

UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND
REHABILITATIVE SERVICES
REHABILITATION SERVICES ADMINISTRATION
WASHINGTON, DC 20202-2741

POLICY DIRECTIVE

RSA-PD-95-02

RSM-0501

DATE: February 17, 1995

ADDRESSEES: STATE VOCATIONAL REHABILITATION AGENCIES (GENERAL)
STATE VOCATIONAL REHABILITATION AGENCIES (BLIND)
STATEWIDE INDEPENDENT LIVING COUNCILS
CENTERS FOR INDEPENDENT LIVING
CLIENT ASSISTANCE PROGRAMS
RSA SENIOR MANAGEMENT TEAM

SUBJECT: State Plan for Independent Living under Chapter 1
of Title VII of the Rehabilitation Act of 1973, as
amended (Act)

POLICY

STATEMENT:

This transmits State plan materials consisting of a State plan preprint and instructions for the completion and submittal of the State plan for the State Independent Living Services (SILS), and Centers for Independent Living (CIL) programs for fiscal years (FY) 1996 - 1998. The effective date for this State Plan for Independent Living (SPIL) is October 1, 1995; OMB approval number for this plan is 1820-0527.

The purpose of Chapter 1 of Title VII of the Act (Ch. 1) is to promote a philosophy of independent living which includes consumer control, peer support, self-help, self-determination, equal access, and individual and system 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 American society.

To implement this purpose, Ch. 1 authorizes financial assistance to States for providing, expanding and improving the provision of SILS, to develop and support statewide networks of CILs, to improve working relationships among SILS, CILs, Statewide Independent Living Councils (SILCs), programs funded under other titles of the Act, and other programs that address issues relevant to individuals with disabilities funded by Federal

and non-Federal authorities.

In order for a State to participate in the programs under Ch. 1, the designated State units (DSU), jointly with the SILC, must develop and sign an approvable SPIL for FY 1996 - 1998. The SPIL must be submitted by the DSU to the Rehabilitation Services Administration (RSA) by July 1, 1995, and be approved by the RSA Regional Office. Final RSA action on the SPIL is contingent on the receipt of comments from the State's review process, or the passage of at least 60 days from the submittal of the plan to the State review process, whichever occurs first.

If it is not possible to approve the SPIL before October 1, 1995 the Regional Office may, in accordance with 34 CFR 76.703(c), determine that the SPIL is substantially approvable if it contains only minor technical problems which can be readily addressed and rectified, such as the omission of an assurance that the State has indicated was an oversight that will be immediately corrected. A minor problem would not include the failure of a State to receive approval under the State required review process. The determination of whether or not a problem is minor will be made on a case-by-case basis. A determination that a SPIL is in substantially approvable form would allow a State and CILs to begin obligating funds on or after October 1, 1995. Reimbursement for these obligations, however, is subject to final approval of the SPIL.

CITATIONS
IN LAW:

Chapter 1 of Title VII of the Rehabilitation Act of 1973, as amended

CITATIONS IN
REGULATIONS:

34 CFR Parts 76, 77, 78, 79, 80, 82, 85, 364, 365, and 366.

EFFECTIVE
DATE: Upon Issuance

EXPIRATION
DATE: September 30, 1998

INQUIRIES: RSA Regional Commissioners

Commissioner
Rehabilitation Services
Administration

UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION
AND REHABILITATIVE SERVICES
REHABILITATION SERVICES ADMINISTRATION
WASHINGTON, D.C. 20202-2741

Instructions for Completion and Submittal of
the State Plan for Independent Living

Public reporting burden for this collection of information is estimated to average 80 hours per response, including the time to review instructions, search existing data sources, gather and maintain the data needed, conduct public hearings, and complete and review the information collection¹. **If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to:** U.S. Department of Education, Washington, DC 20202-4651. **If you have any comments or concerns regarding the status of your individual submission of this form, write directly to:** John Nelson, Independent Living Branch Chief, Office of Developmental Programs, Rehabilitation Services Administration, Department of Education, 600 Independence Avenue, S.W., Washington DC 20202-2741.

I. Background

Chapter 1 of Title VII of the Rehabilitation Act of 1973, as amended (Act), provides financial assistance to States for providing, expanding and improving the provision of independent living (IL) services, to develop and support statewide networks of centers for independent living (CILs), to improve working relationships among State IL services programs (SILS), CILs, Statewide IL Councils (SILCs), programs funded under other titles of the Act, and other programs that address the needs of individuals with significant disabilities funded by Federal and non-Federal authorities.

The purpose of Chapter 1 of Title VII of the Act (Ch. 1) is to promote a philosophy of independent living which includes consumer control, peer support, self-help, self-determination, equal access, and individual and system advocacy, in order to maximize the leadership, empowerment, independence, and productivity of individuals with significant disabilities, and

¹The burden hours does not include data recording and annual reporting required of grantees under the programs funded under Title VII. Those reports and attendant burden requirements are the subject of separate report submissions to the Office of Management and Budget.

the integration and full inclusion of individuals with significant disabilities into the mainstream of American society.

In order for a State to participate in the programs under Ch. 1, it must submit to the Rehabilitation Services Administration (RSA) an approvable State Plan for Independent Living (SPIL). No Federal funds or other benefits can be made available under this program unless the SPIL conforms with applicable statutory and regulatory requirements. This SPIL reflects the State's commitment to carry out the programs in compliance with the provisions in the plan, and also the State's planning and implementation activities related to various administrative and operational considerations associated with the plan. As such, the approved SPIL will serve as one of the key elements in RSA's monitoring of the State's performance in carrying out the assurances to which the State commits itself in submitting the State plan.

II. Glossary of Terms and Acronyms

Act	The Rehabilitation Act of 1973, as amended.
CIL	A "Center for Independent Living."
CIL program	The "Centers for Independent Living program" funded under part C, Ch. 1.
Core Services	IL services defined in section 7(29) of the Act-- information and referral; IL skills training; peer counseling (including cross-disability peer counseling); and individual and systems advocacy.
CSR	A "Consumer Service Record" maintained for eligible consumers receiving IL services, other than or in addition to information and referral, under Ch. 1.
DSU	The "Designated State Unit, or Units" identified under section 101(a)(1) of the Act, to jointly with the SILC, develop and sign the SPIL for Ch. 1 under section 704 of the Act. The term includes a State agency designated under State law to provide IL services to individuals who are blind. In such State, the State agency for the Blind may administer the provisions in the State plan providing for services to individuals who are blind. In a "723 State", the DSU is always the general agency.
Earmarked Funds	Means funds appropriated by the State and expressly or clearly identified as State expenditures in the relevant fiscal year for the sole purpose of funding the general operation of CILs meeting the requirements of section 702 and 725 of the Act.
□722 StateA	State where RSA issues grants under part C, Ch. 1, directly to eligible entities for the planning, establishment, and operation of CILs.
□723 StateA	State where the DSU issues grants or assistance contracts under part C, Ch. 1 to eligible entities for the planning, establishment, and operation of CILs.
IL	"Independent Living"

ILP An "Independent Living Plan" for the provision of IL services mutually agreed upon by an appropriate staff member of the service provider and an individual with significant disabilities.

Minority group Means Alaskan Natives, American Indians, Asian Americans, Blacks (African Americans), Hispanic Americans, Native Hawaiians, and Pacific Islanders.

RSA The "Rehabilitation Services Administration" in the Department of Education, Office of Special Education and Rehabilitative Services.

Service Provider--

- (i) A DSU who directly provides IL services to consumers;
- (ii) A CIL; or
- (iii) An entity who:
 - (A) provides IL services under a grant or contract from the DSU; and
 - (B) is delegated responsibility for the determination of eligibility for IL services.

