



Ohio SILC

Ohio Statewide Independent Living Council

Council Member Policies

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POLICY MANUAL

GENERAL POLICIES AND PHILOSOPHY

The Ohio Statewide Independent Living Council, known as the SILC throughout this manual, is established to develop and monitor the State Plan for Independent Living (SPIL). Mandated under the Rehabilitation Act of 1973 as amended in 1992, the SILC must maintain its autonomy from any state agency. The governing body of the SILC, hereafter referred to as the Board, is composed of nineteen individuals, fourteen voting members appointed by the Governor of Ohio based on recommendations provided by the Board after a nominations and review process, and five ex-officio, non-voting members representing various state agencies and/or providers.

A majority of the board members are individuals with disabilities who are not employed by any state agency or a Center for Independent Living. Funding for the SILC is federal funding from the Rehabilitation Services Administration (RSA) provided by Title I of the Rehabilitation Act through Opportunities for Ohioans with Disabilities and the State of Ohio. In all other respects, the SILC is an independent entity. Additional funding includes grants, donations, and funds generated by SILC activities. All policies governing the activities and operations of the SILC are made by the Board. Pursuant to Ohio Revised Code Section 3304.50, the Board appoints the Executive Director who is directly responsible for managing the SILC office and conducting the work of the Board.

The SILC is governed by federal, state and local laws, bylaws, and these policies. These policies may be amended at any time by action of the Board. The Board and staff shall receive thirty (30) day's notice of changes.

The SILC is grounded in and guided by the "independent living philosophy", a set of values, principles, and beliefs that people with disabilities have the right to live and work independently in the community, having choice/control over acceptable options for doing so. Personal choice and control are key to independent living. The independent living philosophy is one of consumer control, peer support, self-help, self-determination, equal access, and individual and systems advocacy in order to maximize the leadership, empowerment, independence, and productivity of individuals with disabilities, and the integration and full inclusion of individuals with disabilities into the mainstream of society. This philosophy dictates that individuals have protection under the law and shall not be discriminated against on the basis of their disability. Laws protecting people with disabilities include the Civil Rights Acts, the Americans with Disabilities Act, the Rehabilitation Act, the Air Carriers Access Act, the Human Rights Act, and the Fair Housing Amendments.

GOVERNANCE POLICY

The SILC is governed by the Rehabilitation Act as amended, all other applicable federal and state laws, and the SILC's bylaws. If copies of any or all these laws are needed, the Executive Director will assist in obtaining them.

The relationship between board members and SILC staff is a professional one. SILC staff provide support and assistance to board members, as needed to support active participation, in addition to a wide variety of other job duties. Members are asked to remember that 19 board members cannot expect staff to provide individual supports and assistance at all times, due to the many duties and demands on their time. The staff reports to the Executive Director who reports to the Executive Committee. Individual members should direct questions or concerns about staff responsibilities and performance to the Executive Committee and/or the Executive Director.

ACCESSIBILITY AND ACCOMMODATIONS

The Council supports the participation of its members by ensuring that SILC Board meetings and activities are fully accessible. Accommodations to board members with disabilities are provided unless doing so would create an undue hardship for the operations of the Council. It is each board member's responsibility to request necessary accommodations by submitting a completed "Accommodations Request" form prior to the event/activity for which the accommodation is requested. All requests for accommodations will be reviewed by the Executive Committee and staff, or if time does not permit, by the Chairperson and staff, and approval or denial will be communicated to the requesting SILC member. Approved accommodations will be provided at all SILC Board meetings and activities after a board member confirms with SILC staff that they will be attending the meeting or activity.

Alternate Formats

To ensure accessibility of all SILC Board meetings and activities, all materials distributed must be provided in accessible formats, as requested. The SILC office will provide assistance to presenters and participants with preparing the alternate formats that have been requested. This will include the availability of any language interpreters or CART captioning.

Scent-Free Environment

All SILC Board meetings and activities should also be safe and non-hazardous to individuals with environmental illnesses and multiple chemical sensitivities. The SILC operates in a smoke free environment and requires that all employees, board members, and members of the public refrain from wearing/using scented personal hygiene products such as perfumes, colognes, scented lotions, after shave, etc. in the SILC office and at SILC meetings and activities.

