

**GENERAL INFORMATION SYSTEM**  
**Center for Employment and Economic Supports**

**October 14, 2009**

Page: 1

**TO:** Commissioners; TA Directors; FS Directors; WMS Coordinators; CAP/TOP Coordinators;  
Staff Development Coordinators

**FROM:** Russell Sykes, Deputy Commissioner, Center for Employment and Economic Supports

**SUBJECT:** Resolution of Potentially Eligible Households for the 2009 Back-to-School One-Time Payment

**EFFECTIVE DATE:** Immediately

**CONTACT PERSON:** Temporary Assistance Bureau at 1-800-343-8859, extension 4-9344

The Office of Temporary and Disability Assistance (OTDA) issued a one-time non-assistance payment in August 2009 to defray the back-to-school costs for low-income New York households with children aged three through 17 eligible for temporary assistance (TA) and/or food stamp (FS) during the month of July 2009. A notice advised recipients of this payment to purchase such items as books, pencils, pens, notebooks, calculators, backpacks, shoes, school uniforms, pants, skirts, dresses and other essential clothes and school items.

The back-to-school payments are part of the federal TANF Emergency Contingency Fund (TECF) that was enacted as part of the American Recovery and Reinvestment Act. The TECF has only limited allowable purposes, all of which are aimed at providing assistance to low-income households. One of these purposes is to provide low-income families with non-recurring one time payments such as the back-to-school payments. By working in a unique partnership with a private donor, New York was able to leverage \$140 million in federal money. There was absolutely no possibility for using these funds for other fiscal relief. There was and will continue to be no local share for the cost of the one-time back-to-school payments or for the associated Electronic Benefit Transfer (EBT) issuance cost.

To assist districts in determining if all eligible low-income New Yorkers received this payment, OTDA will provide districts with a list of potentially eligible cases in which children appear eligible for the one-time only non-assistance payment made to eligible households on August 11, 2009, and who have not received a back-to-school payment as of October 16, 2009.

OTDA provided districts with an Exception Report for the initial pull-down that included those cases in which the case on the date of the pull-down (7/24/09):

- was in pending status;
- had no available payment line; or
- was closed.

Although OTDA instructed districts to review the lists generated by the Exception Report, these lists could not include certain cases. These were cases in which the applicant for TA or FS did not appear in an active TA or FS case on WMS on 7/24/09, but were determined by the district as eligible for TA or FS for the month of July 2009.

**GENERAL INFORMATION SYSTEM**  
**Center for Employment and Economic Supports**

**October 14, 2009**

Page: 2

As a reminder, to be eligible for the one-time back-to-school payment:

- The child must have been age three through 17 on August 1, 2009, regardless of the child's relationship to the head of household; and
- The child must have been active or sanctioned on either an Active TA or an Active FS case at any time during July 2009.

Many districts authorized back-to-school payments to eligible cases regardless of whether the case appeared on the Exception Report. Therefore, the list of potentially eligible households described below excludes any case that received a back-to-school payment identified as an "N4-Back to School" (BK-2-SCH) Payment Type prior to 10/17/09.

After confirming their eligibility and as yet unpaid status, districts must review the eligibility status of these cases for possible duplication in relation to other cases, and to assure that no prior issuance of an "N4" payment occurred after the creation of the list. Districts must use the attached letters (Spanish and English versions attached) without modifying the text but filling in the "General Telephone No. for Questions or Help" section of the letter with a local district phone number, when authorizing back-to-school payments to these TA and FS cases appearing on this list. No mass issuance of payments will occur. To avoid unnecessary inquiries, districts should complete and mail this notice to recipients of the payments a few days prior to the point when the payment posts to the recipient's EBT account.

Again, the following remains true for these additional back-to-school payments as for the original payments authorized on August 11, 2009. The payment will:

- have no effect on the household's eligibility or benefit amount for TA, FS, MA or HEAP;
- not be part of regular recurring TA grant;
- be excluded from the TA standard of need;
- be excluded as income to the TA and FS household;
- be excluded from TA and FS resource limits;
- be excluded from the State 60-month time limit;
- not be offset by child support collections;
- not offset TA overpayments;
- not be subject to overpayment determinations/calculations;
- not be included in Interim Assistance Reimbursement (IAR).

Districts must authorize back-to-school payments for those cases appearing on this list within 30 days of the receipt of this list. Districts should continue to authorize back-to-school payments based on requests from eligible households that did not receive these payments prior to the issuance of this list, and not wait for the generation of the list. The list is a tool to identify potentially eligible households. There is no requirement to call the individuals on this list in for a face-to-face interview when determining eligibility for the back-to-school payment.

