

# **INSTRUCTIONS FOR STATE PLAN FOR INDEPENDENT LIVING (SPIL)**

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**State Plan for Independent Living (SPIL) Instructions for Completion and Submittal**

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## Background

Title VII, chapter 1 of the Rehabilitation Act of 1973, as amended (the Act), establishes the Independent Living Services and Centers for Independent Living programs. The purpose is to:

- promote the independent living philosophy, based on consumer control, peer support, self-help, self-determination, equal access and individual and systems advocacy;
- maximize the leadership, empowerment, independence and productivity of individuals with significant disabilities; and
- promote the integration and full inclusion of individuals with significant disabilities into the mainstream of American society.

The Independent Living Services program, funded under subchapter B of chapter 1, makes available financial assistance to States for providing, expanding and improving the provision of independent living (IL) services. The program also provides for the:

- development and support of the statewide network of centers for independent living (CILs);
- improvements in working relationships between the Statewide Independent Living Council (SILC), the CILs, and the Designated State Entity (DSE) in each State; and
- collaboration among the IL services program, the CILs, other programs funded under the Act and other Federal and non-Federal programs that address the needs of individuals with significant disabilities.

The CIL program, funded under subchapter C of chapter 1, provides financial assistance for planning, conducting, administering and evaluating centers for independent living that comply with specific standards and assurances (section 725 of the Act) and that reflect the State's design for the establishment of a statewide network of centers detailed in the SPIL (section 3).

To be eligible to receive subchapter B and subchapter C funding, a state needs to submit an approvable three-year State Plan for Independent Living (SPIL) to the Administration for Community Living (ACL). The SILC is responsible for developing the SPIL after receiving public input from individuals with disabilities throughout the State; while the development of the SPIL is a SILC duty, the SILC and CIL directors should be partners in the development process; the SPIL should serve as a blueprint for the independent living network in the state. The SPIL must be signed by the Chairperson of the SILC, acting on behalf of and at the direction of the SILC, and not less than 51% of the directors of the CILs in the state before submission to the ACL.

The SPIL encompasses the activities planned by the IL network to achieve specified independent living objectives and reflects the State's commitment to comply with all applicable statutory and regulatory requirements during the three years covered by the plan. The SPIL must identify the Designated State Entity (DSE) and the DSE must sign the plan indicating agreement that it will serve as the DSE and fulfill all the responsibilities in Sec. 704(c) of the Act including complying with the aforementioned assurances during the three-year period of this SPIL. The SILC prepares, in conjunction with the DSE, a plan for the provision of resources, including such staff

and personnel, as may be necessary and sufficient to carry out the functions of the SILC (Sec 704(e)(1); 45 CFR 1329.15(c)).

The SPIL consists of narrative sections describing the Independent Living objectives, services, activities, and operational details as well as a series of assurances, or statements of compliance, based on legal and regulatory provisions governing the IL Services and CIL programs.

The objective of this SPIL revision is to provide for the changes to the program made by the amendments made to the Rehabilitation Act by the Workforce Innovation and Opportunity Act in 2014 and to improve and streamline readability.

## **Definitions**

The following are definitions useful for completing this SPIL. Additional definitions related to independent living programs may be found in Titles I & VII of the Act and 45 CFR 1329.4.

Act means the Rehabilitation Act of 1973, as amended.

Centers for Independent Living (CILs) means consumer-controlled, community-based, cross-disability, nonresidential, private nonprofit agencies that are designed and operated within a local community by individuals with disabilities and that provide an array of independent living services.

Centers for Independent Living program (CIL program) means the program funded under Title VII, chapter 1, subchapter C of the Act.

Client Assistance Program (CAP) means the program, established by section 112 of the Act, to provide assistance in informing and advising all clients and client applicants of all available benefits under the Act, and, upon request of such clients or client applicants, to assist and advocate for such individuals in their relationships with projects.

Consumer means any individual with a significant disability who is eligible for IL services under section 703 of the Act and is currently receiving or has been provided any IL service(s) under the program.

Consumer control means, with respect to a center or eligible agency, that the center or eligible agency vests power and authority in individuals with disabilities, including individuals who are or have been recipients of IL services.

Consumer Service Record (CSR) means the records that are maintained for an eligible consumer receiving IL services and meets the requirement that records demonstrate compliance with the standards and assurances in section 725(b) and (c) of the Act and the grant terms and conditions.

Cross-disability means, with respect to a center, that a center provides IL services to individuals representing a range of significant disabilities and does not restrict eligibility to individuals who have one or more specific significant disabilities.

Designated State Entity (DSE) means the agency that the State Plan designates to receive, account for, and disburse subchapter B funds in accordance with section 704(c) of the Act.

Independent Living Administration (ACL) means the Federal entity within the United States Department of Health and Human Services, Administration for Community Living that administers the IL Services and CIL programs.

Independent living core services mean information and referral services; IL skills training; peer counseling (including cross-disability peer counseling); individual and systems advocacy; and services that: facilitate the transition of individuals with significant disabilities from nursing homes and other institutions to home and community-based residences; provide assistance to individuals with significant disabilities who are at risk of entering institutions so that the individuals may remain in the community; and facilitate the transition of youth who are individuals with significant disabilities who were eligible for individualized education programs under section 614(d) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)), and who have completed their secondary education or otherwise left school, to postsecondary life.

Independent living services include the independent living core services listed above and the services listed in Title I, section 105(18) of the Act.

Independent living plan means the plan for the provision of IL services mutually agreed upon by an appropriate staff member of a service provider and an individual with a significant disability.

Individual with a significant disability means an individual with a severe physical, mental, cognitive or sensory impairment whose ability to function independently in the family or community or whose ability to obtain, maintain, or advance in employment is substantially limited and for whom the delivery of IL services will improve the ability to function, continue functioning, or move toward functioning independently in the family or community or to continue in employment.

Minority group means American Indian or Alaskan Native, Asian American, Black or African American (not of Hispanic origin), Hispanic or Latino (including persons of Mexican, Puerto Rican, Cuban, and Central or South American origin), Native Hawaiian or other Pacific Islander.

Nonresidential means, with respect to a center for independent living, that the center, as of October 1, 1994, does not provide or manage residential housing.

Section 722 State means a State in which Federal funding exceeds State funding for the general operation of eligible CILs. or, if State funding exceeds Federal funding, the Director of the DSE elects not to administer the CIL program. In these States, ACL issues grants under subchapter C, Chapter 1, directly to centers and eligible agencies.

Section 723 State means a State in which State funding for centers equals or exceeds the amount of Federal funds allotted to the State under subchapter C, Chapter 1 and in which the Director of

the DSE submits an application and is approved by ACL to administer the CIL program as provided in section 723 of the Act.

Service provider means a CIL that receives financial assistance under subchapter B or C of chapter 1 of Title VII of the Act, or any other entity or individual that provides IL services under a grant or contract from the DSE pursuant to Section 704(f) of the Act. A DSE may directly provide IL services to individuals with significant disabilities only as the SPIL specifically authorizes.

SILC Autonomy means that the SILC is not established as an entity within a State agency (Sec. 705(a)), that the SILC supervises and evaluates its own staff (Sec. 705(e)(2); §1329.15(e)), manages its own budget and is responsible for proper expenditure of funds and use of resources (§1329.15(c)(5)), that the SILC resource plan includes resources necessary and sufficient for the SILC to carry out its duties and authorities (§1329.12(b)(2)), that no conditions or requirements may be included in the SILC's resource plan that may compromise the independence of the SILC (§1329.15(c)(4)), that while assisting the SILC in carrying out its duties, staff are not assigned any duties by the DSE (or any other agency of the State) that create a conflict of interest (Sec. 705(e)(3)), and that the SILC is independent and autonomous from the DSE and all other state agencies (1329.14(b)).

State means, in addition to each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands.

State Match means the resources provided by the state (funding or in-kind or both) to match the federal appropriation of Subchapter B funds. The required match is 10% of the total, meaning when the federal appropriation and state match are combined, the state match amounts to 10%.

State Plan means the State Plan for Independent Living (SPIL) required under section 704 of title VII of the Act.