Personal Care Attendant Services

Personal care attendants will be reimbursed at a reasonable rate. Board members are responsible for arranging the PCA (personal care attendant) they need and for supervising their PCA (personal care attendant) during SILC meetings and activities.

PCAs are welcome and encouraged to attend board meetings with members who require such assistance. PCAs are expected to serve the needs of the board member and should not participate in the board meeting. As a member of the public, a PCA is welcome to address the Council during the "public forum" portion of the agenda after requesting to do so. If you need assistance determining your PCA needs and developing an agreement with a PCA to provide services during SILC meetings and functions, SILC staff may provide such assistance. PCAs must be eighteen or older and provide necessary PCA service to the board member without staff assistance. A family member who meets these requirements may serve as a PCA.

Board members will complete the appropriate documentation of PCA expenses after the SILC meetings or activities and submit to the SILC within 30 days for reimbursement either to the board member or directly to the PCA.

Other Accommodations

Reimbursement for approved accommodations such as respite care, transportation, and other supports necessary for active participation at SILC meetings will be processed on board member's expense accounts after prior approval.

Public Accommodations

In efforts to make the Council meetings the most accessible and inclusive as possible, the Board will make every attempt to accommodate all request for reasonable accommodations from the public. All requests should be made with enough time for the Board to properly accommodate the member of the public, preferably with at least a seven-day notice. If requests are made with less than a 48-hour notice, the Board does not make any guarantee that the accommodation will be made. This includes request for ASL interpreters or CART captioning. These requests will be reviewed and approved by the Executive Director.

BOARD TRAVEL AND TRAININGS

Travel expenses will be paid for voting members' travel necessary to participate in regular board meetings and other approved travel. A per diem for meals and incidentals will be provided for overnight travel required to participate in regular, full day board meetings and other approved travel as detailed below. The per diem rate will follow the current published IRS (as published by General Services Administration - GSA) per diem rates.

Board Member Orientation

Each SILC board member will be required to complete a new member orientation upon appointment to the SILC. This will be an orientation conducted by the SILC staff covering the duties of the SILC, the member duties, and the history of Independent Living.

The SILC staff will conduct the orientation within two months, and when possible, before the members attend their first meeting as a voting member. Any existing member can attend orientation trainings while appointed as a member of the SILC to ensure they continue to understand the purposes of the SILC.

Continued Training

The SILC will strive to have the most informed board members as possible, especially regarding any changes in legislation or regulations directly impacting the duties and authorities of the SILC. Board members will be encouraged to participate in trainings offered through the IL-NET Program to advance their knowledge of Independent Living, SILC operations, and federal requirements.

Annually, each SILC member will complete a survey of applicable topics where they address areas they feel they need more information or training. These will be included in each board member's file to create an Individual Training Plan. Every effort will be made to provide the training/ or access to the trainings that will assist the members in achieving their goals. Completing all training requirements in a year will be dependent on the availability of resources and trainings available. Training needs not addressed within a year will become a priority for the following year.

Conference Attendance

As funding is available, SILC board members will be able to attend conferences and trainings that are applicable to furthering their knowledge as a SILC member. All conference and trainings must be approved prior to the date of the conference or training.

Board members will submit, in writing, a request to attend a training or conference. The request will include information about the training including location, date, and cost. The board member will also include information about how attending the training will further their knowledge and abilities as a SILC member.

The Executive Committee will review and approve the requests that are submitted by the board members. If more than two board members request to attend the same out of state conference or training, the Board will vote on who will be selected to attend based upon the written requests.

Single Day Travel

Board members that are performing duties and activities on behalf of the SILC, with prior approval may be reimbursed for travel related expenses such as mileage reimbursements, cost of reasonable accommodations, parking, tolls, and other approved expenses necessary to carry out the duties of the Board. Such expenditures and the documentation must be submitted within 30 days, or the SILC will not approve reimbursement.

Over Night Travel

Council members approved to travel overnight on SILC business may be reimbursed travel expenses as provided herein. Travel reimbursement for mileage will be at the current State rate. A per diem is provided for meals and incidentals. Incidentals include fees and tips given to porters, drivers, baggage carriers, etc. The per diem rate for travel destinations will follow the current published (GSA) per diem rates; found at www.gsa.gov.