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

SILS The "State Independent Living Services program" funded under part B, Ch. 1.

SPIL The "State Plan for Independent Living," which governs the State IL Services and Centers for Independent Living programs and describes the services to be provided under the IL Services for Older Individuals who are Blind program (ILOIB) funded under Chapter 2 of Title VII of the Act. The SPIL is jointly developed and signed by the SILC and the DSU.

STATE Wherever the term "State" is used, it refers to the State in its sovereign sense. For purposes of Ch. 1, the DSU(s) and the SILC jointly represent the State, except where otherwise noted.

III. Format and Content of the SPIL

The SPIL consists of a preprint in the form of affirmative statements of assurances, each representing a Federal requirement. Each preprint assurance is based on a statutory and/or regulatory requirement; citations to the appropriate statutory provision or regulation are included. The preprint portion of the SPIL provides a macro picture of what services and activities will be provided without identifying any agencies or service providers.

In addition to the assurances, the Act and implementing regulations call for descriptions of the State's plans, policies, and activities relating to the implementation of the programs under Title VII. These descriptions are submitted in the form of attachments to the SPIL and provide necessary operational detail (the who, where, when, what, or why) regarding certain sections of the preprint assurances. For example, an attachment may describe activities and responsibilities of various State agencies, organizations, or service providers for activities or services identified in the preprint.

Where Ch. 1 affords the State choices of action, the choices are identified in the SPIL and call for either a yes or no (Y or N) selection, or a check off (X) for choices selected.

IV Preparation of the SPIL

(a) Preprint Assurances and information

- (1) States may reproduce the SPIL preprint for manual submittal, or may work directly on the electronic preprint provided through the RSA BBS or the Dimenet Bulletin boards (FILE: "SPIL96").
- (2) Since the assurances reflect the State's commitment to comply with statutory and RSA policy requirements, changes to the assurance statements are not permitted.
- (3) For optional choices, indicate the option selected by marking Yes or No, (Y N) or placing an "X" in the appropriate space.
- (4) At the lower right hand corner of each page of the preprint, indicate the effective date as follows:

Effective Date: October 1, 1995

- (5) In those instances where an assurance requires

documentation or implementation of an activity not addressed in any of the required attachments, related materials must be maintained by the State and made available to Federal staff for review and monitoring purposes. For example, all recipients of financial assistance under Ch. 1 will notify all individuals seeking or receiving services under Title VII, in an appropriate accessible format, about the availability of the Client Assistance Program under section 112 of the Act, the purposes of the services provided under such program, and how to contact such program (SPIL Section 13.4).

(b) Attachments

- (1) An attachment should provide a clear, succinct and informative narrative that gives the who, where, when, what and why, e.g., operational detail, to the information provided in the corresponding preprint assurance. Within this context, manuals, bulletins, memoranda, budgets, and similar materials are not to be submitted unless specifically required or clearly suitable to the purpose of the attachment.
- (2) Each attachment should identify the corresponding section of the preprint, be paginated and show an effective date. The identification is to be placed in the lower right hand corner of the page, e.g., as follows:

Attachment 9: Page 1 of 4 Pages
Effective Date: October 1, 1995

V. Procedures Regarding Development, Submittal, and Disposition of the SPIL

(a) Development of the SPIL (34 CFR 364.20)

- (1) A single SPIL must be jointly developed and signed by the DSU and the SILC, although in a State with a separate DSU for individuals who are blind, attachments to the SPIL may describe the DSU for the blind's administration and supervision of those parts of the SPIL relating to the provision of IL services to individuals with significant disabilities who are blind.
(34 CFR 364.20(a) and (d))
- (2) Public meetings must be held to provide opportunity to comment on the contents of the SPIL prior to submission of the original SPIL. Public meetings must also be

held on each subsequent review or substantive revision of the SPIL.
(34 CFR 364.20(g))

(b) State Review Process (34 CFR Part 79)

The SPIL is subject to the provisions of Executive Order 12372 pertaining to the State process for review and comment. In those States where the SPIL is subject to the State review process, it is suggested that a draft copy of the plan be submitted to the appropriate RSA Regional Office simultaneously with its submission for State review. This will afford RSA staff the opportunity to review the plan and resolve potential problems prior to the submission of the official plan to RSA.

In those States in which the SPIL is subject to review and comment by State reviewers, the official SPIL should be transmitted to the RSA Regional Office upon receipt of a response from the State review process, or a minimum of 60 days from the date of submittal to the State's review process, whichever comes first.

(c) Transmittal of Official SPIL to RSA²

(1) The SPIL may be transmitted to RSA through **either** electronic or manual transmission:

(i) ELECTRONIC TRANSMISSION. The DSU is encouraged to file its SPIL electronically through the RSA Bulletin board (RSA BBS). To create a file for transmission, add the two letter State designator to the RSA file name followed after the decimal by the date of transmission, e.g., Arizona's 1996 State plan for IL, filed June 25 on the RSA Bulletin Board would be identified as "AZSPIL96.625" and would be sent to Region IX's RSA BBS user address "RSARCIX." The access modem telephone number for the RSA BBS is: for 2400 BPS - 202/205-5574; for 9600 BPS or higher - 202/401-6147.

A separate transmittal letter, containing the

² RSA REGIONAL OFFICE AND CENTRAL OFFICE CONTACTS. Attached at the end of these instructions is a list of RSA Regional Offices and the Central Office, contact persons, addresses, telephone numbers, FAX numbers, and USER-ID for electronic mail.

information in paragraph (c)(3) must be sent to the Regional Office and must include Section 2 of the SPIL, signed by the director or directors of the DSU(s) and the Chairperson or other designee of the SILC, and incorporate the SPIL by reference³.

- (ii) MANUAL TRANSMISSION. The official signed SPIL, two signed copies, and an electronic copy on diskette (5.1 Word Perfect) should be transmitted to the appropriate RSA Regional Office.
- (2) The SPIL is to be submitted for approval no later than 90 days before the completion date of the previous plan. SPIL96 is due on July 1, 1995.
(34 CFR 364.11)
- (3) A transmittal letter must be sent to the appropriate RSA Regional Office, signed by the State official(s) authorized to submit the SPIL. The transmittal letter should include:
 - (i) A description of the materials transmitted (either enclosed or through electronic transmission);
 - (ii) Identification of the effective date for the materials;
 - (iii) Information concerning the comments, if any, pursuant to the State review process, if applicable; and
 - (iv) A request for approval of the SPIL.
- (4) If comments from the State review process become available subsequent to the submission of the official SPIL, it is requested that the comments be transmitted to the RSA Regional Office.
- (d) Disposition of the State Plan (34 CFR 364.12)

Once the SPIL is approved by the RSA Regional Office, one copy (either electronic or hard copy) and the signed signature page will be transmitted to the RSA Central

³ When filing electronically, below the bottom signature line in Section 2, insert: "This document incorporates by reference [insert electronic transmission file name, e.g. "AZSPIL96.625" filed 6/25/95].

Office, the RSA Regional Office will retain one copy, and one copy will be transmitted to the State together with an approval letter.

(e) Amendments to the Approved State Plan (34 CFR 76.140 -.142)

- (1) The State must amend an approved SPIL when the Secretary determines that an amendment is essential during the effective period of the plan, or when there is a significant and relevant change that materially affects: the information or assurances in the plan; the administration or operation of the plan; or the organization, policies, or operations of the State agency(s) that receive funds under the plan. Within this context, the DSU(s) and the SILC need to periodically review the State's approved SPIL to ensure its consistency with the State's policies, priorities, and administration relating to the Chapter 1 programs.
- (2) The procedures applicable to the submission and disposition of substantive amendments to the approved SPIL are the same as those described for the submission and disposition of the original SPIL, e.g., State review process, due date, etc.

