

State Plan for Independent Living – 2013 Extension

OMB NUMBER: 1820-0527  
EXPIRATION DATE: January 31, 2016

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

**Instructions for Completion and Submittal of the State Plan for Independent Living (SPIL) under Chapter 1, Title VII of the Rehabilitation Act of 1973, as amended**

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, and gather the data needed, and complete and review the information collection. **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, D.C. 20202-4537. **If you have comments or concerns regarding the status of your individual submission of this form, write directly to:** Ms. Sue Rankin-White, U.S. Department of Education, Rehabilitation Services Administration, PCP-5013, 400 Maryland Ave, SW, Washington, DC 20202-2800.

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## Background

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

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

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

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

States are required to incur at least 10% of the expenditures under part B during any given year, either in cash or in-kind donations of plant, equipment or services.

The Centers for Independent Living (CIL) program, funded under part C of chapter 1, provides financial assistance for planning, conducting, administering and evaluating centers for independent living that comply with specific standards and assurances and which reflect the State's design for the establishment of a statewide network of centers.

The Act also authorizes, in title VII, chapter 2, the Independent Living Services for Older Individuals who are Blind (OIB) program. It assists individuals ages 55 or older whose significant visual impairment makes competitive employment extremely difficult to attain but for whom independent living goals are feasible. OIB funds are administered by the State agency or organizational unit with sole authority to provide or supervise vocational rehabilitation services for individuals who are blind. In some States, this is the same agency that administers the SILS and CIL programs; in others, it is a separate agency/organizational unit. States apply for OIB funds through a process separate from the SPIL.

States wishing to receive funding under the parts B and C must submit an approvable three-year State Plan for Independent Living (SPIL) to the Rehabilitation Services Administration (RSA). The SPIL encompasses the activities planned by the State to achieve its specified independent living objectives and reflects the State's commitment to comply with all applicable statutory and regulatory requirements during the three years covered by the plan. In States with a separate agency or unit that administers the SILS program for individuals who are blind, the director of that agency/unit, along with the director of the DSU are required to jointly develop and sign the SPIL and cooperate in its implementation.

Part I of the SPIL is a series of assurances, or statements of compliance, based on legal and regulatory provisions governing the SILS and CIL programs. Part II of the SPIL consists of narrative sections in which the State describes its independent living objectives, services, activities and operational details.

The objective of this SPIL revision is to promote continuous improvement in the SILS and CIL programs by enhancing RSA's ability to review the SPILs and provide technical assistance and monitoring, while minimizing the States' recordkeeping and reporting burdens. The SPIL requests only the information that Federal law and regulations clearly require it to include. Also, it is more closely aligned to how RSA approaches its other programs that require State plans, including the State Vocational Rehabilitation Services and Supported Employment programs.

## **Definitions**

The following are definitions useful for completing this SPIL. Additional definitions related to independent living programs may be found in 34 CFR 364.4, 34 CFR 367.5, 34 CFR part 77, and section 7 of the Act.

Act means the Rehabilitation Act of 1973, as amended.

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

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

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

Consumer means any individual with a significant disability who is eligible for IL services under 34 CFR 364.40(a) and is currently receiving or has been provided with any IL service(s) under the program.

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

Consumer Service Record (CSR) means the records that are maintained for an eligible consumer receiving IL services and that meet the requirements of 34 CFR 364.53. In cases where IL services are provided to the parent or guardian of a consumer, the CSR is established for the consumer and the services provided are reflected in that CSR.

Cross-disability means, with respect to a center, that a center provides IL services to individuals representing a range of significant disabilities and does not require the presence of one or more specific significant disabilities before determining that an individual is eligible for IL services.

Designated State unit (DSU) means either 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 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.

A State agency or organizational unit of a State agency authorized under State law to provide VR services to individuals who are blind under a State VR plan may be designated as the DSU to administer that part of the SPIL under which IL services are provided to individuals who are blind. That agency, if so designated, fulfills the responsibilities of the DSU with regard to the SPIL as it relates to individuals who are blind.

Independent living core services mean information and referral services; IL skills training; peer counseling (including cross-disability peer counseling); and individual and systems advocacy.

Independent living services include the independent living core services listed above and the services listed in 34 CFR 364.4.

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

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

Minority group means American Indians or Alaskan Natives, Asian Americans, Blacks or African Americans, Hispanic or Latino Americans, Native Hawaiians or other Pacific Islanders.

