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Governor

NEW YORK STATE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
40 NORTH PEARL STREET
ALBANY, NY 12243-0001

David A. Hansell
Commissioner

Local Commissioners Memorandum

Section 1

Transmittal:	07-LCM-13
To:	Local District Commissioners
Issuing Division/Office:	Center for Employment and Economic Supports
Date:	October 18, 2007
Subject:	2008-2009 Temporary Assistance and Food Stamp Employment Plan
Contact Person(s):	OTDA Employment Technical Advisor or Employment and Advancement Bureau at (518) 486-6106
Attachments:	Attachment A: Temporary Assistance and Food Stamp Employment Plan Template Attachment B: Temporary Assistance and Food Stamp Employment Plan Instructions
Attachment Available On – Line:	Yes

Section 2

I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to instruct each local social services district (district) to develop and submit its 2008-2009 Temporary Assistance and Food Stamp Employment Plan to the Office of Temporary and Disability Assistance (OTDA) no later than December 7, 2007. Planning instructions and a plan template are attached to support completion of the biennial plan.

II. Background

Section 333 of the New York Social Services Law requires that every two years each district submit for approval to OTDA a plan that describes the district's employment program. The plan must include a description of the provision of education, work, training, and supportive services for all public assistance applicants and recipients along with other information required by OTDA.

State regulations at 18NYCRR 385 set forth the requirements of public assistance and food stamp employment programs, including the administration of local employment plans.

III. Program Implications

The biennial plan outlines local policy governing employment programs operated to provide employment services for Family Assistance (FA), Safety Net Assistance (SN), and Food Stamp (FS) recipients as well as optional services for individuals eligible for Temporary Assistance for Needy Families (TANF) services with incomes up to 200% of the federal poverty standard. The plan includes local services available, engagement policies, district policy for the approval of training programs, disability determinations and work accommodation procedures, available support services and conciliation procedures. The activity definitions and other sections are consistent with the requirements included in 06-ADM-17, Implementation of Interim Final TANF Rule. Additionally, two new significant areas are covered by the 2008-09 Plan regarding work verification procedures and vocational education/job skills activity enrollments. Specifically,

- Section 3.6 includes new information regarding how the district identifies appropriate adult basic education, English Language Instruction, Vocational Education and Job Skills training programs. This information is requested to ensure that each district's planning process includes an active effort to ensure that such services are available for individuals whose assessment indicates that education or training is appropriate. In addition, this section requests that each district establish a goal of increasing enrollments in vocational education and job skills training. This goal is being established as one effort to improve the skill development of recipients and to support improved job placement and job retention outcomes.
- Section 3.7 will describe the district's work verification procedures. This section requires that each district develop a quality assurance process to assess the extent to which participation rate policies and practices are accurate and consistent with State and federal requirements. Districts are reminded that the Interim Final TANF Rule included a new federal fiscal penalty of between 1 and 5 percent of the state's TANF block grant that will be applied if the district fails to meet the new work verification standards, including documentation of work activity participation. Districts will soon receive an additional informational release to provide additional instruction based upon New York's Work Verification Plan as approved by HHS on September 28, 2007.
- Section 3.9 will include information on district policies and procedures in place to reduce the amount of time participants fail to participate in work activities, including time missed with good cause. This information is requested due to the fact that recent federal work participation rate requirements significantly limit the number of days that may be reported toward the work participation rate based on excused absence from attending a program activity. Additionally, it is important that program participants and program providers adopt strategies to support consistent program participation to better prepare participants to enter and retain employment.

Districts must submit the plan for a 30-day public comment period and to OTDA as a draft no later than December 7, 2007. Plans, including required attachments, should be sent to Barbara Guinn by email at BarbaraC.guinn@otda.state.ny.us or by mail to:

Barbara C. Guinn
Director, Employment and Advancement Services
NYS Office of Temporary and Disability Assistance
40 N. Pearl Street, 11th Floor
Albany, New York 12243

Districts will receive a letter indicating any changes identified by OTDA that must be made prior to plan approval. Districts must incorporate any OTDA required changes, along with any changes necessary as a result of the public comment process and submit the final plan for approval by the due date included on the comment letter. Each district will be given written notification of plan approval and copies of all approved plans will be provided to the Office of Administrative Fair Hearings to support hearing decisions.

