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*Governor*

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

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*Commissioner*

## Local Commissioners Memorandum

<b>Transmittal:</b>	09-OCFS-LCM-04
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office:</b>	Division of Child Welfare and Community Services Division of Administration
<b>Date:</b>	May 5, 2009
<b>Subject:</b>	<b>Funding for Enhancing CPS Staffing</b>
<b>Contact Person(s):</b>	See Page 5
<b>Attachments:</b>	Attachment A: Certification Re: Non-Supplantation
<b>Attachment Available Online:</b>	Yes

### I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to advise social services districts of the availability of \$1,682,600 of Local Assistance General Funds in the State Fiscal Year (SFY) 2009-2010 Enacted Budget for the improvement of child protective services (CPS) staff to client ratios. The funds may only be used to hire additional CPS caseworkers and/or supervisors within local departments of social services including any CPS caseworkers and/or supervisors who work on Family Assessment Response cases. This LCM provides information on how social services districts may apply for these funds; the criteria that the Office of Children and Family Services (OCFS) will use to determine which applying social services districts will be funded and the amount they will receive; and the claiming requirements.

## II. Background

Chapter 53 of the Laws of 2009 appropriates targeted state aid to reimburse 100 percent of selected social services districts' expenditures only for the purpose of hiring caseworkers and/or supervisory staff in CPS.

In December 2006, the "New York State Child Welfare Workload Study Final Report" was submitted by OCFS to the state Legislature. The report, written by the Walter R. McDonald & Associates, Inc., working in collaboration with the American Humane Association, recommended that for CPS investigations, New York seek to achieve a goal of 12 active investigations, per month, per caseworker. The goal of 12 active investigations compares to the findings at the time of an estimated caseload of 20 per month for New York City's Administration for Children's Services (ACS) and 27 per month for the other 10 social services districts participating in the survey.

## III. Program Implications

Social services districts are invited to apply for a portion of the available \$1,682,600 to hire additional CPS caseworkers and/or supervisors in SFY 2009-10. These funds are intended to help social services districts achieve, or move closer to achieving, the recommended CPS caseload size of 12 active investigations per month, per caseworker. The funds are also intended to bolster the supervision available to CPS caseworkers. These funds are intended to serve as an incentive providing seed funding to encourage social services districts to increase their CPS staff over the long term. As such, the expectation is that any staff added by this special appropriation will be funded by regular child welfare funding mechanisms in subsequent years.

### Application

Applications need not be in a specific format; however, they must include the following information:

- The amount of money requested, which may only include the cost of salary and fringe benefits that will be spent by March 31, 2010;
- The position(s) for which the requested funds will be used;
- The estimated time frames as to when the position(s) is/are anticipated to be approved by the necessary local government authorities and when it is anticipated that the new staff would be hired (a letter from the chief executive officer and/or the chief elected official of the county is encouraged). OCFS' preference is for the approval and hiring to occur relatively quickly;
- The number of budgeted CPS caseworkers and supervisors as of March 31, 2009;

- The actual number of CPS caseworkers and supervisors as of March 31, 2009;
- The average caseload size and span of supervision existing in CPS as of March 31, 2009, including information about individual workers' low or high caseloads that significantly impact on the average;
- The justification for the social services district receiving the requested funds, including but not limited to, moving closer to or attainment of the recommended caseload size; and
- The inclusion of the Certification Re: Non-Supplantation, (Attachment A).

Applications must be submitted by June 1, 2009 and sent to:

Renee R. Hallock  
New York State Office of Children and Family Services  
Room 327 North Building  
52 Washington Street  
Rensselaer, NY 12144

#### OCFS Review Criteria

In determining which applying social services districts will receive all or a portion of the funds that they request, OCFS intends to achieve the following objectives: support social services districts in lowering investigative caseloads and the supervisor-caseworker ratio in applying social services districts with the greatest need; utilize all, or as much as is responsibly possible, of the appropriated \$1,682,600 within SFY 2009-10; and fairness, within the required use of the appropriation, to social services districts that have begun to proactively request additional CPS staff to attain or approach the workload study's recommended caseload standard.

There are two absolute criteria. First, social services districts may only use these funds to hire additional CPS caseworkers or supervisors, and such hiring must increase the total census of CPS caseworkers and/or supervisors as of April 1, 2009 (or after). Second, the applying social services districts must certify that these funds will not be used to supplant other state or local funds. Applying social services districts must submit Attachment A, "Certification Re: Non-Supplantation." The Certification may only be signed and submitted if the proposed additional staff item(s) had not been budgeted for by the social services district as of March 31, 2009. The Certification must be signed by an authorized agent of the social services district.