Statewide Independent Living Council (SILC) means the Council established in each State as required by sections 704 and 705 of the Act.

Statewide Network of Centers for Independent Living means a statewide network of CILs that comply with the standards and assurances in section 725(b) and (c) of the Act and 45 CFR 1329.4.

Unserved and underserved groups or populations means populations such as individuals from racial and ethnic minority backgrounds, disadvantaged individuals, individuals with limited English proficiency, and individuals from underserved geographic areas (rural or urban).

## **SPIL Development**

The SPIL must be jointly developed by the chairperson of the SILC and the directors of the CILs in the State, after receiving public input from individuals with disabilities through the State. The

SPIL must be signed by the chairperson of the SILC, acting on behalf of and at the direction of the SILC, and not less than 51% of the directors of the CILs in the State.

States are required to gather public input prior to its submission and on any revisions to the approved state plan before drafting the SPIL. The public input requirement may be met by methods and technologies of all types. However, states should note the public input standards found at 45 CFR 1329.17(f)(2).

Appendix A provides an overview of the process used to develop the SPIL, input and feedback received.

### **SPIL Submittal**

The SPIL must be submitted to ACL no later than 90 days before the completion date of the previous plan. The SPIL must be submitted in the manner directed by ACL.

### **SPIL Review and Approval**

The ACL Administrator is responsible for reviewing, and, where all applicable statutory and regulatory requirements have been met, approving, the SPIL. After approving it, the Administrator shall transmit an approval letter to the State and shall post the approved SPIL on ACL's website for public viewing.

The Administrator will disapprove a SPIL that does not meet the requirements of Sec. 704. Before disapproving, the Administrator will try to informally resolve the disputed issues with the State. If no resolution has been reached after reasonable efforts, the Administrator may withhold financial assistance until such time that the State submits an approvable plan.

### **SPIL Amendments**

The SPIL is subject to review at least every three years but may be reviewed at any time by the SILC and CILs. A SPIL amendment may be initiated by the SILC and CILs and/or at the request of the Administrator. A SPIL amendment must be submitted to ACL whenever necessary to reflect any material change in State law, organization, policy, or agency operations that affects the administration of the SPIL (CFR 1329.17(c)), and for any substantial or material change desired, such as a change in the DSE.

The State will continue to operate under the existing SPIL during the period covered by the SPIL until the amendments are approved.

SPIL amendments must be signed by the chairperson of the SILC and not less than 51% of the CIL directors in the state. The director of the DSE must sign amendments ONLY if a change in the DSE or materially changing its duties/responsibilities. The director of the DSE must be informed of, and provided with a copy of, all proposed SPIL amendments before submission to the ACL and provided with the amended SPIL upon approval by ACL.

The ACL program officer is the main point of contact to provide technical assistance.

#### SPIL Amendment Process:

1. Before amending the SPIL, states should send a SPIL Amendment Request, by e-mail, to their assigned Program Officer including, at minimum:
  - the section(s) of the SPIL that the state proposes to amend, including both the existing approved language and the proposed amendment(s);
  - anticipated timelines for each step, including public hearings and final submission;
  - whether there will be a change in how the SILC resource plan makes funding available, SILC location, or SILC staffing;
  - a statement regarding whether the changes fundamentally impact how the state intends to operate its IL programs;
  - a citation to or copy of any applicable state law or Executive Order that forms the basis for the proposed SPIL amendment(s); and
  - a statement confirming that a majority of SILC members—including the Chair—and at least 51 percent of CIL directors in the state approve. The DSE Director’s signature is required ONLY if the amendment includes changing the DSE or materially changing its duties/responsibilities.
2. Gather input from individuals with disabilities and other stakeholders in the state before drafting the SPIL amendment.
3. The SILC chairperson (and, at the chairperson’s discretion, other members and staff) and the directors of the CILs in the state draft the amendment(s).
4. Submit the proposed amendment language to ACL for review. The state should have a point person for submitting proposed amendments to ACL (as opposed to having multiple submitters).
5. Hold public hearings to receive public comment on the amendment(s).
6. Submit the signed amendment to ACL for approval.

#### Instructions by Section

The following instructions are provided for each section of the SPIL to ensure SPIL development is thorough and all requirements are met. The mission, goals, and objectives should be “outcomes focused.” It is recommended that you develop a logic model (sample in Appendix B) to help organize as you develop this section. Assistance may be found at <http://www.ilru.org/spil-three-easy-steps> or <http://www.ilru.org/training/developing-outcomes-focused-spil>.

#### Executive Summary

Concisely summarize the SPIL. Do not include anything that the SPIL’s other sections do not include. An appropriate length for the executive summary is 1-2 pages.

#### Section 1: Goals, Objectives and Activities

##### 1.1 Mission

Mission of the Independent Living Network and the SPIL.

*In developing the mission statement, keep in mind this is the mission of the IL Network in your state and the SPIL is the vehicle to address it. The mission is the highest outcome in the long term, and the SPIL goals and objectives should all be aiming toward achieving this mission.*

## 1.2 Goals

Goals of the IL Network for the three-year period of the plan.

*Goals are the intermediate outcomes, what you want to achieve, that build toward the mission.*

## 1.3 Objectives

Objectives for the three-year period of the plan – including geographic scope, desired outcomes, target dates, and indicators. Including compatibility with the purpose of Title VII, Chapter 1.

*Objectives are specific outcomes – the changes you want to result from what you do – that build toward the achievement of a goal. Objectives should be outcomes focused, measurable, and have timelines/target dates. Objectives may include specific amounts and sources of funding to be used for an objective or activity.*

*Be realistic with objectives, and do not include more than can be achieved in the 3-year period of the plan. Do NOT include all the CILs work-plan objectives—the SPIL and the CIL work plans should work together but not duplicate each other.*

*Outcomes vs. Outputs – Outputs reflect how much was done, quantity of work, numbers of activities, etc. Outcomes reflect the changes that occurred as a result of the work done.*

*Outputs are how much work is done:*

- number of people served*
- number of hours of service*
- number of activities conducted*
- number of public service announcements*

*Outcomes are the changes or results you want:*

- changes in individuals (knowledge, skills, etc.)*
- changes in organizations (attitudes, programs, etc.)*
- changes in communities (attitudes, accessibility, etc.)*

*Measurable objectives include indicators—what information will tell you if you are being successful in achieving the objective—how you will know how fully the objective is being achieved.*

*Indicators should be Specific, Measurable, Achievable, Relevant, Timely (SMART).*

- Specific – clear what exactly is being measured*
- Measurable – necessary information can be gathered with reasonable amount of effort and cost*

- *Achievable – somewhere between too easy to achieve and hopelessly out of reach*
- *Relevant – captures the core essence of the desired outcome*
- *Timely – likely to move/change enough during the three-year period of the plan to provide useful information*

*Appendix B contains planning tools that may be useful in developing the goals and objectives.*

Examples:

*Mission: “(state)ians with disabilities participate fully as they like in community activities.”*

*Or*

*“(state)ians with disabilities are valued equally and participate fully in their communities.”*

*Goals: 1. Individuals with disabilities live independently in the community.  
2. Formerly underserved populations are served by CILs.*

*Objectives: 1.1 Individuals with disabilities have access to transportation.  
1.2 Individuals with disabilities have access to the community-based resources they need.  
2.1 CIL services are available in \_\_\_\_\_ county(ies).  
2.2 Hispanic individuals with disabilities have access to CIL services.*

*Indicators: 1.1 Availability of accessible transportation increased by \_\_\_%.  
1.2 Community-based resources available increased by \_\_\_%. OR Waiting list for \_\_\_\_\_ Waiver was eliminate/reduced by \_\_\_%.  
2.1 \_\_\_\_\_ CIL provided services in \_\_\_\_\_ county(ies).  
2.2 All CIL materials are available in Spanish and Spanish speaking staff is available during all business hours.*

*NOTE: When developing your logic model, it will be helpful to include the activities planned to achieve each objective–BUT you are not required to include activities in the SPIL for submission to ACL.*

**1.3A Financial Plan Tables**

Sources, uses of, and efforts to coordinate funding to be used to accomplish the SPIL Goals and Objectives. Process for grants/contracts, selection of grantees, and distribution of funds to facilitate effective operations and provision of services.