Issued By

Name: Russell Sykes
Title: Deputy Commissioner
Division/Office: Center for Employment and Economic Supports

**Instructions for Completion of 2008-2009
Temporary Assistance and Food Stamp Employment Plan**

These instructions are divided into sections that correspond to the sections in the local plan and should be used as a guide in completing each section of the Social Services District's Temporary Assistance and Food Stamp Employment Plan (Plan). For further information or clarification concerning any of the contents of this document, please contact your district's Office of Temporary and Disability (OTDA) Employment Technical Advisor.

Districts must submit the Plan for a 30-day public comment period and to OTDA (as a draft) no later than December 7, 2007. Please transmit one copy of the completed plan to:

Barbara C. Guinn
Director, Employment and Advancement Services
NYS Office of Temporary and Disability Assistance
40 North Pearl Street, 11th Floor
Albany, New York 12243

Electronic submittals may be sent to BarbaraC.Guinn@otda.state.ny.us

Upon completion of OTDA's review, you will receive a letter indicating any changes which must be made, if applicable, prior to plan approval. Districts will be expected to incorporate any changes required by OTDA as well as any necessitated by public comment and to submit a final signed copy of the Plan to OTDA for approval.

After OTDA has approved the plan, if a social services district makes any policy or procedural changes, deletions or additions to their employment program, the local employment plan must be amended accordingly. Each page of the planning document may serve as a modification document. On a blank copy of the page in question, enter the proposed change(s) to the plan, check the "amendment" box at the bottom of the page, and submit the page to the above address and to the district's Employment Technical Advisor for approval.

General Instructions

In accordance with Department Regulation 18 NYCRR 385.10, the local employment plan must be developed in cooperation with local education institutions, child care providers, child care resource and referral agencies (if available in the district), labor unions, libraries, public and private employers, employment and training agencies, Workforce Investment Act (WIA) agencies, and Workforce Investment Boards (WIBs), as well as any other applicable agencies or institutions.

Also, since some of the requirements included in the plan may extend to other areas of the agency (e.g., the requirement that Orientation include the individual's responsibility to pursue child support) and because employment and self-sufficiency are goals that should be supported by all staff, it is important that the plan is completed in coordination with other local staff.

Most areas of the Plan template are self-explanatory but the following instructions should be used to assist in Plan completion.

Section 1 Assurances and Commissioner's Signature

This section records the district's commitment to administer an employment program that is in compliance with all applicable federal and State policies, laws, regulations, and provisions outlined in the local plan. This section includes the signature of the Commissioner of the Department of Social Services (DSS) affirming this assurance.

Section 2 Administration

This section includes a description of internal local district employment administration and contracts with external agencies.

2.1 Administrative Structure

As stated in the plan document, the district is to include an organizational chart with this section. Include in this section the principal organizations/agencies/staff that provide employment services and specify what services are provided. Employment services include, but are not limited to, employability determinations, orientation, assessment, employability planning, assignment to work activity, monitoring of participation, developing and monitoring treatment plans for exempt individuals engaged in treatment or rehabilitation to restore self-sufficiency, coordination and provision of supportive services, and employment placement and retention services. Also include a description of the staff/units that are responsible for conciliation, sanction, and dispute resolution. If applicable, please include the unit's relationship to other offices in the local department of social services. Indicate in this section if the district contracts with another agency to provide any of the employment services and specify what programs and/or services those contractors provide.

2.2 TA and FSET Provider Agencies

Complete Table 1 with information regarding agencies and providers with which the district contracts to provide TA employment services and/or FSET services and activities. In selecting providers, districts are encouraged to take into account such factors as past performance in providing similar services, demonstrated results, fiscal accountability, cost effectiveness and ability to meet other performance standards.