As with the original back-to-school payments, recipients of the back-to-school payments have a minimum of 90 days from the date of benefit availability on EBT to access the funds. Districts should encourage clients to access their EBT cash account within 90 days, as benefits will begin to be expunged if the client's cash account is not accessed within 90 consecutive days of cash benefit availability.

**GENERAL INFORMATION SYSTEM**  
**Center for Employment and Economic Supports**

October 14, 2009

Page: 3

The notices remind Food Stamp-only households that they can access the back-to-school payment using the same card and PIN that they use for their Food Stamp benefits. If households in receipt of a back-to-school payment contact their district office to request a replacement CBIC card because the magnetic stripe on their CBIC has been damaged, districts should issue a replacement CBIC to that household following the usual CBIC replacement issuance procedures.

Rest of State (ROS) System Specifications:

A list of cases, potentially eligible for back-to-school payments, is tentatively scheduled to be sent to districts on October 21, 2009. Districts will receive a WMS GIS informing them of the issuance of those lists, including the File Name and format prior to its scheduled release.

This list will capture potentially eligible TA and FS households with eligible children who became active between 7/25/09-07/31/09. The cases on this report must have the payments authorized at the local level as described in the July 31, 2009 Dear WMS Coordinator letter.



**NOTICE OF BACK TO SCHOOL PAYMENT  
October 2009 /UPSTATE**

Case Number:  
Off./Unit/Worker:

General Telephone No. for  
Questions or Help:

Notice Date:

**Amount of Payment: \$ .00**

Dear Recipient:

This notice is to tell you that you are getting a one-time payment to help with back-to-school costs for the children in your household. This payment is \$200 per child and is based on the number of children in your household, who were 3 through 17 years old on August 1, 2009, and in receipt of public assistance or food stamp benefits during July, 2009. **This one-time payment is for eligible children who did not already receive this payment.** Please see "Amount of Payment", above, for the total amount of this payment.

This payment will help your family cope with these tough economic times. The Open Society Institute and the Foundation to Promote Open Society have given \$35 million to New York State enabling the State to get federal matching funds of up to \$140 million as part of the American Recovery and Reinvestment Act of 2009 to make these payments.

**What can I use the money for?**

Back-to-School money can be used to buy items such as books, pencils, pens, notebooks, calculators, backpacks, shoes, school uniforms, pants, shirts, skirts, dresses, and other essential school items.

**How will I be paid the money?**

Your money has been paid directly into your EBT cash account. If you receive food stamp benefits only, you can get the money from your EBT **cash** account using the same EBT card and PIN that you use for your food stamp benefits. This payment can be withdrawn through an ATM or, it can be spent at retail locations where EBT cards are accepted. If your EBT card is damaged and fails to work at the ATM or store, you will need to contact your case worker and request a replacement card. You may request that the replacement card be mailed directly to your home. **Please note that this payment may expire if your cash account is not accessed within 90 days.** You should check your cash balance so you can use this benefit before it expires. You may check your cash balance free of charge at an ATM, on the Internet at [www.ebtaccount.jpmorgan.com](http://www.ebtaccount.jpmorgan.com), or by calling the EBT Helpline number on the back of your card.

**Is this just a one-time payment?**

Yes. The Back-to-School money for your household is a one-time payment.

**Will this money affect my Food Stamp Benefits, Medical Assistance, Public Assistance or other benefits?**

No. This one-time Back to School money will not affect your eligibility for the benefits you are currently receiving.

**Are there any shopping discounts I can receive?**

Certain retailers may be offering discounts, so please ask when you make your purchases. Also please check the New York State Consumer Protection Board's "Stretch Your Dollar" tips at [http://www.consumer.state.ny.us/syde\\_page.htm](http://www.consumer.state.ny.us/syde_page.htm)

**How can I find out about other benefits that I might be eligible for – like cash assistance or help with emergency needs?**

If you only receive food stamp benefits, please go to [www.mybenefits.ny.gov](http://www.mybenefits.ny.gov), the website to check your eligibility for other benefits such as cash assistance, help with rent arrears, Home Energy Assistance and various tax credits that might help you make ends meet during these difficult economic times.

**What do I do if I think the amount of the Payment is incorrect?**

Please refer to the Conference and Fair Hearing Page on the reverse.