Nonresidential means, with respect to a center for independent living, that the center, as of October 1, 1994, does not operate or manage housing or shelter for individuals as an IL service on either a temporary or long-term basis unless the housing or shelter is incidental to the overall operation of the center; necessary so that the individual may receive an IL service; and limited to a period not to exceed eight weeks during any six-month period.

Rehabilitation Services Administration (RSA) means the Federal entity within the United States Department of Education, Office of Special Education and Rehabilitative Services that administers the SILS and CIL programs.

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

Section 723 State means a State in which State funding for centers equals or exceeds the amount of Federal funds allotted to the State under part C, Chapter 1 and in which the Director of the DSU submits an application and is approved by RSA to administer the CIL program as provided in section 723 of the Act and subpart D of part 366 of the regulations.

Service provider means a DSU that directly provides IL services to individuals with significant disabilities; a center that receives financial assistance under part B or C of chapter 1 of title VII of the Act; or any other entity or individual that meets the requirements of 34 CFR 364.43(e) and provides IL services under a grant or contract from the DSU pursuant to 34 CFR 364.43(b).

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, the Commonwealth of the Northern Mariana Islands.

State Independent Living Services program (SILS program) means the program funded under part B, chapter 1 of title VII of the Act.

State Plan for Independent Living (SPIL) means the State IL plan required under section 704 of title VII of the Act that governs the SILS and CIL programs. The SPIL is jointly developed and signed by the SILC and the DSU.

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

Statewide Network of Centers for Independent Living means a statewide network of CILs that comply with the standards and assurances in section 725(b) and (c) of the Act and subparts F and G of 34 CFR part 366.

Unserved and underserved groups or populations, with respect to groups or populations of individuals with significant disabilities in a State, include, but are not limited to, groups or populations of individuals with significant disabilities who have cognitive and sensory impairments; are members of racial and ethnic minority groups; live in rural areas; or have been identified by the eligible agency as unserved or underserved within a center's project area.

### **SPIL Development**

The State plan must be jointly developed and signed by the DSU and the SILC. Or, in States with a separate State agency with sole authority to administer or supervise vocational rehabilitation services for individuals who are blind, the SPIL must be jointly developed and signed by the separate State agency as well as the DSU and the SILC. A single SPIL is to be submitted for each State. (Note: The State agency or organizational unit providing IL services to individuals who are blind may not submit a separate SPIL.)

States are required to hold public hearings, meeting the requirements of 34 CFR 364.20(g), that provide all segments of the public, including interested groups, organizations and individuals, the opportunity to comment on the contents of the SPIL prior to its submission and on any revisions to the approved State plan. The DSU and SILC may meet the public participation requirement by holding the public meetings before a preliminary draft State plan is prepared or by providing a preliminary draft State plan for comment at the public meetings. The DSU and the SILC must identify, during the public hearings, any provisions in the State plan that are State-imposed requirements relating to the administration or operation of any program funded under title VII of the Act.

In developing the SPIL objectives, as appropriate, the DSU and the SILC are to actively consult with the Director of Client Assistance Program, and to consider and incorporate the program and financial planning objectives priorities established by centers for independent living.

The SPIL is subject to the provisions of Executive Order 12372 and the Department's implementing regulations of that Executive Order at 34 CFR part 79 pertaining to the process for review and comment.

### **SPIL Submittal**

The SPIL must be submitted to RSA no later than 90 days before the completion date of the previous plan. (For example, July 1, 2010 is the due date for the FY 2011 – 2013 SPIL). States are encouraged to complete and submit the SPIL directly online through RSA's Management Information System (MIS), which is ADA and section 508 compliant. The SPIL may also be submitted via email.

In addition to the completed instrument, the SPIL submittal package includes the following elements: (1) signatures of the authorized representatives of the DSU, the SILC and, where appropriate, the separate State agency for individuals who are blind; and (2) signed lobbying certification form.

RSA will provide detailed SPIL submittal instructions, including arrangements for signatures, lobby certifications and Executive Order 12372 comments via the RSA MIS.

### **SPIL Review and Approval**

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

The Commissioner may provide technical assistance to the State to make adjustments to the SPIL prior to its approval, if such adjustments are deemed necessary. If the State is unable to make adjustments immediately, the Commissioner may provide approval of the SPIL based on the State's agreement to comply with certain conditions. If, after providing the appropriate technical assistance to the State, the Commissioner determines that the SPIL does not meet the applicable statutory and regulatory requirements and thus is not approvable, the Commissioner may decide to disapprove the SPIL.

