

**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, 2021 through September 30, 2023

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:

Individuals with disabilities in Nevada will have access to the information, resources and services necessary to meet their personal independent living needs.

1.2 Goals:

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

Goal 1: Improve Access to Independent Living Supports and Services.

Goal 2: Improve Awareness of Independent Living Network and Philosophy.

Goal 3: Improve the Effectiveness and Efficiency of the Independent Living Network.

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.

Goal 1: Improve Access to Independent Living Supports and Services.

Objective 1A: Provide support for new community services and services with the highest need throughout the State.

- **Fund at least one competitive subgrant for services needed each year. – Grantees will provide the SILC with a quarterly report.**
- **Provide ongoing support for the State-funded Independent Living Program that services all Nevada Counties. – IL Program Progress report will be shared annually or more often if services and/or service providers change.**

Objective 1B: Provide support to the Centers for Independent Living for new and ongoing services.

- **Provide supplemental funding for proposed and approved services. – CILs will provide a bi-annual report to the SILC for all supported activities and annually for all other notable CIL activities throughout the year.**
- **The IL Network will collaborate with community partners to facilitate a plan for disaster and emergency preparation statewide during the second year.**
- **When reserve funding from Money Follows the Person (MFP) is depleted, the SILC will support the Centers for Independent Living to provide institutional transition services to the population currently being assisted by the MFP program along with their (CILs) current transition support program.**

Goal 2: Improve Awareness of Independent Living Network and Philosophy.

Objective 2A: Establish a statewide, unified Independent Living message and a formal presentation to be offered to our network of partners.

- **The SILC will create a presentation that encompasses a unified IL message by the end of the first year.**

- The SILC will provide this presentation to the network of partners by the end of the second year.
- The SILC will present this as a training at National Conference Workshops during the third year.

Objective 2B: Collaborate with community partners regarding legislative issues for disability and IL philosophy education and outreach.

- The SILC will establish formal collaborations with the Commission on Services for Persons with Disabilities and the Governor’s Council on Developmental Disabilities to address education and outreach regarding disability legislation issues in Nevada by the end of the first year.

Objective 2C: Develop a youth presence in the IL Network.

- Add policies that incorporate youth involvement in Council activities, including defining SILC youth membership by the end of the first year.
- Establish at least one youth scholarship program that allows at least one youth to attend APRIL each year.
- Collaborate with the CILs to establish youth participation in IL activities within the IL Network by the end of the third year.

Objective 2D: Utilize the new Nevada SILC website to promote the IL Philosophy and share IL news on a monthly basis.

- The website will be updated monthly with news and new information regarding IL.
- The website will be used to promote IL Services throughout the State by advertising partners and providing educational articles and links to resources on our platform.

Goal 3: Improve the Effectiveness and Efficiency of the Independent Living Network.

Objective 3A: SILC members and Executive Team will attend trainings and conferences to improve processes.

- All new SILC members will attend at least one SILC Congress to learn member roles and responsibilities during their first term.
- The SILC Chair and Executive Director will attend at least one conference workshop or training per year, bringing a summary report back to the full Council.

Objective 3B: The SILC will develop a resource development plan.

- The Nevada SILC will research other SILCs’ resource development plans and compile a list of ideas to adopt based on feasibility in the first year.
- A resource development plan will be completed and ready to be implemented by the end of the current SPIL, utilizing consultants and/or a contracted expert to assist in achieving an optimal result.
- The SILC will continuously evaluate the data collected in the newly established data hub to improve the quality of the data parameters and increase community partner participation by at least 20% each year to build strong community ties and more shared resources.

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.

Fiscal Year(s): 2021					
Sources	Projected Funding Amounts and Uses				
	SILC Resource Plan	IL Services	General CIL Operations	Other SPIL Activities	Retained by DSE for Administrative costs
Title VII Funds					
Chapter 1, Subchapter B (including state match)	101,615.09	170,000	40,000	27,101	10,161.51
Chapter 1, Subchapter C					
Other Federal Funds					
Sec. 101(a)(18) of the Act (Innovation and Expansion)					
Social Security Reimbursement					
Other					
Non-Federal Funds					
State Funds	74,349.00	1,499,826.00			
Other					

