

# **IL T&TA**

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**Independent Living**  
Training & Technical Assistance Center

## Designated State Entity (DSE) Guidebook

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## INTRODUCTION

Welcome to the Guidebook for Designated State Entities. The **DSE is an important entity in the Independent Living Network in a state**, and its role is key to ensuring that Independent Living funds flow to the Centers for Independent Living and the Statewide Independent Living Council. DSE support can strengthen IL in a state and contribute to individuals with disabilities being able to meaningfully live integrated in their homes and communities. As the administration of the Independent Living Services (ILS) program in a state is often challenging to understand, **it is appreciated that DSEs are referring to this guidebook and taking steps to ensure they are performing in their roles successfully**. This guidebook is designed to be a readily available tool to assist DSEs in meeting this task.

### The Purpose of this Guidebook

This guidebook provides an **easy reference** for the DSE and other IL network organizations **to access information about Independent Living** and the **DSE's specific role** in the IL network.

Each **state or territory has an IL network** of people with disabilities and community-based organizations and state entities working together to ensure vital Independent Living programs and services are in place. **Following is a list of groups in the IL network with their respective roles:**

- **People with *significant* disabilities are the primary drivers** of the IL movement in a state or territory, including the **development of the State Plan for Independent Living (SPIL)**. To receive IL funding in a state, **states must jointly develop and submit a SPIL, a three-year plan for providing independent living services**, to the federal funding agency, which is the [Office of Independent Living Programs in the Administration on Community Living, within the U.S. Department of Health and Human Services](#).
- **Centers for Independent Living (CILs) are community-based, cross-disability, nonresidential, private, non-profit advocacy organizations** developed and **run by people with disabilities** that **provide an array of independent living services to their peers with *significant* disabilities** – **some CILs receive direct federal grants** from the Administration on Community Living (ACL), some CILs receive **federal grant funds that pass through the state**, some CILs receive **additional state funds**, and some CILs receive a **mix of all three** of these funding sources.
- **Statewide Independent Living Councils (SILCs) are independent entities** responsible for **monitoring, reviewing, and evaluating the implementation of the SPIL**. **SILCs, in collaboration with the disability community and the CILs, develop the SPIL**; and
- **Designated State Entities (DSEs) are chosen by the SILC** and a **majority of the CILs in a state** and are **named in the SPIL as the fiscal agent to receive,**

**account for, and disburse Part B funds on behalf of the state.** In this role, the **DSE serves as the federal grantee and passes through Part B funds to the CILs and SILC in its state as subrecipients**, as designated in the SPIL.

### **The Value and Benefit of Serving as the DSE**

Selecting and designating the right state agency as the official entity for the ILS Program in a state can tremendously impact the IL network's success in the disability community.

- **A DSE that is a good fit for the IL network** is critical to its sustainability and growth.
- **A DSE genuinely dedicated to being the centralized agency responsible for receiving, dispersing, and accounting for the IL funding (Part B funding) in a state or territory may be more committed to focusing on meeting the unique IL needs** of the disability community.
- **A DSE that truly understands IL can result in more consistent and meaningful support of the IL network.** It does this by **strengthening the overall state disability network and its ability to successfully ensure the coordination and provision of IL services** that empower people with disabilities to live independently. For example, A DSE can:
  - **Connect potential partners** from among DSE contacts.
  - **Inform the network of potential funding opportunities**, such as grants and fee-for-service.
  - **Assist the IL network in securing Innovation & Expansion funds** if it doesn't currently receive these, especially for the SILC, as required in the Act.
  - **Tap into the CILs and SILC as strong and capable resources** to support the DSE with its engagement of people with disabilities on state councils or for input opportunities in the state.

Ultimately, the **selection and designation of the right DSE** in a state or territory **benefits individuals with disabilities** so they have access to **the necessary tools and support** they need to lead more autonomous and fulfilling lives.

**Becoming the DSE for the ILS Program can be of value to the state agency.** This designation can **position the agency as a leader and advocate for people with disabilities**, potentially enhancing and **strengthening its reputation and influence** within its state. The agency provides direct oversight of the IL funding in a state. As such, the **DSE can play a vital supporting role** in the IL network as it manages and optimizes the delivery of essential IL services tailored to the specific needs of the disability community.

Additionally, being the **DSE can attract more funding and resources**, providing opportunities for **program expansion and innovation**. By leading the ILS program in a

state or territory, the DSE can have a meaningful impact on improving the quality of life for individuals with disabilities.

**For vocational rehabilitation state agencies designated as the official entity for the ILS Program, being the DSE for the IL network can be rewarding.** IL philosophy aligns closely with the mission of vocational rehabilitation state agencies to support individuals with disabilities in achieving competitive, integrated employment and independence. **Being the DSE enables the agency to provide a seamless continuum of services, from vocational training to independent living support, fostering a holistic approach to empowerment.** It can also enhance program development and service delivery. Fulfilling the DSE role for the ILS Program, the **agency can better integrate its efforts**, ultimately helping more individuals with disabilities achieve personal and vocational success.

## THE INDEPENDENT LIVING (IL) PHILOSOPHY

The **driving force** behind all ILS programs, the CILs, and the SILC is the Independent Living Philosophy, which is why it is **vital for DSEs to have a solid understanding of the Independent Living (IL) Philosophy and its fundamental principles.** IL Philosophy embraces **disability as a natural part of the life experience.** It is based on the premise that, “each individual with a disability is unique; that people with disabilities are the experts about their needs and issues; and that programs serving disabled people should be designed to serve all disability groups.” (Brown, S.E. “Freedom of Movement,” ILRU Bookshelf Services, Publications for Independent Living, 2000, p. 3)

The IL Philosophy is a move away from the control of professionals, such as doctors, counselors, and other medical practitioners. It is also a move away from the control of parents/guardians / families. The IL Philosophy is instead a shift toward upholding the right of an individual with a disability to control their own life, make their own decisions, and learn from these choices and any consequences. Often referred to as “dignity of risk,” ALL individuals, including individuals with disabilities, have the right to self-determination and the right to experience opportunities and learn from the success or failure of these.

**Historically, and even still today, the right to dignity of risk was denied to people with disabilities due to the belief they could not succeed and instead needed to be protected and kept “safe.”** Typical teenagers rebel against their parents, take risks, and often learn from their mistakes on their path to adulthood. However, similar **opportunities for individuals with disabilities to take risks are often stripped away or prohibited**, hindering their ability to learn and develop essential life skills.

The founders of the IL movement believed people with disabilities should have the right to experience the dignity of risk, as it is a natural part of life. Unfortunately, this risk is

often denied through the control of doctors / medical practitioners, other professionals, and parents/guardians.

