



Office of Children and Family Services

Andrew M. Cuomo
Governor

52 WASHINGTON STREET
RENSSELAER, NY 12144

Sheila J. Poole
Acting
Commissioner

Local Commissioners Memorandum

Transmittal:	16-OCFS-LCM-12
To:	Local District Commissioners
Issuing Division/Office:	Division of Child Welfare and Community Services Division of Administration
Date:	June 14, 2016
Subject:	TANF Funding for Non-Residential Domestic Violence Services for SFY 2016-17
Contact Person(s):	See Section VI
Attachments:	Attachment A: SFY 2016-17 TANF Non-Residential Domestic Violence Services Allocations Attachment B: TANF SFY 2016-17 Non-Residential Domestic Violence Services Plan and Allocation Attestation Attachment C: Federal TANF Funding Guidelines and Claiming Instructions

I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to notify local departments of social services (LDSSs) of their allocations for non-residential domestic violence (DV) services administered through the New York State Office of Children and Family Services (OCFS). The enacted budget for State Fiscal Year (SFY) 2016-2017 includes a Temporary Assistance for Needy Families (TANF) appropriation of \$3,000,000 for the provision of non-residential domestic violence services. The allocation for each LDSS is listed in Attachment A of this document.

II. Background

TANF funding for non-residential domestic violence services is administered by OCFS. In addition to using their TANF appropriations, LDSSs have the option of also dedicating a portion of their Flexible Fund for Family Services (FFFS) allocations to further support non-residential domestic violence services.

III. Allocation Methodology

TANF funding for non-residential domestic violence services is allocated to LDSSs based on program needs and the LDSSs' prior year allocation. Each LDSS receives a base allocation of \$24,999. Additional funds are allocated based on the LDSS's previous

domestic violence expenditures and claiming history. Please see Attachment A for a complete list of LDSS allocations.

IV. Program Implications and Federal TANF Funding Guidelines

These TANF funds must be used for enhanced or expanded core and/or optional non-residential domestic violence services provided by OCFS approved non-residential domestic violence programs, but can be used only for services provided to persons with incomes at or below 200 percent of the poverty level. For a complete list of approved non-residential domestic violence programs, refer to the OCFS website at <http://ocfs.ny.gov/main/dv/providerlist.asp>.

Each LDSS must complete Attachment B, TANF 2016-17 Non-Residential Domestic Violence Services Plan and Allocation Attestation, indicating whether the LDSS intends to access its TANF allocation. If the LDSS intends to use the funds, it must submit a plan for each approved non-residential domestic violence service provider that will receive money from this allocation. The plans must provide a description of the programs and services to be provided with the TANF monies for TANF eligible victims of domestic violence and their children.

Note: Funds cannot be used for medical services, domestic violence hotline services, domestic violence outreach/educational services, or capital expenditures.

Please send the signed and dated Attachment B and plans by **July 30, 2016**, by mail to:

Pamela Jobin
New York State Office of Children and Family Services
Bureau of Program and Community Development
52 Washington Street, Room 334 North
Rensselaer, NY 12144-2834

As in previous years, these funds must be expended and claimed in accordance with the federal TANF Funding Guidelines and Claiming Instructions (see Attachment C).

V. Claiming Instructions and Periods

All expenditures from the non-residential domestic violence services allocation should be claimed in accordance with the LDSS's non-residential domestic violence services approved plan.

The expenditures for the approved non-residential domestic violence services projects should be claimed through the RF17 claim package for special project claiming. Administrative and/or contracted costs associated with approved plans should be identified as F17 functional costs and reported on the Schedule D, LDSS-2347, *DSS Administrative Expenses Allocation and Distribution by Function and Program*, in the F17 column in the RF2A claim package. The individual project costs must also be reported on the LDSS-4975A, *RF17 Worksheet, Distribution of Allocated Costs to Other Reimbursable Programs*, using the project label *Non Res DV 15* from the drop down menu on the Automated Claiming System (ACS).

Salary and non-salary costs of staff should be charged to the RF17 claim package. LDSS staff whose responsibilities include both non-residential domestic violence services and

other tasks or services must be time studied. Only costs related to non-residential domestic violence services should be charged to the RF17 claim package for non-residential domestic violence services.

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*. Program costs are reported as an object of expense 37 - Special Project Program Expense on the LDSS-923B Summary-Program (page 2), *Schedule of Payments for Expenses Other Than Salaries for Other Reimbursable Programs*. The expenditures should be entered in the RF17 Claim Package based on the guidelines noted in Attachment C.