Fiscal Year(s): 2022					
Sources	Projected Funding Amounts and Uses				
	SILC Resource Plan	IL Services	General CIL Operations	Other SPIL Activities	Retained by DSE for Administrative costs
Title VII Funds					
Chapter 1, Subchapter B (including state match)	101,615.10	170,000	40,000	27,101	10,161.51
Chapter 1,					

Subchapter C					
Other Federal Funds					
Sec. 101(a)(18) of the Act (Innovation and Expansion)					
Social Security Reimbursement					
Other					
Non-Federal Funds					
State Funds	81,476.06	1,499,826			
Other					

Fiscal Year(s): 2023					
Sources	Projected Funding Amounts and Uses				
	SILC Resource Plan	IL Services	General CIL Operations	Other SPIL Activities	Retained by DSE for Administrative costs
Title VII Funds					
Chapter 1, Subchapter B (including state match)	101,615.10	170,000	40,000	27,101	10,161.51
Chapter 1, Subchapter C					
Other Federal Funds					
Sec. 101(a)(18) of the Act (Innovation and Expansion)					
Social Security Reimbursement					
Other					
Non-Federal Funds					
State Funds	85,840.76	1,499,826			
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.

The SILC will use consumer satisfaction surveys from the State IL Program and an additional general satisfaction survey beginning at the start of the SPIL and will continue to collect survey data through the end of the final year of the SPIL by having the survey available on the new website consistently and by encouraging consumers to complete it at all outreach events and efforts throughout the three year term.

The SILC is also developing a data hub, or disability statistics compendium for their network of partners to contribute disability data to in the effort to have the information compiled in one place and to better evaluate the data ongoing. As soon as this electronic hub is up and running (scheduled for the beginning of the first federal fiscal year of the SPIL), the SILC will analyze the data at least annually to glean information regarding services throughout the State that are needed. The SPIL Workgroup, a subcommittee of the SILC, will meet at least annually to discuss the data in detail and make recommendations for action to the SILC prior to the annual competitive subaward parameters being defined.

The NV SILC also reviews statewide data from the CIL's, the Grants Management Advisory Council for the State's needs assessment, the State's IL Program, Nevada 211, the Department of Education, Vocational Rehabilitation, the Commission on Services for Persons with Disabilities, The State Rehabilitation Council and various other entities to gain a broad perspective of what services are needed and of the specific demographics of populations' needs statewide. The objective of the SILC's data hub is to combine all these sources' data into one accessible place for ease of analysis. This is planned to gradually grow and improve over time, eventually eliminating the need to review each source independently, as this is very time-consuming. The purpose overall is to enable a meta-analysis of the entire State's disability statistics.

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.

Table 2.1A: Independent living services	Provided using Subchapter B	Provided using other funds	Provided by
Core Independent Living Services, as follows:			
- Information and referral	X	X	CIL, DSE
- IL skills training		X	CIL
- Peer counseling		X	CIL
- Individual and systems advocacy	X	X	CIL, DSE
▪ 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.	X	X	CIL, DSE
Mobility training			
Services and training for individuals with cognitive and sensory disabilities, including life skills training, and interpreter and reader services		X	CIL
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		X	CIL
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	X		DSE
Education and training necessary for living in the community and participating in community activities		X	CIL
Supported living			

Table 2.1A: Independent living services	Provided using Subchapter B	Provided using other funds	Provided by
Transportation, including referral and assistance for such transportation	X	X	CIL, DSE
Physical rehabilitation			
Therapeutic treatment			
Provision of needed prostheses and other appliances and devices	X		DSE
Assistive Technology	X		DSE
Individual and group social and recreational services		X	CIL
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		X	CIL
Services for children with significant disabilities	X		DSE
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	X	X	DSE, CIL
Appropriate preventive services to decrease the need of individuals with significant disabilities for similar services in the future	X	X	DSE, CIL
Community awareness programs to enhance the understanding and integration into society of individuals with disabilities		X	CIL
Other necessary services not inconsistent with the Act	X	X	DSE, CIL

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.

Outreach to rural communities that cannot otherwise be contacted via the internet will be done by SILC members by strategically planning extra time to reach out while in the vicinities or by planning trips accordingly and talking to locals to uncover the consumer needs in those areas that are underserved. The information will be compiled in an outreach log to be shared with the IL Network annually while assessing the SPIL.

