



## CENTERS FOR INDEPENDENT LIVING

### COMPLIANCE REVIEW REPORT

Center for Independent Living in Central Florida

GRANT # H132A930121 and  
H132A010018

**REVIEW DATES:** May 21<sup>st</sup>-23<sup>rd</sup>, 2012

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CIL Response: July 20, 2012

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**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 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 the Center for Independent Living in Central Florida (CIL) was conducted from May 21-23, 2012. The program review covered the independent living (IL) operations and activities of the CIL 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. The review team 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:

- Timothy Beatty, RSA Independent Living Unit Chief; and
- Yavonka Archaga, Executive Director of the Resources for Independent Living CIL in Louisiana serving as the nonfederal reviewer.

In addition, the Designated State Unit and the State Independent Living Council were invited to send representatives to participate in the review. The Florida SILC was unable to send a representative for this review. The DSU representative was:

- Julie Kates, Program Manager, Florida Division of Vocational Rehabilitation.

### **III. MISSION AND DESCRIPTION**

Founded in 1979, the Center for Independent Living in Central Florida (CIL) provides a range of independent living services based on the philosophy of people with disabilities empowering one another in an environment of support and acceptance. CIL has offices in Winter Park and Lakeland, and serves Orange, Polk, Hardee, Highlands and DeSoto counties.

CIL's mission is: CIL in partnership with the community promotes inclusion of people with disabilities by eliminating architectural, communication and attitudinal barriers. CIL provides education, resources and training to enhance self-determination of individuals with disabilities through informed choice.

In addition to providing the four IL core services, CIL is involved in the programs and projects described below on behalf of individuals with significant disabilities.

**Accessibility:** CIL's accessibility services are focused on enhancing the quality of life by making homes, vehicles and communities more accessible for people with disabilities. The typical modifications offered to consumers include: installation of wheelchair ramps, widening of interior doorways, and installation of grab bars to bathtubs. CIL also performs on-site accessibility evaluations and provides a written report with specific recommendations for complying with the Americans with Disabilities Act, as well as federal and state guidelines.

**Employment:** CIL works with consumers to provide the following employment services: assistance in identifying employment goals; understanding their rights and responsibilities under the ADA; sharing job research techniques; referrals to relevant jobs; advocating to potential employers on their behalf; providing workforce-readiness training; and following up with ongoing support. CIL partners with the Business Advisory Council of Central Florida, a group of business leaders representing local industries that are dedicated to providing job opportunities to people with disabilities.

**Services for the Deaf and Hearing Impaired:** CIL works with consumers who are deaf and hearing impaired on a wide range of services including: distributing amplified telephones; citizenship education; driver's license training; tax preparation assistance; employment services; school-to-work transition; and communication assistance and advocacy. The center has a full time interpreter as well as staff with sign language skills.

**Mental Health Counseling:** CIL's certified mental health counselor provides support, guidance and reassurance geared toward helping consumers find their way toward purposeful, productive lives. CIL accepts many forms of insurance in order to provide this service. Some of the counseling specialties include:

- new or changing disabilities;
- life transitions and changes;
- post-traumatic stress;
- grief and loss; and
- depression and anxiety.

**Aging in Place:** CIL’s aging-in-place services help keep seniors independent and living in their own homes rather than in nursing facilities. The center also provides counseling and planning to smooth the transition from assisted living or nursing homes to private residences. The aging-in-place programs include:

- home modifications;
- hurricane emergency preparedness plans;
- nursing home transition;
- nursing home diversion; and
- specialized telecommunication equipment--volume-controlled phones.

#### **IV. ORGANIZATIONAL STRENGTHS AND EMERGING PRACTICES**

CIL’s housing program is a diverse one offering a wide range of services and support to consumers. CIL indicated that many of its consumers have issues with housing that prevent them from becoming or continuing to be independent. CIL is a HUD-certified housing counseling agency, which allows it to address the challenges of finding affordable, accessible housing for individuals with disabilities. CIL offers housing counseling for low-income individuals with disabilities and their families using several approaches including one-on-one sessions and group workshops for first-time homebuyers or prospective renters. One key element of the counseling is helping consumers understand their protections under federal and state Fair Housing laws. Others may be referred to resources such as the Florida Hardest-Hit Fund (HHF), which helps provide mortgage assistance to qualified Florida homeowners. Typical services provided to consumers include:

- assistance for the homeless;
- budgeting training;
- credit counseling;
- down payments;
- insurance;
- mortgage defaults;
- loss mitigation; and
- handling foreclosure.

CIL also counsels consumers about how to avoid bankruptcy, predatory lending and mortgage scams.

#### **V. OBSERVATIONS AND RECOMMENDATIONS**

During its review activities, RSA did not identify any observations to be addressed.

## VI. FINDINGS AND CORRECTIVE ACTIONS

RSA identified the compliance findings below. Within 30 days of receipt of the final report, CIL 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: Cost Allocation Plan/Indirect Cost Rate**

#### **Legal Requirement:**

EDGAR 34 CFR 75.560 (a) The differences between direct and indirect costs and the principles for determining the general indirect cost rate that a grantee may use for grants under most programs are specified in the cost principles for . . . (3) Other nonprofit organizations, at 34 CFR 74.27; (b) A grantee must have a current indirect cost rate agreement to charge indirect costs to a grant. To obtain an indirect cost rate, a grantee must submit an indirect cost proposal to its cognizant agency and negotiate an indirect cost rate agreement.

EDGAR 34 CFR 74.27(a). For each kind of recipient, there is a set of cost principles for determining allowable costs. Allowability of costs are determined in accordance with the cost principles applicable to the entity incurring the costs, as specified in the following chart: Office of Management and Budget (OMB) Circular A-122, "Cost Principles for Non-Profit Organizations," establishes the principles for determining costs of grants, contracts and other agreements with the federal government.

**Facts and Analysis:** EDGAR 34 CFR 75.560(b), 34 CFR 74.27 and OMB Circular A-122 require centers for independent living to establish a cost allocation plan or indirect cost rate approved by the U.S. Department of Education to ensure that centers distribute administrative costs among their various funding sources in a manner that provides a clear understanding of agency financial operations. CIL does have a cost allocation plan which is followed by the center but it has never been submitted for approval by the Department of Education.

**Finding:** CIL is not in compliance with EDGAR 34 CFR 75.560(b), 34 CFR 74.27 and OMB Circular A-122 because it is allocating costs to its IL Part C grant without an approved cost allocation plan or indirect cost rate agreement.

**Corrective Action:** CIL must take corrective action to submit its cost allocation plan and receive approval of the plan or an indirect cost rate. As part of the corrective action, CIL must submit its cost allocation plan or indirect cost rate proposal to the U.S. Department of Education's Indirect Cost Group, at mary.gougisha@ed.gov, within three months of the issuance of the final report.

**Technical Assistance:** RSA will provide a model cost allocation plan upon request.

**CIL Response:**

We do not disagree with this compliance finding.

On July 18, 2012 Center for Independent Living in Central Florida, Inc. submitted its current Cost Allocation Plan to Mary Gougisha, Director of the Indirect Cost Group for approval. Ms. Gougisha performed a cursory review of the plan. She responded that although the document includes a narrative description, it does not include adequate information that would allow her office to perform a review. Our Cost Allocation Plan needs to be revised to include enough information to understand how the allocations will ultimately impact the grants. She provided a list of documentation that is required by her office in order for them to review our plan. We are in the process of compiling the documentation and will resubmit the plan to Ms Gougisha upon completion.