**Note: Deviation from this projected budget plan may require a technical amendment.**

Notes regarding Sources:

- Other Federal Funds include, but are not limited to, title I funds available under section

101(a)(18) of the Act, Social Security payments, funding from Housing and Urban Development, and funding received from other Federal programs such as the Work Incentives Planning and Assistance (WIPA) program.

– Non-Federal Funds include, but are not limited to, State and local government funds as well as nongovernment funds from individual donors, foundations, corporations and community organizations. State government funds include matching funds in compliance with section 712(b) of the Act, general revenue funds and funds made available through other State programs such as Medicaid reimbursements, Aging and Developmental Disabilities Councils, etc.

- *Complete the table below for each fiscal year of the plan – indicate the fiscal year(s) for the table – table can cover 1 year, 2 years, or all 3 years. If you anticipate the same sources, amounts, and uses of funding for the full, 3-year SPIL period, only complete the table once. If you anticipate any differences, complete a separate table for each year that will have differences. Include dollar amounts, in whole dollars, for each source and use of funds.*
- *If more than 30% of the Subchapter B appropriation is to be used for the SILC Resource Plan, a justification must be included in section 4.2.*
- *NOTE: The DSE may not retain more than 5% of the total of the Subchapter B appropriation for administrative costs.*

<b>Fiscal Year(s):</b>					
<b>Sources</b>	<b>Projected Funding Amounts and Uses</b>				
	SILC Resource Plan	IL Services	General CIL Operations	Other SPIL Activities	Retained by DSE for Administrative costs
<b>Title VII Funds</b>					
Chapter 1, Subchapter B (including state match)					
Chapter 1, Subchapter C					
<b>Other Federal Funds</b>					
Sec. 101(a)(18) of the Act (Innovation and Expansion)					
Social Security Reimbursement					
Other					

<b>Non-Federal Funds</b>					
State Funds					
Other					

#### 1.4 Financial Plan

Describe the financial plan for the use of Federal and non-Federal funds to meet the objectives identified in the SPIL.

- The financial plan is a summary of the anticipated sources, amounts and proposed uses of funds to support the SPIL objectives. It is not a detailed budget.

Absent a statutorily specified exception, every agency—federal or otherwise—that funds an entity is responsible for fiscal and budgetary oversight of it. Neither ACL nor the Rehabilitation Services Administration nor the Social Security Administration has a statutorily specified exception.

States are required to provide, either in cash or in kind, at least 10% of the total project cost per year. (States are allowed to use ACL funding for no more than 90% of the total project cost per year.)

The formula for match is:

$$\frac{\text{State allotment}}{0.9} = \frac{\text{Match amount}}{0.1}$$

#### 1.5 Evaluation

Methods and processes the SILC will use to evaluate the effectiveness of the SPIL including timelines and evaluation of satisfaction of individuals with disabilities.

*Describe the method(s) that will be used and the timelines for periodically evaluating the effectiveness of the plan in meeting the objectives established in section 1.3 and achieving the desired outcomes. The description must include the SILC’s evaluation of satisfaction by individuals with significant disabilities who have participated in the Independent Living services and/or CIL services. The Evaluation should be outcomes focused and should measure progress toward achieving objectives, goals, and mission. Measurable objectives, indicators, target performance levels, and target dates will facilitate the development and implementations of the Evaluation plan.*

*The Evaluation plan should describe how the SILC will:*

- *measure consumer satisfaction— this is separate from the CIL’s responsibility to measure consumer satisfaction but may be done in collaboration with the CILs*
- *incorporate information from the CILs’ most recently available Program Performance Reports*
- *include a method to gather input from stakeholders (targeted populations, CILs, etc.) and the public*

- identify the means by which progress will be measured
- identify timelines by which progress will be measured

*The Evaluation plan is not intended to be used to evaluate CIL services and/or compliance with CIL standards and assurances in section 725 of the Act. Compliance by CILs receiving Subchapter C funds is the responsibility of the ACL. Compliance of CILs receiving Subchapter B funds for general operations is the responsibility of the DSE with respect to the Subchapter B funding. The SPIL Evaluation plan is intended to measure how well the activities in the plan make progress in achieving the objectives and subsequently the goals and mission.*

*As the Evaluation plan is implemented, the SILC should identify any issues that would indicate the need to adjust the plan in response to evaluation results – and consult with the CILs regarding whether a SPIL amendment should be developed.*

*To facilitate the SILC’s duty to monitor, review, and evaluate the implementation of the State plan [this is the statute’s language], the X state IL network agrees to the following performance measures.*

*In other words, the X state IL network agrees to the following ways to measure progress toward the goals and objectives in sections 1.2 and 1.3 above. The italicized text below is provided as an example. The timeline may use increments other than the quarterly increments that this example provides. Add more rows if needed.*

<b>Timeline</b>	<b>Goals (copy from section 1.2 above)</b>	<b>Objectives (copy from section 1.3 above)</b>	<b>Data to be collected</b>	<b>Data collection method</b>	<b>Organization primarily responsible for data collection (please check as many as apply)</b>
<i>Throughout 3-year period</i>	<i>Increase avaACLbility of transportation to all people regardless of disability</i>	<i>Increase number of operational accessible buses by 15% within the next 3 years</i>	<i>Number of operational busses that meet accessibility standards</i>	<i>Administrative data</i>	<input type="radio"/> <i>CIL</i> <input type="radio"/> <i>DSE</i> <input type="radio"/> <i>SILC</i>
<i>Throughout 3-year period</i>	<i>Same as above</i>	<i>Maintain high levels of consumer satisfaction with transportation avaACLbility</i>	<i>Number of people reporting high or moderate satisfaction</i>	<i>Survey of random sample of individuals with disabilities who are eligible for accessible transportation services</i>	<input type="radio"/> <i>CIL</i> <input type="radio"/> <i>DSE</i> <input type="radio"/> <i>SILC</i>

<i>Year 1, quarter 1</i>					<input type="radio"/>
<i>Year 1, quarter 2</i>					<input type="radio"/>
<i>Year 1, quarter 3</i>					<input type="radio"/>
<i>Year 1, quarter 4</i>					<input type="radio"/>
<i>Year 2, quarter 1</i>					<input type="radio"/>
<i>Year 2, quarter 2</i>					<input type="radio"/>
<i>Year 2, quarter 3</i>					<input type="radio"/>
<i>Year 2, quarter 4</i>					<input type="radio"/>
<i>Year 3, quarter 1</i>					<input type="radio"/>
<i>Year 3, quarter 2</i>					<input type="radio"/>
<i>Year 3, quarter 3</i>					<input type="radio"/>
<i>Year 3, quarter 4</i>					<input type="radio"/>

**Section 2: Scope, Extent and Arrangements of Services**

**2.1 Services**

Services to be provided to persons with disabilities that promote full access to community life including geographic scope, determination of eligibility and statewideness.