Prior to disapproving the SPIL, the Commissioner will attempt to informally resolve the disputed issues with State officials. If no resolution has been reached after reasonable efforts to resolve the dispute informally, the Commissioner may provide written notice to the DSU and the SILC of the intention to disapprove the State plan and of the State's opportunity for a formal hearing. The hearing and judicial review procedures for an unapproved SPIL are outlined in 34 CFR 364.12(d) and (e).

The Commissioner may also withhold, reduce, limit or terminate funding in accordance with the procedures described in 34 CFR 364.13.

## **SPIL Amendments**

The SPIL is subject to amendment if the Commissioner determines that an amendment is essential during the three-year effective period of the plan. The State shall also amend the SPIL if there is a significant and relevant change in the information or the assurances in the plan, in the administration or operation of the plan, or in the organization, policies, or operations of the State agency that received the grant, if the change materially affects the information or assurances in the SPIL. The State will continue to operate under the existing SPIL during the period covered by the SPIL until the substantive amendments are approved.

If a State amends the SPIL, it shall use the same procedures as those it is required to use to develop and submit the original SPIL, including the requirements for public hearings. The Commissioner uses the same procedures to approve an amendment to the SPIL – or any other document a State submits – as the one used in approving the original document.

## **Instructions for Completing Part I: Assurances**

Part I of the SPIL is a series of assurances, or statements of compliance, required by title VII, chapter 1 of the Act and its implementing regulations at 34 CFR parts 364, 365 366, and 367, as well as by parts 76 and 80 of EDGAR. The assurances are divided into the following sections:

- Section 1: Legal Basis and Certifications
- Section 2: SPIL Development
- Section 3: Independent Living Services
- Section 4: Eligibility
- Section 5: Staffing Requirements
- Section 6: Fiscal Control and Fund Accounting
- Section 7: Record-Keeping, Access, and Reporting
- Section 8: Protection, Use, and Release of Personal Information

Respondents are required to read carefully each assurance and to certify compliance with each assurance by providing the appropriate signatures in section 9. Since the assurances reflect the State's commitment to comply with statutory and regulatory requirements, changes to the assurance statements are not permitted. All materials related to the assurances must be maintained by the State and made available to Federal staff upon request, for review and monitoring purposes.

Section 9 is the signature page for the authorized representatives of the DSU, the SILC and, where applicable, the separate State agency providing vocational rehabilitation services to individuals who are blind. By these signatures, the representatives certify that the State is in compliance with the assurances and that the corresponding written procedures and other documents are on file and available for Federal review.

## **Instructions for Completing Part II Narratives:**

Part II of the SPIL is a series of narrative sections and tables in which the State describes various aspects of its independent living plan, as required by title VII of the Act and its implementing regulations. Part II is divided into the following sections:

- Section 1: Goals, Objectives and Activities
- Section 2: Scope, Extent and Arrangements of Services
- Section 3: Design for the Statewide Network of Centers
- Section 4: Designated State Unit (DSU)
- Section 5: Statewide Independent Living Council (SILC)
- Section 6: Service Provider Requirements
- Section 7: Evaluation
- Section 8: State-Imposed Requirements

### General notes for completing Part II:

- The revised SPIL requires from the State only the information that Federal law and regulations clearly require. The State is free to include any additional information or explanations in response to the questions in the Narrative sections. Also, RSA may request additional information about the States' IL program for clarification of its responses in the SPIL and as part of its continuous monitoring and technical assistance activities.
- Aside from two tables, Part II of the SPIL consists of sections requiring narrative responses. The sections are specific and focused, designed for brief and concise responses.
- When a section relates to a specific statutory or regulatory requirement, the response should be sufficiently detailed to demonstrate that the State has in place the systems (i.e., policies and procedures) necessary to ensure compliance with that requirement. When a section relates to a specific aspect of the IL program, the response should be sufficient to provide an accurate picture of the State's plan in that regard.
- In some cases, information required by law or regulation appears both as assurances in Part I and as narrative sections in Part II. The information is requested in Part II only when necessary to comply with the following provision in 34 CFR 364.20(i): *The State plan also must address how the specific requirements in §§ 364.21 through 364.43 and in §§ 364.56 and 364.59 will be met.*
- Narrative sections may be addressed by citing or describing relevant written policies, procedures, by-laws, technical assistance and monitoring activities, or other practices. Brief and concise responses are expected to these sections. Supporting documentation must be available for inspection, but is not to be submitted with the SPIL.
- RSA will provide ongoing technical assistance and guidance on completing the SPIL, as necessary.