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

Instructions for the Schedule D and RF17 claim package are found in Chapters 7 and 18 respectively of the *Fiscal Reference Manual (FRM)*, Volume 3. The FRMs are available online at <http://otda.state.nyenet/bfdm/finance/>.

Costs are claimed at 100 percent federal share for clients in receipt of TANF or who are eligible for TANF with incomes at or below 200 percent of the federal poverty level. Reimbursement is available up to the limit of the allocation. Costs over the allocation will be regular domestic violence services expenditures, which are subject to 98 percent of 50 percent state reimbursement net of any available Title XX funds.

Because of federal reporting requirements, LDSSs must report program and administrative costs separately for claiming purposes. The RF17 claim package permits reporting both types of expenditures on the same form.

Under federal TANF regulations, there is a 15 percent limitation for costs claimed for administrative activities. Under the same regulations, certain activities that were previously considered administrative are now classified as program costs and, therefore, are not subject to the 15 percent cap. The guidelines on which costs are administrative and which are non-administrative are in Attachment C.

The funds announced in this LCM for SFY 2016-2017 (DV Round 15), which are labeled on the RF-17 as *Non Res DV 15*, must be spent by June 30, 2017, and Final Accepted in ACS by August 15, 2017. These funds are to be used to reimburse expenses incurred beginning October 1, 2015, and ending June 30, 2017, with claim packages Final Accepted in ACS by August 15, 2017.

Additionally, unexpended balances of non-residential domestic violence services funding from DV 11 (SFY 2012-13 funding) labeled as *Non Res DV 11* can be claimed on the RF17 for expenditures incurred from October 1, 2014, through June 30, 2016, with claim packages Final Accepted in ACS by August 15, 2016. Any LDSSs that have remaining *Non Res DV 11* allocations should spend down those balances prior to claiming for *Non Res DV 12, 13, 14, or 15* monies. OCFS may reallocate any unspent funds from an LDSS to other LDSSs that have claims in excess of their allocations.

Unexpended balances from DV 12 (SFY 2013-14 funding) labeled as *Non Res DV 12*, from DV 13 (SFY 2014-15 funding) labeled as *Non Res DV 13*, and from DV 14 (SFY 2015-16 funding) labeled as *Non Res DV 14* can be claimed on the RF17 for expenditures

incurred from October 1, 2015, through June 30, 2017, with claim packages Final Accepted in ACS by August 15, 2017. Any LDSS that has remaining *Non Res DV 12*, *DV 13*, and *DV 14* allocations should spend down those balances prior to claiming for *Non Res DV 15* monies. OCFS may reallocate any unspent funds from an LDSS to other LDSSs that have claims in excess of their allocations.

VI. Contact Persons

Programmatic questions should be directed either to the OCFS home office staff listed below or to the appropriate OCFS regional office, Division of Child Welfare and Community Services staff:

Home Office

*Pamela Jobin, Assistant Director, Bureau of Program and Community Development at (518) 474-4787, Pamela.Jobin@ocfs.ny.gov.

Regional Offices

Buffalo	Tina Cook	Tina.Cook@ocfs.ny.gov	(716) 847-3145
Rochester	Karen Buck	Karen.Buck@ocfs.ny.gov	(585) 238-8201
Syracuse	Sara Simon	Sara.Simon@ocfs.ny.gov	(315) 423-1200
Albany	Colleen Fischer	Colleen.Fischer@ocfs.ny.gov	(518) 486-7078
Spring Valley	Yolanda Désarmé	Yolanda.Desarme@ocfs.ny.gov	(845) 708-2498
NYC	Ronni Fuchs	Ronni.Fuchs@ocfs.ny.gov	(212) 383-1788

Any questions concerning claiming procedures should be directed to the OTDA Bureau of Financial Services by email or telephone:

Dan Stuhlman (Regions I-IV)	Dan.Stuhlman@otda.ny.gov	(518) 474-7549
Michael Simon (Regions V-VI)	Michael.Simon@otda.ny.gov	(212) 961-8250

Issued By:

/s/ Laura M. Velez

Name: Laura M. Velez
 Title: Deputy Commissioner
 Division/Office: Child Welfare and Community Services

/s/ Derek J. Holtzclaw

Name: Derek J. Holtzclaw
 Title: Associate Commissioner for Financial Administration
 Division/Office: Administration

