



CENTERS FOR INDEPENDENT LIVING COMPLIANCE REVIEW REPORT

Delta Resource Center for Independent Living

Grant Award Number: H132A950046

Pine Bluff, Arkansas

REVIEW DATES: April 10-12, 2013

Draft Report: June 27, 2013
CIL Response: July 18, 2013
Final Report: August 2, 2013

REHABILITATION SERVICES ADMINISTRATION

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I. PURPOSE OF THE ON-SITE MONITORING REVIEW

Sections 706(c) and 722 of the *Rehabilitation Act of 1973, as amended* (Rehabilitation Act) mandate that the Rehabilitation Services Administration (RSA) conduct on-site reviews of centers for independent living (CILs) funded under Title VII, Part C, Section 722. The objectives of on-site reviews are to:

- assess compliance with the requirements of Section 725(b) and (c)(3) of the Rehabilitation Act and 34 CFR 366.60-366.63;
- study program operations, organizational structure and administration of the CIL under Section 725(c)(1), (2), (5) and (6) of the Rehabilitation Act and 34 CFR 366.2 and 366.50;
- review documentation sufficient to verify the accuracy of the information submitted in the most recent 704 Annual Performance Report;
- verify that the CIL is managed in accordance with federal requirements in the Education Department General Administrative Regulations (EDGAR);
- assess CIL conformance with its work plan, developed in accordance with Section 725(c)(4) of the Rehabilitation Act and 34 CFR 366.50(d)(2), conditions of the CIL's approved application, and consistency with the State Plan for Independent Living (SPIL);
- identify areas of suggested or necessary improvements in the CIL's programmatic and fiscal operation and provide technical assistance resources available on the local, state, regional and national level;
- identify areas of exemplary work, projects and coordination efforts and make this information available to the larger CIL community; and
- provide an opportunity to share information with experienced nonfederal individuals involved in the operations of CILs and make available technical assistance to enhance CIL operations or to minimize or to eliminate problem areas.

II. METHODOLOGY

The on-site review of Delta Resource Center for Independent Living (Delta Resource), located in Pine Bluff, Arkansas, was conducted from April 10 to April 12, 2013. The program review covered the center's independent living (IL) operations and activities and the financial review examined the center's participation in Title VII, Part C, of the Rehabilitation Act. RSA used the On-Site Review Guide (ORG) to conduct the on-site review. During the review, interviews were conducted with the center's management, staff, consumers and members of the board of directors. In addition to the interviews, program and financial documents were reviewed in accordance with the protocol required by RSA's ORG, including written policies and procedures, a sample of consumer service records (CSRs), and other documents that verified compliance with standards and indicators. CSRs were selected for review on a random basis. RSA conducted an exit conference at the conclusion of the review to provide feedback on initial impressions from the review.

The RSA review team included the following individuals:

- Elizabeth Akinola, RSA program specialist;

- Daniel G. Kessler, nonfederal reviewer; and
- Sha Stevens, Arkansas Statewide Independent Living Council.

III. MISSION AND DESCRIPTION

The mission of Delta Resource is to provide services, support and advocacy which will enable persons with severe disabilities to live as independently as possible in the community and family. Delta Resource provides IL services in the counties of Arkansas, Ashley, Bradley, Chicot, Cleveland, Delsha, Drew, Grant, Jefferson, and Lincoln. The center was awarded a RSA grant under Title VII, Chapter 1, Part C, of the Rehabilitation Act in 1995.

Delta Resource provides the four core services of advocacy, information and referral, independent living skills training and peer counseling.

IV. OBSERVATIONS AND RECOMMENDATIONS

During its review activities, RSA identified the observations below and made recommendations that Delta Resource may consider.

1. CIL Work Plan

Observation: Delta Resource currently has a three-year program work plan for achieving its goals and mission which includes specific objectives, service priorities, and types of services to be provided consistent with these requirements. However, the current work plan does not contain a financial plan that describes how it will fund the activities to achieve the goals and objectives included in the program plan. RSA is providing the recommendations described below to assist the Delta Resource consumers, staff, management and governing board in the development of a more comprehensive work plan.

Recommendation: RSA recommends that Delta Resource:

- utilize data from its 704 Part II report and the goals/objectives and priority services outlined in the State Plan for Independent Living to establish a more comprehensive three-year program and financial plan that contains objectives for the center;
- include measureable goals for each of the objectives, strategies/action steps, responsible parties and timelines for achieving each goal and objective, and the evaluation/method to measure goal performance;
- include plans for training governing board members, employees, volunteers and consumers;
- include information about anticipated financial resources other than Title VII funds that the CIL will use in conducting activities to achieve the goals and objectives stated in the work plan, and;
- involve and solicit input from staff and consumers in the three-year program and financial plan development process.

Delta Resource Response: Delta Resource Center has attended and is offering training for governing board members, employees and volunteers through ILRU.

2. Policies and procedures

Observation: Regarding Delta Resource's policies and procedures, RSA made the observations described below related to services and operating policies and procedures.

- The center has a training policy for staff, board members and volunteers, but no procedures to request such training and for documenting training attended.
- The center has a conflict of interest form that staff sign regarding conflict of interest but there is no written policy on it.
- The center maintains a lobbying certification but there is no written policy on prohibition against lobbying.
- The center has an inventory policy but there is no consistency between the policy and the purchasing policy regarding specific dollar amount that would require board approval. The inventory policy states \$1000 would require board signature, but the purchasing policy states the amount is \$500.
- The center does not have policies that specify the board's roles and responsibilities.

Recommendation: RSA recommends that Delta Resource management and board develop and approve new policies and procedures for the above and then provide the necessary training to the staff, board and volunteers to ensure that they are consistently implemented and followed.

Delta Resource Response: Records of all trainings and registration forms are kept on file. Delta Resource Center is in the process of revising policies and procedures.

