



Eliot Spitzer
Governor

NEW YORK STATE
OFFICE OF CHILDREN & FAMILY SERVICES
52 WASHINGTON STREET
RENSSELAER, NY 12144

Gladys Carrión, Esq.
Commissioner

Local Commissioners Memorandum

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|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------|
| Transmittal: | 07-OCFS-LCM-04 |
| To: | Local District Commissioners |
| Issuing Division/Office: | Division of Development and Prevention Services / Division of Administration |
| Date: | April 18, 2007 |
| Subject: | TANF Funding For Non-Residential Domestic Violence Services |
| Contact Person(s): | See Section IV |
| Attachments: | A Individual County Allocations B Allocation Attestation C Federal TANF Funding Guidelines and Claiming Instructions |
| Attachment Available Online: | Yes |

I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to notify social services districts of their allocation for Non-Residential Domestic Violence Services being administered through the Office of Children and Family Services (OCFS). The enacted budget for State Fiscal Year (SFY) 2007-08 includes a separate Temporary Assistance for Needy Families (TANF) appropriation of \$3 million for the provision of Non-Residential Domestic Violence Services. The allocations for individual counties are listed in Attachment A of this document.

II. Background

TANF funding for Non-Residential Domestic Violence Services has been administered by OCFS and OTDA in prior years and was made available through the Flexible Funds for Family Services (FFFS) in SFY 2006-07. Currently, funds for Round 5 TANF Non-Residential Domestic Violence Services from SFY 2005-06 must be spent by June 30, 2007, and claimed by August 15, 2007.

III. Program Implications

The funds being announced in this LCM for SFY 2007-08 (DV Round 6) must be spent by June 30, 2008, and claimed by August 15, 2008. These funds are to be used to reimburse expenditures beginning October 1, 2006, and ending September 30, 2007. These TANF funds must be used for enhanced or expanded core and/or optional Non-Residential Domestic Violence Services provided by approved Non-Residential Domestic Violence Programs only for persons with incomes up to 200% of the poverty level. For a complete list of approved Non-Residential Domestic Violence Programs, refer to the OCFS website at www.ocfs.state.ny.us. Additionally, you must complete and sign Attachment B indicating how your district intends to use these funds and return it before May 31, 2007, by mail to:

NYS Office of Children & Family Services
Office of Program Support
52 Washington Street, Room 331 North
Rensselaer, N.Y. 12144-2796
Attn: Edward Cullings

As in previous years, these funds must be expended and claimed in accordance with the Federal TANF Funding Guidelines and Claiming Instructions (Attachment C) detailed in Transmittal: 01 OCFS LCM -05.

In addition, it is important to inform you that Chapter 57 of the Laws of 2007 states the following:

...the Commissioners of the Office of Temporary and Disability Assistance and Office of Children and Family Services for the programs operated by their respective agencies shall provide performance data, as well as updated allocations to providers broken down by state fiscal year, including award amounts, contract periods, program sites, locations served, and spending information that shall be made available on the respective agency website.

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

IV. Contact Persons

Home Office

Edward Cullings (518) 473-7950 or Andrea Sweda (518) 402-3324;
or by e-mail through Outlook; or through the Internet at
Edward.Cullings@ocfs.state.ny.us or Andrea.Sweda@ocfs.state.ny.us

Regional Offices

BRO- Linda Brown (716) 847-3145
User ID: Linda.Brown@ocfs.state.ny.us

RRO- Linda Kurtz (585) 238-8201
User ID: Linda.Kurtz@ocfs.state.ny.us

SRO- Jack Klump (315) 423-1200
User ID: Jack.Klump@ocfs.state.ny.us

ARO- Glenn Humphreys (518) 486-7078
User ID: Glenn.Humphreys@ocfs.state.ny.us

YRO- Pat Sheehy (914) 377-2080
User ID: Patricia.Sheehy@ocfs.state.ny.us

NYCRO- Ellen Lally (212) 383-1788
User ID: Ellen.Lally@ocfs.state.ny.us

Any questions concerning claiming procedures may be directed to the OTDA Bureau of Financial Services by e-mail through Outlook or at the following numbers:

Carolyn Oleyourryk (Regions I-IV) at 1-800-343-8859, ext.4-7549
User ID: Carolyn.Oleyourryk@otda.state.ny.us

