

IL T&TA

Independent Living
Training & Technical Assistance Center

SILC Autonomy

March 17, 2026

SILC Congress 2026

National Association of Statewide Independent Living Councils

Orlando, FL

About the Independent Living Training and Technical Assistance Center (IL T&TA Center)

The Independent Living Training and Technical Assistance Center (IL T&TA Center) is available to you through a contract with the US Department of Health and Human Services. The IL T&TA Center provides expert training and technical assistance to CILs, SILCs, and DSEs. The Center is operated by the University of Montana's Rural Institute for Inclusive Communities.



Descriptions: Logos of the University of Montana and the IL T&TA Center.

Facilitators:

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Reminders

Accessibility



- **WAIT FOR THE MICROPHONE!**

- Provide your name and organization when introducing yourself and each time you are speaking.

Be Open to Learn



- The group contains all levels of experience and backgrounds.
- This is a learning environment, and all questions are appropriate and expected.

Share

- Share great ideas that are working for your state.
- But don't overshare...if you need one-on-one assistance, reach out to us

What we will discuss today

- You will become familiar with the regulations and indicators regarding the autonomy of the SILC.
- You will learn how the SILCs and DSEs interact in different states.
- We will focus on the basics of how the SILC is autonomous, what it does, and how it interacts with the DSE.
- We will share great ideas for assuring autonomy while maintaining good relationships.

Resources, References, Terminology

- **CILs or ILCs:** Centers for Independent Living or Independent Living Centers
- **SILC:** Statewide Independent Living Council
- **DSE:** Designated State Entity
- **The Rehab Act:** The Rehabilitation Act of 1973, as amended by the Workforce Innovation and Opportunity Act (WIOA)
- **Independent Living Regulations - 45 CFR 1329**
- **SILC Indicators and SILC and DSE Assurances:**
 - Indicators are specific requirements that show a SILC is performing in accordance with the Rehab Act and IL regulations.
 - Assurances are agreements between the funder and the recipient about certain actions the recipient will or will not take as a condition of receiving the funds.

What kind of board is the SILC?

- **Governing Board:** Even though you are independent by law, the governor appoints the members of the SILC. The SILC is a governing board that typically hires and oversees staff to carry out the council's day-to-day work.
- **Governmental Entity:** The SILC is also a governmental entity, established in federal law (and sometimes state law), and not only in your bylaws. The council cannot change those laws.
- **Independent from State Agencies:** The SILC must be independent of and autonomous from the DSE and cannot be established as an entity within a State agency.

Common Definitions of Autonomy

Wikipedia – Autonomy is the capacity to make an informed, uncoerced decisions.

Autonomous organizations are independent or self-governing.

Merriam-Webster – The quality or state of being self-governing.

Vocabulary.com – Political independence.

Is there a federal definition of autonomy?

Federal law does not define “autonomy” as a standalone term, but the Rehab Act embeds autonomy-related principles, such as ***consumer control, self-determination, and independence***, in the **purpose of Title VII** and service definitions.



Where is autonomy described for the SILC?

- **Elements of SILC Autonomy are referenced in Sec. 705 of the Rehab Act and in federal IL regulations found in 45 CFR 1329.**
 - These sections describe how a SILC is established and how it conducts business.
- **Your Own SILC Autonomy:** The specific elements of how the autonomy of your state's SILC is protected should be described in Section 5 of your State Plan for Independent Living.
- **SILC Indicators and SILC & DSE Assurances:** The SILC Indicators and SILC & DSE Assurances are included in the SPIL.

How is autonomy described for the SILC?

Rehab Act Sec. 705 & Federal IL Regulations (45 CFR 1329)

- **Establishment** - the SILC is not established as an entity within a State agency (Rehab Act Sec. 705(a)) and the SILC is independent and autonomous from the DSE and all other state agencies (§ 1329.14(b)).
- **Staff** - the SILC supervises and evaluates its own staff (Rehab Act Sec. 705(e)(2); §1329.15(e)). 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)).
- **Budget Management** – the SILC manages its own budget and is responsible for proper expenditure of funds and use of resources (§1329.15(c)(5)).
- **Resource Plan** - the SILC resource plan includes resources necessary and sufficient for the SILC to carry out its duties and authorities (§1329.12(b)(2)). In addition, no conditions or requirements may be included in the SILC's resource plan that may compromise the independence of the SILC (§1329.15(c)(4)).

Autonomy - SILC Establishment

Rehab Act

*To be eligible to receive financial assistance under this chapter, each State shall **establish and maintain** a Statewide Independent Living Council (referred to in this section as the “Council”). **The Council shall not be established as an entity within a State agency.** (Rehab Act Sec. 705(a))*

IL Regulations

*(b) The SILC shall not be established as an entity within a State agency, including the DSE. **The SILC shall be independent of and autonomous from the DSE and all other State agencies.** (45 CFR 1329.14 (b))*

What This Means:

- The SILC is not created as part of a State Agency.
 - **Example:** If a SILC were a department of the VR Agency, it would violate this.
 - The SILC must have the ability to control its operations, not the state.
- The SILC is independent of the DSE.
- The SILC is autonomous from the DSE.
- The SILC is autonomous from all other state agencies.

Autonomy – Staff Supervision & Evaluation

Rehab Act & IL Regulations

*e) The SILC shall, consistent with State law, **supervise and evaluate its staff** and other personnel as may be necessary to carry out its functions under this section. (Rehab Act Sec. 705(e)(2); 45 CFR 329.15(e))*

What This Means:

- Staff of the SILC are working for the SILC.
- The SILC directs the work of the staff and evaluates their performance.
- The SILC gets to hire, fire, and select its staff.