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

### 1.1 Goals and Mission – 34 CFR 364.42(b)(1)

Describe the overall goals and mission of the State's IL programs and services.

- The goals and mission are intended to summarize the desired end results of the three-year period of this SPIL. Together, they describe how the objectives, activities, and services outlined in the SPIL will improve the IL program and the lives of individuals with significant disabilities in the State.
- The SPIL must address the goals and mission of both the SILS and the CIL programs, including those of the State agency for individuals who are blind as they relate to the parts of the SPIL administered by that agency.

### 1.2 Objectives – 34 CFR 364.42(a)(1) and (d); 34 CFR 364.32; 34 CFR 364.33

1.2A Specify the objectives to be achieved and the time frame for achieving them.

- The objectives represent the strategy or blueprint for achieving the goals and mission. They include the major initiatives, activities and steps to achieve the overall goals and mission outlined in section 1.1, above.

1.2B Describe the steps planned regarding outreach to populations in the State that are unserved or underserved by programs under title VII, including minority groups and urban and rural populations.

- This section of the SPIL must identify the populations to be designated for targeted outreach efforts; identify the geographic areas (i.e., communities) in which the targeted populations reside; and describe how the needs of individuals with significant disabilities from minority group backgrounds will be addressed.

### 1.3 Financial Plan – 34 CFR 364.42(a)(2) and (3); 34 CFR 364.29

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

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

#### 1.3A Financial Plan Tables

Complete the financial plan tables covering years 1, 2 and 3 of this SPIL. The first column in each of the tables lists the potential SPIL funding sources. The four other columns represent the potential uses of funds. For each funding source, provide estimated dollar amounts anticipated for the applicable uses.

- The financial plan table should include only funding sources and amounts that are intended for supporting the achievement of one or more of the objectives identified in section 1.2 of the SPIL.

- The tables should reflect grant funds, program income and pass-through funds. (In-kind resources are to be described in section 1.3B, Financial Plan Narrative.)
- To the extent possible, the tables and narratives must reflect the applicable financial information from the CILs in the statewide network of centers.
- Insert additional rows for the specific funding sources and amounts expected within the categories of Other Federal Funds and Non-Federal Funds.

Notes regarding Sources:

- Title VII Funds. Chapter 2, OIB program funds are required to be included in the Financial Plan table only if the OIB grantee authorizes the use of any portion of OIB funds to further a SPIL objective. If the OIB grantee permits such funds to be used, then that portion should be indicated in the corresponding line item of the Financial Plan.
- Other Federal Funds include, but are not limited to, title I funds available under section 101(a)(18) of the Act, Social Security payments, funding from Housing and Urban Development, and funding received from other Federal programs such as the Work Incentives Planning and Assistance (WIPA) program.
- Non-Federal Funds include, but are not limited to, State and local government funds as well as non-government funds from individual donors, foundations, corporations and community organizations. State government funds include matching funds in compliance with section 712(b) of the Act, general revenue funds and funds made available through other State programs such as Medicaid reimbursements, Aging and Developmental Disabilities Councils, etc.

Notes regarding Funding Amounts and Uses:

- SILC Resource Plan reflects funding made available to the SILC for carrying out the functions outlined in section 705(c) of the Act.
- IL Services reflect funding for the provision of IL services by the DSU (directly or through grants and contracts). It includes funding to CILs for providing specific services, but excludes funding for the general operations of centers (see below).
- General CIL Operations reflect funding for the general operations of centers and excludes funds specifically for the provision of IL services. For the purpose of this SPIL, Part C funding is considered general CIL operating funds.
- Other SPIL Activities are those that support the SPIL objectives in Section 1.2A, excluding the SILC resource plan, IL services and general CIL operations. This item reflects the authorized uses of Part B funds outlined in section 713 of the Act and other SPIL activities funded through chapter 2 of title VII (Older Blind) or other non-title VII sources in support of the SPIL objectives.

1.3B Financial Plan Narratives

1.3B(1) Specify how the part B, part C and chapter 2 (Older Blind) funds, if applicable, will further the SPIL objectives.

– Two examples are provided below:

- *Chapter 2 funds will support SPIL objective #2, Increased Outreach to Older Individuals who are Blind.*
- *Part C funds will support SPIL objectives #3 and #5, Increased Outreach to Youth in Transition and Increased Resource Development Activities to Obtain Non-Title VII Sources of Funding.*

1.3B(2) Describe efforts to coordinate Federal and State funding for centers and IL services, including the amounts, sources and purposes of the funding to be coordinated.

1.3B(3) Describe any in-kind resources including plant, equipment or services to be provided in support of the SILC resource plan, IL services, general CIL operations and/or other SPIL objectives.

1.3B(4) Provide any additional information about the financial plan, as appropriate.

- This may include, for example, additional details about the Other Federal, Non-Federal funds, program income and pass-through funding, or about specific circumstances that may affect the financial plan during the next three years.

#### 1.4 Compatibility with Chapter 1 of Title VII and the CIL Work Plans – 34 CFR 364.42(c) and (e)

1.4A Describe how the SPIL objectives are consistent with and further the purpose of chapter 1 of title VII of the Act as stated in section 701 of the Act and 34 CFR 364.2.

1.4B Describe how, in developing the SPIL objectives, the DSU and the SILC considered and incorporated, where appropriate, the priorities and objectives established by centers for independent living under section 725(c)(4) of the Act.

#### 1.5 Cooperation, Coordination, and Working Relationships Among Various Entities – 34 CFR 364.26

Describe the steps that will be taken to maximize the cooperation, coordination and working relationships among the SILS program, the SILC, and centers; the DSU, other State agencies represented on the SILC, other councils that address the needs of specific disability populations and issues; and other public and private entities determined to be appropriate by the SILC.

- The description must identify the entities with which the DSU and the SILC will cooperate and coordinate.

#### 1.6 Coordination of Services – 34 CFR 364.27

Describe how IL services funded under chapter 1 of title VII of the Act will be

coordinated with and complement other services to avoid unnecessary duplication with other Federal, State, and local programs, including the OIB program authorized by chapter 2 of title VII of the Act, that provide IL- or VR-related services.

- Include those services provided by State and local agencies administering the special education, vocational education, developmental disabilities services, public health, mental health, housing, transportation, and veterans' programs, and the programs authorized under titles XVIII through XX of the Social Security Act within the State.

#### 1.7 Independent Living Services for Individuals who are Older Blind – 34 CFR 364.28

Describe how the DSU seeks to incorporate into and describe in the State plan any new methods or approaches for the provision of IL services to older individuals who are blind that are developed under the Older Individuals who are Blind program and that the DSU determines to be effective.

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

#### 2.1 Scope and Extent – 34 CFR 364.42(b)(2)(3); 34 CFR 364.43(b); 34 CFR 364.59(b)

2.1A Check the appropriate boxes in the SPIL Instrument table indicating the types of IL services to be provided to meet the objectives identified in section 1.2 of this SPIL, and whether the services will be provided by the CILs or by the DSU (directly and/or through contract or grant).

2.1B Describe any service provision priorities, including types of services or populations, established for meeting the SPIL objectives identified in section 1.2.

2.1C If the State allows service providers to charge consumers for the cost of services or to consider the ability of individual consumers to pay for the cost of IL services, specify (i) the types of IL services for which costs may be charged and for which a financial need test may be applied, and (ii) describe how the State will ensure that any consideration of financial need is applied uniformly so that all individuals who are eligible for IL services are treated equally, and that written policies and consumer documentation required by 34 CFR 364.59(d) will be kept by the service provider. Indicate N/A if not applicable.

#### 2.2 Arrangements for State-Provided Services – 34 CFR 364.43(d) and (e)

2.2A If the DSU will provide any of the IL services identified in section 2.1A through grants or contractual arrangements with third parties, describe such arrangements.

- Examples of items to include in the description are the types of arrangement (grant, or contract), the funding sources (Federal, State or other), the service providers (CILs, non-CIL providers), the types of services, and whether the funding is for the general operation of a center or to provide specific IL services.

2.2B If the State contracts with or awards a grant to a center for the general operation of the center, describe how the State will ensure that the determination of an individual's eligibility for services from that center shall be delegated to the center.

- Note: If the State contracts with or awards a grant to a third party to provide specific IL services, the State may choose to delegate to the IL service provider the determination of eligibility for these services and the development of an IL plan for individuals who receive these services.

### **Section 3: Design for the Statewide Network of Centers**

#### **3.1 Existing Network – 34 CFR 364.25**

Provide an overview of the existing network of centers, including non-Part C-funded centers that comply with the standards and assurances in section 725 (b) and (c) of the Act, and the geographic areas and populations currently served by the centers.

#### **3.2 Expansion of Network – 34 CFR 364.25**

Describe the design for the further expansion of the network, including identification of the unserved and underserved areas in the State and the order of priority for serving these areas as additional funding becomes available (beyond the required cost-of-living increase).

