TO: Local District Commissioners

SUBJECT: Billings for Special Act School Districts with an Approved Dormitory Project


Chapter 737 of the Laws of 1988 amended the Education Law to provide that, starting with the 1991-92 school year, local social services districts placing students at a Special Act School District with an approved Dormitory Authority project would be responsible for the cost of annual Dormitory Authority rental payments as well as the regular tuition payments.

On November 16, 1992 you received GIS message 92ADM/OFM018 concerning billings for Dormitory Authority funded projects of certain Special Act School Districts. Please note that in a recent change, which was announced in a State Education Department letter dated June 10, 1993 to local social services districts, the affected Special Act School Districts will be billing the tuition and the property costs as separate amounts. Local districts are to pay the Special Act School Districts the tuition costs and the State Education Department the property costs. Payment will be made by the local social services district and submitted directly to the New York State Education Department, Program Services Reimbursement Unit, Albany, NY 12234 (rather than the Special Act School District). The GIS message informed you that local districts which receive billings for Special Act School Districts with an approved Dormitory Authority project should claim these payments (i.e. tuition and property payments) as tuition on Line 6 of the Schedule K - Child Care Form DSS-3479 except for adjudicated JD/PINS. Adjudicated JD/PINS that are IVE eligible should be claimed as FNP on line 2 of the Schedule K or for non-IVE JD/PINS claimed on the appropriate DFY claim form. This instruction remains the same.
On July 15, 1993 you received Local Commissioners Memorandum 93 LCM-82 from
the Division of Services and Community Development regarding the SFY 1993-94
CAP on State share of Foster Care expenditures. The response to question
number 5 on page 2 of the LCM advises local districts that statutory
language allows the Department, subject to Division of Budget approval, to
grant exceptions to the Foster Care Cap. Districts which exceed their
Foster Care cap may justify the excess as attributable (in whole or in part)
to the cost of school property only (not the tuition portion) for certain
Special Act School Districts funded through the Dormitory Authority as
separately billed by the Special Act School District.

The regular tuition payments for these students will continue to be paid to
the individual Special Act School Districts where the student is placed.
Both regular tuition and Part I tuition (for property costs) will be billed
simultaneously as part of each school's billing cycle. The payments can be
made through BICS using service type 64 - Education Rate - Private or Campus
Schools.

If your district has placed children in a child caring institution connected
with Special Act School District(s) which house Dormitory Authority funded
project(s), please use the attached form (Attachment A) to annually report
that portion of the costs representing property payments only (not tuition)
that were paid to the State Education Department and settled as tuition on
the Schedule K during the period from January thru December, 1993.
Districts should also remember to include on Attachment A claims for any
property costs that were deducted by the Department as a bottom line
adjustment on the district's State settlement. For those districts who are
in excess of the cap, subject to DOB approval, the State share of these
payments will be excluded from and not applied toward your SFY 93/94 Foster
Care Cap. The report should be submitted to the Bureau of Local Financial

If you have any questions, please contact the Bureau of Local Financial
Operations:

Regions I-IV: Roland Levie at 1-800-342-3715, extension 4-7549 or dial
direct at (518) 474-7549; USER ID AX2060.

Region V: Marvin Gold at (212) 383-1733; USER ID OFM270.

Nelson Weinstock
Deputy Commissioner
Division of Management Support
and Quality Improvement
Attachment A

DISTRICT

Billings for Special Act School Districts with an Approved Dormitory Project

Calendar year 1993 payments to Special Act School Districts with an approved Dormitory project claimed on the Schedule K which represent property costs only (not tuition paid to Special Act School Districts).

State Share

Submitted by:

Name

Title

Date: