



**Eliot Spitzer**  
*Governor*

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

**Gladys Carrión, Esq.**  
*Commissioner*

## **Local Commissioners Memorandum**

<b>Transmittal:</b>	07-OCFS-LCM-07
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office:</b>	Division of Development and Prevention Services Division of Administration
<b>Date:</b>	May 2, 2007
<b>Subject:</b>	New York State Child Care Block Grant (NYSCCBG) Subsidy Program Allocations State Fiscal Year 2007-2008
<b>Contact Person(s):</b>	Eileen M. Mahoney (518) 473-0711; E-mail Address Eileen.Mahoney@ocfs.state.ny.us
<b>Attachments:</b>	A: New York State Child Care Block Grant District Allocations B: Maintenance of Effort Level
<b>Attachment Available Online:</b>	Yes

### **I. Purpose**

The purpose of this Local Commissioners Memorandum (LCM) is to inform social services districts of their allocations and maintenance of effort (MOE) levels for the New York State Child Care Block Grant (NYSCCBG) subsidy program for the period April 1, 2007 through March 31, 2008, and to explain the allowable uses for these federal and State funds. The NYSCCBG allocation to districts for the period April 1, 2007 through March 31, 2008, State fiscal year (SFY) 2007-08, is \$713,220,629. Districts should note that these allocations are significantly different than the preliminary allocations shared with the districts in a letter jointly issued by the Division of Development and Prevention Services and the Division of Administration dated February 8, 2007. This is because the final budget that was passed by the Legislature and signed in to law by the Governor transfers TANF funds into the NYSCCBG as opposed to including those funds in the Flexible Fund for Family Services.

In order to participate in the NYSCCBG subsidy program, the commissioner of the social services district must agree to comply with the program requirements of the NYSCCBG as set forth in Title

5-C of Article 6 of the Social Services Law and Title 18 of the New York State Code of Rules and Regulations (18 NYCRR) Parts 358, 404, 405, 407, 415, and 628. The social services district also must agree to comply with the requirements for the federal Child Care Development Fund (CCDF). Social services districts provide such legal assurances as part of the submittal of their Child and Family Services Plan.

## **II. Program Implications**

### **ALLOCATION INFORMATION**

Attachment A indicates district allocations of the NYSCCBG subsidy funds for the period beginning April 1, 2007 and ending March 31, 2008. Allocations are listed on Attachment A for two six-month periods to allow for the reporting of federal funds on a federal fiscal year basis. The allocations cover the period April 1, 2007 to September 30, 2007, the last half of federal fiscal year 2006-07, and the period October 1, 2007 to March 31, 2008, the first half of the federal fiscal year 2007-08. Local social services districts were issued their NYSCCBG allocations for the first half of the federal fiscal year 2006-07, October 1, 2006 to March 31, 2007, in 06-OCFS-LCM-04 dated May 12, 2006. Any unspent NYSCCBG funds for the period October 1, 2006 to March 31, 2007, will be carried into, and be available for, the period ending September 30, 2007. Any portion of a district's NYSCCBG allocation for the period October 1, 2006 through September 30, 2007, including any TANF funds transferred from a district's combined TANF allocation, as described below, for the period April 1, 2007 to September 30, 2007, that is not claimed by the district by March 31, 2008, will be available to the district through the end of the federal fiscal year 2007-08, which is September 30, 2008. Claims for the period October 1, 2006 through September 30, 2007 cannot be rolled forward into the next federal fiscal year.

The SFY 2007-08 NYSCCBG allocations are based on a new simplified allocation methodology that promotes equitable access to child care subsidies regardless of where a low-income family lives. This new allocation methodology takes into account a district's relative potential eligible low-income population and relative cost of care using the day care center market rate for age group 3 through 5 years. The methodology also considers a district's federal fiscal year 2005-06 spending levels, including spending of TANF funding transferred from the Flexible Fund for Family Services (FFFS) into the NYSCCBG. To facilitate the transition to the new methodology, the SFY 2007-08 allocations ensure that each local district receives at least the same amount as its SFY 2006-07 allocation PLUS any FFFS transfer in SFY 06-07. In addition, once each district is held harmless to the value of funding received last year, the allocation of any additional funding takes into consideration, to a limited degree, the availability of a district's prior year(s) rollover funding.