The IL movement firmly believes it is crucial for people with disabilities to have access to opportunities to attain the skills needed to control and direct their own lives to become active, productive, contributing members of their communities, and live their lives how they choose.

**The IL movement is disability-led and focused on empowerment through self-determination and independence/interdependence.** Many in society view people with disabilities as incapable and needing constant care or protection. However, IL asserts that individuals with disabilities have the right to make their own choices and live on their own terms. **IL challenges the typical disability stereotypes and promotes community living and inclusive communities where accessibility and equal opportunities are the norm.**

The IL Philosophy emphasizes that societal and attitudinal barriers, not the disability itself, limit participation and opportunities for people with disabilities. Doing their part to reduce such barriers and adhere to the IL Philosophy, **CILs do not ask for or require medical documentation or a diagnosis of disability for individuals with disabilities to receive access to IL services.** By statute, CILs and SILCs are to operate as **ADVOCACY organizations, not service providers.** CILs don't offer a menu of services for individuals with disabilities to pick and choose from to address needs and barriers. Instead, **disability-led CILs support their peers with disabilities, called consumers, in determining their own goals and utilizing the [CIL core services](#)** as tools and mechanisms to assist, tag-team, and train their disabled peers on areas as determined by their peers, such as advocating for accessible environments, accessing equal rights in education and employment, and expanding self-directed support services.

IL doesn't "DO" for consumers; it instead equips and empowers individuals with disabilities to lead fulfilling lives and contribute actively to society.

### **Rehabilitation Act – Title VII: Section 701. IL Purpose Statement**

**Title VII of the Rehabilitation Act of 1973, as amended through the Workforce Innovation and Opportunity Act (WIOA) in 2014, determines and designates the federal funding a state receives to establish and foster Independent Living programming and services.** In reference to IL funding, the Act states:

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.

**Title VII also designates the responsibilities and actions required by the DSE in each state to ensure the CILs and the SILC can fulfill their roles in achieving this purpose.** The DSE is required to ensure the CILs and SILC in their state are adequately **funded, supported, and entrusted to fulfill this purpose** statement. They do so by providing essential services that promote independence, empowerment, and inclusion for people with disabilities. Moreover, the Rehabilitation Act **emphasizes collaboration among the DSE, CILs, SILC, other disability stakeholders**, and, most importantly, the disability community in a state to **develop and implement programs and policies that remove barriers and enhance access and opportunities for independent living services** for individuals with disabilities.

### **Principles of Independent Living**

DSEs with a firm understanding of the IL Philosophy and its principles will be most successful in engaging with and supporting the CILs and SILC in their states.

- ★ **Civil Rights** – equal rights and opportunities for all, including individuals with any disability.
- ★ **Consumerism** – an individual with a disability utilizes or receives services based on what is best for them, as determined by them.
- ★ **De-institutionalization** – no individual should be institutionalized simply because they have a disability and cannot get access to home and community-based supports.
- ★ **De-medicalization** – individuals with disabilities are not “sick” nor need to be “fixed” or “cured” per the medical model of disability. Nor do individuals with disabilities typically require assistance from a formally trained or certified medical professional for their activities of daily living.
- ★ **Self-help** – individuals with disabilities do not need others to make decisions for them. Individuals with disabilities can make their own informed choices, advocate on their own behalf, participate actively in decision-making, and develop/strengthen skills that help them become self-reliant – All with or without supports.

- ★ **Advocacy** – individual and systems change / activities, which are often long-term and have a broad reach and a more significant impact on the disability community.
- ★ **Barrier-removal** – for civil rights, consumerism, de-institutionalization, de-medicalization, and self-help to come to fruition, physical/environmental and attitudinal barriers must be addressed and removed.
- ★ **Consumer control** – disability-led and directed organizations governed, managed, staffed, and operated by individuals with disabilities for individuals with disabilities are best suited to support and assist the disability community.
- ★ **Peer Mentoring / Counseling** – IL is about individuals with disabilities supporting and mentoring their fellow peers with disabilities with similar shared lived experiences. Buy-in from IL leadership that individuals with disabilities are the best experts on their own lives and learn best from each other (not parents/guardians, medical/social service providers, or other professionals, practitioners, and representatives) is crucial for the disability community to thrive.
- ★ **Cross-disability** – IL includes and embraces all ages and all disabilities, and its philosophy and principles must be carried out by individuals with varying disabilities for the benefit of the entire disability community.

## **The IL Philosophy and the DSE**

The IL Philosophy and movement emphasize that people with disabilities should have the same rights and opportunities as everyone else and be the drivers of their lives. **IL is unique within the disability rights movement because it focuses on self-determination, consumer control, independence, and disability-led organizations in the IL network.** The IL Philosophy promotes the idea that individuals with disabilities can make their own choices and lead fulfilling lives with the proper support. **The IL movement is a disability-directed advocacy movement with a bold history of successfully challenging ableist stereotypes to change systems and advance meaningful inclusion.** Such efforts are the cornerstone of the IL movement because they empower individuals with disabilities, promote dignity, and push for a society where disability is recognized and respected as an asset (as opposed to a detriment) and does not limit potential or opportunities.

Per the DSE standards and assurances listed in their grant terms and conditions, **the DSE must uphold the IL philosophy by respecting the independence and autonomy of the CILs and the SILC in their state and does not interfere in their day-to-day work/activities or impede their ability to function or operate efficiently and effectively.** CILs and SILCs are capable, viable organizations where board and council members, staff, and consumers with disabilities know what is best for them, their organizations, and the disability community. **However, as a key part of the state IL Network, the DSE can still engage in meaningful communication and collaboration with CILs and SILC in a way that embraces and acknowledges the**

**immense value of the lived experience of disability.** The DSE prioritizing the voices and needs of the disability community helps to ensure that IL services and programs in their state are responsive and inclusive and empower individuals with disabilities to live independently and participate fully in society. **A DSE that upholds the IL philosophy and its state IL network in these ways contributes to a more equitable and accessible environment for people with disabilities.**

## LEGISLATIVE HISTORY

### The Rehabilitation Act

The Rehabilitation Act established the Vocational Rehabilitation program for people with disabilities. Through reauthorizations over the years, it now includes research and training, professional development, special projects, and demonstrations, the National Council on Disability, rights and advocacy, employment opportunities for individuals with disabilities (including supported employment), and independent living and Centers for independent living. **Title VII covers independent living services (ILS), CILs, and SILCs.**

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

#### THE REHABILITATION ACT OF 1973, AS AMENDED 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**.

### **The Workforce Innovation and Opportunities Act (WIOA)**

On **July 22, 2014**, President Barack Obama signed the **Workforce Innovation and Opportunity Act (WIOA)** into law, transferring responsibility for **Title VII Independent Living Services (ILS) 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 IL programs. In addition, **all the regulations for the IL program were moved from RSA to ACL** (from 34 CFR to 45 CFR). *Important Note: Any references in state statutes, publications, or policies and procedures to 34 CFR for Independent Living are out of date and should be updated as soon as possible.*

### ***Independent Living Services Programs & How WIOA Created the Independent Living Administration (ILA)***

The **IL community** advocated to bring the **IL Philosophy** to the federal IL program through its own administration. After a decade of advocacy, the **Independent Living Administration (ILA)** was established under WIOA.

