

Guidebook for SILC Chairpersons, Members, and Administrators

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This reprint is provided by the IL Training & Technical Assistance Center operated at the Rural Institute for Inclusive Communities at the University of Montana. The IL Training & Technical Assistance Center is supported by contract number 75P00125C00005 from the U.S. Administration for Community Living, Department of Health and Human Services, Washington, D.C. 20201.

This publication was previously produced by the IL-NET National Training and Technical Assistance Center for Independent Living operated at ILRU (Independent Living Research Utilization) at TIRR Memorial Hermann Research Center, Houston, Texas. The previous publication was supported by grant number 90ILTA0002 from the U.S. Administration for Community Living, Department of Health and Human Services, Washington, D.C. 20201.

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Acknowledgments

There are more contributors to the content of this guidebook than can be acknowledged here. Many of the examples, promising practices, tools, and strategies shared here came from IL-NET presenters who gave webinars, teleconferences, and on-location trainings. Most of these presentations are mentioned as resources or examples in various places throughout the guidebook. We hope you will take the time to view or listen to the resources and share with your SILC, CIL, and DSE colleagues whenever there is an opportunity for training and orientation. We look forward to receiving your feedback on the usefulness of the guide.

Chapter 1: Introduction

Statewide Independent Living Councils (SILCs) fulfill an important, unique, and sometimes challenging role. SILCs are responsible for determining the direction for the Independent Living (IL) Program in the state. SILCs not only identify the needs of the Independent Living (IL) community, but also, jointly with the centers for independent living (CILs), develop a State Plan for Independent Living (SPIL) to respond to those needs. The SILC then monitors the implementation of the three-year plan.

SILCs across the country are organized in a variety of ways. Variations include size (number of council members), organizational status (nonprofit or not), partnerships and relationships, policies and procedures, state laws, and funding sources. However, there are many commonalities, such as a shared mission, authorizing federal laws and regulations, duties, authorities, tasks, and collaboration with CILs.

This guidebook is designed to increase understanding of common issues for all different types of SILCs. The audience for this information is council-elected chairpersons, their fellow Governor-appointed council members, and staff hired by the SILC, such as executive directors/coordinators. Topics include—

- Laws and regulations that define and guide the SILC;
- Collaborating with CILs;
- Building partnerships with other disability councils and organizations;
- Assessing the needs of the IL community;
- Developing and evaluating the implementation of the SPIL to address the identified needs;
- Recruiting, training, and supporting council members;
- Conducting effective outreach;
- Using social media effectively; and
- Resource development.

It is essential that SILC leadership, members, and staff have a good understanding of the SILC not only to actively and effectively contribute, but also to enhance IL services in the state. Every person involved has a vital role in fostering the successful and efficient functioning of the SILC. Whether you are a new or long-time member or staff person, there is a lot to learn!

You may already understand the basic philosophical concepts like consumer control, peer relationships, and a cross-disability orientation to the provision of services. These

concepts are critical to effective SILC operations. If you are interested in exploring them in more depth, ILRU has an online course available for SILCs called, *More than a Motto: SILC Member Orientation to IL History and Philosophy*. This course provides an in-depth review of the history and philosophy of IL and how it relates to SILCs. Participants have an opportunity to study the impact of principles behind IL philosophy and how these principles can affect SILC decisions. There are two additional online courses that offer more information on running a SILC in general, including laws, regulations, duties, approaches, and funding. The first course is called, *Smooth as SILC: An Introduction to the Duties and Responsibilities of Statewide Independent Living Councils*, and is suitable for newly appointed council members or staff. The more advanced course, *The Action of Leading: SILC Leadership for Chairpersons, Members, and Staff*, provides greater depth on those topics and more. A schedule of courses, and many additional resources, can be found on <http://www.ilru.org>.

Chapter 2: Legislation

Setting the Stage: A Brief History of SILCs

In the 1970s and 1980s, as the number of CILs grew across the country, IL advocates and federal government officials looked for a way to coordinate activity with CILs in the states and the federal government. They also wanted to address important questions such as: How many CILs do we create in each state? Where do we place them? How much funding should they receive? These are all questions best resolved by IL advocates in each state.

By the late 1980s, each state receiving IL funds was required to have an independent living advisory council, a majority of whose members were people with disabilities. While most states had these advisory bodies, these councils had no real authority. The Designated State Unit (DSU) had responsibility for developing a state plan for independent living, but the director was only required to *consider* the recommendations of the IL advisory council.

Advocates, including congressional staff, believed these councils could be the logical next step to consumer control in planning the use of IL funds granted to the states and designing the network of CILs in each state. If given real authority to go along with their responsibilities, perhaps these councils could fulfill the need for consumer control in planning and coordination between the federal government and states.

Truthfully, not all advocates in IL believed the councils could move into this role. The councils did not meet regularly, the members tended to be from the capital city and not sensitive to rural needs, and the people who served on them were the same faces that served on all vocational rehabilitation committees. If Congress was going to use these councils, they would need to make significant changes. When Congress reauthorized the Rehabilitation Act of 1973 (the Act) in 1992, it formally established a governor-appointed SILC in every state, territory, and the District of Columbia that was consumer controlled and had real responsibilities and authority.

With the 2014 reauthorization of the Act through the Workforce Innovation and Opportunity Act (WIOA), Congress vested new authorities to the SILC and gave control of the state plan to the SILC and CILs in the state. These changes enhanced collaboration between and among SILCs and CILs and increased consumer control.

Rehabilitation Act

The Rehabilitation Act of 1973 was the first major federal legislation to prohibit discrimination on the basis of disability in federal employment and by federal contractors, in programs run by federal agencies, as well as programs that receive federal assistance. The Act authorizes the formula grant programs of vocational rehabilitation, client assistance programs (CAP), supported employment, assistive

technology, research, and independent living. The introduction and purpose of Title VII of the Rehabilitation Act, as amended (Title VII covers independent living services (ILS), CILs, and SILCs) is shown below. More sections are included throughout this guide. Consider Title VII and the corresponding regulations as your IL bible.

I. Introduction and Review of Title VII of the Rehabilitation Act.

THE REHABILITATION ACT OF 1973, AS AMENDED (by the Workforce Innovation and Opportunity Act (WIOA) in 2014)

Title VII – Independent Living Services and Centers for Independent Living

Chapter 1 – INDIVIDUALS WITH SIGNIFICANT DISABILITIES

Part A – General Provisions

Sec. 701. Purpose. – The purpose of this chapter is to promote a philosophy of independent living, including a philosophy of consumer control, peer support, self-help, self-determination, equal access, and individual and system advocacy, in order to maximize the leadership, empowerment, independence, and productivity of individuals with disabilities, and the integration and full inclusion of individuals with disabilities into the mainstream of American society, by—

- (1) Providing financial assistance to States for providing, expanding, and improving the provision of independent living services;
- (2) Providing financial assistance to develop and support statewide networks of centers for independent living; and
- (3) Providing financial assistance to States for improving working relationships among State independent living rehabilitation service programs, centers for independent living, Statewide Independent Living Councils established under section 705, State vocational rehabilitation programs receiving assistance under title I, State programs of supported employment services receiving assistance under title VI, client assistance programs receiving assistance under section 112, programs funded under other titles of this Act, programs funded under other Federal law, and programs funded through non-Federal sources with the goal of improving the independence of individuals with disabilities.¹

Workforce Innovation and Opportunity Act

On July 22, 2014, President Barack Obama signed the Workforce Innovation and Opportunity Act (WIOA) into law, transferring responsibility for the Title VII, Chapter 1 (Independent Living Programs) from the Rehabilitation Services Administration (RSA) within the Department of Education to the Department of Health and Human Services (DHHS), Administration for Community Living (ACL). ACL now administers the

¹ Rehabilitation Act of 1973 as amended, Title VII, Chapter 1, Section 701.

Independent Living Programs via the WIOA-created Independent Living Administration (ILA), for which the IL community had been advocating for over a decade. In 2019, ACL went through a reorganization combining the Independent Living Administration with the Administration on Disabilities, with the Commissioner of the AOD also serving as the Director of the ILA, and creating the Office of Independent Living Programs for the daily operations of the program. Project Officers are assigned to regions to provide oversight and technical assistance to grantees including centers for independent living (CILs) which receive Part C funds, designated state entities (DSEs) which receive and administer the Part B funds, and statewide independent living councils (SILCs) which drive the state planning process directing the distribution of Part B funds and are responsible for monitoring and evaluating the effectiveness of the plan.

Created in 2012, ACL brought together the efforts and achievements of the Administration on Aging, the Administration on Intellectual and Developmental Disabilities, and the Health and Human Services (HHS) Office on Disability to serve as the federal agency responsible for increasing access to community supports, while focusing attention and resources on the unique needs of older Americans and people with disabilities across the lifespan. ACL's mission is to maximize the independence, well-being, and health of older adults, people with disabilities, and their families and caregivers.

SILCs should communicate issues, questions, and concerns to their Project Officer. Resolution of differences and conflicts within the state should be attempted with the Designated State Entity (DSE) and CILs prior to contacting the Project Officer. A table of current IL state Project Officer assignments is available online at <http://www.ilru.org/federal-guidance-il-program>. New regulations for the IL Programs implementing the law became effective November 28, 2016. Guidance on the duties, authorities, and limitation of the SILC that have been released by the ILA are included in this document and are also available online at <http://www.acl.gov/> and <http://www.ilru.org>.

SILC Statutory Duties, Authorities, and Limitation

To accomplish the broad purpose of the Independent Living Program, the Act, as amended by WIOA, specifically identifies **five Duties** that the SILC must carry out, **three Authorities** the SILC may conduct, and **one Limitation** placed on the SILC. All activities of the SILC must fall within these duties, authorities, and limitation, consistent with the SPIL. The Authorities give the SILCs more opportunities and more flexibility to conduct activities that are **consistent with the purpose² of Title VII of the Act and are clarified in the SPIL.**

² §1329.2 Purpose. "The purpose of Title VII of the Act is to promote a philosophy of independent living (IL), including a philosophy of consumer control, peer support, self-help, self-determination, equal access, and individual and system advocacy, in order to maximize the leadership, empowerment, independence, and productivity of individuals with disabilities, and to promote the integration and full inclusion of individuals with disabilities into the mainstream of American society..."

The language from WIOA³, along with corresponding language from the new IL Regulations (45 CFR Part 1329),⁴ are detailed below:

³ Rehabilitation Act of 1973 as amended, Title VII, Chapters 1 & 2, Sec. 705.

⁴ See <https://www.federalregister.gov/documents/2016/10/27/2016-25918/independent-living-services-and-centers-for-independent-living> .

WHAT THE LAW SAYS	WHAT THE IL REGULATIONS SAY	WHAT SILC INDICATORS/ASSURANCES SAY	WHAT DSE ASSURANCES SAY
Sec. 705(c) FUNCTIONS: (1) DUTIES -The council shall: (A) Develop the State plan as provided in section 704(a)(2); Sec. 704. State Plan. (a) In General. – (1) Requirement. – To be eligible to receive financial assistance under this chapter, a State shall submit to the Administrator, and obtain approval of, a State plan developed and signed in accordance with paragraph (2) containing such provisions as the Administrator may require, including, at a minimum, the provisions required in this section. (2) Joint Development. – The plan under paragraph (1) shall be jointly – (A) developed by the chairperson of the Statewide Independent Living Council and the directors of the centers for independent living in the State, after receiving public input from individuals with disabilities through the State; and	§ 1329.15 Duties of the SILC. (a) The duties of the SILC are those set forth in section 705 (c), (d), and (e) of the Act. (1) The SILC shall develop the SPIL in accordance with guidelines developed by the Administrator;	<u>Indicator (1)</u> g. A method for developing, seeking and incorporating public input into, monitoring, reviewing and evaluating implementation of the State Plan as required in 45 CFR 1329.17; and <u>Indicator (1)</u> h. A process to verify centers for independent living are eligible to sign the State Plan in compliance with 45 CFR 1329.17(d)(2)(iii). <u>Indicator (4)</u> The SILC receives public input into the development of the State Plan for Independent Living in accordance with 45 CFR 1329.17(f) ensuring: a. Adequate documentation of the State Plan development process, including but not limited to, a written process setting forth how input will be gathered from the state’s centers for independent living and individuals with disabilities throughout the state, and the process for how the information collected is considered. b. All meetings regarding State Plan development and review are	

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(B) signed by – i. the chairperson of the Statewide Independent Living Council, acting on behalf of and at the direction of the council, the director of the designated State entity described in subsection (c); and ii. not less than 51 percent of the directors of the centers for independent living in the State.		open to the public and provide advance notice of such meetings in accordance with existing State and federal laws and 45 CFR 1329.17(f)(2)(i)-(ii); c. Meetings seeking public input regarding the State Plan provide advance notice of such meetings in accordance with existing State and federal laws, and 45 CFR 1329.17(f)(2)(i); d. Public meeting locations, where public input is being taken, are accessible to all people with disabilities, including, but not limited to: i. proximity to public transportation, ii. physical accessibility, and iii. effective communication and accommodations that include auxiliary aids and services, necessary to make the meeting accessible to all people with disabilities. e. Materials available electronically must be 508 compliant and, upon request, available in alternative and accessible format including other commonly spoken languages.	

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Sec. 704(c) Designation of State Entity – The plan shall designate a State entity of such State (referred to in this title as the ‘designated State entity’) as the agency that, on behalf of the State, shall: (1) receive, account for, and disburse funds received by the State under this chapter based on the plan; (2) provide administrative support services for a program under part B, and a program under part C in a case where the program is administered by the State under section 723; (3) keep such records and afford such access to such records as the Administrator finds to be necessary with respect to the programs; (4) submit such additional information or provide such assurances as the Administrator may require with respect to the programs; and (5) retain not more than 5 percent of the funds received by the State for any fiscal year under Part B for the performance of the services	§ 1329.12 Role of the designated State entity. (a) (1) Receive, account for, and disburse funds received by the State under Part B and Part C in a State under section 723 of the Act based on the State plan; (2) Provide administrative support services for a program under Part B and for CILs under Part C when administered by the State under section 723 of the Act, 29 U.S.C. 796f–2; (3) Keep such records and afford such access to such records as the Administrator finds to be necessary with respect to the programs; (4) Submit such additional information or provide such assurances as the Administrator may require with respect to the programs; and (5) Retain not more than 5 percent of the funds received by the State for any fiscal year under Part B, for the performance of the services outlined in paragraphs (a)(1) through (4) of this section. For purposes of these regulations, the 5 percent cap on funds for administrative expenses applies		<u>Assurance (1)</u> The DSE acknowledges its role as the fiscal intermediary to receive, account for, and disburse funds received by the State to support Independent Living Services in the State;

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outlined in paragraphs (1) through (4).	only to the Part B funds allocated to the State and to the State's required 10 percent Part B match. It does not apply to other program income funds, including, but not limited to, payments provided to a State from the Social Security Administration for assisting Social Security beneficiaries and recipients to achieve employment outcomes, any other federal funds, or to other funds allocated by the State for IL purposes. (b) The DSE must also carry out its other responsibilities under the Act, including, but not limited to, arranging for the delivery of IL services under Part B of the Act, and for the necessary and sufficient resources needed by the SILC to fulfill its statutory duties and authorities, as authorized in the approved State Plan. (c) Fiscal and accounting requirements: The DSE must adopt fiscal control and fund accounting procedures as may be necessary to ensure the proper disbursement of and accounting for federal funds provided to CILs, SILCs, and/or other services providers under the ILS program.		

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	The DSE must comply with all applicable federal and state laws and regulations, including those in 45 CFR parts 75.		
Sec. 705(c)(1) DUTIES (B) Monitor, review, and evaluate the implementation of the State plan; Sec. 704(a) (3) Periodic Review and Revision. – The plan shall provide for the review and revision of the plan, not less than once every 3 years, to ensure the existence of appropriate planning, financial support and coordination, and other assistance to appropriately address, on a statewide and comprehensive basis, needs in the State for – (A) the provision of independent living services in the State; (B) the development and support of a statewide network of centers for independent living; and (C) working relationships and collaboration between – i. centers for independent living; and	§ 1329.15(a) (2) The SILC shall monitor, review, and evaluate the implementation of the SPIL on a regular basis as determined by the SILC and set forth in the SPIL; § 1329.17(c) The State plan must cover a period of not more than three years and must be amended whenever necessary to reflect any material change in State law, organization, policy, or agency operations that affect the administration of the State plan. § 1329.17(e) The State plan must provide for the review and revision of the plan, not less than once every three years, to ensure the existence of appropriate planning, financial support and coordination, and other assistance to meet the requirements of section 704(a) of the Act.	<u>Indicator (5)</u> (5) The SILC monitors, reviews and evaluates the State Plan in accordance with 45 CFR 1329.15(a)(2) ensuring: (a) Timely identification of revisions needed due to any material change in State law, state organization, policy or agency operations that affect administration of the State Plan approved by the Administration for Community Living.	

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ii. (I) entities carrying out programs that provide independent living services, including those serving older individuals; (II) other community-based organizations that provide or coordinate the provision of housing, transportation, employment, information and referral assistance, services, and supports for individuals with significant disabilities; and, (III) entities carrying out other programs providing services for individuals with disabilities.			
Sec. 704(I) Outreach With respect to services and centers funded under this chapter, the plan shall set forth steps to be taken regarding outreach to populations that are unserved or underserved by programs under this title, including minority groups and urban and rural populations.		<u>Assurance (8)</u> The SILC actively consults with unserved and underserved populations in urban and rural areas that include indigenous populations as appropriate for State Plan development as described in Sec. 713 (b)(7) of the Act regarding Authorized Uses of Funds (29 U.S.C. Sec. 796e-2(b)(7))	
Sec. 705 (c)(1) DUTIES (C) Meet regularly, and ensure	§ 1329.15(a) (3) The SILC shall meet regularly, and ensure that such meetings are	<u>Indicator (1)</u> c. A process to hold public meetings and meet regularly as	

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that such meetings of the council are open to the public and sufficient advance notice of such meetings is provided;	open to the public and sufficient advance notice of such meetings is provided;	prescribed in 45 CFR 1329.15(a)(3); d. A process and timelines for advance notice to the public of SILC meetings in compliance with State and federal law and 45 CFR 1329.15(3); e. A process and timeline for advance notice to the public for SILC “Executive Session” meetings, that are closed to the public, that follow applicable federal and State laws; i. “Executive Session” meetings should be rare and only take place to discuss confidential SILC issues such as but not limited to staffing. ii. Agendas for “Executive Session” meetings must be made available to the public, although personal identifiable information regarding SILC staff shall not be included; f. A process and timelines for the public to request reasonable accommodations to participate during a public Council meeting;	
Sec. 705 (c)(1) DUTIES (D) Submit to the Administrator such periodic reports as the	§ 1329.15(a) (4) The SILC shall submit to the Administrator such periodic reports as the Administrator may		

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Administrator may reasonably request, and keep such records, and afford such access to such records, as the Administrator finds necessary to verify the information in such reports; and	reasonably request, and keep such records, and afford such access to such records, as the Administrator finds necessary to verify the information in such reports; and		
Sec. 705 (c)(1) DUTIES (E) As appropriate, coordinate activities with other entities in the State that provide services similar to or complementary to independent living services, such as entities that facilitate the provision of or provide long-term community-based services and supports. Sec. 704(i) Cooperation, Coordination, and Working Relationships Among Various Entities. – The plan shall set forth the steps that will be taken to maximize the cooperation, coordination, and working relationships among – (1) The Statewide Independent Living Council (2) centers for independent living (3) the designated State entity; and	§ 1329.15(a) (5) The SILC shall, as appropriate, coordinate activities with other entities in the State that provide services similar to or complementary to independent living services, such as entities that facilitate the provision of or provide long-term community-based services and supports.		