(f) Responsibilities of RSA Regional Offices (34 CFR 364.12)

The RSA Regional Offices are responsible for the review of plan submissions, negotiation of required changes with the DSU/SILC⁴, provision of technical assistance, approval of the SPIL, and Federal monitoring of the State's compliance with the provisions of the plan. The RSA Regional Commissioner is also responsible for recommending to the RSA Commissioner the disapproval of a SPIL submission when, after negotiation with the State, the Regional Commissioner determines that the SPIL is not approvable.

(g) Responsibilities of RSA Commissioner
(Sec. 3 of the Act; 34 CFR 364.12 and .13)

The Commissioner of RSA is responsible for the preparation of the SPIL preprint, ensuring RSA Regional Office

⁴ Where only technical changes are involved, the RSA Regional Office may contact only the DSU; however, where substantive changes may be required, the RSA Regional Office will also contact the SILC. Any written or Fax transmission to the DSU will also be transmitted to the SILC.

consistency in the approval of SPILs, issuing policies, and for the disapproval of SPIL submissions based upon the recommendation of the RSA Regional Commissioner and a complete review of the submission, related facts, and relevant laws and regulations.

VI. Instructions and Clarification regarding Sections of and Attachments to the SPIL Preprint⁵

Section 3.3: Public Hearings (34 CFR 366.20(g))

At least one public hearing must be held regarding the original SPIL. Public hearings must also be held regarding any substantive revisions. Most States have experience in determining where in the State hearings must be held to provide reasonable access, and what is necessary to ensure reasonable accommodation for persons needing alternative modes of communication. If questions arise, please contact your RSA regional office.

Section 17 of the Act requires that a State identify State imposed requirements. RSA expects the State to identify such requirements included in the SPIL, which have been agreed to by the DSU and the SILC in the development of the SPIL, e.g., a decision to impose a financial needs test, an order of selection, or State licensing and certification requirements; or that have been included pursuant to the provisions of Executive Order 12372 pertaining to the State process for review and comment. RSA does not interpret section 17 of the Act to require an exhaustive search of State laws and regulations.

Section 4.1: Composition of the SILC

Section 705 of the Act as enacted in 1992 and amended in 1993 has resulted in some confusion. To try to shed some light on the complexity, the following **EXAMPLE** uses the numbering of the table in section 4.1 of the preprint.

- (1) The State legislature enacts a law providing that the Governor may appoint a maximum of 25 persons to the Statewide Independent Living Council.
(¶705(a) of the Act)
- (2) A **majority of the Council members** must be individuals with disabilities who are not employed by any State agency or CIL.
(¶705(b)(4)(A)(iv) of the Act; 34 CFR 364.21(b)(2)(iii))

A **majority of the voting members** also must meet this criterion.

⁵ Reference is made only to sections where clarification is needed or an example is desirable. Attachments are numbered to relate to the section of the SPIL to which they pertain. A section determined not to require additional narrative has no attachment number related to that section included in the SPIL preprint.

(¶705(b)(4)(B)(ii) of the Act; 34 CFR 364.21(d))

In this example, at least 13 members must be persons with disabilities who are not employees of the State or of a CIL.

- (3) The directors of the State Vocational Rehabilitation agency, the Mental Health agency, Department of Education, Department of Aging, and Department of Parks and Recreation are appointed to the Council to represent their respective agencies. Since the purpose of the appointment is to represent a State agency, these members of the SILC are "ex-officio" and have no voting privileges.
(¶705(b)(2)(B) of the Act; 34 CFR 364.21(b)(2)(i)(B))

If an employee of a State agency, e.g., a rehabilitation counselor, is appointed to the SILC because of his or her expertise and not for the purpose of representing the State, or an agency of the State, the individual may be a voting member. If a question regarding the status of a member is raised, check with the appointing authority.

- (3) Subtracting the number of ex-officio members from the total membership leaves **20 voting members**.
(¶705(b)(2)(A) and (B) of the Act; 34 CFR 364.21(b)(2)(iii), and (d))
- (5) The CIL directors in the State vote for and recommend that a named CIL director be appointed to the SILC and be designated to represent the CILs in the State. In addition three persons employed by CILs are also appointed to the SILC. The CIL representative appointed under section 705(b)(2)(A) and the CIL employees are **voting members**.

Note that the ex-officio members, plus the required majority members, plus the appointees under (5) total 22. The three remaining appointments may be selected from any of the groups identified in section 705(b)(3) of the Act (34 CFR 364.21(b)(2)(ii)).

- (6) Diversity of disabilities. This requirement makes it clear that the SILC cannot be dominated by members from a single disability group. The intent of the statute is to ensure that as broad a range as possible of different disability categories, consistent with a workable size council, be included in the SILC membership.
(¶705(b)(4)(A)(ii) of the Act; 34 CFR 264.21(c)(2))
- (7) While section 705 of the Act includes no requirement for minority representation, this section of the table is included in the SPIL because it is consistent with section 21(b)(5) of the Act, which requires applicants for grants to demonstrate how they will address the needs of individuals with significant disabilities from minority backgrounds.
(¶21 of the Act)

The remaining sections of the table reflect statutory requirements and have raised no questions.

Section 4.2: Placement of the SILC (34 CFR 364.(a)(2))

Numbers of people have inquired, "if you cannot place the SILC in any State agency, where can you place it?" RSA hesitates to give specific examples because it is often

interpreted as exclusive and precluding options not listed.

RSA examined a number of the approved SPILs and found that SILCs have been established and placed as follows: a nonprofit organization; a free standing group attached to a State University; an organization attached to the Governor's office; and as an independent agency in the State. These are not listed in any particular order and this list is not intended to be exhaustive of the possibilities.

Attachment 4: Plan for the Provision of Resources to the SILC (Resource Plan) (34 CFR 364.21(i))

This attachment must include a description of the Resource Plan, including the sources of funds, staff, supplies, and other resources made available under Parts B and C of Ch. 1, Part C of Title I of the Act, and from other public and private sources, that may be necessary for the SILC to carry out its responsibilities under section 705 of the Act and the SPIL.

The statute and regulations do not specify the detail that must be included in this attachment, as it is a matter to be decided by the DSU/SILC. This attachment was a source of problems for many States in developing SPIL95. Many States have requested advice on how to ensure the independence of the SILC, while providing the necessary resources. One approach that several States are exploring is that used in Texas. The Texas DSU/SILC decided that resources would be provided by the DSU making a competitive grant to a private nonprofit organization. The grant was awarded to one of the State's CILs. The CIL houses the SILC, hires a staff person for administrative duties and provides fiscal administration of the resource plan.

Attachment 8 Policies, Practices and Procedures for Award of Grants Under Section 723 (34 CFR 364.39)

THIS ATTACHMENT APPLIES ONLY TO STATES THAT EARMARK MORE FUNDS FOR THE PART C PROGRAM THAN DOES THE FEDERAL GOVERNMENT.

Section 723 States must describe:

(a) Funding priorities.

- (1) The SPIL may provide that the State will be guided by the following order of priorities in allocating funds among CILs--
 - (i) support existing CILs that comply with the standards and assurances in section 725 of the Act;
 - (ii) provide for a cost-of-living increase for such existing CILs;
 - (iii) fund new CILs; or

- (2) The director of the DSU and the chairperson of the SILC or other individual designated by the SILC acting on behalf of and at the direction of the SILC may agree on another order of priority, except that existing eligible agencies that were awarded grants under part C, Ch. 1 by September 30, 1993 that comply with the standards and assurances in section 725 of the Act must continue to receive support.