*Check the appropriate boxes in the SPIL Instrument table indicating the types of IL services to be provided to meet the objectives identified in section 1.3 of this SPIL, and whether the services will be provided by the CILs or by the DSE (directly and/or through contract or grant) or other entity.*

*NOTE: When the SPIL is input in “ACL Reporting,” any services not marked will be eliminated in the final printable document.*

*A map indicating service area(s) may be included as an attachment.*

Independent living services	Provided using Subchapter B	Provided using other funds	Provided by
Core Independent Living Services, as required: <ul style="list-style-type: none"> <li>– Information and referral</li> <li>– IL skills training</li> <li>– Peer counseling</li> <li>– Individual and systems advocacy</li> <li>– Transition services including:               <ul style="list-style-type: none"> <li>▪ Transition from nursing homes &amp; other institutions</li> <li>▪ Diversion from institutions</li> <li>▪ Transition of youth (who were eligible for an IEP) to post-secondary life</li> </ul> </li> </ul>			
Counseling services, including psychological, psychotherapeutic, and related services			
Services related to securing housing or shelter, including services related to community group living, and supportive of the purposes of this Act and of the titles of this Act, and adaptive housing services (including appropriate accommodations to and modifications of any space used to serve, or occupied by, individuals with significant disabilities) Note: CILs are not allowed to own or operate housing.			
Mobility training			
Services and training for individuals with cognitive and sensory disabilities, including life skills training, and interpreter and reader services			
Personal assistance services, including attendant care and the training of personnel providing such services			
Surveys, directories and other activities to identify appropriate housing, recreation, accessible transportation and other support services			
Consumer information programs on rehabilitation and IL services available under this Act, especially for minorities and other individuals with disabilities who have traditionally been unserved or underserved by programs under this Act			
Education and training necessary for living in the community and participating in community activities			
Supported living Note: CILs are not allowed to own or operate housing.			
Transportation, including referral and assistance for such transportation			
Physical rehabilitation			
Therapeutic treatment			

<b>Independent living services</b>	<b>Provided using Subchapter B</b>	<b>Provided using other funds</b>	<b>Provided by</b>
Provision of needed prostheses and other appliances and devices			
Assistive Technology (which includes what was formerly known as “rehabilitation technology” and includes prostheses)			
Individual and group social and recreational services			
Training to develop skills specifically designed for youths who are individuals with significant disabilities to promote self-awareness and esteem, develop advocacy and self-empowerment skills, and explore career options			
Services for children with significant disabilities			
Services under other Federal, State, or local programs designed to provide resources, training, counseling, or other assistance of substantial benefit in enhancing the independence, productivity, and quality of life of individuals with significant disabilities			
Appropriate preventive services to decrease the need of individuals with significant disabilities for similar services in the future			
Community awareness programs to enhance the understanding and integration into society of individuals with disabilities			
Other necessary services not inconsistent with the Act			

## 2.2 Outreach

Definition of Unserved and Underserved:

How services will be made available to populations that are unserved/underserved by subchapter B and subchapter C (including minority groups and urban and rural populations) and how outreach will be conducted..

*Describe the statewide outreach plan including:*

- Definitions of “unserved” and “underserved” for outreach*
- How unserved and underserved are determined*
- Targeted populations and/or geographic areas*
- Outreach activities and methods to be conducted and who will conduct each*

*The CILs each have their own outreach plans. This section is to address statewide outreach efforts and is to be separate from, not inclusive of or replacing, the CILs outreach plans.*

## 2.3 Coordination

Plans for coordination of services and cooperation among programs and organizations that support community life for persons with disabilities.

*Describe plans for coordination and cooperation between the SILC, CILs, and DSE and with other entities, programs, organizations. Include specific methods and efforts for each entity included.*

**Section 3: Network of Centers**

**3.1 Existing Centers**

Current Centers for Independent Living including: legal name, geographic area and counties served, and source(s) of funding. Oversight process, by source of funds, and oversight entity.

*List the CILs located in the state including:*

- Legal name of the CIL*
- Geographic area/counties served by the CIL (full CIL services vs. limited services – for example, a program provided in areas not served by the CIL for core services or a satellite office of a CIL that provides the core services but not all of the services provided by the full CIL)*
- Current sources of funding– not including amounts (Subchapter B, Subchapter C, State General Revenue, Other Federal, Other)*

*Explain the criteria for defining the CIL network, bearing in mind that those CILs included in the network should be those eligible to sign the SPIL.*

<b>Legal name</b>	<b>Counties served</b>	<b>Oversight process</b>	<b>Oversight entity</b>
		[DSE determines oversight process, which probably involves CIL submitting PPR to DSE]	DSE
		CIL submits CIL PPR to ACL	ACL
		CIL submits CIL PPR to ACL [and probably submits PPR to DSE]	DSE and ACL

**3.2 Expansion and Adjustment of Network**

Plan and priorities for use of funds, by funding source, including subchapter B funds, subchapter C funds, State funds, and other funds, whether current, increased, or one-time funding, and methodology for distribution of funds. Use of funds to build capacity of existing Centers, establish new Centers, and/or increase statewideness of Network.

*Provide a detailed description of the plans for expanding, building, and/or adjusting the statewide network of CILs based on increased funding, new funding, one-time funding, or cuts in funding, including but not limited to:*

- Definition of served, unserved, and underserved.*
- Minimum funding level for a Center and formula/plan for distribution of funds to ensure that each Center receives at least the minimum.*
- Priorities for establishment of new CIL(s).*
- Action/process for distribution of funds relinquished or removed from a Center and/or if a Center closes.*
- Plan to build capacity of existing CILs and/or expand statewideness by establishing branch offices and/or satellites of existing CILs.*

- *Plan/formula for distribution of new funds (subchapter B, subchapter C, one-time funds, etc.)*
- *Plan/formula for adjusting distribution of funds when cut/reduced.*
- *Plan for changes to Center service areas and/or funding levels to accommodate expansion and/or adjustment of the Network. State the needed change(s) as concretely and succinctly as possible. Include:*
  - *CILs included in the change*
  - *New counties/areas assigned to (or removed from) involved CILs*
  - *Changes in funding agreed upon or state “no funding changes needed.”*

*Remember: The SPIL may be amended by agreement of the SILC and a majority of the CILs when needed. If details are not specific enough, there could be significant delays in the distribution of new funding.*

#### **Section 4: Designated State Entity**

\_\_\_\_\_ (name of entity) \_\_\_\_\_ will serve as the entity in \_\_\_\_\_ (name of state) \_\_\_\_\_ designated to receive, administer, and account for funds made available to the state under Title VII, Chapter 1, Subchapter B of the Act on behalf of the State.<sup>i</sup>

##### 4.1 DSE Responsibilities

- (1) receive, account for, and disburse funds received by the State under this chapter based on the plan;
- (2) provide administrative support services for a program under subchapter B, and a program under subchapter C in a case in which the program is administered by the State under section 723;
- (3) keep such records and afford such access to such records as the Administrator finds to be necessary with respect to the programs;
- (4) submit such additional information or provide such assurances as the Administrator may require with respect to the programs; and
- (5) retain not more than 5 percent of the funds received by the State for any fiscal year under Subchapter B for the performance of the services outlined in paragraphs (1) through (4).

##### 4.2 Grant Process & Distribution of Funds

Grant processes, policies, and procedures to be followed by the DSE in the awarding of grants of Subchapter B funds.

*Describe the processes, policies, and procedures to be followed by the DSE in the awarding of grants of Subchapter B funds including:*

- *Process for soliciting proposals*
  - *Development of format for proposals*
  - *Process for reviewing proposals and who reviewers will be*
  - *Process for evaluating performance and compliance of grantees*
- (The above must also specify any differences for continuation funding vs. new awards.)*

#### 4.3 Oversight Process for Subchapter B Funds

The oversight process to be followed by the DSE.

*Describe the oversight process for:*

- *Subchapter C (alone or in combination with Subchapter B or other funds) oversight by ACL/ACL*
- *Subchapter B (when no Subchapter C is used) oversight by DSE*
- *Other funds*
- *723 States*

*NOTE: Pursuant to 45 CFR 1329.15(c)(4), the DSE may not include any conditions or requirements in the SILC's Resource Plan that may compromise the independence of the SILC.*

#### 4.4 Administration and Staffing

Administrative and staffing support provided by the DSE.

*Explain how the DSE will demonstrate that not more than 5% of the Subchapter B appropriation will be used on administrative costs.*

*When DSE employees serve as staff to the SILC, describe how the SILC will hire, fire, and supervise such staff.*

*Describe how the DSE will assure that such staff will not be assigned to other projects/activities that would create a conflict of interest with their SILC responsibilities.*

#### 4.5 State Imposed Requirements

State-imposed requirements contained in the provisions of this SPIL including:<sup>ii</sup>

- *State law, regulation, rule, or policy relating to the DSE's administration or operation of IL programs*
- *Rule or policy implementing any Federal law, regulation, or guideline that is beyond what would be required to comply with 45 CFR 1329*
- *That limits, expands, or alters requirements for the SPIL*

*Describe any requirements imposed by the State that is in addition to the Act and the IL regulations. Requirements may be with regard to:*

- *Establishment and operations of the SILC*
- *Provision of and uses of State funding for Independent Living services and/or the SILC*
- *Any other requirements having a direct impact on the SILC, CILs, IL services, and/or processing of funding*

*Describe how the DSE will ensure compliance with state-imposed requirements without restricting the autonomy of the SILC in fulfilling its duties, authorities, and responsibilities.*

#### 4.6 722 vs. 723 State

Check one: *To indicate which applies to your state*

- \_\_\_\_\_ 722 (if checked, will move to Section 5)
- \_\_\_\_\_ 723 (if checked, will move to Section 4.4)

#### 4.7 723 States

Order of priorities for allocating funds amounts to Centers, agreed upon by the SILC and Centers, and any differences from 45 CFR 1329.21 & 1329.22.