V. FINDINGS AND CORRECTIVE ACTIONS

RSA identified the compliance findings below. Within 30 days of receipt of the final report, Delta Resource must submit a corrective action plan (CAP) to RSA for review and approval. The CAP should include: (1) the specific corrective actions that the CIL will undertake in response to each finding; (2) the methodology that the CIL will utilize to evaluate if each corrective action has been effective; and (3) the timetable for the implementation and evaluation of the corrective action.

RSA reserves the right to pursue enforcement action related to these findings as it deems appropriate, including the recovery of funds, draw down restrictions, funds withholding, or grant terminations, pursuant to 34 CFR 74.60 and 34 CFR 74.62 of the Education Department General Administrative Regulations (EDGAR).

Finding 1: Equal Physical and Program Access to CIL's facilities

Legal Requirement: 34 CFR 366.63(a)(4)

The center shall provide evidence in its most recent annual Performance report that it (i) ensures equal access of individuals with significant disabilities, including communication and physical access, to the center's services, programs, activities, resources, and facilities, whether publicly or

privately funded. Equal access for purposes of this paragraph means that the same access is provided to any individual with a significant disability regardless of the individual's type of significant disability.

Finding: RSA identified the barriers described below at Delta Resource office which impacted accessibility for consumers with significant disabilities to the center's facilities and programs.

- The main entrance to the center's facilities has a heavy front door with a pull-handle and no automatic door opener; thus creating a barrier for individuals with limited hand dexterity or other mobility impairment to open doors.
- Delta Resource does not make all its programs and services accessible to all consumers regardless of their type of disability. For example, the center does not provide interpreters for the deaf. Instead, consumers needing this type of access are referred to other programs and services in the community; thus limiting communication access for these consumers.
- Delta Resource does not have a policy against the use of scented products by staff, consumers and other visitors at its facilities; thus, limiting access to and participation in the center's program and services for consumers with multiple chemical sensitivities.
- Delta Resource has a program brochure that lists the IL services that the center provides. However, there are no program descriptions and the brochure is not available in alternative formats such as electronic, Braille, or large print; thus, impacting consumers' understanding of and access to the center's programs and services.

Corrective Action: Delta Resource must take the following corrective actions to ensure that it provides equal access to individuals with significant disabilities by:

- developing a mechanism by which consumers can enter the center's facilities more easily, such as the installation of an automatic door opener;
- developing and implementing policies and procedures to ensure the availability of interpreters to aid communication about programs and services to individuals who are deaf;
- developing and implementing a policy against the use of scented products by staff, consumers and visitors at its facilities; and
- making available brochures and other literature that clearly describe the center's programs and services, and making these available in alternative accessible formats.

Delta Resource Response: The Delta Resource Center for IL agrees with the findings and is preparing a corrective action plan. Delta Resource Center is requesting technical assistance.

Finding 2: CSR maintenance and documentation

Legal Requirements: 34 CFR 364.53

For each applicant for IL services (other than information and referral) and for each individual receiving IL services (other than information and referral), the service provider shall maintain a consumer service record that includes—

- (a) Documentation concerning eligibility or ineligibility for services;
- (b) The services requested by the consumer;
- (c) Either the IL plan developed with the consumer or a waiver signed by the consumer stating that an IL plan is unnecessary;
- (d) The services actually provided to the consumer; and
- (e) The IL goals or objectives—
 - (1) Established with the consumer, whether or not in the consumer's IL plan; and
 - (2) Achieved by the consumer.
- (f) A consumer service record may be maintained either electronically or in written form, except that the IL plan and waiver must be in writing.

34 CFR 366.63(c)(1) - 1) The center shall provide evidence in its most recent annual performance report that it--

- (i) Maintains a consumer service record that meets the requirements of 34 CFR 364.53 for each consumer;
- (ii) Facilitates the development and achievement of IL goals selected by individuals with significant disabilities who request assistance from the center;
- (iii) Provides opportunities for consumers to express satisfaction with the center's services and policies in facilitating their achievement of IL goals and provides any results to its governing board and the appropriate SILC; and
- (iv) Notifies all consumers of their right to develop or waive the development of an IL plan (ILP).

Finding: At the time of the on-site compliance review, Delta Resource did not maintain consumer service records (CSRs), either electronically or in hard copy, that met all the requirements of 34 CFR 364.53, and the CSRs reviewed did not contain all the documentation requirements of 34 CFR 366.63(c)(1). The 15 CSRs reviewed by RSA varied in content and format in terms of required documentation. As a result, RSA was unable to verify information provided in subpart IV – compliance standards and indicators of the center’s most recent 704 Part II report is accurate. The following are examples of the identified variations in all of the CSRs reviewed:

- inconsistencies in eligibility determination documentation in CSRs;
- inconsistency in notification and consumer signatures on ILP development or waiver in CSRs;
- no signed release of information other than use of consumer photographs at CIL events in CSRs;
- no opportunity for consumers to provide feedback about satisfaction or dissatisfaction with services provided in CSRs, including surveys and no feedback is provided to the center’s governing board or the appropriate SILC;
- inconsistency in documentation of CIL’s facilitation to assist consumers achieve IL goals in CSRs;
- no documentation that consumers have an opportunity to appeal CIL decisions regarding service provision;

- inconsistency in documentation regarding notification about the client’s assistance program; and
- no documentation that consumers are informed about the opportunity to request information in alternative format.

Corrective action: Delta Resource must take corrective action to create and maintain consumer service records that meet the requirements of 34 CFR 364.53 either electronically or in hard copy. The center must ensure that any documents that require consumers’ signatures, such as the independent living plan or waiver are maintained in hard copy.