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(4) other State agencies or entities represented on the Council, other councils that address the needs and issues of specific disability populations, and other public and private entities determined to be appropriate by the Council.			
Sec. 705(c)(2) AUTHORITIES - The council may, consistent with the State plan described in section 704, unless prohibited by State law—	§ 1329.16 Authorities of the SILC. (a) The SILC may conduct the following discretionary activities, as authorized and described in the approved State Plan:		
Sec. 705 (c)(2) Authorities (A) In order to improve services provided to individuals with disabilities, work with centers for independent living to coordinate services with public and private entities; Sec. 704(j) Coordination of Services. – The plan shall describe how services funded under this chapter will be coordinated with, and complement, other services, in order to avoid unnecessary	§ 1329.16(a) (1) Work with Centers for Independent Living to coordinate services with public and private entities to improve services provided to individuals with disabilities; § 1329.16 (b) In undertaking the foregoing duties and authorities, the SILC shall: (1) Coordinate with the CILs in order to avoid conflicting or overlapping activities within the CILs' established services areas;		

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duplication with other Federal, State, and local programs.			
Sec. 705 (c)(2) Authorities (B) Conduct resource development activities to support the activities described in this subsection or to support the provision of independent living services by centers for independent living; and	§ 1329.16(a) (2) Conduct resource development activities to support the activities described in the approved SPIL and/or to support the provision of independent living services by Centers for Independent Living; and		
Sec. 705 (c)(2) Authorities (C) Perform such other functions, consistent with the purpose of this chapter and comparable to other functions described in this subsection, as the council determines to be appropriate.	§ 1329.16(a) (3) Perform such other functions, consistent with the purpose of this part and comparable to other functions described in section 705(c) of the Act, as the Council determines to be appropriate and authorized in the approved SPIL.		
Sec. 705 (d) HEARINGS and FORUMS – The council is authorized to hold such hearings and forums as the Council may determine to be necessary to carry out the duties of the council.			
(3) LIMITATION -The council shall not provide independent living services directly to individuals with significant disabilities or manage such services.	§ 1329.16 Authorities (b) (2) Not engage in activities that constitute the direct provision of IL services to individuals, including the IL core services; and § 1329.15 Duties		

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	(b) In carrying out the duties under this section, the SILC may provide contact information for the nearest appropriate CIL. Sharing of such information shall not constitute the direct provision of independent living services as defined in section 705(c)(3) of the Act.		
Sec. 704(b) Statewide Independent Living Council. – The plan shall provide for the establishment of a Statewide Independent Living Council in accordance with section 705, as well as a plan for funding the administrative costs of the Council.	§ 1329.12(b) The DSE must also carry out its other responsibilities under the Act, including, but not limited to: (2) Allocating the necessary and sufficient resources needed by the SILC to fulfill its statutory duties and authorities under section 705(c), consistent with the approved State Plan. § 1329.15 c) The SILC, in conjunction with the DSE, shall prepare a plan for the provision of resources, including staff and personnel that are necessary and sufficient to carry out the functions of the SILC. (1) The resource plan amount shall be commensurate, to the extent possible, with the estimated costs related to SILC fulfillment of its duties and authorities consistent with the approved State Plan.	<u>Indicator (6)</u> The SILC State Plan resource plan includes: a. Sufficient funds received from: i. Title VII, Part B funds; 1. If the resource plan includes Title VII, Part B funds, the State Plan provides justification of the percentage of Part B funds to be used if the percentage exceeds 30 percent of Title VII, Part B funds received by the State; ii. Funds for innovation and expansion activities under Sec. 101(a)(18) of the Act, 29 U.S.C. Sec. 721(a)(18), as applicable; iii. Other public and private sources. b. The funds needed to support: i. Staff/personnel; ii. Operating expenses; iii. Council compensation and expenses; iv. Meeting expenses including meeting space, alternate formats,	<u>Indicator (5)</u> The DSE assures that the SILC is established as an autonomous entity within the State as required in Sec 1329.14 of the WIOA regulations;

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	(2) Available resources include: Innovation and Expansion (I&E) funds authorized by 29 U.S.C. 721(a)(18); Independent Living Part B funds; State matching funds; other public funds (such as Social Security reimbursement funds); and private sources. (3) In accordance with § 1329.10(a)(1), no more than 30 percent of the State's allocation of Part B and Part B State matching funds may be used to fund the resource plan, unless the approved SPIL provides that more than 30 percent is needed and justifies the greater percentage. § 1329.15(c) (6) A description of the SILC's resource plan must be included in the State plan. The plan should include: (i) Staff/personnel; (ii) Operating expenses; (iii) Council compensation and expenses; (iv) Meeting expenses, including public hearing expenses, such as meeting space, alternate formats, interpreters, and other accommodations;	interpreters, and other accommodations; v. Resources to attend and/or secure training and conferences for staff and council members and; vi. Other costs as appropriate.	
	§ 1329.15(c)(6)	<u>Assurance (3)</u>	

WHAT THE LAW SAYS	WHAT THE IL REGULATIONS SAY	WHAT SILC INDICATORS/ASSURANCES SAY	WHAT DSE ASSURANCES SAY
	(v) Resources to attend and/or secure training for staff and Council members; and	The SILC maintains individual training plans for members that adhere to the SILC Training and Technical Assistance Center's SILC training curriculum.	
	§ 1329.15(c)(6) (vi) Other costs as appropriate.	<u>Indicator (6)(b)</u> vi. Other costs as appropriate.	
	§ 1329.15(c) (4) No conditions or requirements may be included in the SILC's resource plan that may compromise the independence of the SILC.	<u>Assurance (4)</u> (4) The SILC is not established as an entity within a State agency in accordance with 45 CFR Sec. 1329.14(b);	<u>Assurance (5)</u> The DSE assures that the SILC is established as an autonomous entity within the State as required in Sec. 1329.14 of the WIOA regulations; <u>Assurance (2)</u> The DSE must make timely and prompt payments to Part B funded SILCs and CILs: a. When the reimbursement method is used, the DSE must make a payment within 30 calendar days after receipt of the billing, unless the agency or pass-through entity reasonably believes the request to be improper; b. When necessary, the DSE will advance payments to Part B funded SILCs and CILs to cover its estimated disbursement needs for an initial period generally geared

WHAT THE LAW SAYS	WHAT THE IL REGULATIONS SAY	WHAT SILC INDICATORS/ASSURANCES SAY	WHAT DSE ASSURANCES SAY
			to the mutually agreed upon disbursing cycle; c. The DSE will accept requests for advance payments and reimbursements at least monthly when electronic fund transfers are not used, and as often as necessary when electronic transfers are used, in accordance with the provisions of the Electronic Fund Transfer Act (15 U.S.C. 1693-1693r);
	§ 1329.15(c) (5) The SILC is responsible for the proper expenditure of funds and use of resources that it receives under the resource plan.	<u>Assurance (7)</u> The State Plan shall provide assurances that the designated State entity, any other agency, office, or entity of the State will not interfere with operations of the SILC, except as provided by law and regulation and;	<u>Assurance (6)</u> The DSE will not interfere with the business or operations of the SILC that include but are not limited to: a. Expenditure of federal funds, b. Meeting schedules and agendas, c. SILC board business, d. Voting actions of the SILC Board, e. Personnel actions, f. Allowable travel, g. Trainings and;
	§ 1329.15 (e) The SILC shall, consistent with State law, supervise and evaluate its staff and other personnel as	<u>Assurance (5)</u> The SILC will make the determination of whether it wants	<u>Assurance (3)</u> The DSE will abide by SILC determination of whether the

WHAT THE LAW SAYS	WHAT THE IL REGULATIONS SAY	WHAT SILC INDICATORS/ASSURANCES SAY	WHAT DSE ASSURANCES SAY
	may be necessary to carry out its functions under this section.	to utilize DSE staff to carry out the functions of the SILC; a. The SILC must inform the DSE if it chooses to utilize DSE staff; b. The SILC assumes management and responsibility of such staff with regard to activities and functions performed for the SILC in accordance with the Act (Sec. 705(e)(3), 29 U.S.C. 796(e)(3)).	SILC wants to utilize DSE staff; a. If the SILC informs the DSE that the SILC wants to utilize DSE staff, the DSE assures that management of such staff with regard to activities and functions performed for the SILC is the sole responsibility of the SILC in accordance with Sec. 705(e)(3) of the Act (Sec. 705(e)(3), 29 U.S.C. 796(e)(3));
		<u>Indicator (1)</u> SILC written policies and procedures must include: a. A method for recruiting members, reviewing applications, and regularly providing recommendations for eligible appointments to the appointing authority; b. A method for identifying and resolving actual or potential disputes and conflicts of interest that are in compliance with State and federal law; <u>Indicator (2)</u> The SILC maintains regular communication with the appointing authority to ensure efficiency and timeliness of the appointment process.	<u>Assurance (7)</u> The DSE will fully cooperate with the SILC in the nomination and appointment process for the SILC in the State.

WHAT THE LAW SAYS	WHAT THE IL REGULATIONS SAY	WHAT SILC INDICATORS/ASSURANCES SAY	WHAT DSE ASSURANCES SAY
		<u>Assurance (1)</u> The SILC regularly (not less than annually) provides the appointing authority recommendations for eligible appointments; <u>Assurance (2)</u> The SILC is composed of the requisite members set forth in the Act (Sec. 705(b)(2), 29 U.S.C. Sec. 796(b)(2)); <u>Assurance (3)</u> The SILC terms of appointment adhere to the Act (Sec. 705(b)(6), 29 U.S.C. Sec. 796(b)(6));	
	§ 1329.15 (d) The SILC shall carry out the activities in paragraph (a), to better serve individuals with significant disabilities and help achieve the purpose of section 701 of the Act.	<u>Assurance 6</u> The SILC shall ensure all program activities are accessible to people with disabilities.	
	§ 1329.15 (3) Comply with Federal prohibitions against lobbying.		

These duties and authorities must be taken into consideration for every activity the SILC decides to conduct to ensure compliance with the law and the regulations. Strategic planning is a good way for a SILC to establish a vision and mission to guide the SILC and to determine the steps, activities, and actions needed to achieve them. In developing a strategic plan, the members and staff can consider whether the proposed objectives and activities are consistent with the SILC duties and authorities as well as the SILC Indicators and Assurances, and the IL Regulations.

Subsequent chapters provide greater detail on some of the key duties and authorities of the SILC.

Chapter 3: Systems Advocacy

New Authority for Performing Other Functions

One of the Authorities identified by WIOA (Sec. 705 (c)(2)(C)) that was of particular interest to the SILCs states that “the Council may, consistent with the State plan described in section 704, unless prohibited by State law – (C) Perform such other functions, consistent with the purpose of this chapter and comparable to other functions described in this subsection, as the Council determines to be appropriate. The IL regulation (45 CFR §1329.16) adds “and authorized in the approved SPIL.”

This Authority provides SILCs with some latitude that was not previously available to them (consistent with the prescribed duties), most notably a more clearly stated opportunity to conduct systems advocacy.

Systems advocacy can take on many forms and be conducted in many ways by the SILC as a whole, SILC staff, and individual SILC members.

Advocacy efforts may include the following:

- Developing and presenting state-wide reports regarding the needs of people with disabilities to public policy makers (legislators and state agencies) and the governor.
- Developing and presenting reports on the successes of the IL Network in the state, to public and private boards, commissions, or other entities interested in Independent Living and/or people with disabilities.
- Presenting the SPIL to policymakers and sharing the funding needs to fully implement it.
- Representing the needs of people with disabilities on boards and councils.
- Providing comment on revisions to or new policies and/or programs that affect services for people with disabilities.
- Providing comment at public hearings.
- Holding public forums to gather input/feedback from people with disabilities and stakeholders on issues, programs, needs, etc., and sharing a report with the governor and policymakers.

Lobbying

The SILC is allowed to lobby providing: (1) federal funds are not used to support lobbying efforts; and (2) if the SILC is a 501(c)(3) nonprofit, lobbying is not conducted with a “substantial portion” of the SILC budget.

Efforts considered to be lobbying would include the following:

- Influencing or attempting to influence legislators and their vote on legislation.
- Taking a position on legislation and sharing that position with legislators or staff.
- Influencing or attempting to influence officers or employees of an agency or Congress in connection with the awarding of any federal contract, grant, loan, or cooperative agreement.
- Paying for a person, advertisement, telegram, telephone, letter, printed or written material, or other device, intended or designed to influence in any manner a member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law ratification, policy, or appropriation, whether before or after the introduction of any bill, measure, or resolution proposing such legislation, law, ratification, policy, or appropriation.⁵ This does not prevent you from responding to direct requests from legislators or Congress or their staff.
- Providing information to stakeholders on legislation and asking them to influence or attempt to influence legislators.

REMEMBER: Individual SILC members may lobby as they wish as long as no SILC resources (including equipment) or federal funds are used to support those efforts (i.e., time, travel, or expenses).

⁵ 18 USC §1913 Lobbying with appropriated moneys.

Chapter 4: Resource Development

New Authority to Conduct Resource Development

Another new Authority for SILCs under WIOA is the ability to conduct resource-development activities. The law provides a fairly broad spectrum of activities that can be done around resource development. Anything that the SILC has to do under Duties, or chooses to do under Authorities, can be supported by resource development. Independent living services at CILs can also be supported by resource development. However, there may not be funding in the SILC Resource Plan to accomplish those activities. The SILC Resource Plan must be an amount “necessary and sufficient” to conduct the SILC Duties and Authorities in the approved SPIL. So, when negotiating the plan, resources necessary for all the Duties and Authorities included in the SPIL should be considered.

The law states (Sec. 705 (c)(2)(B)) that, “the Council may, consistent with the State plan described in section 704, unless prohibited by State law – (B) Conduct resource development activities to support the activities described in this subsection or to support the provision of independent living services by centers for independent living.”

This means that the SILC is now permitted to conduct activities to develop resources from public and private sources. This is significant because the law has always allowed funds from “other public and private sources” to fund the SILC Resource Plan, but the SILC has not previously had the authority to leverage those funds as a legitimate SILC activity under the law. It is not anticipated that funds raised from resource development will replace the other sources of SILC funding in the near future. But the ability of the SILC to conduct resource development over the long term could result in funding not only for the SILC Resource Plan to fund new activities and authorities, but also to support the statewide network of CILs.⁶

Make sure to include resource development in your state plan. Find out if your state has any prohibitions around resource development and what your state laws say on this topic. If your SILC is organized as a nonprofit, find out if there are specific rules and regulations. There may also be state procurement rules that impact SILCs as state grantees/contractors.

To be effective, resource development efforts will take considerable planning. Resource development activities are always best if they are consistent with your mission, vision, goals and organizational needs. Brad Williams from the New York SILC states that it is a good idea to first analyze your strengths, weaknesses, opportunities, and threats (SWOT analysis). Everything you are already pursuing should fit within this framework.

⁶ Become familiar with federal regulations governing Program Income §45 CFR 75.307 because if using federal funds to conduct resource development, any funds earned must be used in accordance with the statutory authority.

Activities should also be tailored around what you think you can realistically get for what your SILC is doing or plans to do, instead of just chasing money that may not fit well with your mission, goals, and needs. In general, SILCs should collaborate with CILs to ensure that they are not competing for funds with the same funders, foundations, and/or organizations and that they are not working at cross purposes.

Strategies

Resource development may be a relatively new activity for your SILC. You will want to recruit the skills and experience that you need, such as finding council members, staff, and/or volunteers with development expertise.

Council involvement is crucial with resource development.

- Establish a development committee, which can then generate an annual development plan.
- Create a committee description that includes the purpose.
- Identify the chair and council members who can meet and start putting together the plan.
- Recruit people with expertise in the community that are not on the council to serve on the committee.

Your SILC should develop a “culture of giving” within your organization. If you do not ask, you will not receive. Council member expectations can be revised to include giving to (financially supporting) the SILC. As you are recruiting, you can include what council member expectations are for donating. Let members know that you expect everyone to give what they can, at least on an annual basis.

Your development plan should contain multiple strategies that are supported by the full council. Giving is about networking, including people, businesses, and foundations. Ask your council members, “Who do you know?” You can ask everyone to provide you with 5–10 names. Develop a goal with the council. Let people know what that goal is so that they can have the same passion and embrace what you are trying to do.

Consider establishing an annual fund drive where you ask for money at the end of the year—when people are generally in more of a giving mood and are also looking for tax deductions. An annual fund drive can give you a consistent, reliable amount of money that you can count on every year to support your efforts. It is much better to target who you ask, and not just do a general blast. The people who are most likely to give are those who you, your staff, and council members already know, because they are going to care more about your SILC. Keep former council members involved. You also want to reach other partners, advocates, and stakeholders.

Another idea is to collaborate with other disability and community organizations, such as DD councils, autism councils, state commission for the blind, center for the deaf, state agencies, etc. Some of these organizations may have available pots of money that can be used to benefit the IL community through training projects, conferences, etc. At least some states have received funding through these organizations. Find out if other councils or agencies offer small grants or funding that they could put towards joint projects or conferences. If not, consider looking for community, state, or federal sources where you could jointly submit a proposal. Collaborating with other agencies that are working towards common goals will make your proposals stronger and efforts more successful.

Funding sources

Although finding funding can be difficult, there are a number of potential funding sources through foundations, state and federal grants, corporate and individual donors, fees-for-service, and fundraising. There are many opportunities to write grants, conduct fundraising activities, and obtain additional funds through agencies (such as county offices, health departments, etc.) that may pay for projects for the SILC or services at CILs. Possible funding sources, with descriptions, include the following.