While this allocation is the primary resource available to you in meeting child care subsidy needs for low income families and those individuals on public assistance, there remains the authority for local districts to transfer additional funds from FFFS into the NYSCCBG. Under the FFFS, \$654 million of New York State's \$2.44 billion TANF annual grant award will be allocated to local social services districts for TANF eligible programs. Consistent with federal rules, a statewide total of 30 percent of the State's total TANF funds may be transferred to the CCDF and/or to the Title XX Social Services Block Grant, with an upward statewide limit of 10 percent for the Title XX transfer.

Absolute transfer limits against each county's allocation cannot be defined because the federal limits apply to the \$2.4 billion total annual TANF grant. Any FFFS funding your district chooses to use for child care must be transferred to the NYSCCBG and not claimed as a direct charge to TANF funding. In addition, local share requirements for child care subsidies paid on behalf of public assistance recipients and the local maintenance of effort are unchanged.

Each social services district may expend no more than five percent of its NYSCCBG allocation, including any funds transferred from FFFS, for administrative activities. Administrative activities do not include the costs of providing direct services such as eligibility determinations and re-determinations; preparation and participation in judicial hearings; child care placements; the recruitment, licensing, inspection, review and supervision of child care placements; rate setting; resource and referral services; training; and the establishment and maintenance of computerized child care information systems.

A district, at its option, may make payments for eligible families for transportation to and from a child care provider. Districts will be reimbursed for transportation expenses charged by a child care provider that are separate and apart from the regular rate charged by the provider. Also, the district may make arrangements using other providers of transportation services. Expenditures for transportation are reimbursed as a program cost under the district's NYSCCBG allocation if the provision of transportation services is included in the district's Child and Family Services Plan.

## **ELIGIBLE FAMILIES**

There are three broad categories of families eligible for child care services under the NYSCCBG when such care is not otherwise available from the caretaker(s) of the child in need of services. Eligible families are defined in 18 NYCRR 415.2. Social services districts are required to include this information in the districts' Child and Family Services Plans, including those families that the districts have chosen to serve and prioritize under categories two and three given below.

The first category is families that are eligible for a child care guarantee.

The second category is families that are eligible if funds are available. This category includes such families as low income working families and teen parents who are completing high school.

The third category is families that are eligible if funds are available and if the district includes them as eligible families in the child care section of the Child and Family Services Plan.

## **PARENTAL CHOICE**

Social services districts must inform parents or caretakers requesting NYSCCBG services that they may:

- choose to have care provided by one of the child day care providers with whom the social

services district has contracted for the provision of child care services; or

- request a child care certificate which enables the parents or caretakers to select from a full range of child care arrangements including care by regulated child care providers and providers of legally-exempt child care.

The child's parents or caretakers must be given discretion in selecting or arranging for the purchase of child care services from any eligible provider. The case record should document that parents or caretakers have been apprised of the full range of providers eligible for payment and of their right to elect to use a child care certificate. Social services districts must allow parents to select, and must have a method to pay, any and all legal providers with whom they do not contract. A contract may not be made a condition of receiving payment from NYSCCBG funds.

## **REIMBURSEMENT**

Claims for expenditures for child care services for families receiving public assistance will be reimbursed at 75 percent with NYSCCBG funds up to the district's NYSCCBG allocation. Claims for expenditures for child care for all other eligible families will be reimbursed at 100 percent NYSCCBG funds, as long as the district's maintenance of effort (MOE) is met, up to the district's NYSCCBG allocation.

## **MAINTENANCE OF EFFORT**

Social services districts must maintain local spending for child care services at a level established by the Office of Children and Family Services in accordance with State statute. The MOE for each social services district is listed in Attachment B. Note that the MOE has not changed from the previous year even though NYSCCBG funding has increased.

The MOE was calculated by totaling the local district share of expenditures in federal fiscal year 1994-95 for child care services claimed under the following categories: State Low Income Day Care program and administrative costs, Transitional Child Care, At-Risk Low Income Child Care, Child Care and Development Block Grant, Emergency Assistance to Families, JOBS-related child care and employment-related child care. In addition, the MOE for those social services districts participating in the Child Assistance Program (CAP) was adjusted to reflect the district share for federal fiscal year 1996-97 CAP child care expenditures included in their NYSCCBG allocation.