Providers may include, but are not limited to, WIA agencies, State agencies, school districts, Board of Cooperative Educational Services, not-for-profit community-based organizations, licensed trade schools or registered business schools, libraries, post-secondary educational institutions, Educational Opportunity Centers, local employers, etc. When it is feasible, districts should develop performance-based contracts or agreements with such entities. Standards must include an evaluation procedure to ensure that services offered by a provider are sufficient to substantially enhance a participant's opportunity to secure unsubsidized employment. Contracts entered into by districts must be available for review by OTDA.

In the second column, please enter the annual contract cost.

The district may not contract for a service or activity which is otherwise available at no cost. This section also states that the contracts must include a cost allocation methodology that satisfies Generally Accepted Accounting Principles and the requirements of pertinent U. S. Office of Management and Budget Circulars, unless services are reimbursed on a performance basis.

The categories of clients served may include Family Assistance (FA), Safety Net Assistance for Families (SNF), Safety Net Assistance households w/o children (SNA), Food Stamps (FS), and TANF 200% population.

The last column of Table 1 may contain the name of the program but it must also contain a description of the program, services, or activities that are provided.

Table 2 Other Service Providers

There may be agencies/organizations to which the district refers participants for employment activities and/or services that do not require a payment from the district. These agencies may be directly funded by OTDA (e.g., Wage Subsidy or Bridge) or some other funding source. Please list those agencies, including the activities or services the organization provides, the categories of individuals that are served, and the funding source for the services, if known.

2.3 Jobs Agreement

This section is to be completed for those districts participating in the Jobs Program, which provides State staff support for various employment related services. The district should designate which services will be offered and the target group(s) that will be served by placing an "X" in the selected areas. Additional narrative may be included to describe specific services or duties Jobs staff will be expected to fulfill which are not included in the template.

Specific questions regarding Jobs program services may be directed to the regional Jobs staff contact list found at the end of this section. Any district seeking to amend current Jobs staffing levels should separately send a request in writing to OTDA, Center for Employment and Economic Supports to the attention of Mr. Michael Burns.

Jobs staff are currently located at the Department of Labor offices, One Stop Centers and LDSS offices. When Jobs staff are working at local district locations or, by agreement, One Stop Centers locations, OTDA is requesting districts provide logistical support for the Jobs staff. This support may include; work space (desk, chairs and secure files), telephone, local fax access and postage. At the end of this section in the plan, please identify an LDSS contact person who may develop operational details with the Jobs regional coordinator.

Regional Jobs Coordinators

Capital/Central

Eugene Schultz

NYS OTDA
40 North Pearl Street, Section 11A
Albany, NY 12240
(518) 402-3550
(518) 474-5281 (fax)

Finger Lakes

Jim Cook

NYS Jobs Program
350 Elm Street
Penn Yan, NY 14527
(315) 531-8027
(315) 531-8029 (fax)

Hudson Valley

Edris Brown

NYS Jobs Program
11 Periman Drive
Pascack Plaza
Spring Valley, NY 10977
(845) 426-2700 x303
(845) 426-2709 (fax)

Long Island

Helen Smelley

NYS Jobs Program
303 West Old County Road
Hicksville, NY 11801
(516) 934-8528
(516) 934-8586 fax

New York City

Edith Cooper

NYS Jobs Program
Harlem Center Office
317 Lenox Avenue
New York, NY 10027
(212) 961-4178
(212) 961-8187 (fax)

North Country

Nicole Shippee

NYS Jobs Program
80 State Highway 310, Suite 8
Canton, NY 13617
(315) 386-3276 x127
(315) 386-3414 (fax)

Southern Tier

Paula Guzzey

NYS Jobs Program
Glendale Technology Park
2001 Perimeter Road East
Endicott, NY 13760
(607) 741-4266
(607) 741-4516 (fax)

Western

Annette Goodrich

NYS Jobs Program – *Buffalo Ofc.*
284 Main Street
Buffalo, NY 14202
(716) 851-2661
(716) 851-2658 fax

NYS Jobs Program – *Albion Ofc.*
458 West Avenue, Suite 3
Albion, NY 14411
(585) 589-5335 ext. 117
(585) 589-2715 fax

Section 3 Engagement and Work Preparation

3.1 Federal “Engaged in Work” Requirement

This section contains the definition of what it means to be “engaged in work” to comply with the federal requirement that all TANF parents and caretakers will be engaged in work prior to receiving 24 months of assistance. An acceptable definition is included in the Plan template but districts may include additional information if appropriate.

