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| LOCAL COMMISSIONERS MEMORANDUM |
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DSS-4037EL (Rev. 9/89)

Transmittal No: 93 LCM-133

Date: September 29, 1993

Division: Management Support
and Quality
Improvement

TO: Local District Commissioners

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

ATTACHMENTS: Attachment A: Billings for Special Act School Districts
with an Approved Dormitory Project
(Available on-line)

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 Operations by February 28, 1994.

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: _____