Each social services district must meet its MOE level in cash in federal fiscal year 2006-07 and in each subsequent federal fiscal year. The MOE is met by the 25 percent local share of claims for expenditures for public assistance recipients as reported on Schedule H and any other non-Title XX expenditures that are allowable but not reimbursed under the district's NYSCCBG allocation. Claims submitted under NYSCCBG will be processed to ensure that the district's MOE requirement is met. Claims for administrative costs exceeding the 5% administrative cap will not count toward meeting the MOE and will not be eligible for federal and State reimbursement.

## **SYSTEMS INFORMATION**

Procedures for the authorization of payment for child care services in the Welfare Management System (WMS) are as follows:

For child care payments for eligible families applying for or receiving public assistance, districts can continue to use the DSS-3209 IM/WMS Authorization. Districts may, at their option, utilize the DSS-2970 WMS Services Authorization to authorize payment for child care for public assistance families. Service Type Suffix Code (Data Element #23021) value "S" designates child care services funded under the NYSCCBG for public assistance applicants/recipients and reimbursed at 75% federal and State share up to the district's allocation ceiling.

Districts have the option to authorize payments for child care for NYSCCBG eligible families not in receipt of public assistance on the DSS-3209 for Food Stamps and Medical Assistance only cases.

For all other eligible families, districts must authorize payment in WMS/Services by using Service Type Suffix Code value "R" on the DSS-2970 WMS Services Authorization which designates child care services funded under NYSCCBG for non-public assistance families and reimbursed at 100% federal and State share up to the district's allocation ceiling.

In circumstances of an adult only public assistance case in which the children are not included in the public assistance filing unit, child care payment is authorized as a public assistance family and reimbursed at 75% federal and State share. For cases in which children are in receipt of public assistance but the caretaker is not included in the public assistance filing unit, child care is authorized in WMS Services and reimbursed at 100% federal and State share up to the district's allocation ceiling.

WMS Services continues to support monitoring the issuance and return of child care certificates. Instructions for the child care certificate are included in 92-LCM-138 and in the BICS Operations Manual, page A-62, BICS Production Request 32. Information is also provided in the BICS Services Payment Processing Manual, Chapter 2, Authorizations, pages 2-25, Self Selected Day Care Certificates.

## **CLAIMING INSTRUCTIONS**

NYSCCBG expenditures for child care subsidies for families receiving public assistance are claimed on Schedule H Non-Title XX Services for Recipients (LDSS-4283), line 2 (Day Care Services for Children), column 13 (Day Care Block Grant 75%). NYSCCBG program expenditures for child care subsidies for all other eligible families are claimed on the Schedule H, line 2, column 12 (Day Care Block Grant 100%). Please refer to the Fiscal Reference Manual, Volume 2, Chapter 3 for detailed instructions for completing the Schedule H.

NYSCCBG child counts and expenditures also must be reported on the Schedule G-2 Summary of Payments for Day Care (LDSS-2109EL). Expenditures made under the services types allowed must be reported on the Schedule G-2, via the Automated Claiming System. The BICS Schedule G-2

report provides the information needed to file the report. Please refer to the Fiscal Reference Manual, Volume 2, Chapter 3 for Schedule G-2 instructions.

Administrative expenditures for the NYSCCBG are claimed in accordance with the Services RMS as Child Care Block Grant costs on line 6, section 1A (associated A-87 costs are claimed on line 4, section 2) of the Schedule D-2, Allocation for Claiming of General Services Expenditures (LDSS-2347B). Instructions for completing the Schedule D-2 are contained in Chapter 9 of Volume 3 of the Fiscal Reference Manual County Cost Allocation Plan for districts outside of New York City. For New York City, the instructions are contained in Chapter 9 of Volume 4 of the Fiscal Reference Manual.

Claiming instructions for district administrative expenditures related to the training of employees which are claimed on the Schedule D-6 "Reimbursement For Training" (LDSS-2347-C) for the NYSCCBG program are covered in Chapter 13 of Volume 3 of the Fiscal Reference Manual for districts outside of New York City. New York City should refer to Volume 4 of the Fiscal Reference Manual.

