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| LOCAL COMMISSIONERS MEMORANDUM |
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Transmittal No: 91 LCM-102

Date: May 30, 1991

Division: Administration

TO: Local District Commissioners

SUBJECT: Eligibility, Maintenance Rates and Local Fiscal
Responsibilities - New York State School for the Deaf and New
York State School for the Blind

ATTACHMENTS: None

All blind persons twenty-one years of age and under, and all deaf persons between the ages of three and twenty-one years, who are of suitable capacity for instruction and legal residents of the state, are eligible for appointment, without charge to themselves or their families, to the New York State School for the Blind in the City of Batavia, and the New York State School for the Deaf in the City of Rome, respectively.

Effective with the September 1, 1990 to June 30, 1991 school year, Article 87 and Article 88 of the Education Law were amended to provide that local social services districts are financially responsible for the costs of maintenance during the school year, for children attending these schools who are residents of the district at the time of admission or readmission to the state schools. This amendment was enacted by Chapter 53 of the Laws of 1990. Article 87 of the Education Law applies to the New York State School for the Blind, while Article 88 of the Education Law applies to the New York State School for the Deaf.

The maintenance rates and reimbursement methodologies for the maintenance components of the New York State School for the Blind and the New York State School for the Deaf are determined by the State Education Commissioner, in consultation with the State Social Services Commissioner. These rates were included in the most recent update to the Fiscal Reference Manual. The following are the maintenance rates to be used for the period July 1, 1990 to June 30, 1991:

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	<u>School Year (180 Days)</u>	<u>Summer (30 Days)</u>
Batavia School for the Blind	\$185.13	\$177.39
Rome School for the Deaf	118.73	130.22

Although the maintenance for the Summer Program is listed, the local school district, not the local social services agency, is responsible for maintenance costs for this program.

The State Education Department will issue a STAC-3 authorization which approves each child's legitimate placement in the state school, and will contain the specific dates of attendance and the rates for maintenance costs. The local district will receive a quarterly billing from the State Education Department which lists the children in attendance, the dates of attendance and the maintenance rates. Payment for maintenance costs, for these two schools only, is to be done in the same manner as tuition payment; that is, the State Education Department methodology for computing costs takes into account more absences from care than the Department of Social Services methodology. Payment should be made to the State Education Department, and reimbursement for the fifty percent state share should be claimed on the Schedule K (DSS-3479), line 5 (the same as a CSE maintenance payment). Payment should be made off-line and charged to appropriation account A6119.0 - Child Care.

If the local district fails to remit the required maintenance payments to the State Education Department, within ninety days of the date on which the district was billed by the State for services rendered, the State Comptroller may deduct the appropriate maintenance amounts from any state funds which become due to the local districts through the claims settlement process.

If you have questions on the above, please call either Roland Levie at 1-800-342-3715, extension 4-7549 or Marvin Gold at (212) 804-1108. If you have any questions related to rates call Thomas Hamel of the State Education Department (518) 474-3227. If you have any questions concerning the number of children in your district eligible for these schools, etc. call Robert Scalise of the State Education Department at (518) 474-4673.

This Local Commissioners Memorandum supersedes and replaces 90 LCM-174 "Eligibility and Local Fiscal Responsibilities - New York State Schools for the Deaf and the Blind," which is to be cancelled.

Richard Radzynski
Director
Local Financial Operations
Office of Financial Management