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OFFICE OF CHILDREN & FAMILY SERVICES  
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## Local Commissioners Memorandum

<b>Transmittal:</b>	11-OCFS-LCM-08
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office:</b>	Strategic Planning and Policy Development
<b>Date:</b>	June 3, 2011
<b>Subject:</b>	<b>Community Optional Preventive Services (COPS) Program \$1,000,000 Set-Aside Funding Instructions (FFY 2010-11/SFY 2011-12 )</b>
<b>Contact Person(s):</b>	See page 6 & 7
<b>Attachments:</b>	Attachment A-Application for Community Optional Preventive Services Attachment B-Community Optional Preventive Services Program Report
<b>Attachment Available Online:</b>	Yes (as part of this LCM) <a href="http://ocfs.state.nyenet/policies/external">http://ocfs.state.nyenet/policies/external</a> (OCFS intranet) <a href="http://www.ocfs.state.ny.us/main/policies/external">http://www.ocfs.state.ny.us/main/policies/external</a> (OCFS intranet)

### I. Purpose

The purpose of this Local Commissioner's Memorandum (LCM) is to advise local departments of social services (LDSS) of the availability of a \$1,000,000 funding set-aside within the State Fiscal Year (SFY) 2011-12 appropriation of \$12,124,750 for community optional preventive services (COPS) programs. This amount is separated from the remainder of the COPS funding amount of \$11,124,750 due to the differences in requirements for this funding, and LCM 11-OCFS-LCM-07 addresses that COPS funding. This LCM provides instructions to the LDSSs on how to apply for this separate funding, and provides reporting and claiming instructions.

## II. Background

Community Optional Preventive Services (COPS) is a subset of the broader category of “preventive services.” COPS are intended to help families where placement is not imminent, but where youth and/or families live in particular communities or have other conditions or circumstances that put them at an elevated risk of foster care. In 1988, a Request for Proposal (RFP) was issued to select and fund COPS programs. About 20 programs were funded from that RFP, and a subsequent RFP was issued in New York City. In 2002, with the implementation of the Child Welfare Services finance provisions, which provided for 65 percent state reimbursement for all preventive services, funding became available for the expansion of COPS. In order for a COPS proposal to be approved, LDSSs were required to submit a plan to OCFS that described the program, specified the target population in need, and demonstrated that the population was at an elevated risk of foster care but not at imminent risk of out-of-home placement.

In 2008, LDSSs were surveyed regarding their COPS programs and this information was published in January 2009 in the “Community Optional Preventive Services (COPS): Findings from OCFS’s COPS Survey.” As part of this survey, LDSSs were specifically asked to report on performance targets and achievement of these targets. Likewise, in 2009 and 2010, LDSSs were required to report performance targets or outcomes on their COPS programs to OCFS.

COPS are aimed at supporting community services that work with youth and families before a serious problem develops, with the long-term goal of reducing the need for foster care and offering a less costly alternative to placement. Current COPS programs provide a wide range of services to avert placement, including but not limited to, home visiting programs, mental health services, respite, day treatment programs, after-school and summer programs, PINS/JD diversion, family engagement, mediation services, relative/kinship assistance, mentoring programs, alternatives for youth, parenting education, transitional support, and youth court.

Although individual programmatic eligibility determinations are unnecessary, there must be an acceptable method for determining whether a case is below or over 200 percent of the federal poverty level consistent with criteria outlined in Chapter 3 of the OCFS “Eligibility Manual for Child Welfare Programs.” Individual family eligibility determinations can be done by a simplified family-specific determination as to whether the income is below or over 200 percent of poverty and the recipients are either U.S. citizens or qualified aliens. Alternatively, the need to do individual eligibility determinations for COPS programs can be waived if the LDSS identifies a reliable source of information to calculate the proportion of the target population that is below 200 percent of the poverty standard (e.g., the percent of students receiving subsidized school lunches in the community(ies) being served). Any alternative measure for determining if a family’s income is either below or over 200 percent of poverty is

subject to OCFS approval. Participation in a COPS program may not be limited to those families who are below 200 percent of the federal poverty level.

### **III. Program Implications**

For SFY 2011-12, \$12,124,750 in COPS funding was made available, of which \$1,000,000 was set aside to be used to provide funding to an eligible program or programs with evaluation results that show program effectiveness and demonstrate private monetary support. Any program costs supported through a district's share of the \$11,124,750 COPS allocation cannot be used to access funding from the \$1,000,000 set-aside. This \$1,000,000 in funding is for COPS services provided from October 1, 2010, through September 30, 2011. Eligible COPS expenditures must be made by October 31, 2011, and claimed by March 31, 2012.

