



**David A. Paterson**  
*Governor*

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

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

### **Administrative Directive**

<b>Transmittal:</b>	09-OCFS-ADM-17
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office:</b>	Administration
<b>Date:</b>	September 4, 2009
<b>Subject:</b>	Committee on Special Education Maintenance Rates for July 1, 2009, through June 30, 2010, for Out-of-State Residential Schools Approved by the New York State Education Department
<b>Suggested Distribution:</b>	Accounting Supervisors
<b>Contact Person(s):</b>	Ken Norris (518) 486-3437 or Dan Zeidman (518) 474-1384, or by e-mail at <a href="mailto:Ken.Norris@ocfs.state.ny.us">Ken.Norris@ocfs.state.ny.us</a> or <a href="mailto:Daniel.Zeidman@ocfs.state.ny.us">Daniel.Zeidman@ocfs.state.ny.us</a>
<b>Attachments:</b>	Out-of-State Rate Chart for Committee on Special Education Maintenance Rates for July 1, 2009, to June 30, 2010
<b>Attachments Available Online:</b>	Rate charts are available on the Rate Information page of the OCFS website at the address below, and are updated as needed. <i>Link to Internet Site:</i> <a href="http://www.ocfs.state.ny.us/main/rates/">http://www.ocfs.state.ny.us/main/rates/</a>

### **Filing References**

<b>Previous ADMs/INFs</b>	<b>Releases Cancelled</b>	<b>Dept. Regs.</b>	<b>Soc. Serv. Law &amp; Other Legal Ref.</b>	<b>Manual Ref.</b>	<b>Misc. Ref.</b>
			SSL 153 EL 4405		

## **I. Purpose**

The purpose of this Administrative Directive (ADM) is to issue the Committee on Special Education (CSE) maintenance rates for out-of-state residential schools approved by the State Education Department (SED). These CSE maintenance rates are effective for the period July 1, 2009, to June 30, 2010.

## **II. Background**

Annually, the Office of Children and Family Services (OCFS) advises local social services districts of the approved out-of-state CSE maintenance rates for residential schools approved by SED. These rates are based on rate information approved by other states, recommended by SED, and reviewed and approved by OCFS. Rates specified in the attached rate chart must be used by local social services districts to make CSE maintenance payments for children approved by SED for residential placements in out-of-state private residential schools. Issuance of and payment responsibilities for these rates are authorized in Section 4405 of Education Law as well as in Section 153 of the Social Services Law.

## **III. Program and Fiscal Implications**

The CSE maintenance rates published in the attached chart are 12-month rates except where noted. The social services district where the child is a legal resident is responsible for the 10-month CSE maintenance payment for services provided from September through June. The social services district is not responsible for either maintenance or tuition payments for CSE summer school placements, which are the responsibility of the placing school district.

As it relates to the 10-month CSE maintenance payment, changes in Education and Social Services Law brought about by passage of Chapter 62 of the Laws of 2003 provide that the child's school district of residence must reimburse the social services district for 20 percent of the maintenance costs for such children (see 04-OCFS-LCM-13 for more details regarding those procedures). Pursuant to those amendments, the local school district placing the child will be responsible for the 10-month CSE tuition payment, as well as the 20 percent portion of the 10-month CSE maintenance payment.

The CSE maintenance rates in the attached chart are the rates that must be paid for eligible children. Pursuant to Section 4405 of Education Law, these rates are not negotiable. For a local district CSE maintenance payment to be reimbursable, a CSE maintenance rate must be published by OCFS.

Pursuant to Chapter 496 of the Laws of 2008, the 10-month CSE maintenance reimbursement formula has been revised as follows: State share is reduced to 36.848 percent, and local share is increased to 43.152 percent. The 20 percent portion chargeable to the child's school district of residence for the 10-month CSE maintenance payment remains at 20 percent.

**IV. Systems Implications**

Existing procedures for processing CSE maintenance payments and claims will continue to be applicable.