- *City and County Community Development Block Grants (CDBG)* – Many cities and counties provide block grants to nonprofits every year on a competitive basis. The requirements and purposes of these funds vary considerably from city to city and state to state. Check with your city or county administrative offices. More information can be found at: https://www.hud.gov/program_offices/comm_planning/communitydevelopment/programs
- *State grants* – Available funding generally goes through individual departments with their own processes for announcing opportunities for grants. Get your finger on that pulse. Find out how solicitations are released in your state so that you will be notified of available opportunities and can apply for funding. Some states use their bureau of procurement or purchasing division. Other states may set up their own procurement portal or partner with other agencies, such as eMACS, BidSync, EMarketplace and more to post, distribute, and receive responses to solicitations.
- *State Legislative Appropriations* – Some states provide additional funding every year for assistive technology, youth services, independent living services, or other purposes. Build relationships with legislators. Invite them to visit the SILC and CIL offices. Provide stories, numbers, and information on the number of people served, budget needs, etc., on at least an annual basis and be sure to coordinate these efforts with the CILs. Show them your outcomes. Legislative appropriations can result in large dollar amounts being allocated to IL.

- *Community and state departments* – Look into the programs offered by local and state health departments, as well as family services. At least one health department has provided funding to include an underserved population of people with disabilities in healthy relationship and abuse prevention training programs. Also check out the state departments of education and rehabilitation as well as local VR offices and schools for potential collaboration.
- *Federal funding* – The best place to find federal funding opportunities is on the website <https://www.grants.gov/>. Searches for current Notices of Grants can be completed by entering keyword, eligibility, agency, category, funding instrument type, or CFDA (Catalog of Federal Domestic Assistance) number. In addition to finding grant opportunities, grant application packages can be downloaded, completed, and submitted. Sign up for an email subscription to receive notification of grant opportunities. All grant notices can be sent daily, or notices can be selected based on eligible applicant, funding type, category (agriculture, arts, community development, education, health, etc.), or agency.
- *State Developmental Disabilities Council (DDC), Autism Council, Behavioral Health Council, and others* – Develop a relationship with the state DDC, Autism Council, Behavioral Health Council, and other disability councils or organizations. These councils provide small grants for projects that serve people with developmental and other disabilities in some states. Developmental disabilities councils in Pennsylvania, Utah, California, West Virginia, and other states have funded grass roots projects. Your state DDC can be located on the following website: <http://nacdd.org>.
- *Giving Campaigns (e.g., United Way)* – Apply for funding through the local United Way office and any other giving campaigns. Look up state locations at: <http://www.unitedway.org>.
- *Local corporations, foundations, service organizations* – Meet with potential corporate partners to explore partnerships. Often local corporations, or local branches of corporations, will provide small grants for services or donate materials to a consumer project. Local CVS pharmacies, Walmart, Home Depot, and other corporations offer small grants on an annual basis. Local community foundations and service organizations (e.g., Kiwanis, Odd Fellows, Rotary, fraternities and sororities) may also provide small grants or sponsorships for projects or events.
- *Community Banks* – Several community and national banks make annual donations to nonprofits. Ask your local bank if they offer grants or community reinvestment funds. You can also ask if they allow their staff to volunteer.
- *University Centers for Excellence in Developmental Disabilities (UCEDD)* – There are 67 UCEDD's located in every U.S. state and territory. All UCEDD's are part of universities or medical centers. They serve as a bridge between the university and the community, bringing together the resources of both to achieve

meaningful change. Some SILCs and CILs partner with their UCEDD on training, research, evaluation, and other projects. The UCEDD may have available funding to help with certain projects or services. They may also help write grants to obtain additional funding.

- *Fundraising Events* – There are many fundraising ideas on the Internet, including Pinterest and Google. There are also a variety of books on Amazon or from other sellers. Some ideas include: hold a book or yard sale, set up a car wash, ask for donated items and hold a silent auction, or raffle off prizes. Partner with local restaurants to see if they will donate a portion of their proceeds. Some department stores sponsor community days where the participating nonprofits sell coupon booklets and keep the proceeds. Join community nonprofit fundraising events. Set up a walk or run with an entry fee. For more ideas, check out <http://www.fundraising-ideas.org/>. Do research and access training to learn how to plan successful events and maximize your efforts.
- *Individual Giving* – Think about where the wealth resides. Individuals hold much of the wealth in this country. Ask the council members to identify their connections and to cultivate, and solicit donors and local philanthropists. Build relationships with affluent and well-connected community members. Individual donors often account for a large part of annual charitable giving. Ask them to contribute any amount that they are comfortable with. Individuals may be asked to contribute through telephone solicitation, mail campaigns, special events, matches, etc. Have all SILC members ask five people they know to consider making a donation of any amount or to provide you with five names so that you can ask. Find out if your state offers tax credits for donation—some are dollar for dollar. Most people would rather donate to your SILC than to pay taxes and this can result in ongoing annual donations. Developing an “Annual Fund” of donations made each year can be an important step to larger fundraising events and capital campaigns.
- *Foundations* – Some states have directories of foundations. The Foundation Center lists local resources free of charge. They also send out weekly funding alerts with grant opportunities. More about the Foundation Center is also provided under grant tips. Another good place to find funding sources is <https://grantstation.com/> through a searchable database of foundations and state/federal grants, although one must be a member to search.
- *Directory of funding* – The Annual Register of Grant Support is a national directory of funding sources. It lists approximately 3,000 organizations that provide grants. Each listing contains eligibility requirements, restrictions, application procedures and deadlines, grant size or range, contact information and much more. The 2020 version is the 53rd edition. Although the newest version is quite expensive at several hundred dollars, the paperback version that is a year or two old may be found for about \$15 online.

- *Local funders* – Start by getting to know local funders. If you have a community foundation, check out the eligibility. Go to events where they are. Attend the activities that they sponsor. Visit their offices and tell them about the SILC and the value of the IL Network. Get involved in a service club to learn about organizations that make grants. Service organizations also may be able to provide volunteers.
- *Donation websites* – Some individuals and organizations have set up donation portals through such websites as <https://www.gofundme.com/>, <https://www.crowdrise.com> or <https://www.indiegogo.com>. YouTube offers tutorials on these different donation websites. You can control your campaign by writing the text and posting the photos and videos that you want. If you have a good base with a large number of followers, these campaigns can be successful, especially when your followers share the link. It might take trying one or two campaigns to learn what works and what does not.

Grant Writing Tips

When applying for grants, check to make sure that your organization is eligible, your project fits within the guidelines, and is a good match. Only apply for grants that support what you do or want to do – do not change what you do to chase money. Email or call the grant officer if you have questions. The most important consideration is to closely read, understand, and follow the instructions in the request for proposals. A well-written proposal that fits within guidelines will increase your chance of success. Always follow the proposal format and organization provided by the funder. If none is provided, build your case in the following sections: problem statement, project purpose, goals and objectives/work plan, applicant qualifications and capabilities, evaluation plan or expected outcomes, budget, and appendix. Working as a team to develop the ideas and write different sections is usually the best and most efficient approach, when possible.

- Start with your problem statement – an important need or issue to be addressed. The problem statement should demonstrate that you understand the problem. It should be supported by evidence drawn from your experience, statistics provided by reputable sources and literature reviews. You should make it obvious that your problem is solvable and of reasonable dimensions. Be realistic – do not promise more than you can do.
- The next section is usually the overall goal(s) and objectives. This section tells the reviewer what the overall purpose(s) of your project is and exactly what activities you will undertake to fulfill your purpose and address the project identified in the needs section. Your goal is the big picture – the broad conceptualization or dream of what you hope to accomplish. The objectives provide the steps and show what you will do, intend to change, and what you accept as proof of success. Your objectives should be measurable and include the outcomes, results, or indicators of how you will know that you have achieved

your objectives. The outcomes are the benefits, changes, or effects that will occur from your project.

- Your work plan is essentially a blueprint of your project. It should describe your project activities, timeline, procedures, and/or the materials that you will use. Your work plan generally includes a chart that demonstrates your project activities, timelines, and personnel responsible for each activity. The activities in your work plan should follow your goals and objectives and be listed in chronological order.
- Applicant qualifications and capabilities are often a required part of a grant application. Qualifications of key personnel such as education and experience as well as the history and experience of the organization should be included.
- Your evaluation plan should be viewed as an important part of the proposal, linked in an orderly way to the objectives and activities planned to achieve the objectives.
 - This plan should include both process and outcome evaluation. Process evaluation should explain how the project will document the timely completion of all activities described in the work plan. Process evaluation is used to improve project effectiveness during the project.
 - Outcome evaluation should specify what data will be collected to document project outcomes. Outcome evaluation shows the extent to which the project did what it promised to do and accomplished the results it set out to accomplish.

When you are seeking funding you need to consider whether or not you have the staff and the capacity to do what the grant requires. You have to make sure that you either already have the capacity, will build capacity into your proposal, or will partner with others who have the capacity. Collaborating with other organizations demonstrates that you are sharing the wealth, working together, and not duplicating services, which is attractive to funders.

Enlist staff and colleagues for suggestions and to help edit for grammar, readability, and content. Try not to take constructive criticism personally. Editing your proposal will help ensure that it is clear, error free, and relevant. Make sure that your format and font are consistent. Allow time to rewrite. Write, rewrite, and rewrite. Most winning proposals have been polished repeatedly.

Having a replicable program may be of importance for some federal and other grantors. Sustainability is important to demonstrate that the work will continue after the grant period has ended. Almost every funder wants to know if this project is going to continue and how you are going to sustain it. You have to be able to tell the funder what is going to happen after their funding ends.

It may be advantageous to take a class to develop grant writing skills. The association of fundraising professionals offers training, and there may be a local chapter. Local nonprofit associations also offer trainings that are usually affordable. Grant writing workshops may be worth the investment. *The Only Grant-writing Book You'll Ever Need* by Karsh and Fox is a good resource for beginners. There are many others listed on Amazon and from other book sellers.

Another excellent resource for grant writing training, as well as for locating grants, is the Foundation Center, reportedly the world's leading authority on fundraising with a comprehensive database of U.S. grants. Searches may be conducted on the Foundation Center's website by location or keywords. The Foundation Center has main libraries in five cities and 340 collections in libraries across the U.S. Sign up on their website to receive the Philanthropy News Digest, a free newsletter with RFPs from grant-making organizations and the RFP Bulletin, a helpful roundup of recently announced RFPs from private, corporate, and government funding sources.

In addition to conducting searches when looking for specific grants, it is highly recommended that the SILC sign up for grant notices/newsletters to receive information when new grants are released, so that relevant opportunities are not missed. It is very helpful to sign up for grant alerts from <https://www.grants.gov/> and <https://fconline.foundationcenter.org> to take advantage of the opportunities that align with what SILCs and CILs are doing. Applicable grants can also be forwarded to friends and coworkers.

Chapter 5: SILC Composition, Appointments, and Removals

Membership Composition

SILC Membership	
Section 705 (b) of the Act states that the membership of the council <i>must</i> include:	Additional members <i>may</i> include:
A) among its voting members, at least one director of a center for independent living chosen by the directors of centers for independent living within the State; B) among its voting members, for a State in which one or more centers for independent living are run by, or in conjunction with, the governing bodies of American Indian tribes located on Federal or State reservations, at least one representative of the directors of such centers. C) as ex officio, nonvoting members, a representative of the designated State entity and representatives from State agencies that provide services for individuals with disabilities;	A) other representatives from centers for independent living; B) individuals with disabilities; C) parents and guardians of individuals with disabilities; D) advocates of and for individuals with disabilities; E) representatives from private businesses; F) other appropriate individuals.

SILC Member Qualifications

SILC Member Qualifications (Section 705 (b)(4)(A) <i>The council shall be composed of members:</i>
1. who provide statewide representation;
2. who represent a broad range of individuals with disabilities from diverse backgrounds;
3. who are knowledgeable about centers for independent living and independent living services; and
4. a majority of whom are persons who are: a. individuals with disabilities described in Section 7(20)(B); and b. not employed by any State agency or center for independent living

The law tells us how the SILC must be constructed in terms of qualifications. The SILC must be composed of members who provide statewide representation. This requirement grew out of a tendency to appoint members from the capital city. Similarly, SILCs must represent a broad range of individuals with disabilities from diverse backgrounds. Note that the SILC does not appoint its own members, unless your state has established that in state statute. All SILC members must be appointed by the governor or appointing authority, including ex-officio, non-voting members.

Knowledge about CILs and IL services is another requirement. It seems natural that consumers of services or board members from CILs would be excellent candidates. Some governors have appointed individuals who have never been in a center or heard of independent living. In some instances, these individuals ended up being very good members because the time was taken to orient and mentor them. The SILC should provide and/or access training for all members to ensure that they meet this requirement and are otherwise prepared for the job.

Finally, the *majority* of the members must be people with disabilities who are not employed by a state agency or a center. If their paycheck has a CIL name or the State on it, they would not count in this majority. This is a clear indication of consumer control for the SILC. Some who cannot be included in the majority are:

- CIL employees (including the CIL Director selected by the CIL directors in the state), even though they are voting members;
- State agency representatives; and
- State employees who are not representing their agency, but are voting members.

CIL board members and volunteers with disabilities are included in the majority count, as are all other people with significant disabilities. While the inclusion of parents of individuals with disabilities is allowed and can bring valuable experience and input to the SILC, a parent who does not have a disability themselves does not count in the majority. It is certainly possible that a parent may have their own disability, in which case they would count in the majority. **Please note: this majority requirement applies to both the voting membership and to the total membership of the SILC.**

Example Chart to Assure SILC Membership and Voting Members Are Made Up of a Majority of People with Disabilities Who Do Not Work for Either a CIL or the State.

This chart is an example of how you would measure your majority.

Represents	Disability	Voting	Part of the Majority
CIL Director (selected by other CIL directors)	Yes	Yes	No
CIL Director (Tribal – federal or state)	Yes	Yes	No
DSE	Yes	No	No
Individual with a disability	Yes	Yes	Yes
CIL employee	Yes	Yes	No
Parent of a child with a disability	No	Yes	No
Disability Advocate	Yes	Yes	Yes
Private provider	Yes	Yes	Yes
CIL Board member	Yes	Yes	Yes
CIL Volunteer	Yes	Yes	Yes
State employee not representing their agency	Yes	Yes	No

Relationship with the Governor's Office

Developing a relationship with the person in the governor's office who is in charge (or works for the person in charge) of appointments can facilitate the appointment process. It is best to meet face-to-face so that they know who you are. Ask them when their busy times are, when the best time to meet is, and how you can help them get their job done. Try to make things easy for them by submitting timely paperwork and staying on top of term limits. Educate them on what your requirements are. Talk to them about how the SILC wants to be effective, which means that you need effective members. Let them know that you appreciate their efforts and thank them on a regular basis. The more amicable your relationship, the better the opportunities for swifter appointments of the members you need.

The governor generally appoints all SILC members, but there are exceptions, such as when the legislature has delegated authority for appointments to boards and

commissions to the legislature or other elected body or entity. Technically, anyone may nominate people for membership on the SILC. One advantage of developing a good relationship with the governor's staff is that it helps safeguard the governor's reliance on the SILC for nominations.

Typically, SILCs recruit, interview, and approve nominees who are then sent to the governor for appointment. Often a nominating committee is convened that targets certain geographic areas, skill sets, and people with different disabilities and ethnic backgrounds to ensure diversity. Providing much more information than just names will ensure that the governor has sufficient information to make quality and timely appointments. The governor's staff needs to be reassured that the recommended individuals will meet the requirements of the federal law and reflect positively on the governor.

Term of Appointment

Sec. 705 (b)(6) states that each member of the council shall serve for a term of three years. A member may serve no more than two full terms consecutively. A member appointed to complete someone else's unexpired term may serve the unexpired term of the person they replaced and then serve two full three-year terms. Term limits apply to both voting members and the DSE representative and other ex-officio members. An exception is if there is only one center for independent living in the state, that CIL director may serve more than two consecutive full terms.

Some SILCs initially establish terms of one, two, and three years to assure that there are staggered appointments with experienced and inexperienced members on the council. Other SILCs recommend appointing members to three-year memberships, regardless of the circumstances.

The Act does not specify how long a SILC member must remain off the council after their term expires before they may be reappointed. Often, however, the SILC may be bound by state rules or by their own bylaws that specify such a time period.

Selection and Role of the Chairperson

The chairperson is selected from among the voting SILC membership by the voting members. In states where the governor does not have veto power, he or she may designate a voting member of the council to serve as the chairperson or may require the council to designate a member.

The chairperson or a designee is responsible for convening and presiding at all council and executive committee meetings. The chairperson also—

- Serves as a liaison to other agencies and entities.

- Is the SILC spokesperson, in partnership with the executive director for SILCs that have one.
- Appoints members to SILC committees.
- Oversees and coordinates the work of the committees, task forces, or work teams.
- Conducts other duties specified in bylaws or otherwise designated by the SILC.
- Consults with the executive director on staff activities.

Chapter 6: SILC Governance and Leadership

Bylaws

Bylaws are one of the most important legal documents that dictate how your SILC is governed. Bylaws are the written rules governing and setting forth the structure for an organization or corporation. Bylaws, along with policies and procedures, establish rights, determine day-to-day rules, provide comprehensive guidance to ensure effective operations, and may protect you when problems arise. Bylaws can direct and clarify SILC procedures, actions, and organizational structure. Bylaws may specify the qualifications, rights, and liabilities of membership, and the powers, duties, and grounds for dissolution of the organization.

Bylaws should not be confused with Articles of Incorporation, which state only the basic outline of the corporation. Bylaws generally provide for—

- Establishing rules for conducting meetings;
- Electing officers or a board of directors;
- Filling vacancies;
- Posting notices and other open meetings requirements;
- Specifying standing committees;
- Outlining types and duties of officers and committees; and
- Guiding the board in conducting business.

Bylaws are legal documents and must be formally adopted and/or amended. Carefully crafted bylaws, and adherence to them, can help ensure fairness of decisions and provide protection against legal challenges. Legal requirements for what should be included in bylaws vary depending on the state in which you operate. To be sure your bylaws comply with state laws, you may want to consult a lawyer before developing bylaws. *And be sure you follow your bylaws because they are legally binding.*

Policies

Policies are clear, simple statements of how your SILC intends to operate and conduct business. They provide a set of guiding principles to help with decision making. They include principles, rules, and guidelines adopted for day-to-day operations, conducting business, and reaching long-term goals. Policies should cover board/council operations, personnel, and fiscal operations and should be approved by the SILC in an open meeting.

All staff and council members should read the bylaws as well as the policies and procedures. Everyone should understand that they are expected to know and adhere to what these documents say. Policies and procedures should, at a minimum, include a code of ethics and standards of professional conduct and a conflict of interest policy and process that employees and council members should read and sign.