3.2 Orientation

All applicants and recipients of Temporary Assistance must receive an orientation regarding employment expectations and other requirements. This orientation should include information regarding time limits and requirements to engage in work, school attendance for teen parents and finding child care if necessary. A complete explanation of the rights and responsibilities of applicants and recipients and of the benefits and obligations of participation in employment activities will help districts meet participation rate requirements and help recipients become self-sufficient.

The complete list of what must be included in orientation is contained in Section 385.5 of the Regulations. If additional elements are covered in the district’s orientation, please check the appropriate box and provide a brief description of them.

Also in this section, please describe how the district completes the orientation, including who conducts the orientation (e.g., TA staff, Employment staff, or both), at what point during the application process is it completed and in what type of setting (e.g., group or individual). In addition, please address whether the orientation requirement is completed differently at recertification and, if so, how.

3.3 Assessment and Employability Planning

Assessments and employability plans are required for most Temporary Assistance participants. Assessments must include a review of educational level, including literacy and English language proficiency, basic skills proficiency, childcare and supportive service needs, as well as a review of family circumstances. Indicate by checking the appropriate box in subsection “a” under Temporary Assistance Assessments if the district assessment contains additional elements and list those elements.

Districts are encouraged to re-evaluate a participant’s work status and activity assignment at least once every six months. While this assessment point may not cover all required elements of the assessment, it is important to periodically evaluate whether or not the participant is making progress in the current activity assignment and whether or not any changes to the individual’s assignment or support services are warranted.

If the district’s assessment includes specific screening tools to identify participants with potential disabilities, please indicate this in subsection “a” and include in subsection “b” what tool is used.

Subsection “c” asks for qualifications of the individuals completing assessments and employment plans. Specifically, please indicate what type of training the individuals receive for these tasks or if there is an experience requirement for the position. Please include the title of the individual if he/she is a DSS employee.

Indicate in subsection “e” if assessments are completed with applicants, for both households with children and households without children.

While not required for food stamps, it is advisable to conduct an assessment prior to enrolling participants in an activity. Indicate in the Food Stamps Assessment section if it is district policy to conduct a formal assessment and, if so, what it involves.

Under Temporary Assistance Employment Plans, indicate by checking the appropriate box if the district includes additional elements in the employment plans and, if so, describe those elements.

Include a copy of the district’s assessment and employment plan forms as attachments to the Plan.

3.4 Participation Rates and Work Activities

Subsection “a” contains questions asking for the district’s plan to meet federal and state participation rates. As part of this description please include the typical time period between case opening and engagement in activities for nonexempt individuals and the typical time period for engagement in a traditional work activity after an individual’s status changes from exempt to nonexempt. Include how this and other factors regarding participation rate and engagement are monitored. Indicate in this section what the district’s weekly standard participation requirement is for individuals in the different case and household types. For example, is the district’s participation standard 30, 35, or 40 hours per week for households with no children under age six? Is it 20 or more hours per week for a single caretaker of a child under age six? Please explain. Districts should also include a description of how the district uses work participation management reports available through Cognos or other reports and activities to monitor district progress toward meeting work participation requirements and ensuring full engagement by adults in work or work preparation activities.

Subsection “b” describes the work activities in which participants are enrolled. The Interim Final TANF rule defined each countable federal work activity. The work activity definitions established by OTDA incorporate the guidance included in the Interim Final TANF rule at 45 CFR 261.2 and the corresponding Preamble discussion, as well as New York’s Work Verification Plan. Districts may choose to provide additional detail regarding local activity offerings so long as the activity description for all countable work activities regains consistent with the requirements outlined in 06-ADM-17.

Districts may provide, but are not limited to providing activities from the list contained in the Plan template. The district must indicate if these activities are available for all categories of participants by placing an “X” in the appropriate column(s).

Considerations and requirements for some of the work activities are as follows.