Michael Borenstein (Region V) at 631-854-9704
User ID: Michael.Borenstein@otda.state.ny.us

Marian Borenstein (Region VI) at 212-961-8250.
User ID: Marian.Borenstein@otda.state.ny.us

Issued By:

/s/ Jane G. Lynch

Name: Jane G. Lynch
Title: Deputy Commissioner
Division/Office: Development and Prevention Services

/s/ Edna Mae Reilly

Name: Edna Mae Reilly
Title: Acting Deputy Commissioner
Division/Office: Administration

Attachment A

SFY 2007-08

TANF NON-RESIDENTIAL DOMESTIC VIOLENCE SERVICES ALLOCATIONS

DISTRICT

| | |
|--------------------|-----------|
| Albany | \$25,296 |
| Allegany | \$25,000 |
| Broome | \$25,000 |
| Cattaraugus | \$25,000 |
| Cayuga | \$25,000 |
| Chautauqua | \$34,403 |
| Chemung | \$25,000 |
| Chenango | \$25,000 |
| Clinton | \$25,000 |
| Columbia | \$25,000 |
| Cortland | \$25,000 |
| Delaware | \$25,000 |
| Dutchess | \$50,698 |
| Erie | \$143,883 |
| Essex | \$25,000 |
| Franklin | \$25,000 |
| Fulton | \$25,000 |
| Genesee | \$25,000 |
| Greene | \$25,000 |
| Hamilton | \$25,000 |
| Herkimer | \$25,000 |
| Jefferson | \$25,000 |
| Lewis | \$25,000 |
| Livingston | \$25,000 |
| Madison | \$25,000 |
| Monroe | \$73,016 |
| Montgomery | \$25,000 |
| Nassau | \$28,525 |
| Niagara | \$34,825 |
| Oneida | \$60,390 |
| Onondaga | \$46,192 |
| Ontario | \$25,000 |
| Orange | \$25,261 |
| Orleans | \$25,000 |

Attachment A
(continued)

SFY 2007-08

**TANF NON-RESIDENTIAL DOMESTIC VIOLENCE
SERVICES ALLOCATIONS**

| | |
|----------------------|--------------------|
| Oswego | \$25,000 |
| Otsego | \$25,000 |
| Putnam | \$25,000 |
| Rensselaer | \$25,000 |
| Rockland | \$25,000 |
| St Lawrence | \$25,000 |
| Saratoga | \$25,000 |
| Schenectady | \$25,000 |
| Schoharie | \$25,000 |
| Schuyler | \$25,000 |
| Seneca | \$25,000 |
| Steuben | \$25,000 |
| Suffolk | \$47,602 |
| Sullivan | \$25,000 |
| Tioga | \$25,000 |
| Tompkins | \$25,000 |
| Ulster | \$25,000 |
| Warren | \$25,000 |
| Washington | \$25,000 |
| Wayne | \$25,000 |
| Westchester | \$55,099 |
| Wyoming | \$25,000 |
| Yates | \$25,000 |
| New York City | \$1,249,810 |
| Total | \$3,000,000 |

ATTACHMENT B

**TANF 2007-08 NON-RESIDENTIAL DOMESTIC VIOLENCE SERVICES
ALLOCATION ATTESTATION**

DISTRICT:

TANF PLAN CONTACT PERSON:

PHONE # AND E-MAIL ADDRESS:

Check one:

___ By signing this form, I am attesting that the social services district will use its TANF 2007-08 allocation for the Non-Residential Domestic Violence Services as outlined in the attached below, and expenditures will continue to be in accordance with federal TANF guidelines.

___ By signing this form, I am attesting that the social services district will not be accessing its TANF 2007-08 allocation for Non-Residential Domestic Violence Services.