Removal of officers

Include procedures for removal of officers in the SILC's bylaws and policies to protect the SILC if the need arises. Some SILCs specify in their policies and procedures that any elected officer may be removed from office either with or without cause by a two-thirds majority council vote. Policies may also state that "removal of officers may occur whenever in its judgment the interests of the SILC are best served. Furthermore, any such removal shall be without prejudice to the contract rights [will not affect contract rights], if any, of the officer so removed."

Resignation of officers and members

Bylaws and policies also need to cover the resignation of officers and members. Some SILC policies state that any elected officer or member may resign at any time by giving written notice to the council. Other policies require that notice be given to the governor, with copies to the SILC chair and the executive director. Policies must also address the process for replacing officers who have been removed or have resigned.

Removal of the executive director/administrator

SILC policies should specifically describe when and how the executive director/administrator/coordinator can be terminated or removed. Some SILC policies state that the executive director, administrator, or coordinator can be terminated with or without cause by a two-thirds majority council vote. Some SILC policies list reasons for termination while others are less specific and more general. Either way is fine, as long as procedures and reasons for termination are covered in policies, preferably listed as with or without cause. Specific reasons may include—

- Failure to perform duties and follow policies and procedures;
- Substance abuse while working;
- Dishonesty; and
- Theft or damage to SILC property.

When termination occurs, consider providing the person the chance to resign first, if the reason for termination is not unlawful conduct.

Example Standards

As stated, policies and procedures should include a code of ethics and standards of professional conduct and address full compliance with the established standards and ethics. Standards could include:

- Acting professionally, competently and honorably;
- Fulfilling assigned duties;
- Complying with standards established in performance appraisals;
- Maintaining an acceptable level of performance and conduct on all verbal and written job duties;
- Using funds prudently; and
- Reporting conditions and circumstances that may prevent the employee from performing their job effectively and safely.

Many SILCs also list examples of unacceptable conduct in their policies and procedures that violate policy and may result in disciplinary action, including immediate termination. Be sure your policies regarding terminating employees are in compliance with state law.

It would not be possible to identify every type of unacceptable conduct; however, examples might be useful so you craft your own. (See <http://examples.yourdictionary.com/code-of-ethics-examples.html>.)

Examples of Unacceptable Conduct	
• Refusal to follow instructions of the established authority or comply with a reasonable work request. • Inefficient, careless, or unsatisfactory job performance. • Neglect or abandonment of duties. • Failure to get along, cooperate, or work harmoniously with council members, co-workers, vendors, or the public. • Damaging, wasting, destroying, abusing, stealing, misappropriating, or unauthorized use of property, funds, equipment, or supplies. • Failing to abide by occupational health and safety guidelines.	• Violating policies regarding discrimination and sexual harassment or other forms of harassment. • Falsification or making material omissions on employment applications, time records, or other documents or records. • Conducting personal business on SILC time. • Giving or taking bribes or kickbacks in connection with SILC business. • Engaging in business or activities that constitute a conflict of interest. • Abuse of sick, vacation, holiday, family, and medical leave.

Examples of Unacceptable Conduct	
- Engaging in immoral or indecent conduct in the workplace or while representing the SILC in any capacity. - Engaging in the use, possession, or distribution of sexually oriented or indecent materials.	- Excessive tardiness or absences from work. - Reporting for duty while under the influence of alcohol or controlled substances. - Downloading non-work related software or applications from the Internet.

Conflicts of interest

Identify in the SILC's policies, procedures, and the code of ethics what a conflict of interest is and how it will be addressed. Conflicts of interest may occur when a council member or employee is in a position to influence a SILC decision that would result in personal or financial gain for themselves or a relative. All council members and employees should read and sign the conflict of interest policy and code of ethics.⁷

- Council members and employees should avoid any activity, investment, or association that might interfere or conflict with their judgment or duties.
- Conflicts of interest must be disclosed as soon as possible.
- Members should immediately disqualify themselves prior to discussion or voting on any matters where there is a conflict of interest.
- The policies and code of ethics should state that members must reveal the conflict as soon as possible and refrain from voting, discussing, or making decisions related to the conflict.

Voting

Include voting procedures in your bylaws as well as your policies and procedures. Some SILCs require a two-thirds majority vote, others require a simple majority as long as there is a quorum present. A quorum may be defined as one more than fifty percent of members or a certain number of members as specified in your bylaws. Voting in person is recommended but not always possible if a vote on something is needed right away.

It is challenging to take actions and vote when council members are spread across the state. When votes are required in between meetings and sometimes during meetings, SILCs may turn to email. However, to ensure that votes taken by phone or email will

⁷ See sample policies in Appendix A.

hold up in court if challenged, SILCs should know what their state laws require. Voting on actions by phone or email may or may not be legally binding, depending on the state.

The BoardEffect compiled a research report on U.S. Laws governing nonprofit boards and electronic voting in 2012. This report contains a summary report, by state, of U.S. state laws on electronic voting by nonprofit boards. Legal codes, nonprofit legal information, state nonprofit associations and authorities regulating charities are also included in the report. To access information and resources for your state, please visit <http://boardeffect.com/wp-content/uploads/2015/01/Electronic-Voting-Report-FINAL.pdf>

Most other states provide that board actions be taken at a meeting or by unanimous consent. A meeting does not always have to be in person. Definitions vary by state. Texas and some other states require only majority written consent. A court could potentially overturn a vote made by email without signatures if someone objects. The reasoning is that it is possible that another person, not the council member, could send an email. If this is the case in your state, a proposed motion can be emailed or snail-mailed to each council member, then signed, scanned, and emailed, faxed, or snail-mailed back. It is advisable to check on what your state law requires to ensure that your voting procedures are in legal compliance.

It is the responsibility of the SILC to assure that all members have access to the information related to the item up for vote, that they are able to participate in the discussion, and that they are able to vote.

More general information can be found at:

http://www.americanbar.org/publications/blt/2014/06/06_chatinover.html or <http://www.blueavocado.org/content/can-nonprofit-boards-vote-email>

Chapter 7: Facilitating a Smooth-Running SILC

How to Chair, Guide, and Conduct a Meeting

What makes for an effective meeting? Having a purpose, preparing ahead of time, setting goals during the meeting, and making provisions for follow-through afterwards.

Plan carefully and develop an agenda. There are three elements to your agenda -- standard items like the introductions, comments from the public, minutes, reports from committees, and financial statements; continuing business from prior meetings that has not been resolved; and new business.

Tips for Chairpersons

- Think about what your goals are and what you would like (or need) to achieve from the council meeting.
- Review the draft agenda with appropriate council officers and staff.
- Revise the agenda as needed, then stick to it.
- Schedule time for everyone to introduce themselves—including guests.
- Allow time for discussion and opportunities for members to express new ideas. Provide a designated time for an “open forum” to allow the public to address the council and ensure that advance public notice is provided for all meetings.
- Estimate how much time each item will take, to make sure that you will be able to move through the agenda and finish the meeting on time. You may even want to print this estimated time on your agenda to keep things moving.
- Send out information in advance (and provide alternate formats requested) if it needs to be reviewed, preferably at least one week prior to discussion, to guarantee access.

A chairperson orchestrates the meeting and keeps it moving.

- Encourage all members to participate and contribute to discussions. Make sure that all members feel welcome and know that all ideas will be considered.
- Sometimes members are not sure how to contribute. Some members may stay silent, making it difficult to move on without feedback or information. Find ways to draw them out. Ask for their comments directly. Try asking everyone on the council to state their opinion on certain issues. You can also ask if anyone feels differently when an opinion is expressed.

- Ask members if there is anything that will make them feel more comfortable or if they need accommodations or supports to fully participate.
- Break up into small groups or committees to discuss issues and make recommendations to the full council. Smaller groups may work better with complex or difficult issues.
- Delegate tasks and make assignments so that the work is shared and progress is made.
- Make an effort to learn what the skills and limitations of your individual council members are. Put your members' skills and abilities to the best use to get tasks done effectively.
- Encourage members to work with each other so that they can learn new skills.
- Keep people moving towards the final goal.

It may be necessary to remind the council to work as a team towards common goals and a mutual purpose, but at the same time, respecting differences of opinion. Ask people to share their ideas, but not insist that their idea be the one decided on. Members need to concede to the will of the majority. Sometimes one or two people may try to monopolize the meeting. If this occurs, redirect back to the issue, or say that you would like to hear from everyone. Ask that one topic at a time be considered. If a member states that an idea will not work, ask them what they think will.

During "open forum," if guests are critical and identify problems ask them to suggest solutions. Open forum with comments from the public should be for a set amount of time (usually 5 or 10 minutes) and then you should move to the next item on the agenda. The council does not need to discuss or act on the comments during that meeting, and, in fact usually cannot act on an item that was not on the agenda due to open meetings laws (which vary by state). If an individual wants a longer period of time to address the council, ask them to submit a request, including how much time they need, and then place them on the agenda for the next meeting – also for a set amount of time. A council member can also ask that the item be added to the next meeting's agenda.

Try to always finish on time. People usually quit paying attention and become restless when the time to adjourn has passed. Others may need to leave if the meeting lasts more than a few minutes longer than planned.

Prepare the minutes so that they are not burdensome and do not include every detail, but still accurately reflect decisions. Minutes provide an outline or summary of the meeting and must include the location, start and ending time, names of attendees and those absent (excused and unexcused), motions (and who made the motion and who was the second), the result of votes, decisions, and action items. Include who was assigned to complete each action item and when it is due. These action items can then be carried on your agenda as old or continuing business until they are complete.

Develop and use a template. The agenda is usually a good way to organize the minutes. Write in the same tense throughout the document. Discussions need not be included in depth but just briefly summarized, if relevant. Ask someone else to review the minutes before they are distributed.

If more information is needed on how to chair a meeting, the American Federation of State, County & Municipal Employees has developed the following basic publication: <https://www.afscme.org/news/publications/afscme-governance/how-to-chair-a-meeting>.

Robert's Rules of Order

These commonly used, time-tested rules provide procedures for conduct at council and board meetings. Information on Robert's Rules should be included in the council training, at least a written summary version, for those new members who are not familiar with procedures.

Guiding principles include the following:

- All members have a right to speak and to know what is going on at all times.
- Only one motion or issue may be discussed at a time and only urgent issues may interrupt someone who is speaking.
- A speaker may only be interrupted to get information about issues, rules, safety or comfort, and to appeal rulings.

Robert's Rules also specify how members express themselves.

- A motion is an idea, topic, proposal, or proposition that the entire council can take action on. Any member can introduce a motion, after being recognized by the chair of the council, when no other motion is being considered. Often a committee report takes the form of a motion for consideration.
- A second is required in order to discuss or consider the motion.
- Voting on motions usually requires a simple majority.
- A member who wishes to speak should indicate to the chair and wait to be recognized. Once recognized, the member should speak to the topic or the motion at hand.
- Wait to bring up new topics at the appropriate time, during the discussion/question period or when new business is being discussed.

Order of business

- Call to order by the chair or presiding officer, which starts the meeting, once a quorum of members, as defined in the SILC bylaws, has been attained.
- Roll call.
- Public Comments.
- Reading the minutes of the last meeting and asking for any corrections.
- Approval of the minutes after corrections are finished and a motion is made.
- Review of financial statements and approval of statements by the council.
- Officer and committee reports.
- Special orders of business, continuing business, new business, and announcements.
- Adjournment.

Rules for Adjournment

A meeting is not adjourned until the chair declares it adjourned. There are two ways to reach the point of adjournment. When a member makes a motion to adjourn, a second may be made but is not needed, and then a majority vote to adjourn is required. A motion to adjourn is not debatable. The meeting may also be adjourned if the chair or presiding officer says “without objection the meeting is adjourned” and then waits to ensure there are no objections.

If there are objections, the chair must continue the meeting unless a member makes a motion to adjourn.

Summary

Robert’s Rules should not be used to intimidate members or to manipulate the meeting to push through a personal agenda. Rather, Robert’s Rules should be used to facilitate the process and ensure full discussion and deliberation of business and decision-making.

Although Robert’s Rules are quite detailed, a simplified summary can be found at: <https://blogs.cornell.edu/deanoffaculty/files/2016/01/RobertsRulesSimplified-1ybt2mk.pdf> and at: http://diphi.web.unc.edu/files/2012/02/MSG-ROBERTS_RULES_CHEAT_SHEET.pdf

Dealing with Conflict

Bear in mind that “rubber stamp” councils are not as functional or useful as those with members who express strong opinions and consider issues from a variety of viewpoints. However, if council meetings are highly emotional or conflictual, consider strategies to help the meetings run more smoothly.

- When emotions are running high, take a break and let things cool down.
- After everyone returns, start by discussing the shared purpose of helping people with disabilities live more independently, the SILC goals, and/or the specific goal of the task at hand.
- Ask members not to think about winning or losing their arguments, but to focus on maintaining good council relationships and being effective.
- Let members explain why they prefer their ideas or methods. If the council is going in circles, ask everyone to brainstorm new or different approaches that might work and try to think outside the box. If there is still disagreement, form a committee or work group to examine the ideas in more depth, present pros and cons, and recommend the two best solutions to the council.

Just one council member may create conflict, derail discussions, hamper productive meetings, and decrease the work and success of your SILC. Challenging popular viewpoints can actually be a good thing, but consistently being negative, ignoring confidentiality, bullying other members, disrupting meetings, and being disrespectful are counterproductive and may be destructive.

There are different strategies that can be considered when issues such as these arise.

- Whenever a person criticizes an idea or strategy, ask what they think would work better. You can also change the subject or ask for other opinions.
- If there is any type of bullying or abusive behavior, stop it immediately. Make sure that your policies include anti-bullying. Remind members that the council is committed to a safe and healthy, inclusive environment with a culture of respect for everyone.
- Try to remain calm and not take things personally. It may be helpful to meet with the member creating the conflict one-on-one to understand the person’s perspective. Ask if there is a problem and try to resolve it. Suggest other ways of communicating and addressing the concerns. Sometimes just asking what the problem is makes that member feel respected and heard and ultimately moves things along more constructively.

Council members who do not attend meetings can also decrease morale and slow progress. This may be addressed by policies and a good relationship with your governor’s office. Some SILC policies state that members who miss a given number of

meetings in one year without informing the chair or executive director of the reason for their absence will be submitted to the governor's office for removal from the council. If a person misses one meeting without a valid reason, it is a good idea for the chair or staff to reach out and ask why they could not attend. You may consider allowing a leave of absence if the person is having a long-term medical or personal issue. If the person continues to miss meetings, and generally does not participate, a respectful way of termination may be to ask the person if he or she would like to be released from the council as it appears that their time does not allow full participation. You can ask if they would like you to draft a letter for their review and approval that confirms their resignation due to lack of time. The signed letter would then be forwarded to the governor with copies to the chair and executive director.

Setting Up Committees

Committees are vital as they essentially do most of the required SILC tasks. Their activities advance the goals of the SILC. Most importantly, they typically develop and monitor the implementation of the SPIL. Committees greatly contribute to the overall functioning, efficiency, and productivity of the SILC.

Encourage all council members to serve on a committee. This will help new members learn and ensure that everyone contributes. Remind members that all committees are accountable and cannot operate independently. All committees are units of the SILC, doing work for and reporting to the SILC. The entire council must vote on any items presented by a committee before those items are approved and implemented.

There are a number of ways to set up committees. There is no specific number of committees or categories that are ideal, or a right or wrong way, just whatever works best for your SILC. Some SILCs have as few as three or four committees, while others operate with several more. Some of the SILCs with only three or four committees include the following categories (combined):

- Executive, administrative or governance
- Action or planning and development
- Advocacy or communication and collaboration
- SPIL development and implementation

The SILC's bylaws should describe the function and authority of the executive committee. You cannot utilize the executive committee to get around open meeting requirements in your state. Like any other committee, it must report to the full council. However, as allowed in your state, the executive committee may take on specific tasks on behalf of and at the request of the council, such as the evaluation of the SILC executive director.

Additional committees from other SILCs include public policy or education, bylaws, youth, finance, membership or nominating, and evaluation. There are also ad hoc committees, which are formed for a specific task or purpose and then dissolved after that task is completed.

A number of SILCs include volunteers, who are not part of the council, on committees. These volunteers typically enrich committees, providing needed expertise, knowledge, time, and energy. Dedicated volunteer committee members can be encouraged to apply for appointment to the SILC if they are interested. At a minimum they become oriented and educated about the SILC through the committee work.

When first setting up and organizing committees, figure out the purpose, authority, and the scope of each committee. Standing committees should be included and described in SILC bylaws. Make sure that there is enough work to justify a separate committee. Some SILCs believe that a smaller number of committees is more efficient, but that is an individual determination. Define the frequency of meetings, with additional meetings added as necessary. Consider who the best people will be for the committee, and how many people should be on the committee—often between three and nine. Determine who the best person will be as the chair—preferably someone who is a leader with the ability to draw people out and work well with all members.

Ask the chairs to send out the agenda before the meeting, to start and end on time, send out minutes, and report to the board in a timely manner. It is a good idea to ask for feedback once a year from all committee members on how each committee is working. It is also helpful to ask members yearly which committee they prefer to serve on and to appoint those with no preference to the committee where you feel they could contribute most.

Chapter 8: Recruiting, Orienting, and Training New and Established Council Members

Traits of a Good Council Member

Besides obtaining a working knowledge of the SILC and disability issues, what other qualities make a good council member?

- **Have a Commitment to Disability Rights**—To start with, it is best if you are committed to the rights of, and improving services for, people with disabilities and furthering the mission of the SILC in your state. Working or volunteering in the disability arena is not about the money. It is more about giving back to the community while working on improving social justice, independence, and quality of life for children and adults with disabilities within your state.
- **Bring Your Skills**—Bring the skills, experience, and connections you have to the work of the SILC. Your skills in finance, planning, public relations, writing, social media, etc. are valuable assets to the SILC. Offer your skills and connections to the council to maximize your membership and the SILC's effectiveness.
- **Learn New Skills**—In addition to learning new information, it is helpful if you are willing to learn new skills in financial management, strategic planning, evaluation, etc. It takes time and effort to acquire knowledge and skills, but these abilities will benefit both your SILC and you personally.
- **Develop Relationships**—You should develop relationships and make friends with other SILC members and staff. It will make meetings and work groups more enjoyable and effective. Try to learn the names and responsibilities of the other council members and staff as soon as you can. Treat staff as equal partners.
- **Respect and Listen to Others**—It is helpful if you listen to others, and consider different issues from all sides. Try to stay on good terms with everyone, even if someone opposes you. Respect confidences and privacy. Gather information if needed. Ask questions about anything that is confusing or that you need more information about. Other people most likely feel the same way.
- **Voice Your Opinion**—Voice your opinion, especially if you have different information or views. Your opinion counts and makes a difference. Try not to take it personally if people vote against something that you want. Consider a compromise when necessary to move ideas forward and help everyone feel that their opinions were heard.
- **Participate Fully**—Of course, making sure that you attend and actively participate in all council and committee meetings is the most basic, but nevertheless, important quality. Be on time. Make sure that you let the chair

know if you are unavoidably late or cannot make a meeting. The willingness to serve on a committee and take action where needed moves the work of the council forward. Councils need active, engaged members. Read agendas and attachments that are sent out ahead of time before you attend meetings.