*Describe the order of priorities for allocating funds, how agreement of the SILC and CILs was secured, and differences (if any) from the priorities in the regulations.*

How state policies, practices, and procedures governing the awarding of grants to Centers and oversight of the Centers are consistent with 45 CFR 1329.5, 1329.6, & 1329.22.

*Describe the processes, policies, and procedures to be followed in the awarding of grants of Subchapter B and Subchapter C funds including:*

- *Process for soliciting*
- *Development of format for proposals*
- *Process for reviewing proposals and who reviewers will be*
- *Process for evaluating performance and compliance of grantees*

*The above must also specify any differences for continuation funding vs. new awards.*

### **Section 5: Statewide Independent Living Council (SILC)**

#### 5.1 Establishment of SILC

How the SILC is established and SILC autonomy is assured.

*Describe the establishment (legal mechanism by which the SILC was established), placement (where the SILC is located organizationally and fiscally), and organizational status of the SILC (nonprofit, or other) and how autonomy and independence from the DSE (and all other state agencies) is assured.*

#### 5.2 SILC Resource Plan

Resources (including necessary and sufficient funding, staff/administrative support, and in-kind), by funding source and amount, for SILC to fulfill all duties and authorities.<sup>iii</sup>

*Provide a detailed description of all types of resources to be included in the SILC Resource Plan including:*

- *Sources and amounts of funding*
- *Staff/administrative support*
- *In-kind*

*Resources must be necessary and sufficient to ensure the capacity of the SILC to fulfill all the duties and selected authorities (section 705 (c) of the Act) A detailed SILC budget is not required with this SPIL.*

Process used to develop the Resource Plan.

*Describe the process used by the SILC, CILs (if Subchapter B funds are included), and DSE to determine the amounts and sources of resources to be included in the plan.*

Process for disbursement of funds to facilitate effective operations of SILC.

*Describe what process(es) will be used to disburse funds for the SILC Resource Plan including how such process(es) will ensure timeliness and efficiency, prevent undue hardship on the SILC, and ensure continual (uninterrupted) operations and effectiveness of the SILC.*

*NOTE: Pursuant to 45 CFR 1329.15(c)(4), the DSE may not include any conditions or requirements in the SILC Resource Plan that may compromise the independence of the SILC.*

### 5.3 Maintenance of SILC

How State will maintain the SILC over the course of the SPIL.<sup>iv</sup>

Describe the process used by the State to appoint members to the SILC who meet the composition requirements in section 705(b).

Indicate who makes appointments to the SILC, how the State ensures that the SILC composition and qualification requirements are met, how the chair is selected, how term limits are maintained, and how SILC vacancies are filled.

Describe how the specific SILC staffing requirements listed in the SPIL Instrument will be addressed. Concisely describe or cite relevant written policies, procedures, by-laws, technical assistance and monitoring activities or other practices.

*Describe how the State will ensure that:*

- the SILC is established and operating*
- appointments are made in a timely manner to keep the SILC in compliance with the Act*
- the SILC is organized in a way to ensure it is not part of any state agency*
- the SILC has the autonomy necessary to fulfill the duties and authorities<sup>v</sup>*
- necessary and sufficient resources are provided for the SILC Resource Plan to ensure the SILC has the capacity to fulfill its statutory duties and authorities<sup>vi</sup>*

## **Section 6: Legal Basis & Certifications**

*This section verifies all the entities with authorities and responsibilities for the SPIL.*

## **Section 7: DSE Assurances**

*The Assurances detail the roles and responsibilities of the DSE. The Assurances are also found on the DSE Notice of Award.*

## **Section 8: Statewide Independent Living Council (SILC) Assurances and Indicators of Minimum Compliance**

### 8.1 Assurances

*Detail the functions, authorities, and requirements for operating as a SILC.*

## 8.2 Indicators of Minimum Compliance

*Review and sign the indicators of minimum compliance.*

## **Section 9: Signatures**

*Please ensure that all specified signatures are included.*

**APPENDIX A**  
**OPTIONAL CHECKLIST FOR SPIL DEVELOPMENT**

The plan shall be reviewed and revised not less than once every three years to ensure the existence of appropriate planning, financial support and coordination, and other assistance to appropriately address, on a statewide and comprehensive basis, the needs in the State for:

- The provision of Independent Living services in the State;
- The development and support of a statewide network of centers for independent living (CILs); and
- Working relationships and collaboration between:
  - Centers for independent living;
  - Entities carrying out programs that provide independent living services, including those serving older individuals;
  - Other community-based organizations that provide or coordinate the provision of housing, transportation, employment, information and referral assistance, services, and supports for individuals with significant disabilities; and
  - Entities carrying out other programs providing services for individuals with disabilities.

1. How did the SILC and CIL directors meet the aforementioned requirements during the SPIL development process?
2. What steps were taken to ensure full participation by the directors of CILs in the State?
3. How was public input gathered before the SPIL was drafted?
4. Did the SILC provide the following when gathering both public input and feedback? (check yes or no)
  - Appropriate and sufficient notice of public forums/meetings?  Yes  No
  - Accessibility of notice and location(s) of public forums/meetings?  Yes  No
  - Alternate formats of all materials provided at public forum/meetings?  Yes  No
  - Reasonable accommodation to individuals with disabilities who rely on alternative modes of communication including sign language interpreters and audio loops/assistive listening devices?  Yes  No
  - Alternate formats of the Draft SPIL?  Yes  No
  - Were any state imposed requirements made available to the public at or prior to the public forums/meetings?  Yes  No
5. How was public input used in the development of the SPIL?
6. What changes were made to the SPIL as a result of public comment/feedback?

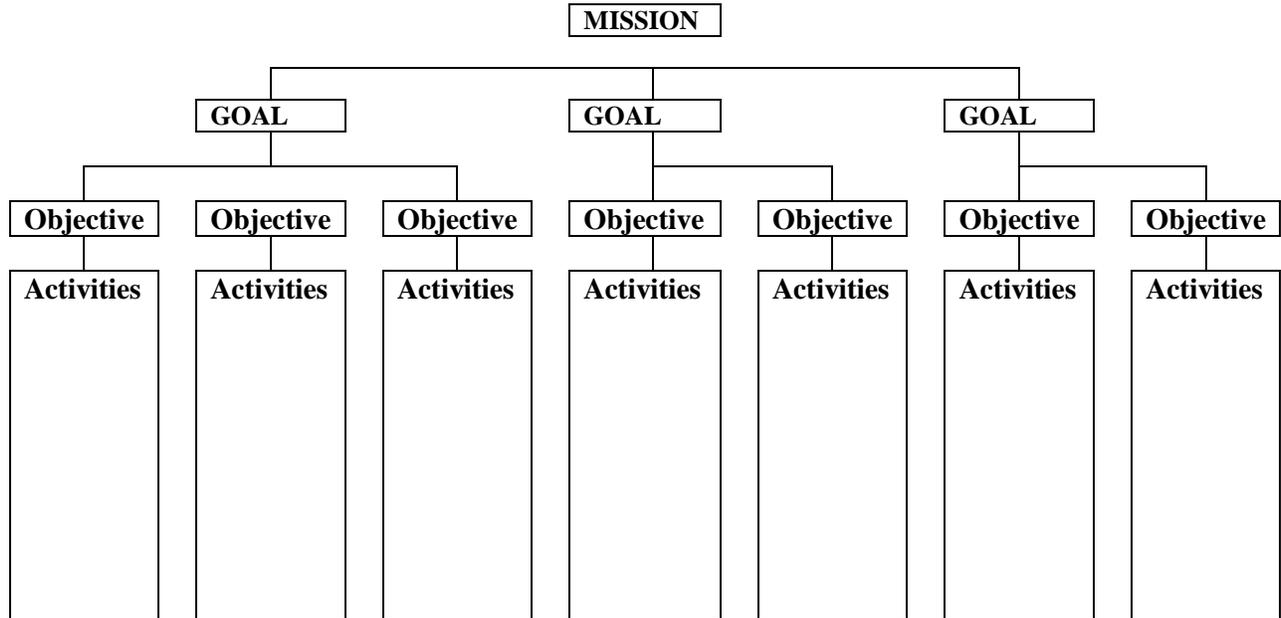
7. What process was used to secure the approval of SILC and CILs prior to submission of the SPIL?

