

IL NET PRESENTS...

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Teleconference:

New SPIL Pre-Print

MARCH 21, 2001

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EXPANDING THE POWER OF THE INDEPENDENT LIVING MOVEMENT

IL NET

an ILRU/NCIL National Training and Technical Assistance Project

Expanding the Power of the Independent Living Movement

NEW SPIL PRE-PRINT

A National Teleconference

Participant's Manual

March 21, 2001

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New SPIL Pre-print
A National Teleconference

Participant's Manual
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New SPIL Pre-print

March 21, 2001

Agenda

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- Overview of Change to SPIL – Tom Finch
- Questions and Answers
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- Overview of Example of Attachment 1 – Kimball Gray
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- Questions and Answers
- Reasons to Involve CILs in State Plan Process – John Eckert
- Questions and Answers
- Wrap-up – Kimball Gray

About the Trainers

John M. Eckert

received his M.A. in Rehabilitation Administration and Services from Southern Illinois University at Carbondale in 1992. Currently he is the Executive Director of the Statewide Independent Living Council of Illinois, a planning body with co-sign off authority on the Illinois State Plan for Independent Living. John is the author of several published articles on cultural diversity, training, volunteering, cultural relations, and the author of monographs including topics on cultural diversity and starting a Center for Independent Living from the grass roots level. John has conducted professional presentations at both the state and national level.

Kimball Gray

Kimball's first adventure into the Independent Living movement was in 1986 as a member/chairperson of the Mississippi Statewide Independent Living **Advisory** Council. Upon graduating from Mississippi State University with a B.B.A. in Finance he went to work with the Mississippi Vocational Rehabilitation Department as an IL Specialist. In the fall of 1993 he became the first Center Director of L.I.F.E. of Central Mississippi. Served as the CIL Representative on the SILC. He worked there for three years sharing office space with the Mississippi Coalition for Citizens with Disabilities. Many legislative session days spent "going up the hill" with the Executive Director Mark Smith to fight the good fight. After learning valuable lessons from a prominent leader in Independent Living he made the move to a new exciting field in the Independent Living movement, that of SILC Director. Kimball was the first Executive Director of the South Carolina Independent Living Council. Working there for three years learning a new arena in which to expand the IL philosophy taught him many valuable lessons. Kimball is presently the first and only Executive Director of the Maryland Statewide Independent Living Council. He is not only working on state issues but is also working on the national IL front just across the border in Washington, DC. Working on the Drive for 75 Team as the coalition liaison for national organizations based in Washington.

Brad Williams

Is the executive director of the New York State Independent Living Council (NYSILC) and serves as the Region II Representative of the National Council on Independent Living. He earned a bachelor's degree in Political Science from SUNY Albany and a master's degree in Public Administration from Russell Sage College. Previously, he was executive director of the Glens Falls Independent Living Center for nine years.

New SPIL Pre-print Trainers

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ABOUT ILRU

The Independent Living Research Utilization (ILRU) Program was established in 1977 to serve as a national center for information, training, research, and technical assistance for independent living. In the mid-1980's, it began conducting management training programs for executive directors and middle managers of independent living centers in the U.S.

ILRU has developed an extensive set of resource materials on various aspects of independent living, including a comprehensive directory of programs providing independent living services in the U.S. and Canada.

ILRU is a program of TIRR, a nationally recognized, free-standing rehabilitation facility for persons with physical disabilities. TIRR is part of TIRR Systems, a not-for-profit corporation dedicated to providing a continuum of services to individuals with disabilities. Since 1959, TIRR has provided patient care, education, and research to promote the integration of people with physical and cognitive disabilities into all aspects of community living.

ABOUT NCIL

Founded in 1982, the National Council on Independent Living is a membership organization representing independent living centers and individuals with disabilities. NCIL has been instrumental in efforts to standardize requirements for consumer control in management and delivery of services provided through federally-funded independent living centers.

Until 1992, NCIL's efforts to foster consumer control and direction in independent living services through changes in federal legislation and regulations were coordinated through an extensive network and involvement of volunteers from independent living centers and other organizations around the country. Since 1992, NCIL has had a national office in Arlington, Virginia, just minutes by subway or car from the major centers of government in Washington, D.C. While NCIL continues to rely on the commitment and dedication of volunteers from around the country, the establishment of a national office with staff and other resources has strengthened its capacity to serve as the voice for independent living in matters of critical importance in eliminating discrimination and unequal treatment based on disability.

Today, NCIL is a strong voice for independent living in our nation's capital. With your participation, NCIL can deliver the message of independent living to even more people who are charged with the important responsibility of making laws and creating programs designed to assure equal rights for all.

ABOUT THE IL NET

This training program is sponsored by the IL NET, a collaborative project of the Independent Living Research Utilization (ILRU) of Houston and the National Council on Independent Living (NCIL).

The IL NET is a national training and technical assistance project working to strengthen the independent living movement by supporting Centers for Independent Living (CILs) and Statewide Independent Living Councils (SILCs).

IL NET activities include workshops, national teleconferences, technical assistance, on-line information, training materials, fact sheets, and other resource materials on operating, managing, and evaluating centers and SILCs.

The mission of the IL NET is to assist in building strong and effective CILs and SILCs which are led and staffed by people who practice the independent living philosophy.

The IL NET operates with these objectives:

- Assist CILs and SILCs in managing effective organizations by providing a continuum of information, training, and technical assistance.
- Assist CILs and SILCs to become strong community advocates/change agents by providing a continuum of information, training, and technical assistance.
- Assist CILs and SILCs to develop strong, consumer-responsive services by providing a continuum of information, training, and technical assistance.

REHABILITATION SERVICES ADMINISTRATION

Dear Colleague:

In July, I participated as a trainer for a session convened by IL-NET to discuss the State Plan for Independent Living (SPIL). During that session I shared with those present that the current SPIL pre-print would expire February 2001 and the Rehabilitation Services Administration (RSA) had established a work group comprised of Statewide Independent Living Council (SILC) representatives, nominated through the National Council on Independent Living (NCIL), and a representative of the Designated State Unit, nominated by the Council of State Administrators of Vocational Rehabilitation (CSAVR), and staff from RSA. The work group was formed to review, revise, and streamline the existing SPIL pre-print. During the July meeting, participants provided feedback on specific issues that needed to be addressed. RSA has attempted to respond to these issues and concerns by revising the SPIL pre-print.

I also committed to those participants at the IL-NET session that RSA would forward, electronically, the proposed revisions to the SPIL pre-print to ensure that SILC chairpersons and appropriate staff from the DSU had time to review, critique, and provide comments. I am pleased to report that on November 13, 2000, the revised SPIL pre-print was published in the Federal Register. Attached to this transmittal is a copy of this revised pre-print. Additional hard copies and/or electronic copies can be requested by contacting Stephanie Valentine at phone: (202) 708-8962 or email: [stephanie_valentine @ed.gov](mailto:stephanie_valentine@ed.gov).

Multiple changes have been proposed in the SPIL pre-print to help streamline the process and improve the quality of services to persons with disabilities. These changes include, but are not limited to:

- * A new Attachment 1 has been added that incorporates the information formerly provided in Attachments 9, 10, 11, 12, and 14, all of which have been deleted.
- * Attachment 2 has replaced Attachment 4, which has been eliminated.
- * All references to Outreach are now to be listed on a Reference Page.
- * Regarding SILC composition, the first requirement was made more specific in that the director chosen to serve on the SILC is chosen by other directors of independent living centers.

- * A requirement has been added that in a State where one or more projects are carried under section 121, at least one representative of the directors of projects must be included.
- * In the permissive section, language has been added to encourage representation from the Independent Living Older Blind Program.

If you choose to provide comments pertaining to the revised SPIL pre-print, please address those to me at:

Thomas E. Finch, Ph.D., Director
Division of Special Projects
Rehabilitation Services Administration
330 "C" Street, SW Rm. 3038
Washington, D.C. 20202-2741

Comments may also be e-mailed to me at tom_finch@ed.gov. **All comments should be submitted by January 12, 2001.**

Should you have any further questions regarding this correspondence, please contact me at (202) 205-8292. Thank you for your assistance in this important endeavor.

Sincerely,

Thomas E. Finch, Ph.D.
Director
Division of Special Projects

Enclosure

DRAFT

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

**Policy Directive
RSA-PD-
RSM-0501**

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 (SPIL) under Chapter 1 of
Title VII of the Rehabilitation Act of 1973, as Amended (Act)**

POLICY

STATEMENT:

This policy directive transmits the 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) 2002 - 2004. The effective date for this State Plan for Independent Living (SPIL) is October 1, 2001; OMB approval number for this plan is 1820-0527.

The purpose of Chapter 1 of Title VII of the Act (Chapter 1) is to promote a philosophy of independent living (IL), which includes consumer control, peer support, self-help, self-determination, equal access, and individual and system advocacy, 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, Chapter 1 authorizes financial assistance to States for providing, expanding and improving the

provision of IL services, to develop and support statewide networks of CILs, to improve working relationships among SILS programs, 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.

Multiple changes have been made in the SPIL preprint. The section on Instructions for Completion and Submittal of the State Plan for Independent Living has been changed as follows. The years covered by the SPIL have been updated. For the purposes of the State review process, a date of July 1, 2001 has been established as the cutoff date for submission of a SPIL by a State. The time required to complete information collection is now estimated at 60 hours of response. The following changes to definitions have been made: designated State unit (DSU) was changed to reflect the definition in Title VII of the regulations; minority group was changed to reflect the self-identification of individuals in a particular minority group; wording was changed in the definition of State for the purposes of clarity and emphasis. The instructions for transmission of a SPIL to the Rehabilitation Services Administration (RSA) was changed to reflect the following: in instructions for electronic submission, the DSU must submit a copy of the SPIL as an electronic mail attachment; manual transmission should include a diskette, which is in Word format; the transmittal letter that accompanies the SPIL must be signed by the DSUs authorized to submit the SPIL; the RSA Regional Office will transmit a hard copy of the approved SPIL to the DSU and the SILC. The following changes have been made regarding the composition of the SILC: the first requirement was made more specific in that the director chosen to serve on the SILC is chosen by other directors of independent living centers; the requirement that a majority of the voting members of the SILC must be individuals with disabilities that are not employed by any agency or center has been deleted; a requirement has been added that, in a State where one or more projects are carried under section 121, at least one representative of the directors of projects must be included; in the permissive section, language has been added to encourage representation from the Independent Living Older Blind Program. The following changes have been made in regard to attachments: A new Attachment 1 has been added that incorporates the information formerly

provided in Attachments 9, 10, 11, 12, and 14, all of which have been deleted; Attachment 1 now contains 3 mandatory areas to be addressed; Attachment 2 has replaced Attachment 4, which has been eliminated; all references to Outreach are now to be listed on a Reference Page; it is now recommended that attachments in the document not exceed a combined total of 40 pages in length. The following changes have been made specifically in the State Plan for Independent Living document. In Section 1, philosophy of the Programs, a language change in (d) refers to the entities providing services to and for people with significant disabilities; on the Legal Basis and State Certifications pages, some changes have been made to further clarify the titles to the person(s) whose signatures are needed; in Section 7.2(a) the ratio required for matching funds is clarified as one to nine; in Section 10, Information on the use of Part B, Chapter 1 funds, a column has been added to the chart to show the dollar amount involved in the description of Part B funds.