- **Follow Through**—Do everything that you say you are going to do. If you run into difficulty completing a task, let the chair know and ask for help. If you fail to meet your obligations, other committee or council members will have to pick up the slack. If you come up with a new idea, be willing to help make that idea happen.
- **Remember the Big Picture**—Be proactive and attentive, but focus on the big important stuff, such as where the SILC and the Independent Living Network are going, how they are doing, and current strategies / policies, not minor details. Try to monitor what is happening to stay ahead of problems instead of reacting to a crisis.
- **Offer Solutions**—If you point out a concern, try not to blame or point fingers and always offer a solution. Things will move forward if criticism is constructive and includes possible solutions or steps to resolve the issue. On the other hand, make sure to show your appreciation for other members and the SILC staff. Many times people hear what is going wrong, or needs to be improved, but do not hear about the things that are going right or that they are doing well.
- **Be an Ambassador**—Share information about your SILC through social media and with the social and professional groups that you belong to. There is a section on social media later on in this document.

Recruiting New Council Members

Term limits result in an ongoing need to recruit new council members. High turnover, poor attendance, members with inadequate knowledge, or members who are uncomfortable with their responsibilities may also result in the need for recruitment of new council members.

Recruiting can be challenging. Council composition is always changing. Sometimes, securing appointments takes a long time and potential new members lose interest. The SILC must recruit individuals who keep the council in compliance with the requirements in the law and its bylaws, and ensure diversity and necessary skills. Consider different approaches and adapt them to target and recruit the council members you need.

It is important to plan and develop a strategy. Analyze where your gaps are. Think about the composition of an ideal well-balanced council. Enough people are needed to fulfill requirements and actually do the work, yet not so many that everything becomes a huge process without being able to move quickly and get things done.

As a reminder, qualifications include statewide representation and a broad range of people with disabilities from diverse backgrounds who are, or will become, knowledgeable about CILs and independent living. A tracking spreadsheet can help ensure that your council is in compliance. This tool does not need to be too complicated, it can be a spreadsheet that includes geography, disabilities, race, ethnicity, etc., and agencies represented. You may also want to list age group to ensure youth representation and diversity of ages. Set the spreadsheet up so it automatically calculates disability majority percentage. That way, at any given moment, you can see if the council is in compliance or who you need to recruit to be in compliance. An example chart is provided in Appendix B.

In the example, we included where the person is geographically in the state, and the type of disability. This is for the purpose of assuring cross-disability and geographic representation on the council. You can add additional columns for any characteristic that you want to attract to your council. Look at your SPIL for the identified underserved populations in the state and add those to your chart. These might be people of a specific ethnicity or from the LGBTQ community or youth. Add these items to your list of "represents," such as how the chart shows Youth Leadership as an example.

Another area to think about is skill set. You want to attract people who can contribute to the work. It is useful to have at least one person on the council who has a good understanding of needs assessment, program evaluation, and planning. People with leadership skills who understand governance can also be strong contributors. Consider if there are other skill areas needed on the council to effectively operate or accomplish tasks, such as financial or legal expertise. The right mix of people will ensure that things are done well and on a timely basis.

Under WIOA, at least one director of a CIL run by, or in conjunction with, the governing bodies of American Indian tribes located on federal or state reservations, if applicable, must be a member of the SILC. SILCs may have difficulty with this requirement because there may be frequent turn over in tribal government. If this is an issue for your SILC, you may want to seek guidance from your Program Officer at ACL on whether you can waive term-limit requirements to keep your current representative.

Consider which agencies (perhaps as ex-officio, non-voting members), groups, and councils are mandated and who else the SILC needs to coordinate with to ensure effective services are provided for consumers. These agencies or programs might include Medicaid, housing, transportation, education, Veterans Administration, assistive technology programs, protection and advocacy, domestic violence shelters, area agencies on aging, and employers.

General recruitment can be conducted through delivery methods such as—

- Newsletters,
- Public service announcements/press releases,
- Newspapers,

- Email lists, and/or
- Flyers

Social media (Facebook, Twitter, LinkedIn, YouTube, Instagram, Pinterest, StumbleUpon, Blogs) can be effective, especially for recruiting youth. There is a section on social media under Resource Development later in this guidebook. Personal recruitment is often the most effective. Try to make it easy for your members, CILs, and other partners to recruit. Some SILCs have developed a small fact card that can be carried in a wallet or purse. One SILC developed a recruitment tool that identifies current targets, describes where to look for recruits, and what to tell recruits about SILC membership.

Some places to look for potential members include—

- Partner and other disability organizations,
- Service agencies,
- State agency administrators,
- Forums or focus groups,
- Disability support groups,
- Conferences,
- Work groups,
- Friends of council members,
- Consumers from the CILs,
- Current or former board members of CILs, and
- Past SILC members who have been off the council for a year or more but might now be willing to be re-appointed.

Potential members can be invited to attend SILC meetings. They may learn answers to questions that they did not know they had. One SILC finds volunteers to serve on SILC committees for one year before their names are put forward as nominees for appointment to the full council.

When you find a potential applicant, explain to them what the SILC does and estimate how much time is generally required. For those who look promising and are interested, send or hand them a recruitment packet. This packet could consist of:

- A recruitment flyer,

- List of responsibilities of SILC members,
- Position description for council members,
- SILC brochure,
- SILC application,
- Most recent SILC newsletter,
- SILC annual report,
- Membership policies, and
- Mission & Vision statements

Keep a record of the applications that are given out. Follow-up with applicants after three or four weeks. Decide as a SILC whose responsibility this is: the chair, the nominating committee chair, or the staff.

Have a committee or workgroup review all applications received, check references, and interview all interested candidates. Sometimes an application may need to be held until a later date, due to balancing the council in terms of geography, disability, ethnicity, and skills. Also remember to consider maintaining your majority of members with disabilities who do not work for the state or a CIL. The committee/workgroup should make recommendations for nominees to be submitted to the governor for appointment and provide the recommendations to the SILC for their approval. If nominees are approved, SILC staff can then send a nominations packet including a letter of recommendation and other information to support the nominations to the governor. It is helpful to hand-deliver this packet to the office or person assigned to handle such appointments. Remember, the nominee(s) are not SILC members until the governor's appointment process is completed. Ex-officio members and the CIL director selected by the CIL directors in the state to serve on the SILC are exempt from the SILC's application and interview process *but must be appointed by the governor* and are subject to term limits.

Orientation and Training for New Members

Learning about IL, the SILC, laws, regulations, the DSE, CILs, logistics, etc., can seem overwhelming. One person may know very little about the SILC, while someone else may be quite experienced. A person's understanding can be gauged by asking what they understand about a topic and how they would describe it.

If possible, provide orientation and training for new members shortly before their first official council meeting after being appointed. Make sure that they have an acronym list, your handbook, minutes for the last several meetings all in electronic, print, or alternative format (as needed), and a link to or hard copy of this guidebook. Follow-up

training can be done in person or by phone or web conference on a weekly, biweekly, semi-monthly, or monthly basis.

Providing training quickly can help to minimize confusion at council meetings. No one likes to feel lost and overwhelmed. Take time on the front end whenever possible, before members attend the first meeting and are assigned responsibilities.

Consider providing new members with peer mentors who are on the council. They do not need to live near one another, but mentors should be available by phone or email to answer occasional questions or concerns when they come up. Questions are generally about the SILC or IL philosophy but can be about anything. It is reassuring to the new council member to know there is someone who can give clarification or assistance when needed.

Better results may be obtained if both orientation and ongoing training are person-centered and interactive. Although providing one-on-one or small group orientation and training takes more time, trainees are usually more engaged. They can talk, learn definitions of terms, ask questions, and not feel foolish. Encourage them to ask any question that comes to mind. Some new members may feel intimidated and not understand the terminology, SILC structure, or their roles. Support them in building their confidence. One-on-one or small group sessions can help new members feel more confident and comfortable, which will contribute to increased participation.

Think about providing a safe zone. This is generally provided for survivors of any type of violence or trauma. Survivors include a disproportionate number of people with disabilities. A safe zone means that anytime a trainee or member is uncomfortable, they can go to a quiet safe place when they need to take a break and catch their breath. You can ask if the locations where you hold your meetings can provide a separate room. If not, you can mention that it is fine for members to leave briefly anytime that they feel they need to regroup.

Make sure that your policies and procedures include a discussion of unlawful harassment (unwelcome conduct based on race, color, gender, sexual orientation, religion, national origin, age [40 or older], disability, or genetic information). More on harassment can be found at the U.S. EEOC website at:

<https://www.eeoc.gov/laws/types/harassment.cfm>.

Offer training in small doses, if possible. The Independent Living Program and duties and authorities of the SILC are complex. There is a lot of information to absorb. It may be hard for trainees to retain many of the details if too much information is provided at once. After training has occurred, ask questions to gauge their comprehension. Ask them what they understand or how they would describe the topic. Provide them with written materials that they can review.

Provide all members with an acronym list, as jargon can be very confusing to understand. One SILC provides an acronym list in their new member binder and on the

table at every SILC meeting. This list can be found at: www.oregon.gov/DHS/SENIORS-DISABILITIES/SILC/Documents/Glossary%20and%20Acronyms.pdf.

ILRU also has a publication of common acronyms available on its website at: <http://www.ilru.org/alphabet-soup-independent-living-acronyms>

If you use one of these lists as a guide, be sure to update and edit it specific to your state.

All council members and employees should read and understand the bylaws and policies and procedures and sign a form indicating they have done so. Everyone should read and sign the conflict of interest policy and code of ethics as well. All SILC members and employees need to understand that they are expected to know and adhere to these documents.

Suggested SILC orientation topics include:

- IL philosophy and history, consumer control, peer relationships, and a cross-disability orientation
- Acronyms
- Key players and partners
- Laws and regulations
- SILC roles and responsibilities and activities
- The SPIL and PPR – Program Performance Report (formerly 704 report)
- Duties as a member
- Logistics

ILRU offers many resources on topics for SILCs, including a self-administered checklist on the topics that every SILC member should know and understand to be an effective voting member. Refer to Appendix C to view or download this checklist at <http://www.ilru.org/silc-resources>.

There are also national and regional SILC meetings and annual conferences. For additional information on this topic, please review the ILRU training on SILC member recruitment and orientation at: <http://www.ilru.org/training/silc-member-recruitment-and-orientation>. If you do not have sufficient knowledge on the above items, you are encouraged to seek out additional training to learn and apply this knowledge to your role as a SILC member.

Ongoing training

Operating a SILC often means being focused on paperwork, planning, and evaluation, which are all necessary. However, doing those tasks sometimes makes it hard to stay energized and feel like you are making a difference. It is important to periodically review your purpose with members—why the SILC is doing things, what has been done in different areas, the outcomes it has led to, *and differences it has made for consumers and centers*. Celebrating progress and victories generates the energy to continue the work.

Consider your training budget as an important way to support and ensure the success of your council members. Well-trained members will improve the operations of the SILC. Training can also be an opportunity to motivate your members if you plan it that way. Make sure that members engage with consumers of CILs and those who benefit from SPIL activities, because that is one of the fastest ways for them to get motivated again.

When major tasks come up, such as the needs assessment, provide some retraining. Review why the task needs to be done, what the key things are to think about, and the desired outcome. This can help members do a better job and be more engaged with the task. Find out if members have any questions about the task or the SILC. Sometimes new or even established members don't understand what their role is, the purpose of certain tasks, and even what the SILC does. It is helpful for everyone to understand the big picture and how the moving pieces relate to each other.

The SILC Indicators issued by ACL in 2017 require that every SILC maintain individual training plans for all SILC members, these training plans can help you organize or access training that meets the needs of individual members. Ongoing training may also be provided at, or in conjunction with, SILC meetings and SILC retreats, through webinars and on-site trainings provided by IL-NET, by accessing archived trainings on ILRU.org, and other local, regional, and national training opportunities. Some SILCs lay out short training topics for every meeting and use excerpts from the captioned audio/visual on-demand topics on ILRU's website.

Chapter 9: Understanding SILC Financial Management Responsibilities

SILC Financial Management

The Rehabilitation Act, Section 725 Standards and Assurances, as amended by WIOA, states that the applicant will practice sound fiscal management. SILC members need to understand:

- The sources of funds,
- The availability of different funds, and
- The manner in which the funds are managed.

All SILC staff should also understand basic financial management standards. Periodic training should also occur for all staff whose job is affected by financial policies and regulations.⁸

The SILC needs to have financial policies and a policy manual. The council must establish and then update/revise the policies and procedures on a regular basis.

- Engage key staff and council members in the development process.
- Determine roles and responsibilities for committees, the council, the executive director, and accountant or bookkeeper in developing policies.
- Determine a process for review and approval, including final approval by the full council when necessary.
- Ensure that council minutes reflect the date of adoption of the policies and procedures and any revisions.
- Make sure that the date of adoption and any revisions are included on the financial policy manual. The dates should include the date of first adoption and all revisions, to show continual efforts are being made to ensure sound financial management.
- Establish when reviews will occur, such as on an annual basis.
- The policies and procedures should identify that the council reviews and approves the most recent financial statements (including a year-to-date comparison of budget to actual expenditures).

⁸ Financial and administrative staff who want a more in-depth understanding of current financial regulations may want to view the on-demand training “Updating Your Policies to Match Current Financial Regulations” at <http://www.ilru.org/training/updating-your-policies-match-new-regulations>.

Transparency and Accountability Are Key

Financial management systems must be accurate, current, and fully disclosed. Financial management should ensure effective and efficient operations, reliable financial reporting, and regulatory compliance. There must be a clear paper trail that allows auditors and federal reviewers to follow money from its point of award to the receipt of cash, drawdowns, expenditures, and cash after expenses. Source documentation shows all expenses, justification of travel and Part B activity, approval as required in procedures, proper allocation of shared or indirect costs, and the funding source.

Internal controls should include—

- Policies on how federal funds are safeguarded;
- Separation of duties for approving purchases, check writing, check signing, and appropriate checks and balances;
- Conflict of interest policy; and
- An independent audit.

Conflict of interest means that a person may not make an administrative decision if they or their family directly benefit, if they are a public official, if they have a family or business relationship with the grantee, or if they are motivated by personal gain. The IRS Form 990 for nonprofit corporations asks for a written conflict of interest policy and procedures for identifying and dealing with conflicts of interest.

Fiscal control and accounting procedures must ensure the proper disbursement of and accounting for federal funds. Federal dollars cannot be used to lobby for more federal dollars, to influence federal officials, legislators, or Congress in connection with awarding federal funds or to influence legislation. Federal dollars cannot be used to make contributions to political parties or to form lobbying organizations. See the on-demand presentation on Uniform Guidance for SILCs at <https://www.ilru.org/training/uniform-guidance-for-silcs> for more detail on federal rules around lobbying and financial management.

Indirect Cost Rates

An important financial area to note is that of **indirect costs**. ACL indicated to the CILs that they would be required to move from a cost allocation plan to approved indirect cost rates for the year beginning October 1, 2016. An indirect cost rate plan is similar to a cost allocation plan, but includes an additional requirement to calculate a preliminary or provisional rate of indirect cost near the beginning of the year, and reports the actual rate after the end of the year.

However, your DSE will determine how the SILC calculates the allocation of indirect costs or shared costs. Many states continue to require a cost allocation plan from the SILCs.

If you have more than one cost objective, indirect cost rates or a cost allocation plan must be established and submitted. If your organization only has one cost objective, you may be exempt. Keep in mind that fundraising is considered an additional cost objective. Organizations that can allocate everything directly to each cost objective and can prove it are exempt. There is also an exemption for organizations that are eligible to and elect a 10 percent reimbursement for indirect costs.

For those who need to establish and submit an indirect cost rate proposal, a rate needs to be budgeted annually with follow-up annual (or two years in some cases) documentation about actual costs. This will require a lot of extra work unless you prepare and simplify. Both the cost allocation plan and the indirect cost rate to DHHS will include the following.

- Background information about your organization.
- An explanation of how you allocate costs.
- A schedule of the federal funding that you receive.
- A schedule of payroll and related costs.
- A schedule of direct and indirect costs with a calculation of the cost allocation or the indirect cost rate percentage.
- A reconciliation to your financial statements or 990.
- A certification of the accuracy of the information in the proposal.
- A lobbying cost certificate.

DHHS requires that all indirect cost rate proposals be submitted electronically. They require two separate PDF files or CD or flash drives if the file size exceeds 25 MB. The first file should be marked “proposal” and contain the entire proposal, including your transmittal letter, checklists, certifications, and supporting schedules. The second file, should be marked “financial statements” and contain financial information such as audited financial statements or form 990. More information on where to find the regional office to submit can be found at <https://rates.psc.gov/fms/dca/map1.html>. Much more information can be found on preparing an indirect cost rate proposal by ILRU at <http://ilru.org/topics/cil-financial-management>.

Chapter 10: Fostering Collaboration and Building Partnerships

SILC and CILs

While a partnership between the SILC and the state's CILs should already exist, WIOA created a new partnership. The SILC and CILs (all the CILs in the state) are now partners in the development of the SPIL and comprise the IL Network in your state.

It is advantageous to consider these new responsibilities in a positive way and as opportunities that will bring true consumer control to the IL Program, improve the lives of individuals with disabilities, create opportunities for new and creative initiatives, provide control of the funding, set up teamwork to build the IL Network, and strengthen this partnership.

The SILC and CILs must learn to work together and establish and work towards common goals, if that is not already happening. The SILC and CILs should be working together on the development of an independent living “vision” for your state and strategic plan for the IL Network.

This vision and strategic plan can be used to—

- Establish regular communication
- Share information
- Identify the roles of all partners
- Identify what all partners want to accomplish, how long it will take, and the details of how to get there
- Guide your partnership and decision-making
- Share opportunities, provide mutual help and support, and strengthen the IL Network
- Guide the development of the SPIL

A number of SILCs use an outside facilitator to provide expertise and guide the strategic planning process. Bringing in someone from the outside will allow all SILC members, staff, and stakeholders to participate fully, provide impartial direction throughout the process, and mediate stressful discussions.

The SILC can strengthen and help CILs by—

- Supporting CILs and the IL Network with funding;

- Bringing CILs to the table for state initiatives;
- Serving as a statewide link to the CILs; and
- Educating the governor about the need for funding to establish additional CILs.