**In 2019, ACL went through a reorganization** combining the Independent Living Administration (ILA) with the Administration on Disabilities (AOD), with the Commissioner of the AOD also serving as the director of the ILA and **creating the Office of Independent Living Programs (OILP) for the daily operations of the IL program at the federal level**.

**Program Officers from OILP are assigned to federal regions to provide oversight and technical assistance to federal grantees**, including CILs that receive Part C funds as direct grants, DSEs that receive and administer the Part B funds, and SILCs that drive the state planning process, which plans for the distribution of Part B funds and are responsible for monitoring and evaluating the effectiveness of the SPIL. [See the list of the ACL / OILP Program Officers by federal region.](https://acl.gov/programs/community-living-programs/office-independent-living-programs-contact-list)  
<https://acl.gov/programs/community-living-programs/office-independent-living-programs-contact-list>

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 these various programs and approaches to disability services. The idea was to increase and expand access to community supports, while focusing attention and resources on the unique needs of older Americans and people with disabilities across the lifespan.

The mission of ACL is to maximize the independence, well-being, and health of older adults, people with disabilities, and their families and caregivers. So, when the IL movement looked at where to shift the ILS Program, ACL seemed the best fit.

**ACL issued DSE Assurances and SILC Indicators and Assurances in 2017 to provide direction and guidance for DSEs and SILCs.** The DSE Assurances, along with Section 704 of Title VII of the Rehabilitation Act and the IL Regulations 45 CFR 1329.12, **provide detailed direction on the DSE's roles and responsibilities.** These are included in the contracts between the DSE and ACL and typically are repeated in the DSE section of the SPIL.

### ***From Designated State Unit (DSU) to Designated State Entity (DSE)***

**The Rehabilitation Act has not always included Independent Living.** Title I of the Rehabilitation Act was developed to focus only on the employment of individuals with disabilities and to take an evaluation and treatment approach to vocational services driven by a vocational counselor. These services are provided through a Designated State Unit or DSU. When Title VII was first added to the Rehabilitation Act, it fell under this same structure. **CILs learned quickly that this approach often conflicted with the IL Philosophy, which is driven by the individual with a disability instead of by a vocational counselor or other VR structure.** Here is a summary of the two and the difference:

### ***Designated State Unit (DSU)***

A DSU is required under Title I of the Rehabilitation Act, as amended (1978) (the Act):

- Designated in the Title I State Plan (Sec. 101 (a) (2)) to operate the vocational rehabilitation program using Title I funds.
- In the past the Rehabilitation Act required a DSU for the IL program. **This changed with WIOA.**

Let's now **shift to the change in name from DSU to DSE** – and how the **DSE roles and responsibilities changed to better foster and assure consumer control.**

### ***Designated State Entity (DSE)***

Changes under the Rehabilitation Act, as amended by WIOA (2014) include the following:

- Transfers **all IL programs** under Title VII, Chapter 1, from the Rehabilitation Services Administration (RSA) **to ACL**.
- Designates the State entity as the DSE in the SPIL to **serve as the fiscal intermediary** for the federal Part B state pass-through funds.
- Affirms that the **DSE may be any state agency**, including but not necessarily the DSU; and **there can only be one DSE per state**.
- Defines the role of the **DSE as receiving and distributing Part B funds**, according to the SPIL.
- Requires the **DSE to sign the SPIL**, agreeing to execute the responsibilities of the DSE per 45 CFR Part 1329.17 (d)(2)(ii)

The DSE signature is not to approve or agree to the content in the SPIL developed by the SILC and CILs, but to indicate the agreement to serve in the DSE role and fulfill the DSE responsibilities for the ILS Program.

### ***Why the Significant Changes in 2014?***

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 essential 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 leaders with disabilities and disability 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 DSU was responsible for developing a state plan for independent living. Still, the director was only required to *consider* the recommendations of the IL advisory council, not to follow them.

**Disability advocates, including congressional staff, believed these IL advisory councils could be the next logical step to achieve absolute consumer control in planning the use of IL funds granted to the states and designing their network of CILs.** If given real authority to fulfill their responsibilities, perhaps these IL advisory councils could satisfy the need for consumer control in planning *and* coordination between the federal government and the states.

Truthfully, not all disability advocates in IL believed these IL advisory councils could shift into this consumer control role. The IL advisory councils did not meet regularly, the members tended to be from the state capital city area 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 were going to use these IL advisory councils to push for improved consumer control, it would need to make significant changes.

When Congress reauthorized the Rehabilitation Act of 1973 in 1992, it formally established a governor-appointed SILC in every state, territory, and the District of Columbia to be consumer-controlled and have real responsibilities and authority.

**With the 2014 reauthorization of the Act through WIOA, Congress vested new authorities in the SILC and gave control of the SPIL to the SILC and CILs in the state.** The membership composition of the council was **changed to require that 51% or more of ALL the members and the voting members of the SILC were to be individuals with disabilities who did not work for either a CIL or the state.** A CIL Executive Director, chosen by the other CIL Executive Directors, was added as a voting member of the SILC. In the case of a CIL operated by a tribe, **the CIL Executive Director was also to be included as a voting member of the SILC.** These changes were intended to enhance collaboration between and among the SILC and CILs and increase consumer control.

## **DSE ROLE AND THE SILC**

**There is a clear difference between the DSE and the SILC roles, which are separate and distinct in the IL network. While the SILC must be independent and autonomous from the DSE and all other state agencies, the DSE should make a good-faith effort to establish a meaningful, productive relationship with the SILC.**

Establishing such a relationship can benefit both parties and the entire IL network. It allows for direct communication between the SILC Chair and SILC Executive Director or other staff, and the DSE Director and DSE designee/representative to the SILC.

**Regular communication between the DSE and the SILC can help increase understanding and build trust.**

The **roles, responsibilities, and requirements of the DSE are outlined in Title VII of the Rehabilitation Act, the DSE assurances outlined in the SPIL, and the Part B Notice of Award (NOA) between the DSE and ACL / OILP.** The DSE assurances provide critical guidance and direction to support DSE efforts to successfully fulfill its responsibilities, especially concerning respecting the independence and autonomy of the SILC within the guidelines of the Rehabilitation Act and its associated regulations in 45 CFR 1329.