As stated in Dept. Reg. 385.9 (d)(3), work experience and community service must meet the requirements prohibiting displacement and other applicable provisions. The number of hours of participation in work experience cannot exceed the Temporary Assistance and Food Stamp grants divided by the federal or State minimum wage, whichever is higher.

According to Dept. Reg. 385.9(b), a non-graduate degree student who is participating in work-study, internships, externships, or other work placement that is part of that student's curriculum cannot be unreasonably denied the opportunity to participate in that placement as a work activity assignment. The regulation states that participation in such a program is to be considered unsubsidized employment, subsidized private or public sector employment or on-the-job training. Subsidized employment may be more appropriate for federal work-study programs, while participation in internships or externships would probably be more appropriately considered on-the-job training.

In reviewing the list of work activities, consider that all districts are required to provide a qualifying work activity assignment to Able Bodied Adults Without Dependents (ABAWD) clients who request an assignment when it is necessary to retain eligibility for food stamps.

Following the work activities, districts are asked to provide a description of the local policy for Applicant Job Search and Recipient Job Search. Please indicate the number of employer contacts required for each type of job search and the local districts procedures for monitoring the job search. Participation in a job search activity will include time directly supervised by the program provider as verified through attendance records or other statements from the program provider. As required by the Federal Department of Health and Human Services, no later than January 1, 2008, individuals participating in self-directed job search will be required to maintain and submit a log detailing the amount of time spent looking for work. This job search log will be reviewed by the responsible staff person providing supervision of the activity to assess the extent to which a reasonable number of contacts were made during the time reported given the amount of time required to identify, apply and interview for a job as well as time spent preparing and sending follow-up materials to an employer. Districts must report actual hours of participation to the State primarily through data recorded on WTWCMS, NYCWAY or other system that supports reporting of actual hours of participation. Districts are strongly encouraged to support each individual's search for work through actions such as helping participants identify job openings that are consistent with his or her work abilities and interest.

3.5 Job Development

This subsection is for districts to describe job development activity, if any, in which the district is involved. Please check the box next to "Yes" or "No" to indicate whether or not job development activities are conducted. If yes, check the appropriate box(es) that follow to indicate who is involved in job development and describe number of staff, frequency of contact with employers and any other pertinent information. Districts are encouraged to coordinate job development activities with local workforce agencies.

3.6 Training Approval and Activity Enrollment Policies

Districts should ensure that education and job training services are available to individuals whose assessment indicates a need for adult basic education or English Language

Instruction and districts should also strive to provide opportunities for additional job skills training for individual's whose job placement efforts would benefit these services.

Federal participation rate requirements limit the types of educational activities that will count towards meeting work participation rates. Districts are reminded that all hours in a vocational education placement count toward federal TANF/MOE work participation rates for up to 12 months in a lifetime for any individual. Job skills training counts toward the federal TANF/MOE work participation requirement, so long as combined with at least 20 hours weekly in a "core" work activity such as employment or work experience. (Work experience may be less than 20 hours weekly if "deemed" to meet the 20 hour standard due to the hourly participation being equivalent to the number of hours resulting from dividing the households TA and FS grants by the minimum wage).

In subsections "a" and "b" each district is asked to describe how it identifies and provides appropriate education or job skills services for individual's whose assessment indicates that such services would be an appropriate work activity assignment. This section should include what arrangements the district has in place with education and training providers, including contracted services, to provide such services. This information is requested to ensure that each district's planning process includes an active effort to ensure such services are available for individuals whose assessment indicates that education or training is appropriate.

Subsection "c" ask each district to describe steps it plans to take to increase the number of enrollments in vocational education or job skills training programs by at least 20 percent by January 2009. Districts that already have at least 20% of total enrollments in vocational education and job skills training are asked to at least maintain this level. Districts currently with fewer than 10% of enrollments in these activities are asked to plan to increase enrollments so that at least 10% of total enrolments are in vocational education or job skills training programs (or achieve a 20% increase in enrollments, whichever is greater). The number of enrollments would reflect an increase over total enrollments, including enrollments for participants whose hourly participation does not meet work participation requirements. This goal is being established as one effort to improve the skill development of recipient and to support improved job placement and job retention outcomes. Districts are strongly encouraged to coordinate training activities with local workforce agencies and to insure a job placement strategy is established for individuals participating in or who complete training.