It is not the role of the SILC to police and monitor the CILs, which may cause resentment and damage relationships. A productive partnership is one where both CILs and the SILC may have different tasks to accomplish, but all are equal and deserve the same respect in the overall Independent Living Program.

The CILs can support the SILC and the IL Network by recruiting good candidates for appointment to the SILC and can serve as a compass to the SILC. The SILC and the CILs will jointly develop the SPIL and then hopefully use it as a road map or guide to develop a strong IL Network.

It is common for areas of disagreement to come up, especially around funding. To facilitate such discussions, develop an agreed-upon process. It may help to identify areas of agreement and common goals. Allow time for negotiation and give-and-take on how to accomplish goals. The process may go smoother if a facilitator mediates the discussion and helps reach resolution. Remember to communicate and let the vision and mission guide funding and other decisions.

Potential collaborations between the SILC and CILs include—

- Holding SPIL public forums at CILs
- Offering CIL presentations at SILC meetings
- Holding SILC meetings at CILs
- Inviting CIL directors, staff, board, and consumers to serve on the SILC
- Collaborating on the statewide needs assessment, SPIL development, and consumer satisfaction survey

Working together to coordinate services, develop the SPIL, and share resource development will maximize efforts, strengthen the partnership, and guide IL into the future.

Partnering with Other Organizations

The SILC should collaborate and coordinate with and encourage and support other disability organizations as well as agencies that may only occasionally serve children and adults with disabilities. It is a good idea for the SILC director and staff to form working relationships with these organizations. Maximize these relationships in the way that you write your state plan.

Consider having SILC members and staff serve on other councils, commissions, advisory committees and boards. These could include—

- State assistive technology program council
- Developmental Disabilities Council
- Protection and advocacy board and advisory committees
- State Rehabilitation Council
- Social Security determination board
- Olmstead council
- Accessible housing boards or committees
- College disability resource centers
- Domestic violence shelter boards
- Aging services/Aging and Disability Resource Centers
- Recreation centers
- Transition service agencies
- Community action agencies
- Homeless coalitions
- School special education programs
- Family or parent centers
- Hospitals
- Governor's commission on disability

Forming relationships and serving on boards and committees can provide opportunities to collaborate with a lot of other partners and have an influence on the kinds of decisions that are being made. By being involved with other organizations, SILCs can make sure that people with disabilities are included and considered, and it is a good way of doing systems advocacy.

Examples of Collaborating and Building Partnerships

Collaboration is critical to effectively accomplishing tasks in many areas. SILCs usually collaborate with the CILs and the DSE to assess consumer satisfaction. The West Virginia (WV) SILC provides several good examples of building partnerships, including conducting assessments in collaboration with CILs. They obtain mailing addresses from all of their centers, and then send out a written survey to every independent living consumer in the state each year. They contract with an independent consultant who receives the responses to the written surveys and conducts telephone surveys of at least 50 individuals evenly distributed among all of the CIL service areas. The consultant prepares a statewide report that the DSE, CILs, and SILC use for planning and evaluating activities. The CILs also receive raw data on the responses of their own consumers. The SILC, DSE, and CILs share the costs of printing, mailing surveys, and the consultant.

Another beneficial WV SILC collaboration with a lot of entities involved is the West Virginia Disability Caucus. This caucus is a statewide conference that provides training on leadership, self-advocacy, peer support, and disability rights laws. There are usually hundreds of attendees, including consumers, family members, and advocates. RSA had said that the caucus is a great way to get input and feedback from consumers, but there are limitations in how SILC funds can be used to support the caucus. So SILC

collaborates with their DSE, DD Council, Protection and Advocacy organization, University Center for Excellence on Developmental Disabilities, State Rehabilitation Council, Olmstead Office, and many other organizations, foundations, and individuals to support the full cost of the caucus. The SILC's role is more specific to what they are allowed to do, but the overall caucus is allowable because of the support from many partnerships.

Chapter 11: Developing and Amending the State Plan for Independent Living

The primary Duty of the SILC is jointly developing the State Plan for Independent Living (SPIL or state plan) with the CILs in the state, after public input from individuals with disabilities, other stakeholders, and all segments of the public. ACL states that the SPIL serves as a blueprint that encompasses the activities planned by the state to achieve its specified independent living objectives. It reflects the state's commitment to comply with all applicable statutory and regulatory requirements during the three years covered by the plan.

A SPIL must reflect the needs of individuals with significant disabilities in the state. To accurately describe the complexity of the challenges and barriers encountered both individually and at the systems level requires a thoughtful, organized approach. Relevant data should be gathered through existing disability statistics/databases as well as carefully designed needs assessment activities.

Data and Disability Statistics

Disability statistics can provide information, support, and clarity of complex issues, and reveal unknown patterns. Data helps you better understand your state's needs. Some states have a statewide database that combines individual data from each CIL into one single database. All individual consumer information is removed to protect identity and confidentiality. Consider standardizing your CIL consumer satisfaction data collection at the state level so that the information can tell a unified story.

There are advantages and disadvantages to different data gathering methods. Of course, as always, consumer and other stakeholder involvement in the process is critical.

It may be helpful to broaden the sources of existing data. Find out who in the community and state are already gathering data to provide a more complete picture of disability service needs as well as resources. Some of these available data sources beyond VR and CILs, may include Aging, Developmental Disabilities (DD) Councils, University Center on Disabilities, the Census, State Health Department, local government, etc. Your data will be more comprehensive and accurate with additional data sources.

When choosing a dataset or data source, think about what your needs are. Finding data and using statistics can sometimes be difficult. There are several sources of disability statistics, including the Annual Disability Statistics Compendium. This web-based tool gathers disability statistics from federal agencies in one place, including the state population and people with disabilities.

- The online address of this compendium is:
<http://www.disabilitycompendium.org/>

- The census bureau disability data website is: <https://www.census.gov/topics/health/disability.html>
- For further information, a guide to disability statistics from the American Community Survey can be found at: <http://digitalcommons.ilr.cornell.edu/edicollect/123>
- More statistics and data can also be found at: www.researchondisability.org and www.data.gov.

Conducting the Needs Assessments

Start the needs assessment process early. Remember:

- All relevant stakeholders need to be fully committed for the needs assessment, data collection, and reporting to be successful.
- Obtaining input from individuals with disabilities and other stakeholders within the community is important for several reasons. Keep in mind that Title I Programs, Vocational Rehabilitation, are required to conduct a Comprehensive Needs Assessment Survey. Leverage your VR agency and State Rehabilitation Council to join forces and reduce duplication of effort. Under Title I, the SRC must include a SILC representative as a member so SILCs and SRCs still interface. At the end of the day, consumers benefit from these collaborations.
 - Allows the SILC and CILs to make more informed and better decisions.
 - Provides the opportunity for collaboration and connection.
 - Creates investment and buy-in.
 - It is a good business practice.

Although this commitment and input will take more time in the beginning, it will speed up the process later, with more accurate results. Collaboration and communication between all parties involved will help make this process flow more smoothly.

The needs assessment process includes several key steps—

- Gathering input from the public and stakeholders;
- Holding public forums or focus groups;
- Conducting interviews, sending out surveys, etc.

Include basic questions about the value of current initiatives, whether the respondent would like different issues to be worked on, and which activities should be expanded.

Interviews are typically used when more in-depth conversation and information is needed, but they are time-consuming. Interviews are helpful when important relationships are at stake and can provide answers to questions generated from the initial assessment. It can be useful to find a way to reconnect with needs assessment participants. You may learn what is happening from the assessment, but still not know why. When you ask questions, develop a way to drill down deeper to get more specific information and answers.

Group forums can generate synergy and influence. People can bounce ideas off one another in community groups. One SILC conducts consumer forums with both specific questions and open space where consumers get to pick topics and spend as much or as little time as they want talking about those topics.

Feedback from comment cards that are available in centers and on vans or buses can also be useful. Some states collect feedback at state-wide activities sponsored by CILs or the SILC or other disability-related groups.

For more information, please go to the ILRU training on this topic at:
<http://www.ilru.org/training/using-consumer-satisfaction-information-for-planning>

Provide survey incentives to increase your response rate. The chance to win a gift card or some other prize often results in a better response rate. An increased response rate will improve the validity of data and increase the usefulness of the data when developing the SPIL and identifying the need for new CILs.

When developing surveys, explain who the survey is coming from and why the individual is receiving a survey. Include multiple choice or Likert scale (a range of choices from lowest to highest) items. Also include open-ended questions, typically placed at the end, such as—

- Do CIL services help to make your life different? If so, please tell us how.
- What other services would you like the CIL to offer?
- What could we do better?
- Do you have any other comments?

This data can also point the way for CILs to improve services and address unmet needs.

If the SILC members conducting assessments are not very experienced or knowledgeable, they should go through training on how to conduct effective needs assessments. This will improve the quality of data and rigor of the methods. It is helpful for all council members to receive training on this area. A few SILCs have developed their own training, but there are many highly rated on-demand trainings available on this topic at: <http://www.ilru.org/topics/gathering-analyzing-utilizing-data>.

An excellent 48-page needs assessment by the California SILC can be found online at: https://www.calsilc.ca.gov/files/media/support/SILC_AssmntRpt-English.pdf. This document addresses which geographic regions are most in need of additional services, which individuals are the most underserved by type of disability, which racial and ethnic groups are the most in need of additional IL services, the main challenges affecting access to IL services, and other key areas of concern to the IL Network.

A lot of time and effort goes into developing and completing the needs assessment. SILCs can use this information in a proactive and strategic manner for much more than just compliance and development of the SPIL. View the SPIL as a strategic plan, blueprint, or road map. When it is described this way to council members, it can increase their understanding and change their viewpoint.

The needs assessment can be an excellent tool for developing day-to-day SILC goals. The results may also be used for developing the SILC media plan and strategies for legislative advocacy, evaluating progress on implementing goals, coordinating services with other agencies, and collaboratively moving state agendas forward. If this information is used more effectively, SILC satisfaction and the quality of our work will increase.

SPIL Development

The SPIL is not just an “application” for funding. It is a blueprint written in narrative form that explains how the federal requirements will be met, not simply a restatement of the required assurances. Developing a vision/mission for the SPIL and the IL Network will help guide the process.

The SPIL is critical to funding. The ACL Administrator may withhold, reduce, limit or terminate funding in accordance with the procedures described in Uniform Administrative Guidance at 45 CFR 75.342 if a state does not submit an approvable SPIL. The funding that can be affected includes the Part C direct grants to the CILs in your state, as well as those funded with Part B that flows through your state. Therefore, as much care as possible should be taken with SPIL development.

The role of the SILC is also to monitor, review, and evaluate the implementation of the SPIL. The SILC does not monitor the CILs or any other service providers implementing the plan, but whether or not the objectives and outcomes of the SPIL are being achieved and any other information requested from the administrator.

One important change is that Authorities of the SILC are now included and described in the law. There is a much broader catchment of things that the SILC can do, but there are also specific limitations. The SILC cannot provide services directly to individuals with disabilities and they cannot manage services. Authorities allow the SILC to participate in additional activities, but these need to be incorporated into the SPIL including working with CILs to coordinate services with public and private entities; conducting resource development activities; and performing other functions consistent

with the purpose of the chapter, and comparable to other functions described in this section, as the council determines to be appropriate. Take the time to look at these Authorities in Section 705 (C)(2) and in chapter two of this guidebook.

Again, the Authorities that your SILC intends to engage in must be included in the SPIL.

The main sections of the SPIL are—

- The state's goals, objectives, and strategies
- A detailed description of how the state's Part B funds will be spent
- An account of the outreach efforts to identify unserved and underserved populations
- A detailed listing of the IL services to be provided in the state
- A description of the state's network of CILs, including a plan for how the network will develop statewide in the future
- A detailed plan for how any new IL funds will be used, including one-time funds
- A narrative on the working relationships of providers in the state's IL Network
- The SILC's Resource Plan
- The process for evaluating progress & effectiveness

Statewideness must now also be included in the SPIL, along with strategies for providing independent living services on a statewide basis to the greatest extent possible.

Good planning and research will result in an effective SPIL.

- Plan with timelines and responsibilities in mind to ensure that all of the moving parts work together.
- Work backwards from when the SPIL is due with adequate time for each step.
- A good SPIL takes about three years of work to develop. While you are implementing the last SPIL you should also be thinking about the one that is coming up.
- Determine the best time to start processes, including collecting and analyzing data, internal committee processes, and developing and writing the SPIL.

- Generally, earlier is better, starting the process over again as soon as the current SPIL is approved.

Identify the team that will develop the SPIL.

- The SILC chair and CIL directors in the state are required. Consider including other SILC members, other CIL staff or representatives, and the DSE.
- Consider appointing an ongoing committee to gather information, analyze the data, and discuss findings with the council—there could be subcommittees working on different sections.
- Consider using consultants to assist with specific sections or tasks and to facilitate negotiations. Some sections may just need verification or updating.
- Identify all of the tasks that need to be completed and divide the work and responsibilities among the team.
- Devise the best approach for drafting the SPIL using all of your available talent and resources.

Gather public input before and after writing the SPIL.

- It is important to note that public input and feedback must be gathered before writing the SPIL and on the draft SPIL before it is submitted.
- The IL Regulations include the following regarding public input:

§1329.17 General requirements for a State plan.
(f) The public, including people with disabilities and other stakeholders throughout the State, must have an opportunity to comment on the State plan prior to its submission to the Administrator and on any revisions to the approved State plan. Meeting this standard for public input from individuals with disabilities requires providing reasonable modifications in policies, practices, or procedures; effective communication and appropriate auxiliary aids and services for individuals with disabilities, which may include the provision of qualified interpreters and information in alternate formats, free of charge. (1) The requirement for public input in this section may be met by holding public meetings before a preliminary draft State plan is prepared and by providing a preliminary draft State plan for comment prior to submission. (2) To meet the public input standard of this section, a public meeting requires: (i) Accessible, appropriate, and sufficient notice provided at least 30 days prior to the public meeting through various media available to the general public, such as websites, newspapers and public service announcements, and through specific contacts with appropriate constituency groups. (ii) All notices, including notices published on a website, and other written materials provided at or prior to public meetings must be available upon request in accessible formats.

Develop the Network's goals, objectives, and strategies.

- Develop one mission for the IL Network, including the SILC, and CILs, (and potentially the DSE).
- Include how goals and objectives will be measured throughout the life of the SPIL.
- Ensure that the objectives are specific, measurable, and include indicators of progress and outcomes with timelines.
 - The objectives must be consistent with and further the purpose of Chapter 1.
 - If your SILC and CILs are not familiar with outcomes-focused objectives, consider working with a consultant or someone knowledgeable about logic models.⁹
 - Take a look at your current SPIL in terms of the objectives, including what is going well, what is average, what may not be working so well, and what is achieving the desired outcomes.

As goals and objectives are developed, think about how each will be evaluated.

- The SPIL must also address evaluation of the effectiveness of the plan in achieving outcomes and consumer satisfaction.
- Evaluation includes looking at whether the objectives were achieved and if they resulted in the anticipated and desired outcomes.
- Discuss how your plan is going to promote full access to community life, which includes the objectives, outreach plan, services, and development of the statewide network of CILs.

Identify which independent living services *will* be provided.

- Consider how the services will build into the overall objectives and be consistent with the rest of the plan.
- What services are currently being provided? Consider unmet needs. Listen to public input and review the needs assessment and consumer satisfaction results.
- Be realistic in what can be accomplished with the *available resources* and within the three-year timeframe of the SPIL.

⁹ See also <http://www.ilru.org/topics/state-plan-for-independent-living-spil>.

- Determine who will provide the identified services, keeping in mind that all providers must be in compliance with and meet the requirements listed in the SPIL Assurances section. Make sure to address that in your plan.
- Identify what funding will be used for the services and projects in the SPIL.
- Think about where services are going to be provided, in consideration of the other services currently being provided, to avoid duplication.

Determine how Part B money will be used, and how it is currently being used. (Refers to Title VII Part B of the Rehabilitation Act, which passes money through the DSE based on the SPIL to SILC and/or CILs.)

- Consider where and how much funding will be needed to accomplish the objectives and activities/strategies in the SPIL, and what can realistically be done with the available funding. ACL states that 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.

Provide a section that discusses outreach and the steps to be taken to conduct outreach to unserved and underserved populations.

- Those should include minority groups, urban areas and populations, rural areas and populations, underserved disability populations, etc.
- Each state needs to define which geographic areas and which populations of your state are served, unserved, and underserved. More information on outreach is in a later section.

Describe the statewide network of CILs, including where they are located, how many there are, the service areas, and whether statewide coverage is provided.

- Identify the unserved and underserved areas, where new and satellite CILs are needed, the current capacity to establish a CIL/satellite in each area, and how much funding would be needed.
- Consider a minimum funding level for existing CILs and how much is needed to start a new CIL.
- Design the ideal network and funding needed to achieve it.
- Decide if current CIL service areas are realistic and include a plan to adjust the service areas if they are not.
- Prioritize where to put new CILs and/or satellites.

- Prioritize the use of new funding, by source, if received and outline how new funding would be distributed.
- Be specific about how “one-time” funding would be used vs. funding that could reasonably be expected to continue.

Address the State’s intent if additional Part C funds become available through the congressional appropriations process or grant relinquishment/termination.

- Describe in detail what happens if funds become available.

Define what amount is needed for the SILC Resource Plan.

- How much funding is currently being used?
- What can a potential DSE bring to the SILC Resource Plan?
- If Part B funds are used, is 30 percent adequate to cover the scope of the Resource Plan?
- If more than 30 percent is needed, how will that be justified in the SPIL?
- What additional sources of funding are available (e.g., Title I Innovation and Expansion [I&E] funds, Social Security Reimbursement funds, State Appropriations, etc.)?
- The more proactive that you can be about your SILC resource plan needs, the greater the likelihood that you will secure funding *necessary and sufficient*¹⁰ to support the SILC.

Identify who will take responsibility for merging all of the parts of the SPIL you have developed into one document in the required SPIL format.

- Ask the full team to review the merged draft SPIL to ensure that what it says is what you meant it to say and that all of the work and agreements are captured.
- Solicit feedback on the draft from the SPIL team and their constituencies, including SILC members, CIL directors, staff, board members and consumers, and the DSE.

¹⁰ Rehabilitation Act of 1973 as amended, Title VII, Chapter 1, Sec. 705 (e)(1).

IL regulation §1329.17 (f) provides that SILCs are required to hold public meetings, 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.

- The SILC may meet the public participation requirement by holding the public meetings before a preliminary draft State plan is prepared *and* by providing a preliminary draft State plan for comment at the public meetings.
- The SILC must identify, during the public meetings, 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 Rehabilitation Act, as amended by WIOA.