Technical Assistance: Delta Resource staff may take the CSR rapid course at <http://ilru.org/html/training/rapidCourses/index.html>. This module, the first in a three-part series, is offered by the Independent Living Resource Utilization and covers the CSRs and ILPs, fundamental federal requirements for record keeping and reporting, the importance of CSRs in meeting the reporting requirements for the annual federal 704 Report of services and activities, and useful practices for gathering consumer information, developing ILPs, and maintaining complete and accurate records. The primary audience is front line workers in CILs and it is designed to be used in orientation and training for new CIL staff and as a refresher for existing staff.

Delta Resource Response: The Delta Resource Center for IL agrees with the findings and is preparing a corrective action plan. Delta Resource Center is requesting technical assistance.

Finding 3: Ongoing Drug-free Workplace Program

Legal Requirement:

EDGAR 84.215 - You must establish an ongoing drug-free awareness program to inform employees about--

- (a) The dangers of drug abuse in the workplace;
- (b) Your policy of maintaining a drug-free workplace;
- (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
- (d) The penalties that you may impose upon them for drug abuse violations occurring in the workplace.

Finding: Delta Resource states that it provides information to all of their staff about the requirements to maintain a drug-free workplace when the individual is hired. The center also has a drug-free workplace policy in place. However, there is no official documentation that employees have the policy explained to them even though the policy is contained in the personnel manual that is provided to each employee of the CIL. Additionally, Delta Resource does not have any ongoing drug-free awareness program to remind and update the employees of the policy, resources, and the consequences of not following the policy.

Corrective Action: Delta Resource must develop a means of documenting that the employees have been informed of the drug-free workplace policies and implement an ongoing drug-free awareness program that addresses the requirements in EDGAR 34 CFR 84.210 and 84.215.

Technical Assistance: One methodology which Delta Resource could ensure compliance with the ongoing drug-free workplace awareness program requirement is to dedicate time periodically at staff meetings to conduct an overview of the center's drug-free workplace policies and resources and document this activity in meeting minutes along with the list of staff participating in the meeting. This documentation could then serve as the center's official record that it meets the requirement of an ongoing drug-free awareness program.

Delta Resource Response: The Delta Resource Center for IL agrees with the findings and is preparing a corrective action plan. Delta Resource Center is requesting technical assistance.

Finding 4: Property Inventory and Records

Legal Requirement: EDGAR 34 CFR 74.34(f)(3).

The recipient's property management standards for equipment acquired with Federal funds and federally owned equipment shall include a physical inventory. Equipment inventory must be taken and the results reconciled with the equipment records at least once every two years.

Finding: Delta Resource is not in compliance with the requirements of EDGAR 34 CFR 74.34 because the center does not maintain current and complete records of all property purchased with grant funds, and there is no evidence that the center conducts a physical inventory of equipment at least once every two years. The center's policies and procedures require that an inventory be conducted every two years. However, the center could not produce a recent inventory that met requirements as outlined in EDGAR.

Corrective Action: Delta Resource must take the necessary steps to ensure that current and complete records are maintained of all property purchased with grant funds and that a physical inventory of equipment is taken at least once every two years, in accordance with EDGAR 34 CFR 74.34(f)(3).

Delta Resource Response: The Delta Resource Center for IL agrees with the findings and is preparing a corrective action plan. Delta Resource Center is requesting technical assistance.

VI. TECHNICAL ASSISTANCE

While onsite, RSA provided technical assistance in the areas described below.

- RSA provided technical assistance regarding the information reported in Delta Resource's 704 Annual Performance Report, specifically related to the information reported in subpart I section A - Sources and Amount of Funding in the FY 2012 704 Part II report. In that report, Delta Resource reported \$284,667 in Part C regular and Part C funds under the American Recovery and Reinvestment Act of 2009 (ARRA). However, the amount of Part C regular award funds for that period was \$284,667. A recalculation of this amount with the Part C ARRA award amount (\$111,772 over five years) does not match the amount in Delta Resource's report (\$284,667).

- RSA provided technical assistance regarding Delta Resource's training plan for members of the governing board, staff and volunteers, specifically the need to develop procedures for requesting training and for documenting training participation and attendance.
- RSA provided technical assistance regarding Delta Resource's statement on conflict of interest, specifically the need to develop a written policy to be included in the personnel manual regarding conflict of interest.
- RSA provided technical assistance regarding Delta Resource's reimbursement for mileage, specifically regarding the need to revise the travel policy to reflect the current federal reimbursement amount. Currently, the center pays \$.50/mile in mileage costs for travel. However, the policy references that the mileage cost reimbursement amount is the federal rate, which is currently \$.56 per mile.
- RSA provided technical assistance regarding the need for Delta Resource's staff to work with its accountant to bring all payroll taxes up to date. The accountant reported that Delta Resource owes two quarters of state and federal payroll taxes, and is at least two quarters behind in submitting 941 forms.
- RSA provided technical assistance regarding technical assistance regarding the need to update its time sheets to be more consistent with the EDGAR reporting requirements.
- RSA provided technical assistance regarding the need to develop written procedures to minimize the time between the transfer of funds and disbursement of funds.
- RSA provided technical assistance regarding the need to review current personnel policies as it looks to expand its staffing capacity.
- RSA provided technical assistance regarding the need to develop a policy on the use of federal funds for the purchase of food consistent with Department of Education guidance.
- RSA provided technical assistance regarding the conduct of an annual audit. The center receives less than \$500,000 in federal funding and, therefore, has not conducted an annual audit. However, given the most recent transition in leadership, it may be helpful to the key management staff and board to have such an audit report to provide the financial status of the center.

UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

REHABILITATION SERVICES ADMINISTRATION

Washington, D.C. 20202-2800

Center for Independent Living (CIL)

On-Site Review Instrument

Fiscal Year: 2013
Name of Grantee: Delta Resource Center for Independent Living
Grant #: H132A950046
State: Arkansas

Rehabilitation Act of 1973, as amended

Title VII, Chapter I, Sections 706 and 722 – CIL Program

Part I

STANDARDS, INDICATORS AND ASSURANCES FOR CILS

The following questions are based on the CIL standards, indicators and assurances as required in Title VII of the Rehabilitation Act and the corresponding regulations. Unless otherwise noted, a “no” response indicates that the CIL did not demonstrate minimum compliance with the corresponding standard, indicator or assurance. A “no” response will be the basis for a corresponding finding in the report. The term *recommended practice* denotes a practice that, although not explicitly required by federal law or regulations, would, if followed, further the purpose of the independent living (IL) program.

I. Grantee is an Eligible Agency

Section 725(c)(1) of the Rehabilitation Act; 34 CFR 364.4(b)

Yes The CIL meets the definition of eligible agency as defined in the statute and regulations.

Verification Source: Delta Resource Articles of incorporation; bylaws; CIL policies and procedures.

II. Standards and Indicators

Section 725(b) and (c)(3) of the Rehabilitation Act; 34 CFR Part 366, Subpart G; 704 Report, Part II

The purpose of this subpart is to measure the extent to which the CIL is in compliance with the standards and assurances in Section 725(b) and (c) of the act.

Compliance Indicator I – Philosophy

Section 725(b)(1) of the Rehabilitation Act; 34 CFR 366.63(a)

Consumer Control

Sections 702(2), 725(b)(1)(A) and 725(c)(2) of the Rehabilitation Act; 34 CFR 366.63(a)(1)

(a) Governing Board

Sections 725(b)(1)(A) and 725(c)(2) of the Rehabilitation Act; 34 CFR 366.50(b) and 366.63(a)(1)(i)(A)

Verification of Consumer Control

4 Number of persons on the governing board.

4 Number of governing board members with significant disabilities.

Yes Is line (ii) over 50 percent of line (i)?

Recommended Practice:

0 Number of members from minority groups on the governing board.

Yes Verification that the CIL Board is the Principal Decision-Making Body

Yes The CIL board is the principal governing body of the CIL, as evidenced, for example, by its bylaws, policies and procedures, and other practices ensuring that policy decisions are vested with the governing body.

Recommended Practices:

Yes The CIL has policies and procedures specifying board members' roles and responsibilities.

Yes The CIL has a written process for identifying and recruiting board members.

Verification Sources for Governing Board: CIL board roles and responsibilities; bylaws; information obtained from CIL ED and board

(b) CIL Employees

Sections 725(b)(1)(A) and 725(c)(6) of the act; 34 CFR 366.63(a)(1)(i)(B)

<u>CIL Employees</u>	<u>Total Persons</u>	<u>Persons with Disabilities</u>
Decision-making positions	<u>1</u>	<u>1</u>
Other staff positions	<u>1</u>	<u>1</u>

Yes Over 50 percent of the CIL's employees in decision-making positions are filled by individuals with disabilities.

Yes Over 50 percent of staff positions are filled by individuals with disabilities.

Recommended Practice:

2 Number of minority¹ employees (decision-making and other staff positions)

¹ In this instance, "minority" refers to members of racial or ethnic groups that have been traditionally underrepresented.

Verification Sources for CIL Employees: Delta Resource organizational chart; information from CIL ED and staff person

Self-help and Self-advocacy

Section 725(b)(1)(B) of the Rehabilitation Act; 34 CFR 366.63(a)(2)

Yes The CIL promotes self-help and self-advocacy among individuals with significant disabilities.

Verification Sources for Self-help and Self-advocacy: CIL programs; CIL bylaws; information from CIL ED and staff person

Development of Peer Relationships and Peer Role Models

Section 725(b)(1)(C) of the Rehabilitation Act; 34 CFR 366.63(a)(3)

Yes The CIL promotes the development of peer relationships and peer role models among individuals with significant disabilities.

Verification Sources for Development of Peer Relationships and Peer Role Models: CIL programs; CIL bylaws; information from CIL ED and staff person

Equal Access

Section 725(b)(1)(D) of the Rehabilitation Act; 34 CFR 364.23(b) and 366.63(a)(4)(5)

No Ensures equal access of individuals with significant disabilities, including communication and physical access, to the CIL's services, programs, activities, resources and facilities, whether publicly or privately funded.
Equal access, for purpose of this question, means that the same access is provided to any individual with a significant disability regardless of the individual's type of disability.

Yes Advocates for and conducts activities that promote the equal access to all services, programs, activities, resources and facilities in society, whether public or private, and regardless of funding source, for individuals with significant disabilities.
Equal access, for the purposes of this question, means that the same access provided to individuals without disabilities is provided in the center's service area to individuals with significant disabilities.

No To the maximum extent feasible, makes available personnel able to communicate with individuals with significant disabilities who rely on alternative modes of

communication (manual communication, nonverbal communication, Braille, audiotapes, etc.) and who apply for or receive IL services.

- No To the maximum extent feasible, makes available personnel able to communicate in the native languages of individuals with significant disabilities whose English proficiency is limited and who apply for or receive IL services.
- No Makes available in alternate formats, as appropriate, all of its written policies, materials and IL services (e.g., Braille, large print, audio tape).
- No The CIL is physically accessible for individuals with significant disabilities, for example, individuals with mobility disabilities (e.g., signage, doors, bathrooms, parking lots) or individuals with Environmental Illness and Multiple Chemical Sensitivity (e.g., no-fragrance policy or use of “green” cleaners).
- No The CIL ensures communication access for individuals with significant disabilities by using, for example, TDDs/TTYs for individuals with hearing disabilities or picture boards and/or other means of communication for individuals with cognitive disabilities.