## APPENDIX B SPIL PLANNING TOOLS

*These samples are provided to assist the SILC and CILs in the development process. For more information on using these tools following these links:*

*<http://www.ilru.org/spil-three-easy-steps> or <http://www.ilru.org/training/developing-outcomes-focused-spil>*

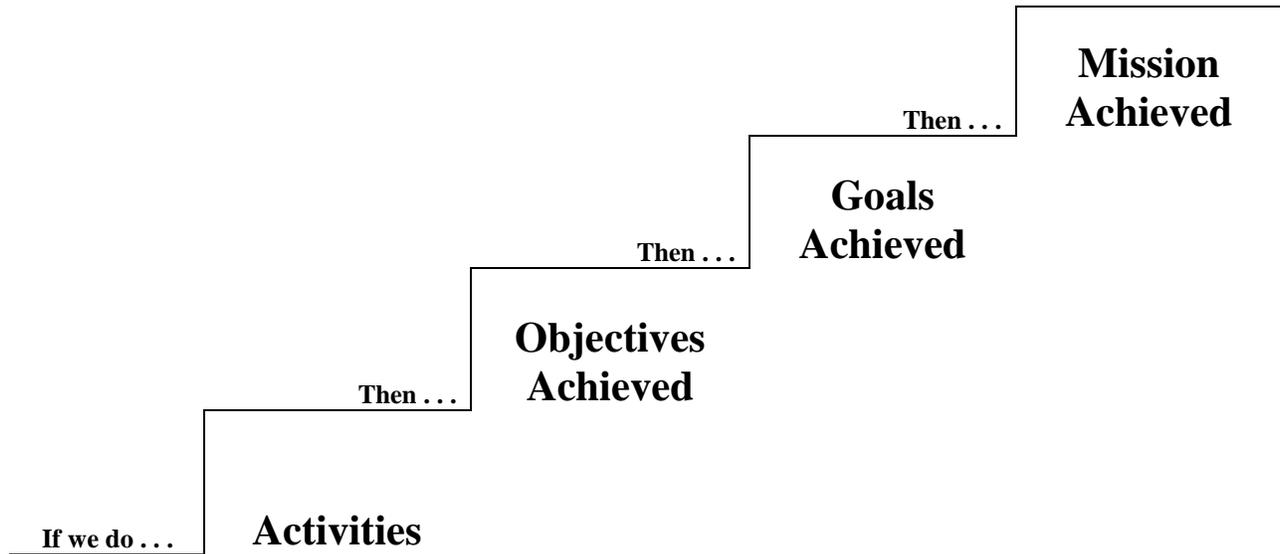
### SPIL LOGIC MODEL



**FULL SPIL PLANNING TABLE**

<b>Specific Objective</b>	<b>Specifics of Each Objective</b>				<b>Action Strategy for Achieving Each Objective</b>				
	<b>Measurable Indicators</b>	<b>Geographic Scope</b>	<b>Target Performance Level for Year 3</b>	<b>Target Progress Between Now and Year 3</b>	<b>Necessary Activities</b>	<b>Lead Organization</b>	<b>Key Partner(s)</b>	<b>Resources Needed</b>	<b>Funding Sources</b>

## THE CONCEPTUAL CHAIN



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<sup>i</sup> Sec. 704(c).

<sup>ii</sup> 45 CFR 1329.17(g).

<sup>iii</sup> Sec. 704(b), sec. 705(e), 45 CFR 1329.12(b)(2) and 1329.15 (c)(1)-(6).

<sup>iv</sup> 45CFR 1329.14(a) & (b) and 1329.12(b)(2).

<sup>v</sup> Sec. 705(c) of the Act.

<sup>vi</sup> Sec. 705(c) of the Act.

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**STATE PLAN FOR  
INDEPENDENT LIVING  
(SPIL)**

Rehabilitation Act of 1973, as Amended, Chapter 1, Title

**VII**

**SUBCHAPTER B - INDEPENDENT LIVING SERVICES**

Subchapter C - Centers for Independent Living

State:

FISCAL YEARS:

**Effective Date: October 1,**

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number (OMB 0985-0044). Public reporting burden for this collection of information is estimated to average 240 hours per response, including time for gathering and maintaining the data needed and completing and reviewing the collection of information. The obligation to respond to this collection is required to receive financial assistance (Title VII of the Rehabilitation Act of 1973, as amended).

**Executive Summary**

**Section 1: Goals, Objectives and Activities**

1.1 Mission:

Mission of the Independent Living Network and the SPIL.

1.2 Goals:

Goals of the IL Network for the three-year period of the plan.

1.3 Objectives

Objectives for the three-year period of the plan – including geographic scope, desired outcomes, target dates, and indicators. Including compatibility with the purpose of Title VII, Chapter 1.

1.4 Financial Plan

Sources, uses of, and efforts to coordinate funding to be used to accomplish the Goals and Objectives. Process for grants/contracts, selection of grantees, and distribution of funds to facilitate effective operations and provision of services.

<b>Fiscal Year(s):</b>					
<b>Sources</b>	<b>Projected Funding Amounts and Uses</b>				
	SILC Resource Plan	IL Services	General CIL Operations	Other SPIL Activities	Retained by DSE for Administrative costs
<b>Title VII Funds</b>					
Chapter 1, Subchapter B (including state match)					
Chapter 1, Subchapter C					
<b>Other Federal Funds</b>					
Sec. 101(a)(18) of the Act (Innovation and Expansion)					
Social Security Reimbursement					
Other					
<b>Non-Federal Funds</b>					

State Funds					
Other					

1.5 Evaluation

Methods and processes the SILC will use to evaluate the effectiveness of the SPIL including timelines and evaluation of satisfaction of individuals with disabilities.

**Section 2: Scope, Extent, and Arrangements of Services**

2.1 Services

Services to be provided to persons with disabilities that promote full access to community life including geographic scope, determination of eligibility and statewide access.

<b>Table 2.1A: Independent living services</b>	<b>Provided using Subchapter B</b>	<b>Provided using other funds</b>	<b>Provided by</b>
Core Independent Living Services, as follows:			
- Information and referral			
- IL skills training			
- Peer counseling			
- Individual and systems advocacy			
▪ Transition services including:			
▪ Transition from nursing homes & other institutions			
▪ Diversion from institutions			
▪ Transition of youth (who were eligible for an IEP) to post-secondary life			
Counseling services, including psychological, psychotherapeutic, and related services			
Services related to securing housing or shelter, including services related to community group living, and supportive of the purposes of this Act and of the titles of this Act, and adaptive housing services (including appropriate accommodations to and modifications of any space used to serve, or occupied by, individuals with significant disabilities) Note: CILs are not allowed to own or operate housing.			
Mobility training			
Services and training for individuals with cognitive and sensory disabilities, including life skills training, and interpreter and reader services			

Personal assistance services, including attendant care and the training of personnel providing such services			
Surveys, directories and other activities to identify appropriate housing, recreation, accessible transportation and other support services			
Consumer information programs on rehabilitation and IL services available under this Act, especially for minorities and other individuals with disabilities who have traditionally been unserved or underserved by programs under this Act			
Education and training necessary for living in the community and participating in community activities			
Supported living			
Transportation, including referral and assistance for such transportation			
Physical rehabilitation			
Therapeutic treatment			
Provision of needed prostheses and other appliances and devices			
Assistive Technology			
Individual and group social and recreational services			
Training to develop skills specifically designed for youths who are individuals with significant disabilities to promote self-awareness and esteem, develop advocacy and self-empowerment skills, and explore career options			
Services for children with significant disabilities			
Services under other Federal, State, or local programs designed to provide resources, training, counseling, or other assistance of substantial benefit in enhancing the independence, productivity, and quality of life of individuals with significant disabilities			
Appropriate preventive services to decrease the need of individuals with significant disabilities for similar services in the future			
Community awareness programs to enhance the understanding and integration into society of individuals with disabilities			
Other necessary services not inconsistent with the Act			

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## 2.2 Outreach

Identify steps to be taken regarding outreach to populations that are unserved or underserved by programs that are funded under Title VII, including minority groups and urban and rural populations.