## **CONTACT PERSON**

If you have any questions regarding information contained in this LCM, please contact Eileen Mahoney of the Bureau of Early Childhood Services at (518) 473-0711. Ms. Mahoney also may be contacted via e-mail at [EILEEN.MAHONEY@ocfs.state.ny.us](mailto:EILEEN.MAHONEY@ocfs.state.ny.us)

If you have any fiscal questions, please contact the Bureau of Financial Services:

Regions 1 - 4 – Carolyn Oleyourryk at 1-800-343-8859, ext. 4-7549, or (518) 474-7549;  
E-mail address: [Carolyn.Oleyourryk@otda.state.ny.us](mailto:Carolyn.Oleyourryk@otda.state.ny.us)

Region 5 - Michael Borenstein at (631) 854-9704;  
E-mail address: [Michael.Borenstein@otda.state.ny.us](mailto:Michael.Borenstein@otda.state.ny.us).

Region 6 - Marian Borenstein at (212) 961-8250;  
E-mail address: [Marian.Borenstein@otda.state.ny.us](mailto:Marian.Borenstein@otda.state.ny.us).

If you have WMS/Services questions, please contact Dan McCarthy of the OCFS IT Operations at 800-342-3727; E-mail address: [Dan.McCarthy@ocfs.state.ny.us](mailto:Dan.McCarthy@ocfs.state.ny.us)

If you have WMS/IM questions, please contact Tully Lenihan of the Office of Temporary and Disability Assistance at (518) 474-8749; E-mail address: [Tully.Lenihan@otda.state.ny.us](mailto:Tully.Lenihan@otda.state.ny.us).

**Issued By:**

*/s/ William T. Gettman, Jr.*

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William T. Gettman, Jr.  
Deputy Commissioner  
Division of Administration

*/s/ Jane G. Lynch*

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Jane G. Lynch  
Deputy Commissioner  
Division of Development and  
Prevention Services

**NEW YORK STATE CHILD CARE BLOCK GRANT  
LOCAL DISTRICT ALLOCATIONS  
4/1/2007 - 3/31/2008**

<b>DISTRICT</b>	<b>APRIL 1, 2007 THROUGH SEPTEMBER 30, 2007</b>	<b>OCTOBER 1, 2007 THROUGH MARCH 31, 2008</b>	<b>TOTAL ALLOCATION</b>
Albany	\$5,564,596	\$5,564,595	\$11,129,191
Allegany	\$349,478	\$349,477	\$698,955
Broome	\$2,447,651	\$2,447,651	\$4,895,302
Cattaraugus	\$946,760	\$946,759	\$1,893,519
Cayuga	\$590,478	\$590,478	\$1,180,956
Chautauqua	\$2,646,704	\$2,646,704	\$5,293,408
Chemung	\$1,592,967	\$1,592,967	\$3,185,934
Chenango	\$391,996	\$391,996	\$783,992
Clinton	\$492,434	\$492,434	\$984,868
Columbia	\$507,554	\$507,554	\$1,015,108
Cortland	\$667,464	\$667,464	\$1,334,928
Delaware	\$718,072	\$718,071	\$1,436,143
Dutchess	\$2,513,954	\$2,513,953	\$5,027,907
Erie	\$12,646,423	\$12,646,422	\$25,292,845
Essex	\$126,788	\$126,788	\$253,576
Franklin	\$572,903	\$572,903	\$1,145,806
Fulton	\$476,639	\$476,639	\$953,278
Genesee	\$564,860	\$564,860	\$1,129,720
Greene	\$266,209	\$266,209	\$532,418
Hamilton	\$20,564	\$20,564	\$41,128
Herkimer	\$468,792	\$468,792	\$937,584
Jefferson	\$1,198,336	\$1,198,335	\$2,396,671
Lewis	\$172,294	\$172,294	\$344,588
Livingston	\$558,517	\$558,516	\$1,117,033
Madison	\$427,129	\$427,129	\$854,258
Monroe	\$16,167,645	\$16,167,644	\$32,335,289
Montgomery	\$398,770	\$398,770	\$797,540
Nassau	\$13,979,932	\$13,979,931	\$27,959,863
Niagara	\$1,906,271	\$1,906,270	\$3,812,541
Oneida	\$3,716,668	\$3,716,668	\$7,433,336
Onondaga	\$6,943,940	\$6,943,939	\$13,887,879
Ontario	\$991,880	\$991,879	\$1,983,759
Orange	\$3,398,724	\$3,398,724	\$6,797,448



