



New York State  
Office of  
Children & Family  
Services

**OFFICE OF CHILDREN AND FAMILY SERVICES**

**LOCAL COMMISSIONERS MEMORANDUM**

OCFS-4616EL (Rev. 11/98)

Transmittal No: 99 OCFS LCM-14

George E. Pataki  
Governor

Date: April 20, 1999

John A. Johnson  
Commissioner

Division: Strategic  
Planning and Policy  
Development

**TO: Local District Commissioners**

**SUBJECT: 1998-1999 Title IV-E Independent Living Allocations**

Capital View Office Park

**ATTACHMENTS:** Independent Living Allocations (Available On-Line)

52 Washington Street  
Rensselaer, NY 12144-2796

The purpose of this memorandum is to transmit to local districts the Title IV-E Independent Living allocations for the period 10/01/98 through 09/30/99, the current Federal fiscal year. In addition to the allocation of 100% Federal Independent Living funds, this memorandum also includes instructions for requesting additional Title IV-E Independent Living funds requiring a 50% non-Federal (local) match. There is approximately \$4.1 million in 50% funds. **All such requests for 50% non-Federal match funds must be received by May 25, 1999.**

The Federal funds may be used to carry out and/or enhance services and supports to youth in foster care over the age of 16 with a goal of Independent Living in the following areas:

Assessment Services and Case Planning, provided to each youth over the age of 16 for whom Independent Living is established as a goal or who is deemed to have a goal of Independent Living based on age and length of time in care. Local districts also have the option of providing Independent Living services to all youth over age 16 regardless of length of time in care. The Assessment and Case Planning activities are incorporated into the current utilization review requirements. The standards relating to Independent Living take into consideration and, where appropriate, include self-identified goals and activities of the



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foster child. At a minimum, joint discussion of the plan, its rationale, and its sequence is held with the youth at the plan's inception and each six month reassessment.

In addition, each youth who will be discharged to Independent Living must receive a 90-day notification of discharge, including the established discharge plan. The plan also outlines coordination of services otherwise available to the youth.

Educational Services, an integral part of the Independent Living plan for each youth over the age of sixteen.

1. Academic Support Services, to support the completion of the foster child's formal education through either completion of a high school diploma program or equivalency program. Where appropriate, this service can be provided to those youth for whom continuation in a college degree program is determined beneficial. Academic Support Services for which payment can be made can include, but are not limited to, educational and career assessment and counseling, tutorial services, remedial instruction, examination preparation and resource and referral services. Payment of college tuition costs is not allowable under Academic Support Services.
2. Vocational Training, where appropriate, to those youth in foster care who will not pursue post-secondary education or who may not graduate from high school before their twentieth birthday. In some instances, a youth may not benefit from such vocational training due to limited academic proficiency. In these instances, remedial education is required prior to the provision of the vocational training. Vocational training includes, but is not limited to, training programs in a marketable skill or trade or formal on-the-job training. Vocational training may include two-year college programs with specific vocational objectives, occupational training supported by other State or Federal funds or provided by organizations which have demonstrated effectiveness in providing such training.
3. Independent Living Skills Training, which must offer, at a minimum, the following:
  - o Job search
  - o Career counseling
  - o Locating housing/apartments
  - o Budgeting
  - o Shopping
  - o Cooking
  - o Housecleaning

Independent Living Stipends, provided to foster children over the age of sixteen who have an established goal of Independent Living, are deemed to have a goal of Independent Living or who are otherwise actively participating in the Independent Living Program. This financial incentive is available to only those youth participating in the Independent Living Program as outlined in the case plan and may be suspended for periods of unplanned inactivity. The stipend is paid on a monthly or more frequent basis, dependent on the youth's capabilities. The stipend amount is raised incrementally on a yearly basis dependent on the youth's age. Districts may opt to continue payment of the stipend through the trial discharge period for those youth continuing in the district's custody. Any stipend received through the trial discharge period may not be used for room and board purposes. Payment of the stipend serves a threefold purpose: incentive to participate in the Independent Living Program, money management experience, and a means whereby savings can accumulate to assist in the transition to Independent Living. During the trial discharge period, the optional payment of the stipend encourages the continuation of the case management relationship as well as, to a small degree, increasing a youth's financial resources during the critical first months of living independently.

