



CENTERS FOR INDEPENDENT LIVING
COMPLIANCE REVIEW REPORT

Independent Living Resource Center of Northeast Florida

Grant Award Number: H132A940001

Jacksonville, Florida

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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 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 the Independent Living Resource Center of Northeast Florida (ILRC) was conducted February 18 - 20, 2014. The program review covered the independent living (IL) operations and activities and the financial review examined ILRC'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 initial feedback from the review.

Review team participants included:

- Timothy Beatty, RSA Independent Living Unit Chief;
- Dan Kessler, nonfederal reviewer;
- Julia Kates, representative, designated state unit;

- Denise Barber, representative, designated state unit; and
- Freddie Adams, representative, designated state unit.

III. MISSION AND DESCRIPTION

ILRC's mission is to empower all people with a disability to live independent, self-empowered lives. ILRC serves five counties, including Duval, Baker, Clay, Nassau, and St Johns. Established in 1978, ILRC was first awarded a RSA grant under Title VII of the Rehabilitation Act in 1994.

IV. SPECIALIZED SERVICES AND PROGRAMS PROVIDED

In addition to the required four core services, ILRC provides the specialized services and programs described below.

- **Brooks Temporary Loan Closet:** ILRC has a partnership with Brooks Rehabilitation to offer individuals a selection of durable medical equipment available to be loaned out on a temporary basis at no cost.
- **Career Development:** ILRC offers a variety of classes to meet the needs of people with disabilities to obtain the skills necessary to compete more effectively in the job market.
- **Deaf Consumer Program:** This specialized program assists individuals who are deaf, latent deaf and/or hard of hearing to maintain their rights to equal access and equal opportunity in employment, education, communication, recreation, community services, and making choices in daily living activities. The center has staff who are proficient in American Sign Language as well as an interpreter referral program.
- **Disabled Victims Advocate Program:** ILRC assists individuals with disabilities that are victims of crime, violent and non-violent, by providing advocacy and support services such as navigation through the court system and/or legal processes, medical and social service providers and crisis stabilization.
- **Florida Telecommunications Relay, Inc. (FTRI):** ILRC is the Regional Distribution Center for the FTRI program which provides special telephones for the deaf, hard of hearing, deaf/blind, and speech impaired.
- **High School High Tech:** This program is a transition program for students with disabilities who are in grades 9-12 on a standard or special track diploma. This program allows students to explore high tech careers as well as their own career interests to prepare them for post-secondary education or a career.
- **Interpreter Services:** ILRC offers an interpreter referral service and charges a fee for the interpreters provided for a variety of community requests.
- **Nursing Home Transition:** ILRC provides services to individuals with disabilities residing in nursing homes or other institutional settings who express the desire to live in non-institutionalized community-based settings, and assists with the transition process.
- **Peer Mentoring:** The peer mentoring program is an on-going training that provides individuals or groups of individuals with similar disabilities, interested in mentoring, the opportunity to share life experiences and offer support and guidance to each other as well as others with like disabilities. The staff pairs the individual with someone who has the same or a similar disability and experiences.

- **Work Incentives Planning and Assistance:** The Work Incentives Planning and Assistance Project provides certified benefits counselors who can work with individuals with disabilities to explain their Social Security benefits and planning for work.
- **Youth Services:** This program serves children from birth to age 22, along with providing valuable resources to their family. Services include individualized assistance and advocacy in education, including explaining the provisions under the Individuals with Disabilities Education Act, the Individual Education Program process, childhood development, self-esteem and social skills, and parenting services.

V. OBSERVATIONS AND RECOMMENDATIONS

RSA did not identify any observations and recommendations during the review. A description of the technical assistance provided onsite is included in Section VII below.

VI. FINDINGS AND CORRECTIVE ACTIONS

RSA identified the compliance findings below. Within 30 days of receipt of the final report, ILRC 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: Ongoing Drug-free Workplace Program

Legal Requirement:

- EDGAR 84.215

Finding: ILRC is not in compliance with EDGAR 84.215 because, based on interviews with the management and staff, and a review of personnel files, including training requests, the center does not have on-going drug-free workplace awareness program. ILRC provides one-time information to all staff about the requirements to have a drug-free workplace when the individual is hired. This information is documented in the personnel files. However, the center does not have any ongoing drug-free awareness training program to promote the requirements. ILRC management and staff did not indicate any current problems in this area and the executive director had dealt appropriately with a previous situation.

Corrective Action: ILRC must develop and implement an ongoing drug-free awareness training program that addresses the requirements in EDGAR 34 CFR 84.215.

ILRC Response: The ILRC outsources its payroll and human resources to Paychex Business Solutions. One of the services Paychex offers is a substance abuse awareness training that will: “Give managers, supervisors and staff an overall awareness of substance abuse and how it can affect the workplace. This information can help your staff understand the impact substance abuse can have on their organization, and how it can affect their bottom line. It’s important that they recognize how having a substance abuse policy can add value to their organization.”

During this training we will also review ILRC’s Substance Abuse Policy, penalties, up to, and including termination, and the various assistance programs that are also offered through Paychex. This training will be offered yearly to all staff.

RSA Response: RSA requests that ILRC send a copy of the topics/curriculum for this training, the date of the training for 2014 and the staff roster of who attended the training.

VII. TECHNICAL ASSISTANCE

RSA provided technical assistance during the onsite in the areas below.

- During the review process, RSA provided technical assistance to the center on board of director bylaws. Specifically, the review team recommended that the board review its bylaws and update sections regarding board membership, recruitment and appointment process, and term limits. There were some inconsistencies such as the minimum number of board members required in order to establish a quorum, which were pointed out to the board members and executive director.
- While conducting the board and executive director interviews, the review team determined that ILRC did not have a board training plan. The review team recommended the development and implementation of a training plan that includes new member orientation (i.e. center programs and services, IL philosophy and history) and formal training (i.e. board roles and responsibilities, nonprofit governance, fundraising and resource development).

ILRC Response: The ILRC has updated its bylaws to address membership discrepancy and will be looking at on-going training opportunities for its board of directors.

Appendix A: Legal Requirements

This Appendix contains the full text of each legal requirement cited in Section VI of this report.

Education Department General Administrative Regulations (EDGAR)

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.