**NEW YORK STATE CHILD CARE BLOCK GRANT  
LOCAL DISTRICT ALLOCATIONS  
4/1/2007 - 3/31/2008**

<b>DISTRICT</b>	<b>APRIL 1, 2007 THROUGH SEPTEMBER 30, 2007</b>	<b>OCTOBER 1, 2007 THROUGH MARCH 31, 2008</b>	<b>TOTAL ALLOCATION</b>
Orleans	\$615,219	\$615,219	\$1,230,438
Oswego	\$1,233,689	\$1,233,688	\$2,467,377
Otsego	\$446,704	\$446,703	\$893,407
Putnam	\$469,059	\$469,059	\$938,118
Rensselaer	\$1,732,148	\$1,732,148	\$3,464,296
Rockland	\$3,570,411	\$3,570,410	\$7,140,821
St Lawrence	\$1,083,945	\$1,083,944	\$2,167,889
Saratoga	\$1,254,832	\$1,254,831	\$2,509,663
Schenectady	\$2,632,695	\$2,632,695	\$5,265,390
Schoharie	\$253,529	\$253,529	\$507,058
Schuyler	\$346,733	\$346,733	\$693,466
Seneca	\$187,557	\$187,557	\$375,114
Steuben	\$1,398,337	\$1,398,337	\$2,796,674
Suffolk	\$15,534,249	\$15,534,248	\$31,068,497
Sullivan	\$1,071,971	\$1,071,970	\$2,143,941
Tioga	\$624,131	\$624,131	\$1,248,262
Tompkins	\$897,624	\$897,624	\$1,795,248
Ulster	\$1,803,936	\$1,803,936	\$3,607,872
Warren	\$823,941	\$823,941	\$1,647,882
Washington	\$555,360	\$555,360	\$1,110,720
Wayne	\$532,330	\$532,329	\$1,064,659
Westchester	\$10,356,752	\$10,356,751	\$20,713,503
Wyoming	\$192,142	\$192,141	\$384,283
Yates	\$308,569	\$308,569	\$617,138
<b>New York City</b>	<b>\$224,251,071</b>	<b>\$224,251,071</b>	<b>\$448,502,142</b>
<b>State Total</b>	<b>\$356,610,326</b>	<b>\$356,610,303</b>	<b>\$713,220,629</b>

**ATTACHMENT B  
NEW YORK STATE CHILD CARE BLOCK GRANT**

**MAINTENANCE OF EFFORT LEVEL  
Federal Fiscal Year 1995 Basis**

<u>DISTRICT</u>	<u>MOE AMOUNT</u>	<u>DISTRICT</u>	<u>MOE AMOUNT</u>
Albany	\$ 1,019,127	Oneida	\$ 283,468
Allegany	68,895	Onondaga	1,204,201
Broome	518,534	Ontario	73,752
Cattaraugus	34,769	Orange	32,900
Cayuga	15,101	Orleans	36,152
Chautauqua	558,879	Oswego	41,453
Chemung	63,364	Otsego	28,900
Chenango	27,933	Putnam	62,728
Clinton	99,395	Rensselaer	164,819
Columbia	7,848	Rockland	235,830
Cortland	53,422	St. Lawrence	101,658
Delaware	34,955	Saratoga	30,127
Dutchess	193,433	Schenectady	228,165
Erie	1,264,742	Schoharie	12,101
Essex	16,498	Schuyler	9,515
Franklin	26,381	Seneca	19,292
Fulton	38,407	Steuben	148,022
Genesee	49,813	Suffolk	692,326
Greene	20,310	Sullivan	28,491
Hamilton	2,738	Tioga	22,049
Herkimer	14,318	Tompkins	70,752
Jefferson	81,936	Ulster	208,356
Lewis	11,454	Warren	22,063
Livingston	76,936	Washington	32,583
Madison	12,147	Wayne	39,416
Monroe	4,221,021	Westchester	1,018,071
Montgomery	11,738	Wyoming	13,806
Nassau	1,574,621	Yates	11,683
Niagara	364,420		
		New York City	52,937,271
		State Total	68,293,085