If the decision is made to have priorities other than those in section 723(e) of the Act, paragraph (a)(1) of SPIL, Attachment 8, must describe the changed priorities.

- (b) Continuation funding for existing CILs. (34 CFR 366.35)

The attachment must describe the policies, practices, and procedures to be used by the DSU in reviewing and renewing grants or assistance contracts to CILs currently funded under part C of Ch. 1.

- (c) Establishing new CILs. (34 CFR 366.37)

The attachment must describe the policies and procedures for awarding grants or assistance contracts for new CILs including:

- (1) The appointment of a peer review committee by the DSU and the SILC;
- (2) The establishment of selection criteria regarding--
 - (i) evidence of need for a CIL;
 - (ii) an applicant's plan for complying with or demonstrated success in complying with the standards and assurances in section 725 of the Act;
 - (iii) quality of key personnel;
 - (iv) budget and cost effectiveness;
 - (v) evaluation plan;
 - (vi) past performance of an applicant; and
 - (vii) ability of an applicant to carry out the plans.

The DSU will award the grant or assistance contract on the basis of the recommendations of the peer review committee if

the actions of the committee are consistent with Federal and State law.

- (d) Monitoring and oversight. The attachment must include a description of the policies, practices, and procedures for periodic and on-site compliance reviews to determine CIL compliance with section 725 of the Act.
(§§704(h), 723(g) and (h) of the Act; 34 CFR 366.38)

Attachment 9 Description of Objectives to be Achieved under the SPIL and Timelines for Achieving the Objectives
(§704(d) of the Act; 34 CFR 364.42)

- (a) Impact, intent, and purpose of the objectives. The SPIL addresses, on a statewide comprehensive basis, how the Chapter 1 independent living programs in the State will be implemented and administered.

This section of the SPIL cuts across a number of SPIL requirements and is intended by RSA to be the principal section wherein guidance and direction are given to the entities and organizations responsible for implementing the SPIL and providing IL services in the State.

The purpose of this attachment is to provide details of the State's overall mission, goals, and objectives for independent living in the State; the various priorities for the types of services and populations to be served; and the types of services to be provided, regardless of the Federal, State, or other source of funds supporting a particular service or activity.

- (b) Planning considerations. The State must:

- (1) Assure that community input is adequately reflected in the SPIL. The State must consider CIL workplans, developed by the CILs in compliance with section 725(c)(4) of the Act, when developing or revising the SPIL;

This requirement encourages coordination, cooperation, and communication between the State and community based service providers, and provides a means to help ensure that the State is advised of, sensitive to, and responsive to the needs of individuals with significant disabilities identified by the CILs in their service areas, the plans of the CILs to address those needs, and that the CILs operate in a manner consistent with the SPIL.
(34 CFR 364.42(c))

- (2) Consider any new methods or approaches for the provision of services to older individuals who are blind developed by a project funded under Ch. 2 of Title VII that the DSU responsible for the ILOIB program determines to be effective, and seeks to incorporate into and describe in the SPIL; (¶752(h) of the Act; 34 CFR 364.28, 367.11(c))
 - (3) Assure that the SPIL reflects the plans prepared by the DSU responsible for the ILOIB program; and (¶752(i)(2)(C) of the Act; 34 CFR 367.11(f))
 - (4) Obtain input from other service providers; and incorporate into the SPIL the provisions that are considered appropriate.
- (c) Financial plan. The attachment must specifically describe the financial plan for the use of anticipated Federal and non-Federal funds to meet the objectives. The financial plan must identify the source and amounts of other Federal and non-Federal funds to be used to meet the objectives and describe how the funds received under Title VII of the Act will further the objectives. (34 CFR 364.42(a)(2) and (3))
- (d) Timelines. The attachment must contain projected timelines for the achievement of the objectives and describe how the objectives are consistent with and further the purposes of Section 1 of the SPIL. (34 CFR 364.42(d))
- (e) Crosscutting objectives. As mentioned previously, the objectives section of the plan overarches all other plan provisions; therefore, the State may wish to specify objectives and timelines for other requirements and options contained in the SPIL. These requirements and options include:
- (1) Outreach. Reaching out to unserved/underserved populations (required - SPIL, Section 11);
 - (2) CIL Network. Establishing a statewide network of CILs (required - SPIL, Section 14); and
 - (3) Communication, Cooperation, Coordination. Maximizing cooperation, coordination, and communication among the DSU(s), other State agencies represented on the SILC, other councils and public and private entities, including Indian Tribal Councils, addressing the needs of specific disability populations and issues, and coordinating Federal and State funding for CILs and IL services (required - SPIL, Section 15).
 - (4) Expanding and Improving services. Demonstrating ways to expand and improve IL services (optional - SPIL, Section 10);
 - (5) CIL Support. Supporting the operation of CILs using funds under part B, Ch. 1 (optional - SPIL, Section 10);

- (6) Increasing Capacities. Increasing capacities of entities to provide IL services, including any resource development objectives for CILs to encourage self-support and expansion of capabilities (optional - SPIL, Section 10);
- (7) Conducting Studies etc. Conducting studies, gathering information, developing model policies and procedures, and presenting recommendations to policy makers to enhance IL services (optional - SPIL, Section 10);
- (8) Training. Training consumers, service providers and other persons on the IL philosophy (optional - SPIL, Section 10);

Attachment 10: Part B, Ch. 1 Activities

This attachment must contain an explanation of how the activities selected for funding from among the available options in section 713 of the Act are consistent with and further the purposes in Section 1 and the Objectives in Section 9 of the SPIL.

Attachment 11: Outreach to Unserved or Underserved Populations and Minority Groups

- (a) This attachment must describe steps to be taken regarding outreach to populations that are unserved or underserved by Ch. 1, including minority groups and urban and rural populations. Steps must specifically demonstrate how outreach will be accomplished under the SPIL, including the activities of CILs and other service providers.
- (b) Examples of activities the State may consider include the following:
 - (1) Activities of the DSU(s), the SILC, its members and subcommittees or advisory groups, and CILs and other service providers;
 - (2) How results of completed and planned studies of CSR data are, or will be, used to identify unserved and underserved disability and ethnic groups in urban and rural areas;
 - (3) Current and planned cooperative agreements with government agencies, private non-profit agencies and organizations that represent targeted groups, and service provider entities that are known to serve targeted groups;
 - (4) How outreach activities are promoted through the advisory councils of public and private non-profit organizations;
 - (5) Initiatives to promote interagency referrals for serving targeted underserved, unserved or minority groups in urban and rural areas;
 - (6) A description of planned public information programs using media options such as television, radio and newspapers in urban and rural areas targeted to unserved and underserved groups of individuals;

- (7) Information dissemination activities--
 - (i) directed towards professionals, paraprofessionals, social workers, county welfare workers, and other related service providers working with unserved and underserved individuals;
 - (ii) addressing the nature of the SILS and CIL programs;
 - (iii) including application procedures;
 - (iv) including how program information in appropriate accessible form such as print, tape, Braille, etc., is to be developed and distributed to service providers, cooperating agencies, interested associations or organizations, and advocacy groups;
- (8) Specific plans and plan objectives for each CIL designed to reach out to unserved, underserved, and minority populations present in the service area of each CIL; and
- (9) Other initiatives by the DSU/SILC and CILs to reach out to targeted populations, determine eligibility, and provide services in a timely manner or otherwise address the needs of individuals with significant disabilities from minority backgrounds.