For a State to participate in the programs under Chapter 1, the DSU and the SILC must jointly develop and sign an approvable SPIL for 2002-The SPIL must be submitted by the DSU to the RSA by July 1, 2001, and be approved by 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 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, 2001, 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, 2001. 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: February 28, 2004

INQUIRIES: RSA Regional Commissioners

Commissioner
Rehabilitation Services Administration

cc: Council of State Administrator of Vocational Rehabilitation
National Council on Independent Living

OMB NUMBER: 820-0527
EXPIRATION DATE: 2/28/04

**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

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. The valid OMB control number for this information collection is **1820-0527**. The time required to complete this information collection is estimated to average 60 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection¹. It is recommended that the attachments to this document not exceed a combined total of 40 pages in length. **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: Dr. Thomas Finch, Department of Education, Rehabilitation Services Administration, Special Projects Division, 400 Maryland Avenue, S.W., Room 3038, MES, 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); and to improve working relationships among State IL services (SILS) programs, 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 (Chapter 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. To maximize the leadership; empowerment; independence and productivity of individuals with significant disabilities; and the integration and full inclusion of individuals with significant disabilities into the mainstream of American society.

For a State to participate in the programs under Chapter 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

¹ The 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.

under this Chapter 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, the application for funds under the part B, Chapter 1 program, 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, Chapter 1.
Client Assistance Program	A program established by section 112 of the Act to provide assistance in informing and advising all clients and client applicants of all available benefits under the Act, and, upon request of such clients or client applicants, to assist and advocate for such individuals in their relationships with projects.
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 Chapter 1.
DSU	(1) The State agency or the bureau, division, or other organizational unit within a State agency that is primarily concerned with the vocational rehabilitation, or vocational and other rehabilitation, of individuals with disabilities and that is responsible for the administration of the VR program of the State agency; or (2) The independent State commission, board, or other agency that has the vocational

rehabilitation, or vocational and other rehabilitation, of individuals with disabilities as its primary function.

Earmarked Funds	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 State	A State in which either Federal funding exceeds State funding for the general operation of eligible CILS or the Director of the DSU elects not to administer the CIL program and in which RSA issues grants under part C, Chapter 1, directly to eligible entities for the planning, establishment, and operation of CILs.
§723 State	A State in which State funding for centers equals or exceeds the amount of funds allotted to the State under Part C, Ch.1 and in which the director of the DSU elects to administer the CIL program as provided in section 723 of the Act.
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	Individuals from a minority background means individuals who report their race and ethnicity in any of the following categories: American Indian, or Alaska Native, Asian, Black or African American, Native Hawaiian or other Pacific Islander, or Hispanic or Latino.
RSA	The Rehabilitation Services Administration in the Department of Education, Office of Special Education and Rehabilitative Services.
Service Provider	(i) A DSU that directly provides IL services to individuals with significant disabilities; (ii) A CIL that receives financial assistance under Parts B or C of Chapter 1; or

(iii) An entity or individual who:

- (A) meets the requirements of 34 C.F.R. 364.43(e); and
- (B) provides IL services under a grant or contract from the DSU pursuant to 34 C.F.R. 364.43(b).

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

SILS Program The State IL services program funded under part B, Chapter 1.

SPIL The State plan for IL, which governs the SILS and CIL 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 For purposes of Chapter 1, the DSU(s) and the SILC jointly represent the State, except where otherwise noted, "State" means, except for sections 711(a)(2)(A) and 721(c)(2)(A) and where otherwise specified in the Act, in addition to each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

**Statewide
Network of CILs** A statewide network of centers that comply with the standards and assurances in section 725(b) and (c) of the Act and Subparts F and G of 34 C.F.R. Part 366. The design of the network must identify unserved and underserved areas and must provide an order of priority for serving these areas.

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, how, and 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 Chapter 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 website located at ed.gov/offices/OSERS/RSA/rsa.html on the world wide web.
- (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, 2001

- (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 Chapter 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 service provided under such program, and how to contact such a program. (SPIL Section 13.4).

(b) Attachments

- (1) An attachment should provide a clear, succinct and informative narrative that gives the who, where, how, when, what and why, or the 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 1: Page 2 of 24 pages

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

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

- (1) A single SPIL must be jointly developed and signed by the DSU and the SILC. However, in a State with a separate DSU for individuals who are blind, attachments to the SPIL may be organized in a manner that has a separate portion that describes the activities and objectives of the DSU for the blind and that separate DSU'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, including the Chapter 1 program. (34 CFR 364.20(a) and (d))
- (2) Public hearings must be held to provide all segments of the public, including interested groups, organizations, and individuals, the opportunity to comment on the contents of the SPIL prior to submission of the original SPIL. Public hearings must also be held on each subsequent review or substantive revision of the SPIL. Summaries of

comments received at these meetings must be attached to the SPIL 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. All States must submit a SPIL by July 1, 2001.

(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 must submit a copy of the SPIL electronically as an attached file transmitted via electronic mail to the appropriate RSA Regional Commissioner or on a disk mailed to the appropriate Regional Office. 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 2002-2004 State plan for IL, filed June 25, 2001, would be identified as "AZSPIL01.625" and would be sent to RSA's Regional Commissioner for Region IX, "gilbert_williams@ed.gov".

A separate transmittal letter (original hard copy), containing the 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 original signed SPIL, one signed copy, and an electronic copy on diskette (Word) should be transmitted to the appropriate RSA Regional Office.

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 electronic mail addresses.

³ When filing electronically, below the bottom signature line in Section 2, insert: "This document incorporates by reference (insert party transmitting the SPIL and the electronic transmission file name, e.g. "AZSPIL99.625" filed 6/25/98 by Administrator, RSA, DES, Phoenix, AZ).

- (2) The SPIL is to be submitted for approval no later than 90 days before the completion date of the previous plan (July 1, 2001). (34 CFR 364.11)
- (3) A transmittal letter (original hard copy) must be sent to the appropriate RSA Regional Office, signed by the DSU'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 under Executive Order 12372, if applicable; and
 - (iv) A request for approval of the SPIL.
- (4) If comments from the State review process under Executive Order 12372 become available subsequent to the submission of the official SPIL, the comments should be transmitted to the RSA Regional Office.

(d) Disposition of the State Plan (34 CFR 364.12)

After the SPIL is approved by the Regional Commissioner, the RSA Regional Office will transmit an electronic copy of the SPIL and the signed signature page to the RSA Central Office. It will also transmit a hard copy of the SPIL to the DSU and SILC, together with an approval letter, and retain the original. The approved SPIL will be posted on RSA's world wide web site for public viewing.

(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 if the change materially affects the information or assurances in the SPIL. 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. However, the State will continue to operate under the existing SPIL during the period covered by the SPIL until the substantive amendments are approved.

(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 and SILC; 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 preparing of the SPIL preprint; ensuring RSA Regional Office consistency in the review and approval of SPILs; issuing policies; and for the rejecting 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 Preprint⁴

Section 3.3: Public Hearings (34 CFR 364.20(g))

- (1) At least one public hearing must be held regarding the original SPIL. Public hearings must also be held regarding any substantive revisions. The SPIL must assure that the DSU and SILC conduct public hearings to provide all segments of the public, including interested groups, organizations, and

⁴ 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 have no attachment number related to that section included in the SPIL preprint.

individuals, an opportunity to comment on the State plan prior to its submission to the Secretary and on any revisions to the approved State plan. The DSU and SILC may meet the public participation requirement by holding the public hearings before a preliminary draft State plan is prepared or by providing a preliminary draft State plan for comment at the public hearings.

- (2) The DSU and SILC must establish and maintain a written description of procedures for conducting public hearings in accordance with the following requirements:
- (i) The DSU and SILC shall provide appropriate and sufficient notice of the public hearings. Appropriate and sufficient notice means notice provided at least 30 days prior to the public meeting through various media available to the general public, such as newspapers and public service announcements, and through specific contacts with appropriate constituency groups and organizations identified by the DSU and SILC.
 - (ii) The DSU and SILC shall make reasonable accommodation to individuals with disabilities who rely on alternative modes of communication in the conduct of the public hearings, including providing sign language interpreters and audio-loops.
 - (iii) The DSU and SILC shall provide the notices of the public hearings, any written material provided prior to or at the public hearings, and the approved State plan in accessible formats for individuals who rely on alternative modes of communication.

Section 17 of the Act requires that a State identify State-imposed requirements that relate to the administration or operation of any program funded under the Act. RSA expects the State to identify such requirements included in the SPIL, e.g., a decision to impose a financial needs test, an order of selection, State licensing and certification requirements that have been included pursuant to the provisions of Executive Order 12372 pertaining to the State process for review and comment. If specific manuals or policies are to be used in the administration of the part B, Ch.1 or State IL program, the manual or policy should be referenced.

Section 4.1: Composition of the SILC

(1) Requirement. The SILC must include--

- (A) At least one director of a center for independent living chosen by the directors of centers for independent living within the State;

- (B) As ex officio, nonvoting members, a representative from the DSU and representatives from other State agencies that provide services to individuals with disabilities; and
 - (C) In a State in which one or more projects are carried out under section 121, at least 1 representative of the directors of the projects.
- (2) Permissive. The SILC may include--
- (A) Other representatives from centers;
 - (B) Parents and legal guardians of individuals with disabilities;
 - (C) Advocates of and for individuals with disabilities;
 - (D) Representatives from private businesses;
 - (E) Representatives from organizations that provide services for individuals with disabilities;
 - (F) Representatives from Independent Living Older Blind program; and
 - (G) Other appropriate individuals, i.e., individuals from minority backgrounds especially those with significant disabilities.

Section 4.2: Placement of the SILC (34 CFR 364.21(a)(2))

The SILC may not be established as an entity within a State agency, including the designated State agency or DSU. The SILC shall be independent of the DSU and all other State agencies. Although funds may flow through the DSU either directly to the SILC or another entity operating under grant or contract supporting the SILC, nothing in the grant or contract can serve to limit the independence of the SILC.

Attachment I: Goals, Missions, and Objectives

The purpose of this plan is to promote a philosophy of independent living. A philosophy of 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.

The purpose of this Attachment is to provide a description 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. This attachment should also include goals and objectives of the Chapter 2 program, consistent with paragraphs (b) (2) and (3) below goals and objectives of any other disability-specific IL program(s) in the State should also be included.

Although the Secretary understands that the DSU and/or SILC may not exercise any control over other State or private agencies that do not receive any State funding not administered by the DSU or SILC or any funding under the Rehabilitation Act of 1973, as amended. The Secretary encourages the State to describe any activities carried out by other agencies that affect the delivery of IL services within the State. In this way, the IL activities of the State agency may be seen in context with other IL programs and services provided by other State and private agencies.

- (1) The plan shall include that the State will provide independent living services to individuals with significant disabilities, and will provide the services to such an individual in accordance with an independent living plan 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.
- (2) This attachment 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.

Objectives must include efforts to maximize cooperation, coordination, and communication among the DSU(s), CILS and other service providers and with other State agencies represented on the SILC, other councils and public and private entities, including Indian Tribal Councils. It must address the needs of specific disability populations and issues; and to coordinate Federal and State funding for CILs and IL services.

Specifically, Attachment 1 shall:

- (I) Specify the mission, goals, and objectives to be achieved under the plan. When appropriate, Attachment 1 will also include activities necessary to accomplish each objective;
- (II) Establish timelines for the achievement of the objectives;
- (III) Establish a financial plan to support each objective, when appropriate;

- (IV) Establish evaluation measures to determine when each objective has been achieved, and
- (V) Explain how such objectives are consistent with and further the purpose of Chapter 1 of Title VII of the Act.

Mandatory Area 1: Scope of and Arrangement for IL Services

The IL Services checked in the preprint are intended to be comprehensive in scope. It is not necessary for all checked services to be provided by all service providers, except that CILs must provide the core services and the DSU must provide IL core services either directly or through grant or contract. 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, sections 704 (f), (g), (i), (j), and (k) of the Act require that the SPIL contain a description of what IL services are to be provide 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 objectives covering services provided by the Title VII, Chapter 1, part B program, the Title VII, Chapter 1, part C program, and IL services supported by other sources (State, local, and private) or with separate pages describing objectives by service provider or disability population receiving services. This attachment is to be descriptive rather than directive regarding Chapter 2 activities. (704 (e) and (f) of the Act and 34 CFR 364.43)

The SILC and DSU(s) of the State will provide leadership and guidance for the provision of IL services in the State through the SPIL. The objectives for IL services in the State will include:

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

Objectives must describe the extent and scope of IL services to be provided in the State, including services funded under Part B and Part C of Chapter 1, of Title VII of the Act. The extent and scope of independent living services must include:

- 1) 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.