On the first and last days of travel of an overnight trip, when no meals are provided, the allowable reimbursement is 75% of the federal per diem rate for city of destination. Departure and arrival times are not considered. The per diem rate must be reduced by the appropriate amount (the amount allocated in GSA's per diem break down) for meals provided gratis or included within the registration fee of the event or travel. Meals provided by a common carrier or as a complementary meal provided by a hotel/motel do not reduce the maximum per diem rate.

Where overnight lodging is required and where a board member is on travel status for less than a full day, the meal and incidental expenses rate for the departure and return days shall be pro-rated.

Reimbursement will also be provided for commercial travel, lodging, ground transportation, parking, tolls, gratuities, and registration fees for conferences, and trainings.

Reimbursement will not be provided for personal telephone calls, hotel room movie rentals, expenses of spouse or other traveling companion, or other personal expenses. In order to be reimbursed for lodging, a room receipt showing a zero-balance due must be provided.

All receipts and documentation must be submitted within 30 days, or the SILC will not approve reimbursement.

Travel Advance

To assist the staff and board members when traveling on official SILC business, when financially feasible, the SILC can make advances for travel expenses available.

The advances can be made for meals and incidentals, parking and transportation, and other related cost as identified by the staff or board member or the conference being attended.

For expenses related to parking and transportation, if the cost is known before the conference an advance of the actual amount may be requested. All receipts must be maintained by the staff or board member and submitted to the SILC within 30 calendar days of expense.

For Meals and Incidentals, up to 75% of the total per diem may be requested in advance for travel for official SILC business. All documentation must be submitted to verify the expenditures and the remaining reimbursements needed to the staff or board member.

The staff or board member will be given a breakdown of the per diem based upon the destination of travel.

Documentation of all receipts and travel expenses must be submitted to the SILC within 30 calendar days of the expense. If receipts are not submitted the staff or board member

will be issued a 1099-Misc at the end of the year for the per diem issued and required for expenses without documentation.

CONFLICTS OF INTEREST AND CONFIDENTIALITY

The SILC is committed to carrying out the functions of the SILC Board without conflicts of interest both actual and potential. Annually, each board member and staff member will complete the Conflict of Interest Acknowledgement and Disclosure Form

Conflicts of Interest

Each member of the Board shall recognize that they owe a fiduciary duty of loyalty to SILC. This duty requires each individual to avoid conflicts of interest and to act at all times in the best interests of SILC. The purpose of the conflicts of interest policy (set forth below) is to help inform the Board about what constitutes a conflict of interest, assist the Board in identifying and disclosing actual and potential conflicts, and help ensure the avoidance of conflicts of interest when necessary. This policy may be enforced against individual board members as described below:

1. Board members have a fiduciary duty to conduct themselves without conflict to the interests of SILC. In their capacity as board members, they must subordinate personal, individual business, third-party, and other interests to the welfare and best interests of SILC.
2. A conflict of interest is conduct, a transaction or relationship that presents or might conflict with a board member's obligations owed to the SILC and the board member's personal, business or other interests.
3. All conflicts of interest are not necessarily prohibited or harmful to SILC disinterested board (or SILC Board Chair and Executive Director) members with the interested board member(s) recused from participating in debates and voting on the matter are required
4. All actual and potential conflicts of interests shall be disclosed by board members to the SILC Board Chair and Executive Director through the annual disclosure form and/or to the Board whenever a conflict arises. Disinterested members of the SILC Board Chair and Executive Director shall make a determination as to whether a prohibited conflict exists and what subsequent action is appropriate (if any). The SILC Board Chair and Executive Director shall inform the Board of such determination and action. The Board shall retain the right to modify or reverse such determination and action, and shall retain the ultimate enforcement authority with respect to the interpretation and application of this policy.
5. On an annual basis, all board members shall be provided with a copy of this policy and required to complete and sign the acknowledgment and disclosure form below. All completed forms shall be provided to and reviewed by the SILC Board Chair and Executive Director, as well as all other conflict information, if any, provided by board members.