Attachment 12: Description of Extent and Scope of Independent Living Services (¶704(e) and (f) of the Act)

- (a) This Attachment must describe the extent and scope of all IL services to be provided in the State, including services funded under part B and part C of Ch. 1 and Ch. 2 of Title VII of the Act. The services checked in the preprint and intended to be comprehensive and it is not necessary for all listed services to be provided by all service providers, except that CILs must provide core services. Provisions in the Act, e.g., sections 722(d), 723(d), 725(c)(4), and 752(i)(2)(C) require that programs funded under Title VII of the Act be consistent with the SPIL. Thus, section 704(e) of the Act requires that the SPIL contain a description of what IL services are to be provided in the State, from all sources of funding including CILs funded directly by RSA. At the discretion of the SILC and DSU(s), this Attachment may be organized with one complete set of descriptions for parts (a), (b), and (c) or with separate pages describing (a), (b), (c) by service provider or disability population receiving services. This Attachment is to be descriptive rather than directive regarding Chapter 2 activities. (34 CFR 364.43)
- (b) This attachment must describe:
 - (1) The extent and scope of independent living services to be provided as designated in SPIL Section 12, including how the State plans to make the core services

available;

- (2) Grant or contractual arrangements with other entities for providing IL services; and
 - (3) How the services and arrangements are consistent with and supportive of the purposes in SPIL Section 1 and the objectives described in Attachment 9.
- (c) This attachment may define dollar usage levels, e.g., expense caps on particular expensive services such as vehicle modifications; apportionment of part B funds for targeted purposes; and other provisions to address particular needs or problems of individuals with significant disabilities in the State.

Attachment 13 Consumer Service Records (CSRs) and Independent Living Plans (ILPs) (34 CFR 364.52, 53)

The attachment must describe the State's efforts to minimize duplication of CSRs and ILPs and maximize communication, coordination, and cooperation to ensure that records adequate for State and Federal purposes are maintained, minimize burden on service providers, and avoid duplication of services and records.

States are encouraged to develop a system whereby only a single CSR, which may include an ILP, is maintained for each consumer. Information from other service providers could be fed into the single CSR.

States that have networked record systems in place or are in the process of developing such systems are encouraged to describe them in this attachment. Of particular interest is how States are addressing system access limits to protect those portions of the records that must be protected against unwarranted access under 34 CFR 364.56. This information can be useful to other States with similar concerns.

Attachment 14 Establishment of Statewide Network of Centers (¶704((g) of the Act; 34 CFR 364.25)

The attachment must describe a design for the establishment of a statewide network of CILs that comply with the standards and assurances set forth in section 725 of the Act.

If the State believes that a statewide network has been completed, the attachment should describe the network, including how it complies with ¶725 of the Act. In addition, either in this attachment or in Section 9 and 11, describe any future plans for expansion of the network to serve populations that are currently unserved or underserved.

Attachment 15 Working Relationships

(§704(i), (j), and (k) of the Act;
34 CFR 364.26 and .27)

- (a) This attachment must describe the following:
- (1) The steps that will be taken to maximize the communication, cooperation, and coordination among--
 - (i) the SILS program, the SILC, and CILs; and
 - (ii) the DSU, other State agencies represented on the SILC, other councils that address the needs of specific disability populations and issues, and other public and private entities determined to be appropriate by the SILC;
 - (2) How services funded under Ch. 1 will be coordinated with, and complement, other services in order to avoid unnecessary duplication with other Federal, State, and local programs including the ILOIB program; and
 - (3) The State's efforts to coordinate Federal and State funding for CILs and SILS.
- (b) In addressing cooperation, coordination, and communication in independent living, the attachment shall, if available:
- (1) Include information on cooperative service agreements between agencies that serve people with disabilities;
 - (2) Describe agreements that call for reciprocal representation on councils and advisory boards that address the needs of specific disability populations and issues;
 - (3) Provide information on arrangements to include representatives of other entities relevant to IL as members of the SILC; and
 - (4) Describe how CILs and other providers of IL services will be supported by a combination of State, Federal and private funding sources.
 - (5) It would be helpful, but not required, to describe efforts the State has taken, or plans to take, to develop electronic networking, reporting, and relational data management systems to improve communications among service providers, the SILC, the DSU, and other appropriate entities and organizations.

Attachment 16: Evaluation Plan
(34 CFR 364.38)

- (a) This Attachment must describe the State's evaluation plan containing methods for the periodic evaluation of the effectiveness of the SPIL in meeting the objectives established in SPIL Section 9. The methods must also specifically provide for the evaluation of the satisfaction by individuals with significant disabilities.
- (b) The evaluation plan must specifically address:
 - (1) The evaluation, review, and monitoring activities to be undertaken by the SILC under section 705(c)(2); and
 - (2) **In ¶723 states**, the evaluation activities planned by the DSU in the review of CILs in accordance with section 723(g)(1) of the Act.
- (c) The State may describe:
 - (1) The evaluation schedule for determining whether established timelines for accomplishing objectives are met;
 - (2) The criteria for each objective and procedures to determine accomplishment of the objectives;
 - (3) The specific roles of the DSU and the SILC;
 - (4) General content of survey instruments or questionnaires designed to determine the satisfaction of individuals with significant disabilities; how and when such instruments are administered; and how information concerning satisfaction of individuals with significant disabilities will be used; and
 - (5) Other evaluation initiatives to determine the needs of individuals with significant disabilities in the State; the impact of IL services in filling the needs, or the effectiveness of SPIL objectives in more effectively addressing the needs.

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State:

STATE PLAN
for
INDEPENDENT LIVING

FISCAL YEARs 1996 - 1998

Chapter 1, Title VII of the Rehabilitation Act of 1973, as amended

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STATE

Section 1: Purpose of the State Plan for Independent Living (SPIL), under Chapter 1 of Title VII

1.1 Philosophy of the programs (Sec. 701 of the Act; 34 CFR 364.2)

The State assures that in the implementation of this plan the State will:

- (a) Promote a philosophy of independent living, including a philosophy of consumer control, peer support, self-help, self-determination, equal access, and individual, self, and system advocacy, in order to maximize the leadership, empowerment, independence, and productivity of individuals with significant disabilities, and the integration and full inclusion of such individuals into the mainstream of American society;
- (b) Provide financial assistance for providing, expanding, or improving the provision of independent living (IL) services;
- (c) Provide assistance to develop and support a Statewide network of centers for independent living (CILs), operated by consumer-controlled, community-based, cross-disability, nonresidential private nonprofit agencies that are operated within local communities by individuals with disabilities and that provide an array of IL services; and
- (d) Plan and advocate to improve working relationships among the various entities affecting the lives of people with significant disabilities.

1.2 Participation in the programs (Sec. 704(a)(1) of the Act; 34 CFR 364.10)

- (a) The State understands that no Federal funds or other benefits can be made available under Ch. 1 unless the State conforms with all applicable statutory and regulatory requirements.
- (b) This SPIL reflects the State's commitment to carry out a plan for independent living under Chapter 1 of Title VII of the Rehabilitation Act of 1973, as amended (Ch. 1)⁶, and also the State's planning and implementation

⁶ Public Law 93-112, as amended by Public Laws 93-516, 95-602,

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activities related to the plan.

Section 2: Legal Basis and State Certifications (Sec. 704 of the Act)

- (a) As a condition to the receipt of financial assistance under Ch. 1, the

(Name of Designated
State Unit(s)⁷)

jointly with the Statewide Independent Living Council (SILC), is authorized to develop and sign this State Plan (SPIL) for Independent Living. The DSU agrees to administer the programs in compliance with the provisions of the Act, all applicable regulations, policies, and procedures promulgated by the Secretary, and the provisions of this SPIL.