B. Consideration of CIL work plans (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 undersection 725 (c) (4) of the Act.

C. Timelines for Achievement of Objectives

The State will establish timelines for the achievement of the objectives required by SPIL (Sec 704(d)(1) of the Act; 34CFR 364.42(d)

D. Evaluation of individual objectives

Mandatory Area 2: Cooperation, Coordination, and Working Relationships Among Various Entities

Attachment 1 of the plan shall set forth the steps that will be taken to maximize the cooperation, coordination, and working relationships among --

- (1) the independent living rehabilitation service program, the Statewide Independent Living Council, and centers for independent living; and,
- (2) the designated State unit, other State agencies represented on such Council, other councils that address the needs of specific disability populations and issues, and other public and private entities determined to be appropriate by the Council.

One or more objectives must include efforts to maximize cooperation, coordination, and communication among the DSU(s), CILs and other service providers and with other State agencies represented on the SILC, other councils and public and private entities, including Indian Tribal Councils. It must address the needs of specific disability populations and issues; and to coordinate Federal and State funding for centers for independent living and independent living services.

Mandatory Area 3: Outreach to Unserved or Underserved Populations and Minority Groups

Attachment 1 must describe steps to be taken regarding outreach to populations that are unserved or underseved by Chapter 1, including minority groups and urban and rural populations. One or more objectives must specifically demonstrate how outreach will be accomplished under the SPIL, including the activities of CILs and other service providers.

All references to Outreach will be listed on the Reference page.

Examples of activities and questions 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, para-professionals, 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; and
 - (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;
- (9) Cooperative IL programs conducted in conjunction with Indian Tribal Councils designed to provide IL services on Native American reservations; and,

- (10) 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.

Objective I - Network of Centers

The attachment must describe a design for the establishment of a statewide network of CILs that complies with the standards and assurances set forth in section 725 of the Act. The attachment is designed to be visionary of the network of CILs actually required to provide IL core services in all areas of the State. The attachment should identify existing CILs, a priority order for expansion of the network of new CILs to serve populations that are currently unserved or underserved, and requirements/barriers to the completion of the State's network of CILs.

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.

- (1) Expanding and Improving Services. Demonstrating ways to expand and improve IL services;
- (2) CIL Support. Supporting the operation of CILs using funds under part B, Chapter 1;
- (3) 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;
- (4) Conducting Studies, etc. Conducting studies, gathering information, developing model policies and procedures, and presenting recommendations to policy makers to enhance IL services ; and,
- (5) Training. Training consumers, service providers and other persons on the IL philosophy.

Attachment 2: Plan for the Provision of Resources to the SILC (SILC Budget)
(34 CFR 364.21(i) and (j))

Attachment 2 must include a description of the SILC's Budget for the three years covered by the SPIL, including the sources of funds, staff, supplies, and other resources made available under Parts B and C of Chapter 1, Part C of Title I of the Act, and from State and 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. No conditions or requirements may be included in the SILC's resource plan that may compromise the independence of the SILC. The SILC is responsible for the proper expenditure of funds and use of resources that it receives under the resource plan. The SILC shall, consistent with State law, supervise and evaluate its staff and other personnel as may be necessary to carry out its functions. While assisting the SILC in carrying out its duties, staff and other personnel made available to the SILC by the DSU may not be assigned duties by the designated State agency or DSU, or any other agency or office of the State, that would create a conflict of interest.

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 and SILC. (This attachment was a source of problems for many States in developing and implementing prior SPILs). Since this attachment serves as the SILC's budget, detail and clarity are encouraged.

Many States have requested advice on how to ensure the independence of the SILC, while providing the necessary resources. RSA makes no recommendation of one successful approach above another. Several approaches are quite common:

1. The DSU makes a competitive grant to a private nonprofit organization, based on criteria and selection jointly made by the DSU and SILC. The grantee houses the SILC; hires SILC staff, who are supervised and evaluated by the SILC for administrative duties; and provides fiscal administration of the resource plan.
2. The DSU makes a grant to the SILC operating as a nonprofit organization.
3. The SILC is in the State Governor's Office.

In all situations, clarity and detail in SPIL language typically reduce confusion.

Attachment 3: Evaluation Plan (34 CFR 364.21(g) and 364.38)

Attachment 3 must describe the State's evaluation plan, including methods for the periodic evaluation of the effectiveness of the SPIL in meeting the objectives established in SPIL Attachment 1. The methods must also specifically provide for the evaluation of the satisfaction by individuals with significant disabilities who have participated in Chapter 1 programs. The results of this evaluation must be sent to the appropriate RSA Regional Office as part of the annual performance report (704 Report, Part I) submitted by the SILC and DSU.

The evaluation plan must specifically address:

- (1) The activities to be undertaken by the SILC under section 705(c) (2) and 34 CFR 364.21(g) (2) in its duty to monitor, review, and evaluate the implementation of the SPIL; and in doing so considerations should include what entities (DSU(s)/ CILs/ other service providers) are to be monitored, reviewed, and/or evaluated; how those activities are to be accomplished (e.g., analysis of review of 704 Reports, Parts I and II; joining RSA with Federal on-site reviews or the DSU with State on-site reviews; and/or other); and when the activities under this attachment are planned to occur.
- (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. Consistent with §723(g) (1) of the Act and 34 CFR 366.38, States must periodically review each center receiving funds under section 723 of the Act to determine whether the center is in compliance with the standards and assurances in section 725 (b) and (c) of the Act and Subparts F and G of this part. The periodic reviews of centers must include annual on-site compliance reviews of at least 15 percent of the centers assisted under section 723 of the Act in that State in each year. Each team that conducts an on-site compliance review of a center shall include at least one person who is not an employee of the designated State agency, who has experience in the operation of centers, and who is jointly selected by the Director and the chairperson of the SILC, or other individual designated by the SILC to act on behalf of and at the direction of the SILC. A copy of each review under this section shall be provided to RSA and the SILC.

The evaluation plan must include evaluation activities of the DSU in relation to its oversight activities of IL subgrantees and contractors other than those described in paragraph (b) above, if any, in evaluating their effectiveness in meeting the objectives established in Attachment 1. 34 CFR 364.21 (g) and 364.38

Planning Consideration - In planning and writing the SPIL the State's SILC and DSU(s) must:

- (1) Assure that community input is adequately reflected in the SPIL. The State must consider CIL work plans, 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 Chapter 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(l)(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.

Attachment 4: Policies, Practices and Procedures for Award of Grants Under Section 723 (34 CFR 364.39)

This Attachment Applies Only to States That Earmark More State Funds for the General Operation of CILs than the Federal Government Does under the Part C Program, and the State Elects to Administer the Part C Program.

Section 723 States must describe:

(a) Funding priorities

Unless the Director of the DSU and the chairperson of the SILC, or other individual designated by the SILC to act on behalf of and at the direction of the SILC, jointly agree to another order of priorities, the SPIL shall provide that the State will use the following order of priorities in allocating funds among CIL —

- (1) support existing CILs that comply with the standards and assurances in section 725 of the Act at the same level of funding for the previous year first;

- (2) provide for a cost-of-living increase for such existing CILs second; and,
- (3) fund new CILs that comply with the standards and assurances in section 725 of the Act third.

If the decision is made to have priorities other than those in section 723(e) of the Act, paragraph (a)(1) of SPIL, Attachment 4, must describe the changed priorities.

(b) Continuation Funding for Existing CILs (34 CFR 366.39)

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 Chapter 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 and definition 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 on-site compliance reviews to determine CIL compliance with section 725 of the Act. The periodic on-site reviews must include annual on-site reviews of at least 15% of the CILs supported under part C, Chapter 1. (§§704(h), 723(g) and (h) of the Act; 34 CFR 366.38)

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State Plan for Independent Living FY 2002 – 2004

By Kimball Gray

The SPIL Preprint was redesigned to provide a more user friendly document and tool. A document, in that it could be easily read and understood without your having attended multiple training events in SPIL development. A tool, in a sense that it would be a work plan that would layout the objectives for the next three years of a plan designed to meet the mission of the IL Program...

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

...however long that may take.

I will take you through one format I will be utilizing to create our SPIL. I will identify areas where mandatory items could possibly be placed. I will also try to use examples, where helpful, to better describe certain statements.

The format I will be utilizing is NOT the only format.

ATTACHMENT 1: Goals, Missions, and Objectives Requirements

Mandatory Areas:

1. Scope and Arrangement for IL Services

Sometimes known as the “checkoff’s,” these are 21 IL services listed in Section 11 of the Preprint. These are the IL services to be provided under the SPIL to meet the objectives in Section 9.

2. Cooperation, Coordination, and Working Relationships Among Various Entities

At least one objective must speak to a partnering effort to achieve a SPIL objective.

3. Outreach to unserved or Underserved Populations and Minority Groups

There are two ways of meeting this requirement; 1) create one singular objective specific to outreach activities or, 2) create objectives that have outreach activities as an integral part of their core focus. Whatever way you demonstrate outreach efforts they must be identified in the Reference page.

Objectives

1. Specific concise statements of goals, missions and objective;
2. Timelines for the achievement of the objectives;
3. Financial plan to support each objective, when necessary;
4. Evaluation measures for each objective and;
5. Explanation of how such objectives are consistent with and further the purpose of Chapter 1 of Title VII of the Act.

Purpose

Promote a philosophy of independent living (IL), including a philosophy of consumer control, peer support, self-help, self-determination, equal access, and individual, and systems advocacy to maximize the leadership, empowerment, independence, and productivity of individuals with significant disabilities; and to promote and maximize the integration and full inclusion of individuals with significant disabilities into the mainstream of American society by providing financial assistance to States.

“State of the State”

Mandatory items could show up in either Part 1 or 2 and/or in the Objectives.

Part 1

A snapshot of the present State regarding issues that affect the independence of individuals with disabilities. This would be a narrative section that would state, in a

purely descriptive presentation form, what exists today, **ONLY**. There is no good or bad—just a statement of what exists.

Part 2

Again a narrative which would then take the issues from part one and expand them, identifying barriers. These are barriers that would have been made known through the consumer input methodologies utilized by the SILC and other sources. This Part is expected to identify the solution to the problem, whether or not it can be fixed in the next 3, 5, or 10 years. With this Part you will be describing the future where there are no barriers to independence. This SPIL and the objectives below will be the next step toward that future.

EXAMPLE:

Part 1

The Baltimore area has a paratransit system that runs into the surrounding 3 counties.

Part 2

The Baltimore paratransit system does not initiate pickups after 7:00 PM. This is a barrier to employment and leisure opportunities in this community.

Objective 1 – Network of Centers

Your first objective will describe the design for network of CIL's.

Objectives Format:

What? - Statement of objective to achieve.

Who? - SILC, CIL, DSU, etc...

How? - Part 1 – IL Services
Part 2 - Financial

When? - Timelines & Measures

EXAMPLE:

What: Create a statewide Transit Riders Coalition Caucus to develop a consumer based plan for a seamless statewide transit system. This will be accomplished by coordinating with existing transit advocacy groups and establishing an annual symposium to bring them together to create policy solutions.

Who: SILC staff, CIL staff, DSU staff and the Transit Riders League of the Greater Baltimore Area.