Aftercare Services, required for any youth over the age of 16 who is discharged to Independent Living through a trial discharge period. Custody of the youth is retained and certain requirements for casework contacts and service provision apply. At a district's option, and according to the needs of the youth, the trial discharge period may continue until a youth reaches the age of 21. If a youth loses housing during the period of trial discharge, the district must assist the youth to find other appropriate housing or re-place the youth in foster care, if necessary. In addition, when custody ceases, the district must maintain supervision of the youth until the youth is 21. Supervision includes casework contacts and referral to needed services, including income and housing services, with sufficient follow-up to ensure that the youth has begun to receive the necessary services.

The Federal Adoption and Safe Families Act of 1997 (PL 105-89) permits youth to whom Title IV-E funds are no longer being made available because of accumulated assets up to \$5,000 to continue to be eligible for Title IV-E Independent Living services.

#### **I. BASIC ALLOCATION OF 100% FEDERAL FUNDS**

Approximately 97% of the 100% (non-matched) Federal Independent Living funds are being allocated to social services districts. The remaining funds are allocated to the Office of Children and Family Services (OCFS) to support eligible youth in its care and custody.

These allocations are based on a level of 100% Federal funds at \$7.4 million.

The basis for a district's allocation is the same as that used in prior years. The allocation formula takes into consideration both current

population and recent allocation and expenditure history. Half of the available funds are allocated across districts based on each district's proportion of the statewide population of eligible youth. This figure includes the number of eligible youth in Trial Discharge status.

Population figures of children in the district's custody are increased to reflect OCFS-custody youth in voluntary agencies for which the district is fiscally responsible. To calculate the appropriate OCFS add-on, the number of such youth from a county is averaged for the previous three-year period. This number is added to the district's population figure before determining the district's proportion of the eligible population.

The remaining half of the allocation is based on each district's proportion of the prior year's allocation (85%) and of each district's proportion of expenditures (15%) of the Title IV-E Independent Living funds during the prior year. These include both those funds requiring a non-Federal match and those without a match requirement.

This weighted approach affords the greatest degree of stability to districts across program years, balancing, to some degree, population size with intensity of programming.

Once a district exhausts its allocation of 100% (non-matched) Independent Living funds, no additional claims for reimbursement will be honored unless the district has requested an allocation of funds requiring a 50% non-Federal match. Instructions for requesting additional funds are described below.

## **II. AVAILABILITY OF FEDERAL INDEPENDENT LIVING FUNDS WITH A 50% NON-FEDERAL MATCH REQUIREMENT**

The Federal government continues to make funds available to states for Independent Living services over the original appropriation of \$7.4 million. However, the additional funds carry with them the requirement for a 50% match for these dollars. New York State has available approximately \$4.1 million in this year's allocation. These funds are being made available to districts.

As in prior years, we do not expect availability of any State funds to serve as part of the match requirement. Therefore, rather than allocating these funds in a manner similar to the 100% funds, the Office instead is encouraging districts to apply for a portion of these dollars. As part of the request, districts must identify the level and source of match available to generate the Federal share.

Eligible matching contributions may be cash or in-kind contributions of services, equipment, or property, and they may originate with a third party. The matching funds may originate, in whole or part, from other State funding programs and agencies. Districts are encouraged to review 92-LCM-3 for further guidance on maximizing related State funding programs. Other limitations on the match include the following:

- the matching funds may not be Federal funds;
- the funds can not currently serve as a match for other Federal funds; and,
- the funds must be used for purposes otherwise allowable under this program. Primary among the program restrictions is the prohibition on using the funds for room and board payments.