**V. Effective Date**

This directive is effective as of the date of its issuance.

*/s/ Thomas S. Tipple*

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**Issued By:**

Name: Thomas S. Tipple

Title: Deputy Commissioner

Division/Office: Administration

Attachment

New York State Office of Children and Family Services  
Out-of-State CSE Maintenance Rates  
July 1, 2009 – June 30, 2010

<b>Agency</b>	<b>Code</b>	<b>Rate</b>	<b>Eff. Date</b>
Bancroft School - Community	NR		7/1/09
Bancroft School - Campus	NR		7/1/09
Berkshire Meadows	NR		7/1/09
Boston Higashi School		\$246.32	7/1/09
Crotched Mt. Rehab - Group Home/Behavior Mgt.	NR		7/1/09
Crotched Mt. Rehab - Fox Meadows Apartments	NR		7/1/09
Crotched Mt. Rehab - Medically Involved	NR		7/1/09
Devereux - PA - Kanner		\$229.80	7/1/09
Devereux - PA - Brandywine		\$246.00	7/1/09
Devereux - PA - Mapleton		\$244.80	7/1/09
Devereux - PA – DCBHC Acute		\$405.00	7/1/09
Devereux - PA - Gateway		\$244.80	7/1/09
Devereux - CT - Glenholme Residential		\$228.00	7/1/09
Devereux - CT - Glenholme Intensive	NR		7/1/09
Dr. Franklin Perkins	NR		7/1/09
Elwyn Institute	NR		7/1/09
Evergreen Center - Basic Skills Unit		\$260.90	7/1/09
Evergreen Center - Behavior Disabilities Unit		\$294.00	7/1/09
Hillcrest - Brookside		\$298.34	7/1/09
Hillcrest - High Point		\$298.34	7/1/09
Hillcrest - Hillcrest Center		\$298.34	7/1/09
Hillcrest - Intensive Treatment		\$481.73	7/1/09
Judge Rotenberg Educ. Ctr.		\$396.34	7/1/09
Kids Peace - Therapeutic Residential	NR		7/1/09
Kids Peace - Specialized Community Res.	NR		7/1/09

<b>Agency</b>	<b>Code</b>	<b>Rate</b>	<b>Eff. Date</b>
Kids Peace - Dual Diagnosis Res.	NR		7/1/09
Kids Peace – Specialized Res. (Pioneer Ctr.)	NR		7/1/09
Kids Peace – Intensive Res. (Athlete Ctr.)	NR		7/1/09
Kids Peace - National Hospital	NR		7/1/09
Kolburne School - Program 3 - Intensive		\$229.13	7/1/09
Matheny School		\$737.00	7/1/09
May Institute – Randolph (formerly Chatham)		\$325.10	7/1/09
May Institute - Brockton		\$366.31	7/1/09
Melmark Home - C-0 Program	NR		7/1/09
Melmark Home - C-INT Program	NR		7/1/09
Melmark Home - C1 Program	NR		7/1/09
New England Ctr. for Children - Regular		\$334.56	7/1/09
New England Ctr. for Children - Intermediate		\$467.58	7/1/09
New England Ctr. for Children - Severe		\$507.73	7/1/09
Pathway School - Intensive Regular		\$206.44	7/1/09
Pathway School - Intensive Support Program		\$270.96	7/1/09
Perkins School for the Blind - Blind		\$222.82	7/1/09
Perkins School for the Blind - Deaf, Blind, Multi-Handicapped		\$429.19	7/1/09
Perkins School for the Blind - Multi-Impaired		\$350.70	7/1/09
Perkins School for the Blind - Severely Impaired	NR		7/1/09
Woods School - Regular		\$345.40	7/1/09
Woods School - Regular w/aide		\$591.48	7/1/09
Woods School - Challenging Behavior		\$360.13	7/1/09
Woods School - Challenging Behavior w/aide		\$627.02	7/1/09

## Codes:

NR - No rate approved at time of issuance  
UR - Rate under review