- (b) The State legally may carry out each provision of the SPIL and the DSU has the authority under State law to perform the functions of the plan.
- (c) All provisions of the SPIL are consistent with State law.
- (d) The

(Title of State Officer(s))

has authority under State law to receive, hold, and disburse Federal funds made available under the SPIL.

- (e) The SPIL being submitted has been adopted or otherwise formally approved by the DSU and SILC.
- (f) The SPIL is the basis for State operation and

98-221, 99-506, 100-630, 102-569, and 103-73

⁷All references in this SPIL to "DSU" relate to the agency(s) identified in this paragraph.

Effective Date:

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administration of the Ch. 1 programs, as appropriate⁸, and is available for public inspection.

(g) The effective date of this SPIL is October 1, 1995.

9

SIGNATURE OF STATE AGENCY OFFICIAL DATE

NAME AND TITLE OF STATE AGENCY OFFICIAL PHONE NUMBER

SIGNATURE OF STATE AGENCY OFFICIAL DATE

NAME AND TITLE OF STATE AGENCY OFFICIAL PHONE NUMBER

SIGNATURE OF SILC CHAIRPERSON DATE

NAME OF SILC CHAIRPERSON PHONE NUMBER

⁸ If a State's expenditures earmarked to support the general operation of CILs is equal to or greater than the amount of Federal funds allotted to the State for this purpose, and the State has applied in SPIL Section 8 to administer the Part C, Ch. 1 program pursuant to section 723 of the Act, then the DSU must provide administrative support to the CILs; otherwise, the Secretary administers the CIL program pursuant to section 722 of the Act and the approved SPIL and the DSU is not required to provide administrative support services.
(§704(c)(2) of the Act)

⁹ The State Officials whose signature(s) are affixed hereto, and the Chairperson of the SILC have the authority to develop and sign this plan.

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Section 3: Plan Submittal

3.1 Frequency of Submittal (Sec. 704(a)(3) of the Act; 34 CFR 364.11, 364.20(b))

- (a) This SPIL is for fiscal years 1996 - 1998. A three-year plan must be submitted every three years by July 1 of the year preceding the first fiscal year for which the plan is submitted.
- (b) Plan amendments are submitted whenever the Secretary determines an amendment to the SPIL is essential during the effective period of the plan; or when there is a significant and relevant change that materially affects the information or the assurances in the plan, the administration or operation of the plan, or the organization, policies, or operations of the DSU or SILC.

3.2 State Plan Development (Sec. 704(a)(2) of the Act; 34 CFR 364.20(c))

The State plan is jointly developed and signed by the director of the DSU and the chairperson of the SILC or other individual, acting on behalf of and at the direction of the Council.

3.3 Public Hearings (Secs. 17, 704(m)(6) of the Act; 34 CFR 364.20(g), (h))

- (a) The State conducts public meetings to provide all segments of the public, including interested groups, organizations, and individuals, an opportunity to comment on the SPIL prior to its submission to RSA, and on any substantive review or revision of the approved SPIL.
- (b) The State identifies State imposed requirements resulting from the application of any State rule or policy relating to the administration or operation of the programs under Ch. 1. Following are descriptions of the State imposed requirements included in the SPIL.

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3.4 Opportunity for Review and Comment Under State Review Process (34 CFR 79.8 and 76.141-142)

If the SPIL or an amendment to the plan is subject to the State review process, such materials are reviewed, and commented on, in accordance with the provisions of Executive Order 12372. Comments provided through the State review process will be transmitted to RSA.

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Section 4: **Statewide Independent Living Council (SILC)
(Sec. 705(a) and (b) of the Act)**

4.1 Composition of the SILC (Sec. 705(b) of the Act; 34 CFR 364.21(b))

(1)	State the total number of persons on the Council.		
(2)	State the number of Council members with disabilities not employed by a State agency or a CIL.		
(3)	State the number of persons on the Council who are ex-officio (non-voting) representatives of State agencies		
(4)	State the number of voting members on the Council		
(5)	State the number of different disability groups (physical, mental, cognitive, sensory, or multiple) represented by members of the Council (up to five).		
(6)	Is a CIL Director appointed to represent the CILs in the State?	Y	N
(7) ¹⁰	Does the Council include members from minority groups?	Y	N
(8)	Does the council have a voting membership that is knowledgeable about CILs?	Y	N
(9)	Do Council members provide statewide representation?	Y	N
(10)	Is the Council Chairperson elected from among the voting members of the Council by the voting members of the Council?	Y	N

¹⁰ This information is not required by statute but is being collected for statistical purposes.

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4.2 Placement of the SILC (Sec. 705(a) of the Act; 34 CFR 364.21(a)(2))

The SILC is not established as an entity within any State agency including the DSU, and is independent of the DSU and all other State agencies. Following is a brief description of the legal status and placement of the SILC.

4.3 Plan for provision of resources to the SILC (Resource Plan) (Sec. 705(e) of the Act; 34 CFR 364.21(i))

- (a) In conjunction with the DSU, the SILC will prepare a Resource Plan for the provision of resources, cash or in-kind including staff and personnel that will be necessary to carry out the functions of the SILC during the term of the SPIL.
- (b) The SILC will be responsible for the proper expenditure of funds and the use of resources it receives under the Resource Plan.
- (c) No conditions or requirements will be included in the plan for provision of resources that will compromise the independence of the SILC.
- (d) While assisting the SILC in carrying out its duties under the SPIL, staff and other personnel assigned to the SILC under the Resource Plan will not be assigned duties by the DSU or other agency or office of the State that would create a conflict of interest.

Attachment 4 describes the plan for the provision of resources to the SILC.

Effective Date:

STATE

Section 5: Designation and Responsibilities of the State Unit(s)

5.1 Designation (Sec. 704(c) of the Act; 34 CFR 364.22)

The State unit(s) designated to receive, account for, disburse funds, and provide administrative support services is:

5.2 DSU Responsibilities under the SPIL (Sec. 704(c) of the Act; 34 CFR 364.22)

The DSU:

- (a) Receives, accounts for, and disburses funds received by the State under Ch. 1 in accordance with the SPIL;
- (b) Provides administrative support services for the part B SILS program and the part C, Ch. 1, CIL program in a case in which the program is administered by the State under section 723 of the Act;
- (c) Keeps such records and affords such access to such records as the Secretary finds to be necessary with respect to the programs; and
- (d) Submits the SPIL and such additional information or provides such assurances as the Secretary may require with respect to the programs.

Section 6: Staff and Staff Development

6.1 Personnel administration (Sec. 12(c), 704(m) of the Act; 34 CFR 364.23)

- (a) The staff of service providers will include personnel who are specialists in the development and provision of IL services and in the development and support of CILs.
- (b) To the maximum extent feasible, each service provider will make available personnel able to communicate--
 - (1) With individuals with significant disabilities who rely on alternative modes of communication, such as manual communication, nonverbal communication devices, Braille, or audio tape, and who apply for

Effective Date:

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or receive IL services under the SPIL; and

- (2) In the native languages of individuals with significant disabilities whose English proficiency is limited and who apply for or receive IL services under the SPIL.

6.2 Personnel development (Sec. 12(c), 704(m) of the Act; 34 CFR 364.24)

The State assures that service providers will establish and maintain a program of staff development for all classes of positions involved in providing IL services and, if appropriate, in administering the CIL program. The staff development program will emphasize improving the skills of staff directly responsible for the provision of IL services, including knowledge of the IL philosophy.

6.3 Affirmative action (Sec. 704(m)(2) of the Act; 34 CFR 364.31)

All recipients of financial assistance under Ch. 1 take affirmative action to employ and advance in employment qualified individuals with disabilities on the same terms and conditions required with respect to the employment of individuals with disabilities under section 503 of the Act.