<u>Types of reasonable accommodation:</u>	<u>Full-time</u>	<u>Part-time</u>	<u>Upon Request</u>
Interpreters are available at the CIL.	_____	_____	<u> X </u>
Readers are available at the CIL.	_____	_____	<u> X </u>
Personal attendants are available at the CIL.	_____	_____	<u> X </u>

Verification Sources for Equal Access: personnel policies; Observation of review team; information from CIL ED and staff person; programs

Compliance Indicator 2- Provision of Services on a Cross- Disability Basis

Section 725(b)(2) of the Rehabilitation Act; 34 CFR 366.63(b)

- Yes Provides IL services to eligible individuals or groups of individuals without restrictions based on the particular type or types of significant disability of an individual or groups of individuals, unless the restricted IL service (other than the IL core services) is unique to the significant disability of the individuals to be served, e.g., Braille instruction for persons who are blind.
- Yes Provides IL core services to individuals with significant disabilities in a manner that is neither targeted nor limited to a particular type of significant disability.
- Yes Provides IL services to individuals with a diversity of significant disabilities and individuals who are members of populations that are unserved or underserved by programs under Title VII of the act.

Verification Sources for Provision of Services on a Cross-Disability Basis: CIL bylaws; CIL programs; information from CIL ED and staff person; CIL mission statement

Compliance indicator 3 – Independent Living Goals

Section 725(b)(3) of the Rehabilitation Act; 34 CFR 366.63(c); 34 CFR 364.52; 34 CFR 364.53

Yes The CIL maintains a consumer service record (CSR) for each consumer.

The CSRs contain:

No Documentation showing that the individuals are eligible or ineligible for services (only those eligible are served).

No Written Independent Living Plans (ILPs) or written waivers from the consumers stating that ILPs are unnecessary.

No Information on the services requested by, and the services provided to, or arranged for, the consumers.

No The IL goals or objectives established with the consumers, whether or not in the ILPs.

No The goals or objectives the consumers believe they have achieved.

The CIL maintains documentation on:

No CIL notification to consumers of their right to develop, or waive the development, of an ILP.

No The number of ILPs developed by consumers receiving services from the CIL.

No The number of waivers signed by consumers receiving services from the CIL stating that an ILP is unnecessary.

No The CIL's facilitation of the development and achievement of IL goals selected by individuals with significant disabilities who request assistance from the CIL.

No The CIL's provision of opportunities for consumers to express satisfaction or dissatisfaction with the CIL's services and policies and documentation the CIL sends any results to its governing board and the appropriate SILC.

The ILPs:

- No Indicate the goals or objectives established, the services to be provided and the anticipated duration of the services.
- No Are developed jointly and signed by the appropriate CIL staff member and the individual with a significant disability/legally authorized representative.
- No Are provided in accessible formats, as needed.
- No Are reviewed at least annually to determine whether services should be continued, modified or discontinued and/or whether the individual should be referred to another program, including VR, developmental disability or special education individualized plans as appropriate.

Recommended Practice:

- No The CIL has written CSR management policies and procedures.

Verification Sources for Independent Living Goals: Delta Resource appears to maintain CSRs on each consumer served but the documentation does not consistently meet the legal requirements. However, information from two board members, CIL ED and staff person indicates that the CIL does provide IL services.

Compliance Indicator 4 – Community Options and Community Capacity

Section 725(b)(4), (6), and (c)(10) of the Rehabilitation Act; 34 CFR 366.63(d)

The CIL performed at least one activity in each of the following categories during the reporting year:

- Yes Community advocacy.
- Yes Technical assistance to the community on making services, programs, activities, resources and facilities in society accessible to individuals with significant disabilities.
- Yes Public information and education.
- Yes Aggressive outreach to populations of individuals with significant disabilities that are unserved or underserved by programs under Title VII of the act in the CIL’s service area.
- Yes Collaboration with service providers, other agencies, and organizations that could assist in improving opportunities for individuals with significant disabilities to avail themselves of the services, programs, activities, resources and facilities in the CIL’s service area.

Yes Did the CIL's outreach to unserved or underserved populations include minority groups and urban and rural populations?

Verification Sources for Community Options and Community Capacity: CIL programs and services; systems advocacy activities; information from board, CIL ED and staff person

Compliance indicator 5 – IL Core Services and Other IL Services

Section 725(b)(5) of the Rehabilitation Act; 34 CFR 366.63(e); 34 CFR 364.51(b)(2)(iii); 34 CFR 364.58

Yes The CIL provides information and referral services to all individuals who request this type of assistance from the CIL in accessible formats.

The CIL provides the following services in response to requests from individuals with significant disabilities who are eligible for IL services:

Yes Independent living skills training.

Yes Peer counseling (including cross-disability peer counseling).

Yes Individual and systems advocacy.

Yes A combination, as appropriate, of any two or more of the IL services defined in Section 7(18)(B) of the act.

The CIL maintains documentation regarding notification of applicants and consumers about:

Yes Policies and procedures, including accessible formats, to obtain review of decisions made by the CIL concerning requests for/provision of IL services.

Yes The availability of the Client Assistance Program (CAP) and how to contact the CAP, including accessible formats.

Verification Sources for IL Core Services and Other IL Services: CIL programs list; mission statement; information from CIL ED and staff person; documentation in some CSRs regarding information on how to contact the CAP.

Compliance indicator 6 – Resource Development

Section 725(b)(7) of the Rehabilitation Act; 34 CFR 366.63(e)

Yes The CIL during the reporting year conducted resource development activities to obtain funding from sources other than Chapter 1, Title VII, of the act.

Verification Sources for Resource Development Activities: CIL bylaws; policies and procedures; review of CIL funding sources and accounting policies; information from CIL board and ED.

