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

Gladys Carrión, Esq.  
Commissioner

## Local Commissioners Memorandum

<b>Transmittal:</b>	10-OCFS-LCM-07
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office:</b>	Division of Child Welfare and Community Services / Division of Administration
<b>Date:</b>	July 19, 2010
<b>Subject:</b>	<b>TANF Funding For Non-Residential Domestic Violence Services for 2010-11</b>
<b>Contact Person(s):</b>	See Section VI
<b>Attachments:</b>	A Individual County Allocations B Allocation Attestation C Federal TANF Funding Guidelines and Claiming Instructions
<b>Attachment Available Online:</b>	Yes (as attachments to this LCM) <a href="http://www.ocfs.state.ny.us/main/policies/external">http://www.ocfs.state.ny.us/main/policies/external</a>

### I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to notify local social services districts of their allocation for Non-Residential Domestic Violence (DV) Services being administered through the Office of Children and Family Services (OCFS). The enacted budget for State Fiscal Year (SFY) 2010-11 includes a separate Temporary Assistance for Needy Families (TANF) appropriation of \$1,449,000 for the provision of Non-Residential Domestic Violence Services. The allocation for each county is listed in Attachment A of this document.

### II. Background

TANF funding for Non-Residential Domestic Violence Services has been administered by OCFS and the Office of Temporary and Disability Assistance (OTDA) in prior years and was made available through the Flexible Fund for Family Services (FFFS) in SFY 2006-07.

### III. Allocation Methodology

The funding is allocated to local social services districts based on program needs and expenditure history. A base allocation of \$12,075 is provided to each district.

Additional funds are allocated based on domestic violence expenditures and claiming history. Please see Attachment A for a complete list of county 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 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:

<http://www.ocfs.state.ny.us/domesticviolence/providerslist.aspx>

Local districts must complete Attachment B, TANF 2010-11 Non-Residential Domestic Violence Services Plan and Allocation Attestation, indicating if the district intends to access these TANF allocations. If the local district intends to use the funds, a plan needs to be submitted 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 being provided with the TANF monies for TANF eligible victims of domestic violence and their children.

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

Please mail the signed and dated Attachment B and plans by August 16, 2010, by mail to:

NYS Office of Children & Family Services  
Office of Protective and Community Services  
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 in Attachment C.

#### **V. Claiming Periods**

The funds being announced in this LCM for SFY 2010-11 (DV Round 9) labeled on TRACS as Non Res DV9 must be spent by June 30, 2011, and claimed by August 15, 2011. These funds are to be used to reimburse expenditures beginning October 1, 2009, and ending June 30, 2011.

Additionally, local districts with unexpended balances of Non-Residential Domestic Violence Services funding from DV 6 (SFY 2007-08) labeled on TRACS as Non Res DV 6, DV 7 (SFY 2008-09) labeled on TRACS as Non Res DV 7, and DV 8 (SFY 2009-10 funding) labeled on TRACS as Non Res DV 8 will have an extended expenditure period to June 30, 2011, with claims due by August 15, 2011. Non Res DV 6, DV 7 and DV 8 allocations should be spent down by those districts with existing balances prior to claiming for Non Res DV9 monies.

**VI. Contact Persons****Home Office**

Edward Cullings (518) 473-7950 or Derek Holtzclaw (518) 474-1361;  
or by e-mail at [Edward.Cullings@ocfs.state.ny.us](mailto:Edward.Cullings@ocfs.state.ny.us) or  
[Derek.Holtzclaw@ocfs.state.ny.us](mailto:Derek.Holtzclaw@ocfs.state.ny.us)