An LDSS must submit claims that separately identify the costs of COPS services. In order to receive reimbursement for a COPS program, a LDSS must demonstrate that the program had been approved by OCFS on or before October 1, 2008. In addition, the expenses claimed cannot exceed the costs for the programs that were in effect October 1, 2008. An LDSS may contract to restart a program that was approved by OCFS as of October 1, 2008, and in operation on that date, that subsequently ceased providing COPS; however, this may only be done at the same level of funding as of October 1, 2008. Furthermore, an LDSS cannot receive state reimbursement for any COPS services provided during a time when it did not have a contract in place and the LDSS cannot contract retroactively for the services. For example, if an LDSS terminated a contract on December 31, 2010, and the LDSS did not enter into a new contract until April 15, 2011, it could claim for the services provided from October 1, 2010, through December 31, 2010, and for the services provided from April 15, 2011, through September 30, 2011, but not for any services provided from January 1, 2011, through April 14, 2011, during the time period that a contract did not exist.

LDSSs may receive dollar for dollar (or 50 percent) state reimbursement based on the private funds they receive for the costs of eligible services provided through September 30, 2011, up to the amount of the \$1,000,000 COPS funding set-aside. Donated funds must equal at least 25 percent of the total program cost, but not less than \$15,000 for the period of July 1, 2010, through June 30, 2011. If there are insufficient funds in the capped appropriation to reimburse LDSSs the dollar for dollar eligible COPS expenditures claimed, LDSSs will receive their proportionate share of the \$1,000,000 set-aside based on the LDSS's total COPS eligible expenditures claimed compared to the statewide total of eligible expenditures claimed. OCFS may reallocate any unspent funds from a LDSS to other LDSSs that have claims in excess of their allocation. Any donated funds must be received from July 1, 2010, through June 30, 2011. For claiming purposes, LDSSs must demonstrate the receipt of donated funds by July 1, 2011.

## **Application Instructions**

LDSSs that are applying for this separate \$1,000,000 of COPS funding may do so by submitting an Application for Community Optional Preventive Services \$1,000,000 Set-aside Funding (Attachment A) for FFY 2010-11/SFY 2011-12 and documentation that they meet the eligibility criteria:

**1. Evaluation results showing program effectiveness**

Evaluation results should be limited to approximately two (2) pages per COPS program.

**2. Demonstrate private monetary support**

LDSSs must demonstrate private monetary support received from July 1, 2010 through June 30, 2011. Documentation of private monetary support must be submitted to OCFS no later than July 1, 2011. The following are examples of acceptable documentation of private monetary support:

- Letter of agency/organization providing monetary support;
- Cancelled check from agency/organization providing monetary support;  
or
- Financial records showing receipt of private funds.

In order to be eligible, the COPS services must have been provided during the time period of October 1, 2010, through September 30, 2011, and reimbursement must be claimed by March 31, 2012.

**Each LDSS that will be applying for this separate \$1,000,000 COPS funding needs to complete an Application for Community Optional Preventive Services \$1,000,000 Set-Aside Funding (Attachment A) with the supporting documentation listed above and submit it by July 1, 2011 to:**

Lynn Baniak  
NYS Office of Children and Family Services  
Strategic Planning and Policy Development  
52 Washington Street, Room 313 South  
Rensselaer, NY 12144

Or email a copy to [Lynn.Baniak@ocfs.state.ny.us](mailto:Lynn.Baniak@ocfs.state.ny.us)

After July 1, 2011, OCFS will review the submitted applications for this funding with supporting documentation and will make a determination if each COPS program that has applied for this funding meets the requirements for funding. LDSSs will be notified if their COPS programs have met the eligibility criteria and the amount of their allocation from this separate \$1,000,000 in COPS funding.

**All LDSSs that have submitted an Application for Community Optional Preventive Services \$1,000,000 Set-Aside Funding (Attachment A) with complete**

**documentation by July 1, 2011, and meet the criteria for this separate COPS funding of \$1,000,000, will get a proportionate share of the funds.**

### **COPS Program Report Form**

COPS programs that are funded out of this separate \$1,000,000 allocation will need to provide a COPS Program Outcome Report to OCFS. For each COPS program that receives this funding, LDSSs will need to complete a COPS Program Report (Attachment B) and submit the reports to OCFS by October 15, 2011. This template asks LDSSs to provide demographic information and to report on current performance targets or outcomes, which have been required for all preventive service programs (see 07-OCFS-LCM-12).