According to CIL data, Hispanic and other minority populations are underserved, as well, and the SILC will invest time and effort into attending minority events and offering a Spanish translation of the SILC brochure. The SILC has also recruited a representative

from the NAACP to represent the African American disability community. The SILC will also reach out to individuals who are working with local tribes in the effort to educate tribal communities regarding the independent living philosophy and self-advocacy through SILC.

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.

Northern Center for Independent Living (NNCIL) serves 16 of Nevada's 17 counties including: (County / Federal Designation)

Washoe / Urban
Carson City / Urban
Churchill / Rural
Douglas / Rural
Elko / Rural
Esmerelda / Frontier
Eureka / Frontier
Humboldt / Frontier
Lander / Frontier
Lincoln / Frontier
Lyon / Frontier
Mineral / Frontier
Nye / Frontier
Pershing / Frontier
Storey / Frontier
White Pine / Frontier

Southern Nevada Center for Independent Living (SNCIL):

Clark County / Urban and Rural

Primary funding for both centers comes from Title VII Part C funds. The oversight entity for both Nevada Centers is the Department of Health and Human Services Administration for Community Living (ACL). The oversight process includes review of individual Program Performance Reports submitted to the ACL by the Centers annually and on-site reviews as designated by 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 statewide 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.
[50/50 distribution for any funds above the COLA between the two Centers.](#)

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

[No plan to close any centers in Nevada. If a center closes, funds are to be used to reestablish service in that geographic area.](#)

Plan/formula for adjusting distribution of funds when cut/reduced.
[50/50 for both Centers in Nevada.](#)

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

[No plans for service changes in Nevada.](#)

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

[No plans for one-time funding and/or temporary changes. Emergency situations to be assessed will be addressed as needed. Both Centers willing to help as needed.](#)

Section 4: Designated State Entity

[Nevada Aging and Disability Services Division](#) will serve as the entity in Nevada 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.

The Nevada Aging and Disability Services Division follows policies and procedures set forth by the State of Nevada, in accordance with state and federal regulations for sub awarding federal funding. All subawards are approved by the SILC as close to the start of the federal fiscal year as possible.

When the SILC allocates funding for IL services but does not list a specific organization in the SPIL, a competitive process is used to subaward funds. The competitive process includes the following steps:

(A) Solicitation of Proposals – The SILC Executive Director will develop a Notice of Funding Opportunity (NOFO) which includes background and information about the source of the funding, the services being solicited and timelines for the application process. The NOFO template and application documents are provided to the SILC by the DSE, however the SILC has the ability to customize sections of the application documents including requirements for the Project Narrative, Goals and Objectives, Projected Output Measures, and other information deemed necessary by the SILC to evaluate a proposal. The DSE Grant Manager will work with the SILC Executive Director to adjust the application template as necessary to reflect the SILC’s proposal requirements.

Once the NOFO and Instructions are completed, it is published on the SILC’s website. Additionally, notifications are made via email to network partners by the SILC and the DSE to solicit proposals. The SILC Executive Director is the main point of contact for the Notice of Funding Opportunity. The DSE Grant Manager is a secondary contact for questions related to the rules, regulations, and function of the application forms. The NOFO is open for no less than 30 days from the date of posting.

(B) Reviewing Proposals – The SILC Executive Director, the SILC chair (or another SILC member designated by the Chair), the DSE Representative and one outside reviewer will make up the Evaluation Committee. Each member will review and score the proposals independently. The scoring criteria is set by the SILC Executive Director and published in the NOFO. . In the event, there needs to be additional discussion about the applications, a public meeting will be held to discuss the proposals. Applicants will be invited to this meeting to answer specific questions the committee may have. The SILC Executive Director will total the scores and develop funding recommendations for consideration by the SILC. In making funding recommendations, the total score, SILC priorities, and available funding will be considered.

Once funding recommendations are completed, these will be presented at the full SILC meeting for final funding decisions to be made. The Notice of Subawards are issued by ADSD to the chosen subrecipients.

(C) Evaluating Performance – Within the Notice of Subaward, the DSE includes a Statement of Work which outlines the Goals, Objectives, Activities, and Timelines for the project. The SILC

develops a quarterly programmatic report which is used by subrecipients to report progress on the goals and outcomes included in the Statement of Work.

Fiscally, all subawards under ADSD must submit monthly requests for reimbursement (RFR) which includes the amount of funds spent by category for the month, the year to date amount, and balance of funds along with a detailed transaction list to show monthly expenses. Subrecipients are reimbursed within 30 days of the approved RFR. Subrecipients may request an advance of funds in their application. Advance requests are evaluated on a case by case and approved by the DSE Grant Manager and the SILC Executive Director.