How: IL Services; # 11, # 19, # 20

Financial: Section 9 Use of Part B Funds, F – Conduct studies and analyses, gather information, develop model policies and procedures, and present information, approaches, strategies, findings, conclusions, and recommendations to Federal, State, and local policy makers to enhance IL services.

Amount Part B Funds: \$5,000

When: Consumers will be contacted statewide through the CILs and other interested organizations about the creation of a Transit Coalition.

A Transit Caucus will be held within the first 10 months of the first plan year and every subsequent year. Expect 100 participants in the first year, 150 second year and 200 the third year.

ATTACHMENT 2: Plan for the Provision of Resources to the SILC

The budget for the SILC.

ATTACHMENT 3: EVALUATION PLAN

An evaluation of the effectiveness of the SPIL.

ATTACHMENT 4: Policies, Practices and Procedures for Award of Grants Under Section 723

Reference Page

To have references to planned Outreach efforts in Attachment 1, such as page and/or objective number.

STATE PLAN

FOR

INDEPENDENT LIVING

FISCAL YEARS 2002 - 2004

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

Approved at NYSILC Full Council Meeting on 02/09/01

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ATTACHMENTS

The following is a list of the attachments in the SPIL. The attachments listed are numbered to coincide with their section. It is recommended that these attachments not exceed a combined total of 40 pages in length.

<u>Attachment 1</u>	<u>Goals, Mission, and Objectives</u>
<u>Attachment 2</u>	<u>Plan for the Provision of Resources to the SILC Budget</u>
<u>Attachment 3</u>	<u>Evaluation Plan</u>

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 (IL), including a philosophy of consumer control, peer support, self-help, self-determination, equal access, and individual, and system advocacy, to maximize the leadership, empowerment, independence, and productivity of individuals with significant disabilities, and to promote and maximize the integration and full inclusion of individuals with significant disabilities into the mainstream of American society by providing financial assistance to States;
- (b) Provide financial assistance for providing, expanding, or improving the provision of 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) Advocate for improving working relationships among the various entities providing services to and for people with significant disabilities.

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

- (a) The DSU and SILC understand that no Federal funds or other benefits can be made available under Chapter 1 unless the State conforms with all applicable statutory and regulatory requirements.
- (1) This SPIL reflects the State's commitment to carry out an IL plan under Chapter 1 of Title VII of the Rehabilitation Act of 1973, as amended (Chapter 1)⁵, and also the State's planning and implementation activities related to the plan.

⁵ Public Law 93-112, as amended by Public Laws 93-516, 93-651, 95-602, 98-221, 99-506, 100-259, 100-630, 101-336, 102-569, 103-73, and 103-218.

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

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

New York State Independent Living Council, Inc. (NYSILC)

jointly with the DSU is authorized to develop and sign the SPIL. The DSU and SILC agree 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

Chief Operating Officer of the New York State Education Department, for VESID, and the Commissioner of the New York State Office of Children and Family services, for CBVH,

have 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 administration of the Chapter 1 programs, as appropriate,⁶ and is available for public inspection.

- (g) The effective date of this SPIL is October 1, 2001.

⁶ 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)

SIGNATURE OF SILC CHAIRPERSON

DATE

Joseph Bravo
NAME OF SILC CHAIRPERSON

(518) 427-1060
PHONE NO.

SIGNATURE OF DESIGNATED STATE UNIT DIRECTOR

DATE

Lawrence C. Gloeckler, Deputy Commissioner, NYSED/VESID
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(518) 474-2714
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SIGNATURE OF DSU CHIEF OPERATING OFFICER

DATE

Richard H. Cate, Chief Operating Officer, NYSED
NAME AND TITLE OF DSA CHIEF OPERATING OFFICER

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PHONE NO.

SIGNATURE OF DSU CHIEF OPERATING OFFICER

DATE

Thomas A. Robertson, Associate Commissioner, OCFS/CBVH
NAME AND TITLE OF DESIGNATED STATE UNIT DIRECTOR

(518) 473-1801
PHONE NO.

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 2002 - 2004. 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, (i.e., July 1, 2001).
- (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 (Sections 17, 704(m)(6) of the Act; 34 CFR 364.20(g), (h))

(a) The State conducts public hearings 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. The DSU and SILC may meet the public participation requirement by holding the public hearings before a preliminary draft State plan is prepared or by providing a preliminary draft State plan for comment at the public hearings.

(1) The State establishes and maintains a written description of procedures for conducting public hearings in accordance with the following requirements:

- i. The DSU and SILC shall provide appropriate and sufficient notice of the public hearings. Appropriate and sufficient notice means notice provided at least 30 days prior to the public meeting through various media available to the general public, such as newspapers and public service announcements, and through specific contacts with appropriate constituency groups and organizations identified by the DSU and SILC.
- ii. The DSU and SILC shall make reasonable accommodation to individuals with disabilities who rely on alternative modes of communication in the conduct of the public hearings, including providing sign language interpreters and audio-loops.
- iii. The DSU and SILC shall provide the notices of the public hearings, any written material provided prior to or at the public hearings, and the approved State plan in accessible formats (e.g., Braille, large print, on disk) for individuals who rely on alternative modes of communication.
- iv. At the public hearings to develop the State plan, the DSU and SILC will identify those provisions in the State plan that are State-imposed requirements. For purposes of this section, a State-imposed requirement includes any State law, regulation, rule, or policy relating to the DSU's administration or operation of IL programs under Title VII of the Act, including any rule or policy implementing any Federal law, regulation, or guideline,

that is beyond what would be required to comply with the regulations in 34 CFR Parts 364, 365, 366, and 367.

NYSILC utilized the following models to obtain input on the SPIL for 2002, 2003 and 2004: Four statewide public hearings were conducted at sites geographically dispersed throughout the state. The hearings occurred in late October through early November 2000. NYSILC provided at least a 30-day notice of the hearings by distributing news releases to statewide media markets. Sites included Plattsburgh (10/23/00), Brooklyn (10/16/00), Binghamton (10/30/00), and Batavia (11/09/00). These sites were selected because they are non-federal locations. NYSILC and DSU members conducted the hearings.

The federally funded network was encouraged to conduct focus group discussions. The discussions took place in October 2000. Center staff conducted the focus groups with the assistance of a discussion outline provided by NYSILC. The following centers participated: Albany, Buffalo (Buffalo and Native American Independent Living Services), Corning, Utica (Utica and Herkimer County) and Watertown.

Written comment was accepted from the public through November 15, 2000. The news release developed and distributed to media markets for the statewide public hearings notified individuals of the option to submit written comment. Comments were sent via U.S. mail, fax, or e-mail. In addition, NYSILC provided the opportunity for individuals to comment through their website. Visitors were encouraged to comment by following the menu options provided on the home page for "SPIL Comments."

NYSILC also reviewed and considered input received from a variety of sources during the past three years. Sources included, but were not limited to, public comment made at NYSILC council meetings, 1998 Regional Forums, 1999 NYSILC/RRCEP focus group discussions, and Annual 704 Reports.

NYSILC's State Plan Committee members reviewed the public input obtained through the process described above. It was used to help formulate the SPIL. Record of the public input is available at the NYSILC office for review.

- (2) 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 Chapter 1. Following are descriptions of the State imposed requirements included in the SPIL, if any:

New York State General Education Law, Section 1121 and 1122 of Article 23A, regarding the establishment and monitoring of Service Centers for Independent Living under which VESID operates, does not impose a financial needs test, an order of selection, or State licensing and certification requirements. CBVH specifies a scope of services as identified in Attachment 1.

3.4 Opportunity for Review and Comment Under State Review Process (34 CFR 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.

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 SILC.	29
(2) State the number of SILC members with disabilities, as defined in 34 CFR 364.4 (b), and not employed by a State agency or a CIL.	17
(3) Is a representative of the DSU an ex-officio, member of the SILC?	Yes
(4) State the number of voting members on the SILC.	24
(5) State the number of different disability groups (physical, mental, cognitive, sensory, or multiple) represented by members of the SILC (up to five).	5
(6) Is a CIL director chosen by CIL directors within the State appointed to the SILC?	Yes
(7) Does the SILC include representatives from other State agencies that provide services to individuals with disabilities?	Yes
(8) Does the council have a voting membership that is knowledgeable about CILs and IL services?	Yes
(9) Do Council members provide statewide representation?	Yes

(10) Is the Council Chairperson elected from among the voting members of the Council by the voting members of the Council or the Governor, pursuant to section 705(b)(5) of the Act?	Yes
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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:

NYSILC is a non-profit corporation that operates separately from any New York State agency. The FY 2000-2001 contract with NYSED/VESID has been approved so that NYSILC can conduct its activities and State business per the State Plan for Independent Living (SPIL).

4.3 Plan for Provision of Resources to the SILC (SILC Budget) Sec. 705(e) of the Act; 34 CFR 364.21(i))

- (a) In conjunction with the DSU, the SILC will prepare a Resource Plan Attachment 2 (SILC Budget) for the provision of resources, cash or in-kind, including staff and personnel, rent, supplies, telephone expenses, travel, and other expenses (e.g., child care, personal assistance services, and compensation to a member of the SILC, if the member is not employed or must forfeit wages from other employment, for each day the member is engaged in performing SILC duties) 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 SILC Budget.
- (c) No conditions or requirements are included in the SILC Budget 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 SILC Budget will not be assigned duties by the DSU or other agency or office of the State that would create a conflict of interest.

Attachment 2 - Describes the SILC Budget.

Attachment 2 must include a description of the SILC's Budget for the three years covered by the SPIL, including the sources of funds, staff, supplies, and other resources made available under parts B and C of Chapter 1, Part C of Title I of the Act, and from State and 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. No conditions or requirements may be included in the SILC's resource plan that may compromise the independence of the SILC. The SILC is responsible for the proper expenditure of funds and use of resources that it receives under the resource plan. The SILC shall, consistent with State law, supervise and evaluate its staff and other personnel as may be necessary to carry out its functions. While assisting the SILC in carrying out its duties, staff and other personnel made available to the SILC by the DSU may not be assigned duties by the designated State agency or DSU, or any other agency or office of the State, that would create a conflict of interest.

Attachment 2 describes the SILC budget for the three years covered by the SPIL.

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, and disburse funds, and provide administrative support services is (are):

New York State Education Department/Office of Vocational and Educational Services for Individuals with Disabilities (VESID); New York State Office of Children and Family Services/Commission for the Blind and Visually Handicapped.

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 Chapter 1 in accordance with the SPIL;
- (b) Provides administrative support services for the part B State IL services (SILS) program and the part C, Chapter. 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 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 Chapter 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, gender, 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 Chapter 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 Chapter 1.

7.2 Source of State Funds (Sections 712(b)(2) and 7(7)(C) of the Act; 34 CFR 365.12, .13 and .14, 367.11, .42)

- (a) The one to nine non-Federal share of the cost of any project that receives assistance through an allotment under part B, Chapter 1 will be provided in cash or in kind, fairly evaluated, including plant, equipment, or services, consistent with 34 CFR 365.13, .14, and .15.
- (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.
- (c) The State may not condition the award of a grant, subgrant, or contract under part B, Chapter 1 or a grant, subgrant, or assistance contract under part C, Chapter 1 on the requirement that the applicant for the grant or subgrant make a cash or in-kind contribution of any particular amount or value to the State. Furthermore, an individual, entity, or organization that is a grantee or subgrantee of the State, or has a contract with the State, may not condition the award of a subgrant or subcontract under part B, Chapter 1 or part C, Chapter 1 on the requirement that the applicant for the subgrant or subcontract make a cash or in-kind contribution of any particular amount or value to the State or to the grantee or contractor of the State.