Decide ahead of time, as part of the planning process, how you are going to solicit public input.

- Methods could include surveys, focus groups, public forums, facilitated public meetings, and more. More information about soliciting public input is in the needs assessment section.
- The needs assessment priorities can be used, with the public input priorities, to validate the content of the SPIL during development.

All public input should be compiled and provided to the SPIL team prior to beginning development of SPIL content.

- Public input should be reviewed by all members of the SPIL team and taken into consideration at each step of SPIL development.
- Priorities for services and services areas should reflect needs identified by the public input and the needs assessment.

Be sure to also allow for a public comment period to receive comments on the Draft SPIL.

- Provide notice to the public that comments are being accepted on the draft SPIL and provide a deadline.
- In addition to public meetings, the draft SPIL can also be distributed via email and made available online with a method to submit comments.

All public comments should be compiled and provided to everyone involved in the development of the SPIL.

- Provide all comments received to the entire SPIL team.

- The team should then review, consider, and make needed revisions in response to those comments.
- A final draft is then provided to the SPIL team, the SILC, CILs, and DSE.

A process for SILC review and approval should be implemented.

- Provide an opportunity for the full SILC to review, discuss, and provide feedback on a draft prior to releasing it for public comment.
- Ensure the full SILC discusses and approves the SPIL in a meeting documented by minutes.
- Ensure the full council authorizes the chairperson to sign the SPIL on behalf of the SILC.

The CILs should identify a process to review the final SPIL draft and indicate agreement and/or concerns.

- All CILs in the state should be provided the opportunity to review and give feedback on the draft SPIL prior to releasing it for public comment.
- All CILs in the state should review the SPIL and have a process to approve it.
- All CILs in the state should have the opportunity to sign the SPIL.

Signatures by the chairperson of the SILC on behalf of and as authorized by the SILC and not less than 51 percent of the state CIL directors are required.

- The SPIL must be submitted 90 days before (by June 30th) the completion date of the preceding plan (September 30th). The online system can get bogged down the closer you get to the due date so submitting early may help you avoid last-minute delays.
- The SPIL is signed by the chair of the SILC at the direction of the full council. The council members should approve the SPIL and give the chair the authority to sign it on behalf of the SILC. Usually, this is done by a vote following a motion to approve the plan by one of the members during a regularly scheduled SILC meeting. There have been variations of this process, but under no circumstances should the chair sign the SPIL without the approval of the majority of the voting members of the council.
- The Director of the DSE is required to sign the SPIL indicating agreement to fulfill the responsibilities of the DSE detailed in the law.¹¹

¹¹ Rehabilitation Act of 1973 as amended, Title VII, Chapter 1, Sec. 704 (c).

It is important to note that prior to the reauthorization of the Act in 2014 with the passage of WIOA, the authority to develop the plan was held by the SILC and the DSU (Designated State Unit for the Vocational Rehabilitation Program). Now, the SPIL must be developed by the SILC and all the CILs in the state and signed by the SILC chair and the directors of at least 51 percent of the CILs in the state to approve the content of the SPIL. The head of the designated state entity (DSE – the state agency designated in the SPIL to receive and administer the Title VII, Part B funds) now signs the SPIL to indicate agreement to fulfill all of the DSE responsibilities set forth in the law.¹²

A periodic review and revision of the SPIL is required not less than every three years. You have the option of reviewing it far more frequently than that. A revision/amendment may be submitted at any time, as long as the signers agree that a revision should be submitted, the same process for public input and review is followed, and approval by the SILC and not less than 51 percent of the CILs is secured.

Summary of Key Points to Remember

- Start the SPIL development process as soon as the current SPIL is approved. This allows time to identify what is working and what to do differently in the next SPIL as well as adequate time to effectively complete all of the required steps.
- Discuss strategies for providing independent living services on a statewide basis.
- Develop goals, objectives, and strategies that are specific and measurable with indicators of progress and outcomes with timelines.
- Look at the SPIL holistically. Some sections are related, and it helps to think through all of the sections before starting to write.
- Have a vision for the SPIL—keeping the big picture in mind will make it easier to demonstrate how all of the sections relate to each other and will enhance cohesiveness.
- Cross-check related sections for accuracy and consistency.

¹² The ACL/ILA issued guidance on June 5, 2015 (revised on October 28, 2015) on the role of the DSE under WIOA available at <https://www.acl.gov/node/410>. This quote is of particular interest here: “Under WIOA, the SPIL is jointly developed by the chairperson of the Statewide Independent Living Council, and the directors of the Centers for Independent Living in the State, after receiving public input from individuals with disabilities and other stakeholders throughout the State. The SPIL is signed by the chair of the Statewide Independent Living Council (SILC or Council), acting on behalf of and at the direction of the Council and at least 51 percent of the directors of the centers for independent living in the State. The SPIL is also signed by the director of the DSE. By signing the SPIL, the director of the DSE agrees to execute the responsibilities of the DSE identified in the law.”

- View multiple resources on SPIL development at:
<http://www.ilru.org/topics/state-plan-for-independent-living-spil>.

Role of the Designated State Entity

As part of the changes to the Act under WIOA, the term “designated state entity (DSE)” is the agency that acts on behalf of the State for Title VII Part B programs.

The SPIL must designate the DSE. The responsibilities of the DSE and the SILC are compared in the following table.

DSE	SILC
Receives, accounts for, and disburses funds received by the State under Part B (and Part C in a State under section 723 of the Act) based on the State plan; (i.e., is the ILS Part B grantee.)	Responsible for developing SPIL and grant application for Part B funds.
Distributes funds consistent with the SPIL. The DSE must make timely and prompt payments to Part B funded SILCs and CILs.	Responsible for monitoring and evaluation of the implementation of the SPIL. (SILCs may not monitor CILs or vice versa. This is the DSE's role as the grantee and administrator of the federal funds.)
Monitors grants and services provided with Part B funds.	Monitors effectiveness of SPIL.
Maintains records, including fiscal records, and provides reports. Provides access to records by the federal funding agency upon request.	Maintains records (i.e., meeting minutes, votes, applications, appointments) and provides reports as requested by the DSE and the federal funder.
Provides funding/resources for SILC Resource Plan ensuring the plan is “necessary and sufficient.”	Oversees SILC Resource Plan. including staff/personnel (whether hired directly or provided by DSE). (If the staff is a DSE employee, he/she may not be assigned other duties by the DSE that create a conflict of interest. For example DSE staff may not serve as SILC staff and also serve as DSE ILS program staff monitoring the ILS contracts with the SILC and CILs. This would be a <i>huge</i> conflict of interest.)
Retains not more than 5% of Part B funds (federal allocation + state match) – hard cap in law Sec. 704(c)(5)	Uses not more than 30% of Part B funds for SILC Resource Plan (federal allocation + state match) unless justified in SPIL

DSE	SILC
Provides administrative support for ILS program. The DSE will abide by SILC determination of whether the SILC wants to utilize DSE staff.	Responsible for choosing and evaluating staff, even if staff support is an employee of the DSE.
Assures that the SILC is established as an autonomous entity within the State as required in Section 1329.14. The DSE will not interfere with the business or operations of the SILC.	The SILC is autonomous. It authorizes its own expenditures of federal funds within its resource plan and budget, including allowable travel and training, is in charge of meeting schedules and agendas, manages its own board business, conducts votes, and takes personnel action.

In order to have an approvable SPIL under the law, the SILC chairperson acting on behalf of and at the direction of the SILC, the director of the designated State entity (DSE), and not less than 51 percent of the directors of CILs in the state must all sign the SPIL. The DSE director signs indicating agreement to—

- Receive, account for, and disburse funds received by the State based on the SPIL.
- Provide administrative support services for a program under part B, and a program under part C in a case in which the program is administered by the State under section 723.
- Keep such records and afford such access to such records as the Administrator (of ACL) finds to be necessary with respect to the programs.
- Submit such additional information or provide such assurances as the Administrator may require with respect to the programs.
- Retain not more than 5 percent of the funds received by the State for any fiscal year under Part B for the performance of the services outlined in paragraphs (1) through (4). See Section 704 (c) of the Rehabilitation Act, as amended, 29 U.S.C. 796c(c).

The SPIL governs the provision of Independent Living Services in the State. Each State is expected to continue its support, including specified obligations, for an approved SPIL. A SPIL amendment is required when there are significant, material and/or substantive changes to the information in the SPIL. A change in the entity designated to fill the role of the DSE requires a SPIL amendment.

Under the current law, nothing prohibits the DSU (Designated State Unit – the agency operating the Vocational Rehabilitation Program) from being designated to serve as the DSE. In considering agencies that may serve as the DSE, states must ensure that the agency is capable and willing to carry out the legal and fiscal responsibilities of the DSE.

State Plan Amendment Process

A change in the DSE is designated in the approved SPIL or approved SPIL amendments. As noted, a change of the DSE is a substantial and material change that requires an amendment of the SPIL. The prospective DSE should be informed of and must agree to carry out its statutory duties by signing the SPIL or SPIL amendment.

Amendments to the SPIL must be submitted by the State to ACL. “To be eligible to receive financial assistance under this part, a State shall submit to the Administrator, and obtain approval of, a State plan”¹³ Required steps include:

- SILCs must hold public hearings to solicit input from individuals with disabilities and other stakeholders in the State.
- Amendments must be signed by three parties: 1) the chair of the SILC, acting on behalf of and at the direction of the SILC; 2) not less than 51 percent of the directors of the CILs in the State, and 3) the director of the DSE to affirm their agreement to fulfill all the DSE responsibilities set forth in the law.

Before amending the SPIL, States should send a SPIL amendment request by email to their assigned Project Officer at the Office of Independent Living Programs. The SPIL amendment request should include, at a minimum:

- The section(s) of the SPIL that the State proposes to amend, including both the existing approved language and the proposed amendment(s).
- Anticipated timelines for each step, including public hearings and final submission.
- Whether there will be a change in how funding is made available to the SILC Resource Plan, SILC placement, and staffing.
- A statement regarding whether the changes fundamentally impact how the State intends to operate its IL program.
- A citation to or copy of any applicable State law or Executive Order that forms the basis for the proposed SPIL amendment.
- A statement confirming that the SILC chair, at least 51 percent of the CIL directors in the State, and the DSE director will sign the amendment.

All requests and attachments for the SPIL amendment process should be submitted in accessible PDF formats or as Word documents.

States are also encouraged to submit proposed SPIL amendment language for review before seeking stakeholder input through public hearings. Once all appropriate steps

¹³ Section 704(a)(1).

have been completed, including the public meeting/public comment processes for a SPIL amendment and the signatures of the appropriate parties, States should contact their assigned Project Officer at for instructions on final processes.

Additional Information

ACL/ILA/OILP will continue to issue guidance as needed to implement the relevant provisions of the Workforce Innovation and Opportunity Act of 2014, in addition to the regulations effective November 28, 2016 (45 CFR Part 1329).

Chapter 12: Effective Outreach

Conducting effective statewide outreach can be a complex and time-consuming process. SILCs should identify needs as they develop the SPIL, including any gaps in geographic areas across the state. They must work with the CILs to reach underserved and unserved populations. Unserved and underserved groups of populations include, but are not limited to—

- Unserved or underserved groups or populations of individuals with significant disabilities specifically are identified in the SPIL.
- Members of racial and ethnic minority groups.
 - Minority groups include
 - American Indians or Alaskan Natives
 - Asian Americans
 - Blacks or African Americans
 - Hispanic or Latino Americans
 - Native Hawaiians or other Pacific Islanders
- Geographically un/underserved areas/populations
 - Those living in rural areas.
 - Those living in urban areas.
 - Those who have been identified by the SPIL as unserved or underserved within a center's project area.

The SILC and CILs must engage in careful planning to determine how to best reach these target populations and create programs to fill the gaps statewide.

Section 704 (l) of the Act states that “With respect to services and centers funded under this chapter, the plan [state Plan for Independent Living] shall set forth steps to be taken regarding outreach to populations that are unserved or underserved by programs under this title, including minority groups and urban and rural populations.”

Outreach in Rural Areas

It is challenging to extend the IL model into unserved and underserved rural areas. As the IL Network in your state considers this, here are some ideas.

Tom Seekins from the Rural Institute at the University of Montana said that there are many paths to developing and extending services and supports in unserved rural areas. His recommendation is to take as many paths as you need but be sure that they fit rural values and are driven by local consumers. Try to become recognized as part of the community to build the trust necessary for long-term change.

Outreach approaches that the Rural Institute has explored include:

- Mentored satellite.
- Establishing branch offices and/or outreach offices.
- Asking staff to drive a circuit to serve rural communities.
- Setting up local support groups and contacts.
- Training surrogate providers (could include staff at a local library, university extension services, members or staff of a small church, utility workers, or other entities to provide information, referral, and assistance).
- Expanding the local network of peer advocates.
- Finding community partners and allies.
- Setting up virtual connections, developing or partnering on community education and awareness programs.
- Joining cooperatives and strategizing on community development.

There are many approaches and tools for community development. Establishing rural IL services is community development. Rural economic development, self-employment and business creation strategies, led by people with disabilities is another approach. Advocacy strategies for promoting change and accessibility of the environment (restaurants, businesses, government offices, recreational facilities) are often needed.

In rural areas, resources are usually thin, so working with groups and smaller systems to improve their capacity is probably one of the most effective advocacy strategies for small towns and rural communities. In cities, advocacy often means that people with common interests work together to get leaders to do the right things and make the best decisions. In small towns and rural areas, it often means taking personal responsibility to get things done for the community.

The ten-week course developed by the Rural Institute entitled Living Well with a Disability, is a peer-facilitated evidence-based ten-week program that has been well received and is offered by many CILs. This course is a health promotion workshop that may be reimbursed through Medicaid Home and Community-based Services and Vocational Rehabilitation. Participants learn the life skills they need to set and achieve quality of life goals and the role that health plays in helping them reach their dreams. The Rural Institute provides training and certification for organizations to provide the workshops. More information may be found on their website: <http://livingandworkingwell.ruralinstitute.umt.edu/living-well-program>.

Rural transportation and affordable/accessible housing are often areas where advocacy is needed. Federal funding may be available to purchase vehicles and support

operation of transit programs. The local council on aging may have accessible vehicles and be willing to partner on transportation.

One of the best and most widely used strategies for beginning community development is to conduct community assessments.

- Engage and involve people at the local level in assessing their community and building a joint agenda for community improvement.
- The Rural Institute and Summit ILC in Montana use the Concerns Report Method as a tool to connect with new consumers across large, rural portions of their service area.
- Assessment planning helps to bring together the evidence-based tools, local discussion groups, and best practices to create projects that will address local issues identified by the Concerns Report.

Mike Mayer from Summit ILC has the following tips.

- Tailor services to your unique situation.
- Build on any existing contacts with consumers, peer advocates, or service providers that you or your staff may have in rural areas.
- Include decision-makers, such as city and county folks.
- Tackle the problems and issues that you have a reasonable chance of getting solved or accomplishing.
- Be prepared to follow through. The process is labor intensive and can take a long time for change to happen.
- Obtain local buy-in. Each community has unique challenges and opportunities.
- Take the time to celebrate small victories along the way.
- Provide motivation and energy to keep working on slower, long-term goals.
- Continue to stay in touch.

More information can be found on this topic at: <http://www.ilru.org/training/effective-rural-outreach-using-concerns-report-method-tool-for-change>. _

Cultural Competence, Inclusion, and Outreach

Our country is becoming increasingly culturally complex. According to Tawara Goode from the National Center for Cultural Competence, cultural diversity describes differences in ethnic or racial classification and self-identification, tribal or clan affiliation,

nationality, language, age, gender, sexual orientation, gender identity or expression, socioeconomic status, education, religion, spirituality, physical and intellectual abilities, personal appearance, and other factors that distinguish one group from another. Linguistic competence means the capacity of an organization, agency, system, and personnel to communicate effectively and convey information in a manner that is easily understood.

Cultural and linguistic complexity also impacts people with disabilities. Disability is seen in all races, ethnicities, sexual orientations, gender identities, ages, and languages.

A lack of awareness leads to a lack of inclusiveness. SILCs need to address cultural and linguistic competence in order to improve the quality of services, health outcomes, access to services, equality, consumer satisfaction, outreach, and compliance with the law. Becoming culturally and linguistically competent will help your SILC effectively respond to the needs of culturally diverse populations.

Training for all council members and staff should be scheduled on this topic. It is best if training includes race and ethnicity, sexual orientation, age, gender, disability and other characteristics.

The National Center for Cultural Competence offers a free cultural and linguistic competence assessment and guide for disability organizations that may be found at: <https://nccc.georgetown.edu/assessments/clcado.php>. This tool is intended to—

- Support organizations to plan for and incorporate culturally and linguistically competent values, policies, and practices in all aspects of their work;
- Enhance the quality of services, supports, and advocacy provided to diverse and underserved communities;
- Effect change in education, training, technical assistance, and public policy; and
- Advance cultural and linguistic competence as an essential approach to address racial and ethnic disparities and promote equity for people who experience disabilities and their families.

Another concept to be familiar with is intersectionality. This refers to the interconnected nature of social categorizations such as race, class, disability, and gender; regarded as creating overlapping systems of discrimination or disadvantage. Many people within these groups experience marginalization, injustice, and prejudice. They often feel invisible. Considering different types of intersections may help to acknowledge the unique experiences that people with disabilities face and ground the differences among us. Not being aware of them may increase discrimination and exclusion.

In addition to training, what are some other things that a SILC can do?

- Actively pursue diversity on staff and the council. Diversity increases adaptability, viewpoints, creativity, problem solving, and the ability to more effectively represent consumers.
- Understand that people with disabilities look, sound, behave, and talk in all different kinds of ways.
- Collaborate and form connections with local immigrant associations, organizations, civil rights and/or social justice organizations and clubs for awareness and outreach. You can train these organizations about disabilities and they can train you about other topics. You can be a resource for each other.
- Support comprehensive immigration reform.
- Advocate and work for social justice. Take a stand against xenophobia, racism, and sexism, in addition to ableism.

Conducting Outreach

In the needs assessment process, the SILC's Needs Assessment Committee or SPIL Development Committee can make a systematic effort to identify groups of people and areas of the state where intentional outreach is needed. Planning for and conducting outreach includes both planning for needed services to be delivered by the CILs in the state and the recruitment of SILC staff and council members that represent the communities your SPIL targets for outreach. These can include local ethnic, cultural, and immigrant communities. Immigrant and ethnic minority staff, board members, consumers, and social service agencies may have good suggestions on where to conduct outreach.

Ask other service agencies to help spread the word. You can send out your information through their newsletters and/or email lists.

