



# Office of Temporary and Disability Assistance

ANDREW M. CUOMO  
Governor

SHARON DEVINE  
Executive Deputy Commissioner

## Local Commissioners Memorandum

### Section 1

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| <b>Transmittal:</b>                 | 15-LCM-07  |
| <b>To:</b>                          | Local District Commissioners   |
| <b>Issuing Division/Office:</b>     | Center for Employment and Economic Supports  |
| <b>Date:</b>                        | May 6, 2015  |
| <b>Subject:</b>                     | 2015 New York State Summer Youth Employment Program Allocations  |
| <b>Contact Person(s):</b>           | Luke Posniewski (518) 473-2521<br>Luke.Posniewski@otda.ny.gov<br>Melissa Alexander (518) 473-3018<br>Melissa.Alexander@otda.ny.gov   |
| <b>Attachments:</b>                 | <a href="#">Attachment A – 2015 SYEP Allocations</a><br><a href="#">Attachment B – 2015 SYEP Local District Designation Form</a><br><a href="#">Attachment C – 2015 SYEP Contact Information</a> |
| <b>Attachment Available Online:</b> | <input checked="" type="checkbox"/>  |

### Section 2

#### I. Purpose

The SFY 2015-16 New York State Enacted Budget appropriates \$30 million in Temporary Assistance for Needy Families (TANF) funds to support the 2015 New York State Summer Youth Employment Program (SYEP). The purpose of this Local Commissioners Memorandum (LCM) is to notify social services districts (districts) of their 2015 SYEP allocation, to provide general program guidance, and to request that each district make known to the Office of Temporary and Disability Assistance (OTDA) their decision concerning the administration of this summer’s program and the use of their allocation by no later than May 20, 2015.

#### II. Background

The New York State SYEP is an important platform to introduce youth into the workforce, helping them to acquire skills that can be used to improve school performance and become responsible adults. Since many low-income youth face the prospect of a difficult transition into work or college, constructive workforce experiences can provide great benefits. In addition to the income it produces, experience in the workforce and interaction with working adults can help youth recognize the importance of educational achievement, and help expand their education and career goals.

Since 2005, OTDA has administered the New York State SYEP, and has allocated funds to each district to provide summer employment opportunities for youth throughout the State.

Districts may opt to retain their allocation and use district mechanisms (i.e. direct administration, district contracts, transfer of funds between county agencies) to operate the program, or may assign the funds to their local Workforce Investment Board (WIB) to operate the program. Districts are also allowed to transfer a portion of their allocation to their Flexible Fund for Family Services (FFFS) plan for non-SYEP purposes, as long as a statewide minimum of \$27.5 million is used for the SYEP. Therefore, districts will be allowed to transfer up to 8.5 percent of their SYEP funds to their FFFS plan.

### III. Program Implications

#### A. Program Activities and Services

The New York State SYEP provides youth from low income households with employment opportunities during the summer months. To augment the work component of the SYEP, providers may 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 New York State SYEP include: work subsidies for youth (payment to employer or third party); education and training; and supportive services such as transportation, counseling, and incentive payments. Agencies should make a concentrated effort to maximize the number of youth employed by this allocation and limit administrative and program staffing expenditures to those essential to program delivery.

#### B. Participant Eligibility

Eligible participants include youth ages 14 to 20 that are:

- Family Assistance (FA) recipients;
- Former FA recipients who have reached their 60-month limit on TANF and have transitioned to Safety Net (SN) Assistance; or,
- Eligible under the 200% of federal poverty guidelines in accordance with OTDA's 00-LCM-20.

Districts are encouraged to continue to make special efforts to ensure participation of foster care, juvenile justice involved, and runaway and homeless youth in the program. SYEP providers are encouraged to use the TANF Youth Services Application and Review Form (LDSS 4770) to document eligibility determinations for the New York State SYEP participants eligible under 200% of federal poverty guidelines. A modified application may be used by providers if it captures all the information included on the Youth Application. Modified applications must be approved by OTDA. The 2015 New York State SYEP Guidelines and Reporting Requirements released under separate cover contain additional information regarding eligibility requirements.

#### C. Allocations

A total of \$30 million is available to support the 2015 New York State SYEP. Eighty percent of each district's allocation is based on their 2014 allocation, with the balance distributed based on each district's share of the statewide number of 14 to 20-year-olds residing in households with income under 200% of the federal poverty level. The population data used to derive the allocations is available on the OTDA website <http://otda.ny.gov/resources/District-Level-Estimates-Aged-14-20.pdf>. District allocations are provided in Attachment A.

#### IV. Claiming Instructions and Forms for Districts

For districts opting to assign all or a portion of their 2015 allocation to WIBs, districts will be held liable for assigned funds not used in a manner consistent with the purpose of the New York State SYEP allocation. Instances which may result in a payment due to OTDA 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 (September 30, 2015) or from the date of final notification of an audit finding, to repay OTDA. If OTDA is not successful in obtaining repayment from the WIB, the payment will be recouped through bottom line adjustment on a district settlement. OTDA will keep the district accounting offices apprised of our attempts to reach a fiscal settlement with the WIBs.