To attempt to meet OCFS's aforementioned objectives, in addition to adhering to the criteria pertaining to hiring staff and the non-supplantation requirements, OCFS will **give priority** to applications from social services districts that:

- Have current average caseloads that are significantly higher than the workload study recommendations;
- Offer evidence of the ability to use the funds relatively quickly in SFY 2009-10 (OCFS recognizes that this memorandum is the starting point for social services districts to plan for and submit an application); and
- Did not receive Enhanced CPS staffing funding in SFY 2008-2009 (however, we will not automatically exclude consideration of proposals from districts that received enhanced CPS funding in SFY 2008-2009).

Depending upon the number of acceptable applications, and the amount of funding requested in such applications, a social services district potentially could be approved for an amount less than requested in its application. Please keep in mind that the regular child welfare funding would be available if a district wished to hire CPS staff that exceeded in cost the amount of this special funding for which it has received approval.

OCFS reserves the right to reallocate unclaimed funds awarded to a social services district to another social services district(s).

#### **IV. Claiming**

The \$1,682,600 in State general funds in the SFY 2009-10 Budget for expenditures related to the improvement of staff to client ratios in the local district CPS workforce must be claimed as described below. These funds are to be used to reimburse services beginning April 1, 2009 and ending March 31, 2010. Expenditures must be made by April 30, 2010 and claims must be submitted no later than June 30, 2010.

Note: The staff funded by this initiative cannot be included in the Services Random Moment Study (SRMS) universe for those districts in the SRMS.

One hundred percent State reimbursement will be available up to the amount of the district's allocation. These project expenditures should be identified as F17 functional costs and reported on the Schedule D-17 Distribution of Allocated Costs to Other Reimbursable Programs (LDSS-3274) in a column labeled as Enhanced CPS Staff Ratio. These costs will carry forward to a LDSS-3922 Reimbursement Claim for Special Projects also labeled as Enhanced CPS SR 3 in the Project Name Box. These costs should be reported in the Administration Costs column on the appropriate lines. Please note that the associated A-87 costs are not reimbursable from State funds and are therefore 100% local share. To receive reimbursement for these expenditures, social services districts must submit their claims electronically through the TRACS system. Expenditures must be made by April 30, 2010, and claims must be submitted no later than June 30, 2010. OCFS may reallocate any unspent funds to other local districts that have claims in excess of their allocation. Once final claims are in and any reallocation

is done, the excess will be factored into 98 percent of 65 percent state share reimbursement calculations provided the district meets its child welfare threshold requirement.

Please refer to the Fiscal Reference Manual (FRM), Volume 2, Chapter 3 for further LDSS-3922 instructions. Instructions for the Schedule D-17 are found in Volume 3 (Volume 4 for New York City) of the FRM in Chapter 18.

The \$1,682,600 in State funding is supported by savings resulting from the increased Federal Medical Assistance Percentage (FMAP) provided pursuant to the American Recovery and Reinvestment Act of 2009. ARRA includes unprecedented standards for accountability and transparency that must be met by all recipients of ARRA funding. Therefore, local districts will be notified of any additional reports that may be necessary to supplement the information contained in the application and claiming documents.

#### V. Contact Persons

Any programmatic questions should be addressed to:

Renee Hallock, (518) 474-4726

[Renee.Hallock@ocfs.state.ny.us](mailto:Renee.Hallock@ocfs.state.ny.us)

Any fiscal claiming questions should be directed to:

Regions I-IV: James Carroll, 1-800-343-8859 ext 4-7549 or (518) 474-7549

[James.Carroll@otda.state.ny.us](mailto:James.Carroll@otda.state.ny.us)

Region V: Michael Borenstein (631) 854-9704

[Michael.Borenstein@otda.state.ny.us](mailto:Michael.Borenstein@otda.state.ny.us)

Region VI: Marian Borenstein (212) 961-8250

[Marian.Borenstein@otda.state.ny.us](mailto:Marian.Borenstein@otda.state.ny.us)

*/s/ Laura Velez* \_\_\_\_\_

**Issued By:**

Name: Laura M. Velez

Title: Deputy Commissioner

Division/Office: Child Welfare and Community Services

*/s/ Thomas S. Tipple* \_\_\_\_\_

**Issued By:**

Name: Thomas S. Tipple

Title: Deputy Commissioner

Division/Office: Administration

**Attachment A: Certification Re: Non-Supplantation**

This is to certify that \_\_\_\_\_ social services district will use awarded funds authorized by Chapter 53 of the Laws of 2009 to hire additional CPS caseworkers and/or supervisors to reduce average caseload size and/or to lower the supervisor-caseworker ratio in the local district child protective services workforce. Such funds will not be used to supplant any other state or local funds. Claims for reimbursement under this appropriation will not be submitted for the same type and level of funding covered by any other state or locally authorized appropriation. Any staff to be added by these funds was (were) not included in the social services district's budget as of March 31, 2009.

**Signature and Title:**

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