**One of the requirements of the DSE is that it must have an ex officio member on the SILC appointed by the governor.** As an ex officio member, the DSE has a seat on the SILC by virtue of its official role (as the DSE) under the Rehabilitation Act. The DSE should participate in SILC public meetings and activities, as appropriate, and does not interfere with SILC independence and autonomy, but it does not serve as a voting member of the Council. The DSE ex officio member is subject to term limits just like all

other members of the SILC and **cannot serve more than two three-year terms, plus any unexpired term the DSE ex officio member may have assumed.** SILC bylaws, policies, and procedures may specify the roles, responsibilities, and authority of ex officio members, as well as details on how long a member must be off the board before they can reapply for membership.

**The DSE ex officio member represents the DSE on the SILC.** While this member is **always non-voting, in most states,** the representative **can request items to be placed on the agenda and speak at SILC public meetings.** However, the SILC Chair or the individual designee of the SILC Chair, such as a SILC Executive Director, has the power to grant or veto such requests by the DSE representative.

**The SPIL must designate the state agency that will fill the role of the DSE.** This means that the agency selected to be the **DSE has been agreed to by the SILC and the majority of the CILs.** In addition, Section 4 of the SPIL further specifies how the DSE will interact with the CILs and the SILC regarding monitoring. More on this is addressed in the [DSE Role and the SPIL](#) section of this guidebook. The **DSE signs Section 7 of the SPIL to acknowledge its role as the fiscal intermediary to receive, account for, and disburse funds received by the state to support the IL network and the provision of IL services, including funding to support the SILC Resource Plan as identified and described in the SPIL.** Funding for the SILC Resource Plan typically consists of Part B funds. It must also include VR Innovation and Expansion (I&E) funds, as required in the Rehabilitation Act, and if requested by the SILC. Other funds (such as state general funds, Social Security Reimbursement (SSR) funds, etc.) may also be used to support the SILC Resource Plan. **The Rehabilitation Act requires the DSE to ensure the SILC receives "Necessary and Sufficient Funding" to support the implementation of the SILC Resource Plan and the efficient operations of the SILC for it to effectively fulfill its duties, responsibilities, and authorities as detailed in the SPIL.** effectively fulfill its duties, responsibilities, and authorities as detailed in the SPIL.

The [ACL / OILP SILC Resource Plan Frequently Asked Questions \(FAQ\)](#) is an excellent resource that provides robust guidance for the DSE and SILC to have a common understanding of the SILC Resource Plan, including SILC autonomy related to this plan.

### **DSE and SILC Finances**

**The SILC is considered a sub-recipient for receiving any federal Part B state pass-through grant funds, not a contractor or subcontractor, to ensure SILC independence from the DSE.** The DSE must make timely, prompt payments to the SILC for its Part B funds. When the reimbursement method is used for payments, the **DSE must issue payments within 30 calendar days after receipt of billing from the SILC** unless the DSE reasonably believes the request to be improper.

The **DSE will accept requests for advance payments from the SILC (and CILs)**. And when necessary, such advance payments from the DSE to a Part B-funded SILC will be issued to cover the SILC's estimated disbursement needs for an initial period generally geared to the mutually agreed-upon disbursing cycle. The **DSE will also ensure reimbursements are issued to the SILC and CILs 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).

**Numerous SILCs have experienced and continue to experience the following unnecessary barriers to prompt payments from DSEs:**

- **DSE determines that an expense is not included in or part of the SILC resource plan or SILC-approved annual budget.**

*Important Note: The SILC is responsible for the use / implementation of its SILC Resource Plan funds and may adjust its budget as part of its regular operations. It is **NOT the role or responsibility of the DSE to oversee the details of the SILC budget nor interfere in its day-to-day operations and responsibilities, which are supported by the funds in the SILC Resource Plan.** SILC budget and operational processes are addressed in the SILC policies as approved by the SILC.*

- **DSE requires the SILC to go through a cumbersome and unreasonable invoice and payment process for reimbursement of expenditures or advanced payments.**

*Important Note: Because Part B funds are **federal pass-through funds**, the DSE should not require the SILC navigate complicated processes for reimbursement or advance payments of these funds.*

- **DSE classifies the SILC as a contractor, not a sub-recipient of Part B funds. State practices around contractors can sometimes be lengthy and unnecessarily complex, which can delay payments to the SILC.**

*Important Note: This applies specifically to **all funds** included in the SILC Resource Plan, which may include Innovations and Expansion funds, state funds, or other grants.*

**SILC Expenses Disallowed / Rejected = DSE Interference in SILC Operations:**

- **DSEs do not have the authority to flag, disallow, or reject SILC expenditures unless one of the following occurs:**
  - the expenses are **not allowable, allocable, or reasonable under federal law and regulations**, particularly 2 CFR § 200.403 (allowability), § 200.404 (reasonableness), and § 200.405 (allocability). Examples of considerations for whether costs are allowed can also be found in 2 CFR § 200.420-476.
  - the **expenses are more than the approved budgeted amounts or falls outside the resource plan and is not consistent with state / federal accounting practices.**
  - **reasonable belief a reimbursement or advance request is improper** (e.g., insufficient documentation, fraud concerns).
- It is the **responsibility of the SILC** to oversee its operations, including its annual budget, and know what costs are allowable, allocable, and reasonable.
- **If the DSE has concerns about the allowability of an expense**, there must be a **clear, documented process for dispute resolution that respects SILC autonomy**. SILCs are responsible for internal procedures ensuring compliance; the DSE acts in an oversight role to ensure Part B is administered according to federal requirements but should not as a gatekeeper for individual SILC expenses.

The DSE agrees to the SILC fiscal decisions in the SILC Resource Plan **when it signs the SPIL**, not after the SILC submits invoices or claims for payments.

As a reminder, per the DSE Assurances, **the DSE signature on the SPIL indicates the DSE agrees it 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

### **Utilizing DSE Staff as SILC Staff**

The **SILC can choose to use DSE staff to support the SILC** and its operations and activities. The **DSE and SILC need to agree on how the staff is paid, how their time is tracked, and if the SILC is billed for their time**. The **SILC shall have the decision-making power to select the DSE staff it wants** to provide personnel support to the SILC, staying mindful of its requirement to **prioritize hiring individuals with**

**disabilities**, per section 704 (m)(2) of the Rehabilitation Act. **The SILC shall supervise and evaluate the performance of the DSE staff only for the work the individual does for the SILC.** A SILC and DSE sharing DSE staff should determine safeguards to ensure the **separation of DSE duties from SILC duties** and how the DSE shall respect the autonomy and independence of the SILC to determine, designate, and supervise those duties and activities.