6.4 Nondiscrimination (34 CFR 76.500)

No individual will on the basis of race, color, national origin, sex, age, or disability be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under this SPIL.

Section 7: Financial Administration

7.1 General Provisions (Sec. 704(m)(3) of the Act; 34 CFR 364.34)

All recipients of financial assistance under Ch. 1 will adopt such fiscal control and fund accounting procedures as may be necessary to ensure the proper disbursement of and accounting for funds paid to the State under Ch. 1.

7.2 Source of State Funds (Secs. 712(b)(2) and 7(7)(C) of the Act; 34 CFR 365.12, 367.11, .42)

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STATE

- (a) The 10 percent non-Federal share of the cost of any project that receives assistance through an allotment under part B, Ch. 1 will be provided in cash or in kind, fairly evaluated, including plant, equipment, or services.
- (b) For the purpose of determining the Federal share with respect to the State, expenditures by a political subdivision of the State will, subject to regulations prescribed by the Secretary, be regarded as expenditures by the State.

7.3 Financial Recordkeeping (Sec. 704(m)(4)(A) and (B) of the Act; 34 CFR 364.35)

All recipients of financial assistance under Ch. 1 will:

- (a) Maintain records that fully disclose--
 - (1) the amount and disposition by such recipient of the proceeds of such financial assistance,
 - (2) the total cost of the project or undertaking in connection with which such financial assistance is given or used, and
 - (3) the amount of that portion of the cost of the project or undertaking supplied by other sources; and
- (b) Maintain such other records as the Secretary determines to be appropriate to facilitate an effective audit.

7.4 Access to Financial Records (Sec. 704(m)(4 & 5) of the Act; 34 CFR 364.37)

All recipients of financial assistance under Ch. 1 will afford access to the Secretary and the Comptroller General or any of their duly authorized representatives, for the purpose of conducting audits and examinations, any books, documents, papers, and records of the recipients that are pertinent to the financial assistance received under Ch. 1.

7.5 Financial Reports (Sec. 704(m)(4)(D) of the Act; 34 CFR 364.36)

Effective Date:

STATE

All recipients of financial assistance under Ch. 1 will submit reports with respect to records required in section 7.3 of the SPIL, as the Secretary determines to be appropriate.

Effective Date:

STATE

Section 8: State Administration of Part C Program¹¹

NOTE - THIS SECTION APPLIES ONLY TO §723 STATES.

8.1 Funds earmarked to support CILs (Sec. 723(a) of the Act; 34 CFR 366.32)

In the second fiscal year preceding fiscal year 19__, the general operations of CILs in the State were supported by the following amounts of earmarked funds.¹²

State Funds _____ Federal Allotment

¹¹(a) In order to meet the requirements in section 723(a)(1)(B) and (2) of the Act, a **§723 State must submit this section of the SPIL for approval each year** subsequent to the first year of approval to administer the Part C, Ch. 1 program.

(b) Unless the provisions of Attachment 8 are materially changed, submittal of this Section shall not constitute a material revision of the SPIL requiring public hearings or State review under SPIL Section 3.

¹² The amount of State funds earmarked by a State to support the general operation of centers does not include: (1) Federal funds used for the general operation of centers; (2) State funds used to purchase services from a CIL, including State funds used for grants or contracts for personal assistance or skills training; (3) State attendant care funds; (4) Social Security Administration reimbursement funds; or (5) funds used to support an entity that does not meet the definition of a CIL in section 702 of the Act, e.g. funds used to support a single disability, State operated, or residential facility cannot be counted as earmarked funds.

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8.2 State applies to administer Part C program (Secs. 704(h) and 723 of the Act; 34 CFR 366.32)

The director of the DSU hereby applies to award grants or assistance contracts to eligible agencies in the State that comply with the standards and assurances set forth in section 725 of the Act. The grants are made from the funds allotted to the State for the planning, conduct, administration, and evaluation of CILs.

_____ Yes _____ No

8.3 State administers funds in compliance with §723 (Sec. 704(h) of the Act; 34 CFR 366.32, .35)

- (a) If Section 8.2 is answered in the affirmative, the director of the DSU awards grants or assistance contracts under section 723 of the Act to any eligible agency that was awarded a grant under part C, Ch. 1 on September 30, 1993, unless the director makes a finding that the agency involved fails to comply with the standards and assurances set forth in section 725 of the Act.
- (b) The State assures that any assistance contracts issued to eligible agencies will not add any requirements, terms, or conditions to the assistance contract other than those that would be permitted if the assistance contract were a subgrant consistent with grants issued by RSA under section 722 of the Act.
- (c) In administering the part C, Ch. 1 program, the State will not enter into any procurement contracts with CILs to carry out section 723 of the Act.

8.4 Monitoring and oversight. (§§704(h), 723(g) and (h) of the Act; 34 CFR 366.38)

The State assures that periodic and on-site compliance reviews will be conducted to determine CIL compliance with section 725 of the Act.

Attachment 8 describes the policies, practices, and procedures, which comply with section 723 of the Act, that the State utilizes for awarding continuation and new grants and for periodic and on-site compliance reviews of CILs.

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Section 9: Objectives

9.1 Objectives (Sec. 704(d) of the Act; 34 CFR 364.42)

The State will provide leadership and guidance for independent living in the State through the SPIL. The objectives for IL in the State will include:

- (1) The overall mission or goals for the IL programs in the State;
- (2) The financial planning objectives for IL in the State, including the identity and amounts of other Federal and nonfederal funds to be used to meet the objectives, and any resource development objectives for CILs to encourage self-support and expansion of capabilities;
- (3) The IL program objectives including--
 - (i) what activities will be undertaken; and
 - (ii) how services will be provided and expanded for individuals and groups of individuals with significant disabilities in the State.

9.2 Consideration of CIL workplans (Sec. 704(d) of the Act; 34 CFR 364.42(c))

In developing the objectives in the SPIL, the SILC and the DSU will consider, and incorporate where appropriate, the priorities and objectives established by the CILs under section 725(c)(4) of the Act; 34 CFR 366(c)(1) and (2), the plans of the State agencies supported under section 752 of the Act, and other service providers.

9.3 Timelines for Achievement of Objectives (Sec. 704(d)(1) of the Act; 34 CFR 364.42(d))

The State will establish timelines for the achievement of the objectives required by SPIL Section 9.1.

9.3 Consistency of objectives with purposes of SPIL Section 1 (Sec. 704(d)(2) of the Act; 34 CFR 364.42(e))

The objectives established in Section 9.1 are consistent with and further the purposes in Section 1 of the SPIL.

Attachment 9 describes the State's objectives developed

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under this section; the plan to reach the objectives; the timelines for the achievement of the objectives, and explains how such objectives are consistent with and further the purposes of SPIL Section 1.

Section 10: Information on Use of Part B, Ch. 1 Funds

10.1 Use of §711 funds in support of §713 purposes (Sec. 713 of the Act; 34 CFR 365.1)

Part B Funds are to be used only for the following purposes (all optional):	Directly by DSU	Grant/Contract
(a) Fund the resource plan for SILC (SPIL Section 4).	Y N	Y N
(b) Provide IL services to individuals with significant disabilities.	Y N	Y N
(c) Demonstrate ways to expand and improve IL services.	Y N	Y N
(d) Support the general operation of CILs.	-----	Y N
(e) Support activities to increase capacity to develop approaches or systems for providing IL services.	Y N	Y N
(f) Conduct studies and analyses, gather information, develop model policies, and present information in order to enhance IL services.	Y N	Y N
(g) Train regarding IL philosophy	Y N	Y N
(h) Provide outreach to unserved or underserved populations, including minority groups and urban and rural populations.	Y N	Y N

Section 11: Outreach (Secs. 704(1) and 713(7) of the Act; 34 CFR 364.32)

The State reaches out to populations, including minority groups and urban and rural populations, that are unserved or underserved by the programs funded under Ch. 1.