**Please complete a COPS Program Report Form (Attachment B) for each COPS program that receives an allocation from the \$1,000,000 separate funding, and submit by October 15, 2011, to:**

Lynn Baniak  
NYS Office of Children and Family Services  
Strategic Planning and Policy Development  
52 Washington Street, Room 313 S.  
Rensselaer, NY 12144

Or email a copy to [Lynn.Baniak@ocfs.state.ny.us](mailto:Lynn.Baniak@ocfs.state.ny.us)

#### **IV. Claiming Instructions**

An LDSS will use the following set of instructions to claim reimbursement for eligible COPS set aside services from October 1, 2010, through September 30, 2011. Expenditures must be made by October 31, 2011, and claims must be submitted no later than March 31, 2012.

LDSSs may receive state reimbursement based on the private (donated) funds they receive for the costs of eligible services provided through September 30, 2011, up to the amount of the \$1,000,000 COPS funding set-aside. Donated funds must equal at least 25 percent of the total program cost, but not less than \$15,000. For example, if a district has \$15,000 in donated funds and \$60,000 eligible COPS expenditure, the state share match is \$15,000 and the local share is \$45,000, which includes the \$15,000 donated funds and the \$30,000 regular local share.

If there are insufficient funds in the capped appropriation to reimburse LDSSs the dollar for dollar eligible COPS expenditures claimed, LDSSs will receive their proportionate share of the COPS \$1,000,000 set-aside funding capped appropriation based on the LDSS's total COPS eligible expenditures claimed compared to the statewide total of eligible expenditures claimed. OCFS may reallocate any unspent funds from an LDSS to other LDSSs that have claims in excess of their allocation.

The COPS set aside expenditures are coded to the F17 function, reported on the Schedule D, Administrative Expenses, Allocation and Distribution by Function and Program, LDSS-2347 and the Schedule D-17, Distribution of Allocated Costs to Other Reimbursable Programs, LDSS-3274 in a column labeled as “COPS 2010-2011 set-aside.” These costs will be claimed on a LDSS-3922, Reimbursement Claim for Special Projects, to be submitted via TRACS labeled as “COPS 2010-2011 set-aside” and reported in the Non-Administrative Costs column. The LDSS must sign and retain the LDSS-3922 certification for audit purposes. It is not necessary to send a copy of the paper claim to OTDA.

Please note that by signing the LDSS-3922 certification statement the administrative official and fiscal officer also attests that your district has met the required level of donated funds and that these amounts are included in the total costs reported on the LDSS-3922.

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

OCFS may reallocate any unspent funds from an LDSS to other LDSSs that have claims in excess of their allocation.

## **V. Contact Information**

Any questions concerning this release should be directed to the appropriate OCFS Regional Office, Division of Child Welfare and Community Services:

Buffalo Regional Office- Dana Whitcomb (716) 847-3145

[Dana.Whitcomb@ocfs.state.ny.us](mailto:Dana.Whitcomb@ocfs.state.ny.us)

Rochester Regional Office- Karen Buck (585) 238-8200

[Karen.Buck@ocfs.state.ny.us](mailto:Karen.Buck@ocfs.state.ny.us)

Syracuse Regional Office- Jack Klump (315) 423-1200

[Jack.Klump@ocfs.state.ny.us](mailto:Jack.Klump@ocfs.state.ny.us)

Albany Regional Office- Kerri Barber (518) 486-7078

[Kerri.Barber@ocfs.state.ny.us](mailto:Kerri.Barber@ocfs.state.ny.us)

Spring Valley Regional Office- Patricia Sheehy (845) 708-2499

[Patricia.Sheehy@ocfs.state.ny.us](mailto:Patricia.Sheehy@ocfs.state.ny.us)

New York City Regional Office- Patricia Beresford (212) 383-1788

[Patricia.Beresford@ocfs.state.ny.us](mailto:Patricia.Beresford@ocfs.state.ny.us)

Native American Services- Kim Thomas (716) 847-3123  
[Kim.Thomas@ocfs.state.ny.us](mailto:Kim.Thomas@ocfs.state.ny.us)

Questions pertaining to claiming only should be directed to the Office of Temporary and Disability Assistance, Bureau of Financial Services:

Regions I - V: Edward Conway (518) 474-7549  
[Edward.Conway@otda.state.ny.us](mailto:Edward.Conway@otda.state.ny.us)

Region VI: Michael Simon (212) 961-8250  
[Michael.Simon@otda.state.ny.us](mailto:Michael.Simon@otda.state.ny.us)

*/s/ Nancy Martinez*

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**Issued By:**

Name: Nancy Martinez

Title: Director

Division/Office: Strategic Planning and Policy Development