### **SILC Autonomy & Independence**

**The SILC cannot be established as an entity within a state agency in accordance with 45 CFR 1329.14(b).** The DSE must ensure that the SILC is established as an **autonomous and independent entity** from any state agencies, including the governor's state office. **The DSE must not interfere in the business or operations of the SILC nor attempt to operate the SILC in any way.** While a SILC may be housed in a state agency that loans office space, it cannot be under the supervision of that agency.

**Here are some ways that the DSE must respect and support the Autonomy of the SILC:**

- **SILC selects and supervises its own staff:**
  - DSE staff can support SILC activities, but the SILC must have autonomy to supervise and direct this work.
- **SILC develops and manages its own budget and expenses:**
  - DSE is responsible for issuing timely, prompt payments to the SILC for its services, as identified and allocated in the SPIL.
- **SILC vets and submits recommendations for council member appointments to the Governor or state appointing authority independently from the DSE – the DSE shall not direct, influence, or interfere in SILC recommendations or appointments in any way:**
  - The SILC can request the DSE to assist or play a role in supporting the SILC with timely appointments of its recommendations; however, this must be at the direction of the SILC.
  -
- **SILC fulfills its responsibilities in the Rehabilitation Act free from DSE influence, coercion, or interference in its business and operations:**
  - DSE shall support and champion the autonomy and independence of the SILC and refrain from abusive, threatening, or intimidating communication and covert weaponization practices and tactics that may paint the SILC in a bad light and derail, deter, detract, or hinder the ability of the SILC to fulfill its duties and responsibilities and operate efficiently and effectively.

- **SILC can conduct its business and operations successfully in compliance with applicable laws and regulations.**

### **SILC Appointments**

Per the [SILC Indicators & Assurances](#) of minimum compliance, **SILC policies and procedures shall include:**

- **A method for recruiting** new members.
- **A method for vetting and reviewing** new member applications.
- **Regularly (at least annually) provide recommendations for eligible appointments** to the appointing authority.
  - DSE can assist and support the SILC with appointment recommendations at the direction of the SILC.

### **What about slow appointments?**

The Rehabilitation Act states in Section 705 (b)(7)(B) that **any vacancy** occurring in the membership of the Council shall be filled **in the same manner** as the original appointment. **The vacancy shall not affect the power of the remaining members to execute the duties of the Council / SILC:**

- SILC Bylaws **should not** interfere with appointments and the power/authority of the SILC.
- DSEs **do not** have authority over this.
- SILCs **can sometimes** meet the Rehabilitation Act requirements per SILC membership **without necessarily** meeting membership requirements in the Bylaws.

### **SILC Resource Plan**

The DSE must meaningfully work with the SILC to negotiate and determine the sources and amounts of funding **necessary and sufficient** for the SILC. As the consumer-controlled entity in the relationship, the **SILC is the expert** and best knows what is necessary and sufficient for it to successfully fulfill its duties and elected authorities and its operations, including carrying out the activities in the SPIL.

**The SILC Resource Plan (in the SPIL) is developed by the SILC and includes:**

- a. **Sufficient funds** received from:
  - i. **Title VII, Subchapter B funds**  
*Important Note: If the SILC resource plan (only) includes Title VII, Subchapter B funds, the SPIL must justify the percentage of Subchapter B funds to be used if the percentage exceeds 30 percent of the total Title VII, Subchapter B funds received by the state.*

- ii. **Innovation and Expansion (I&E) funds** reserved for the SILC under Sec. 101(a)(18) of the Act, 29 U.S.C. Sec. 721(a)(18), as applicable.  
*Important Note: I&E funds are **required** to be included in the SILC resource plan by the state Vocational Rehabilitation agency (**regardless of whether this entity is the DSE or not**)*
  - iii. **Other public and private sources**
- b. Funds must be **necessary and sufficient** (per the SILC) and may support, but are not limited to, the following:
- i. Staff/personnel
  - ii. Operating expenses
  - iii. Council compensation and expenses
  - iv. Meeting expenses, including meeting space, alternate formats, interpreters, and other accommodation.
  - v. Resources to attend and secure training and conferences for staff and council members.
  - vi. Other costs as the SILC determines to be appropriate.

In **addition to the SILC Resource Plan**, the **SILC should have a detailed operating budget**, which most likely **consists of the funding identified within the SILC Resource Plan**, and is flexible to meet the emerging needs of the SILC in accordance with SILC policies and procedures and in line with the SPIL and/or a SILC Strategic Plan, if applicable. The DSE does **NOT** oversee or have oversight authority of the SILC operating budget.

**When appropriate, the DSE and SILC (and CILs) should attempt to resolve differences and conflicts within a state IL network before contacting the Project Officer.** However, any / all threats of violence, intimidation, or harm by an entity toward another entity within a state IL network should be reported immediately to the ACL / OILP Project Officer and the ACL / OILP Director. See the list of the [ACL / OILP Project Officers by federal region](#).

## **DSE ROLE AND THE CENTERS FOR INDEPENDENT LIVING (CILS)**

### **722 State**

A 722 state is **a state in which federal IL funding exceeds state IL funding for the general operations of eligible CILs**. In 722 states, **ACL / OILP issues grants** under Part C, Chapter 1, **directly to Part C-funded CILs and eligible agencies**. A state may **elect to maintain its 722 status** even if its state IL funding would meet or exceed the federal IL funding. This can occur if the DSE Director elects not to administer the CIL (Part C) program and/or the state IL network chooses not to assign that responsibility to its DSE in the SPIL.

**DSEs do not have any financial oversight role with the Part C-funded CILs, except as part of a collaborative state IL network.** Because Part C funds come directly from ACL / OILP to the CILs, it is the responsibility of ACL / OILP to oversee the use of these Part C funds.

**In the case of monitoring CILs that receive Part B funds, the DSE is responsible for the fiscal oversight of the use of these specific state pass-through federal funds.** Part B-funded CILs are sub-recipients, monitored as such by the DSE as the recipient of these funds. Monitoring and oversight of funds will be discussed further in a later section.

### **723 State**

**A 723 state is a state in which state IL funding for CILs equals or exceeds the amount of federal IL funding allotted to the state under Part C, Chapter 1, and in which the state IL network chooses to have the DSE administer both the Part C and Part B funds, and is indicated in the SPIL.** The DSE Director also applies and is approved by ACL / OILP to administer the Part C and Part B funded CIL programs per section 723 of the Act.

**In 723 states, the DSE is responsible for fiscal and program oversight of Part B and Part C funded CILs.** The DSE receives ALL these funds and distributes them to the state IL network in accordance with the SPIL.