Sample District Enrollment Goals

	September Voc Ed. Enrollments	September Job Skills Enrollments	Total VE & JS Enrollments	Total All Activiites Enrollments	VE & JS as a Percent of All Activities	# New Goal	
District A	30	50	80	500	16%	16	20% increase
District B	5	5	10	500	2%	40	Get to 10%
District C	40	60	100	500	20%	0	At least maintain

Districts are reminded that vocational education counts fully toward federal work participation requirements for an individual for up to 12 months in the individual's lifetime. Job skills training counts without a time limit so long as combined with 20 hours of a core work activity (and vocational education beyond the 12 months may be reported as job skills training, again requiring the 20 hours of core work activity). (Reference 06-ADM-17.)

Each social services district is responsible for the approval of work activities including training and education. In this section describe the district's standards for approving training providers including the determination that the training is for positions that are "in demand" in the area or, if the training is general, that it provides the base that is needed by some individuals in order to progress to or in competitive employment. An evaluation procedure must be incorporated into the approval determination standards of each social services district. Each social services official must maintain a list of programs which have been approved by the district. Also in this section, set forth the procedure for advising applicants/recipients of approved activities and providers as well as the procedures for notifying applicants/recipients whether enrollment in a work activity is approved and the requirements participants must meet to maintain their enrollment in those activities. These items are to be completed in subsections "d" - "g."

For subsection "h", unless a valid reason exists, districts must approve as an activity, work study, internships, externships, etc. that are associated with a non-graduate educational program, whether or not they have approved the educational program (as required by State statute and regulations). The reasons for withholding such approval must be included in the Plan. All of the reasons listed in the regulation are listed in the plan and the district may check only those that are conditions under which the district would deny approval of the activity. The district may check all or any of the conditions listed in this subsection and may include additional conditions. At least one condition must be included unless the district would never deny such an activity.

The procedure for monitoring teen school enrollment to determine the individual's exempt status is to be entered in subsection "i." If normal periodic monitoring procedures cause the verification to be due during a summer month when students are not normally in school, some type of tickler must be established so the enrollment can be verified when school reconvenes.

Subsection "j" is self-explanatory. Districts are reminded that a participant's limitations must be stated in writing to a provider. Privacy laws prohibit disclosure of a medical condition but restrictions or limitations resulting from the medical condition must be shared with the supervisor at the participant's work assignment.

Section 3.7 Work Verification

This section of the plan describes the district's procedure for monitoring attendance in work activities and also includes the controls in place to ensure that federal exclusions from work participation rate requirements are accurately made, work eligible individuals are correctly identified, hours of attendance reported by providers is accurate and documented, data entry is accurate and that district and providers adhere to approved district and State policy in terms of work activity definitions and determination of excused absence reporting. For example, in cases where providers are given the ability to report attendance directly on WTWCMS or other system,

it must be made clear that providers keep rosters or some other document to back up for what is entered and should have it available for district monitoring on a random or periodic basis. Districts must validate attendance reporting by monitoring visits to providers and viewing attendance rosters for training. The district must describe the frequency of attendance monitoring visits, which may vary based on the number of participants served by the provider.

Section 3.8 Requirements for Exempt Temporary Assistance Participants

In this section of the plan, outline the district's procedures for assisting participants who are exempt, but who have the potential to be restored to self-sufficiency (18 NYCRR 385.2(e)). In subsection "a" the district may refer to their disability process outlined in Section 6, but there is no need to repeat that information here. The purpose of this subsection is to describe how the information obtained, as described in Section 6, is interpreted for the purpose of determining if some type of treatment or rehabilitation would improve the individual's employability. Include who (e.g. title, unit, etc.) makes the determination and what information is used to assist in the determination. If the district has a special unit or has contracted with a provider that assists with this process, please include that information.

Subsection "b" is to include what factors/considerations the district includes in developing a participant's treatment plan and referring for appropriate treatment. (This is **not** to include the district's procedures for mandatory substance abuse screening and treatment, which are covered by separate OTDA regulations.)