Name of approved Non-Residential Domestic Violence Service Provider(s) that will receive these funds, and contact person and telephone number or e-mail address:

| Program: | Contact Person: |
|----------|-----------------|
| 1. _____ | _____ |
| 2. _____ | _____ |
| 3. _____ | _____ |

For each provider listed, provide a brief description of the services that will be supported with this allocation. Use additional sheets as required. (Note: these funds can not be used to supplant existing federal, state and/ or local funding sources):

Commissioner Signature

Date

Send signed Attachment B with any additional sheets before May 31, 2007, by mail to:

NYS Office of Children & Family Services
Office of Program Support
52 Washington Street, Room 331 North
Rensselaer, N.Y. 12144-2796
Attn: Edward Cullings

ATTACHMENT C

FEDERAL TANF FUNDING GUIDELINES AND CLAIMING INSTRUCTIONS

Federal TANF Funding Guidelines

Eligible Families/Individuals

- 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. For the SFY 2007-08 allocation, the income standards are noted below:

2007 HHS Poverty Guidelines (effective June 1, 2007-May 31, 2008)

| Persons in Family Unit | Poverty Level | 200% of Poverty |
|---------------------------------|---------------|-----------------|
| 1 | \$ 10,210 | \$20,420 |
| 2 | \$13,690 | \$27,380 |
| 3 | \$17,170 | \$34,340 |
| 4 | \$20,650 | \$41,300 |
| 5 | \$24,130 | \$48,260 |
| 6 | \$27,610 | \$55,220 |
| 7 | \$31,090 | \$62,180 |
| 8 | \$34,570 | \$69,140 |
| For each additional person, add | \$3,480 | \$6,960 |

Allowable Costs

- Allowable services must meet the federal definition of non-assistance.
- The funds may not be used for assistance. Assistance for federal purposes consists of any payment or benefit designed to meet ongoing basic needs -- food, clothing, shelter, utilities, household goods, personal care items, and general incidental expenses.

Assistance also includes supportive services such as transportation or child care provided to unemployed recipients. Assistance paid to a Family Assistance or Non-Cash Safety Net Assistance/Federal Participation recipient is counted toward the 60-month TANF time limit. Assistance counts toward the support offset.

- Funds may be utilized to provide transportation services only when those services are incidental to the services being provided to TANF-funded public assistance (PA). With regards to transportation services, transportation is permissible for employment or other allowable activities, as long as the program of transportation does not constitute assistance or, if it does constitute assistance, it can only be provided to people receiving PA.
- Funds cannot be used for medical services, Domestic Violence (DV) hotline services, DV outreach/educational services, and capital expenditures.

Cost Allocation

- Costs must be 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 Manuals 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 and OMB Circular A-21 for Education Institutions and for-profit organizations by 48 CFR 31.

Administrative Costs 15% Rule

- The maximum amount the state can spend on administration is 15 percent against the TANF Block Grant after transfer to other block grants. This limitation applies to the non-residential domestic violence allocation for SFY 2007-08.
- The federal definition of administration is different from the state definition. When TANF costs are claimed to the federal government, they must be claimed according to the federal definition. The final federal regulations exclude direct costs, including salaries and benefits costs for staff providing program services and the direct administrative costs associated with providing these services (e.g., supplies, equipment, travel, postage, utilities, rental costs, and maintenance), of providing program services. 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 definition, and should be claimed as program expenditures. Also excluded are costs for contracts devoted entirely to program activities.

- The revised definition 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 within the definition of administrative costs. 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); and
 - Preparing reports and other documents.
 - Overhead and A-87 costs must be budgeted for any program for which local district staff is budgeted.

Claiming Instructions

The local districts should report their Non-Residential Domestic Violence services expenditures as F17 functional costs. These costs will be claimed for reimbursement on the D-17, "Distribution of Allocated Costs to Other Reimbursement Programs" (LDSS-3274) in a column labeled "Non-Res DV." These costs will be claimed via TRACS as a project labeled "Non-Res DV-6."

Costs are claimed at the 100% Federal Share for clients in receipt of TANF or who are eligible for TANF with incomes up to 200 % of the poverty level. Reimbursement is available up to the limit of the allocation. Costs over the allocation will become regular domestic violence services expenditures, which are subject to 50% state reimbursement net of any available Title XX funds.

Because of federal reporting requirements, the local district must report both program and administrative costs for claiming purposes. TRACS permits the reporting of both types of expenditures on the same form.

Under federal TANF regulations, there is a 15% limitation for costs that may be claimed for administrative activities. Under the same regulations, certain activities that are normally considered administrative are now classified as program costs under these federal

rules, and therefore, are not subject to the 15% cap. The guidelines on what costs are administrative and which are non-administrative are noted above.