### **State General Funding or other State Funding**

**Many states provide funding to the CILs from their state general fund or other sources and administer these funds via the DSE as well.** In this case, the state's own processes for identifying the type of funding (grant or contract) and the process for distributing and monitoring the funds are determined by the state's own regulations and policies.

## **DSE ROLE AND FUNDING AGREEMENTS / CONTRACTS**

**The DSE must ensure that continuous funding is made available to the SILC and the CILs.** This means that any grant agreement and/or contracting processes utilized by the DSE must ensure the timely execution of any grant agreements and/or contracts that do not delay or limit payments and interfere with the operations of the SILC and CILs in the State.

**If the DSE does not implement grant agreements/contracts with the SILC and CILs on a timely basis, this may create a lapse or gap of time when allowable expenses can't be reimbursed or paid.** This conflicts with the DSE assurance that the DSE will make timely and prompt payments to the SILC and CILs. However, the DSE can take proactive steps to help prevent delays from occurring – for example:

- The **DSE can begin working with the SILC and CILs** on their new or extended grant agreements/contracts **several months in advance of the termination date to ensure these do not lapse and create delays in payments**, negatively impacting the operations of the SILC and CILs.
- The **DSE can offer multi-year grant agreements/contracts that align with the three-year period of the SPIL.**

## DSE ROLE AND THE SPIL

### SPIL Planning & Development

The SPIL must be jointly developed by the chairperson of the SILC (at the direction of the full council) and the directors of the CILs in a state IL network. **All state IL network entities play a role in the development of the SPIL, including the DSE.**

The state IL network must first begin the SPIL development process by **gathering input and feedback from individuals with *significant* disabilities throughout the state.** The **SILC typically leads the coordination and planning** for gathering this public input. However, CILs (and the DSE, if determined appropriate by the SILC) may also play a coordinating role with the SILC. **As a member of the SILC, the DSE representative can be a valuable support for the SILC, sharing information that has already been gathered as part of planning and development efforts by the DSE for other state plans or accessing state data and resources.** DSEs can also facilitate the sharing of surveys, forum/event notices, or other information relevant to the disability community.

The DSE is a required non-voting ex officio member of the SILC. In this capacity, the **DSE Director or DSE SILC representative can actively participate** in SPIL planning committees and workgroups to provide input into the SPIL planning and development process **if requested** by the SILC.

**Once a draft of the SPIL is ready for the public to view and provide input, the DSE can assist and support the SILC and CILs with pushing out the draft to individuals with disabilities it may serve, via its communication to the public.** The DSE can also assist in providing an accessible meeting space for any public meetings held to gather feedback for SPIL development.

**The DSE can also submit its comments on the SPIL on behalf of its agency to provide feedback on the development and content in the SPIL, how it can connect and align with its programs, or other specific areas where it may want to share input.** However, depending on the method the SILC uses for incorporating public comment into the final approved SPIL, DSE comments may not always be included.

## **SPIL Development – Section 4: Designate State Entity**

There are several areas within the SPIL where the DSE is actively responsible for participating in its development.

The DSE specifically works with the SILC to write the SPIL **Section 4: Designated State Entity**, which describes the **DSE processes, mechanisms, and actions for the distribution of funds** included in the SPIL. **This includes oversight responsibilities and the distribution of Part B and other IL funds.** The Part B funds are not under the purview or control of the DSE but are simply for the DSE to receive, distribute (pass-through) to the SILC and CILs as allocated and in accordance with the SPIL. This is repeated throughout Title VII Section 705 of the Rehabilitation Act.

**Section 4** of the SPIL **addresses important information the DSE must commit to adhering to during the period covered by the SPIL** as part of its role in agreeing to be the DSE. Section 4 also **provides for the opportunity for the DSE and SILC to address any state-imposed restrictions and requirements that are in addition to the requirements in the Rehabilitation Act and IL regulations**, with specific details on how the DSE will comply with the state-imposed requirements without restricting or interfering with the independence and autonomy of the SILC and CILs in a state. **Section 4, along with the remainder of the SPIL, must be agreed to by the SILC and more than 51% of the CILs in the state, so there may need to be some negotiation or discussion regarding this content.**

**The DSE must work with the SILC during the SPIL development process to determine the sources and amounts necessary and sufficient for the SILC to fulfill its duties and elected authorities.** The SILC should be able to provide the DSE with information about what will be necessary and sufficient to carry out the activities in the SPIL. **Discussing and negotiating the SILC Resource Plan for the SPIL three-year period is a key piece of SPIL development for the SILC and the IL network.**

## **SPIL Implementation**

The DSE has a very important role in the implementation of the SPIL. **As state statutes, regulations, and procedures can change, the DSE should regularly review the details of the state-imposed restrictions in Section 4 of the SPIL to ensure it consistently follows this SPIL section.** If changes need to be made to this section that impact or interfere with the ability of the DSE to fulfill its fiscal intermediary responsibilities for the IL network, the DSE shall inform the SILC as soon as possible to determine whether a technical or substantial amendment may be needed to the SPIL.

**There may be other areas in the SPIL where the DSE has a role in implementation. To that end, the DSE must regularly report its implementation progress and outcomes to the SILC.**

## SPIL Monitoring & Evaluation

The detailed information in **Section 1.4 of the SPIL**, which **consists of monitoring and evaluation timelines, the data to be collected, and the parties or entities identified and responsible for the data collection**, is used to monitor and evaluate the implementation of the SPIL. **If the DSE is identified in this SPIL monitoring and evaluation section, the DSE should work with the SILC and CILs** to coordinate its activities to ensure understanding between all parties.

**Unless specifically indicated, detailed, and agreed upon in the SPIL** by the SILC and the majority of the CILs, the **DSE shall not include any SPIL implementation activities or other related monitoring and evaluation requirements** in any funding agreements or contracts with the CILs or the SILC. The SILC is responsible for monitoring and evaluating the implementation of the SPIL, not the DSE.

The SPIL is a powerful instrument intended to be used to develop and strengthen strategic relationships between the SILC, CILs, and DSE and leveraged to bolster coordination amongst the IL network, state entities, and community organizations to sustain and expand the Independent Living movement and independent living services in a state or territory over its three-year cycle.

## Barriers to SPIL Development, Implementation, and Monitoring & Evaluation – DSE Concerns and Considerations

**Should the DSE have any concerns** regarding the development, implementation, or monitoring or evaluation of the SPIL, it should request to meet with the SILC to discuss its concerns and **consider the following points**:

- **Does the SILC have the necessary and sufficient resources** to fulfill its duties and authorities, such as adequate staffing **for SILC day-to-day operations**?
- **Does the SILC have or utilize staff to support it** in meeting its duties/authorities and conducting its day-to-day operations? If not, is the SILC Resource Plan necessary and sufficient to hire/obtain staff?
- If the SILC is identified as the responsible entity in the SPIL for the implementation of specific goals, objectives, or activities, **does the SILC have the necessary and sufficient resources to follow through** on these responsibilities?
- **How might the DSE play a supporting role** (at the direction of the SILC) to help facilitate coordination and cooperation amongst the IL network for development of the SPIL?