Autonomy – SILC Utilizing DSE Personnel

SILC Assurances & Indicators and DSE Assurances

(c) SILC Assurances, (5) The SILC will make the determination of whether it wants 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. (SILC Assurances & Indicators and DSE Assurances (c)(5))

(d) DSE Assurances, (3) The DSE will abide by SILC determination of whether the SILC want 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. (SILC Assurances & Indicators and DSE Assurances (d)(3))

Rehab Act

*(3) CONFLICT OF INTEREST.—While assisting the Council in carrying out its duties, staff and other personnel **shall not be assigned duties by the designated State entity or any other agency or office of the State, that would create a conflict of interest.** (Rehab Act Sec. 705(e)(3))*

What This Means:

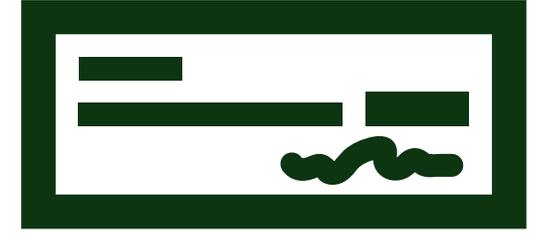
- The SILC will decide if it would like to utilize DSE personnel to assist in carrying out the functions of the SILC.
- The DSE will accept the SILC's staffing decisions.
- The SILC will become responsible for managing and supervising this employee regarding their activities authorized under the Rehab Act.
- SILC staff cannot be assigned duties or responsibilities by the DSE, any other state agency, or state office that conflict with the work of the SILC or create a conflict of interest.



Things to Remember - SILC Staff

- You may hire or contract with an Executive Director or other staff to manage the day-to-day operations of the SILC. You should have a Scope of Work or job description for that role.
- The SILC should have a policy for how the performance of the staff is evaluated. This is at least annually, and typically is conducted by either the chair or a committee of the SILC.
- Typically, the staff role is to manage the day-to-day communication and operation of the SILC.
- Usually, staff is the contact for other organizations and the routine contact for the DSE.
- Even if the staff is paid through the DSE, they are not supervised by the DSE but are supervised by the SILC.
- The SILC may turn down a candidate for the role proposed by the DSE and select someone else.

Autonomy – Budget Management



IL Regulations

The SILC is responsible for the proper expenditure of funds and use of resources that it receives under the resource plan.

(45 CRF 1329.15(c)(5))

What This Means:

- The SILC is responsible for ensuring it follows the rules when spending money from its Resource Plan.
- Often this means the council has someone perform an independent audit of the use of Part B and other SILC funds.
- This is the SILC responsibility, not the DSE.

Autonomy – Necessary & Sufficient Resources

Rehab Act and IL Regulations

*(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 fulfilment of its duties and authorities consistent with the approved State Plan.

(Rehab Act Sec. 705 (e)(1)) and (45 CFR 1329.12(c)(1))

What This Means:

- The SILC and DSE must work together to come up with a plan on how the SILC's required functions can be funded.
- The SILC should be able to assess the level of funding needed to carry out their duties and authorities as listed in the SPIL and work with the DSE on how to fund it.
- This plan must be enough to operate the SILC.

Autonomy – Conditions of SILC Resource Plan

IL Regulations

(4) No conditions or requirements may be included in the SILC's resource plan that may compromise the independence of the SILC. (45 CFR 1329.15(c)(4))

What This Means:

- The SILC receives funding from the DSE that follows the Resource Plan.
- The DSE cannot require your resource plan to include a requirement that will risk the SILC's independence and autonomy.

State Interference ≠ Autonomy

SILC Assurances & Indicators and DSE Assurances

*(c) SILC Assurances, (7) 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; (SILC Assurances & Indicators and DSE Assurances (c)(7))*

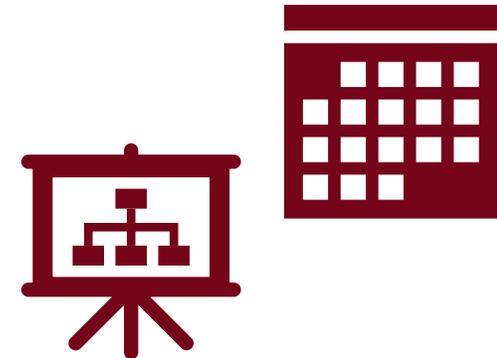
*(d) DSE Assurances, (6) **The DSE will not interfere with the business or operations of the SILC** that include but are not limited to:*

- 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*

(SILC Assurances & Indicators and DSE Assurances (d)(6))

What This Means:

- The State Plan for Independent Living should include assurances that no state entity or office will interfere with the operations of the SILC, unless directed by law and regulations.
- The SILC makes its own budget and spending decisions.
- The SILC sets its own meeting schedules, agendas, and policies for operations (including personnel).
- The DSE or other State agencies will not interfere in voting actions of the SILC.
- Decisions around travel and the costs approved are made by the Council, not the DSE.
- The SILC provides the training plans for members and the related training.



Questions & Discussion

What are you curious about?

What needs clarification or more explanation?



How to Connect with Us!

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Call: 406-243-5300, and someone will get back to you as soon as we can.

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You can fill out the paper copy of the survey, click on the link below, or scan the QR Code for access to the survey.

[Evaluation link](#)



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