#### **3.3 Section 723 States Only – 34 CFR 364.39**

3.3A If the State follows an order of priorities for allocating funds among centers within a State that is different from what is outlined in 34 CFR 366.22, describe the alternate order of priority that the DSU director and the SILC chair have agreed upon. Indicate N/A if not applicable.

3.3B Describe how the State policies, practices and procedures governing the awarding of grants to centers and the oversight of these centers are consistent with the requirements in 34 CFR 366.37 and 366.38.

### **Section 4: Designated State Unit (DSU)**

#### **4.1 Administrative Support Services – 34 CFR 364.4; 34 CFR 364.22(b)**

4.1A Describe the administrative support services to be provided by the DSU for the SILS (Part B) program and, if the State is a Section 723 State, for the CIL (Part C) program.

- Note: Administrative support services include financial and technical assistance in planning, budget development and evaluation of center activities; financial management support including audits; personnel development and recordkeeping activities.

- Greater detail regarding in-kind support provided to the SILC resource plan should be included in section 5.1 of this SPIL, if applicable.

4.1B Describe other DSU arrangements for the administration of the IL program, if any (e.g., a DSU cooperative agreement with another State agency, office or entity that may involve the sharing of IL program responsibilities).

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

### **5.1 Resource plan – 34 CFR 364.21(i)**

5.1A Describe the resource plan prepared by the SILC in conjunction with the DSU for the provision of resources, including staff and personnel, made available under parts B and C of chapter 1 of title VII, section 101(a)(18) of the Act, and from other public and private sources that may be necessary to carry out the functions of the SILC identified in section 705(c). The description must address the three years of this SPIL.

- Note: The financial tables and narratives in section 3.1 describing the IL financial plan also serve as an outline of the SILC resource plan. In this section, provide additional information about the SILC resource plan, including details about in-kind resources such as plant, equipment and services. A detailed SILC budget is not required with this SPIL.

5.1B Describe how the specific SILC resource plan requirements listed in the SPIL Instrument will be addressed.

- Concisely describe or cite relevant written policies, procedures, by-laws, technical assistance and monitoring activities or other practices.

### **5.2 Establishment and Placement – 34 CFR 364.21(a)**

Describe how the establishment and placement of the SILC ensures its independence with respect to the DSU and all other State agencies.

- Include an explanation of the SILC establishment and placement. Establishment refers to the legal mechanism by which the SILC was established (e.g., through State law or governor’s executive order) and to its legal status (e.g., whether it is a nonprofit 501(c)(3) organization or part of State government structure). Placement refers to where the SILC has been placed, either within the State’s organizational structure (e.g., in the governor’s office, as an independent agency or commission, etc.) or outside of the State’s structure (e.g., as a non-profit organization).
- Note: In accordance with 34 CFR 364.21(a)(2), the SILC may not be established as an entity within a State agency, including the DSU or designated State agency.

### **5.3 Appointment and Composition – 34 CFR 364.21(b) – (f)**

Describe the process used by the State to appoint members to the SILC who meet the

composition requirements in section 705(b).

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

#### 5.4 Staffing – 34 CFR 364.21(j)

Describe how the specific SILC staffing requirements listed in the SPIL Instrument will be addressed.

- Concisely describe or cite relevant written policies, procedures, by-laws, technical assistance and monitoring activities or other practices.

### **Section 6: Service Provider Requirements**

#### Sections 6.1 – 6.7

Describe how the specific service provider requirements listed in the SPIL Instrument will be addressed. 34 CFR 364.23; 34 CFR 364.24; 34 CFR 364.30; 34 CFR 364.31; 34 CFR 364.34; 34 CFR 364.35; 34 CFR 364.36; 34 CFR 364.37; 34 CFR 364.40; 34 CFR 364.41; 34 CFR 364.43(c); 34 CFR 364.56(a)

- Concisely describe or cite relevant written policies, procedures, technical assistance and monitoring activities or other practices.

### **Section 7: Evaluation**

Describe the method that will be used to periodically evaluate the effectiveness of the plan in meeting the objectives established in Section 1.2. The description must include the State's evaluation of satisfaction by individuals with significant disabilities who have participated in the program. 34 CFR 364.38

### **Section 8: State-Imposed Requirements**

Identify any State-imposed requirements contained in the provisions of this SPIL. Indicate N/A if not applicable.

Note: State-imposed requirements include 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 goes beyond what would be required to comply with the regulations in 34 CFR parts 364, 365, 366 and 367. 34 CFR 364.20(h)