Confidentiality

Each member of the Board recognize that they owe a fiduciary duty of care to the SILC This includes a duty of confidentiality. All information and documentation that each

individual receive from SILC, and others in connection with service on the Board will be treated with strict confidentiality. Neither the contents nor the existence of this information or documentation will be shared with anyone other than the officers, directors, employees, and authorized agents of the SILC. Any questions regarding confidentiality obligations shall be directed to the SILC Board Chair.

Annually, each member of the SILC board and staff will complete the certification statement detailing any conflicts of interest and duty of confidentiality. These will be maintained at the SILC office.

Ethics Training

SILC members, in compliance with State laws, will annually complete an approved Ethics training conducted by the State of Ohio. Upon completion of the Ethics training, each member will submit the Certificate of Completion to the SILC Executive Director to maintain on file.

Board members that fail to complete the training, will be considered in violation of these policies and the applicable laws governing public entities in Ohio. Any member failing to complete the training will be recommended for removal from the Council in accordance with the bylaws.

BOARD MEMBER STIPENDS

Purpose of Stipend

A stipend may be offered to an eligible SILC voting member for attending SILC Board Committee and Business meetings, SILC Annual meeting and SILC special meetings. Stipends may be offered to SILC voting members who are not employed, not compensated by their employer for their attendance at SILC meeting or are self-employed.

A stipend will be paid at the rate of \$100.00 per Board Committee meetings that last at least a combined 4 hours long and at a rate of \$150.00 for Board Business meetings that are at least 4 hours long.

It is the responsibility of the SILC member to notify the Executive Director of SILC, if a member's eligibility for a stipend changes i.e., the member becomes eligible for compensation by an employer.

Process for Receiving Stipend

SILC voting members eligible to apply for a stipend should contact the SILC office to request a "Stipend Authorization Form." This form must be completed prior to submission and approved prior to submitting a "Stipend Payment Request" form. By completing these forms, the member certifies that they are not employed or receiving wages or compensation for services from any other firm or person. Member also certifies that they

have read and complies with the SILC stipend policy. Payments are based on available funding and the amount may be changed. Member is responsible for all tax reporting to Federal, State and Local agencies and SILC bears no responsibility in such. (IRS form 1099 will be sent by SLC for stipend amounts over the current threshold of \$600.00)

It is the responsibility of the SILC voting member to evaluate and determine if such a stipend might have a negative impact on their continued eligibility for benefits such as SSI or Medicaid or any other public benefit.

SILC shall assure that all stipend payments are paid in a timely manner to eligible members.

APPOINTMENT AND RECRUITMENT OF MEMBERS

The SILC will maintain compliance of membership to the Council at all times. This includes the recruitment of individuals to represent the voices of the disability community of all of Ohio. At times, the SILC may become more active in the recruitment of SILC members if the composition of the full Council is not in compliance.

Annual Solicitation of New Members

Annually, the SILC Executive Committee will review the current Council composition to determine any areas where the SILC lacks representation of members. Upon completion of the review, the Executive Committee will issue recommendations to the Outreach and Education Committee with specific areas that the SILC needs to recruit members.

The Outreach and Education Committee will draft a solicitation letter and review the member application forms. The Committee will determine a list of individuals and community partners to distribute the information to. If no current vacancies exist on the Council, the letter will explain when the next appointment is anticipated. If specific members of the community are determined by the Committee as a potential member that meets the needs of the Council, the Chairperson will make contact with the individuals to assess the level of interest and commitment to the Independent Living Philosophy.

If the Executive Committee determines that there were not enough submissions of qualified applicants, the Outreach and Education Committee will begin the solicitation process again.

Application Review

When potential Council members submit a completed application to the SILC office, the Executive Committee will be review the application within 60 days of submission. The review process will include checking to see if candidates are meeting any unmet Council Composition needs, ensuring they have knowledge of Independent Living, and conduct interviews with the candidates.

Council composition and compliance will be considered with every candidate. These factors will include the review of candidates with significant disabilities that do not work

for the State of Ohio or a Center for Independent Living and members that have knowledge about Centers for Independent Living and Independent Living Services.

After completion of the review and interviews, the Executive Committee will notify all candidates if they are being recommended for appointment. Those not being recommended will be encouraged to become more active with the SILC to potentially be appointed when future vacancies exist.