For 2015, New York State SYEP payments will consist of three monthly advances of 15%, 35%, and 35% of the allocation for the months of June, July and August. The final 15% of the allocation will be paid as claims are submitted to substantiate payment.

Federal regulations define non-administrative (program) and administrative costs as follows:

- Non-Administrative (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 and work subsidies for eligible program participants; providing post-employment services and work supports; and performing case management services. Non-salary costs of staff performing work activities that are considered programmatic are also allowable program costs. Non-salary costs may include, but not be limited to travel, postage, utilities, rental costs, maintenance, supplies, and equipment. Contracts whose main purpose is to provide services defined as program costs as above are considered program as well. Agencies should limit the amount of program costs necessary to operate the SYEP to maximize the amount of funds available to pay participant wages and maximize the number of youth employed through the program.
- Administrative costs are the salaries, fringe benefits, and non-salary costs 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; and preparing reports and other documents. OTDA has set a 15% spending limitation on administrative costs.

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 cost of employee wages, benefits, supervision, and training; and includes all expenditures related to operating a subsidized employment program, including the cost of overseeing the program, developing work sites, and providing training to participants.

Project expenditures for the 2015 New York State SYEP must be claimed through the RF17 claim package for special project claiming. These costs should be identified as F17 functional costs and reported on Schedule D in the F17 column in the RF2A claim package. The individual project costs should also be reported under the project label SYEP SSD 2015 on the LDSS-4975A "RF17 Worksheet, Distribution of Allocated Costs to Other Reimbursable Programs."

Staff working part time on SYEP must maintain time studies to support the portion of their salary costs being charged to the SYEP. Non-salary administrative costs are reported with the appropriate object of expense(s) on the LDSS-923B Summary-Administrative (page 1) "Schedule of Payments for Expenses Other Than Salaries for Other Reimbursable Programs." Any client-related program costs should be reported as object of expense 19.5 - Work Subsidies for Training on the LDSS-923B Summary-Program (page 2) "Schedule of Payments for Expenses Other Than Salaries for Other Reimbursable Programs."

Total project costs and shares should be reported on the LDSS-4975 "Monthly Statement of Special Project Claims Federal and State Aid (RF-17)."

Administrative costs may be claimed up to 15% of the amount allocated to your district for the 2015 New York State SYEP. Any administrative costs in excess of the 15% limit should be claimed on the Schedule D-3 "Allocation and Claiming for Administration Costs for Employment Programs," (LDSS-2347-B1).

The 2015 New York State SYEP claims must be for services provided during the period May 1, 2015 through September 30, 2015. Expenditures for such services must be made by October 31, 2015, and claims for these expenditures must be submitted no later than December 31, 2015.

Further instructions for completing the time studies, Schedule D, Schedule D-3, and RF17 claim package are found in Chapters 7, 10 and 18 of the Fiscal Reference Manual (FRM) Volume 3. The FRMs are available online at <http://otda.state.ny.net/bfdm/finance>.

**Claiming Contacts:**

**Regions 1 – 5 Contact:**

**Edward Conway (518) 474-7549**

[Edward.Conway@otda.ny.gov](mailto:Edward.Conway@otda.ny.gov)

**Region 6 Contact:**

**Michael Simon (212) 961-8250**

[Michael.Simon@otda.ny.gov](mailto:Michael.Simon@otda.ny.gov)

**V. Necessary Action**

Each district must complete the following forms:

- New York State SYEP District Designation Form (Attachment B) to indicate if funds need to be transferred to the district's FFFS plan and whether New York State SYEP funds will be retained by the district or assigned to the local WIB.
- 2015 SYEP Contact Information (Attachment C) to indicate the primary SYEP Administrator (District or WIB) as well as the SYEP program operator(s) if this is an entity other than the administrator.

**By May 20, 2015**, send the completed forms to:

**Luke Posniewski**  
**New York State Office of Temporary and Disability Assistance**  
**Center for Employment and Economic Supports**  
**40 North Pearl Street – 11D**  
**Albany, New York 12243 or**  
**[Luke.Posniewski@otda.ny.gov](mailto:Luke.Posniewski@otda.ny.gov)**  
**(fax) (518) 486-7650**

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 2015 New York State SYEP will receive program guidelines including the necessary claim forms and claiming instructions under a separate letter. If opting to assign New York State SYEP funds to the local WIB, the district and WIB are expected to work closely to develop appropriate referral mechanisms to serve high need youth, including youth in foster care, youth involved in the juvenile justice system and runaway and homeless youth.

**It is extremely important that the forms be submitted by the required due date of May 20, 2015.**

**Issued By**

**Name: Phyllis Morris**  
**Title: Deputy Commissioner**  
**Division/Office: Center for Employment and Economic Supports**