- **Reach out to the IL T&TA Center for support and guidance.** Its program provides technical assistance and training when requested by the SILC or SILC staff, or by the DSE, as issues arise.

### **SPIL Approval and Agreement**

All the CILs in the state IL network **have the opportunity to sign the SPIL**, indicating approval of its content and agreement with their role in its implementation. **Not every CIL is required to sign, but most CILs in the IL network must do so for the SPIL to be submitted to ACL / OILP.** This includes all CILs, whether they receive Part B funding, Part C funding, state funding, or any other type of IL-related funding. **If an organization requests to be included in the SPIL as a CIL but doesn't receive IL funds, the SPIL will need to clarify how the status of the organization as a CIL will be determined.**

**The SILC is also a required signer of the SPIL.** The **SILC Chairperson is required to sign the SPIL at the direction of the SILC**, indicating approval of its content and agreement with its role in implementing the SPIL. The SILC Chairperson will also sign, agreeing to follow the SILC Assurances and Indicators of Minimum Compliance.

**The DSE Director will sign the SPIL on behalf of the DSE.** This signature indicates the DSE agrees to serve as the DSE for the ILS Program, adhere to the DSE Assurances, and implement any activities as assigned and negotiated in the SPIL.

### **DSE ROLE AND REPORTING**

#### **ILS Program Performance Report (PPR)**

**The ILS Program Performance Report (PPR) for a state details the use of the Part B funds in the state based on the information in the SPIL.** This federal required performance report is **completed and submitted to ACL annually.** Any CILs that receive Part B funds that also receive Part C funds will complete and submit their own PPR to ACL annually, which includes the information about the use of their Part B funds. The Part B funds information for Part C funded CILs should not be included/duplicated within the state ILS PPR. **The state ILS PPR only reports data from the CILs that receive Part B funds.**

**The ILS PPR has two sections, one section regarding the SILC (which the SILC completes) and another section completed by the DSE.** The DSE and SILC each submit their section to ACL for review and approval. **The DSE should discuss and work cooperatively with the SILC to ensure full completion/submission of the ILS PPR.** The ILS PPR covers the prior federal fiscal year and is **typically due the following January.** However, ACL provides updates on changes to PPR submission deadlines.

The ILS PPR is signed off by the SILC Chair and the DSE Director prior to its submission to ACL.

If a DSE conducts any monitoring reviews of CILs, ACL requires that the DSE share any monitoring reports with it. Additional information on reporting DSE oversight and monitoring of Part B funds is described in Section E of the PPR.

### **SF-425 Federal Financial Report(s)**

In addition to submitting the annual ILS PPR, **DSEs are also required to submit Federal Financial Reports (FFRs)**. An FFR User Guide, Reporting form(s), FAQs, etc., may be found on the [DHHS Payment Management System \(PMS\)](#) page.

### **Part B Funds Regular Expenditure Report(s) to SILC**

**Regular reports from the DSE on the ongoing expenditure of Part B Funds for the state IL Network should be provided to the SILC to ensure it has the information needed to monitor the progress and implementation of the SPIL and use of the Part B funds.** Regular reports from the DSE to the SILC could be quarterly reports that detail the spending breakdown of the Part B funds (by the DSE, SILC, and each CIL). This regular report would then be incorporated as part of the SILC regular meeting materials packet and shared verbally at the SILC public meetings.

## **CONCLUSION**

The IL T&TA Center hopes this publication is a helpful and easy resource for DSEs and other IL entities to access information about Independent Living and the DSE role and responsibilities within the state IL Network, specifically. Strong collaboration between the DSE, SILC, and CILs in a state is vital to the success of the overall IL movement.

**We encourage DSEs to use this information to orient and train other interested parties by sharing their knowledge. Good luck with your future endeavors, DSEs!**

## **APPENDIX A: SOURCES FOR DSE GUIDEBOOK**

[Administration for Community Living:](#)

[Centers for Independent Living:](#)

[Independent Living Regulations:](#)

[List of ACL / OILP Project Officers by federal region](#)

[Rehabilitation Act of 1973 as amended, Title VII \(7\), Chapter 1, Section 701:](#)

[SILC Indicators and Assurances and DSE Assurances](#)

## APPENDIX B: DEFINITIONS

Ableism means discrimination or prejudice against individuals with disabilities.

Autonomy means the state of being self-governed.

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

Community-based means an activity that is organized and takes place locally.

Consumer means any individual with a significant disability eligible for IL services under Section 703 of the Rehabilitation Act and is currently receiving or has been provided any IL service(s) under the ILS program.

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

Cross-Disability means, with respect to a center, that a center provides IL services to individuals representing a range of significant disabilities and does not restrict eligibility to individuals who have one or more specific significant disabilities.

Designated State Entity (DSE) means the agency that the State Plan for Independent Living (SPIL) designates to receive, account for, and disburse Part B funds in accordance with section 704(c) of the Rehabilitation Act.

Designated State Entity (DSE) Assurances refer to requirements that DSEs must comply with and maintain documentation demonstrating compliance through annual performance reports submitted to ACL each year.

Dignity of Risk means being able to make choices that could have negative consequences and getting to experience those consequences.

Disability means, in accordance with the Americans with Disabilities Act of 1990, as amended, § 12102, “physical or mental impairment that substantially limits one or more major life activities [;] . . . ; a record of such an impairment; or being regarded as having such an impairment. . . [This] definition. . . shall be construed in favor of broad coverage of individuals.”

Equal Access means people of all abilities can fully engage with every aspect of an organization.

IL Network means the SILC, DSE, and CILs (all the CILs in the state) are entities in a state that develop the SPIL and comprise the IL Network in each state.

Independence means the state of not being dependent on or directed/controlled by another.

Independent Living means maximizing the ability of people with disabilities to

- control their own lives.
- participate in the community.
- live independently (as opposed to in institutions); and
- have economic security.

Independent Living Philosophy is 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.

Independent Living Administration (ILA) is the federal entity within the United States Department of Health and Human Services (HHS), and the Administration for Community Living (ACL) administers the IL Services and CIL programs.

Independent Living Core Services mean information and referral services; IL skills training; peer counseling (including cross-disability peer counseling); individual and systems advocacy; and services that facilitate the transition of individuals with significant disabilities from nursing homes and other institutions to home and community-based residences; provide assistance to individuals with significant disabilities who are at risk of entering institutions so that the individuals may remain in the community; and facilitate the transition of youth who are individuals with significant disabilities who were eligible for individualized education programs under section 614(d) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)), and who have completed their secondary education or otherwise left school, to postsecondary life.