## 2.3 Coordination

Plans for coordination of services and cooperation among programs and organizations that support community life for persons with disabilities.

## Section 3: Network of Centers

### 3.1 Existing Centers

Current Centers for Independent Living including: legal name; geographic area and counties served; and source(s) of funding. Oversight process, by source of funds (e.g., subchapter B, subchapter C, state funds, etc.) and oversight entity.

### 3.2 Expansion and Adjustment of Network

Plan and priorities for use of funds, by funding source, including Subchapter B funds, Subchapter C funds, State funds, and other funds, whether current, increased, or one-time funding and methodology for distribution of funds. Use of funds to build capacity of existing Centers, establish new Centers, and/or increase statewideness of Network.

Minimum funding level for a Center and formula/plan for distribution of funds to bring each Center to the minimum. Exceptions must be explained with sufficient detail.

Action/process for distribution of funds relinquished or removed from a Center and/or if a Center closes.

Plan/formula for adjusting distribution of funds when cut/reduced.

Plan for changes to Center service areas and/or funding levels to accommodate expansion and/or adjustment of the Network.

Plan for one-time funding and/or temporary changes to Center service areas and/or funding levels.

## Section 4: Designated State Entity

\_\_\_\_\_ (name of entity) \_\_\_\_\_ will serve as the entity in \_\_\_\_\_ (name of state) \_\_\_\_\_ designated to receive, administer, and account for funds made available to the state under Title VII, Chapter 1, Subchapter B of the Act on behalf of the State. (Sec. 704(c))

### 4.1 DSE Responsibilities

(1) receive, account for, and disburse funds received by the State under this chapter based on the plan;

- 
- (2) provide administrative support services for a program under subchapter B, and a program under subchapter C in a case in which the program is administered by the State under section 723;
  - (3) keep such records and afford such access to such records as the Administrator finds to be necessary with respect to the programs;
  - (4) submit such additional information or provide such assurances as the Administrator may require with respect to the programs; and
  - (5) retain not more than 5 percent of the funds received by the State for any fiscal year under Subchapter B. for the performance of the services outlined in paragraphs (1) through (4).

#### 4.2 Grant Process & Distribution of Funds

Grant processes, policies, and procedures to be followed by the DSE in the awarding of grants of Subchapter B funds.

#### 4.3 Oversight Process for Subchapter B Funds

The oversight process to be followed by the DSE.

#### 4.4 Administration and Staffing

Administrative and staffing support provided by the DSE.

#### 4.5 State Imposed Requirements

State-imposed requirements contained in the provisions of this SPIL including: (45 CFR 1329.17(g))

- State law, regulation, rule, or policy relating to the DSE's administration or operation of IL programs
- Rule or policy implementing any Federal law, regulation, or guideline that is beyond what would be required to comply with 45 CFR 1329
- That limits, expands, or alters requirements for the SPIL

#### 4.6 722 vs. 723 State

Check one:

\_\_\_\_\_ 722 (if checked, with move to Section 5)

\_\_\_\_\_ 723 (if checked, will move to Section 4.4)

#### 4.7 723 States

Order of priorities for allocating funds amounts to Centers, agreed upon by the SILC and Centers, and any differences from 45 CFR 1329.21 & 1329.22.

How state policies, practices, and procedures governing the awarding of grants to Centers and oversight of the Centers are consistent with 45 CFR 1329.5, 1329.6, & 1329.22.

### **Section 5: Statewide Independent Living Council (SILC)**

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5.1 Establishment of SILC

How the SILC is established and SILC autonomy is assured.

5.2 Resource plan

Resources (including necessary and sufficient funding, staff/administrative support, and in-kind), by funding source and amount, for SILC to fulfill all duties and authorities.

Process used to develop the Resource Plan.

Process for disbursement of funds to facilitate effective operations of SILC.

5.3 Maintenance of SILC

How State will maintain SILC over the course of the SPIL.<sup>vi</sup>

**Section 6: Legal Basis and Certifications**

6.1 Designated State Entity (DSE)

The state entity/agency designated to receive and distribute funding, as directed by the SPIL, under Title VII, Subchapter B of the Act is \_\_\_\_\_.

Authorized representative of the DSE \_\_\_\_\_ Title \_\_\_\_\_.

6.2 Statewide Independent Living Council (SILC)

The Statewide Independent Living Council (SILC) that meets the requirements of section 705 of the Act and is authorized to perform the functions outlined in section 705(c) of the Act in the State is \_\_\_\_\_.

6.3 Centers for Independent Living (CILs)

The Centers for Independent Living (CILs) eligible to sign the SPIL, a minimum of 51% whom must sign prior to submission, are:

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

6.4 Authorizations

6.4.a. The SILC is authorized to submit the SPIL to the Independent Living Administration, Administration on Community Living. \_\_\_\_ (Yes/No)

6.4.b. The SILC and CILs may legally carryout each provision of the SPIL. \_\_\_\_ (Yes/No)

6.4.c. State/DSE operation and administration of the program is authorized by the SPIL. \_\_\_\_ (Yes/No)

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## Section 7: DSE Assurances

          (name of DSE director/representative)           acting on behalf of the DSE           (Insert name of DSE)           located at           (insert address, phone number, and e-mail address)           *45 CFR 1329.11* assures that:

- 7.1. The DSE acknowledges its role on behalf of the State, as the fiscal intermediary to receive, account for, and disburse funds received by the State to support Independent Living Services in the State based on the plan;
- 7.2. The DSE will assure that the agency keeps appropriate records, in accordance with federal and state law, and provides access to records by the federal funding agency upon request;
- 7.3. The DSE will not retain more than 5 percent of the funds received by the State for any fiscal year under Subchapter B for administrative expenses;<sup>vi</sup>
- 7.4. The DSE assures that the SILC is established as an autonomous entity within the State as required in *45 CFR 1329.14*;
- 7.5. The DSE will not interfere with the business or operations of the SILC that include but are not limited to:
  1. Expenditure of federal funds
  2. Meeting schedules and agendas
  3. SILC board business
  4. Voting actions of the SILC board
  5. Personnel actions
  6. Allowable travel
  7. Trainings
- 7.6. The DSE will abide by SILC determination of whether the SILC want to utilize DSE staff:
  1. If the SILC informs the DSE that the SILC wants to utilize DSE staff, the DSE assures that management of such staff with regard to activities and functions performed for the SILC is the sole responsibility of the SILC in accordance with Sec. 705(e)(3) of the Act (Sec. 705(e)(3), 29 U.S.C.796d(e)(3)).
- 7.7. The DSE will fully cooperate with the SILC in the nomination and appointment process for the SILC in the State;
- 7.8. The DSE shall make timely and prompt payments to Subchapter B funded SILCs and CILs:
  1. When the reimbursement method is used, the DSE must make a payment within 30 calendar days after receipt of the billing, unless the agency or pass-through entity reasonably believes the request to be improper;

- 
2. When necessary, the DSE will advance payments to Subchapter B funded SILCs and CILs to cover its estimated disbursement needs for an initial period generally geared to the mutually agreed upon disbursing cycle; and
  3. The DSE will accept requests for advance payments and reimbursements at least monthly when electronic fund transfers are not used, and as often as necessary when electronic fund transfers are used, in accordance with the provisions of the Electronic Fund Transfer Act (15 U.S.C. 1693-1693r).

