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John A. Johnson
Commissioner

Local Commissioners Memorandum

Transmittal:	05-OCFS LCM-07
To:	Local District Commissioners
Issuing Division/Office:	Development and Prevention Services
Date:	May 25, 2005
Subject:	New York State Child Care Block Grant (NYSCCBG) Subsidy Program Allocations State Fiscal Year 2005-2006
Contact Person(s):	Eileen Mahoney (518) 473-0711; e-mail address; EILEENBECS.MAHONEY@ocfs.state.ny.us
Attachments:	A: New York State Child Care Block Grant Allocations B: Maintenance of Effort Level
Attachment Available Online:	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, 2005 through March 31, 2006, and to explain the allowable uses for these federal and state funds. The NYSCCBG allocation to districts for the period April 1, 2005 through March 31, 2006, state fiscal year (SFY) 2005-06, is \$716,520,153.

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 18 NYCRR Part 415. Social services districts provide such legal assurances as part of the submittal of their Annual Plan Update to the Consolidated Services Plan or Integrated County Plan.

II. Program Implications

ALLOCATION INFORMATION

Attachment A indicates district allocations of NYSCCBG subsidy funds for the period beginning April 1, 2005 and ending March 31, 2006. 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, 2005 to September 30, 2005, the last half of federal fiscal year 2004-05, and the period October 1, 2005 to March 31, 2006, the first half of federal fiscal year 2005-06. Local social services districts were issued their NYSCCBG allocations for the first half of the federal fiscal year 2004-05, October 1, 2004 through March 31, 2005, in 04 OCFS LCM-09. Any unspent NYSCCBG funds for the period October 1, 2004 to March 31, 2005 will be carried into, and be available for, the period ending September 30, 2005.

The allocation methodology is consistent with prior years in that it takes into account:

- a base allocation that reflects historical expenditures;
- the work participation rate required of the district under welfare reform;
- the relative cost of child care in each district;
- the percentage of low-income children residing in that district; and
- a weighting factor related to district utilization of its child care funds. However, this factor has been modified to only look at the spending in the previous state fiscal year as a function of the district's NYSCCBG base allocation for that same year excluding any rollover funds. In addition, a one-time adjustment was made to allocations for the April 2005 through September 2005 period to provide for a full Federal fiscal year impact of this change.

In addition, a new weighting factor was used to allocate a portion of the funds that reflects proportional use of legally-exempt child care providers by subsidy recipients in each local social services district. This factor is in recognition of a projected partial year implementation of enhanced standards for local district oversight of legally-exempt child care providers.

An adjustment was made to the portion of the allocation that covers the period April 1, 2005 to September 30, 2005, the last half of federal fiscal year 2004-05, so that districts that have a "roll-over" of NYSCCBG funds from previous years fully expend these funds first, prior to accessing new current year funding.

In recognition that counties may have started planning on the basis of the Executive Budget, all county allocations are at least equal to the preliminary NYSCCBG allocation shared with local social services commissioners in a February 11, 2005 letter from Deputy Commissioners Costello and Brown.

There will be no separate child care reserve fund allocations for SFY 2005-06. However, the New York State Budget for SFY 2005-06 also creates and funds the Flexible Fund for Family Services (FFFS). This \$600 million fund will provide districts with long-sought flexibility in establishing local funding priorities. Districts may transfer a portion of their FFFS allocations to the NYSCCBG to use for child care services. Districts will be receiving separate guidance on the process for electing to transfer a portion of their FFFS allocation to the NYSCCBG.

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.

Districts, at their 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 Consolidated Services Plan or Integrated County Plan.

Any portion of a district's NYSCCBG allocation for the period October 1, 2004 through September 30, 2005 (including FFFS funds transferred to the NYSCCBG) that is not claimed by the district by March 31, 2006 will be available to the district through the end of federal fiscal year 2005-06, which is September 30, 2006. Claims for the period October 1, 2004 through September 30, 2005 cannot be rolled forward into the next federal fiscal year.

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 district's Consolidated Services Plan or Integrated County Plan, including those families that the district has 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 Consolidated Services Plan or Integrated County Plan.

PARENTAL CHOICE

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

a) 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

b) 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.

Parents or the child's 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 services 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.

The MOE was calculated by totaling the local district share of expenditures in federal fiscal year 1994-1995 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 1996-1997 CAP child care expenditures included in their NYSCCBG allocation.

Each social services district must meet its MOE level in cash in federal fiscal year 2004-05 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 five percent 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 percent 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 that designates child care services funded under NYSCCBG for non-public assistance families and reimbursed at 100 percent 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 percent 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 percent 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-82, BICS Production Request 32, in the edition dated April 1, 1993. Information is also provided in the BICS Services Payment Processing Manual, II. Authorizations, E. Self Selected Day Care Certificates, pages II 25-27.

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 11 (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 10 (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 Random Moment Study (RMS) as Child Care Block Grant costs on line 5, section 1 (associated A-87 costs are claimed on line 3, 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.

TRAINING COSTS: 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 EILEENBECS.MAHONEY@ocfs.state.ny.us

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

Region 1-4 - Virginia Scala at (518) 474-7549;
e-mail address: Virginia.Scala@otda.state.ny.us

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

Region 6 - Marian Borenstein at (212) 383-1735;
e-mail address: 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

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.