Subsection "c" is to contain the district's process for monitoring compliance with the treatment plan, including the frequency and manner in which attendance verification is obtained or how compliance is otherwise assured and documented. Monthly attendance verification is required in order for the activity to possibly count toward the district's participation rate.

Section 3.9 Strategies/Procedures for Increasing Program Attendance

New federal work participation rate requirements significantly limit the number of days that may be reported toward the work participation rate based on excused absence from attending a program activity. Additionally, it is important that program participants adopt strategies to balance work and other needs to reduce time missed from work so they are better prepared to enter and retain employment. Districts are asked to describe district policies and procedures in place to reduce the amount of time participants fail to participate in work activities, including time missed with good cause. These practices may include strategies to motivate client participation, counseling clients on the importance of having back-up child care arrangements and strategies to reduce the extent to which personal needs conflict with work schedules. Additionally, districts should take steps to reduce the extent to which agency requirements conflict with work activity schedules and employ strategies such as immediate outreach to ensure attendance is quickly resumed.

Section 3.10 Strategies/Procedures for Engaging Sanctioned Temporary Assistance Participants

In this section, please check the appropriate box regarding whether the district uses specific strategies to try to engage sanctioned participants and, if so, at what point during the sanction period. Also include the procedures the district uses to try to reengage sanctioned participants.

Section 3.11 Diversion Strategies

Indicate in this section if the district uses strategies to divert applicants from needing/applying for continued Temporary Assistance. If yes, describe those strategies. This is not to include applicant assessment since it is an eligibility requirement and does not provide an alternate source of income or meet an immediate need. Districts may indicate in this section that supportive services are provided as a diversion, but need not list those services since they are to be listed in Section 4.1 “d.” Specific criteria for providing those services should be listed here, e.g. verified employment, promise of employment, etc.

Section 4 Supportive Services

Support services may include, but are not necessarily limited to, childcare assistance, transportation assistance, nonrecurring payments to meet employment-related needs such as car repairs or clothing and placement and retention services including job coaches and other methods of case-management.

It is important to remember that the families who have received 60 months of TANF assistance and who are now receiving Safety Net assistance remain eligible to receive TANF funded non-assistance support services. The exception is transportation assistance provided to families that are not employed. Transportation assistance for these families should be provided but must be funded with Safety Net funds.

4.1 For Temporary Assistance Applicants and Recipients in Work Activities

Each social services district must provide, when resources are available and when the district determines they are necessary, transportation, work-related expenses, case management and medical assistance. Child care shall be guaranteed, if appropriate, to individuals who need such care to participate in orientation, assessment, employability planning and assigned work activities.

Describe in subsection “a” the services the district will provide or for which the district will provide reimbursement to individuals to participate in employment-related activities or to assist participants to improve their opportunities for sustained employment or advancement. Include maximum amounts for items if applicable.

Describe in subsection “b” the transportation services the district provides. Districts must continue to make diligent efforts to assist a person in obtaining transportation to get to and from a work activity site. Where lack of transportation is a direct barrier to participation in a work activity the local district must make a reasonable effort to assign the individual to an appropriate work activity at a site as close as possible to the individual’s home. If there is a specific mileage reimbursement rate, please indicate that here. Please include a justification if the rate is significantly lower than the deduction rate of 48.5 cents per mile currently allowed by the IRS for travel expenses.

Describe in subsection “c” the district’s approach for work activity assignments for clients who reside in an area without public transportation and for whom a lack of transportation

is a major barrier to self sufficiency. In those instances where the district would require a participant to walk to a work activity assignment, please identify the maximum distance the client would be expected to walk, along with justification for the maximum distance.

Describe in subsection “d” the supportive services which the district will provide to assist individuals at risk of needing Temporary Assistance to improve their opportunities for employment or to maintain their employment.

Subsection “e” is to include a description of how the district accommodates the needs of non-English speaking participants in accessing employment services. Please be specific regarding how the district provides equal access to employment services for the participant who has a language barrier and how the district helps the individual understand (e.g., bilingual staff, access to interpreters, etc.) his/her rights and responsibilities. If the district never or very seldom has such a participant, they may check the box stating that it is not applicable.