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

All recipients of financial assistance under Chapter 1 will:

- (a) Maintain records that fully disclose—
 - (1) The amount and disposition by each 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
 - (4) Compliance with the requirements of Chapter 1 and 34 CFR Parts 364, 365, 366, and 367.
- (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 Chapter 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, to all records maintained pursuant to section 7.3 of the SPIL immediately above and any other books, documents, papers, and records of the recipients that are pertinent to the financial assistance received under Chapter 1.

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

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

Section 8: State Administration of Part C Program
NOTE - THIS SECTION APPLIES ONLY TO §723 STATES.

Section 8 does not apply to New York State because it is a 722 State. RSA administers the Title VII, Part C program. Attachment 4 describes the policies, practices, and procedures, which comply with section 723 of the Act, that the State utilizes for awarding continuation and new grants. Again, it does not apply to New York State.

Section 9: Information on Use of Part B, Chapter 1 Funds**9.1 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 any one or more of the following purposes (all optional):	Direct DSU	Grant/contract	3 Year Amt.
(a) Fund the resource plan for SILC (SPIL Section 4).	No	Yes	\$962,291
(b) Provide IL services to individuals with significant disabilities (CBVH). Direct Services to Consumers. Contracts with CILs for IL Services.	Yes	Yes	\$348,000
(c) Demonstrate ways to expand and improve IL services. Statewide Systems Advocacy Project. Bi-Annual Statewide Disability Caucus. Curriculum Development/Volunteer Training. CIL Best Practice Conference Opportunities.	Yes	Yes	\$2,042,087
(d) Support the general operation of CILs.	No	No	N/A
(e) Support activities to increase capacity of public or nonprofit agencies and organizations and other entities to develop comprehensive approaches or systems for providing IL services.	No	No	N/A
(f) Conduct studies and analyses, gather information, develop model policies and procedures, and present information, approaches, strategies, findings, conclusions, and recommendations to Federal, State, and local policy makers to enhance IL services.	Yes	Yes	\$21,218
(g) Train individuals with significant disabilities, individuals providing services to individuals with significant disabilities, and other persons regarding IL philosophy.	Yes	Yes	\$0
(h) Provide outreach to unserved or underserved populations, including minority groups and urban and rural populations.	No	No	N/A

Attachment 1 describes the uses, objectives, and amounts of part B, Chapter 1 funds supporting each purpose.

Section 10: Outreach (Sections 704(l) 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 Chapter 1.

Attachment 1 describes the steps that will be taken regarding outreach to populations, including minority groups and urban and rural populations, that are unserved or underserved by the programs funded under Chapter 1. Attachment 1 also describes populations designated for special outreach efforts and the geographic areas in which they reside.

Section 11: Extent and Scope of IL Services (Sections 7(30), 704(e) and 713(1) of the Act; 34 CFR 364.43)

- (a) Attachment 1 describes all IL services to be provided under the SPIL to meet the objectives in Section 10.
- (b) The State provides the following IL core services to individuals and groups of individuals with significant disabilities:
 - (1) Information and referral;
 - (2) IL 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, Chapter 1, State funds, or other funds.
- (d) In addition, the State provides the following IL services to individuals and groups of individuals with significant disabilities⁷:
 - (1) ___ Counseling services, including psychological, psychotherapeutic, and related services;

⁷

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.

- (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 (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 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;
- (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 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 1 describes the extent and scope of the IL services identified above, and how they meet the State's objectives for IL. The attachment also describes any arrangements of grants or contracts made by the State for providing such services.

Section 12: Eligibility, Records, IL Plans, and Notice of Client Assistance Program

12.1 Eligibility for Receipt of Services (Sections 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 IL services will improve the ability to function, continue functioning, or move towards functioning independently in the family or community or to continue in employment.

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

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 IL plan (ILP) or a waiver as described in SPIL Section 13.3.

12.3 IL Plans (Sec. 704(e) and 725(c)(14) of the Act; 34 CFR 364.52)

The State provides IL services under Chapter 1 to individuals with significant disabilities in accordance with an 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.

12.4 Notice about the Client Assistance Program (Sections 20 and 704(m)(1) of the Act; 34 CFR 364.30)

All recipients of financial assistance under Chapter 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.

Section 13: Statewide Network of Centers for Independent Living (CILs)

13.1 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.

13.2 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 1 describes the design for the establishment of a statewide network of CILs and the order of priorities for the establishment of new CILs. This attachment includes plans for expansion of the network to serve populations that are currently unserved or underserved.

Section 14: Communication, Cooperation, and Coordination (Sections 704(l-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 Chapter 1 will complement and be coordinated with other services to avoid unnecessary duplication with other Federal, State, and local programs, including the IL program for older individuals who are blind funded under Chapter 2 of Title VII.
- (c) The State coordinates Federal and State funding for CILs and SILS.

Attachment 1 provides an objective to address maximizing communication, cooperation, coordination, and working relationships.

Section 15: Evaluation Plan (Sec. 704(n) of the Act; 34 CFR 364.38)

- (a) The State establishes a method for the periodic evaluation of the effectiveness of the SPIL:
 - (1) In meeting the State's objectives and timelines for meeting those objectives;
 - (2) In the satisfaction of individuals with disabilities; and
 - (3) In meeting the objectives established in Section 9 of the SPIL.
- (b) The State agrees to annually submit the results of DSU and SILC evaluation activities, including the most recent evaluation of Title VII consumer satisfaction, with the annual performance report to RSA.

Attachment 3 establishes a method for the periodic evaluation of the effectiveness of the SPIL.

REQUIRED ATTACHMENTS

<u>Attachment 1</u>	<u>Goals, Mission, and Objective</u>
<u>Attachment 2</u>	<u>Plan for the Provision of Resources to the SILC Budget</u>
<u>Attachment 3</u>	<u>Evaluation Plan</u>

ATTACHMENT 1: MISSION, GOALS, AND OBJECTIVES

The mission of the New York State Independent Living Council, Inc. (NYSILC) is to support the Centers for Independent Living (CILs) and increase resources for the independence of people with disabilities in New York State. NYSILC's vision is to achieve a world where people with disabilities experience equal rights and opportunities in all aspects of society. The new mission and vision statements were developed during a visioning session in March of 1999. NYSILC also prioritized the follow goal areas related to the new mission and vision statements:

- (1) To increase funding and resources for the CIL network;
- (2) To increase public awareness about CILs, Independent Living philosophy and people with disabilities;
- (3) To provide technical assistance and training to the CIL network; and
- (4) To develop and pursue a public policy agenda that results in systemic change.

The mission of the New York State Education Department's Office of Vocational and Educational Services for Individuals with Disabilities (VESID) is to promote educational equity and excellence for students with disabilities while ensuring that they receive the rights and protections to which they are entitled; assure appropriate continuity between the children and adult services systems; and provide the highest quality vocational rehabilitation and independent living services to all eligible persons as quickly as those services are required to enable them to work and to live independent, self-directed lives. VESID is the Designated State Unit (DSU) for vocational rehabilitation in New York State.

The mission of the Office of Children and Family Service's Commission for the Blind and Visually Handicapped (CBVH) is to enhance employability, to maximize independence, and to assist in the development of the capacities and strengths of people who are legally blind. CBVH is the DSU responsible for the administration of vocational rehabilitation and other related services to legally blind residents of New York State.

NYSILC, VESID, and CBVH are authorized by the Rehabilitation Act as amended to jointly develop the State Plan for Independent Living (SPIL). NYSILC is responsible to implement, monitor and evaluate the SPIL. Further, NYSILC is authorized to coordinate activities with the CILs, VESID and CBVH State Rehabilitation Councils and other State agencies and councils that address the needs of people with disabilities. NYSILC supports RSA's role to monitor and evaluate the IL programs in New York State to assure that people with significant disabilities have equal access to services and programs under Title VII of the Rehabilitation Act as amended.

MANDATORY AREA 1: EXTENT AND SCOPE OF IL SERVICES (Section 11)

This narrative describes the extent and scope of independent living services in New York State.

Attachment I

VESID Services

CILs must demonstrate that persons with disabilities are fully involved in policy and program development activities affecting the provision of independent living services.

A. Eligibility

An evaluation is jointly conducted between the consumer and CIL staff to determine both eligibility for independent living services and the specific services that are needed. The evaluation must consider all appropriate needs necessary for the individual with a disability to become more independent.

B. Services Available Under an Independent Living Plan (ILP)

In addition to the independent living core services of information and referral, Independent living skills training, peer counseling, and individual and systems advocacy, CILs may provide one or more of the independent living services identified in the SPIL, Section 11 (d). Services should be provided to individuals with significant disabilities in response to local consumer needs.

C. Requirements Relating to Specific Services

The following services should be considered as "other services as may be necessary and not inconsistent with the provisions of this Act." The list is not all-inclusive. A description has been provided to clarify the scope and extent of these services, as delivered in New York State.

1. Advocacy/legal services - individual advocacy and legal assistance and/or representation in accessing benefits, services and programs to which a consumer may be entitled. This section may include any aspect of direct individual advocacy provided by a staff member of a center on behalf of a consumer.
2. Architectural barrier services - advice, information or assistance regarding removal of architectural barriers from any publicly or privately-owned residence or other building or constructed facility, whether already built or in the planning stage, including preparation of detailed plans.
3. Assistive devices/equipment - provision of specialized devices and equipment such as TTY's, wheelchairs and lifts, or provision of assistance to obtain these devices and equipment from other sources. This service equates with equipment repair and loan.

4. Children's services - IL services not specified elsewhere in this list, provided to a child under age 6.
5. Communication services - services directed to enable individuals with disabilities to better communicate such as: interpreter services, including tactile interpreter services for deaf-blind individuals; Braille transcription; and reading services.
6. Counseling services - this service equates with personal counseling services.
7. Family services - services not specified elsewhere in this list, provided to the family members of individuals with disabilities when necessary for improving the individual's ability to live and function more independently, or his or her ability to engage or continue in employment. Such services may include integrated nonresidential respite care.
8. Housing or shelter services - information, advice, and assistance related to securing and/or retaining housing or shelter, including existing accessible housing. Includes assistance with reviewing and evaluating newspaper ads, advice on communication with landlords, provision of lists of available accessible housing and housing support application information and assistance. A CIL shall not provide housing or shelter as an IL service on either a temporary or long-term basis.
9. Information and referral services - individual I&R provided to a consumer. (It is not necessary to record I&R in a CSR nor establish a CSR for an individual receiving only I&R services). Most individuals receive I&R services through single face-to-face contacts or one or two telephone calls, with information provided verbally, through printed material and/or through referral to another source for services or further information. Some service providers record I&R as strokes on an answering pad—others as phone minutes; some CILs record only name and disability of such service recipients in order to provide an unduplicated count of individuals served.
10. Independent Living Skills development and Life Skills Services - IL skills development is instruction to develop independent living skills in areas such as personal care, coping skills, use of assistive technology, financial management, social skills, and household management, including education and training necessary for living in the community and participating in community activities.
11. Mobility training - variety of services involved in assisting individuals with cognitive and sensory impairments to get around their homes and communities.

12. Peer Counseling (including cross-disability peer counseling) - counseling, teaching, information giving and sharing, and similar kinds of contact provided by other individuals with disabilities. This may include the provision of education and awareness by one person with a disability to another regarding disability laws, civil rights and other empowering protection available.
13. Personal assistance services - including provision of attendant care to consumers and/or training consumers to supervise their own attendants.
14. Recreational services - provision or identification of opportunities for the involvement of individuals with disabilities in integrated leisure-time activities; participation in community affairs and/or other integrated recreation activities that may be competitive, active or quiet.
15. Transportation services - provision of, or arrangements for provision of transportation.
16. Youth Services - services not specified elsewhere in this list, provided to youth with disabilities (ages 6 - 17 or students in transition ages 15-22). May include services provided as part of a formal school-to-work transition program.
17. Vocational services - training in job-seeking skills such as interviewing and resume-writing, and/or provision of individual supported employment and/or integrated job placement services.
18. Plan for the Achievement of Self Support (PASS) Development - Assistance with the design of an approved (PASS)
19. Business/Industry/Agency Services - services not specified elsewhere in this list provided to businesses, industries and agencies, i.e. assistance to four individuals at ABC business that receive assistance in resolving a dispute over a specific discriminatory practice. The number of individuals at the business is counted here and the business served is counted in the total number of business/agencies section.
20. Benefits Advisement - assistance provided during the application process to obtain economic benefits. This service does not include the representation of individuals at hearings or appeals, (see (A) for appropriate service category)
21. Voter Registration - assistance provided to register individuals to vote. Count the number of individuals registered.