**III. APPLICATION PROCEDURES FOR INDEPENDENT LIVING FUNDS REQUIRING A 50% NON-FEDERAL MATCH**

Districts interested in augmenting their allocation of 100% Federal Independent Living funds with IL funds requiring a 50% non-Federal match should submit a letter of application containing the following information:

- o The maximum amount of additional funds the district requests to be added to its allocation;
- o An assurance that funds will be used solely to support services for youth eligible under the IV-E Independent Living Program;
- o A description of the source(s) and nature of match resources;
- o A summary of the purposes for which the funds will be used; and,
- o The level of expansion or measurable enhancement of services for the eligible youth, particularly in those instances where the district is proposing to contract for a service already available through the provider agency.

All requests must be received by May 25, 1999 so that allocations can be made based on overall State demand for these funds. The letter of application should be submitted to William F. Baccaglioni, Director, Strategic Planning and Policy Development, NYS Office of Children and Family Services, 52 Washington St., Rensselaer, NY 12144-2735, with a copy to the appropriate OCFS Regional Office. Upon approval of the district's request, the district's allocation of Independent Living funds will be augmented to include these funds.

**IV. SERVICES TO YOUTH AGES 14 AND 15 WITH A PERMANENCY PLANNING GOAL OF INDEPENDENT LIVING**

Services to these youth are not eligible for reimbursement under the Federal Title IV-E Independent Living Program. State regulations allow for the establishment of a permanency planning goal of Independent Living for youth younger than age 16. The establishment of this goal requires that the youth be assisted in developing a full array of skills necessary to move towards a self-reliant young adulthood. Districts should continue to claim expenditures for youth under the age of 16 in Column 4 of the RF-4. Claims for services provided to these youth will be reimbursed through State foster care funds, and these payments will be included in the district's Family and Children's Services Block Grant.

**V. CLAIMING PROCEDURES AND MISCELLANEOUS PROGRAM INFORMATION**

- o Districts should claim funds in the 100% Federal share column on the RF 4 for eligible youth up to their 100% allocation.
- o Upon approval of the district's request for Independent Living funds requiring a 50% non-Federal match, expenditures for these services should be claimed in Column 3 of the RF-4.

Other aspects of the program remain the same as in previous years:


- o All claims for reimbursement of Independent Living expenditures prior to 9/30/99 must be submitted to the Bureau of Finance, Office of Temporary and Disability Assistance by November 30, 1999.
- o Any use of Federal Independent Living initiative funds for the purchase of equipment having a unit cost in excess of \$5,000 requires prior Federal approval. Requests for approval of such expenditures should be submitted to my office, with a copy to the appropriate Regional Office.
- o EDP-related expenditures of any amount (hardware, software, programming services, etc.), must be submitted to my office for approval.

Districts are reminded that certain assurances must be complied with when using Title IV-E Independent Living funds. Those assurances are attached for your information.

Any program questions concerning this release should be directed to the appropriate Regional Office of Children and Family Services.

BRO - Linda Brown	(716)847-3145 USER ID: 89D421
RRO - Linda Kurtz	(716)238-8201 USER ID: OFH010
SRO - Jack Klump	(315)423-1200 USER ID: 89W005
ARO - William McLaughlin	(518)432-2751 USER ID: OFN010
NYC - Gail Hallerdin	(212)383-1788 USER ID: AA0120
YRO - Pat Sheehy	(914)377-2064 USER ID: not operational

If there are any questions concerning claiming procedures, contact Roland Levie (FMS001), Regions I-IV, at 1-800-343-8859 or directly at 518 474-7549. In Region V, contact Marvin Gold (Ofm270) at 212 383-1733.