**CONFERENCE AND FAIR HEARING SECTION – DO YOU THINK WE ARE WRONG?**

If you think our decision is wrong, you can ask for a review of our decision. You may request either or both of the following:

1. **CONFERENCE** (informal meeting with us) - If you think our decision was wrong, or if you do not understand our decision, please call us to set up a meeting. To do this, call the conference phone number on the **front** of this notice or write to us at the address on the **front** of this notice. Sometimes this is the fastest way to solve any problem you may have. We encourage you to do this even when you have asked for a fair hearing.
2. **STATE FAIR HEARING – YOU HAVE 60 DAYS FROM THE DATE OF THIS NOTICE TO ASK FOR A FAIR HEARING:**

**HOW TO ASK FOR A FAIR HEARING:** You can ask for a fair hearing by **mail**, by **phone**, by **fax** or **online**.

**Mail:** Send a copy of both sides of this notice *completed* to the Office of Administrative Hearings, New York State Office of Temporary and Disability Assistance, P.O. Box 1930, Albany, New York 12201. Please keep a copy of each notice for yourself.

I want a fair hearing. I do not agree with the agency’s action. (You may explain why you disagree below, but you do not have to include a written explanation.) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Phone:** 800-342-3334 (PLEASE HAVE THIS NOTICE WITH YOU WHEN YOU CALL.)

**Fax:** Fax a copy of the front and reverse of this notice to: (518) 473-6735 or

**Online:** Complete an online request form at: <http://www.otda.state.ny.us/oah/forms.asp>.

If you cannot reach the New York State Office of Temporary and Disability Assistance by phone, by fax or online, please write to ask for a fair hearing before the deadline.

**WHAT TO EXPECT AT A FAIR HEARING:** The State will send you a notice that tells you when and where the fair hearing will be held.

At the hearing, you will have a chance to explain why you think our decision is wrong. You can bring a lawyer, a relative, a friend or someone else to help you do this. If you cannot come yourself, you can send someone to represent you. If you are sending someone who is not a lawyer to the hearing instead of you, you must give this person a letter to show the hearing officer that you want this person to represent you at the hearing.

At the hearing, you and your lawyer or other representative will have a chance to explain why we are wrong and a chance to give the hearing officer written papers that explain why we are wrong.

To help you explain at the hearing why you think we are wrong, you should bring any witnesses who can help you. You should also bring any papers you have, such as: pay stubs, leases, receipts, bills, doctor’s statements.

At the hearing, you and your lawyer or other representative can ask questions of witnesses which we bring or which you bring to help your case.

**LEGAL ASSISTANCE:** If you think you need a lawyer to help you with this problem, you may be able to get a lawyer at no cost to you by contacting your local Legal Aid Society or other legal advocate group. For the names of other lawyers, check your Yellow Pages under “Lawyers”.

**ACCESS TO YOUR FILE AND COPIES OF DOCUMENTS:** To help get ready for the hearing, you have a right to look at your case file. If you call or write to us, we will provide you with free copies of the documents from your file that we will give to the hearing officer at the fair hearing. Also, if you call or write to us, we will provide you with free copies of other documents from your file that you think you may need to prepare for your fair hearing. To ask for documents or to find out how to look at your file, call us at the Record Access phone number on the **front** of this notice or write to us at the address on the **front** of this notice.

If you want copies of documents from your case file, you should ask for them ahead of time. They will be provided to you within a reasonable time before the date of the hearing. Documents will be mailed to you only if you specifically ask that they be mailed.

**INFORMATION:** If you want more information about your case, how to ask for a fair hearing, how to see your file, or how to get additional copies of documents, call us at the phone numbers on the **front** of this notice or write to us at the address on the **front** of this notice.



**NOTIFICACIÓN DE PAGO DE REGRESO A LA ESCUELA  
Octubre de 2009 / UPSTATE**

Nº. de caso:  
Oficina / Unidad / Trabajador(a):

Nº de teléfono general para  
preguntas o ayuda:

Fecha del aviso:

**Monto del Pago: \$ .00**

Estimado(a) beneficiario(a):

El propósito de la presente notificación es para informarle que recibirá un pago único como ayuda con los gastos escolares de los niños integrantes del grupo familiar. El pago es de \$200 por niño y se basa en el número de niños integrantes del grupo familiar que tengan entre 3 a 17 años de edad a la fecha del 1º de agosto de 2009, y que reciban asistencia pública o beneficios de cupones para alimentos para el mes de julio de 2009. Este pago único es para los niños que reúnan los requisitos y no hayan recibido todavía este pago único. Vea «monto del pago», arriba para saber el monto total del pago.