CILs are required to provide systems advocacy. They are a core service and identified within the purpose of Title VII, Chapter 1 of the Act as amended. A description has been provided to clarify the scope and extent of these services, as delivered in New York State.

1. Systems Advocacy Activities Leading to Community and Systems Change: may encompass but are not limited to: issue oriented education, coalition building, coordinated legal action, public events, rallies and activities, targeted public relations campaign, coordination of group testimony and opinion, and promulgation of legislative action.
2. Outcomes of Systems Change: may encompass but are not limited to: adoption of a new policy or procedure, adoption of legislation, guidelines, regulations, a new service or program in the community, removal of attitudinal, architectural, programmatic or communication barriers to services and programs, change in the distribution of funding or resource allocation, increase in empowerment, authority and control by people with disabilities, increase in group social, economic, political or spiritual autonomy, and elimination of segregated, separate, unequal or stigmatizing policies, programs or services.
 - a. Educational Advocacy: includes efforts to influence positive change to systems that control resources necessary to increase training and learning experiences across the life span for people with disabilities as a group. These systems include but are not limited to: preschool, nursery school and day care programs, elementary, middle, secondary and continuing education programs, college, universities, technical schools and trade programs, and adult education, technology and business training
 - b. Employment Advocacy: includes efforts to influence positive change to systems that control resources necessary to increase competitive and integrated employment opportunities for people with disabilities as a group. These systems include but are not limited to: employment and job placement agencies, labor offices, unions, business councils, private and public human resource offices, and rehabilitation and vocational programs, and economic development programs.
 - c. Health Care Advocacy: includes efforts to influence positive change to systems that control resources necessary to promote health and wellness of people with disabilities as a group. These systems include but are not limited to: medical and paramedical associations, health care institutions such as hospitals, clinics, nursing homes,

doctors offices, health care management organizations and health insurance providers, disability prevention and health promotion programs, employee assistance programs, substance abuse programs domestic violence programs, nutrition, dietary, food pantry, and shelters, therapeutic recreation and rehabilitation medicine programs.

- d. Commerce Advocacy: includes efforts to influence positive change to systems that control the resources necessary to engage in economic and marketplace activities by people with disabilities as a group. These systems include but are not limited to: housing such as real estate dealers, private and public stock housing, adult retirement communities, private development and management corporations, transportation such as trains, airplanes, buses, taxis, car services, automobile rental services, tour bus lines, private and public business entities such as restaurants, banks, libraries, hotels, catering halls, cinemas, retail shops, etc.
- e. Social Advocacy: includes efforts to influence positive change to systems that control the resources necessary to engage in social, recreational and leisure pursuits by people with disabilities as a group. These systems include but are not limited to: parks, camping facilities, fitness trails, sports arenas, health spas, concert halls, amusement parks, sports clubs, social clubs, camps, theater groups, beaches, swimming facilities, etc.
- f. Citizenship Advocacy: includes efforts to influence positive change to systems that control the resources necessary to participate fully in the conduct of civic responsibilities and opportunities for people with disabilities as a group. These systems include but are not limited to: voting and polling sites, public meeting locations, public committees, work groups, boards and task forces, and forums.
- g. Other Community and Systems Change Issues: includes work on other specific laws, issues and activities which have an impact on the community but which may not be covered by one of the preceding categories. These laws include but are not limited to: Rehabilitation Act, Americans with Disabilities Act (ADA), Individuals with Disabilities Education Act (IDEA), Assistive Technology Act (ATA), Workforce Investment Act (WIA), Ticket to Work and Work Incentives Improvement Act (TWWIIA), Voting Accessibility for the Elderly and Handicapped Act, New York State Human Rights Law, New York State Civil Rights Law, New York State Election Law, New York State Education Law, and New York State Building and Fire Codes. The issues include but are not limited to: federal and state funding for

CILs, Medicaid Buy-In, Olmstead implementation (most integrated setting,) Medicaid waiver for people with physical disabilities, constitutionality of the ADA, transition services for students with disabilities, Medicaid Community Attendant Services and Support Act (MiCASSA), Consumer Directed Personal Assistance (CDPA) services, Kendra's Law, Ticket to Work, and supportive employment services.

CBVH Services

This section describes CBVH's plans for providing independent living services to individuals who are blind.

CBVH promotes a philosophy of independent living, including a philosophy of consumer control, peer support, self-help, self-determination, equal access, and individual and systems advocacy, in order to maximize the leadership, empowerment, independence, and productivity of individuals with disabilities and the integration and full inclusion of individuals with disabilities into the mainstream of American society, by:

- (1) Expanding and improving the provision of independent living services;
- (2) Supporting the network of centers for independent living through contract and fee-for-service agreements; and
- (3) Improving working relationships among State independent living rehabilitation service programs, centers for independent living, the New York State Independent Living Council, the vocational rehabilitation program, supported employment programs, client assistance programs, and other programs funded under the Rehabilitation Act, and through other Federal and non-Federal sources.

CBVH consumers access CIL's to obtain the independent living core services of information and referral, independent living skills training, peer counseling, and individual and systems advocacy. CBVH, through community rehabilitation programs and other service providers, provides orientation and mobility; rehabilitation teaching; low vision examinations and devices; adaptive equipment in conjunction with orientation and mobility and rehabilitation teaching; transportation to participate in another independent living service; interpreter services to enable an individual to access independent living services; and assessments as needed to determine eligibility for services.

These services are provided to eligible individuals to enable them to function, continue functioning, or move toward functioning more independently within their families or communities or to continue in employment.

In order to be eligible for CBVH independent living services, an individual must be legally blind, not eligible for vocational rehabilitation services and not served by other CBVH rehabilitation programs.

A. Service Coordination

CBVH staff in each of CBVH's eight district offices coordinates the provision of independent living services. Each district office has either a designated coordinator for independent living services or counselors who work individually with consumers. Independent living coordinators/counselors meet with applicants to determine eligibility for services and, if appropriate, to develop an Independent Living Services Plan (ILSP).

B. Service Provision

Independent living services are provided in accordance with an approved ILSP, which is developed jointly by the consumer and CBVH independent living coordinator. The ILSP sets forth the consumer's independent living goal, intermediate objectives, specific services to be provided and the service providers. The ILSP also contains information regarding the consumer's rights and responsibilities, CBVH appeals process and the local Client Assistance Program. Consumers are also informed of their right to waive the development of the ILSP. Services are purchased on a fee-for-service basis.

Through greater linkages with centers, CBVH will continue to identify services, which can be provided by CILs. CBVH also purchases services from community rehabilitation programs, as appropriate.

In addition, CBVH currently provides independent living services to individuals who are blind through contracts with CILs. A Request for Proposals for the provision of independent living services is expected to be issued in early 2001 for a three-year period beginning September 2001. With respect to Title VII, Part B, contracts by CBVH to secure independent living services will be established with centers for independent living.

C. Title VII, Chapter 2

Title VII, Chapter 2 money is used to fund the Adaptive Living Program, a goal-focused service delivery system for New York State residents who are age 55 or older, legally blind, and desire to remain living as independently as possible in their homes or apartments for whom gainful employment would be extremely difficult to attain because of their blindness but for who independent living goals are feasible.

**MANDATORY AREA 2: COOPERATION, COORDINATION, AND WORKING
RELATIONSHIPS (Section 14)**

NYSILC, VESID, CBVH and the statewide network of CILs have benefited from unprecedented cooperation over the past three years. It has resulted in numerous resource and public policy successes. In cooperation with other agencies, councils, elected officials, and advocates, accomplishments include:

1. A \$1.5 million dollar increase to the State Appropriation for CILs (08/99).
2. A \$1 million dollar increase to the State Appropriation for CILs (05/00).
3. Expansion of contractual opportunities for CILs through the commitment of over \$300,000 in IDEA discretionary funds for school transition projects.
4. Expansion of contractual opportunities for CILs through the commitment of \$1.1 million dollars in TWWIIA/SSA funds to provide benefits advisement on a regional basis (06/00).
5. A \$10 million dollar increase to the Title VII, Part C federal appropriation for the nationwide CIL network that resulted in a \$653,000 increase for New York (01/01).
6. Passage of a New York State Special Education Reform Act (08/99).
7. Commitment by the New York State Attorney General to not pursue an 11th Amendment position against Title II of the ADA (09/99).
8. Passage of the Federal Ticket to Work and Work Incentives Improvement Act (TWWIIA) (12/99).
9. Support of a Federal Court decision that makes New York State counties solely responsible for ensuring polling place accessibility (02/00).
10. Support of the New York State Attorney General signing on to the State of Minnesota's amicus brief in Garrett vs. Alabama that defends Title II of the ADA under the 14th Amendment (07/00).
- (1) Passage of the New York State Blind Students Literacy Rights and Education Act (08/00).

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As a result, NYSILC, VESID, CBVH agree to maximize cooperation, coordination, and working relationships during the course of the SPIL.

Objective 1.0: At no cost, maximize cooperation, coordination, and working relationships among CILs, other State agencies, councils, public and private entities that address the needs of specific disability populations and issues through September 30, 2004.

MANDATORY AREA 3: OUTREACH (Section 10)

NYSILC, VESID and CBVH are committed to promoting the participation of minority individuals and groups in all aspects of independent living services and the independent living movement. The current and previous State Plans led to substantial progress in serving a broader range of culturally diverse communities in both urban and rural geographic areas of New York State. In the SPIL for 1996, 1997, and 1998, Title VII, Part C funds were used to establish satellite offices across the State to address needs specific to minority groups and populations: Buffalo (Native American), Westchester (Hispanic), and Oswego (Migrant workers). In the SPIL for 1999, 2000, and 2001, Title VII, Part B funds were made available for targeted outreach projects. This included outreach to Yiddish/Hassidic, Asian, and Hispanic communities by developing and distributing center materials in other languages. As mentioned earlier, no Title VII, Part B funds will be used to support outreach to unserved or underserved populations in the upcoming SPIL. However, VESID, CBVH, NYSILC and the CIL's will continue to seek resources and provide training, technical assistance and support activities that enhance outreach to minority groups and urban and rural populations.

Now that New York is a 722 State, NYSILC must identify unserved and underserved populations to RSA before the release of competitive RFP materials for the establishment of new CILs under Title VII, Part C. This will effectively communicate priority unserved and underserved areas of the State to RSA on an annual basis. Refer to Section 13 for the details of this process.

The following objectives will be addressed to further outreach efforts to unserved and underserved populations over the next three-year period:

Objective 2.0: At no cost, document the inclusion of culturally diverse people with disabilities and underserved disability groups in the new statewide systems advocacy network through September 30, 2004.

Objective 3.0: At no cost, support the use of Spanish speaking and descriptive narration versions of independent living Public Service Announcement media kits through September 30, 2004.