III. Program and Financial Planning Objectives

Section 725(c)(4) of the Rehabilitation Act; 34 CFR 366.50(d)

- Yes The CIL has established annual and three-year program and financial planning objectives.
- Yes The objectives include the CIL's goals and mission.
- Yes The CIL has a current work plan for achieving the goals or mission and has included specific activities to meet the requirements in the indicators.
- Yes The work plan includes specific services, priorities and types of services to be provided.
- Yes The objectives and work plan are consistent with the current SPIL.

Recommended Practices:

- No The work plan includes objectives and goals for obtaining or increasing non-Title VII funding.
- No The work plan addresses board, staff and/or volunteers training.

Verification Sources for Program and Financial Planning Objectives: Delta Resource 3-year program work plans

IV. 704 Report Accuracy and Documentation

Section 725(b)(c) of the Rehabilitation Act; 34 CFR 366.50(h)(i)

- Yes The CIL has implemented internal controls and procedures (including quality assurance) to ensure 704 Report accuracy and documentation.
- Yes Based on the CSRs, consumer lists, physical files and other documentation reviewed by RSA, the funding sources and amounts, CSR data (number of consumers, consumer demographics, ILPs and waivers, IL services and goals), standards and assurances compliance and other information in the most recent 704 Report are accurate and complete.

Reviewer's note: Delta Resource uses MYCIL database to compile information for the annual 704 Part II report; the review team received a copy of the data source for the center's most recent 704 Part II report, and most of the information looked accurate when compared. However, when compared with the CSR documentation requirements, a lot of the information in subpart IV of the 704 Part II report regarding standards and indicators did not look accurate.

Part II

ORGANIZATION AND ADMINISTRATION OF THE CIL

V. Organizational and Personnel Practices

Sections 704(m)(2) and 725(c)(5) of the Rehabilitation Act; 34 CFR 364.31; 34 CFR 366.50(e)

Yes The CIL uses sound organizational and personnel assignment practices (including organizational chart indicating lines of authority, job descriptions, performance appraisals).

Yes The personnel practices include affirmative action to employ and advance in employment qualified individuals with significant disabilities.

Recommended Practice:

Yes The CIL has personnel policies addressing such areas as wage and salary, fringe benefits, vacation and sick leave, etc.

Verification Sources for Organizational and Personnel Practices: Delta Org Chart; job descriptions for staff; personnel policies

VI. Staff Development and Training

Section 725(c)(11) of the Rehabilitation Act; 34 CFR 364.23(a); 34 CFR 364.24; 34 CFR 366.50(l)

Yes The CIL includes personnel who are specialists in the development and provision of IL services and in the development and support of centers.

Yes The CIL has established and maintains a program of staff development for all classes of positions involved in providing IL services and, where appropriate, in administering the CIL program.

Yes The staff development program is directed at improving the skills of staff directly responsible for the provision of IL services, including knowledge of and practice in the IL philosophy.

Yes The staff receives training on how to serve unserved and underserved populations, including minority groups and urban and rural populations.

Recommended Practice:

Yes The CIL has a governing board training and development program.

Verification Sources for Staff Development and Training: Delta Resource has a training and development plan for staff but the CIL has no procedures for requesting training.

VII. Conflict of Interest

EDGAR 34 CFR 75.525

Yes The CIL safeguards against a person (employee, board member, volunteer) to participate in an administrative decision regarding a project if the decision is likely to benefit that person or a member of his or her immediate family and that person is a public official or has a family or business relationship with the CIL.

Yes The CIL safeguards against any person in the project to use his or her position for a purpose that is, or gives the appearance of being, motivated by a desire for a private financial gain for that person or for others.

Verification Sources for Conflict of Interest: Delta Resource's conflict of interest policy; Interviews of Board members and Executive Director.

VIII. Confidentiality

34 CFR 364.56(a)

Yes The CIL has adopted and implemented policies and procedures to safeguard the confidentiality of all personal information, including photographs, publicity releases and lists of names that comply with 34 CFR 364.56(a) requirements including but not limited to:

Yes protecting current and stored personal information.

Yes informing IL applicants or consumers, authorized representatives, service providers and others, as appropriate, about the confidentiality of personal information and the conditions for gaining access to and releasing this information.

Recommended Practice:

Yes The CIL has meeting space that ensures that consumers' confidentiality is protected when meeting with staff.

Verification Sources for Confidentiality: Delta personnel handbook; tour of office areas and interview of CIL ED and staff person.

Reviewer’s note: Delta Resource needs to develop a more detailed release of information form and consistently document the form for each consumer. E.g., the CIL needs to maintain signed copies of release of information forms in CSRs.

IX. Drug-Free Workplace

EDGAR 34 CFR 84.200 – 84.230

- Yes The CIL conforms to the requirements of a drug-free workplace.
- Yes A statement is published notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of controlled substances is prohibited at the CIL and specifying the action that will be taken against employees for violating the prohibition.
- No The CIL has established an ongoing drug-free awareness program.
- Yes Each grant-funded employee has been given a copy of the prohibition statement, including a notification that conditions of employment at the CIL require abiding by the statement and informing the director of the CIL of any convictions under a drug statute.
- Yes The CIL has taken appropriate personnel action against employees or has required employees to participate in drug abuse assistance program or rehabilitation program if such employees were convicted under a criminal drug statute conviction.

Verification Sources for Drug-Free Workplace: Drug Free Workplace policy and form completed and signed by each employee upon hire.

X. Insurance Coverage

EDGAR 34 CFR 74.31

- Yes The CIL has insurance coverage for real property and equipment acquired with federal funds equivalent to that provided for property owned by the grantee.

Verification Sources for Insurance Coverage: Copy of insurance policy.

XI. Nondiscrimination

EDGAR 34 CFR 75.500

- Yes The CIL does not deny services to persons on the basis of their race, color, national origin, sex, age or the existence of a disability.

