mailto:James.Carroll@otda.state.ny.us)
- Region 5 Contact:  
Michael Borenstein 631-854-9704  
[Michael.Borenstein@otda.state.ny.us](mailto:Michael.Borenstein@otda.state.ny.us)
- Region 6 Contact:  
Marian Borenstein 212-961-8250  
[Marian.Borenstein@otda.state.ny.us](mailto:Marian.Borenstein@otda.state.ny.us)

## VI. Necessary Action

Each local district must complete the TANF SYEP Local District Designation Form (Attachment B) to indicate if funds are to be transferred to the districts' FFFS Plan, and whether TANF SYEP funds will be retained or assigned to the local WIB. **By May 21, 2009**, send the completed forms to:

Cindy Briggs  
New York State Office of Temporary and Disability Assistance  
Center for Employment and Economic Supports  
40 North Pearl Street – 9 C  
Albany, New York 12243  
or  
[lucinda.briggs@otda.state.ny.us](mailto:lucinda.briggs@otda.state.ny.us)  
(518) 473-7993 (fax)

For those districts opting to assign funds to the local WIB, the appropriate WIB will be notified of the amount of funds available to serve participants from each respective county within their Local Workforce Investment Area. Local WIBs that will operate the 2009 TANF SYEP will receive program guidelines including the necessary claim forms and claiming instructions under a separate letter.

It is extremely important that the Local District Designation Form be submitted by the required due date. Specific program guidelines and claiming instructions will be issued separately.

**Issued By**

**Name:** Russell Sykes  
**Title:** Deputy Commissioner  
**Division/Office:** Center for Employment and Economic Supports