Independent Living Services include the independent living core services listed above and the services listed in Section 7(18) of the Rehabilitation Act, Definitions, Independent Living Services.

Individual with a Disability means an individual who has a physical or mental impairment that substantially limits one or more major life activities of such individual or has a record of such an impairment or is regarded as having such an impairment, as described in section 3(3) of the ADA, as amended.

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

function, continue functioning, or move toward functioning independently in the family or community or to continue in employment.

Innovation and Expansion (I&E) Funds – The State plan shall – (A) include an assurance that the state will reserve and use a portion of the funds allotted to the state under section 110 – (i) for the development and implementation of innovative approaches to expand and improve the provision of vocational rehabilitation services to individuals with disabilities under this title, particularly individuals with the most significant disabilities, consistent with the findings of the statewide assessment and goals and priorities of the state as described in paragraph (15); and (ii) to support the funding of – (I) the State Rehabilitation Council, if the state has such a Council, consistent with the plan prepared under section 105(d)(1); and (II) the Statewide Independent Living Council, consistent with the plan prepared under section 705(e)(1); (B) include a description of how the reserved funds will be utilized; and (C) provide that the state shall submit to the Commissioner an annual report containing a description of how the reserved funds were utilized during the preceding year.

Interdependence means mutual dependence.

Office of Independent Living Programs (OILP) is the office within the Administration on Disabilities that has programmatic oversight of Part B and Part C funding, training, and technical assistance.

Part B funds refer to Title VII Part B of the Rehabilitation Act, which passes money through the SILC to CILs, more accurately, Subsection B.

Part C funds refer to Title VII Part C of the Rehabilitation Act, which authorizes direct grants to CILs, more accurately, Subsection C.

Peer support means a helping relationship between an individual with similar lived experience under certain conditions, assisting another person in coping with and adapting to similar circumstances. Also known as peer counseling, it is one of the required core services that CILs must provide.

Prompt means being on time and punctual.

Section 722 State means a state where federal funding exceeds state funding for the general operation of eligible CILs. Or, if state funding exceeds federal funding, the director of the DSE elects not to administer the CIL program. In these states, ACL / OILP issues grants under Part C, Chapter 1, directly to CILs and eligible agencies.

Section 723 State means a state in which state funding for CILs equals or exceeds the amount of federal funds allotted to the state under Part C, Chapter 1, and in which the director of the DSE submits an application and is approved by ACL / OILP to administer the CIL program as provided in section 723 of the Rehabilitation Act.

Self-determination means people with disabilities know their needs best and should lead and control the planning and management of their services.

Self-help means the action or process of finding and utilizing resources to better one's life based on their personal needs.

Service provider means a CIL that receives financial assistance under Part B or Part C of Chapter 1 of Title VII of the Rehabilitation Act or any other entity or individual that provides IL services under a grant or contract from the DSE under Section 704(f) of the Rehabilitation Act. A DSE may directly provide IL services to individuals with significant disabilities only as the SPIL specifically authorizes.

Statewide Independent Living Council (SILC) Assurances means requirements that SILCs must adhere to and maintain documentation for demonstrating compliance and reporting through annual performance reports submitted to ACL each year.

SILC Autonomy means that the SILC is not established as an entity within a state agency (Sec. 705(a)), that the SILC supervises and evaluates its staff (Sec. 705(e)(2); §1329.15(e)), manages its budget and is responsible for the proper expenditure of funds and use of resources (§1329.15(c)(5)), that the SILC resource plan includes resources necessary and sufficient for the SILC to carry out its duties and authorities (§1329.12(b)(2)), that no conditions or requirements may be included in the SILC resource plan that may compromise the independence of the SILC (§1329.15(c)(4)), that while assisting the SILC in carrying out its duties, staff are not assigned any duties by the DSE (or any other agency of the state) that create a conflict of interest (Sec. 705(e)(3)), and that the SILC is independent and autonomous from the DSE and all other state agencies (1329.14(b)).

State means, in addition to the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

State Match means the resources provided by the state (cash or in-kind or any combination thereof) to match the state's expenditure of Part B funds. The required match is 10% of the sum of the state's total expenditure of Part B funds and the state's total expenditure of resources that the state provides; in other words, when the state's expenditure of Part B funds and the state's expenditure of state-provided resources are combined, the state match is required to be 10% of this total.

State Plan means the State Plan for Independent Living (SPIL) required under section 704 of Title VII of the Rehabilitation Act and developed by the Centers in the state, in conjunction with the Statewide Independent Living Council (SILC).

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

Statewide Network of Centers for Independent Living means a statewide network of CILs that complies with the standards and assurances in sections 725(b) and (c) of the Rehabilitation Act and 45 CFR 1329.4.

Subrecipient means 2 CFR 200.1, “Subrecipient means a non-Federal entity that receives a sub-award from a pass-through entity to carry out part of a federal program but does not include an individual that is a beneficiary of such program. A subrecipient may also receive other Federal awards directly from a federal awarding agency.”

Timely means done or happening at the appropriate or proper time.

Unserved and underserved groups or populations mean individuals from racial and ethnic minority backgrounds, disadvantaged individuals, individuals with limited English proficiency, and individuals from underserved geographic areas (rural or urban).

## APPENDIX C: ACRONYMS

AOD – Administration on Disabilities

ACL – Administration for Community Living

ADA – Americans with Disabilities Act

CFR – Code of Federal Regulations

CIL – Center for Independent Living

DHHS – Department of Health & Human Services

DSE – Designated State Entity

DSU – Designated State Unit (obsolete term)

ED – Executive Director

I&E – Innovation and Expansion

IL – Independent Living

ILA – Independent Living Administration

ILRU – Independent Living Research Utilization

OILP – Office of Independent Living Programs

Part B – Refers to Title VII Part B of the Rehabilitation Act, which passes money through the SILC to CILs, more accurately Subsection B.

Part C – Refers to Title VII Part C of the Rehabilitation Act, which authorizes direct grants to CILs: more accurately, Subsection C.

PO – Project Officer (ACL / ILA state assignments)

PPR – Program Performance Report

PWD – People with Disabilities

RSA – Rehabilitation Services Administration

SILC – Statewide Independent Living Council

SPIL – State Plan for Independent Living

TA – Technical Assistance

Title VII – Refers to section 700 of the Rehabilitation Act relevant to Independent Living programs.

VR – Vocational Rehabilitation

VRS – Vocational Rehabilitation Services

WIOA – Workforce Innovation and Opportunity Act (July 22, 2014 revision to the Rehabilitation Act)