ADSD also provides support to SILC subrecipients in the RFR process through our Grant and Project Specialist (GPS) and Fiscal Auditor positions. These teams within ADSD provide the day to day technical assistance to ensure all state and federal regulations are being followed. The SILC Executive Director is the subject matter expert and provides programmatic technical assistance to the subrecipient in accordance with SILC priorities.

Finally, the SILC Executive Director, the GPS, and Fiscal Auditor team will do a comprehensive onsite subrecipient monitoring at least once in the first year of funding.

Subawards made for continuing funds follows the same process, except for a solicitation of proposals. Subrecipients must submit a new budget for each year of the project and may be required to submit a revised Project Narrative, if the SILC deems that necessary.

4.3 Oversight Process for Subchapter B Funds

The oversight process to be followed by the DSE.

As described in Sections 4.4 and 5.1, the SILC has accepted a DSE position to fulfill the SILC staff role of Executive Director. Within the DSE structure, the designated DSE representative (Social Services Chief I) performs administrative supervisory functions limited to timesheets, leave requests, compliance with state training requirements, etc. The SILC Chair is the Executive Director's manager and has responsibility for directing her activities. In the previous SPIL, the Executive Director was stationed within the DSE location and split duties 50% for the SILC and 50% for the DSE. In this SPIL, the DSE has agreed to dedicate this position 100% to the SILC in order to support autonomy and reduce potential for compromising the independence of the SILC.

The designated DSE Representative (Social Services Chief I) provides technical assistance to the SILC Executive Director as needed to ensure compliance with state and federal regulations. The DSE Representative works with the SILC Executive Director to develop and monitor the budget for timely obligations/spending and alignment with the SPIL.

Additionally, the DSE Representative provides a point of contact for community feedback on SILC activities. This allows the community to have continuous input into the oversight of the SILC. Feedback is documented and discussed with the SILC Executive Director and the SILC Chair. Actions to be taken are considered by the full SILC on an as needed basis.

Finally, the DSE is working with the SILC to allow for telecommuting options for the Executive Director, including a permanent workstation outside of the DSE location. This will further lend to the SILC's autonomy and reduce potential for conflict of interest.

4.4 Administration and Staffing

Administrative and staffing support provided by the DSE.

The Aging and Disability Services Division (ADSD) as the DSE, provides the following support to the SILC:

- Fiscal management – draws federal funds and prepares related reports, processes payments and reimbursements on behalf of the SILC in accordance with their budget, completes quarterly and annual SF-425 reports, provides required non-federal match and non-federal funds for any disallowed expenditures, and certifies annually all expenditures have been recorded appropriately in state accounting systems.
- Meeting support - provides administrative assistance to the SILC for the purposes of organizing and conducting public meetings in accordance with Nevada Open Meeting Laws.
- Administrative Support - supports the SILC in the development of the SPIL as necessary, provides technical assistance to develop an annual budget in accordance with the SPIL and Resource Plan, works with the SILC to establish and ensure autonomy, and carries out other duties as necessary to ensure compliance with federal and state requirements.

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

Not Applicable

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)

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.¹

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 **Nevada Aging and Disability Services Division**. Authorized representative of the DSE **Dena Schmidt, Administrator**.

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)

Section 7: DSE Assurances

Dena Schmidt acting on behalf of the DSE **NV Aging and Disability Services Division** located at **3416 Goni Road, D-132, Carson City, NV 89706, dschimdt@adsd.nv.gov, 775-687-4210** *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;¹
- 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.¹

Dena Schmidt, Administrator

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;¹
- (3) The SILC terms of appointment adhere to the Act;¹
- (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.¹
- (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.¹

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
 - 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:

Name of SILC chairperson

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 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)

SIGNATURE OF SILC CHAIRPERSON

DATE

NAME OF SILC CHAIRPERSON

NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

SIGNATURE OF CIL DIRECTOR

DATE

NAME OF CIL DIRECTOR

NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

SIGNATURE OF CIL DIRECTOR

DATE

NAME OF CIL DIRECTOR

NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

SIGNATURE OF CIL DIRECTOR

DATE

NAME OF CIL DIRECTOR

NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

SIGNATURE OF CIL DIRECTOR

DATE

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.