Verification Sources for Nondiscrimination: Delta Resource's Mission statement; personnel policy

XII. Prohibition Against Lobbying

EDGAR 34 CFR 82.100; 2 CFR 230, Attachment B, Item 25

Yes The CIL has on file a signed and dated copy of the Certification of Lobbying Form ED-80-0013 against using federal funds to influence or attempt to influence any federal agency or Congress through lobbying activities as described in 2 CFR 230, Attachment B, Item 25 and EDGAR 34 CFR 82.100.

Recommended Practice:

Yes Incorporates provisions consistent with 2 CFR 230, Attachment B, Item 25 safeguarding against lobbying in its written policies and procedures.

Verification Sources for Prohibition Against Lobbying: certification against lobbying; discussion with board and CIL ED.

Part III

GRANTS MANAGEMENT

XIII. Sources and Amounts of Funding (as verified by the review team)

(A) Title VII, Ch. 1, Part B	\$62,339
(B) Title VII, Ch. 1, Part C	\$284,667
(C) Title VII, Ch. 2	\$0
(D) Other Federal Funds	\$0
(E) State Government Funds	\$0
(F) Local Government Funds	\$0
(G) Foundations, Corporations, or Trust Grants	\$0
(H) Donations from Individuals	\$0
(I) Membership Fees	\$0
(J) Investment Income/Endowment	\$0
(K) Fees for Service (program income, etc.)	\$0
(L) Other Resources (in-kind, fundraising, etc.)	\$0

Item 4 - Total Income

Total income = (A)+(B)+(C)+(D)+(E)+(F)+(G)+(H)+(I)+(J)+(K)+(L) \$347,006

Item 5 - Pass Through Funds

Amount of other government funds received as pass through funds to consumers (include funds received on behalf of consumers that are subsequently passed on to consumers, e.g., personal assistance services, representative payee funds, or Medicaid funds) \$0

Net Operating Resources

Total Income (Section 4) <minus> amount paid out to consumers (Section 5) =
Net Operating Resources \$347,006

Reviewer's note: CIL needs to revise and resubmit the information provided in subpart I section A - Sources and Amount of Funding in the FY 2012 704 Part II report. In that report, Delta Resource reported \$284,667 in Part C regular and Part C ARRA Federal funds. However, the amount of their Part C regular award amount for that period was \$284,667. A recalculation of this amount with the Part C ARRA award amount (\$111,772 over 5 years), the totals do not add up to \$284,667. The executive director and board president were informed about the need for a revision to the pertinent section of the FY 2012 704 Part II report at the exit conference; and an email reminder was sent to the executive director on 04/30/2013.

Grant Related Income

34 CFR 364.6; EDGAR 34 CFR 74.2 and 74.24

Yes If program income is generated with federal funds, such income is used for allowable and approved purposes.

Verification Sources for Grant Related Income: Reviewed grant contracts, Title VIIC Part C drawdown reports, budget financial reports, invoices, time sheets and travel reimbursement sheets

Budget

EDGAR 34 CFR 74.21, 74.25, 75.702 and 75.730

Yes Expenditures are recorded by budget cost category and funding sources.

Yes Procedures are followed to assure expenditures are consistent with the approved budget of the CIL.

Yes CIL requests prior RSA approval for budget and program plan revisions, when required under EDGAR 74.25.

Verification Sources for Budget: Reviewed contracts with AR VR agency, budget financial reports, time sheets, travel reimbursement sheets, and invoices

Reviewer's note: CIL does have approved cost allocation plan. Staff time sheets need to be updated to be consistent with EDGAR requirements

XIV. Personnel Cost Allocation

2 CFR 230, Attachment B, Item 8(m)(1)

Yes Salaries and wages are charged based on documented payrolls approved by a responsible official.

- Yes The distribution of salaries and wages are supported by personnel activity reports described in 2 CFR 230 Appendix B, Item 8(m)(2) and reflecting an after-the-fact determination of the actual activity of each employee.
- Yes The CIL maintains reports reflecting the distribution of activity of all staff members whose compensation is charged to the award.

XV. Fiscal Management

EDGAR 34 CFR 74.21, 74.22, 74.52, 75.702, 75.707, 75.730; 2 CFR 230 Appendix A, Paragraph D

The CIL’s financial management systems provides for the following:

- Yes Accurate, current, and complete disclosure of the financial results of each federally-sponsored project in accordance with the reporting requirements of the SF-425 financial status report, including program income, federal and recipient shares of expenditures, indirect costs, etc.
- Yes Records that identify adequately the source and application of funds for federally-sponsored activities.
- Yes Effective control over and accountability for all funds, property and other assets in order to safeguard all assets and ensure they are used solely for authorized purposes.
- Yes Comparison of outlays with budget amounts for each award.
- No Written procedures that minimize the time between the transfer of funds and the disbursement of funds by the recipient.
- Yes Written procedures for determining the reasonableness, allocability and allowability of costs.
- Yes Accounting records, including cost-accounting records, supported by source documentation and entries are made on a timely basis.
- Yes The CIL has an approved U.S. Department of Education cost allocation plan (CAP) or indirect cost rate.
- Yes The CIL distributes administrative costs among its various funding sources in an equitable manner as described in the CIL’s approved CAP or indirect cost rate.

Verification Sources for Fiscal Management: Reviewed the approval letter from the US Department of Education, and cost allocation plan.

Name/Title of person responsible for preparation of the SF-425: Mattie Whaley, executive director. As of 03/27/2013, the SF-425 report was still in the process of being completed.

Reviewer's note: The CIL did submit a 425 form for FY 2012. The CIL needs to develop written procedures to minimize the time between the transfer of funds and disbursement of funds. The staff did have back-up documentation for purchases. Purchase orders show what funding sources the purchase should be charged to.

XVI. Accounting Systems

EDGAR 34 CFR 74.21

Yes The organization maintains a formal accounting system.