Post flyers on bulletin boards and leave your brochures, where possible, at health clinics, community-based organizations, refugee service agencies, ethnic organizations, ethnic restaurants, interagency councils, grocery stores, laundromats, area agencies on aging, senior centers, hospitals, discount stores, shopping malls, office supply stores, book stores, schools, work force services, large employers, employment agencies, community colleges, children and family organizations, child health providers, child care centers, bus stops and transportation centers, churches, legal aid offices, libraries, and language centers. Participate with exhibit booths at ethnic festivals, conferences, and county fairs.

Do not forget about the media.

- Spanish-speaking television and radio stations are often effective avenues for outreach, particularly if they are popular and provide educational information.

- Ask if there are any newspapers or magazines for target populations.
- Research to see if there are reporters for general media that specialize in reporting on ethnic minorities.
- Find out if there are Facebook communities and blogs for your communities.

Provide written materials and information on your website in different languages. Do not forget to include access for people who are hard of hearing or deaf and people with limited English proficiency. To develop independent living skills, a person must first be able to access the service systems that are critical to individuals with disabilities and their families.

Inform immigrants that the IL Network is a safe space regardless of their legal status. Make sure that CILs can provide services and have a plan for when people respond to your outreach.

More information and multiple trainings can be found on this topic at:
<http://www.ilru.org/topics/inclusion-diversity-underserved-populations>.

Outreach to and Inclusion of Individuals with Cognitive Disabilities

People are unique in many different ways. Neurodiversity means recognizing and valuing neurological diversity. Just as disability is part of the human experience, neurodiversity is about connecting that idea to people with cognitive disabilities.

Cognitive disabilities can be viewed as a natural and authentic human variation, rather than a pathology or a disorder. Cognitive disabilities include—

- Autism
- Intellectual disabilities
- Developmental disabilities
- Mental health disabilities
- Learning disabilities
- Traumatic brain injuries
- Stroke
- People who are aging with dementia

All neurological variations need to be valued and considered as worthwhile.

What are some ways that your SILC can be accessible to individuals with cognitive disabilities?

- Prioritize inclusiveness and accessibility for everyone within your organization.
- Take stock of your current situation and whether or not meetings and activities are truly accessible and inclusive.
- Make sure that there are not any attitudinal barriers about people with mental health or cognitive disabilities among administration and staff.
- Provide training on this topic, if needed. Appointing council members with cognitive disabilities is a good idea.
- Be clear that the IL movement is for people with **all** disabilities
- Connect and collaborate with your local self-advocacy groups, the Developmental Disabilities Council, protection and advocacy organization, and your University Center for Excellence in Developmental Disabilities, if you have not already.

Chapter 13: Social Media

Laying Groundwork for Resource Development

Before you begin resource development activities, you will need to lay the groundwork. People are more likely to give you money if they know who you are and what you do. Social media is a great way to get your name and activities out to your communities. Social media allows people to find and share good information, connect with others who have similar interests, invite people to events, and interact on different topics. Social media benefits your SILC by providing the opportunity to listen to what is being talked about, hear what people say about diverse issues or your organization, and find out which concerns they think are important.

Social media is a powerful way to get your message across, especially through using multimedia. Social media provides a great way to tell your story in effective and engaging ways with video and photographs. Numbers are needed, but consumer success stories (with permission) are usually what touch people. Through social media you can create awareness about issues, inspire people to take action and advocate, share ideas and resources, and build or participate in communities. Take the time to understand how you can make your posts accessible; for example, by captioning videos for people who are deaf and describing photographs or other graphics for people who are blind. Social media levels the playing field. It allows people to connect to each other and have their voices heard. People also use social media to create buzz. Learn about and develop a presence on Facebook, Twitter, Pinterest, YouTube, LinkedIn, Instagram, Blogger, Tumblr and other social media because it is a powerful thing to do.

- Your website is an excellent tool for people to find out more about you and what you do. Put your newsletter, press releases, events, services, etc. on your website. Give recognition to the community heroes who have been supportive.
- Facebook is a way to get information out to many, many more people. More people will hear about you and like you through Facebook. Each person who likes your page and posts has usually hundreds of people who they are connected to. Facebook has developed tools and tips for nonprofits to help build your cause and community at: <https://nonprofits.fb.com/>.
- Posting videos through YouTube is another beneficial way to increase exposure. Visual information is usually more powerful and better at evoking emotions. You can show what your SILC and the CILs you work with do versus telling people. More viewers will watch a video instead of read a lengthy description. You can also follow other disability organizations. More on how to tell your story and build money for your cause on YouTube can be found at the following link: <https://www.youtube.com/nonprofits>.

- *LinkedIn* is one of the easiest places to get started. It is a business networking site where the SILC can build a professional page and the professional staff can be individually added. Develop relationships and link to your partners. LinkedIn does not require a lot of updates. You can start or join any number of groups, such as disability advocates, professionals with disabilities with, assistive technology professionals, etc. LinkedIn has a tutorial for nonprofits at: <https://nonprofit.linkedin.com/>.
- *Pinterest* is a giant visual catalog of ideas. Pinterest can be a powerful way to tell stories with photos and videos. Pinterest is a way to organize and collect ideas, get inspired, and share ideas with others. Check out Pinterest best practices for business at <https://help.pinterest.com/en/articles/business-best-practices>.
- *Twitter* can help spread the word about your mission. It can connect you to many new contacts, help you stay up with trending topics, learn new ideas, and help you share your ideas. Twitter would be a good way to document an event as it is happening. You can also share content from your website or newsletter. Tweets have a limit of 140 characters. You can download a guide to Twitter for nonprofits at: <https://www.salsalabs.com/blog/white-paper-a-twitter-guide-for-nonprofits>.

Social Media Policy for the SILC

It is best to develop a strategy and policies for why and how to use social media tools. Take a look at different platforms and who their main users are. Determine who you want to connect to, including the business community, service providers, consumers, youth, etc., and what you want to accomplish. Once you determine your connections, consider which platforms are best.

Have a conversation with staff and council members about your whole social media plan. Find out who is interested in different platforms. Approach people from a positive perspective, not from worrying about their spending too much time on it. Empower them to go into these platforms to interact, listen, post, and comment. Develop social media policies to guide these efforts.

Start participating in social media by observing to better understand the issues being talked about. You can search different disability topics and find out what people are discussing. You can jump into relevant conversations. Always respond to questions and comments. You can also create content and topics for participation and ways for people to connect. You can help keep conversations going.

Think about what kind of time commitment you might be able to make. Social media can actually replace some of the other work that you are doing, such as a blog taking the place of a paper newsletter. The same content can also be reused in multiple formats – for instance, a post on a blog can also be placed on Facebook and Twitter. Social

media does not need to take a lot of time. You can post a provocative question and people will generally respond to it.

Social media is not formal; it is not a bureaucratic voice. Social media is about being transparent and honest. People want to be able to relate to you and help you. There are a variety of stakeholders who you can access using social media, including consumers, volunteers, staff, service providers, disability organizations, and potential donors.

Resource Development with Social Media

Social media also provides an avenue to raise money. There have been a number of successful fundraising efforts using social media. You can put out the message that you are raising money for a particular project and other people will usually spread that message. Fundraising often goes more quickly with their help. Be careful about asking for money if you do not already have a social media presence. You do not want to go from no social media presence to immediately asking for money. First you will need to establish a presence and build relationships.

Empower people to fundraise for you. Crowdsourcing is obtaining needed services, ideas, or donations from a large group of people, typically an online community. Money can be donated through widgets or Facebook messenger so it goes to the charity or organization. Make sure to recognize the people who respond to fundraising. Anyone who gives you money should be thanked and recognized. The donor should receive a letter of thanks for every donation you get. The letter should specify what the donation was and how much you appreciated it.

When you get funding for an event or an activity, publicize where some of the money came from. Give your donors and funders some public kudos. That helps them feel more connected to what you are doing and they are more likely to contribute again in the future.

Social Media for the IL Message

The power of social media is much bigger than leveraging funds. Resource development activities should not lead your efforts. Social media is about outreach, collaboration, and two-way conversations. Think about how you can give people the tools, resources, and information that they can use to spread your message, connect to what is happening with the state plan process, or contribute to your cause.

Identify all of the connections that you have, including personal connections and connections as a council with those stakeholders. Connections should include those entities that you work with on a daily basis, such as CILs, the DD Council, the Commission for the Deaf and Hard of Hearing, Services for the Blind, State Assistive Technology Program, and any service providers or businesses. (Some of these are

your ACL partners, so use your new ILA placement in ACL as a foot in the door to connect.)

Collect e-mail addresses and compile a list. Often a monthly newsletter is too slow when information is time sensitive. E-mail addresses can be used for more immediate communication. You can group people into the issue that you first encountered them on or ask them what they are interested in. Often organizations will let participants check boxes on which issues or type of communication they want and how often. That way everybody does not get alerts on every issue all of the time.

For more information on these topics, please access the training on social media from ILRU at: <http://www.ilru.org/training/using-social-media>.

Social media and marketing resources can be found at: <http://www.ilru.org/resources-cil-management-and-operations>.

Conclusion

The authors hope this guidebook will be helpful as you continue to navigate the changes for SILCs introduced by WIOA, collaborate with CILs, build partnerships with other disability organizations, assess the needs of the IL community, develop and monitor the SPIL to respond to those needs, recruit and manage SILC members, conduct outreach, use social media, engage in resource development, find new resources and potential new funding sources, and lead your SILC into the future.

Remember that you can create enormous opportunities within the Duties, Authorities, and Limitation prescribed by the law. Although making changes is not always easy, the SILC is an avenue for innovative initiatives which strengthen the IL Network, bring true consumer control to the IL Program, and improve the lives of individuals with disabilities.

Again, more information on all of these topics can be found at <https://www.ilru.org/projects/silc-net/silc-home>.

Appendix A: Example Conflict of Interest Policy/Statement and Code of Ethics

Conflict of Interest Policy

Conflict of Interest – SILC members and employees are expected to support the work of the Board and to refrain from actions doing anything that would interfere with the success of the SILC. SILC members and employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. SILC members and employees should not provide any information to a competitor (an entity competing for the same grant, contract, etc.) that would adversely affect the SILC's success in its endeavors. Likewise, SILC members and employees should not take advantage of opportunities for personal gain when dealing with grantees, suppliers, customers, etc. Any SILC member or employee that has a concern that a conflict of interest is present or may appear to be present, should inform the executive director or chairperson immediately. An individual may not be hired for, or continue in, a position that is supervised by a member of that person's immediate family. Should a promotion or marriage occur that would result in this being the case, the two employees will be required to determine which will resign from employment with the SILC. If the employees are unable to make such determination within a reasonable amount of time, the employee with the shorter tenure will be terminated. Similarly, no SILC board member or members of their families may be a paid employee of the SILC.

This conflict of interest policy is designed to foster public confidence in the SILC and to protect the SILC's interest. This policy establishes only the framework within which the SILC will operate. The purpose is to provide general direction and SILC members and employees are expected to seek further clarification from the Chairperson or Executive Director on issues related to the subject of acceptable standards of operation if any question arises. SILC members and employees involved in the procurement/purchasing and/or decision making processes are expected to disclose any potential conflict of interest and to remove themselves from the discussion and decision-making for any item of business in which they have a conflict of interest.

No "presumption of guilt" is created by the mere existence of a relationship with an outside firm or individual. However, when a SILC member or employee has any influence on transactions involving purchases, contracts, or leases, it is imperative that disclosure of the existence of any actual or potential conflicts of interest be made to the Chairperson/full board or Executive Director as soon as possible so that safeguards can be implemented to protect all parties. Personal gain is prohibited. Transactions are prohibited where the SILC member or employee, partner or relative has significant ownership in a firm with which the SILC does business. Any kickback, bribe, substantial gift, or special consideration to an individual or relative is prohibited as a result of any transaction or business dealings involving the SILC in which the individual has interest.

When a conflict of interest occurs, if a more advantageous option is not reasonably possible, the board shall determine by a majority vote of members without a conflict of interest whether the option creating the conflict is in the SILC's best interest and whether it is fair and reasonable.

Any SILC member or employee found guilty of an undisclosed conflict will be subject to disciplinary action.

The SILC will document, in detailed minutes, any decisions related to a transaction involving an actual or potential conflict of interest.

Actual or potential conflicts of interest involving federally funded activities must be reported to the federal awarding agency.¹⁴

¹⁴ Uniform Guidance section 200.113.

Conflict of Interest Statement

This statement is to be completed annually by all SILC members and staff.

Name: _____ **Date:** _____

Position:

- () Voting SILC member
- () Ex-Officio, Non-Voting SILC member
- () Officer: _____
- () Staff member: _____
- () Executive Director

I affirm that:

- I have received a copy of the WVSILC Conflict of Interest Policy. _____ (initial)
- I have read and understand the policy. _____ (initial)
- I agree to comply with the policy. _____ (initial)
- I understand that WVSILC is a charitable organization and in order to maintain its federal tax exempt status it much engage in activities which accomplish one or more tax exempt purposes. _____ (initial)

Disclosures:

Please certify below any conflicts or potential conflicts or that you have nothing to report.

_____ I have the following current or potential conflicts in financial matters of the SILC (provide details).

_____ I have no current or potential conflicts to report at this time.

By my signature below I verify that the above information is true and correct to the best of my knowledge.

Signature

Date

Date of Review by Executive Committee: _____

Code of Ethics

The West Virginia Statewide Independent Living Council (SILC) expects all members, voting and ex-officio, and staff to adhere to a professional code of ethical behavior and to respect the uniqueness and intrinsic worth of every individual. It is the intent of the SILC to build respect, credibility, and strategic importance for the Council in our communities and the State. To that end, it is expected that all members and staff adhere to the highest standards of ethical and professional behavior and agree to:

- 1) Uphold and enforce all laws, rules, and regulations that apply to recipients of federal funds and to the SILC;
- 2) Make decisions that assure the equal access and independent living of people with disabilities and seek to develop and maintain independent living services;
- 3) Uphold the independent living philosophy, including consumer control, and help to frame policies and plans only after the SILC has consulted those who will be affected by them;
- 4) Refrain from interfering with the day to day operations of the SILC but, together with fellow council members, to hire a qualified executive director;
- 5) Recognize that authority rests with the SILC as a whole and make no individual promises or actions that may compromise the SILC;
- 6) Treat all people with dignity, respect, and compassion to foster a trusting environment free of harassment, intimidation, and discrimination;
- 7) Act in a manner that assures the rights and dignity of others are upheld;
- 8) Refrain from using SILC position for personal, material, or financial gain or the appearance of such;
- 9) Safeguard restricted or confidential information;
- 10) Refer all complaints to the executive director and act on complaints from the public only after failure of an administrative solution;
- 11) Refuse to surrender independent judgment to special interest or partisan political groups or to use SILC position for personal gain or the gain of friends or family; and
- 12) Should any actual, potential, or perceived conflict of interest arise, disclose it immediately to the SILC Chairperson.

By my signature below, I certify that I have received, read, understand, and agree to abide by this Code of Ethics in all my duties and dealings as a SILC member/staff.

Signature

Date

Appendix B: Example Membership Chart

Name	Term Ending	County	District	Represents	Type of Disability	Voting	Non-voting	Part of the Disability Majority?	Provider/ Affiliation
				CIL Director (selected by other CIL directors)		Yes		No	
				CIL Director (Tribal-federal or state)		Yes		Yes	
				DSE			Yes	No	
				Individual with a disability		Yes		Yes	
				CIL employee		Yes		No	
				Parent of a child with a disability		Yes		No	
				Disability Advocate		Yes		Yes	
				Youth Leadership		Yes		Yes	
				CIL Board member		Yes		Yes	
				CIL Volunteer		Yes		Yes	

Appendix C: Member Knowledge Checklist¹⁵

WHAT EVERY SILC MEMBER SHOULD KNOW:

A Self-Administered Test

The list below includes basic information that each member of a statewide independent living council should know and understand to be an effective voting member of a statewide planning body. If you are a SILC member and do not know about the issues listed below, you or your SILC may need training to learn and apply this knowledge in your role as a SILC member. Assess your knowledge of the following, writing "YES" or a "Y" for each statement you know and understand and a "NO" or an "N" for statements describing knowledge you do not yet have or fully understand. Be tough minded!

1. _____ The history of independent living related to and including the current Rehabilitation Act Amendments of 2014, particularly Title VII.
2. _____ The history of how centers for independent living developed in the United States.
3. _____ The independent living philosophy -- its tenets, principles, values and how it is practiced.
4. _____ The location, size, name, brief history and executive director of each center for independent living (CIL) in the state.
5. _____ The designated state entity (DSE – the state agency designated in the SPIL) through which Title VII, Part B funding (and Part C in 723 states) flows, its director, its staff related to Title VII programs, and how to reach these individuals.
6. _____ The state agencies providing services to persons with disabilities, their missions, general information about what they provide, and their relationships to each other and within state government.
7. _____ The divisions of the U.S. Department of Health and Human Services related to people with disabilities and the names of the programs administered by the Administration for Community Living (ACL).
8. _____ The state's allocation under Title VII, Part B and how such funds are being spent.
9. _____ The nature and direction of the state's plan for independent living.

¹⁵ Created by Maggie Shreve, Organization Development Consultant (1994) and revised by Ann McDaniel, West Virginia SILC (2014).

10. _____ How the DSU (Designated State Unit - state vocational rehabilitation agency or blind agency) spends its Social Security Reimbursement Funds, particularly if such funding supports centers for independent living or independent living services within the state.
11. _____ Amount of state funding for centers for independent living and how it is distributed to CILs.
12. _____ Any state laws written for creation, definition or maintenance of centers for independent living.
13. _____ The definition, assurances, standards and indicators for centers for independent living.
14. _____ The nature and direction of the state's plan for vocational rehabilitation and how it relates to the state independent living plan.
15. _____ The nature and direction of the state rehabilitation council (SRC) and its relationship to the statewide independent living council.
16. _____ The roles, responsibilities, and authority of each member of the SILC.
17. _____ The communication system established for effective functioning of the SILC.
18. _____ The articles of incorporation (if appropriate), bylaws, or other tools of governance or policy guidance used by the SILC.
19. _____ The individual members of the SILC, what they represent on the SILC, their offices or responsibilities, if any, and how to reach any member of the SILC.
20. _____ The contents of the SILC's resource plan.
21. _____ The budget guiding SILC expenditures, the source(s) of SILC funding, and how such fiscal matters are managed.
22. _____ The staff of the SILC and how they relate to the SILC as a whole as well as individual members of the SILC.
23. _____ How staff of the SILC are trained, supervised and evaluated.
24. _____ The nature and funding for any SILC approved project funded under Title VII, Part B or any state or other funding incorporated into the state plan for independent living (SPIL).
25. _____ The basic concepts, definitions, and protections of the Americans with Disabilities Act of 1990.