Este pago le ayudará a su familia a enfrentar la presente situación económica difícil. El Instituto Sociedad Abierta (*Open Society Institute*) y la Fundación en Pro de una Sociedad Abierta (*Foundation to Promote Open Society*) están otorgando \$35 millones al Estado de Nueva York, de manera que el Estado pueda obtener fondos federales compensatorios de hasta \$140 millones como parte de la Ley de Recuperación y Reinversión Estadounidense de 2009 con el fin de hacer estos pagos.

**¿En qué puedo usar el dinero?**

El dinero de regreso a la escuela se puede usar para comprar útiles escolares tales como libros, lápices, bolígrafos, cuadernos, calculadoras, mochilas, zapatos, uniformes escolares, pantalones, camisas, faldas, vestidos y demás elementos escolares.

**¿Cómo recibiré el dinero?**

Su dinero ha sido remitido directamente a su cuenta de dinero en efectivo de EBT. Si usted solamente recibe beneficios de cupones para alimentos, puede retirar el dinero de su cuenta de dinero **en efectivo** de EBT usando la tarjeta de EBT y el número PIN que usa para retirar sus beneficios de cupones para alimentos. Puede retirar este pago por medio de un cajero automático (ATM) o puede gastarlo en los comercios minoristas donde aceptan tarjetas EBT. Si su tarjeta EBT está dañada y no funciona en los cajeros automáticos (ATM) o en los comercios minoristas, usted deberá comunicarse con la persona encargada de su caso y pedirle que le reemplace su tarjeta. Pida que le envíen directamente a su casa la tarjeta que le reemplazaron. **Recuerde que este pago caducará si usted no lo retira de la cuenta de dinero en efectivo dentro de un periodo de 90 días.** Le sugerimos verificar el balance de la cuenta de dinero en efectivo para que pueda usar este beneficio monetario antes de que se venza. Puede verificar el balance de dinero en efectivo, libre de cargos, en un cajero automático (ATM), por internet en [www.ebtaccount.jpmorgan.com](http://www.ebtaccount.jpmorgan.com), o llamando al número de teléfono de la línea directa de ayuda de EBT, el cual encontrará en la parte de atrás de su tarjeta EBT.

**¿Recibiré este pago una sola vez?**

Sí. El pago de dinero de regreso a la escuela que recibirá su hogar es un pago único.

**¿Afectará este dinero mis beneficios de Cupones para Alimentos, Asistencia Médica, Asistencia Pública o demás beneficios?**

No. Este dinero de regreso a la escuela que recibirá una sola vez no afectará su habilitación en cuanto a los beneficios que ya recibe.

**¿Recibiré algún tipo de descuento en las tiendas?**

Ciertos comercios quizás ofrezcan descuentos, le sugerimos preguntar cuando haga las compras. Además, en el sitio web de la Junta de Protección al Consumidor, bajo el título «Cómo estirar su dinero» encontrará sugerencias al respecto en [http://www.consumer.state.ny.us/syde\\_page.htm](http://www.consumer.state.ny.us/syde_page.htm)

**¿Cómo puedo averiguar sobre otros beneficios que pueda recibir, tales como, asistencia de dinero en efectivo o ayuda con una necesidad de emergencia?**

Si usted solamente recibe beneficios de cupones para alimentos, vaya a [www.mybenefits.ny.gov](http://www.mybenefits.ny.gov), el sitio web donde podrá verificar si usted habilita para recibir otros beneficios tales como asistencia de dinero en efectivo, ayuda con el alquiler atrasado, Asistencia de Energía para el Hogar y una variedad de créditos tributarios que le podrían ayudar con los gastos en estos tiempos económicos difíciles.

**¿Qué hago si creo que el monto del pago es incorrecto?**

En ese caso, consulte la página al reverso sobre Conferencia y Audiencia.

## **CONFERENCIAS Y AUDIENCIAS IMPARCIALES: ¿CREE QUE NOS HEMOS EQUIVOCADO?**

Si cree que nuestra decisión es incorrecta, puede solicitar una revisión de nuestra decisión. Puede solicitar una de las siguientes medidas, o ambas:

1. **CONFERENCIA** (reunión informal con nosotros): si usted cree que nuestra determinación fue incorrecta o si no entiende lo que hemos resuelto, sírvase llamar para concertar una reunión. Llame al número para conferencias que aparece en el **anverso** de este aviso o escríbanos a la dirección que aparece en esa misma página. En algunos casos, ésta es la forma más rápida de resolver problemas. Le recomendamos hacerlo, aunque haya solicitado una audiencia imparcial.
2. **AUDIENCIA ESTATAL**: USTED TIENE **60 DÍAS** A PARTIR DE LA FECHA DE ESTA NOTIFICACIÓN PARA SOLICITAR UNA AUDIENCIA IMPARCIAL.