If the accounting system is computerized, identify the accounting program software used:
QuickBooks

The elements of the formal accounting system are (*check as appropriate*):

General Ledger

Grant Ledger

General Journal

Cash Receipts

Describe other(s):

The formal accounting system is maintained by (*check as appropriate*):

Cash basis

Accrual basis

Describe other(s):

Verification Sources for Accounting Systems: Reviewed the accounting system with the executive director

Reviewer's note: The CIL use QuickBooks and has in place elements required of an accounting system.

XVII. Travel Costs

EDGAR 34 CFR 74.27; 2 CFR 230, Attachment B, Item 51(b)

- Yes Travel costs incurred by employees and officers are reasonable and allowable, i.e., do not exceed charges allowed under the CIL's written travel policy or, in the absence of such a policy, as provided in 2 CFR 230, Attachment B, Item 51(b).
- Yes Travel costs reimbursement requests for federal funds are justified and documented, e.g., through travel authorizations, receipts, etc., in accordance to the CIL's travel policy.

The policy provides for reimbursement by (*check as appropriate*):

(1) Actual expenses

(2) Per diem

Verification Sources for Travel Policies: Reviewed the Travel Reimbursement Policy, travel reimbursement sheets, and receipts

XVIII. Procurement

EDGAR 34 CFR 74.21 and 74.40 - 74.48

- Yes The CIL has written procurement procedures complying with EDGAR 34 CFR 74.44.
- Yes The procurement procedures give adequate consideration to costs, quality, delivery, competitive bidding, inspection and acceptance, as well as reasonableness, allocability and allowability of costs.
- Yes The procurement procedures address the 34 CFR 74.42 – 74.48 requirements including written contract award and administration code of conduct; open and free competitions; cost and price analysis; records and files; contractor conformance/performance.
- No There is separation of responsibility for the authorization for purchasing and the subsequent payment. For example, payments are made only if disbursements or checks are countersigned.
- Yes Payment vouchers are identified as to funding sources, expense classification and transaction date.

The executive staff/board approval is needed for items over: The Executive Director approves all purchases and does most of the purchasing for the agency. Any purchases over \$1,000 requires Board approval.

Reviewer's note: The accountant reports that the CIL owes 2 quarters of state and federal payroll taxes, and is at least quarters behind in submitting 941 forms.

In the past the CIL ED assumed direct responsibility for most, if not all, fiscal management and procurement with very limited accountability to the governing board: there appeared to be

limited, if any, segregation of duties. The CIL needs to make changes to its policies and procedure so that purchasing duties are segregated to the maximum extent possible.

The person(s) responsible for purchasing equipment and supplies: Mattie Whaley, executive director

Verification Sources for Purchasing: Reviewed the procurement procedures, purchase orders, invoices and information from executive director.

XIX. Property

EDGAR 34 CFR 74.34(f) and (g), 74.44(a)

No The CIL maintains current and complete records of all property purchased with grant funds.

No The CIL has a system for controlling inventory (general ledger control account, card reports, property labels).

No Maintenance of property and equipment records are kept.

No Records contain: description of each piece of equipment; purchase date/cost; manufacturer's serial number, model number, federal stock number, national stock number, or other ID number; source of equipment award number; where title vests; information from which federal participation can be calculated; location and condition of the equipment, date information was reported; and ultimate disposition

No The CIL inventories property at least once every two years.

Date of last inventory: Unknown

No Adjustments to inventory accounts are made only on written authority of a designated official.

Name/Title of designee: Unknown

Yes The CIL guards against loss, damage or theft of property.

Yes The CIL has policies, procedures and controls for purchasing and disposing of property.

Verification Sources for Property: Inventory policy and procedures

Reviewer's note: The CIL's policies and procedures require an audit every 2 years. However, the CIL could not produce a recent inventory that met requirements outlined in EDGAR.

XX. Conferences and Meetings

2 CFR 230; Memorandum to Grantees Regarding the Use of Grant Funds for Conferences and Meetings, U.S. Department of Education, June 2012 (GAN Enclosure 7)

Yes The CIL ensures (e.g., through written policies or procedures) that, when hosting a conference or meeting, Part C or other federal funds are not used to purchase:

- food for attendees unless doing so is necessary to accomplish legitimate meeting or conference business;*
- alcoholic beverages; or
- entertainment (amusement, diversion, social activities, etc.)*

* This prohibition does not apply to social and recreational services described in 34 CFR 364.4 and related to IL goal(s) in a consumer’s CSR, such as peer support meetings.

Reviewer’s note: The governing board and executive director assured the review team that Delta Resource does not use federal funds to provide food at meetings and conferences. However, the CIL did not have a policy in place regarding the use of federal funds for the purchase of food. RSA CIL assured team that they will comply with any specific guidance issued by RSA and will develop written policy.

XXI. Records Retention

34 CFR 364.53; EDGAR 34 CFR 74.53(b); EDGAR 34 CFR 75.730

Yes Financial, consumer records and other documentation are maintained and retained for a period of three years in accord with federal requirements.

Verification Sources for Records Retention: Reviewed Delta Resource Records Retention Policy which contains information consistent with requirements outlined in EDGAR.

XXII. Audit

EDGAR 34 CFR 74.26

No The CIL expended \$500,000 or more in federal awards during the reporting year.

No *If “Yes” above, an annual nonfederal audit including funds received under Title VII, Chapter 1 of the act has been conducted and a copy thereof submitted to the Federal Audit Clearinghouse, as required.*

Verification Sources for Audit: Reviewed grant contracts and financial statements; to date the annual audit has not been completed, so the audit has not been submitted to the Federal Audit Clearinghouse.

Reviewer's note: The CIL receives less than \$500,000 in federal funding and therefore has not conducted an annual audit. However, given the most recent transition in leadership, it is recommended that the CIL conduct an audit. This will not only give a true financial picture, it will be valuable in approaching other funders.