Susan A. Costello s/s

Susan A. Costello
Deputy Commissioner
Division of Administration

Larry G. Brown s/s

Larry G. Brown
Deputy Commissioner
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ATTACHMENT A
NEW YORK STATE CHILD CARE BLOCK GRANT
LOCAL DISTRICT ALLOCATIONS
4/1/2005 - 3/31/2006

<u>DISTRICT</u>	<u>APRIL 1, 2005</u> <u>THROUGH</u> <u>SEPTEMBER 30, 2005</u>	<u>OCTOBER 1, 2005</u> <u>THROUGH</u> <u>MARCH 31, 2006</u>	<u>TOTAL</u> <u>ALLOCATION</u>
Albany	\$5,631,155	\$5,498,036	\$11,129,191
Allegany	\$454,254	\$545,265	\$999,519
Broome	\$533,178	\$2,614,882	\$3,148,060
Cattaraugus	\$1,033,368	\$984,305	\$2,017,673
Cayuga	\$829,324	\$864,015	\$1,693,339
Chautauqua	\$2,946,301	\$2,322,087	\$5,268,388
Chemung	\$1,579,593	\$1,643,991	\$3,223,584
Chenango	\$608,512	\$599,833	\$1,208,345
Clinton	\$763,381	\$525,930	\$1,289,311
Columbia	\$634,410	\$567,326	\$1,201,736
Cortland	\$662,020	\$637,568	\$1,299,588
Delaware	\$362,759	\$620,314	\$983,073
Dutchess	\$2,607,015	\$2,510,092	\$5,117,107
Erie	\$16,036,238	\$15,581,097	\$31,617,335
Essex	\$163,749	\$351,222	\$514,971
Franklin	\$661,054	\$634,178	\$1,295,232
Fulton	\$598,113	\$568,433	\$1,166,546
Genesee	\$369,066	\$760,654	\$1,129,720
Greene	\$499,110	\$337,027	\$836,137
Hamilton	\$28,498	\$55,026	\$83,524
Herkimer	\$719,609	\$473,676	\$1,193,285
Jefferson	\$1,089,025	\$1,711,735	\$2,800,760
Lewis	\$348,401	\$208,089	\$556,490
Livingston	\$360,313	\$624,287	\$984,600
Madison	\$697,387	\$420,880	\$1,118,267
Monroe	\$18,949,112	\$18,586,177	\$37,535,289
Montgomery	\$201,066	\$611,251	\$812,317
Nassau	\$14,820,581	\$12,197,043	\$27,017,624
Niagara	\$3,038,841	\$1,860,629	\$4,899,470

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NEW YORK STATE CHILD CARE BLOCK GRANT
LOCAL DISTRICT ALLOCATIONS
4/1/2005 - 3/31/2006

<u>DISTRICT</u>	<u>APRIL 1, 2005</u> <u>THROUGH</u> <u>SEPTEMBER 30, 2005</u>	<u>OCTOBER 1, 2005</u> <u>THROUGH</u> <u>MARCH 31, 2006</u>	<u>TOTAL</u> <u>ALLOCATION</u>
Oneida	\$4,333,249	\$3,600,087	\$7,933,336
Onondaga	\$7,465,615	\$6,856,374	\$14,321,989
Ontario	\$1,106,749	\$1,145,098	\$2,251,847
Orange	\$3,814,375	\$3,651,514	\$7,465,889
Orleans	\$658,365	\$621,950	\$1,280,315
Oswego	\$1,397,493	\$1,328,652	\$2,726,145
Otsego	\$727,987	\$393,363	\$1,121,350
Putnam	\$468,608	\$406,078	\$874,686
Rensselaer	\$1,499,016	\$1,599,686	\$3,098,702
Rockland	\$4,023,661	\$3,117,160	\$7,140,821
St. Lawrence	\$1,859,302	\$1,308,558	\$3,167,860
Saratoga	\$1,399,766	\$1,259,943	\$2,659,709
Schenectady	\$2,453,492	\$2,384,770	\$4,838,262
Schoharie	\$98,514	\$330,008	\$428,522
Schuyler	\$221,071	\$293,676	\$514,747
Seneca	\$452,029	\$309,766	\$761,795
Steuben	\$2,406,578	\$1,315,279	\$3,721,857
Suffolk	\$16,648,788	\$16,026,217	\$32,675,005
Sullivan	\$1,068,633	\$1,028,284	\$2,096,917
Tioga	\$673,187	\$557,430	\$1,230,617
Tompkins	\$682,292	\$1,025,553	\$1,707,845
Ulster	\$2,238,276	\$1,989,036	\$4,227,312
Warren	\$775,126	\$743,699	\$1,518,825
Washington	\$407,281	\$710,988	\$1,118,269
Wayne	\$979,549	\$602,749	\$1,582,298
Westchester	\$11,528,608	\$14,290,408	\$25,819,016
Wyoming	\$301,807	\$478,607	\$780,414
Yates	\$316,717	\$295,565	\$612,282
New York City	\$215,897,192	\$210,805,848	\$426,703,040
State Total	\$363,128,759	\$353,391,394	\$716,520,153

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