OBJECTIVE I: STATEWIDE NETWORK OF CILs (Section 13)

A. Network Design

New York State currently has a network of nineteen federally funded CILs. Four of the CILs are operated as satellite centers sponsored by CILs with preexisting Title VII, Part C funds. The satellite centers share the same governing boards as their host CILs. They are noted below with an asterisk. The federally funded CILs that comprise the New York State network include:

1. Capital District Center for Independence (Albany).
2. Bronx Independent Living Services (Bronx).
3. Western New York Independent Living Project (Buffalo).
4. Native American Independent Living Services (Buffalo/Native American Outreach).*
5. Access to Independence and Mobility (Corning).
6. Glens Falls Independent Living Center (Glens Falls/Saratoga County).
7. Harlem Independent Living Center (Harlem).
8. Center for Independence of the Disabled in New York (Manhattan).
9. Action Toward Independence (Middletown/Sullivan County).
10. Regional Center for Independent Living (Rochester).
11. Center for Disability Rights (Rochester/Inner-City).
12. ARISE Children and Family Services (Syracuse).
13. ARISE Children and Family Services (Oswego/ Migrant Farm Workers).*
14. Independent Living Center of the Hudson Valley (Troy/Columbia County).
15. Resource Center for Independent Living (Utica).
16. Resource Center for Independent Living (Herkimer).*
17. Northern Regional Center for Independent Living (Watertown).
18. Westchester Independent Living Center (White Plains).
19. Westchester Independent Living Center (Minority Outreach).*

The federally funded CIL network is geographically dispersed throughout the State and addresses both urban and rural needs, as well as specific underserved populations. All Title VII, Part C funds have and will continue to support only consumer-controlled organizations. Therefore, CILs must be consumer-controlled organizations that provide the core services and other appropriate services as specified in the SPIL. CILs can offer approved services to VESID and CBVH consumers on a fee-for-service basis, such as benefits advisement and home modifications. CILs may also establish contractual or vendor relationships with other State agencies, organizations serving individuals with disabilities, and the private sector, so long as they are consistent with the standards established within the Rehabilitation Act as amended.

All VESID administered networks and regional offices relate to local community CILs as an independent living service provider, which compliments the services available

through vocational rehabilitation, special education and other community service systems. VESID offices have been establishing consistent communication with their respective CILs and make concerted effort to link regional and local service networks to build collaborative models across the life span of the consumer. CBVH district offices have developed working relationships with local CILs and have commenced collaboration on several initiatives to expand independent living services to individuals who are blind, particularly with youth and their families. Both VESID and CBVH have participated in and sponsored the annual conferences of state organizations representing CILs.

B. Priorities for the Use of Title VII, Part C Funds

Plan for the Existing Federally Funded Network

Public testimony and common sense have identified that the statewide network is in risk of unchecked growth, which can seriously erode service capacities, and eventually perpetuate inequities between the CILs. The combined Federal and State network of CILs in New York has expanded to thirty-seven centers and eight satellite offices. This represents one of the largest CIL network in the nation. NYSILC must take the responsibility to address the growth and equity needs of the existing federally funded CILs over the next three years before it invests in any substantial expansion of the network.

When RSA informs NYSILC, VESID and CBVH that additional Title VII, Part C funds are available in a given FFY, these resources will be allocated in the follow manner for the existing federally funded network:

1. Each one of the nineteen federally funded CILs will receive a mandatory Cost Of Living Adjustment (COLA) based on the Consumer Price Index (CPI)⁸.
2. The remaining funds will be divided up equally between the existing federally funded network until each site reaches a funding level of \$200,000.
3. When a federally funded CIL receives \$200,000 or more in a given year, then they will continue to receive the mandatory COLA based on the CPI. If a new CIL is established during the course of the SPIL, then they will receive the CPI COLA at the start of their second year of operation. Currently, only the Harlem Independent Living Center (HILC) receives more than \$200,000 per year in federal funds. HILC will continue to receive COLAs based on the CPI.

⁸ During the past decade, the CPI has averaged 2.7%. However, this amount can vary based on the actual CPI in a given year.

The existing federally funded CIL network in New York State will require \$1,054,865 in additional Title VII Part C funds to achieve a base funding level of at least \$200,000 per center over the next three years. This plan can be achieved through any combination of COLA's and base funding increases over the next three years. In order to effectively address and monitor this plan, NYSILC, VESID and CBVH will communicate the specific allocation of additional Title VII, Part C resources to RSA in writing on an annual basis.

Plan for the Development of New CILs

Public testimony acknowledges the diversity and need to expand the availability of independent living services to both urban and rural areas of the State and to underserved minority populations. Again, all Title VII, Part C funds have and will continue to support only consumer-controlled organizations.

However, recent growth has been dictated more by the availability of limited resources and the technical expertise to write competitive grant proposals. In the end, many of the grant recipients during the past six years have merely won the opportunity to manage under-funded operations. NYSILC, VESID, and CBVH must not set up new CILs to fail or be subjected to limited service capacities. Therefore, all future competitions for the establishment of new CILs will occur at a base funding level of \$200,000 per CIL. When RSA informs NYSILC, VESID and CBVH that additional Title VII, Part C funds are available in a given FFY, these resources will be allocated in the follow manner for the establishment of new CILs:

1. NYSILC, VESID and CBVH will evaluate the amount of additional Title VII, Part C funds that become available to the State and determine if there are sufficient resources to support a competitive RFP opportunity for a new CIL funded at \$200,000. This decision must consider the amount of funds available and how it impacts the plan to raise the base funding level of the existing federally funded CIL network.
2. If there are sufficient funds to conduct a competitive RFP opportunity for a new CIL, then NYSILC, VESID and CBVH will include this directive to RSA in their specific plan to allocate additional Title VII, Part C resources on an annual basis. The directive can also expand upon the list that identifies unserved and underserved populations and minority groups in New York State. Competitive RFP opportunities for a new CIL will prioritize these areas within the grant application from RSA.
3. NYSILC, VESID and CBVH will monitor the list of unserved and underserved populations and minority groups in New York State. They will add new geographic areas per the process describe below and delete priorities on the list once funded.

Assessment of Unserved/Underserved Need

Before the end of every calendar year, NYSILC will utilize the following process to assess unserved and underserved needs in New York State. The information will be summarized and submitted to RSA in order to communicate the "funding priorities" in the State when a competitive RFP is announced for the establishment of a new CIL. The notice will be sent out to every CIL, consumer-controlled service providers, and county executives. It will provide at least a 30-day time period to submit the information. NYSILC, VESID, and CBVH believe that the criteria requested will provide enough detail to determine the geographic areas with the greatest needs. The notice requests the following information:

(1) GEOGRAPHY.

- a. County or counties to be served.
- b. Total square miles.
- c. Location of proposed office (city/town).
- d. CIL with current responsibility to service area.
- e. Proximity of proposed office to nearest center or satellite (estimate miles).
- f. Describe any unique geographic features to the area.

(2) POPULATION.

- a. Total population.
- b. Total population by ethnicity.
- c. Total number of individuals with disabilities.
- d. Unserved or underserved disability populations.
- e. Unserved or underserved cultural populations.

(3) INFRASTRUCTURES.

- a. Affordable, accessible housing.
- b. Accessible transportation.
- c. Affordable, accessible health care.
- d. Higher education/adult education training programs.
- e. Major employers.

(4) INSTITUTIONS.

- a. Nursing homes.
- b. Developmental centers.
- c. Psychiatric centers.
- d. Prisons.
- e. Community Reentry Programs.
- f. Sheltered Workshops/Day Programs.
- g. Other.

(5) OTHER PROVIDERS.

- a. Community service boards.
- b. Community rehabilitation programs.
- c. Human service organizations.
- d. Self-advocacy organizations.
- e. Support groups.
- f. Municipal health departments.
- g. Municipal disability committees or coordinators.

Identification of Unserved/Underserved Need

In December of 1999 and 2000, NYSILC sent a request to CILs, advocates, and county executives asking them to self-identify unserved or underserved areas of the State. In alphabetical order, the identified areas include: Cortland County, Dutchess County, Essex and Franklin Counties (Tri-Lakes Region), Kings County, Orange County, Putnam County, Queens County, Richmond County, Schuyler County, Washington County, and Yates County.

USE OF TITLE VII, PART B, CHAPTER 1 FUNDS (Section 9)

NYSILC intends to use Title VII, Part B, Chapter 1 funds per the chart provided in the SPIL (Section 9.1). NYSILC will fund its resource plan with \$962,291 over three years. Refer to Attachment 2 for details. CBVH plans to use \$348,000 over three years to provide IL services to individuals who are blind. These funds will be used to provide direct services to consumers and contracts with CILs for IL Services, as described in this attachment for "CBVH Services" under Mandatory Area 1: Extent and Scope of IL Services.

The vast majority of Part B resources will be used to demonstrate ways to expand and improve IL services. First, \$1,849,389 will be utilized over three years to establish a statewide systems advocacy network. This project recognizes that systems advocacy is mandated as both a core service for CILs and is stated within the purpose of Chapter 1, Title VII of the Act, as amended. Systems advocacy must be carried out regardless of the Federal, State, or other source of funds supporting it. NYSILC will provide statewide coordination for the project and supply the CIL network with communications, public relations, and training. NYSILC will also develop and maintain relationships with elected officials, State agencies, councils and groups connected to people with disabilities. Each CIL that opts to participate in the statewide systems advocacy network will join in a Memorandum Of Understanding (MOU). The MOU will outline the rights and responsibilities of the participants. The CILs will identify goals and a resource plan that will include, but not be limited to, the use of personnel, volunteer recruitment, training, compliance with the National Voter Registration Act, creation of local press clubs, and participation in the development of the disability action agenda. The project is designed to provide a consolidated approach to address public policy needs for people with disabilities at the local, state, and national levels. Second, \$23,453 will be utilized in

year one (\$11,453) and year three (\$12,000) to support a Bi-Annual Statewide Disability Caucus. The caucus will invite a wide variety of stakeholders and participants from across the State to identify and prioritize issues important to people with disabilities. The information will be developed into a statewide systems advocacy agenda. Third, \$19,245 will fund the development of a volunteer training curriculum in year one for the CILs participating in the statewide systems advocacy network. The web-based product will be completed to coincide with the initial volunteer recruitment effort at the beginning of year two. Fourth, VESID will direct \$150,000 over three years to encourage best practice conference opportunities among CIL's, other providers, advocates, and consumers.

No Part B funds will be utilized to support the general operation of CILs or to support activities to increase the capacity of public or nonprofit agencies and organizations and other entities to develop comprehensive approaches or systems for providing IL services.

NYSILC will conduct studies and analyses, gather information, develop model policies and procedures, and present information, approaches, strategies, findings, conclusions, and recommendations to Federal, State, and local policy makers to enhance IL services. \$21,218 will be expended in year two to conduct a consumer satisfaction survey and needs assessment. This survey is conducted every two years. The last survey was completed at the end of 2000. As a result, only one consumer satisfaction survey will need to be performed during the SPIL for 2002, 2003, and 2004.

NYSILC will provide training to individuals with significant disabilities, individuals providing services to individuals with significant disabilities, and other persons regarding IL philosophy. No resources have been identified at this time. \$40,000 was expended at the end of the 2001 FY to provide the statewide CIL network with a web-based training product to ensure that staff and volunteers understand IL history and philosophy. The implementation and success of this product will be monitored during the SPIL for 2002, 2003, and 2004.

VESID, CBVH, NYSILC and the CILs will continue to acquire resources to provide training, technical assistance and support activities that enhance outreach to unserved or underserved populations, including minority groups and urban and rural populations. Funds were successfully utilized in the previous SPIL for this purpose. However, no direct Part B funds will be used to support outreach in this SPIL. The following objectives will be pursued to direct the use of Title VII, Part B funds over the next three-year period:

Objective 4.0: At a cost of \$1,849,389 over three years, establish a statewide systems advocacy network through September 30, 2004.

Objective 5.0: At a cost of \$23,453, support a Bi-Annual Statewide Disability Caucus

that will result in two statewide systems advocacy agendas by September 30, 2004.