**Regional Offices**

Buffalo	Mary Miller	(716) 847-3145
	<a href="mailto:Mary.Miller@ocfs.state.ny.us">Mary.Miller@ocfs.state.ny.us</a>	
Rochester	Karen Buck	(585) 238-8201
	<a href="mailto:Karen.Buck@ocfs.state.ny.us">Karen.Buck@ocfs.state.ny.us</a>	
Syracuse	Jack Klump	(315) 423-1200
	<a href="mailto:Jack.Klump@ocfs.state.ny.us">Jack.Klump@ocfs.state.ny.us</a>	
Albany	Kerri Barber	(518) 486-7078
	<a href="mailto:Kerri.Barber@ocfs.state.ny.us">Kerri.Barber@ocfs.state.ny.us</a>	
Spring Valley	Patricia Sheehy	(914) 377-2080
	<a href="mailto:Patricia.Sheehy@ocfs.state.ny.us">Patricia.Sheehy@ocfs.state.ny.us</a>	
NYC	Patricia Beresford	(212) 383-1788
	<a href="mailto:Patricia.Beresford@ocfs.state.ny.us">Patricia.Beresford@ocfs.state.ny.us</a>	

Any questions concerning claiming procedures may be directed to the OTDA Bureau of Financial Services by e-mail or telephone:

Edward Conway (Regions I-IV) at 1-800-343-8859, ext.4-7549  
[Edward.Conway@otda.state.ny.us](mailto:Edward.Conway@otda.state.ny.us)  
Michael Borenstein (Region V) at 631-854-9704  
[Michael.Borenstein@otda.state.ny.us](mailto:Michael.Borenstein@otda.state.ny.us)  
Marian Borenstein (Region VI) at 212-961-8251.  
[Marian.Borenstein@otda.state.ny.us](mailto:Marian.Borenstein@otda.state.ny.us)

**Issued By:**

/s/ Laura M. Velez

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

/s/ Thomas Tipple

Name: Thomas Tipple  
Title: Deputy Commissioner  
Division/Office: Administration

## Attachment A

SFY 2010-11

### TANF NON-RESIDENTIAL DOMESTIC VIOLENCE SERVICES ALLOCATIONS

**DISTRICT**

<b>Albany</b>	\$12,218
<b>Allegany</b>	\$12,075
<b>Broome</b>	\$12,075
<b>Cattaraugus</b>	\$12,075
<b>Cayuga</b>	\$12,075
<b>Chautauqua</b>	\$16,617
<b>Chemung</b>	\$12,075
<b>Chenango</b>	\$12,075
<b>Clinton</b>	\$12,075
<b>Columbia</b>	\$12,075
<b>Cortland</b>	\$12,075
<b>Delaware</b>	\$12,075
<b>Dutchess</b>	\$24,487
<b>Erie</b>	\$69,495
<b>Essex</b>	\$12,075
<b>Franklin</b>	\$12,075
<b>Fulton</b>	\$12,075
<b>Genesee</b>	\$12,075
<b>Greene</b>	\$12,075
<b>Hamilton</b>	\$12,075
<b>Herkimer</b>	\$12,075
<b>Jefferson</b>	\$12,075
<b>Lewis</b>	\$12,075
<b>Livingston</b>	\$12,075
<b>Madison</b>	\$12,075
<b>Monroe</b>	\$35,267
<b>Montgomery</b>	\$12,075
<b>Nassau</b>	\$13,778
<b>Niagara</b>	\$16,820
<b>Oneida</b>	\$29,168
<b>Onondaga</b>	\$22,310
<b>Ontario</b>	\$12,075
<b>Orange</b>	\$12,201
<b>Orleans</b>	\$12,075

**Attachment A**  
(continued)

SFY 2010-11

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

Oswego	\$12,075
Otsego	\$12,075
Putnam	\$12,075
Rensselaer	\$12,075
Rockland	\$12,075
St Lawrence	\$12,075
Saratoga	\$12,075
Schenectady	\$12,075
Schoharie	\$12,075
Schuyler	\$12,075
Seneca	\$12,075
Steuben	\$12,075
Suffolk	\$22,992
Sullivan	\$12,075
Tioga	\$12,075
Tompkins	\$12,075
Ulster	\$12,075
Warren	\$12,075
Washington	\$12,075
Wayne	\$12,075
Westchester	\$26,613
Wyoming	\$12,075
Yates	\$12,075
New York City	\$603,659
<b>Total</b>	<b>\$1,449,000</b>