4.2 Transitional Supportive Services

In this section describe the supportive services provided for up to 90 days after individuals have lost their Temporary Assistance due to employment.

4.3 Extended Supportive Services

Describe in this section the supportive services the district will provide for individuals who are eligible under the 200% of poverty eligibility guidelines, as long as funding is available.

4.4 Supportive Services for Food Stamp Employment & Training (FSET) Participants

Districts are required to provide or reimburse, as needed, Food Stamp Employment and Training (FSET) participants costs associated with engaging in FSET programs. The district must provide or reimburse as appropriate the costs of dependent care expenses for individuals participating in FSET programs. However NYS policy prohibits use of Food Stamps funds for child care if the family would be eligible for it under the Child Care Block Grant (CCBG).

There is no longer a limit of \$25.00 per individual on the amount of monthly FSET supportive service payments that are subject to federal reimbursement. List the district’s policy for providing transportation services in subsection “a.” If there is a specific mileage reimbursement rate, please indicate that here. Include a justification if the rate is significantly lower than the deduction rate of 48.5 cents per mile currently allowed by the IRS for travel expenses. If supportive services other than transportation and childcare are provided, list them in subsection “b.”

Section 5 Temporary Assistance Conciliation and Dispute Resolution Procedures; Food Stamps “Good Cause” Determination Procedures

District plans must include a description of the conciliation process they use to afford a temporary assistance client the opportunity to explain a refusal or failure to comply with an assignment or to dispute an activity assignment. The plan must also include the procedure used by the district to determine if good cause exists for a client's failure to comply with a food stamp employment requirement.

5.1 Conciliation

Conciliation must be conducted in accordance with Dept. Reg. 385.11(a). Check the appropriate boxes of Section 5.1 that indicate how conciliations are conducted (more than one may be checked) and what staff person or other entity makes the determination that noncompliance was willful and without good cause. Please include additional information where requested, and the steps an individual must take if any, to lead to a positive resolution.

5.2 Sanctions

Describe the districts procedures for "ending" a durational sanction for the first such failure or refusal to comply with employment requirements and describe the districts procedures for an individual to show compliance at the end of the durational period.

5.3 Dispute Resolution

Dispute resolution must be conducted in accordance with Dept. Reg. 385.11(b). Dispute Resolution must be available to clients who wish to dispute a work activity assignment. This process is also used for participants who dispute the district's response to their request for health-related accommodations. Please check the appropriate box in this section to describe the district's dispute resolution procedure.

5.4 Food Stamps Good Cause Determination

When an applicant or recipient has failed to comply with Food Stamp program work requirements or assignment to work activities, the district must determine whether the noncompliance was without good cause before a sanction may be imposed. In determining whether good cause exists, the district must consider the facts and circumstances, including information submitted by the client. The applicant or recipient is responsible for notifying the district of the reasons for the noncompliance and for furnishing evidence to support any claim of good cause. The district has no obligation to send a separate notice requesting good cause information to the individual at the time of noncompliance but may do so if they wish. Check the appropriate box in Section 5.4 to describe the district's good cause determination for Food Stamps. Conciliation for FSET failures to comply is not required, but districts have the option to use that procedure. Check the appropriate box in this section to indicate the procedure the district uses and include additional information if appropriate.

Section 6 – Disability Determinations

In this section, describe the process by which determinations of disabilities are made. A participant has ten calendar days from the date of the request by the district to provide

documentation of a medical impairment in order for the district to determine disability and/or work limitations of the individual. The district can decide if the individual's medical documentation is sufficient to make a determination.

Alternatively or in conjunction with the request for documentation, the district may refer the individual to a health care practitioner certified by the OTDA Division of Disability Determinations. If the district refers the individual to its practitioner, the individual may submit his/her own medical documentation to the district's practitioner for consideration in the evaluation within prescribed time frames in Dept. Reg. 385.2(d).

Please describe in this section, by checking the appropriate box and including additional information as required, how the district obtains medical documentation and who makes the disability determination once the documentation is received.