



EXECUTIVE DEPUTY COMMISSIONER
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May 25, 2021

Hon. Thomas P. DiNapoli
New York State Comptroller
110 State Street, 15th Floor
Albany, NY 12236

Dear Comptroller DiNapoli:

In accordance with the provisions of Section 170 of the Executive Law, the following are actions that the State Education Department (SED) has taken, or will be taking, to implement the recommendations contained in the Office of the State Comptroller's (OSC) Final Audit Report (2020-S-30) Wayne County Chapter of NYSARC, Inc. (ARC Wayne) - Compliance with the Reimbursable Cost Manual.

Recommendation 1:

“Review the disallowances identified by our audit and make the necessary adjustments to the costs reported on ARC Wayne’s CFRs and to ARC Wayne’s tuition reimbursement rates, as appropriate.”

SED is currently in the process of reviewing the Consolidated Fiscal Report (CFR) and OSC audit work papers and will make necessary adjustments and recover any overpayments, as appropriate, by recalculating tuition rates. SED will also consider the treatment of offsetting revenues as it applies to the adjustment to increase offsetting revenues to non-disabled staffing costs in accordance with SED regulations.

Recommendation 2:

“Remind ARC Wayne officials of the pertinent SED guidelines that relate to the deficiencies we cited.”

SED will continue to provide technical assistance whenever requested and will strongly recommend ARC Wayne’s officials avail themselves of our assistance to help them better understand the rules for cost reporting and criteria for cost reimbursement as presented in the CFR, Regulation and the Reimbursable Cost Manual (RCM). Furthermore, SED will alert ARC Wayne of online training that is available on SED’s webpage. SED recommends that all individuals signing the CFR certification statements, namely the Executive Director and Certified Public Accountant, complete this training. This training is a requirement for preschool special education providers upon approval and reapproval.

Furthermore, SED will require ARC Wayne to identify the actions it has taken to cure and correct the deficiencies and/or violations identified in the audit. ARC Wayne's submission to SED must be certified by its Chief Executive Officer, with an attestation from each director, officer, trustee, and shareholder, must contain all relevant information describing how policies, procedures and practices have been revised to address the specific findings of the audit, and how systemic changes to the internal controls and financial oversight have been implemented.

If you have any questions regarding this response, please contact Brian Zawistowski, Assistant Director of the Rate Setting Unit at 518-474-3227.

Sincerely,

A handwritten signature in black ink that reads "Sharon Cates-Williams". The signature is written in a cursive, flowing style.

Sharon Cates-Williams

cc: Christopher Suriano
Phyllis Morris
Suzanne Bolling
Brian Zawistowski
James Kampf
Jerry Nestleroad