**CÓMO SOLICITAR UNA AUDIENCIA IMPARCIAL:** puede solicitar una audiencia imparcial por **correo**, por **teléfono**, por **fax** o por **internet**.

**Por correo:** rellene y envíe todas las partes de esta notificación a: *Office of Administrative Hearings, New York State Office of Temporary and Disability Assistance, P.O. Box 1930, Albany, New York 12201*. Favor de conservar una copia de cada notificación.

Deseo una audiencia imparcial. No estoy de acuerdo con la decisión de la agencia. (Puede explicar a continuación por qué no está de acuerdo, aunque no tiene que incluir una explicación por separado). \_\_\_\_\_

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**Por teléfono:** (800) -342-3334 (FAVOR DE TENER A MANO ESTA NOTIFICACIÓN CUANDO LLAME)

**Por fax:** envíe por fax una copia del anverso y reverso de esta notificación al: (518) 473-6735

**Por internet:** rellene una petición electrónica en el siguiente sitio: <http://www.otda.state.ny.us/oah/forms.asp>.

Si no puede comunicarse con la Oficina de Asistencia Temporal y Asistencia para Incapacitados del Estado de Nueva York (*New York State Office of Temporary and Disability Assistance*) por teléfono, por fax o por internet, favor de solicitar por escrito una audiencia imparcial antes del vencimiento del plazo.

**LO QUE SUCEDE EN UNA AUDIENCIA IMPARCIAL:** el Estado le enviará un aviso informándole cuándo y dónde se realizará la audiencia imparcial.

En la audiencia, usted tendrá la oportunidad de explicar por qué cree que nuestra decisión es incorrecta. Puede traer consigo a un abogado, a un familiar o a un(a) amigo(a), o a alguien más que pueda ayudarle a exponer su caso. Si usted no puede presentarse, puede enviar a otra persona en su representación. Si la persona que lo representará no es un abogado, debe entregarle a esta persona una carta, dirigida al funcionario de audiencias, en la cual usted declara que desea que dicha persona lo represente en la audiencia.

En la audiencia, usted y su abogado u otro representante, tendrán la oportunidad de explicar por qué creen que nuestra decisión es incorrecta, como también la oportunidad de presentar, ante el funcionario de audiencias, documentos que demuestren nuestra equivocación.

Con el fin de ayudarle a exponer el motivo de nuestra equivocación, le sugerimos presentar testigos que puedan avalar su caso. También, le sugerimos presentar documentos tales como: comprobantes de pagos salariales, contrato de alquiler, recibos, cuentas médicas, etc.

En la audiencia, usted y su abogado u otro representante, podrán interrogar a los testigos que nosotros presentemos o los que usted presente con motivo de avalar su caso.

**ASISTENCIA LEGAL:** si cree que necesita representación legal en la resolución de este problema, puede obtener los servicios de un abogado, sin costo alguno, comunicándose con la Sociedad de Ayuda Legal (*Legal Aid Society*) u otra asociación de defensa legal de su localidad. Puede encontrar los nombres de otros abogados en las páginas amarillas, bajo «Abogados» (*“Lawyers”*).

**ACCESO A SU ARCHIVO Y COPIAS DE DOCUMENTOS:** en preparación para la audiencia, usted tiene derecho a revisar el archivo de su caso. Si nos llama o nos escribe, le brindaremos, sin cargo, copias de documentos contenidos en su archivo; los mismos que entregaremos al funcionario de la audiencia imparcial. Además, si nos llama o nos escribe, le brindaremos, sin cargo, copias de otros documentos contenidos en su archivo, y los cuales usted considere necesarios en preparación para la audiencia imparcial. Si desea solicitar documentos o averiguar la modalidad a seguir para consultar su archivo, llámenos al número de teléfono de Acceso a Archivos señalado en el **anverso** de esta nota o mande una carta a la dirección indicada en el **anverso** de esta notificación.

Si desea copias de documentos que figuran en su archivo, solicítelas con anticipación. Se le proporcionarán dentro de un lapso de tiempo razonable antes de la fecha fijada de la audiencia. Los documentos se le enviarán por correo sólo si usted específicamente los solicita.

**INFORMACIÓN:** si desea información adicional sobre su caso, cómo solicitar una audiencia imparcial, cómo consultar su archivo o cómo obtener copias adicionales de documentos, sírvase llamarnos al número de teléfono señalado en el **anverso** de este aviso o mande una carta a la dirección que figura en esa misma página.