Recommendation of Candidates

When a candidate for the Ohio SILC has been established, the Executive Committee will draft a letter to the Governor's office of Boards and Commissions with the recommendation to appoint the member to the Council. This will be submitted with the application to the Governor's office for review within two weeks.

If a candidate that applies is determined to be an unqualified Council member, the Executive Committee will draft a recommendation in writing to the Governor's Office of Boards and Commissions for review detailing the reason for decision of the Council.

Appointing Authority

The SILC will work with Governor's Office of Boards and Commissions to ensure that the SILC is able to maintain compliance and quorum as well ensuring efficiency and timeliness of the appointment process. Annually, a Council representative will meet with the representative of the Appointing Authority to discuss the Council composition, upcoming terms ending, and possible nominees.

The SILC will request that the appointing authority forwards any application to the Outreach and Education Committee for review to ensure the Council is recommending appointments that will maintain composition compliance.

OPEN MEETINGS AND PUBLIC NOTICE

All regular Council meetings, Special meetings, Emergency meetings, or Committee meetings will be made available to the public. The SILC will make every attempt to provide the public with advance notice of all meetings.

Regular Meetings

Within 90 days of the new Federal Fiscal Year, the SILC will determine the meeting schedule for the next year. These meeting dates will be published on the SILC website at that time. A public notice will be drafted for all regular meetings of the Council at least 10 days prior to the meeting. The notice will be distributed across the network in Ohio to ensure the public will have the opportunity to attend the meetings. The notice will be sent at a minimum to: Current Council members, Ex-Officio members, news reporting agencies, SILC website and social media, the Centers for Independent Living, and other stakeholders. All agendas for meetings will be made available at a minimum of three days prior to the meetings and will be sent to all board members. The agendas will be made available on the SILC website, and sent upon request by members of the public. These notices will also include information about any Committees meeting as part of the regular Council Meetings.

The notices will include:

- Location and time of meetings
- Accommodation request process
- Electronic attendance options (when possible)

Special and Emergency Meetings

If circumstances arise that a Special or Emergency meeting is needed, the notice will be made available to the public with as much notice as possible, preferably 48 hours in advance. If circumstances do not allow for 48-hour notice, the Council will document the reasons for shorter notice period. Notice will include the same details as regular meetings.

Committee Meetings

Any Committee meetings not occurring with a regular Council meeting will be posted on the website for the Ohio SILC, with the time, location (electronic if applicable), and topic or meetings. All Committee members will be notified.

Public Comments

All meetings will allow for time for public comments. Public comments may be given in person, or via electronic communications. Individuals may submit public comment in advance if they are unable to participate in the meeting.

All regular, special, emergency, and Committee meetings will produce minutes or a Committee report that shall be maintained by the SILC and made available to the public upon request.

Executive Sessions

At times, the Council may have to enter Executive Session.

As defined in State law, Executive Session is a portion of an open meeting from which the public can be excluded.

Proper procedure is required to move into Executive Session:

- Meeting must always begin and end in open session, where public may be present
- Motion on the record to move into executive session, followed by a second
- Specific reason for Executive Session must be put in the motion and recorded as the agenda for the Executive Session
- Roll call vote, which must be approved by the majority of a quorum of the Council
- Motion and vote recorded in the meeting minutes

Executive Session can only be held for one of the following reasons:

- Certain personnel matters
- Purchase or sale of property
- Pending or imminent court action
- Collective bargaining matters
- Matters required to be kept confidential

- Security matters
- Hospital trade secrets
- Confidential business information of an applicant for economic development assistance
- Veterans Service Commission applications

Discussion in executive session should be limited to the specific, statutory reason for the Executive Session.

The Council can invite non-members to be present in an Executive Session but cannot exclude other members of the Council from the Executive Session.

Discussions in Executive Session are not automatically confidential, but other confidentiality rules may apply; public records considered in the Executive Session may be accessible through the Public Records Act.

The public body may not vote or make any decisions in Executive Session.

If circumstances arise that an Executive Session is needed, the notice will be made available to the public with as much notice as possible, preferably 48 hours in advance. If circumstances do not allow for 48-hour notice, the Council will document the reasons for shorter notice period. Notice will include the same details as regular meetings.

Agendas for Executive Session meetings must be made available to the public along with the given reason for the Executive Session, although specific confidential information will be excluded.