ATTACHMENT A

**SFY 2016-2017
TANF NON-RESIDENTIAL DOMESTIC VIOLENCE SERVICES ALLOCATIONS**

<i>District</i>	Allocation		<i>District</i>	Allocation
Albany	\$25,294		Ontario	\$24,999
Allegany	\$24,999		Orange	\$25,260
Broome	\$24,999		Orleans	\$24,999
Cattaraugus	\$24,999		Oswego	\$24,999
Cayuga	\$24,999		Otsego	\$24,999
Chautauqua	\$34,406		Putnam	\$24,999
Chemung	\$24,999		Rensselaer	\$24,999
Chenango	\$24,999		Rockland	\$24,999
Clinton	\$24,999		St. Lawrence	\$24,999
Columbia	\$24,999		Saratoga	\$24,999
Cortland	\$24,999		Schenectady	\$24,999
Delaware	\$24,999		Schoharie	\$24,999
Dutchess	\$50,700		Schuyler	\$24,999
Erie	\$143,883		Seneca	\$24,999
Essex	\$24,999		Steuben	\$24,999
Franklin	\$24,999		Suffolk	\$47,601
Fulton	\$24,999		Sullivan	\$24,999
Genesee	\$24,999		Tioga	\$24,999
Greene	\$24,999		Tompkins	\$24,999
Hamilton	\$24,999		Ulster	\$24,999
Herkimer	\$24,999		Warren	\$24,999
Jefferson	\$24,999		Washington	\$24,999
Lewis	\$24,999		Wayne	\$24,999
Livingston	\$24,999		Westchester	\$55,101
Madison	\$24,999		Wyoming	\$24,999
Monroe	\$73,017		Yates	\$24,999
Montgomery	\$24,999			
Nassau	\$28,522		Rest of State	\$1,750,138
Niagara	\$34,822			
Oneida	\$60,389		New York City	\$1,249,862
Onondaga	\$46,188			
			Statewide Totals	\$3,000,000

ATTACHMENT B

TANF SFY 2016-2017 NON-RESIDENTIAL DOMESTIC VIOLENCE SERVICES PLAN AND ALLOCATION ATTESTATION

DISTRICT:

TANF PLAN CONTACT PERSON:

PHONE # AND EMAIL ADDRESS:

Check one:

By signing this form, I am attesting that the social services district will use its TANF 2016-2017 allocation 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 at or below 200 percent of the poverty level as outlined in the attached, 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 2016-17 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 email address:

Program:

Contact Person and Contact Information:

- 1.
- 2.
- 3.

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

Commissioner Signature

Date

Send signed Attachment B with any additional sheets by **July 30, 2016**, by mail to:

Pamela Jobin
New York State Office of Children and Family Services
Bureau of Program and Community Development
52 Washington Street, Room 334 North
Rensselaer, NY 12144-2796

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 percent of the federal poverty level, and otherwise meet the TANF categorical eligibility standards including the *Personal Responsibility and Work Opportunity Reconciliation Act* (PRWORA) U.S. citizenship or qualified alien requirements. For the SFY 2016-17 allocation, the income standards are noted below:

2016 HHS Poverty Guidelines

SOURCE: *Federal Register*, Volume 81, Number 15, Monday, January 25, 2016, pp. 4036-4037

Persons in Family Unit	Poverty Level	200% of Poverty
1	\$11,880	\$23,760
2	\$16,020	\$32,040
3	\$20,160	\$40,320
4	\$24,300	\$48,600
5	\$28,440	\$56,880
6	\$32,580	\$65,160
7	\$36,730	\$73,460
8	\$40,890	\$81,780
For each additional person, add	\$4,160	\$8,320

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 person receiving family assistance or non-cash safety net assistance/federal participation 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 people receiving TANF-funded public assistance (PA). With regard 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 is only provided to people receiving PA.
- Funds cannot be used for medical services, domestic violence hotline services, domestic violence 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 LDSS staff or contractor staff. Cost allocation rules are now contained in 2 CFR Part 200, which supersedes and streamlines prior federal guidance including the Fiscal Reference Manuals and Federal Circular OMB A-87 for LDSSs; OMB Circular A-122; OMB Circular and OMB Circular A-21.

Administrative Costs 15 Percent 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 2016-17.
- 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). 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. The following are examples of administrative costs included in the regulations:
 - 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)
- Preparing reports and other documents

Overhead and A-87 costs must be budgeted for any program for which LDSS staff is budgeted.

Claiming Instructions (repeated from Page 2 of the LCM)

All expenditures against the non-residential domestic violence services allocation should be claimed in accordance with the LDSS's non-residential domestic violence services approved plan.

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Claiming Periods (repeated from Page 2 of the LCM)

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