  
William F. Baccaglioni  
Director  
Strategic Planning  
and Policy Development

INDEPENDENT LIVING ALLOCATIONS AND ASSURANCES

DISTRICT ALLOCATIONS  
TITLE IV-E INDEPENDENT LIVING FUNDS  
(FUNDS REQUIRING NO MATCH)  
10/1/98 - 9/30/99

Albany	\$ 72,888	Allegany	\$ 12,744
Broome	\$ 47,005	Cattaraugus	\$ 11,908
Cayuga	\$ 10,770	Chautauqua	\$ 36,463
Chemung	\$ 24,031	Chenango	\$ 1,930
Clinton	\$ 12,543	Columbia	\$ 10,845
Cortland	\$ 11,569	Delaware	\$ 27,772
Dutchess	\$ 70,557	Erie	\$ 281,144
Essex	\$ 3,540	Franklin	\$ 7,238
Fulton	\$ 15,024	Genesee	\$ 5,278
Greene	\$ 2,916	Hamilton	\$ 140
Herkimer	\$ 10,936	Jefferson	\$ 13,026
Lewis	\$ 1,625	Livingston	\$ 3,090
Madison	\$ 13,877	Monroe	\$ 297,567
Montgomery	\$ 5,217	Nassau	\$ 145,001
Niagara	\$ 38,616	Oneida	\$ 53,333
Onondaga	\$ 94,975	Ontario	\$ 7,610
Orange	\$ 87,610	Orleans	\$ 575
Oswego	\$ 27,740	Otsego	\$ 24,364
Putnam	\$ 5,425	Rensselaer	\$ 18,856
Rockland	\$ 100,308	St. Lawrence	\$ 39,707
Saratoga	\$ 37,364	Schenectady	\$ 29,304
Schoharie	\$ 5,894	Schuyler	\$ 5,123
Seneca	\$ 22,555	Steuben	\$ 11,064
Suffolk	\$ 122,550	Sullivan	\$ 14,691
Tioga	\$ 7,730	Tompkins	\$ 19,003
Ulster	\$ 60,450	Warren	\$ 8,809
Washington	\$ 2,502	Wayne	\$ 6,697
Westchester	\$ 152,937	Wyoming	\$ 6,808
Yates	\$ 4,376	NYC	\$5,040,519
St. Regis	\$ 332		

**ASSURANCES**

**Title IV-E  
Independent Living**

- A. Maintenance of Effort - The Title IV-E-IL funds will supplement Title IV-E foster care funds available for maintenance payments and administrative and training costs and other State funds available for independent living activities and services (Section 477(e)(3) of the Social Security Act).
- B. The program will be operated in an effective and efficient manner (section 477(c) of the Social Security Act).
- C. Title IV-E-IL funds shall be used only for the specific purposes described in Section 477 of the Social Security Act.
- D. Payments made and services provided shall not be considered as income or resources for purposes of determining eligibility of participants for aid under the State's Title IV-A or Title IV-E plan or for determining the level of such aid (Section 477(h) of the Social Security Act).
- E. Each participant will be provided a written transitional independent living plan which will be based on an assessment of his/her needs and which shall be incorporated into his/her case plan, as described in Section 475(1) of the Social Security Act.
- F. In accordance with section 475(1) of the Social Security Act, where appropriate, for youth age 16 or over, the case plan will include a written description of the programs and services which will help the youth to make the transition from foster care to independent living.
- G. For youth age 16 or older, the dispositional hearing will address the services needed to assist the youth to make the transition from foster care to independent living, as required by Section 475(5) of the Social Security Act.
- H. Payments to the State shall be used for conducting the activities and providing the services required to carry out the programs directly or under contracts with local governmental entities or private non-profit organizations (Section 477(b) of the Social Security Act).
- I. Grant funds will be administered in compliance with Departmental regulations and policies governing the administration of grants, 45 CFR Parts 92 and 74 and OMB Circulars A-87, A-102, and A-122, including such provisions as Audits (OMB Circulars A-128 and A-133) and Nondiscrimination (45 CFR Part 80).
- J. Grant funds will not be used for the provision of room or board (Section 477(e)(3) of the Social Security Act).