The signature below indicates this entity/agency's agreement to: serve as the DSE and fulfill all the responsibilities in Sec. 704(c) of the Act; affirm the State will comply with the aforementioned assurances during the three-year period of this SPIL; and develop, with the SILC, and ensure that the SILC resource plan is necessary and sufficient (in compliance with section 8, indicator (6) below) for the SILC to fulfill its statutory duties and authorities under Sec. 705(c) of the Act, consistent with the approved SPIL.<sup>vi</sup>

---

Name and Title of DSE director/authorized representative

---

Signature

Date

Electronic signature may be used for the purposes of submission, but hard copy of signature must be kept on file by the SILC.

## **Section 8: Statewide Independent Living Council (SILC) Assurances and Indicators of Minimum Compliance**

### 8.1 Assurances

(name of SILC chairperson) acting on behalf of the SILC (Insert name of SILC)  
located at (insert address, phone number, and e-mail address)

*45 CFR 1329.14* assures that:

- (1) The SILC regularly (not less than annually) provides the appointing authority recommendations for eligible appointments;
- (2) The SILC is composed of the requisite members set forth in the Act;<sup>vi</sup>
- (3) The SILC terms of appointment adhere to the Act;<sup>vi</sup>
- (4) The SILC is not established as an entity within a State agency in accordance with 45 CFR Sec. 1329.14(b);
- (5) The SILC will make the determination of whether it wants to utilize DSE staff to carry out the functions of the SILC;
  - a. The SILC must inform the DSE if it chooses to utilize DSE staff;
  - b. The SILC assumes management and responsibility of such staff with regard to activities and functions performed for the SILC in accordance with the Act.<sup>vi</sup>

- 
- (6) The SILC shall ensure all program activities are accessible to people with disabilities;
  - (7) The State Plan shall provide assurances that the designated State entity, any other agency, office, or entity of the State will not interfere with operations of the SILC, except as provided by law and regulation and;
  - (8) The SILC actively consults with unserved and underserved populations in urban and rural areas that include, indigenous populations as appropriate for State Plan development as described in Sec. 713(b)(7) the Act regarding Authorized Uses of Funds.<sup>vi</sup>

### Section 8.2 Indicators of Minimum Compliance

Indicators of minimum compliance for Statewide Independent Living Councils (SILC) as required by the Rehabilitation Act (Section 706(b), 29 U.S.C. Sec 796d-1(b)), as amended and supported by 45 CFR 1329.14-1329.16; and Assurances for Designated State Entities (DSE) as permitted by Section 704(c)(4) of the Rehabilitation Act (29 U.S.C. Sec. 796c(c)(4)), as amended.

#### (a) STATE INDEPENDENT LIVING COUNCIL INDICATORS. –

- (1) SILC written policies and procedures must include:
  - a. A method for recruiting members, reviewing applications, and regularly providing recommendations for eligible appointments to the appointing authority;
  - b. A method for identifying and resolving actual or potential disputes and conflicts of interest that are in compliance with State and federal law;
  - c. A process to hold public meetings and meet regularly as prescribed in 45 CFR 1329.15(a)(3);
  - d. A process and timelines for advance notice to the public of SILC meetings in compliance with State and federal law and 45 CFR 1329.15(a)(3);
  - e. A process and timeline for advance notice to the public for SILC “Executive Session” meetings, that are closed to the public, that follow applicable federal and State laws;
    - i. “Executive Session” meetings should be rare and only take place to discuss confidential SILC issues such as but not limited to staffing.
    - ii. Agendas for “Executive Session” meetings must be made available to the public, although personal identifiable information regarding SILC staff shall not be included;
  - f. A process and timelines for the public to request reasonable accommodations to participate during a public Council meeting;
  - g. A method for developing, seeking and incorporating public input into, monitoring, reviewing and evaluating implementation of the State Plan as required in 45 CFR 1329.17; and

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- h. A process to verify centers for independent living are eligible to sign the State Plan in compliance with 45 CFR 1329.17(d)(2)(iii).
- (2) The SILC maintains regular communication with the appointing authority to ensure efficiency and timeliness of the appointment process.
  - (3) The SILC maintains individual training plans for members that adhere to the SILC Training and Technical Assistance Center's SILC training curriculum.
  - (4) The SILC receives public input into the development of the State Plan for Independent Living in accordance with 45 CFR 1329.17(f) ensuring:
    - a. Adequate documentation of the State Plan development process, including but not limited to, a written process setting forth how input will be gathered from the state's centers for independent living and individuals with disabilities throughout the state, and the process for how the information collected is considered.
    - b. All meetings regarding State Plan development and review are open to the public and provides advance notice of such meetings in accordance with existing State and federal laws and 45 CFR 1329.17(f)(2)(i)-(ii);
    - c. Meetings seeking public input regarding the State Plan provides advance notice of such meetings in accordance with existing State and federal laws, and 45 CFR 1329.17(f)(2)(i);
    - d. Public meeting locations, where public input is being taken, are accessible to all people with disabilities, including, but not limited to:
      - i. proximity to public transportation,
      - ii. physical accessibility, and
      - iii. effective communication and accommodations that include auxiliary aids and services, necessary to make the meeting accessible to all people with disabilities.
    - e. Materials available electronically must be 508 compliant and, upon request, available in alternative and accessible format including other commonly spoken languages.
  - (5) The SILC monitors, reviews and evaluates the State Plan in accordance with 45 CFR 1329.15(a)(2) ensuring:
    - a. Timely identification of revisions needed due to any material change in State law, state organization, policy or agency operations that affect the administration of the State Plan approved by the Administration for Community Living.
  - (6) The SILC State Plan resource plan includes:
    - a. Sufficient funds received from:
      - i. Title VII, Subchapter B funds;
        - 1. If the resource plan includes Title VII, Subchapter B funds, the State Plan provides justification of the percentage of Subchapter B funds to be used if the percentage exceeds 30 percent of Title VII, Subchapter B funds received by the State;

- ii. Funds for innovation and expansion activities under Sec. 101(a)(18) of the Act, 29 U.S.C. Sec. 721(a)(18), as applicable;
  - iii. Other public and private sources.
- b. The funds needed to support:
  - i. Staff/personnel;
  - ii. Operating expenses;
  - iii. Council compensation and expenses;
  - iv. Meeting expenses including meeting space, alternate formats, interpreters, and other accommodations;
  - v. Resources to attend and/or secure training and conferences for staff and council members and;
  - vi. Other costs as appropriate.

The signature below indicates the SILC's agreement to comply with the aforementioned assurances and indicators:

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Name of SILC chairperson

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Signature

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Date

Electronic signature may be used for the purposes of submission, but hard copy of signature must be kept on file by the SILC.

**Section 9: Signatures**

The signatures below are of the SILC chairperson and at least 51 percent of the directors of the centers for independent living listed in section 6.3. These signatures indicate that the \_\_\_\_\_ (name of SILC) \_\_\_\_\_ and the centers for independent living in the state agree with and intend to fully implement this SPIL's content. These signatures also indicate that this SPIL is complete and ready for submission to the Independent Living Administration, Administration for Community Living, U.S. Department of Health and Human Services.

The effective date of this SPIL is October 1, \_\_\_\_\_ (year)

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SIGNATURE OF SILC CHAIRPERSON

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DATE

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NAME OF SILC CHAIRPERSON

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NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

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SIGNATURE OF CIL DIRECTOR

DATE

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NAME OF CIL DIRECTOR

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NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

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SIGNATURE OF CIL DIRECTOR

DATE

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NAME OF CIL DIRECTOR

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NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

---

SIGNATURE OF CIL DIRECTOR

DATE

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NAME OF CIL DIRECTOR

---

NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

---

SIGNATURE OF CIL DIRECTOR

DATE

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NAME OF CIL DIRECTOR  
(INSERT ADDITIONAL CILS AS NEEDED)

Electronic signatures may be used for the purposes of submission, but hard copy of signature must be kept on file by the SILC.