



David A. Paterson
Governor

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

Gladys Carrión, Esq.
Commissioner

Local Commissioners Memorandum

Transmittal:	09-OCFS-LCM-02
To:	Local District Commissioners
Issuing Division/Office:	Division of Child Welfare and Community Services / Division of Administration
Date:	April 27, 2009
Subject:	TANF Funding For Non-Residential Domestic Violence Services for 2009-10
Contact Person(s):	See Section VI
Attachments:	A Individual County Allocations B Allocation Attestation C Federal TANF Funding Guidelines and Claiming Instructions
Attachment Available Online:	Yes (as attachments to this LCM) http://www.ocfs.state.ny.us/main/policies/external

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) 2009-10 includes a separate Temporary Assistance for Needy Families (TANF) appropriation of \$3 million 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 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 \$25,000 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 www.ocfs.state.ny.us.

Local districts must complete Attachment B, TANF 2009-10 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 **May 29, 2009**, 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 2009-10 (DV Round 8) must be spent by June 30, 2010, and claimed by August 15, 2010. These funds are to be used to reimburse expenditures beginning October 1, 2008, and ending June 30, 2010, with claims due by August 15, 2010.

Additionally, local districts with unexpended balances of Non-Residential Domestic Violence Services funding from DV 7 (SFY 2008-09 funding) and DV 6 (SFY 2007-08) will have an extended expenditure period to June 30, 2010, with claims due by August 15, 2010. DV 5a will continue to have an expenditure period end date of June 30, 2009, and a final claim date of August 15, 2009.

VI. Contact Persons**Home Office**

Edward Cullings (518) 473-7950 or Andrea Sweda (518) 402-3324;
or by e-mail at Edward.Cullings@ocfs.state.ny.us or Andrea.Sweda@ocfs.state.ny.us

Regional Offices

Buffalo	Mary Miller	(716) 847-3145
	Mary.Miller@ocfs.state.ny.us	
Rochester	Linda Kurtz	(585) 238-8201
	Linda.Kurtz@ocfs.state.ny.us	
Syracuse	Jack Klump	(315) 423-1200
	Jack.Klump@ocfs.state.ny.us	
Albany	Kerri Barber	(518) 486-7078
	Kerri.Barber@ocfs.state.ny.us	
Spring Valley	Patricia Sheehy	(914) 377-2080
	Patricia.Sheehy@ocfs.state.ny.us	
NYC	Patricia Beresford	(212) 383-1788
	Patricia.Beresford@ocfs.state.ny.us	

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

James Carroll (Regions I-IV) at 1-800-343-8859, ext.4-7549
James.Carroll@otda.state.ny.us
Michael Borenstein (Region V) at 631-854-9704
Michael.Borenstein@otda.state.ny.us
Marian Borenstein (Region VI) at 212-961-8250.
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 2009-10

TANF NON-RESIDENTIAL DOMESTIC VIOLENCE SERVICES ALLOCATIONS

DISTRICT

Albany	\$25,296
Allegany	\$25,000
Broome	\$25,000
Cattaraugus	\$25,000
Cayuga	\$25,000
Chautauqua	\$34,403
Chemung	\$25,000
Chenango	\$25,000
Clinton	\$25,000
Columbia	\$25,000
Cortland	\$25,000
Delaware	\$25,000
Dutchess	\$50,698
Erie	\$143,883
Essex	\$25,000
Franklin	\$25,000
Fulton	\$25,000
Genesee	\$25,000
Greene	\$25,000
Hamilton	\$25,000
Herkimer	\$25,000
Jefferson	\$25,000
Lewis	\$25,000
Livingston	\$25,000
Madison	\$25,000
Monroe	\$73,016
Montgomery	\$25,000
Nassau	\$28,525
Niagara	\$34,825
Oneida	\$60,390
Onondaga	\$46,192
Ontario	\$25,000
Orange	\$25,261
Orleans	\$25,000

Attachment A
(continued)

SFY 2009-10

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

Oswego	\$25,000
Otsego	\$25,000
Putnam	\$25,000
Rensselaer	\$25,000
Rockland	\$25,000
St Lawrence	\$25,000
Saratoga	\$25,000
Schenectady	\$25,000
Schoharie	\$25,000
Schuyler	\$25,000
Seneca	\$25,000
Steuben	\$25,000
Suffolk	\$47,602
Sullivan	\$25,000
Tioga	\$25,000
Tompkins	\$25,000
Ulster	\$25,000
Warren	\$25,000
Washington	\$25,000
Wayne	\$25,000
Westchester	\$55,099
Wyoming	\$25,000
Yates	\$25,000
New York City	\$1,249,810
Total	\$3,000,000

ATTACHMENT B

TANF 2009-10 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 2009-10 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 2009-10 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 before May 29, 2009, 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 PRWORA U.S. citizenship or qualified alien requirements. For the SFY 2009-10 allocation, the income standards are noted below:

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

Persons in Family Unit	Poverty Level	200% of Poverty
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, are governed by OMB Circular A-122 and 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 2009-10.
- 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

The local districts should report their Non-Residential Domestic Violence Services expenditures as F17 functional costs. These costs will be claimed for reimbursement on the D-17, "Distribution of Allocated Costs to Other Reimbursement Programs" (LDSS-3274), in a column labeled "Non-Res DV." These costs will be claimed via TRACS as a project labeled "Non-Res DV-8."

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.