Attachment 11 describes the steps that will be taken regarding outreach to populations, including minority

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groups and urban and rural populations, that are unserved or underserved by the programs funded under Ch. 1. Also described, are populations designated for special outreach efforts and the geographic areas in which they reside.

**Section 12: Extent and Scope of Independent Living Services
(Secs. 7(30), 704(e) and 713(1) of the Act; 34 CFR 364.43)**

- (a) This section describes all IL services to be provided under the SPIL to meet the objectives in Section 9.
- (b) The State provides the following independent living core services to individuals and groups of individuals with significant disabilities:
 - (1) Information and referral;
 - (2) Independent living skills training;
 - (3) Peer counseling (including cross-disability peer counseling); and
 - (4) Individual and systems advocacy,
- (c) The IL core services may be provided directly by the DSU, or through grant or contract. While the State is required to provide these services, it may fund the services using funds from any source, e.g., part B or part C, Ch. 1, State funds, or other funds.
- (d) In addition, the State provides the following independent living services to individuals and groups of individuals with significant disabilities:¹³
 - (1) _____ Counseling services, including psychological, psychotherapeutic, and related services;
 - (2) _____ 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

¹³

Insert an "X" or check mark for each IL service that will be made available. It is not necessary to insert any projection of numbers of consumers to be served.

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- (including appropriate accommodations to and modifications of any space used to serve, or occupied by, individuals with significant disabilities);
- (3) _____ Rehabilitation technology;
 - (4) _____ Mobility training;
 - (5) _____ Services and training for individuals with cognitive and sensory disabilities, including life skills training, and interpreter and reader services;
 - (6) _____ Personal assistance services, including attendant care and the training of personnel providing such services;
 - (7) _____ Surveys, directories, and other activities to identify appropriate housing, recreation opportunities, and accessible transportation, and other support services;
 - (8) _____ Consumer information programs on rehabilitation and independent living 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;
 - (9) _____ Education and training necessary for living in the community and participating in community activities;
 - (10) _____ Supported living;
 - (11) _____ Transportation, including referral and assistance for such transportation;
 - (12) _____ Physical rehabilitation;
 - (13) _____ Therapeutic treatment;
 - (14) _____ Provision of needed prostheses and other appliances and devices;
 - (15) _____ Individual and group social and recreational services;
 - (16) _____ 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;
 - (17) _____ Services for children with significant disabilities;
 - (18) _____ Services under other Federal, State, or local programs designed to provide resources, training, counseling, or other assistance of substantial benefit in

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- enhancing the independence, productivity, and quality of life of individuals with significant disabilities;
- (19) _____ Appropriate preventive services to decrease the need of individuals with significant disabilities assisted under this Act for similar services in the future;
 - (20) _____ Community awareness programs to enhance the understanding and integration into society of individuals with disabilities; and
 - (21) _____ Such other services as may be necessary and not inconsistent with the provisions of this Act.

Attachment 12 describes the extent and scope of the above identified IL services, and how they meet the State's objectives for IL identified in Section 9. The attachment also describes any arrangements of grants or contracts made by the State for providing such services.

Section 13: Eligibility, Records, Independent Living Plans, and Notice of Client Assistance Program

13.1 Eligibility for Receipt of Services (Secs. 7(15)(B) and 703 of the Act; 34 CFR 364.51)

- (a) Individuals with significant disabilities are eligible for services provided under the SPIL.
- (b) To be eligible, an individual is one:
 - (1) Who has a significant physical, mental, cognitive, or sensory impairment;
 - (2) Whose ability to function independently in the family or community or whose ability to obtain, maintain, or advance in employment is substantially limited; and
 - (3) For whom the delivery of independent living services will improve the ability to function, continue functioning, or move towards functioning independently in the family or community or to continue in employment.

13.2 Consumer Service Record (Secs. 704(m)(4)(B), 725(c)(8) of the Act; 34 CFR 364.53)

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A consumer service record (CSR) will be maintained for each consumer of services, other than information and referral, which will contain documentation that the consumer is eligible or ineligible for IL services, the information required for the annual performance report under 34 CFR 364.36 and 366.50(h), and an ILP or a waiver as described in SPIL Section 13.3.

13.3 Independent Living Plans (Sec. 704(e) and 725(c)(14) of the Act; 34 CFR 364.52)

The State provides IL services under Ch. 1 to individuals with significant disabilities in accordance with an IL plan (ILP) mutually agreed upon by an appropriate staff member of the service provider and the individual, unless the individual signs a waiver stating that such a plan is unnecessary.

13.4 Notice about the Client Assistance Program (Secs. 20 and 704(m)(1) of the Act; 34 CFR 364.30)

All recipients of financial assistance under Ch. 1 that provide services to individuals with significant disabilities advise those individuals seeking or receiving IL services about the availability of the Client Assistance Program under section 112 of the Act, the purposes of the services provided under such program, and information on the means of seeking assistance under such program.

Attachment 13 describes the State's efforts to minimize the duplication of CSRs and ILPs and to maximize communication, coordination, and cooperation to ensure that records adequate for effective State and Federal purposes are maintained while minimizing burden on service providers.

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Section 14: Statewide Network of Centers for Independent Living (CILs)

14.1 Network Design (Sec. 704(g) of the Act; 34 CFR 364.25(a))

The State has developed a design for the establishment of a statewide network of CILs that comply with the standards and assurances set forth in section 725 of the Act.

14.2 Unserved and Underserved Areas and Priorities (Sec. 704(g) of the Act; 34 CFR 364.25(b))

(a) The network design:

- (i) identifies unserved and underserved geographic areas of the State; and
- (ii) includes an order of priority for the establishment of CILs in those areas.

Attachment 14 describes the design for the establishment of a statewide network of CILs and the order of priorities for the establishment of new CILs. If the State believes the network is complete, the attachment describes the network, including how it complies with §725 of the Act. In addition, either in this attachment or in SPIL Sections 9 and 11, the State describes any future plans for expansion of the network to serve populations that are currently unserved or underserved.

Section 15: Communication, Cooperation, Coordination (Secs. 704(i-k) of the Act; 34 CFR 364.26 and .27)

(a) The State takes steps that maximize the communication, cooperation, coordination, and working relationships among--

- (1) the SILS program, the SILC and CILs; and
- (2) the DSU, other State agencies represented on the SILC, other councils that address the needs of specific disability populations and issues, and other public and private entities, including Indian Tribal Councils, determined to be appropriate by the SILC.

(b) The State ensures that services funded under Ch. 1 will complement and be coordinated with other services in

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order to avoid unnecessary duplication with other Federal, State, and local programs, including the ILOIB program funded under Ch. 2 of Title VII.

- (c) The State coordinates Federal and State funding for CILs and SILS.

Attachment 15 describes the State's efforts in maximizing the communication, cooperation, and coordination specified in this section.

Section 16: Evaluation Plan (Sec. 704(n) of the Act; 34 CFR 364.38)

The State establishes a method for the periodic evaluation of the effectiveness of the SPIL:

- (a) In meeting the State's objectives and timelines for meeting those objectives;
- (b) In the satisfaction of individuals with disabilities; and
- (c) In meeting the objectives established in Section 9 of the SPIL.

Attachment 16 describes the methods used for these evaluations including projected DSU evaluation activities; SILC monitoring, review, and evaluation activities; and plans for the evaluation of consumer satisfaction.

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