Objective 6.0: At a cost of \$19,245 in year one, develop a web-based volunteer training curriculum to support the ongoing needs of the statewide systems advocacy network through September 30, 2004.

Objective 7.0: At a cost of \$150,000 over three years, encourage best practice conference opportunities among CIL's, other providers, advocates, and consumers through September 30, 2004.

Objective 8.0: At a cost of \$21,218, conduct a statewide consumer satisfaction survey and needs assessment by January 15, 2004.

Objective 9.0: At an undetermined cost, develop resources to build the technology capacity of the statewide CIL network through September 30, 2004.

The attached chart gives a breakdown of the Title VII, Part B funds by State agency source.

Breakdown of Title VII, Part B Funds by State Agency Source

Source/Usage	Year 1	Year 2	Year 3	3 Year Total
VESID				
NYSILC (Base Funding)	236,000	240,740	245,551	722,291
Conference Opportunities	50,000	50,000	50,000	150,000
Curriculum Development (Statewide Systems Advocacy)	19,245	0	0	19,245
Disability Caucus (Statewide Systems Advocacy)	11,453	0	12,000	23,453
CILs (Statewide Systems Advocacy)	611,834	616,574	620,981	1,849,389
Consumer Satisfaction Survey & Needs Assessment	0	21,218	0	21,218
Sub-Total	928,532	928,532	928,532	2,785,596
CBVH				
Direct Services & CIL Contracts	116,000	116,000	116,000	348,000
NYSILC (Base Funding)	30,000	30,000	30,000	90,000
NYSILC (Systems Advocacy Network)	50,000	50,000	50,000	150,000
Sub-Total	196,000	196,000	196,000	588,000
VESID & CBVH TOTAL	1,124,532	1,124,532	1,124,532	3,373,596

ATTACHMENT 2

PLAN FOR THE PROVISION OF RESOURCES TO THE SILC BUDGET (Section 4.3)

The New York State Independent Living Council, Inc. (NYSILC) has been established as a not-for-profit corporation to coordinate the functions related to the planning, monitoring, and evaluation of the State Plan for Independent Living (SPIL) as described in Section 705 of the Rehabilitation Act, as amended. NYSILC will maintain staff and an office commensurate to the efforts necessary to carry out the work of the council.

NYSILC staff shall include one full-time Executive Director, one full-time Office Manager, and one full-time Statewide Systems Advocacy Coordinator. In addition, NYSILC will outsource Webmaster and communication duties on a contractual basis. NYSILC will maintain its office in Albany, New York.

NYSILC will receive Title VII, Part B funds in the following amounts to support its operation for the duration of the SPIL: \$316,000 FFY 2001-2002, \$320,740 FFY 2002-2003, and \$325,551 FFY 2003-2004. The first year represents an increase of \$85,000 from the previous year. The additional amount will address costs required to coordinate the various aspects of a statewide systems advocacy network. The second year represents an increase of \$4,740, which reflects a 1.5% Cost Of Living Adjustment (COLA). The third year represents an increase of \$4,811, which reflects another 1.5% COLA. NYSILC will receive these funds in the form of an annual contract from the New York State Education Department/VESID. VESID and CBVH will equitably share costs and resources to support NYSILC's office and ongoing activities according to the following plan:

Year one: VESID \$236,000, CBVH \$80,000⁹, for a total of \$316,000.

Year two: VESID \$240,740, CBVH \$80,000, for a total of \$320,740.

Year three: VESID \$245,551, CBVH \$80,000, for a total of \$325,551.

NYSILC will make a conscientious effort to recruit individuals with disabilities and individuals with disabilities from minority groups. NYSILC staff will be expected to have a thorough knowledge and understanding of the Independent Living philosophy. The Executive Director must be an individual who possesses the prerequisite administrative skills necessary to oversee the operation of the NYSILC office and extensive experience in the field of disability rights advocacy.

The responsibilities of NYSILC staff will include:

- (1) In collaboration with VESID and CBVH, develop, execute, monitor and evaluate the

⁹ The \$80,000 that NYSILC receives from CBVH each year reflects a base amount of \$30,000 and an additional \$50,000 to address costs related to the statewide systems advocacy network.

State Plan for Independent Living (SPIL);

- (2) Coordinate various forms of public input regarding the SPIL or other issues significant to individuals with disabilities;
- (3) Coordinate general NYSILC activities and statewide systems advocacy efforts with CILs;
- (4) Coordinate technical assistance and training to meet the needs of the CIL network;
- (5) Coordinate statewide media efforts to increase awareness about Independent Living philosophy, individuals with disabilities, and issues important to people with disabilities;
- (6) Develop a comprehensive advocacy agenda with State agencies, CILs, and other networks serving people with disabilities to enforce disability rights, address barriers to individuals with disabilities, and secure additional resources for CILs to help them carry out their mission;
- (7) And any such duties as deemed appropriate by the Council.

NYSILC's resource plan is detailed below for FFY's 2002-2004:

Expenditures	FFY 2001-02	FFY 2002-03	FFY 2003-04	3 Year Total
1. Salaries	137,650	139,715	141,811	419,176
2. Fringe	16,518	16,766	17,017	50,301
3. Rent & Utilities	20,448	20,755	21,066	62,269
4. Telephone	12,000	12,180	12,363	36,543
5. Travel	16,000	16,240	16,484	48,724
6. Purchased Service	4,000	4,060	4,121	12,181
7. Printing	6,000	6,090	6,181	18,271
8. Postage	4,000	4,060	4,121	12,181
9. Training	20,000	20,300	20,605	60,905
10. Supplies	6,000	6,090	6,181	18,271
11. SILC Meetings	18,000	18,270	18,544	54,814
12. Executive Comm. Meeting	1,500	1,522	1,545	4,567
13. Other Meetings	5,174	5,252	5,331	15,757
14. Equipment/Lease	5,140	5,217	5,295	15,652
15. Insurance	4,950	5,024	5,099	15,073
16. Dues/Subscriptions	2,000	2,030	2,060	6,090
17. Interest Expense	1,000	1,015	1,030	3,045
18. Contractual Services	35,620	36,154	36,697	108,471
Total	\$316,000	\$320,740	\$325,551	\$962,291

ATTACHMENT 3

EVALUATION PLAN (Section 15)

NYSILC, VESID, and CBVH are responsible for monitoring, reviewing, and evaluating the implementation of the SPIL. NYSILC will utilize six evaluation components to ensure compliance with the requirements of Section 15. They include:

1. Submit an Annual 704 Report to RSA in conjunction with VESID and CBVH. NYSILC will prepare information for Part I of the report and submit it to VESID. VESID will include the information in the full report that they submit to RSA not more than 120 days after the end of the Federal Fiscal Year (January 30).
2. Publish and distribute an Annual Report. The Annual Report will review council activities and successes over the previous year. It will be distributed to over 1,500 interested parties on the council's current mailing list. The report will provide a combination of narrative, statistical, and fiscal information by June of each year.
3. Conduct a CIL consumer satisfaction survey and needs assessment. NYSILC will conduct a consumer satisfaction survey and needs assessment in year two to evaluate the general satisfaction with the statewide CIL network. NYSILC will be able to use the information to promote model practices and identify potential technical assistance or training needs. The needs assessment will help to verify consumer priorities and identify new and emerging issues. The results of the consumer satisfaction survey and needs assessment will be incorporated into both the Annual 704 Report and published Annual Report for 2004.
4. Participation at site reviews of federally funded CILs. Since New York is a 722 State, NYSILC will send a representative to participate in the federal site reviews that occur in each year. However, it is important to distinguish NYSILC's role in this process. NYSILC does not monitor the CILs, it monitors the implementation of the SPIL. Therefore, NYSILC will use the information gained from each site review to promote model practices and identify potential technical assistance or training needs.
5. Full council review of the progress on the SPIL. NYSILC will review the progress on the SPIL at least once every year at the June full council meeting. This will coincide with the distribution of the published Annual Report. In addition, NYSILC will utilize the attached chart to monitor the completion of the objectives outlined in the SPIL.

6. Annual review of audited financial statement. NYSILC's executive committee will review the audited financial statement by April of each year. They will report the results at the June full council meeting.

SPIL Evaluation Plan

Objectives	Cost	Timeline	Evaluation	Outcome
<u>Objective 1.0:</u> maximize cooperation, coordination, and working relationships among CILs, other State agencies, councils, public and private entities that address the needs of specific disability populations and issues.	\$0	09/30/04	Document cooperative efforts in the Annual 704 Report to RSA and the published Annual Report. Progress reviewed at the June full council meeting.	Support the cooperative efforts between CILs, other State agencies, councils, public and private entities that address the needs of specific disability populations and issues.
<u>Objective 2.0:</u> document the inclusion of culturally diverse people with disabilities and underserved disability groups in the new statewide systems advocacy network.	\$0	09/30/04	Document the change in the participation rate of culturally diverse people with disabilities and underserved disability groups in the Annual 704 Report to RSA and the published Annual Report. Progress reviewed at the June full council meeting.	Increase in the number of culturally diverse people with disabilities and underserved disability groups empowered by the statewide systems advocacy network.
<u>Objective 3.0:</u> support the use of Spanish speaking and descriptive narration versions of independent living Public Service Announcement media kits.	\$0	09/30/04	Document the change in the participation rate of Hispanic persons with disabilities and individuals with visual impairments served by the statewide CIL network due to the PSA campaign in the Annual 704 Report to RSA and the published Annual Report. Progress reviewed at the June full council meeting.	Increase in the number of Hispanic persons with disabilities and individuals with visual impairments served by the statewide CIL network.
<u>Objective 4.0:</u> establish a statewide systems advocacy network.	\$1,849,389	09/30/04	Document the change in the number of people with disabilities empowered by statewide systems	Increase in the number of people with disabilities empowered by statewide systems advocacy

				advocacy activities in the Annual 704 Report to RSA and the published Annual Report. Progress reviewed at the June full council meeting.	activities that result in systemic change.
<u>Objective 5.0:</u> support a Bi-Annual Statewide Disability Caucus that results in two statewide systems advocacy agendas.	\$23,453	09/30/04		Document successful caucuses and development of agendas in the Annual 704 Report to RSA and the published Annual Report. Progress reviewed at the June full council meeting.	Completion of two Statewide Disability Caucuses and systems advocacy agendas.
<u>Objective 6.0:</u> develop a web-based volunteer training curriculum to support the ongoing needs of the statewide systems advocacy network.	\$19,245	09/30/02		Document development of web-based volunteer training curriculum in the Annual 704 Report to RSA and the published Annual Report. Progress reviewed at the June full council meeting.	Completion of a web-based volunteer training curriculum to support the ongoing needs of the statewide systems advocacy network.
<u>Objective 7.0:</u> encourage best practice conference opportunities among CIL's, other providers, advocates, and consumers.		09/30/04		Document best practice conference opportunities in the Annual 704 Report to RSA and the published Annual Report. Progress reviewed at the June full council meeting.	Completion of three best practice conference opportunities between CILs, other providers, advocates, and consumers.
<u>Objective 8.0:</u> conduct a statewide consumer satisfaction survey and needs assessment.	\$21,218	01/15/04		Document results of the statewide consumer satisfaction survey and needs assessment in the Annual 704 Report to RSA and the published Annual Report. Progress reviewed at the June full council meeting.	Completion of a statewide consumer satisfaction survey and needs assessment.
<u>Objective 9.0:</u> develop resources to build the	Undetermined	09/30/04		Document the development of additional technology resources	Provide the statewide network of CILs with additional technology

technology capacity of the statewide CIL network.			for the statewide CIL network in the Annual 704 Report to RSA and the published Annual Report. Progress reviewed at the June full council meeting.	resources.
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IL NET Presents
Teleconference: New SPIL Pre-print
March 21, 2001

Alaska

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March 21, 2001

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