**ATTACHMENT B**

**TANF 2010-11 NON-RESIDENTIAL DOMESTIC VIOLENCE SERVICES PLAN AND 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 2010-11 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 2010-11 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 by August 16, 2010, by mail to:

NYS Office of Children & Family Services  
Office of Protective and Community Services  
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 Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) U.S. citizenship or qualified alien requirements. For the SFY 2010-11 allocation, the income standards are noted below:

**2010 HHS Poverty Guidelines (effective June 1, 2009 - May 31, 2010)**

**The United States Congress has taken action to keep the 2009 poverty guidelines in effect until at least May 31, 2010.**

<b>Persons in Family Unit</b>	<b>Poverty Level</b>	<b>200% of Poverty</b>
1	\$ 10,830	\$21,660
2	\$14,570	\$29,140
3	\$18,310	\$36,620
4	\$22,050	\$44,100
5	\$25,790	\$51,580
6	\$29,530	\$59,060
7	\$33,270	\$66,540
8	\$37,010	\$74,020
For each additional person, add	\$3,740	\$7,480

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 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 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, 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 2010-11.
- 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 local district staff is budgeted.

#### Claiming Instructions

All expenditures against the Non-Residential Domestic Violence Services allocation should be claimed in accordance with the local social services district's Non-Residential Domestic Violence Services approved plan.

The administrative and/or contracted costs associated with approved plans should be reported in the F-17 function (Other Reimbursable Programs) on the Schedule D, DSS Administrative Expenses Allocation and Distribution by Function and Program (LDSS-2347). These costs will carry forward to the Schedule D-17, Distribution of Allocated Costs to Other Reimbursable Programs, (LDSS-3274), and be reported in a column labeled Non Res DV 9. These expenditures will support Form LDSS-3922, Reimbursement Claims for Special Projects. The LDSS-3922 project label should be entitled Non Res DV 9.

Local district staff not working fulltime on Non-Residential Domestic Violence Services must be time studied and only those related costs should be charged to Non-Residential Domestic Violence Services.

The LDSS-3922 for Non-Residential Domestic Violence Services should be submitted on a monthly basis to the Bureau of Financial Services using the TRACS system. Districts must retain the signed LDSS-3922, which supports the claims submitted via TRACS for audit purposes. Instructions for completing the Schedule D-17 are found in the Fiscal Reference Manual (FRM) Volume 3 (Volume 4 for New York City), Chapter 18. Instructions for completing the LDSS-3922 are found in FRM, Volume 2, Chapter 3. The expenditures should be entered in the non-Administration / Administration Costs columns based on the guidelines noted above.

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.

Claiming Periods (repeated from Page 2)

The funds being announced in this LCM for SFY 2010-11 (DV Round 9) labeled on TRACS as Non Res DV9 must be spent by June 30, 2011, and claimed by August 15, 2011. These funds are to be used to reimburse expenditures beginning October 1, 2009, and ending June 30, 2011, with claims due by August 15, 2011.

Additionally, local districts with unexpended balances of Non-Residential Domestic Violence Services funding from DV 6 (SFY 2007-08) labeled on TRACS as Non Res DV 6, DV 7 (SFY 2008-09) labeled on TRACS as Non Res DV 7, and DV 8 (SFY 2009-10 funding) labeled on TRACS as Non Res DV 8 will have an extended expenditure period to June 30, 2011, with claims due by August 15, 2011. Non Res DV 6, DV 7 and DV 8 allocations should be spent down by those districts with existing balances prior to claiming for Non Res DV9 monies.